

**Fairhaven Planning Board
December 13, 2016**

Mr. Hayward opened the meeting at 6:30 p.m. and noted they are being recorded on the Government Access Channel.

Present: Chairman, Wayne Hayward, Rene Fleurent, Jeffrey Lucas, Cathy Melanson and Clerk-Peter Nopper.

Absent: Vice Chair-Gary Staffon, John Farrell, Jr., and Ann Richard

William Roth, Planning Director, was also in attendance.

Acceptance of Minutes: None

Bills: None

B. Current Planning: None

Receipt of Plans: None.

Approval of Plans: None.

Revised plans: None.

C. PUBLIC HEARING: None.

D. LONG RANGE PLANNING:

1. Historic Commission – Demolition Delay Bylaw Discussion

Dave Despres and Gary Lavalette from the Historic Commission were present.

Wayne Hayward opened the discussion saying that Rene Fleurent had asked the Planning Board to add the Historic Commission to come in and discuss this Demolition Delay Bylaw.

Dave Despres began by saying that this wasn't on their radar, until they were approached by Mr. Fleurent to perhaps look into and start some discussion on this type of bylaw for Fairhaven. He said they have been before Town Meeting in the past with a similar bylaw and it was turned down. The example of the bylaw that they referred to was written by Massachusetts Historical Commission; and Mr. Despres said they have tweaked it a little bit.

Mr. Despres explained that the demolition delay bylaw is basically a delay, a breather so to speak so other options can be looked at before a potentially historic building or residence would or could be demolished.

The Planning Board along with the two Historic Commission members reviewed the bylaw.

Ms. Melanson had some concerns on the time table of certain points that were on the bylaw.

Rene Fleurent reviewed that he went to a seminar in Worcester that they discussed this bylaw, and he went to the Historic Commission to advise them this would be something he would be interested in assisting them to look into for Fairhaven.

Wayne Hayward brought the Commission members attention to certain number of days that was written in the bylaw and the meaning of the days. For example, he questioned the 45 days for a Public Hearing, when it actually should be written "from the close of a Public Hearing." If the Public Hearing was to be

continued that may add more than the 45 days. Mr. Hayward advised that the bylaw would still need tweaking.

Ms. Melanson asked who it would come down to if the homeowners believed their point of view was that the residence wasn't of historic value vs. the Commission stating it was.

Mr. Despres said of course they wouldn't force anyone, if there was documentation that stated otherwise. He would hope that the Commission would work with the homeowner, business or developer.

Jeff Lucas asked in creating this bylaw if they reviewed any other Towns. He said in his review of the document before him, he felt there were gaping holes in the document and he doesn't see continuity. "These are some of my immediate concerns," Mr. Lucas said.

Wayne Hayward pointed out that this bylaw would make the Historic Commission a Regulatory Board in Town and research what that involves.

William Roth advised that he would help the Commission to codify the document.

Wayne Hayward recommended that he and Mr. Roth set up a meeting with the consultants of the Master Plan to meet with the Commission to help drive this opportunity. Mr. Hayward said it would be a benefit to have professional planners behind the bylaw.

Discussion ensued.

Wayne Hayward referred to the Historic District Study Committee that was done in 1995 and 1996 as a starting ground for the Commission to identify some homes in Fairhaven that are of historic value and build among that list.

Rene Fleurent also stated he could get someone to come down to speak to the Historic Commission to help the discussion. Mr. Fleurent stated he was 'enthusiastic' to move this bylaw forward and would be of assistance.

William Roth agreed to help the Commission with the Public Hearing procedural aspects.

E. Correspondence: None

F. Other Business:

In other business, William Roth advised the Board that on Thursday, December 15th he will be attending a seminar in Worcester on Recreational Marijuana Facilities. He would bring back the information to the Board for future discussion.

Rene Fleurent gave a quick SPREDD report from their last meeting. He stated that SRPEDD was raising their rate approximately \$69/year to the town. Mr. Fleurent stated there was a continued conversation regarding the Southcoast Rail through the Stoughton/Taunton path vs. the Middleboro route.

The next meeting is scheduled for Tuesday, January 10, 2017.

Cathy Melanson made a motion to adjourn and was seconded by Jeffrey Lucas. The motion passed unanimously at 8:08p.m.

Respectively submitted,

Patricia A Pacella
Recording Secretary