

**FAIRHAVEN PLANNING BOARD**  
**September 8, 2015**  
**TOWN HALL BANQUET ROOM**

Wayne Hayward opened the meeting at 6:30 and noted the meeting was being recorded and going out live.

**A. ADMINISTRATIVE BUSINESS:**

***Quorum/Attendance:***

Members Present: Wayne Hayward, Chairman, John Farrell, Jr., Gary Staffon, Jeff Lucas, Ann Richard, Rene Fleurent, Jr. and Kaisa Holloway-Cripps (arrived at 6:50 p.m.)

Members Absent: Peter Nopper.

***Acceptance of Minutes:***

Gary Staffon made a motion to accept the minutes of August 11, 2015, and August 25, 2015, and was seconded by Rene Fleurent, Jr. Mr. Staffon had clarification on page 2 of the August 11, 2015, minutes regarding maintenance. The motion with corrections passed unanimously.

***Planning Board Bills:***

None.

**B. CURRENT PLANNING**

***Receipt of Plans***

None.

***Approval of Plans***

1. Form A – Richard Costa – 197 New Boston Road.

William Roth said the property is Rural Residence that requires 140 ft. of frontage and 30,000 sq. ft. of area. They are creating two lots, Lot A and Lot B. New Boston Road is an accepted way and Mr. Roth is recommending approval.

Gary Staffon made a motion to accept the plan and was seconded by John Farrell, Jr. The motion passed unanimous.

Wayne Hayward suggested tabling Special Permit Bonds giving Ms. Cripps a few more minutes to arrive.

**C. PUBLIC HEARING:**

1. Benoit Square Planning Project – SRPEDD Report on September 2, 2015, Public Forum.

Katie Goodrum, Senior Comprehensive Planner was present.

William Roth noted that Benoit Square Planning Study was a Southcoast Rail Technical Assistance Grant that's goals are to provide a corridor neighborhood plan as well as provide new zoning. The objective for the new zoning was to make the zoning compatible with existing uses and the adjacent neighborhood and to help to foster redevelopment and investment in the area. Mr. Roth goes on to explain the planning study and scope of services.

Katie Goodrum noted it there was a good showing at the general kick-off meeting and if they needed direction as the process goes on. They are going to supplement the existing conditions analysis with the information they learned from the meeting. There was not a great showing of commercial property and business owners as they would be impacted the most with the potential mixed use zone. Ms. Goodrum said her next step would be the Zoning analyst and the next meeting showing option in terms of what might work for Re-Zoning.

Rene Fleurent, Jr. and Kaisa Cripps asked if there was a traffic analysis being done in that area and Ms. Goodrum said Jed Cornock, Principal Comprehensive Planner will be looking at the existing sources they have like accident rates, volumes of traffic going by, etc. Mr. Roth said new counts will not be done. It is not in the scope.

John Farrell, Jr. asked if there were any studies that were done in that area. Katie Goodrum said maybe Howland Rd. when MassDot did their improvements.

William Roth said one of the things they wanted to know was differentiating car and truck traffic, not impossible, but very expensive. The truck route and cut through were of concern. Mr. Roth was going to talk with Police, Public Works and the Selectmen in putting "no truck traffic" signs on the neighborhood streets that were being used as a cut through. Mr. Roth would hope to find out how often it is happening and how to legally put signs up, getting it off the side streets and work with police for ticketing. (Discussion ensued.)

Rene Fleurent, Jr. asked if there was an analysis based on the dimensions of the road; do they have an anticipated traffic flow that is accepted and the roadway able to handle the amount of flow of traffic and design? Mr. Hayward suggested checking the Bylaws for the different classes of roads and Mr. Roth said it would be more of the MUTCD (Manual Uniform Traffic Control Devices). Ms. Goodrum said she would check with her colleagues to see if there was any information on capacity of roadways. Discussion ensued regarding size of the residential side streets in that area.

Ann Richard said there was discussion regarding the Adam and Main Street merge and who merges and who doesn't. John Farrell, Jr., Jeff Lucas feels that the area is dangerous and parking is inadequate in the area. Jeffrey Lucas believes it is a dangerous area and no parking should be allowed. Mr. Farrell, Jr., suggested making it a double-lane one-way. Discussion ensued.

Mr. Hayward asked if traffic improvements were within the scope of services and Mr. Roth indicated they were not. Kaisa Cripps said the zoning would affect the traffic flow. Mr. Roth suggested what might come out of this would be a recommendation for further traffic analysis and potential improvements.

Jeff Lucas asked what part the State played and Mr. Roth said a huge part, if there are any changes, their approval has to be sought.

Ann Richard said changes were made within the last year, so she believes there is a traffic study. The next meeting has to do with what happens at Oxford and this is a huge part of this that might change. Mr. Hayward said they could stress parking.

Katie Goodrum said parking management is required, but they could make a recommendation, maybe with residential permits. Ms. Goodrum suggested raising questions and see what other towns are doing. Discussion ensued.

Gary Staffon asked what they were doing zoning-wise for that area. Mr. Staffon feels the zoning lot area, now at 15,000 SF, is way over and feels it should be 8,000 sf or 9,000 sf lot sizes to work.

Katie Goodrum said her next step would be look at dimensions and see what's there and she will try to have that done before the next meeting and hopefully propose alternatives. Discussion ensued re: zoning and mixed use.

