

PLANNING BOARD MEETING OF DECEMBER 11, 2007

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 – All.

Members Not Present – None.

Planning Director William Roth was also in attendance.

B. Acceptance of Minutes – November 13, 2007

Albert Borges motioned to accept the minutes of the November 3, 2007 meeting. Timothy Cox seconded. The vote was unanimous. The motion passed.

C. Planning Board Bills –

1) Southcoast Media (Ads) -

a) Fairhaven Shipyard – 2 - \$86.25

Gary Staffon motioned to pay this bill. Timothy Cox seconded. The vote was unanimous. The motion passed.

b) Ketchum/Mello/McCann - \$102.00

Gary Staffon motioned to pay this bill. Timothy Cox seconded. The vote was unanimous. The motion passed.

c) Standard Times - \$102.00

Gary Staffon motioned to pay this bill. Timothy Cox seconded. The vote was unanimous. The motion passed.

D. Receipt of Plans –

1.) Special Permit – Executive Dogs (PH – 1/8/08)

William Roth – I recommend a January 22, 2008 public hearing.

Wayne Hayward motioned to set the Public Hearing for January 22, 2008. Timothy Cox seconded. The vote was unanimous. The motion passed.

E. Approval of Plans –

1.) Form A Evich/Roderick – 59 – 61 Cottage Street

(Marinus Vander Pol abstained.)

William Roth – This is the final step of the street discontinuance that was recently approved by the Board.

Gary Staffon motioned to approve these plans. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

2.) Form A Foster/Lanoue – 9 Silver Shell Beach Drive

William Roth – This is also the final step of a street discontinuance the Board recently approved, very similar to the last one.

Gary Staffon motioned to approve these plans. Wayne Hayward seconded. The vote was unanimous in favor. The motion passed.

3) Form A John and Susan Roderiques – 23 Rivard Street

(Marinus Vander Pol abstained.)

William Roth – We have a two lot Form A that was submitted this afternoon. This Form A meets the requirements. I recommend endorsement. I'm not sure about the other one.

Chairman Fleurent – If we endorse this one, will you pursue the second one?

John Roderiques – Yes.

William Roth - The second is a copy of the four-lot Form A that was mailed to you. There is a letter from the Town's Attorney in your packet. There are two issues. One is the issue of access across wetlands. It's not the main issue. The main issue is that there are two lots that do not meet the frontage requirement by statute. Based on that, I don't see how you can endorse it.

Chairman Fleurent- I think the ZBA exceeded their authority by approving something that wasn't under their purview.

Dave Davignon (Engineer) – We reviewed the court case. We agree with the report as did Town Counsel. In response, we submitted a revised plan, which I would like the Board to consider. Nothing has changed other than there are notations on lots two and four. By signing this plan, you are creating two buildable lots and two unbuildable lots.

Chairman Fleurent – I disagree with you. The ZBA decision means nothing to me. The only way you can sign this is to have them go through subdivision control and the public hearing process. We have to endorse this plan before they can consider this.

Wayne Hayward – On the court case, they got the variance because the lots existed. We can only look at frontage. If they don't meet the requirement, there isn't a lot of leeway.

John Roderiques – I am surrounded by three subdivisions. Nothing can be built between them and me. I'm being punished because all of the big wigs beat me to the punch. I submitted the two-lot Form A because I am selling my house.

Albert Borges motioned to endorse the two-lot ANR. Gary Staffon seconded. The vote was unanimous. The motion passed. (Marinus Vander Pol abstained)

Wayne Hayward motioned to deny the four-lot ANR. Gary Staffon seconded. The vote was unanimous in favor. The motion passed.

Wayne Hayward motioned to refund the application fee. Wayne Hayward withdrew this motion.

II. PUBLIC HEARINGS

1.) Special Permit – Standard Times – 245 Bridge Street

William Roth – This is an expansion to the existing building. They have removed the tent and create a building. It's predominantly paved and built on and vacant on the other side. I have reviewed it as have all departments. There are two issues. They need to address the stormwater regulations and drainage standards. I am recommending a condition on water quality. It's a good plan. I am recommending approval subject to those conditions.

William Madden – The unit we will install will go on the existing drain line. It's a catch basin insert. It removes 80% of the TSS. We have no issues with the conditions.

William Roth - You should revise conditions number two if you go with the catch basin inserts.

Dennis Vello motioned to approve the application with the order of conditions. Timothy Cox seconded. The vote was unanimous. The motion passed.

2.) Unaccepted Street Discontinuance – Ketchum/Mello/McCann – Howard Street

William Roth – The application was noticed properly. There are no objections from any town departments. There are no utilities and based on the build out of the area, there is no need for connectivity. This will limit any further subdivision of the lot to the south. I am recommending approval subject to one condition.

Chairman Fleurent – All parties are agreeable to this.

Wayne Hayward – I would like to add "within six months" to the beginning of the condition.

Wayne Hayward motioned to approve the street discontinuance with the amendment "within six months" to the condition. Gary Staffon seconded. The vote was unanimous. The motion passed.

III. OTHER

1.) Shannon Meadows – Pond & Pump Station Acceptances

Chairman Fleurent – At the last town meeting, these areas were omitted.

William Roth – Yes Mr. Chairman, these areas were not part of the street acceptance and should have been. Therefore, I am recommending that they be placed on the Town Meeting warrant by the Board.

Timothy Cox motioned to submit this on behalf of the Planning Board. Gary Staffon seconded. The vote was unanimous. The motion passed.

2.) Master Plan Survey -

Chairman Fleurent – I think we're in the right direction on this.

William Roth – You have had the survey for about four days now. We need to pare it down to twenty-three or twenty-four questions. I would look into finishing this soon so we can send it out with the Town Census and save money on postage.

- Discussion on the questions and paring them down.

3.) FY 2009 Budget-

- Discussion ensued regarding the budget for the fiscal year 2009.

Wayne Hayward motioned to submit the proposed budget to the Finance Committee and Selectmen. Timothy Cox seconded. The vote was unanimous in favor.

Albert Borges motioned to adjourn. Timothy Cox seconded. The vote was unanimous in favor. The meeting was adjourned at 9:28 p.m.

Respectfully submitted,

James Pelland, Secretary
To the Planning Board