



COMMUNITY PRESERVATION COMMITTEE

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COMMUNITY PRESERVATION COMMITTEE

September 22, 2021 - Minutes

1. Administrative Business

Chairman's Welcome Media Notification: Jeff Lucas, Chairman, opened the meeting at 6:30 p.m., welcomed all and read the revised Open Meeting Law Statement per the State of Emergency issued by Governor Baker with instructions that public hearings may be conducted remotely via zoom.

Quorum/Attendance: Present:

Jeff Lucas, Ann Richard, Gary Lavalette, Beth Luey, Roger Marcoux, Terrance Meredith, Karen Isherwood, Marcus Ferro, Paul Foley. **Absent:** Carol Alfonso

Minutes:

Ms. Richard made a motion to approve the Sept 1, 2021 minutes and was seconded by Ms. Luey. The motion passed unanimously via roll call vote. It was noted that Mr. Lavalette was sworn in to the Historical Commission this week.

Correspondence:

Mr. Foley received a Notice of Intent to sell land under Chapter 61A for 732 Sconticut Neck Road. The property owner intends to sell the property and take out of Chapter 61. This triggers notification to the Town. Any land taken off Chapter 61, 61A or 61B gives the town Right of First Refusal to acquire property when converted. This property is currently under 61A for agricultural protection. The property is across from Shipyard Farm Conservation Area and abuts the Monondach Salt Marsh Conservation Area, both owned by the Fairhaven Acushnet Land Preservation Trust.

2. Public Hearings

FY23 CPC Plan: Review and Approval

Mr. Foley discussed updates on changes in the draft plan during the last meeting. Over the last 17 years it has been determined that \$5 million has been collected through local surcharge and \$2 million through the match. Last year was the most the CPC ever appropriated in a single year with \$835,000. This year may get a higher percentage match than in the last few year due to all of the real estate activation. We should know by November or December.

Mr. Foley added what used to be guidelines and criteria to the application as checklists.

In response to a question about how much affordable housing Fairhaven currently has Mr. Foley said we have 7.1% affordable housing towards the 10% the State looks for under 40B. Mr. Foley noted that if the Town adopts a Chapter 40R overlay as part of the Route 6/240 plan that would both protect the Town from 40B developments and allow for more housing units including affordable. If a Town has a 40R Overlay big developments that exceed zoning can be turned down.

Mr. Foley also updated some statistics. The most jarring is that the average assessed value of a single family home has increased by 21 percent in 5 years. The average assessed value of a single-family home in Fairhaven in FY 2017 was \$264,074 and in FY 2021 it had risen to \$319,583. That's a \$55,509 or 21% increase in five years. Given the extremely active housing market it will be interesting to see the revised figure for FY2022 expected in December.

The Board changed application deadline to October 13, 2021 at noon; there was no objection to this change.

Motion: to change date to October 13, 2021 for application deadline. The motion passed unanimously.

Action: Mr. Foley to make changes to the application and post by September 24, 2021. This will provide organizations three weeks. He will also post a press release in the news about with date changed.

Mr. Foley notified the Board that 2 letters of interest came in; one for Pickleball courts at Livesey Park and one for a paved BMX Track at Macomber Park. The Committee can give feedback on steps and eligibility.

3. General Business

FY23 Letters of Interest Received:

Pickleball Courts

Pickleball courts were painted within the tennis courts at Cushman Park and 4 new pickleball courts were constructed at Fort Phoenix. This proposal is for 5 or 6 courts at Livesey Park. The Planning Board will need plans with dimensions for a review under Chapter 65 for a new development in a park. The Planning Department is looking for input from other Boards to learn more about how our recreation facilities are used.

The Applicant is Mr. Ken Pottel of the Pickleball Association. He noted that he talked to DPW about the drain on site where the proposed courts would be. He said interest in the sport is exploding.

Gary Lavalette said the drain in the proposed development area may present issues to the Conservation Commission. To avoid the drain, there are other potential locations for the courts. They could paint over existing tennis courts instead of constructing new courts. Another option would be converting the basketball court on North Street. The Planning Board will also itemize the project scope and feasibility. Mr. Lucas suggested the courts could go along the already existing chain link fence.

Mr. Marcoux discussed the two potential designs. Constructing 5 courts would enable them to be located up against the fence and tennis courts. In this scenario, the DPW drain will not be in the way.

Ken Pottel said the Town has the first municipal courts in Bristol County. This sport encourages all ages and all levels. Currently, there are 140 members and 200 email subscribers of the Fairhaven Pickleball Association. They are offering clinics and he suggested people come down on Sunday. Games last about 15 minutes.

Ms. Luey questioned the impact on the rest of the area; whether there is too much encroachment on the green space. Mr. Marcoux believes there is ample amount of open space in the park. There could be sign ups to reserve a spot, which would regulate parking.

Mr. Lavalette suggested the Board look into North Street. There is a wide-open space that is not used as much. This could be the next place to start courts before Livesey Park. The DPW would have to get involved for the decision at Livesey.

