

PLANNING BOARD MEETING of June 11, 2013: Town Hall Banquet Room

**I. ADMINISTRATIVE BUSINESS**

Chairperson, Wayne Hayward - Opened the meeting at 6:30pm

Quorum/Attendance

Members Present – Chairperson, Wayne Hayward, Francis Budryk, John Farrell Jr., Rene Fleurent Jr., Jeffrey Lucas and Gary Staffon.

Absent – Kaisa Cripps and Peter Nopper

Planning Director William Roth was in attendance.

Acceptance of Minutes:

Francis Budryk made a motion to accept the May 14, 2013, minutes and was seconded by Gary Staffon. The motion passed unanimously.

Planning Board Bills:

1. **Staples** – Office Supplies - \$192.75

Gary Staffon made a motion to pay this bill to Staples and was seconded by Francis Budryk. The motion passed unanimously.

2. **Fairhaven Neighborhood News** - \$110.00 – 89/Acct-**Mill Bridge Holdings, LLC**

Gary Staffon made a motion to pay this bill for \$110.00 and was seconded by Francis Budryk. The motion passed unanimously.

**II. CURRENT PLANNING:**

Receipt of Plans:

1. Def Subdivision – **Mary Vander Pol** – Earle Street (PH-7/9/13)

William Roth explained this was to propose a two lot subdivision.

Jeffrey Lucas made a motion to set the Public Hearing for Mary Vander Pol subdivision for July 9, 2013, and was seconded by Gary Staffon. The motion passed unanimously.

Approval of Plans:

1. Form A – **Roberta & William Martin** – 10 Gilbert Street

William Roth explained this was just a “formality”. This memorializes the street discontinuance that the Board approved a few months ago.

Wayne Hayward said that this was adding discontinued street area into the adjacent lot and not subdividing lots.

Jeffrey Lucas made a motion to endorse the plan and was seconded by Francis Budryk. The motion passed unanimously.

As the Board members were signing the Plans, Wayne Hayward told the audience that since the last meeting, an honorary plaque was presented to Al Borges with the Selectman for his dedication and years of service with the Town. Also that the Board members attended the annual SRPEDD meeting and dinner; and Steve Grossman, State Treasurer, was present speaking on behalf of projects happening. Mr. Hayward said that it was very well attended by the Fairhaven Planning Board; all but two members were able to attend. He also congratulated William Roth, Town Planner, for being elected Vice Chairman of the SRPEDD Commission.

2. Definitive Subdivision – Sign Mylar – Teves Subdivision – Judson Drive

William Roth told the Board they had approved this subdivision at their May 14<sup>th</sup> meeting and the 20 day appeal period had expired and no appeal was filed. The Zoning Board of Appeals approved the variance and no appeal had been filed. Therefore, the applicant had met all of the conditions and the only thing left to do was for them to sign the Plans.

Wayne Hayward abstained as an abutter.

Gary Staffon asked about the street improvements?

William Roth said there were no street improvements. The frontage for both lots is on Judson Drive. Mr. Roth recommended that the Board sign it, advised that the Form D covenant would be recorded for Lot #2.

Gary Staffon made a motion to sign the Plans and was seconded by Rene Fleurent, Jr.

On the question, Jeffrey Lucas asked what notes were on the plans?

William Roth said, the list of waivers granted had to be listed as well as the two easements the applicant was providing had to be on the Plans.

Motion passed with 5 in favor, 1 abstained.

**III. PUBLIC HEARING:**

1. Special Permit – Mill Bridge Holdings – 200 Mill Road

Wayne Hayward opened the Public Hearing and introduced the Planning Board members. Mr. Hayward had William Roth read the advertisement, and then advised the Board if they voted tonight, it required six votes for an approval.

Bob Field, of Field Engineering was present on behalf of the Applicant. Mr. Field explained the project at the old AT&T building on Mill & Bridge Street. He explained the proposed area where there were underground fuel tanks, and they would be getting parking spaces in that area.

William Roth gave his recommendation. He said that no other departments had any concern. Mr. Roth shared from his report and the only concern he had was with the proposed landscape plan. Mr. Roth read from his report what this concern was. He advised the Board that he has placed Special Condition #3 to advise the Applicant that prior to construction a revised landscape plan would need to be submitted to his office for approval addressing the concerns as outlined within this June 4, 2013, report. He is recommending the approval from the Board with the 12 Conditions as listed in his memorandum report.

John Farrell, Jr. asked Mr. Field if the underground tanks had been removed as of yet?

Mr. Field said, No.

John Farrell, Jr. asked what lighting was being proposed?

Mr. Field explained existing lighting and proposed lighting.

Jeffrey Lucas asked about additional storm water runoff?

Mr. Field said there were new drainage basins done in 1996-1997; and there were additional drain structures to catch runoff of new area. He explained they did an analysis of the area where the drainage would occur and concluded that the existing stormwater facility can accommodate the added impervious area.

John Farrell, Jr. asked about hydrants on that side of the building?

Mr. Field said he wasn't sure if there were any on that side of the building, but he assumed they were on Bridge & Mill Street.

Jeffrey Lucas asked where the overflow from the stormwater facility would go?

Mr. Field said it would go in the wetlands.

Wayne Hayward said, "Pretty straightforward."

Bob Field said they reviewed the twelve conditions and were fine with them.

Rene Fleurent, Jr. made a motion to approve with the 12 Special Conditions recommended by Town Planner and was seconded by Jeffrey Lucas. The motion passed unanimously.

#### **IV. LONG RANGE PLANNING:**

##### **1. Zoning Reform Bill**

William Roth advised that SRPEDD is recommending approval. Mr. Roth told the Board this was a problem in the Commonwealth for the last 25+ years and it hasn't gotten anywhere. He continued to explain the zoning reform bill.

Wayne Hayward said that he had no update from the State House person on where the bill was in the process.

William Roth said that it was still in the Committee.

Discussion ensued.

##### **2. Medical Marijuana Law**

William Roth asked Board members to look at the outline that was given in their packets. This was a brief outline presentation that was given to MA Associates of Board of Health's. Mr. Roth went on to say the medical marijuana law is highly regulated by the State.

Wayne Hayward and John Farrell, Jr. both asked if the document was an interpretation of the Law.

William Roth said it was an outline of the Law.

Jeffrey Lucas asked if dispensary is different from growing facilities?

Wayne Hayward expressed his thought that the outline was very laxed.

Discussion ensued.

John Farrell, Jr. expressed concern as well, that the there were a lot of holes in the outlined document.

Jeffrey Lucas said he was concerned not so much about the growing part of it, but the dispensary part.

William Roth advised the Board as he received information, he would pass it along.

Wayne Hayward said, "We are back to asking who are we trying to protect? That's the real question."

Next Meeting is July 9, 2013.

Gary Staffon made a motion to adjourn and was seconded by Jeffrey Lucas. The motion passed unanimously.

Meeting was adjourned at 7:35 p.m.

Respectively submitted,

Patricia A. Pacella  
Recording Secretary