

PLANNING BOARD MEETING OF April 7, 2010

Place: Town Hall Banquet Room

**I. ADMINISTRATIVE BUSINESS**

Chairman Hayward – Opened the meeting at 6:30 PM

A. Quorum/Attendance

Members Present: Chairman Wayne Hayward, Raymond Fleurent, Albert Borges, Joseph Morra, Gary Staffon, Albert Silva and Peter Nopper

Members Not Present – Marinus Vander Pol

Planning Director William Roth was also in attendance.

B. Board Elections –

Chairman:

Gary Staffon nominated Wayne Hayward as Chairman. No other nominations. The vote was unanimous. Wayne Hayward is the Chairman for the next year.

Vice Chairman:

Ray Fleurent nominated Albert Silva as Vice Chairman.

Wayne Hayward nominated Gary Staffon as Vice Chairman.

There were no other nominations. The Vote was 4 in favor of Albert Silva and 3 in favor of Gary Staffon. Albert Silva is the Vice Chairman for the next year. Those voting for Mr. Silva were: Raymond Fleurent, Albert Borges, Joseph Morra and Albert Silva. Those voting for Mr. Staffon were: Wayne Hayward, Gary Staffon and Peter Nopper.

Clerk:

Ray Fleurent nominated Joseph Morra. No other nominations. The vote was unanimous. Joseph Morra the Clerk for the next year.

SRPEDD Commissioner:

Albert Silva nominated Ray Fleurent. No other nominations. The vote was unanimous. Ray Fleurent the SRPEDD Commissioner for the next year.

B. Acceptance of Minutes –

Albert Silva motioned to accept the minutes for the March 9, 2010 meeting. Joseph Morra seconded. Gary Staffon had a correction on page 4 and Wayne Hayward had a correction on page 2. The vote was unanimous. The motion passed as amended.

D. Planning Board Bills

1. Fairhaven Neighborhood News - \$66.00 (Integrated Machine - \$33.00 & TM Guard - \$33.00)
2. Fairhaven Neighborhood News – Help Wanted Ad - \$80.00
3. Monaghan Printings – PB Envelops - \$69.00

Albert Borges motioned to pay the three bills. Ray Fleurent seconded. The vote was unanimous in favor. The motion passed.

## **II. CURRENT PLANNING**

### A.. Receipt of Plans:

#### 1. Special Permit – Francis Budryk – 1 Main Street

William Roth – A Special Permit for a minor expansion to the bed and breakfast facility at 1 Main Street has been received. I am recommending a hearing date of May 11, 2010.

Albert Borges motioned to set the Public Hearing for May 11, 2010. Ray Fleurent second. The vote was unanimous in favor. The motion passed.

### B. Approval of Plans - None

### C. Subdivision Lot Release – Mariner Estates – Welcome Street

Mike Kehoe (Attorney for Owner) – My client request 4 lots to be released. That would leave 5 still under covenant and based on the current sales price the value of those 5 lots is approximately \$700,000.

Wayne Hayward – What we would have is a covenant on 5 lots and not \$700,000 of security because we cannot sell the lots. Mr. Hayward reviewed past subdivision covenant issue of releasing too many lots and then the developer not having the motivation to complete the subdivision. He would not oppose these 4 lots being released, but would have a concern with anymore releases until the subdivision gets finished.

Gary Staffon – Agreed with Mr. Hayward and felt that the developer does not have much to go to get it finished. Therefore, get it completed before they come back for any more lots to be released.

Mike Kehoe – I understand your concerns and will take them back to my client.

Gary Staffon motioned to release Lots #2, 4, 5 & 6. Joseph Morra seconded. The vote was unanimous in favor. The motion passed.

## **III. LONG RANGE PLANNING – NONE**

## **IV. PUBLIC HEARING – .**

Chairman Hayward – Opened the Public Hearings.

William Roth – Read the Public Hearing notice for the three public hearings.

Chairman Hayward – Introduced the Planning Board

Garry Staffon – Abstained from the three Public Hearings because he was an employee of Mr. Guard and the Street Discontinuance may potentially benefit Mr. Guard and the Special Permit was from Mr. Guard's facility. In addition, he is an abutter within 300-feet to Integrated Machine.

#### 1) Street Discontinuance – Contemplated Sherwood Street

William Roth – reviewed his report and indicated that the paper street in question is indicated as a contemplated street and no subdivision creating the street could be found; however, it is referenced in deeds and on the Tax Map. Since it cannot be established if it is a paper street or not the Town Attorney recommend that to be conservative a street discontinuance should be completed. Staff recommends approval.

Chairman Hayward – Indicated that this application required a simple majority vote.

Ray Fleurent – Does half of the street go to the abutters and the other half to the Town?

William Roth – The information that is available indicates that the area of the contemplated street came from property once owned by the Town; therefore, the street would go back to the Town.

Geoffrey Haworth- BPW Chairman – The BPW is in negotiations with the two property owners for a land swap. The Town will swap the contemplated Sherwood Street area for some land along Alden Road. The Alden Road takings are required because of the intersection improvement with Bridge & Alden.

Susan Camacho (abutter) – Wanted to know what was going to happen with the portion of the street behind her business.

