

PLANNING BOARD MEETING OF JANUARY 22, 2008

PLACE: TOWN HALL BANQUET ROOM

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

## **I. ADMINISTRATIVE BUSINESS**

### A. Quorum/Attendance

Members Not Present – Gary Staffon

Planning Director William Roth was also in attendance.

### B. Acceptance of Minutes – January 8, 2008

Marinus Vander Pol motioned to accept the minutes of the January 8, 2008 meeting as amended. Wayne Hayward seconded. The vote was unanimous. The motion passed.

### C. Planning Board Bills – None

### D. Receipt of Plans

#### 1.) Unaccepted Street Discontinuance – Ruth Street Realty Trust – Nelson Avenue/Ruth Street (PH – 2/26/08)

William Roth – This is an application for a discontinuance of a portion of Nelson Avenue, south of Ruth Street. I am recommending a public hearing for the 26<sup>th</sup> of February.

Timothy Cox motioned to set the public hearing for February 26, 2008. Wayne Hayward seconded. The vote was unanimous in favor. The motion passed.

### E. Approval of Plans

#### 1.) Form A – Cottages @ Knowles Landing – 267 – 271 Huttleston Avenue

William Roth – They're consolidating various tax lots. They're reconfiguring some and creating two lots. Some, if it is wetlands, which they will eventually deed over to the Conservation Commission.

Wayne Hayward – Our intent was to get all of the condos on one lot. The plan reads "parcel two in and of itself does not meet current zoning requirements and is to be combined with parcel one".

Timothy Cox motioned to endorse the plans ANR. Dennis Vello seconded. The vote was unanimous in favor. The motioned passed.

## **II. PUBLIC HEARINGS**

#### 1.) Special Permit – Executive Dog, Inc. – 105 Sconticut Neck Road

William Roth – The Planning Board approved the site plan. Now, the review of the use is your purview. The applicant has complied with all ZBA requirements. They have been operating for over two years. The additional hours they want to operate, on Saturday, are acceptable to Staff. All Town Boards and Departments have no concerns or comments. I have identified nine conditions of approval. With those, I am recommending approval.

Chairman Fleurent – Why are you recommending that they come back after four years?

William Roth – The renewal time limit was a previous condition, I did not feel I could take it out, since that is your decision. I doubled the time. If you don't think the use needs to be reviewed, then you can remove the condition.

Chairman Fleurent – It's been two years and there have been no problems.

Attorney Michael Kehoe (for the applicant) – There was a two year review. I believe the two years that they have been in operation has shown that there have been no problems or detriment to the neighborhood. The only difference in what we're asking for is the extra hours. We are more than happy to live with the conditions. We have been good neighbors. There have been no complaints.

Chairman Fleurent – I would rather remove number one.

Marinus Vander Pol – Are there any abutter comments?

Chairman Fleurent – No.

Wayne Hayward – I am agreeable with keeping condition one. It is a good safety check.

Albert Borges – What if she sells it? Then we need to have that in there to check on them.

Timothy Cox motioned to give them 5 years instead of four on condition one. Dennis Vello seconded. The vote was unanimous in favor. The motion passed.

Marinus Vander Pol – Will the new permit be in effect when the old one expires?

William Roth – If you go by the clerk's signature, it's valid.

Marinus Vander Pol – Then you should tweak the wording in the condition to reflect that.

Wayne Hayward motioned to approve special permit as amended. Timothy Cox seconded. The vote was unanimous in favor. The motion passed.

### **III. OTHER**

1.) North Fairhaven Re-Zone –

Mr. Roth presented an exhibit to illustrate the area in question.

Chairman Fleurent – I asked Bill to look at this to see if we wanted to at least hold a public hearing on this.

- Discussion ensued regarding this issue.

2.) Town Meeting Warrant Items

William Roth – Our code references a 1952 map. We need to reference a current one, the one as amended on May 6, 2006. This will have to go on the Special Town Meeting.

Timothy Cox motioned to set a public hearing on both issues on February 26, 2008. Marinus Vander Pol seconded. The vote was unanimous in favor. The motion passed.

Mr. Roth informed the Board that the resident survey will be mailed on January 23, 2008.

Marinus Vander Pol motioned to adjourn. Dennis Vello seconded. The vote was unanimous in favor. The meeting was adjourned at 7:11 p.m.

Respectfully submitted,

James Pelland, Secretary  
To the Planning Board