

PLANNING BOARD MEETING OF March 8, 2011

Place: Town Hall Banquet Room

I. ADMINISTRATIVE BUSINESS

Chairman Hayward – Opened the meeting at 6:30 PM

A. Quorum/Attendance

Members Present: Chairman Wayne Hayward, Albert Borges, Albert Silva, Gary Staffon, Peter Nopper, Joseph Mora and Jeffrey Lucas. Quorum being present was acknowledged. Raymond Fleurent was absent.

Planning Director William Roth and William Fitzgerald, Board of Public Works, Superintendent were also in attendance.

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B. Acceptance of Minutes –

The Acceptance of Minutes of February 8, 2011 was addressed. Motion by Albert Borges seconded by Gary Staffon to accept the minutes. The motion passed.

C. Planning Board Bills -

1. Staples: Supplies - \$258.90
2. Ads: FNNews - \$108.00
3. GIS Update: DeLauriers - \$800 (Planning Board Account)
4. GIS Update: DeLauriers - \$240 (89 Deposit Account)
 - a) Taber – Shaw Road - \$80
 - b) Kendrick – Main Street - \$80
 - c). Costa – Gellette - \$80

Motion by Gary Staffon and seconded by Joseph Mora to pay the bills. The vote was unanimous. The motion passed.

II. CURRENT PLANNING

- Receipt of Plans: None
- Approval of Plans: None
- Release of Lots: Torrington Road – Subdivision – Form E release of lots 1, 2 &3.

William Roth – It was discovered during a closing on one of the lots that the covenant had not been released. During my research, it appears that the other two lots had been sold, so I informed the engineer that this had occurred and I would be requesting the Building Official withhold any building permits on the three lots until the covenant release issue was resolved. The Engineer contacted my office and the Board of Public works about inspecting it for release. The BPW has reviewed the subdivision and given its approval to release the lots.

The Board had a general discussion about the request.

Motion by Albert Silva and seconded by Albert Borges to sign the Form E Covenant Release release. The vote was unanimous. The motion passed.

III. LONG RANGE PLANNING – None.

IV. PUBLIC HEARING

1. Special Permit – Pasta House Parking Lot addition.

Chairman Hayward – Rescued himself from the meeting because a family member worked for the Pasta House. He turned the meeting over to Albert Silva, Vice-Chairman and he left the meeting room.

Albert Silva – Introduced the Board.

William Roth – Read the Public Notice, then gave a report and review of the project.

Gary Staffon – Had a question about the proposed signage requirements for the western curb cut.

William Roth – Discussed that the curb cut was primarily for the adjacent business and for employees. Having an “Exit Only” sign would help to keep the general public from using the entrance. However, it could be used as an ingress and egress for the employees and adjacent property owner.

Jeffrey Lucas – Had questions about the overall site circulation and how the road takings along Alden Road effected the site.

William Fitzgerald – Discussed the intersection project and effects to the Pasta house property.

Jeffrey Lucas – Asked if there was also a taking along Bridge Street and had questions about the plans and property lines.

William Fitzgerald – There were no takings along Bridge Street.

Bob Rogers – Tibbett’s Engineering – Explained that the plans was prepared from existing information and the Alden/Bridge intersection plans. The purpose of the plan was to provide a parking lot layout, circulation and what was agreed to as part of the land swap agreement between the Town and the Pasta House.

Joseph Morra – Asked how many parking space are required?

William Roth – Was not sure; however, he asked the property owned how many seats the Pasta House was permitted for.

Mario Ribeiro – Property Owner – Indicated he was permitted for 164 seats.

William Roth – Calculated that 66 spaces were required by code. The formula is 1 space per every 2.5 seats.

Albert Silvia – Asked if there were any more questions.

Gary Staffon – I would like to see condition #3 revised to change the words “Exit Only” to Employee Only”.

William Fitzgerald – Explained that the Board of Public Works wanted to start work as soon as the weather would permitted it and the condition #6 requiring the Form A plan being recorded may hold them up. He asked if part of the first sentenced: *“Prior to the issuance of a Building Permit and the start of site construction”* could be removed.

Albert Borges motioned to approve the Special Permit with the revised condition #3 and #6. Seconded by Peter Nopper. The vote was unanimous by the six members present. The motion passed.

2. Rezone – 122 & 126 Bridge Street – Map 25, Lots 82B & 83.

Chairman Hayward – Rejoined the meeting and opened the second hearing.

Joseph Morra - Rescued himself from the meeting because he was the owner of one of the parcels being proposed for the rezone and he left the meeting room.

William Roth – Read the legal notice and reviewed the proposal.

Chairman Hayward – Indicated that the rezone was initiated by the Planning Board when it was discovered this past summer during a Form A that the residence was no longer part of the same lot as the existing business. The proposed rezone was from Business to Single Residence (RA).

Albert Borges – Asked about the fence and chain across the driveway and if the rezone effected it.

William Roth – Indicated that there was an ongoing issue with regards to the business exiting onto Bridge Street and that the issue was before the Selectmen and the Zoning Enforcement Officer.

Gary Staffon – Asked if this would be considered Spot zoning?

William Roth – Did not feel it was because there were 4 residential lots to the west and the residential district would be combined with them to make a larger residential district.

Chairman Hayward – Indicated that he had spoken to one of the property owners and he was in favor of the rezone.

Garry Staffon motioned to recommend the rezone to Town Meeting. Seconded by Albert Borges. The vote was unanimous by the six members present. The motion passed.

V. OTHER BUSINESS –

Joseph Morra rejoined the meeting.

1. Discuss Resolution – Voices for a Healthy Southcoast

William Roth – No resolution was submitted; therefore, I recommend that this be tabled until the proponents resubmit a resolution for the Board to review.

Chairman Hayward – Do not put them on a future agenda unless they submit a draft that can be sent in advance of a meeting.

William Roth – Agreed.

Chairman Hayward – Announced that there was a candidates night scheduled at the same time and day as tonight's Planning Board meeting; therefore, he and Mr. Lucas were not able to attend because they were here at the Planning Board meeting. He also asked if there were any other business.

Albert Silva motioned to adjourn and Joseph Mora seconded. The vote was unanimous in favor. Motion passed. The meeting was adjourned at 7:25 pm.

Respectfully submitted,

William D. Roth, Jr., Planning Director