

FAIRHAVEN PLANNING BOARD
July 12, 2016
Town Hall Banquet Room

A. ADMINISTRATIVE BUSINESS:

Mr. Hayward called the meeting to order at 6:30 p.m. and noted it is recorded and going out live.

Quorum/Attendance:

Present: Wayne Hayward, Chairman, Peter Nopper, John Farrell, Jr., Rene Fleurent, Jr., Ann Richard, Cathy Melanson, Jeffrey Lucas and Gary Staffon (arrived 6:40 p.m.)

Absent: None.

William Roth, Planning Director, was also in attendance.

Acceptance of Minutes: Mr. Lucas motioned to accept the minutes of June 14, 2016; seconded by Ms. Richard. The motion passed unanimously.

Planning Board Bills:

1. Office Supplies – **Staples** - \$232.60.

Mr. Lucas motioned to pay Staples \$232.60; seconded by Mr. Farrell. The motion passed unanimously.

2. Engineering – GCG Associates, Inc. - **Jorge & Sherry Melo** - \$980.00.

Mr. Lucas motioned to pay GCG Associates, Inc. \$980.00; seconded by Ms. Richard. The motion passed unanimously.

3. Mileage – **Rene Fleurent, Jr.** - \$34.56.

Mr. Lucas motioned to pay Mr. Fleurent, Jr. \$34.56 for mileage to SRPEDD meeting; seconded by Mr. Nopper. The motion passed unanimously.

Mr. Fleurent, Jr. abstained.

4. Mileage (April-June) **William Roth, Jr.** – 298.88.

Mr. Lucas motioned to pay Mr. Roth \$298.88 for mileage on various trips for duties as Planning Director; seconded by Mr. Farrell. The motion passed unanimously.

5. Ads – Fairhaven Neighborhood News – **IMAC Management, Inc.** - \$90.00

Mr. Lucas motioned to pay Neighborhood News \$90.00; seconded by Mr. Farrell. The motion passed unanimously.

Melo & V-Corp., LLC. - \$140.00

Mr. Lucas motioned to pay Neighborhood News \$140.00; seconded by Mr. Farrell. The motion passed unanimously.

B. CURRENT PLANNING:

1. None.

Receipt of Plans:

1. Special Permit – Antone Medeiros, Jr. – 345 Alden Rod – (P.H. 7/26/16)

Mr. Lucas motioned to schedule Public Hearing for Antone Medeiros request for Special Permit for Accessory Apartment for July 26, 2016; seconded by Mr. Farrell. The motion passed unanimously.

C: PUBLIC HEARINGS AND MEETINGS:

1. Special Permit – Extension Request – IMAC Management Group, Inc. – 67 Middle Street
(cont'd from 6/14/16).

The Applicant has requested 2-year extension to existing Special Permit, which was discussed at the last meeting by the Board and Attorney Pamela Lafreniere. The Applicant noted they are still waiting on the state permitting.

Ms. Richard noted she met with Mr. Roth and reviewed all the information and has no issues.

Mr. Fleurent suggested a 1-yr extension with the option at that time to extend again.

Mr. Lucas motioned to approve Special Permit extension for 2 years; seconded by Ms. Melanson. The motion passed unanimously.

Mr. Roth indicated all the conditions remain intact.

2. Special Permit – Jorge & Sherry Melo – 232 Huttleston Avenue.

Mr. Roth read the advertisement into the record.

Al Ewing of Ewing Engineering was present along with Jorge and Sherry Melo.

Mr. Ewing noted the Melo's are proposing the project be done on the property at 232 Huttleston Avenue, which has 3 dwellings they would remove. There are 2 access points. The property is mostly lawn, 132' x 320' approximately. All utility services are existing.

