

**Fairhaven Planning Board  
August 8, 2017**

**A. ADMINISTRATIVE BUSINESS:**

Present: Wayne Hayward, Rene Fleurent, Jr., John Farrell, Jr., Jeffrey Lucas, Cathy Melanson and Ann Richard

Absent: Nicholas Carrigg and Peter Nopper

William Roth, Planning Director, was also in attendance.

Acceptance of Minutes: July 25, 2017 – Jeffrey Lucas made a motion to accept the July 25, 2017, minutes was seconded by Rene Fleurent, Jr. The motion passed 5-0-1, with Ann Richard abstaining, as she was not present at the last meeting.

Planning Board Bills:

1. *Engineering Costs* – GCG Associates, Inc. – Earle Street - \$130.00

Rene Fleurent, Jr. made a motion to pay GCG Associates Inc., for the Earle Street project and was seconded by Jeffrey Lucas. The motion passed unanimously.

**B. Current Planning:**

Receipt of Plans: None

Approval of Plans: None.

Revised Plans: None

Lot Release: Release Lot # 1 – Dylan’s Way Subdivision – VCORP, LLC

William Roth advised this was a one lot subdivision off Charity Stevens Lane and the BPW has now signed off on everything. A brief discussion on the paved apron was discussed. Engineer, Steve Giosa of SITEC, was present and explained that the pavement was done closer to the house where the cars would sit, and the rest of the driveway was the gravel for runoff as was in the plan.

Ann Richard made a motion to release Lot #1-Dylan’s Way Subdivision for VCORP, LLC and was seconded by Jeffrey Lucas. The motion passed unanimously.

**C. LONG RANGE PLANNING:**

1. Master Plan Status Update

Mr. Roth asked everyone to review and submit their comments by the end of the month on the Vision & Goals Section and the Implementation Section. He also advised there was an online survey on Vision & Goals. As well as there are a couple of events coming up to share with the public about Master Plan Fairhaven 2040: August 19<sup>th</sup> from 8am to noon at the Grand Opening of Ocean State Job Lot. In addition, Mr. Roth will have the visual boards available for Town Hall Music Nights on Thursday, if anyone can man them; best time is between 6:00-6:30p.m.

## **D. PUBLIC HEARING:**

### 1 Special Permit - Carricorp Industries, LTD (con't from 6/27/17)

Speaking on behalf of the applicant, Attorney Saunders asked for a continuance as they were waiting for Conservation Commission and they were looking to have a discussion with MASSDOT which would give them more time to discuss with the other parties, especially where there was not a full Board tonight, with one member absent.

Wayne Hayward explained that Mr. Nopper could catch up by reviewing the tape as well as reading the minutes and file a Mullin Rule with him and the Town Clerk.

After some discussion the applicant decided to be heard tonight and then would ask for a continuance at the end.

Project engineer, Steve Giosa from Sitec gave an overview of the project with plan revisions. He stated the project would be located on the southeast corner of Bridge Street and Route 240, and that the proposal is for a gas station and convenience store. He said the building is approximately 4,600 sq. ft. He said they have tweaked and fine tuned the storm water, having addressed all Conservation Commission concerns and they have concurred that and closed their Public Hearing. Their Order Of Conditions are scheduled for the next meeting.

Mr. Hayward stated that he spoke with the Chairperson of the Conservation Commission and he confirmed that they did not do an on-site.

Mr. Giosa explained the swale and drainage system. He explained that all staff was trained for spillage if it would occur. He advised they have responded to the Board's consultant, GCG Associates concerns. He stated the hours would be 5am to 11pm.

An environmental expert, William Baird was present to give information on the underground storage tanks (UST). He gave a detailed overview.

Jason Adams, a traffic engineer from McMahon Engineering was present and gave a brief report on their findings.

Wayne Hayward expressed concern for the hammer head layout and what traffic concerns may be if there is future build out.

There was discussion about the plan not showing full build out for the project and the parcel that could be built out in the future.

Mr. Giosa showed where the second site plan could go, however at this time there is no plan to build something there at this point. He said they could show something on the plan but it would be "make believe".

Mr. Adams stated the proposed driveway of the house that is there presently is where the entrance would be and that is between the signal and Titleist.

