

PLANNING BOARD MEETING OF JANUARY 10, 2006

PLACE: TOWN HALL BANQUET ROOM

Meeting called to order at 6:30 P.M. by Chairman Fleurent

I. ADMINISTRATIVE BUSINESS

A. Quorum/Attendance

Members Present – Chairman Fleurent, Albert Borges, Gary Staffon, Wayne Hayward, Marinus Vander Pol, James Holmes, Jeffrey Lucas and Dennis Vello.

Members Not Present – none.

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes – December 13, 2005

Marinus Vander Pol motioned to accept the minutes to the December 13, 2005 meeting. Gary Staffon seconded. The vote was unanimous in favor. The motion passed.

C. Planning Board Bills

1. Monaghan Printing - \$160.00 - Letterhead

Gary Staffon motioned to pay this bill. James Holmes seconded. The vote was unanimous in favor. The motion passed.

2. Southcoast Media Group - \$236.50

Marinus Vander Pol motioned to pay this bill. Gary Staffon seconded. The vote was unanimous in favor. The motion passed.

3. GAF Engineering - \$347.50

Gary Staffon motioned to pay these bills. Marinus Vander Pol seconded. The vote was unanimous in favor. The motion passed.

D. Receipt of Plans – None.

E. Approval of Plans

1. Form A – East Fairhaven School – New Boston Road.

William Roth – A new signal is being put in at New Boston Road and more property needs to be added to the right of way. I recommend endorsement.

James Holmes motioned to endorse this Form A. Marinus Vander Pol seconded. The vote was unanimous in favor. The motion passed.

2. Form A – Kelley South, LLC – 5-7 Water Street

William Roth – He has 3 parcels zoned industrial. They want to consolidate the 3 and create 2 lots. It meets frontage and area requirements. I recommend endorsement. He's selling lot 1.

Albert Borges motioned to endorse this Form A. Marinus Vander Pol seconded. The vote was unanimous in favor.

3. Form A – Manuel and Sharon DeSantos – 49 Glenhaven Road

William Roth – He has 3 assessor lots. He's combining them and creating 2 new lots. Parcels 7 and 8 are Town takings from 1967. The Town never filed the proper plans. This will finalize the 1967 takings. I recommend endorsement.

Albert Borges motioned to sign the Form A. Jeffrey Lucas seconded. The vote was unanimous. The motion passed.

II. PUBLIC HEARINGS

1.) Special Permit – Sconticut Neck Road – Shelley Moniz – The Executive Dog (continued from December 13, 2005).

William Roth – The applicant has revised the plans and addressed all of the issues. There are 7 conditions. I recommend approval with the conditions.

Chairman Fleurent – Does the applicant agree with the conditions?

Robert Rogers (for the applicant) – Yes.

James Holmes motioned to approve the Special Permit subject to the 7 conditions. Albert Borges seconded. The vote was unanimous. The motion carried.

2.) Definitive Subdivision – Mariner Estates – Welcome Street (continued from November 15, 2005)

William Roth – They just resubmitted the engineering. They have not done a traffic report. They are requesting a continuance to February 28, 2006.

Jeffrey Lucas motioned to continue the Public Hearing to February 28, 2006. Wayne Hayward seconded. The vote was unanimous. The motion passed.

3.) Unaccepted Street Discontinuance – Johnson and Plant – Rockland Street

William Roth – Two abutting property owners are agreeing to discontinue this street. The Town of Fairhaven owns the rest of the land to the back. There's no need to keep Rockland Street. It doesn't physically exist. The BPW has reviewed this and has no problem with it. I recommend approval with the condition identified.

Albert Borges motioned to approve the Unaccepted Street Discontinuance with the condition identified. Jeffrey Lucas seconded. The vote was unanimous. The motion carried.