Gail Oxford, a resident near Livesey Park commented that pickleball is a great sport; not as intense as tennis. It appeals to the entire community (cross-generational) and is a tremendous compliment to the community.

Ms. Isherwood asked the square footage needed to be paved and how much lawn would be lost. Mr. Marcoux stated each court would encompass 40 feet by 60 feet.

Marcus Ferro, from the DPW, commented that the Fairhaven Pickleball Association presented at the Board of Public Works meeting. Upon speaking to constituents, it was discovered that there is a rapidly growing interest across southeastern MA in the sport. He voiced his support for the project, but does believe parking is a concern.

Mr. Foley suggested to cut back on costs and impact on the green space, 2 or 3 courts might suffice, instead of 5 or 6. We should try to accommodate Pickleball but we should determine the demand and review alternatives before we go too far and start paving more of Livesey Park. There's already tennis, basketball, street hockey, a skateboard park and new parking in the Park. Once this area is paved with a fence around it no one can walk their dog or throw a Frisbee or have a picnic in that location.

Mr. Lucas asked is this is an independently built project or a DPW project. He does not want to provide courts for all the neighboring towns and have the courts too crowded. Resident, Deborah Almeida, discussed that local businesses will prosper from the courts. Mr. Lavalette thinks Livesey Park is an ideal location. He does not believe the town has the ability to enforce limiting to town residents only.

Ms. Richard's reminded the Board that Mr. Pottel came to the CPC to speak of pickle ball courts back in 2014. She supports the project and hopes removal of green space is limited and avoided. Her suggestion was to build as close to the other courts as possible. She also does not think it should be limited to Fairhaven residents only.

Mr. Lucas believes it is fundable if proper backing from the DPW is received, since they are the authority to sign off on the project. The Community Preservation Committee's plan is to make sure all proper committees are included in the decision process.

BMX Track

Mr. Foley gave a summary of the proposed BMX Track at the Macomber & Pimental Park on Bernese Street. There is currently a dirt track and they would like to move the track and make it bigger and pave it. The current track is located behind the pump station at Macomber Park. The Board was given plans with dimensions to scale. The existing location is 25 feet to the wetlands. Chip Hawthorne and Mike Rotondo are involved in the formation and maintenance of the track.

Mr. Hawthorne stated it is not completely impervious, which would allow skate boarding or snowboarding. Ms. Luey asked for demographics of use. Mr. Hawthorne stated all ages, even toddlers on strider bikes.

Beth Luey asked how many people use the existing track.

Mr. Lavalette expressed the need for a detailed plan of what will be done, especially for Conservation. Conservation would need to know how close the proposed track would be to wetlands and flood zones. He stated he is not against the track, but would need to see a site plan with the end project and boundary markers to wetlands.

Mr. Hawthorne stated he did go through Conservation for the original track that exists now. Ms. Isherwood stated that unless it is moving out of the 100-foot buffer zone, Conservation would need to know direction of water flow. Mr. Lucas agreed that Conservation would need to approve first before full application. He would also like to hear support from DPW.

Mr. Ferro stated the DPW has worked with the group and offers full support. This was an underutilized space and they have created a great use of space. We are committed to being compliant with the Conservation Commission.

Mr. Hawthorne stated they will use some material from the old track and the rest will be graded out and become green space again.

Mr. Foley asked how the neighbors felt and has there been any notification to abutters. Mr. Hawthorne stated only notification has been the official agenda. He said some neighbors were against it at first but that now everyone is happy.

Ms. Richards asked Mr. Furtado the maintenance costs. She wanted to make sure we are not giving DPW more work. She also suggested more shrubbery, which would lead to less maintenance. Mr. Furtado confirmed that before any construction they will have a preconstruction meeting to address all concerns with the contractor. He would make sure everything is in accordance and will be addressed. He also added it has been more work grading the dirt surface over the years.

Ms. Isherwood stated the Conservation Agent would get an estimate of the wetland line, but would need a professional survey for the exact delineation.

Mr. Lucas asked how long the track is expected to last. Mr. Hawthorne was not sure. Mr. Foley asked if it would be concrete or asphalt. Mr. Hawthorne said asphalt. Mr. Lucas asked how the Board feels and if they would like a walk through for the placement. Mr. Lucas commented that this project may be better for next year, since applications are due October 13, 2021.

Mr. Foley asked if only CPC paying for it or will it receive any outside funding. Mr. Lucas encouraged Mr. Hawthorne to submit an application and to contact Conservation. He also advised that the project should be shovel ready, when you apply so it does not linger for years. Mr. Lucas recommended Mr. Hawthorne meets with the Conservation Agent and do a preliminary walk through to see if the proposed track is far enough from the buffer. It needs be permitted before it can be funded.

a.) Future Meeting Schedule

The next meeting was tentatively scheduled for November 3, 2021. November 17, 2021 is the preliminary review of eligibility and completeness for the CPC applications.

The Committee discussed not spending estimated funds or at least make sure there is money for the future. We could put the 10% in to each category every year and let it build up for a while for a time when we really need it. This is something the Committee would like to add as a routine agenda item.

Meeting adjourned at 8:31 p.m.