A brief discussion was had about moving the driveway east.

Wayne Hayward expressed his concerns that nowhere on the plans or with their "Notice of Intent" with Conservation Commission they made mention of the Nasketucket River.

Mr. Giosa explained that it was Conservation Commission that approved the resource area. He stated that ConCom stated there are no rivers on this site. However, he did acknowledge that the Nasketucket River was immediately adjacent to the site towards the east on the Titleist property.

Discussion ensued regarding the Nasketucket River. More discussion on the full build out of the entire site also occurred.

Attorney Saunders advised they would revise the plans to show where the Nasketucket River was located on the site. He said they will also explain what other lots are on the property and what they will be if they acquire them, such as a concept plan.

Robert Carrigg stated they do have a delineation line that has been approved within the last three years.

There was discussion on the sound board and what the drive through hours should be based on the quality of life for neighbors in that area.

Alex Carrigg referenced the property that used to be the old Rosie's on Hathaway Road in New Bedford. He stated that there is an apartment right next door and the sounding board there doesn't seem to bother the residents.

Ms. Richard stated she felt it wasn't the same comparison, as that is one apartment versus there are residents and homes closer to this site.

Resident, Dawn Costa asked if Mr. Carrigg went to neighbors on Mill Road and Narragansett Boulevard to explain the project and get their support.

Mr. Carrigg stated the list of signatures that he supplied weren't necessarily homeowners in the area, but business owners in Fairhaven who signed they were in support of the project.

William Roth gave his report. He asked to be invited to the MASSDOT meeting.

Ann Richard asked that Mr. Roth re-route the project to Police and Fire, as they last signed off on project in March 2017.

On behalf of CarriCorp, Attorney Saunders asked for a continuance.

Jeffrey Lucas made a motion to continue the Special Permit for Carricorp Industries, LTD to September 26, 2017 at the applicant's request and was seconded by Rene Fleurent, Jr. The motion passed unanimously.

2. Def Subdivision – Southcoast Redevelopment – 59 Gелette Road, Map 31A, Lot 3. Requesting a Definitive Subdivision approval to divide their lot into two lots.

Wayne Hayward abstained and left the room as he is a direct abutter to the project.

William Roth read the advertisement.

Engineer, Michael Koska explained the project. Mr. Koska stated the current lot has a single family dwelling on it and they would like to subdivide the lot creating two lots. The applicant's were proposing a 40' x 28' house.

Mr. Roth reviewed his memorandum, stating he does not believe the application meets the criteria. He said if approved they would still have to go to the Zoning Board of Appeals for a variance.

Acting Chairperson, Rene Fleurent, Jr. said they would be making a conforming lot into a non conforming, which goes against the spirit of the Zoning Bylaw.

Mr. Koska reviewed a home in the area that has done just that and he said they wouldn't be doing anything different that was in the neighborhood already.

Resident, William Moniz of 54 Gелette Road, expressed his concern that this was a business that purchased the house, who in turn wanted to divide and make money selling. Mr. Moniz expressed that projects like this should consider the neighborhood. "It's not like it is switching from family to family, it's a businessman."

Jeffrey Lucas made a motion to deny the proposal on grounds that the frontage waiver request form Zoning Bylaw Section 198.18 Intensity Use Schedule, Single Residence District, is not in the public interest to waive the strict compliance of the rules and regulations as provided for in MGL c 41, 81R and was seconded by John Farrell, Jr. The motion was denied unanimously.

**E. CORRESPONDENCE:** None.

**F. OTHER BUSINESS:**

Rene Fleurent, Jr. gave a brief SPREDD update that the Southcoast Rail was on the back burner.

Cathy Melanson made a motion to adjourn and was seconded by Jeffrey Lucas, the motion passed unanimously. Meeting adjourned at 9:24 p.m.

Documents reviewed at this meeting:

1. William Roth's Memorandum #3-8/2/17 – RE: CarriCorp
2. McMahon Traffic Analysis, dated July 19, 2017 RE: CarriCorp
3. William Roth's Memorandum – Southcoast Redevelopment – Definitive Subdivision

Respectively submitted,

Patricia A Pacella  
Recording Secretary