

**Minutes
Fairhaven Planning Board
November 14, 2017**

Mr. Hayward opened the meeting at 6:30 p.m. and noted the meeting was going out Live.

Present: Chairman, Wayne Hayward, Vice Chair-Rene Fleurent (arrived at 7:44p.m.), John Farrell, Jr. Clerk-Peter Nopper, Jeffrey Lucas, Cathy Melanson, and Ann Richard.

Absent: Nicholas Carrigg and John Farrell, Jr.

William Roth, Planning Director, was also in attendance.

Acceptance of Minutes:

October 24, 2017

Ann Richard made motion to accept the minutes and was seconded by Cathy Melanson. The motion passed unanimously.

Bills:

Refunds – 89 Account closed-21 totaling \$3,768.17

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| 1. Brahmin Leather-\$24.05 | 2. Carapace, LLC-\$1,749.44 | 3. Executive Dog-\$20.25 |
| 4. Clean Energy - \$420.20 | 5. Hawthorne Property-\$83.83 | 6. IMAC Mgt-\$10.00 |
| 7. Jorge & Sherry Melo-\$14.16 | 8. Antone Medeiros-\$8.00 | 9. Verizon-#SC01-\$139.13 |
| 10. Verizon-#SC03-\$109.42 | 11. Verizon-#SC04-\$128.95 | 12. Verizon-#SC06-\$130.88 |
| 13. Verizon-#SC07-\$102.41 | 14. Verizon-#SC08-\$111.35 | 15. Verizon-#SC09-\$122.35 |
| 16. Verizon-#SC10-\$104.06 | 17. Verizon-#SC11-\$115.83 | 18. Denise DeCosta-\$57.67 |
| 19. Dan/Pam Corcoran-\$90.10 | 20. Enrizo Pizozza-\$59.36 | 21. Nelson/Iacoponi-\$166.74 |

Jeffrey Lucas made a motion to refund from the 89 Account a total of \$3,768.17 for 21 accounts and was seconded by Ann Richard. The motion passed unanimously.

CAI Technologies - \$192.50

Jeffrey Lucas made a motion to pay CAI Technologies \$192.50 out of the Professional Services line item and was seconded by Ann Richard. The motion passed unanimously.

B. Current Planning:

Receipt of Plans:

None

Approval of Plans:

1. Form A – Kevin Pestana & Chester Siwak – 25 New Boston Road – Map 34A, Lots 5 & 5A

William Roth read from his memorandum dated November 8, 2017. The proposal is to adjust the property line between the two properties. Revised Lot 5A will lose 1.04 Acres of land area and revised Lot 5 will gain the 1.04 acres of land area.

Mr. Hayward asked if the wetland line was still correct. Mr. Roth said the Board is not approving the wetland line and he wasn't sure if it was accurate.

Mr. Pestana was in the audience and stated that his neighbor offered him the land and he accepted; that way he owns it and doesn't worry about who's going to be behind him.

Jeffrey Lucas made a motion to approve the Form A, as it is not a subdivision and was seconded by Ann Richard. The motion passed unanimously.

Lot Release: McKensie Lane – Lot #5

Mr. Roth recommended the Board sign the release to Lot #5, stating that the DPW has the “as-built” on file.

Cathy Melanson made a motion to release lot #5 and was seconded by Jeffery Lucas. The motion passed unanimously.

C. LONG RANGE PLANNING:

1. Master Plan Update:

Wayne Hayward stated there was a conference call scheduled with VHB for Thursday. He stated they were looking at and reviewing Version #2 of the draft that had been sent to the Board in a text edited version.

Mr. Roth advised he has hired someone to finish out the CDBG grant and will also have that person review the version #2 document, as they have planning background.

Mr. Hayward advised there be a version #3 after text editing, etc., as some of the page numbering and matrix's were very confusing or hard to read.

Mr. Roth concurred.