William Roth said do we take the existing Mixed Use zone we have now and modify it or do we create an entirely new Mixed Use zone specific for this area.

Wayne Hayward said maybe doing different variations on intensity and Mr. Roth said he believes the existing Mixed Use Zoning in the Center of Town has been successful in people being able to use their properties and maintain the character of the neighborhood.

Wayne Hayward said one concern is keeping out more commercial, national vendors that come in, like a Cumberland Farms that could change the character.

William Roth believes the lot size matters and believes the former Catholic Church or Oxford School properties are the only two that are big enough.

Katie Goodrum said some have design and parking guidelines and it will be looked at both ways.

William Roth said it is an issue and hope one of the recommendations is to explore it further to see what can be done.

Kaisa Cripps feels incentives and encouragement to get people in and to stay, provide all amenities.

Wayne Hayward asked if there were any identified historical sites in Benoit Square area. Mr. Roth said there are only 4 buildings on the National Historic Register in Town, Town Hall, Library, High School and Unitarian Church.

Wayne Hayward mentioned TIF (Tax Increment Financing) Districts and assessments on new growth within the TIF and make improvements. Discussion ensued.

Katie Goodrum said she will try to find comparable programs and asked how they would reach out to property owners and Mr. Roth said they would send out targeted mailings.

William Roth said they are now getting help and also noted this project has to be finished by this December.

Katie Goodrum said she would post a meeting summary and analysis once completed.

**D. LONG RANGE PLANNING:**

**1. *Auto Dealer Use – Potential Zoning Amendment.***

Wayne Hayward said there was an amendment offer by Ms. Cripps.

Kaisa Cripps said her information was from other towns looking at similar things.

William Roth said he opposes the use of percentages and formulas because the Special Permit gives the Planning Board great latitude in making decisions. He believes the first sentence covers it best. It is case by case, take percentage out.

Kaisa Cripps said she felt it made it fair for everyone using the standard 10% for everyone.

John Farrell, Jr. said he likes removing the percentage.

Kaisa Cripps said it would matter on what their intentions are. It would help limit parking where there is too much.

William Roth will add special permit waiver language. Mr. Hayward does not believe the 10% will fit all buildings and Mr. Lucas agrees. Kaisa Cripps said it is 10% of available parking. Discussion ensued.

John Farrell, Jr. said on page D, end of blue, how do they enforce that? He believes the language for external storage is good, but not for internal storage.

William Roth said internal should be a private matter. Mr. Roth asked if the Board wanted to use 30 or 60 days.

John Farrell, Jr. believes 60 days is too long, 30 days is reasonable, but does not see an issue with 60 and it is up to the owner.

Jeffrey Lucas does not believe the 30 days would be sufficient, but ultimately it is up to the owner and feels 60 days is reasonable.

John Farrell said under Section B 'Filling Station, etc., no filling shall be done into cars, change "cars" to "vehicles" and under D, where it says used automotive, change to used motor vehicles. On Ms. Cripps' notes, it says body work and painting says not at all and questioned, internally. Kaisa said this is auto dealers.

William Roth said he would strike internal storage and also strike preliminary site plan as there is not one.

John Farrell, Jr. likes Ms. Cripps' recommendation regarding fence. Discussion re: setback on fence.

William Roth said the 200 ft. is bothersome, and suggested it should be adjacent and should say residential district.

Rene Fleurent, Jr. said he is in favor of 6 ft. fence in accordance with 198-19.

William Roth said he has good direction and will make changes.

## 2. *Special Permit Bonds – Potential Zoning Amendment*

William Roth said he hasn't received any changes or heard any comments. He hasn't heard talk about the need for one. Discussion ensued.

Wayne Hayward also said it is the same document they have been working on.

William Roth said the bylaw is pretty similar to others approved in the Commonwealth.

Wayne Hayward said he thinks they need to protect themselves

William Roth needs to write up the procedures for Chapter 316, the companion piece and how he would recommend implementing it. Mr. Roth believes it depends on what is needed.

Gary Staffon asked how much they would ask for and how is it determined.

Jeffrey Lucas said it is in 1A.

William Roth said it would be part of the cost estimate. A bond is not the only requirement. There is a covenant or letter of credit as well. Discussion ensued.

Wayne Hayward said he did not have a problem with it and would just lay on table for a bit.

William Roth said he is waiting for procedures.

Kaisa Cripps asked for clarification on why it was being tabled and Mr. Hayward reiterated and noted the only relevant issue at this point was the Town Planner coming up with procedures and that will take some consideration.

Jeffrey Lucas felt it was a valuable tool for them to use they were looking more at drainage, layout and traffic.

Kaisa Cripps said she will send some over from other towns, the implementation process.

Rene Fleurent, Jr. asked what the time frame was for procedures and Mr. Roth estimated late October. Mr. Hayward encourages everyone to look at the policy. Discussion ensued.

Wayne Hayward said once they have a standardized bond, it will be a standard request. Concerns are going to be landscaping, drainage and parking.

Jeffrey Lucas asked about wetland replication. Mr. Roth said Conservation Commission oversees that but Mr. Roth will check with Conservation as they have their own actions.

Gary Staffon made a motion to adjourn and was seconded by Kaisa Cripps. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Tracy White