Mr. Ewing discussed Phase I and Phase II; create one building and possibly a second if the first works. A description of the building was given, 4-units. In Phase II, buildings would be identical with a separation of 6'. There would be a two way curb cut and an exit-only driveway. Landscaping would take place with the addition of arborvitae hedge along the East property adjacent to the residence next door and sign. Storm drainage would be added for roof runoff and a detention area. Utilities would go underground from the existing pole for both Phase I and II as well as sewer and gas, each unit would have a meter. It would be a one-story contractor building, 4 units in each, one being used for their business and leasing the other three.

Mr. Lucas asked if there would be a mezzanine and Mr. Melo said they will be tall enough to allow for it, but none were planned.

Mr. Roth reviewed his June 23, 2016, memo and noted there were no issues with the site plan and pointed out need for dumpster location and specs for wall lights as well as noting Huttleston Avenue is a State Highway and may need new curb cut permit from MassDot. Mr. Roth reviewed comments from the different departments as indicated in the memo.

Mr. Roth noted the main issue is the drainage and is recommending conference call with GCG, Planning Board's Engineer, to review issues, quality and quantity. The other issue is perimeter screening on the south side and along the long stretch and suggested canopy trees.

Mr. Almeida, neighbor to the East, expressed concerns and requested a continuous hedgerow along his property line.

Mr. Lucas discussed the dumpster and using the same material and also drainage was discussed with Mr. Ewing about flow.

Mr. Hayward asked if the distance from the property line could be increased and suggested looking for a way to break it up and Mr. Ewing noted the building would be shielded by existing vegetative growth. Using a Form A was discussed and Mr. Roth was unsure if lot was large enough. Ease and width of access helped them decide where the buildings would be placed.

Mr. Fleurent, Jr. brought up lawn care business and other uses for the buildings. Mr. Melo noted they would follow code for that area as far as leasing.

Mr. Hayward asked about the parking area for Phase 1 and Phase II and Mr. Melo noted the parking area would be done with each phase. There would be no retail use.

Mr. Roth noted the lot is not large enough for bulk storage and Mr. Melo noted bulk storage would be at their property in Rochester.

Mr. Farrell had discussion with Mr. Melo regarding the number of vehicles used for the business as well as storage of fertilizers on the property. Mr. Melo noted use of fertilizers would be very minimal. They would pick up as needed. Mr. Melo explained they are trying to do everything right and make this work and to try to bring some small business in the area and discussion with Mr. Lucas ensued on how they would ensure that any tenants would be aware and follow same guidelines. Mr. Hayward noted they could condition some of the issues in the phases.

Scott Almeida, neighbor, respects Mr. Melo and noted he is a hard worker. He described his property, which abuts, and requested an 8' privacy fence to protect from noise, dust, and loss of privacy. Mr. Almeida also spoke of stone wall as a retaining wall. He also noted an issue with wildlife in the existing buildings.

Ed Corris just wanted clarification on screening and asked if Phase II could be moved a few feet so there could be some kind of screening and also discussion of drainage ensued as he had concern of flooding. Also the Exit was discussed as vehicles are pulling out on to Route 6 and has been an issue with him. Mr. Corris noted he has no plans at this time for his lot.

Janine Lopes here as resident and speaking on behalf of the Melo's. She is pleased with what they are trying to accomplish by wanting to bring small business to Fairhaven, generating tax revenue and income as well as allowing other small business to use space. Ms. Melo grew up in this town and feels whatever the Town can do to help and support them.

Dave Garro with Bold Moves Real Estate said they are stand up people and it is a good property. He feels it will be maintained, kept beautiful and feels a great asset to the Town of Fairhaven.

Dominic Corey owner of property on Arsene Street noted he constantly get calls from small business looking for bays and feels it will be an asset and seems to be a well-thought plan.

Mr. Almeida noted unless he gets privacy, he will be against it and otherwise, he is all for it. He is in support of Mr. Melo and feels he is a good character and solid man.

Mr. Staffon feels storm water is the biggest issue and would like a landscape plan, suggested adding a few more plantings.