Ann Richard made some edits on her document that included spelling errors and questioned who prioritized the implementation matrix. They reviewed her questions.

The Board had discussions about the content and discussed another meeting with VHB for more discussion. Some of their concerns were the matrix's, maps were hard to distinguish and confusing to read.

Mr. Hayward wanted to add that Acushnet/Fairhaven Land Trust and the Buzzards Bay Coalition should be listed as Implementation Partners.

Brief discussion on Town Meeting accepting the whole document or at least having a presentation at the Town Meeting to show what the Planning Board has been working on. Mr. Hayward suggested perhaps looking at an Executive Summary to present.

Taking the meeting out of order, to wait for Mr. Fleurent who was on his way, Mr. Hayward explained that the Selectmen were looking for a Planning Board Member Appointment for the newly developed Recreation Marijuana Advisory Committee. The Board discussed appointing a member as well as an alternate. Both Cathy Melanson and Ann Richard volunteered.

Wayne Hayward made a motion to appoint Ms. Melanson to the Recreation Marijuana Advisory Committee with Ann Richard as an alternate and was seconded by Jeffrey Lucas. The motion passed unanimously.

D. PUBLIC HEARING

1. *Def Subdivision* – **Overlook Realty Trust** – Between 444-450 Sconticut Neck Rd., Map 29, Lot 1C, is requesting approval for a three lot subdivision.

Wayne Hayward advised two members present had Mullen rule request so could be part of the Public Hearing this evening and could vote if needed to.

Mr. Roth advised that if they moved forward tonight all five members present could vote. He stated Mr. Carrigg would not be able to vote because he has missed more than one meeting regarding this Public Hearing and the Mullen rule states you can only miss one meeting. Mr. Roth also advised depending on when Mr. Fleurent arrived, he may need to also do a Mullen rule.

Engineer for the project, Dave Davignon stated that he wanted to move forward with the meeting as he figured it would be a meeting to bring the Board up to speed and review with a vote at their next meeting.

Wayne Hayward then opened the Public Hearing at 7:34p.m.

Mr. Roth reviewed his memorandum #2 dated November 9, 2017. The BPW has advised they have no further questions.

Mr. Davignon stated they originally asked for 9 waivers and now they are down to 6, with two of them crossing over. He stated they wanted a waiver for no Cape Cod berms; a waiver for a cross section, a sidewalk waiver, and a landscape waiver for trees. The sixth waiver referred to curbing which was the same as waiver #2.

Board member, Rene Fleurent arrived at 7:44p.m. and was brought up to speed on the discussion by Chairperson, Wayne Hayward.

Mr. Davignon reviewed the plans.

Lauren Francis spoke to advise that plans prior to 1971 had the owners proposing 156 apartments be built here, and then in 1971 it was 26 lots. Currently they are asking for a 3 lot subdivision.

Discussion of conveyance on Lot "A" of uplands and the property line.

Mr. Roth advised that the plan should show lots in conformance, he stated there was a note on the plan that stated "Parcel A" complies "unless a variance" is granted. Mr. Roth suggested that the problems be resolved now.

There was some discussion the frontage of all the lots. Ms. Francis provided the frontage to the Board for all the lots.

Ms. Francis also gave a copy of the easement deed and DPW plans to Mr. Roth for review.

Mr. Davignon stated they may do a plan showing Lot 6 as an ANR. Discussion ensued.

One resident was present for the hearing and stated that she was not happy this was going in her backyard.

Discussion on when the next Planning Board would be for the applicant.

Mr. Davignon stated he would like to continue the subdivision meeting to December 12, 2017.

Ann Richard made a motion to continue the subdivision to December 12, 2017, at the applicant's request and was seconded by Jeffrey Lucas. The motion passed unanimously.

Cathy Melanson made a motion to adjourn and was seconded by Ann Richard. The motion passed unanimously. The meeting was adjourned at 8:44 p.m.

Respectively submitted,

Patricia A. Pacella
Recording Secretary