

FAIRHAVEN PLANNING BOARD
August 11, 2015
Town Hall Banquet Room

A. ADMINISTRATIVE BUSINESS:

Chairman Wayne Hayward opened the meeting at 6:32 p.m. and noted that it was being recorded and going out live on the Government Access channel.

Quorum/Attendance:

Members Present: Wayne Hayward, John Farrell, Jr., Gary Staffon, Rene Fleurent, Jr., Ann Richard, Jeffrey Lucas and Kaisa Cripps.

Absent: Peter Nopper and William Roth, Planning Director

Also in Attendance: Patricia Pacella, Planning Staff

Acceptance of Minutes:

None.

Chairman Wayne Hayward thanked the Board for the generous gift made on his mother's behalf to St. Jude's Hospital.

Planning Board Bills:

1. Engineering Services – GCG Associates, Inc. – **Carapace, LLC #2** – \$360.00

Gary Staffon made a motion to pay GCG Associates \$360.00 and was seconded by John Farrell, Jr. The motion passed unanimously.

B. CURRENT PLANNING:

Receipt of Plans:

None.

Approval of Plans:

None.

C. PUBLIC HEARING AND MEETINGS:

Special Permit – **Carapace, LLC #2** – 250 Bridge Street (Cont'd from 7/28/15)

Wayne Hayward indicated Bill Roth, Town Planner, was not here but did leave an update. Mr. Hayward noted there were a few questions by the Board members; a copy of setback variance approval was included in the packet and information on Whalers Way, a private street.

Evan Watson, Prime Engineering was present. They have been before Conservation Commission and Board of Appeals and received approval and variance. Mr. Watson reviewed current plan. Mr. Watson explained the detention area was replaced with a rain garden and underground piping system. They have increased the width of the intersection. It has been reviewed by a consultant who agrees with the methodology for drainage. Memo #3 refers to the lighting plan and landscape plan and requests approval with conditions and noted they will be asking for a few waivers, one regarding the soil. It is a "D" soil.

Wayne Hayward said Memo #4 said there were no catch basins and Mr. Watson explained the drainage system. Mr. Watson explained there are catch basins in the raingarden and storage underground. There is a perforated pipe below and crushed shell. It is in storm water management regulations when you have a "D" soil. The rain gardens are elevated.

Wayne Hayward said they were looking for some type of fencing and Mr. Evans said they could add a guardrail in the area. Mr. Watson said the only one driving in that area would be Staff. Mr. Lutz said there was a wooden fence there already. Mr. Watson said he has reviewed conditions and there were no issues with any of them. (Discussion ensued.)

Wayne Hayward said there is a 4-1/2 ft. drop. Mr. Watson said those are the areas that impact the wetlands and part of their duty was to minimize impact to the wetlands.

Mr. Lucas said he thought there was a request for a continuation for the road to go on other property. Mr. Watson said it is provided on cover sheet.

Jeffrey Lucas thought there was a clear request to show the thruway of how vehicles will enter and go out. Mr. Watson said he has a couple exhibits that were forwarded that show the turning movements. Mr. Lucas said he didn't have a sense of where the bay opening was. (Discussion ensued.)

Mr. Watson said a request from Bill Roth was they get an access easement for the two properties and Mr. Lucas doesn't feel the project fits the property. Mr. Watson explained the traffic patterns and Mr. Lucas said that was what he wanted to see on plan.

Kaisa Cripps said the property infringes on the other property and relies on the other property in order to function. Mr. Watson said if they are going to tie into pavement they need to connect to it. It was common with commercial property to have cross easements. Kaisa Cripps asked if this was industrial and Mr. Hayward said it was. Mr. Hayward said there is a 50 ft. setback in residential and 0 in Industrial. Kaisa said it is a requirement and would also require a variance and there is no reference to it. Mr. Hayward said Bill Roth did not mention any issue with it.

Rene Fleurent, Jr. said there was a little confusion if the building meets setback regulations and how could they approve a plan that does not meet requirements. Mr. Watson suggested they seek clarification from the zoning officer regarding setbacks and make any changes if they need to. (Discussion ensued re: setbacks in Industrial zone and Business to Business.)

Kaisa Cripps asked if they have crossover easement and Mr. Lutz said the attorney is working on it.

Mr. Hayward said condition of permit will provide crossover easement. As far as building close to property line, he does not see it as an issue and Mr. Roth is not here to address that question.

Mr. Lutz said the easement does bind both parties. It's a perpetuity easement. John Farrell, Jr. said there would be no coding of vehicles, site circulation does not work. Mr. Watson said Mr. Lutz owns north and south property. Mr. Watson believed it would be in the two parties' interest to have an easement agreement. (Discussion ensued re: crossover easement.)

Wayne Hayward said there is asphalt all around the building and Mr. Watson said that was one reason he did not show traffic flow. They have existing space with proper circulation and they are bringing access to an area with good circulation. He was trying to illustrate the most difficult movements. There is no bad way to go through the lot. Mr. Hayward said it needs a crossover easement. They have proper circulation and do not impinge on a public way, but they need that document. Mr. Watson said they are requesting a Special Permit. Wayne Hayward said if it is industrial use, the Board cannot issue a permit without setback variance. Rene Fleurent, Jr. said he has to go according to bylaw and it is very clear. (Discussion ensued regarding zoning and use.)

Gary Staffon asked about maintenance of Whalers Way and Mr. Lutz said he and the Credit Union share the bulk of the maintenance.

Mr. Watson said if there were no further questions, they would like to ask for a continuance and check with the zoning enforcement officer to get clarification.

Wayne Hayward said his issues were addressed.

John Farrell, Jr. asked about the garage openings and showroom. Mr. Lutz explained the doors and access and about a fifth was showroom. There were also parts, bays and offices, much smaller than the GM store. Mr. Farrell, Jr. asked about oil changes and Mr. Lutz said it would be just regular maintenance, detailing operation at Mazda.

Gary Staffon asked if they were planning to have a quick lube. Mr. Lutz said Mazda does not have a program like that. The GM store is set up for that.

Kaisa Cripps asked for clarification, they are in the Mazda building, but do not own it. Mr. Lutz said they are leasing it, a car dealer owns it. Ms. Cripps mentioned there were many abandoned buildings in town.

Mr. Lutz asked if the Board wanted to see something on paper about traffic flow and Mr. Lucas said he did.

Jeffrey Lucas asked what time deliveries were and Mr. Lutz said typically around 8:30 AM.

Kaisa Cripps made a motion to continue to August 25, 2015 and was seconded by Gary Staffon. The motion passed unanimously.

D. LONG RANGE PLANNING:

1. None.

Mr. Hayward said he just did not want items on the agenda while Mr. Roth was not here, but they will remain on the agenda.

Master Plan – Mr. Hayward said they have not had anyone apply for the position yet, but have had individuals express interest. Mr. Hayward said they have 3 members for sub-committee but they are not officially appointed yet.

E. CORRESPONDENCE:

1. 2016 CPC Plan

Kaisa Cripps said she felt good for the public to know about CPC.

F. OTHER BUSINESS:

None.

Gary Staffon made a motion to adjourn and was seconded by John Farrell, Jr. The meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Tracy White