Mr. Roth recommends screening on the west side, dealing with the water quality and create an area for planting and these will be discussed with the engineers.

Mr. Farrell asked if their operation would be year round and Mr. Melo noted slows down in winter but they do snow removal and also noted fueling of vehicles would be done at the gas station.

Ms. Richard asked regarding clearing and asked regarding the fence and Mr. Melo willing to work with him on that.

Mario Isidoro of Weichert Realtors also representing the seller, lives in Fairhaven down the Neck, feels the business is conducive to the area. He feels it is a win-win.

Mr. Hayward feels comfortable with conditions and discussion of how to move forward ensued.

Mr. Staffon motioned to continue the Public Hearing to August 9, 2016, and seconded by Mr. Hayward. The motion passed unanimously.

2. Def Subdivision – **VCorp. LLC** – Charity Stevens Lane

Mr. Roth read the advertisement into the record.

Mr. Hayward noted the applicant is here to discuss the Definitive Sub-Division.

Mr. Lucas recused himself as to having direct dealings with VCorp, LLC.

Steve Gioiosa, Sitec was present and gave a history and description of the 9 acre lot that is the topic of discussion. The wetlands have been mapped and approved. Perc tests have been done and it is a buildable site. They are meeting all Town and septic standards by the Board of Health and concerns have been addressed and are waiting on final confirmation. They have presented to Conservation Commission which is under review on drainage and the roof recharge. There are not doing a lot of cutting and filling and are following the natural topography and are keeping the cedar trees. He explained there will be paved aprons on each end with gravel in between. It is a full build-out, only one lot. It is a wooded lot. Discussion of drainage ensued.

Mr. Roth reviewed his June 24, 2016, memo. The main issue was going through Conservation Commission and completing with them on drainage. Mr. Roth does not have an issue with the large acreage in back, due to wetlands. Sitec needs an 8-signature block for Planning Board members. Discussion on drainage continued including Mass DEP Storm Water Regulations Statement and getting certification. As of date of memo, taxes were still owed. There is no water and no sewer.

Mr. Hayward talked regarding splitting the lot at the stone wall, Lot 1 goes no further and portion in the back becomes a non-buildable parcel.

Mr. Roth recommended one sheet showing everything and abutting properties.

Mr. Staffon suggested chip seal noting it is easier to maintain.

Discussion of continuing ensued and septic plan is the only plan that can be modified.

Mr. Hayward asked if there was anyone to speak and there was none.

Mr. Staffon motioned to continue the hearing to August 9, 2016; seconded by Mr. Farrell. The motion passed unanimously.

D: LONG RANGE PLANNING:

Master Plan – Draft RFP Discussion

Mr. Roth page 3, eliminated AD reference to Rogers School that was a cut and paste error. Review and discussion of draft ensued.

Mr. Hayward suggested revision on page 4 as info is already in the Economic Section as well. Discussion on housing and billing element was discussed. Pg. 10, Item 11, is not a requirement but the Board feels it is beneficial. Mr. Farrell suggested they define who is on the selection committee. Discussion of price ensued and Mr. Roth believes they do not have to go with lowest bidder. Mr. Roth noted the Town Administrator is the Procurement Officer and this RFP has to be reviewed by him. This will be on the agenda on the July 26th, hopefully in a refined state.

E. CORRESPONDENCE:

None.

F. OTHER BUSINESS:

1. Rene Fleurent, Jr. – SRPEDD Update

Mr. Fleurent, Jr. informed that the new bylaw dealing with Planning is going through the Commonwealth has been amended and changed, Zoning Reform. Mr. Roth does not think that Zoning Reform bill will get out of committee this session.

Mr. Fleurent, Jr. also noted that Southcoast Rail is derailed now and will not include Fall River if the Middleboro route is chosen.

Mr. Staffon motioned to adjourn and; seconded by Mr. Farrell. The meeting adjourned at 9:02 p.m.

Respectfully Submitted,

Tracy White,
Recording Secretary