Geoffrey Haworth (BPW Chairman) – It will remain with the Town. The BPW does not have any plans. If you want to acquire it, please come meet with the BPW.

William Fitzgerald (BPW Superintendent) – Reviewed the history of the street and the intersection project.

Ray Fleurent motioned to approve the Street Discontinuance. Albert Borges seconded. The vote was unanimous in favor. The motion passed.

2) Special Permit – Integrated Machine Co. – John Medeiros – 129 Alden Road

William Roth – Reviewed his report.

Rick Charon (Engineer for the Applicant) - Reviewed the project and drainage proposal.

Chairman Hayward – What storms did you design for?

Rick Charon – I designed it for the 2, 10, 25 & 100 year events.

Chairman Hayward – What happens when it is at capacity and backs up in your system?

Rick Charon – When the chambers are full it will back up in the rear of the property area in the loading and landscape area.

Chairman Hayward – Why do you need two curb cuts on Alden Road?

Rick Charon – They are existing. We are reducing the width of the Pequod curb cut.

Albert Silvia – How did your property handle the recent March storms?

John Medeiros (Owner) – There were no problems as long as we keep the parking lot catch basin clean. No water backed up.

Chairman Hayward – Are there any retail sales?

John Medeiros (Owner) – No are trailers are made to order.

William Roth – Since there are numerous revisions recommended in my report, I recommend that the applicant continue the Special Permit, revise the plans and then come back for approval.

Joseph Morra motioned to continue the Special Permit and Public Hearing to April 27, 2010. Wayne Hayward seconded. The vote was unanimous in favor. The motion passed.

3) Special Permit – TM Guard Phase II – 110 Alden Road

Rick Charon (Engineer for the Applicant) - Reviewed the project and drainage.

Chairman Hayward – Asked about the rear parking and circulation.

Tom Guard (Owner) – Discussed the circulation and the new exit onto Bridge Street.

William Fitzgerald (BPW Superintendent) – Reviewed the Alden/Bridge improvements and how they have worked with Mr. Guard with his proposal and the BPW was in support of Mr. Guard's project.

Chairman Hayward – Is the new entrance to Bridge Street restricted?

Tom Guard – That entrance is for my oil trucks and employees and not the public. I have worked with the BPW on its design so it will fit into the Town's Alden/Bridge intersection improvement project.

William Roth – Reviewed his report.

Chairman Hayward – Discussed the new proposed sign and how a second free standing sign was not allowed.

Tom Guard – I will work with the Building Commissioner on a sign permit that complies.

William Roth – Discussed moving the northern dumpster so as to gain an additional parking space.

Chairman Hayward – What happens if there is an oil spill on the property.

Rick Charon – Reviewed the hooded catch basins.

Tom Guard – We service Boats and because of that we have to meet higher standards than your typical residential oil delivery company. We have to meet the Coast Guard hazard mitigation plan. We have the spill plan to clean up spills on the water as well as the land.

Peter Nopper – Mr. Guard keeps a nice place and this will make a nice addition.

Ray Fleurent motioned to approve Special Permit with the conditions identified in the Staff report. Albert Borges seconded. The vote was unanimous in favor. The motion passed.

**V. OTHER BUSINESS –**

1) Bridge/Alden Intersection Improvement Project – BPW

William Fitzgerald – BPW Superintendent – Reviewed the Alden/Bridge improvements

Albert Silva – Will there be new lights?

William Fitzgerald – Yes and protected turn lanes.

Chairman Hayward – What is the funding?

William Fitzgerald – Highway Safety funds.

Chairman Hayward – How many spaces does the Pasta House lose?

William Fitzgerald – They lose 7 with the takings but will gain more than that back with the contemplated

Sherwood Street right of way land swap.

Chairman Hayward – Are there any sidewalks??

William Fitzgerald – Yes, but not on the Standard Times side of the project; however, Mass Highway will grade and prep that area for a future sidewalk. Also Mass Highway is reworking the Bridge and Route 240 intersection.

Ray Fleurent – What about the underground utilities, are there any improvements?

William Fitzgerald – We are replacing water gate valves, but other than that the utilities are in good shape.

There was other general discussion from the Planning Board on the project and they asked about other road projects within Town.

William Fitzgerald – Discussed other transportation projects: The Main/Middle/Green/Adams Signal project; New Boston Road Safety Project, Route 6 overlay.

2) Sunset Beach Subdivision – Subdivision condition #1 – Book 115 Page 68

William Roth – There is a note on the subdivision about lot # 7 not be considered buildable until proper frontage is constructed. The lot is a corner lot and has frontage on Windward Way and Sunset Beach. Windward Way is constructed and Sunset Beach is not. My question to the Board is this Note #1 intended to get the Sunset Beach frontage constructed?

Ray Fleurent – Yes, I was on the Board when that was approved.

There was other general discussion from the Planning Board about the subdivision condition and it was the consensus that Sunset Beach Road needs to be improved.

Joseph Morra motioned to adjourn. Gary Staffon seconded. The vote was unanimous in favor. The motion passed. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

William D. Roth, Jr.  
Planning Director