

**Fairhaven Planning Board  
July 25, 2017**

**A. ADMINISTRATIVE BUSINESS:**

Present: Wayne Hayward, Rene Fleurent, John Farrell Jr., Nicholas Carrigg, Jeffrey Lucas, Cathy Melanson and Peter Nopper; Absent: Ann Richard

William Roth, Planning Director, was also in attendance.

Acceptance of Minutes: July 11, 2017 – Rene Fleurent made a motion to accept the July 11, 2017, minutes was seconded by Cathy Melanson. Jeffrey Lucas had one typographical correction and with that correction, the motion passed unanimously.

Planning Board Bills:

1. *Engineering Costs* – GCG Associates, Inc. – Clean Energy – 276 Mill Road - \$520.00

Wayne Hayward asked if this was the last engineering bill for this project. Mr. Roth stated he believed so.

Rene Fleurent made a motion to pay GCG Associates Inc., for the Clean Energy project on 276 Mill Road and was seconded by Jeffrey Lucas. The motion passed unanimously.

**B. Current Planning:**

Receipt of Plans:

1. *Definitive Sub.* – Southcoast Development – 59 Gелlette Road – Map 31-A, Lot 3 PH(08/08/17)

Jeffrey Lucas made a motion to schedule the Public Hearing for Southcoast Development, 59 Gелlette Road – Map 31-A, Lot 3 to August 8, 2017, and was seconded by Rene Fleurent, Jr. The motion passed unanimously.

Approval of Plans: None.

*Revised Plans:* None

**C. LONG RANGE PLANNING:**

1. Master Plan Status Update

Mr. Morrison-Logan was present from VHB to listen to the Board members and hear some feedback on their concerns and/or questions on the Draft of the Vision/Goals. He said they will also schedule a Public Meeting for early October. Also VHB would want to come back in September to review. Mr. Morrison-Logan said the survey is available to the Public and they have spoken to Mr. Roth as they are doing some outreach community events, such as the Farmer's Market, National Night Out, etc.

Wayne Hayward asked what the status is of Open Space and Hazard Mitigation Plans.

Mr. Roth said he has to schedule the Open Space Public Meeting and Hazard Mitigation just sent him the draft.

Mr. Morrison-Logan said he will be trying to incorporate the objectives and goals from Open Space and Hazard Mitigation Plans in the Master Plan.

Jeffrey Lucas said he liked the format of the proposed draft and it seems to hit the proposed policies and strategies, theoretically. He did ask for a few corrections to be made, one on page 73 referencing the

recycling concept of dividing the recycled goods, as that is no longer needed. And that the Colonial House has met its demise and is no longer.

Wayne Hayward asked Mr. Morrison-Logan to review Page 2, Goal number 3, regarding permits for small businesses. He said there was no such thing.

A bit of confusion occurred when not everyone had brought their printed Draft copy. Mr. Roth printed and handed out all Board members the Draft copy from June 30, 2017.

Jeffrey Lucas spent a little time discussing housing and cluster zoning, which he did state they don't do but it would be something they could possibly add or a tool to think about.

There was discussion around Fairhaven being a small, quaint Town that prides itself in Seaside, Farming and being historical. There were discussions around what the historic districts in Town look like. All agreed that the difficult part is implementing the Master Plan.

Mr. Roth suggested breaking categories down into small scale, medium scale, and large scale.

Wayne Hayward asked about the New Bedford Harbor Plan. Mr. Roth stated that he was working with the Harbor Development Commission to get grant money to assist in developing a harbor plan with New Bedford, it would be a joint venture.

Nicholas Carrigg recommended perhaps not listing agency names in the document, as it is a twenty year plan, the agencies by name wouldn't be around in ten or twenty years.

Mr. Morrison-Logan stated they are using the month of August to gather more information from the Board's comments, and the Public Meetings already held and including them in the document.

Wayne Hayward recommended revised dates on the "Drafts" going forward.

Mr. Roth recommended that the next Public Meeting be scheduled in the auditorium at the Town Hall and recommended dates of either October 4, 2017 or October 5, 2017. Discussion occurred.

Jeffery Lucas made a motion to hold the next Master Plan Public Meeting on October 4, 2017, at 6:30p.m. and was seconded by Rene Fleurent, Jr. The motion passed unanimously.

#### **D. PUBLIC HEARING:**

##### **1 Def Subdivision – VCORP, LLC – 3B – Earle Street**

Steve Giosa of Sitec was present to speak on behalf of the project. He stated they wanted to build a single family home. He said they had been in front of the Board previously for a preliminary subdivision and took into consideration the feedback they were given. Since, they have made a few modifications- widening of the road right-of-way and there will be minimal activity within the buffer zone so a minor impact on wetlands. He stated that the owner has since downsized the house size.

Wayne Hayward said the water and sewer has been modified since the first plan. Discussion on the utility easement occurred.

Wayne Hayward read from Mr. Roth's conditions for the project and referenced number ten asking if this project really requires a Stop Sign as Mr. Roth indicated.

Mr. Roth stated it was a standard condition.

Mr. Hayward said that he felt the lesser of signs would be less intrusion on the property owners.

Jeffrey Lucas asked Mr. Giosa to review the roadway, to which he did.