4.) Special Permit – Bank Five – 107 Huttleston Avenue

William Roth – I have reviewed the application and sent a comment letter on December 28. They have a new set of plans, which were received on January 4, 2006. I have not had adequate time to review them. There is no formalized staff report. There are a number of issues. For one, the Huttleston House has issues with the property line. Town counsel says this is a civil matter between the property owners. The Planning Board bases their decision on the property lines that were submitted. If the two property owners cannot agree than a judge will ultimately decide on the property line. If it changes, the Special Permit will be void. They would have to come back. Second, the site plan doesn't indicate a dumpster. They say they don't use them. I want them to explain why. Third, the applicant doesn't believe that the right turn only egress onto Huttleston Avenue is safe. I disagree. They're done everywhere. It's recommended by SRPEDD. There are issues with the recharge unit. They've revised and added pre-treatment. I question the

location of the trees along Huttleston Ave. because it appears that they will be directly over the recharge units and there may not be enough cover to plant them. It appears the revised submittals addressed most everything. I recommend they go through with the hearing and continue it. I think the plans are good, but there's just a few issues that need to be addressed. I don't see stacking as an issue.

Atty. Art DeAscentis (for Bank 5) – Bank 5 is a community local bank. They're very community active. We have a branch in Dartmouth. They are good neighbors. The plan is to raise the property and start from scratch. The BPW is in favor. They're not looking for any variances. It was designed to meet the Town's criteria.

Richard Rheume (Prime Engineering) – The circulation is pretty easy. Mass Highway will allow a left and right out. SRPEDD suggested a voluntary right out only. If the Board wants it that way, we'll look into it. The tree planting issue was an oversight. We'll shift them accordingly. We'll make it work. The site has been evaluated to pitch drainage toward Route 6. Mass Highway is all right with that. It's a lot like what Cumberland Farms did when they came in.

William Roth – They have done an excellent job on most things. I didn't have enough time to review it. I would like clarification on the dumpster/trash.

William Eccles (from Bank 5) – The couriers pick up checks, including one bag of trash, which is brought to the main office for shredding. This is how we operate our other branches.

Wayne Hayward – The design should have included an east access. It hamstrings us. I don't believe there are no pollutants. Cumberland Farms has the entrance only on Route 6.

Rich Rheume – Both the Fire and Police Chiefs are all right with our approach.

James Holmes – I'm concerned about traffic. You will see an increase in accidents. That's a dangerous part of the road. We should close the Huttleston entrance.

Chairman Fleurent – I disagree.

Wayne Hayward – None of the abutters are fighting for the use of Maciel Street.

Attorney Ken Lipman (for the property owners) – The Bobola's own both sides.

Marinus Vander Pol – At one time, that was the only access from Bridge Street.

James Holmes – There'll be stacking on Route 6 during the busiest times of the day.

Wayne Hayward – There are many traffic issues.

Gary Staffon – I don't think 12 feet in and 12 feet out is adequate. We've seen that with Dunkin Donuts. We did a 40-foot wide down the road at Marion Pediatrics.

Rich Rheume – Mass Highway won't approve it. There's a 66-foot curb cut.

Marinus Vander Pol – I would like him to deal with exiting west on Route 6 by the next hearing. I do like the landscaping.

William Roth – Attorney Beauregard (represents abutter, Bobola's), who had to leave due to a family commitment, agreed that the property line issue is a civil matter. He wanted to be notified of any continuance.

Tim Cox (abutter) – I don't have a problem with the project. The Town does take care of that paper street. I like Mr. Holmes' suggestion regarding the paper street. If it's not a recognized street, then why does the town take care of it?

Chairman Fleurent – That's a good question for the BPW.

Victor Oliveira (abutter) – It was a paper street that wasn't used up until about 20 or 30 years ago.

Marinus Vander Pol motioned to continue the Public Hearing to January 24, 2006 at the applicant's request. Gary Staffon seconded. The vote was unanimous. The motion carried.

- The Annual Report

William Roth – I have made some corrections. If there are any others, let me know.

- The Annual Budget

William Roth – This is a level funded budget. The only change is a COLA for salaries. The postage may change due to an increase. The P&E budget is level funded except for services to prepare Community Block Grants. Some of that will be reimbursed from the State. I'll be looking for Finance Committee approval on this.

Wayne Hayward motioned to adjourn at 9:05 p.m. Marinus Vander Pol seconded. The vote was unanimous. The motion carried. The meeting was adjourned.

Respectfully submitted,
James Pelland, Secretary to the
Planning Board