Rene Fleurent, Jr. stated his concern from the beginning of this project is the curve on Route 6 at this street and it would be a hard left turn into the street. He stated he was not happy with the access to the property.

Mr. Giosa said that Jenney Street was not a full right-of-way and there was no full width access. There was also grade and drainage concerns and it was not practical in this situation to use Jenney Street as an access point.

William Roth gave a brief overview of his memorandum dated July 18, 2017. He said some of his concerns were already corrected. Should the Board wish to approve the project, he recommended the 13 special conditions identified in his memo.

More discussion ensued on whether the street needed a stop sign to access Route 6. Wayne Hayward recommended removing the 'stop sign' in the condition and Cathy Melanson agreed.

There was no public comment to this project.

Cathy Melanson made a motion to approve a Special Permit for VCORP LLC, 3B-Earle Street with the thirteen conditions with an amendment on number ten to remove the 'stop sign' as part of the condition and was seconded by Wayne Hayward. The motion passed six to one, with Rene Fleurent Jr. in opposition.

Steve Giosa stated that his client being present tonight wanted to ask if the Board would consider a lot release for his client, VCORP and their project off of Charity Stevens Lane.

Mr. Roth advised the Board that they cannot entertain the lot release tonight, as it was not scheduled on the agenda.

## 2. *Special Permit* – **Gator Fairhaven Partners, LTD** – Tractor Supply Co. (con't from 7/11/17)

Engineer, Daniel Mulloy was present along with owner, William Goldsmith. Mr. Mulloy began his presentation stating the plans had been revised on July 17, 2017. He stated this project was for the old Kmart building, with Tractor Supply securing the garden center area. He explained there would be a new façade housing Tractor Supply, Big Lots and a third store. There is new curbing on the lot and well as the parking lot getting sealed and repaired and re-stripped. There would be new crosswalks. New landscape islands to help direct traffic so they are not cutting through the parking lot. Mr. Mulloy explained the brick columns and fencing. They were proposing 348 parking spaces vs. the 384 on-site parking spaces that are there currently.

Mr. Roth spoke from his memorandum dated July 19, 2017. Mr. Roth stated that the applicant has addressed his initial concerns and comments and recommended approval subject to the conditions contained within his report.

Mr. Goldsmith spoke of the project stating he was one of the Plaza owners. He referred to a few typographical errors on the plans themselves. One being page 3 of the plans, should read 11,278 square footage vs. 11,208 and the sidewalk display area is 5' sidewalk area directly north of the lot.

Mr. Hayward stated that 5' sidewalks are standard for Fairhaven.

Mr. Goldsmith stated this project was similar to the Tractor Supply store in Swansea. He said they were putting in six new red oak trees and 17 honey locusts.

There were a few minor corrections that Mr. Goldsmith brought to the Board's attention. Page 6 of 7, the correct numbers were 124.6-feet vs. 124-feet and 30.3-feet vs. 20-feet.

John Farrell Jr. asked what was the propane tank size?

Mr. Goldsmith said it was proposed at 1,000 gallon but that was only a proposal, he said that in ten years or so it may have to change to 1500; he wasn't sure as of yet.

There was discussion about signage, lighting, curbing, and public access.

Jeffrey Lucas asked about the dumpster locations and whether or not they would be enclosed.

Discussion ensued. Mr. Roth stated their regulation was the dumpsters should be enclosed when in public view, Mr. Hayward concurred.

Jeffrey Lucas stated he had some concerns and that is why he brought that up.

Mr. Hayward read from the regulation that stated enclosures around the dumpsters when in public view.

John Farrell pointed out that it may just be the interpretation of said regulation to each Board member and that Mr. Lucas shouldn't be bullied on bringing his concerns to the limelight.

More discussion ensued.

Mr. Roth stated that he felt it would be okay to approve with a condition that required the applicant to make the minor typographical revisions to the plans and forward him four revised plans.

Mr. Roth added a number fourteen condition to the conditions that stated, "Four sets of revised plans that included landscaping, numerical corrections that were discussed at the hearing would be sent to the Planning Department."

Wayne Hayward made a motion for the parking determination of 348 spaces and was seconded by Cathy Melanson. The motion passed unanimously.

Rene Fleurent, Jr. made a motion to approve the Special Permit for Gator Fairhaven Partners LTD – Tractor Supply Co. with the 14 conditions, 13 as written in Mr. Roth's memorandum dated July 19, 2017, and the 14<sup>th</sup> condition as outlined in tonight's hearing and was seconded by Cathy Melanson. The motion passed unanimously.

Rene Fleurent, Jr. advised there was no SRPEDD report to be given at this time.

Cathy Melanson made a motion to adjourn and was seconded by John Farrell. The motion passed unanimously.

Meeting adjourned at 9:00 p.m.

**Documents reviewed at tonight's meeting:**

1. Memorandum- July 19, 2017- Master Plan-VHB-July 25, Meeting
2. From William Roth- Memorandum #3 – Earle Street – VCORP, LLC – Definitive Subdivision
3. From William Roth – Memorandum #2 – Gator Fairhaven Partners, LTD – Special Permit, 9 Plaza Way, Map 27, Lot 10

Respectively submitted,

Patricia A. Pacella  
Recording Secretary