

FAIRHAVEN PLANNING BOARD - JUNE 23, 2015 Town Hall Banquet Room

**A. ADMINISTRATIVE BUSINESS:**

Chairman Wayne Hayward opened the meeting at 6:32 p.m. Mr. Hayward noted the meeting was not being recorded.

Quorum/Attendance: Wayne Hayward, Chairman, Rene Fleurent, Jr., John Farrell, Jr., Kaisa Holloway-Cripps, Gary Staffon and Jeffrey Lucas.

Absent: Peter Nopper and Ann Richard

Also in attendance: William Roth, Planning Director.

Acceptance of Minutes:

Minutes of May 26, 2015:

Jeffrey Lucas made a motion to accept the minutes of May 26, 2015, and was seconded by John Farrell, Jr. The motion passed unanimously.

Minutes of June 9, 2015:

Gary Staffon asked on page 2 regarding Mill Bridge on the vote, Ann Richard was the one who opposed.

John Farrell, Jr. made a motion to accept the minutes of June 9, 2015, with the revision and was seconded by Gary Staffon. The motion passed with 3 in favor and none opposed.

Wayne Hayward, Kaisa Cripps and Jeffrey Lucas abstained.

Planning Board Bills:

1. Engineering Services – GCG Associates, Inc. – **Carapace, LLC.** - \$480.00

Gary Staffon made a motion to pay GCG Associates, Inc. \$480.00 and was seconded by Jeffrey Lucas. The motion passed unanimously.

2. Mileage – **Rene Fleurent, Jr.** - \$125.35

Jeffrey Lucas made a motion to pay Rene Fleurent, Jr. mileage of \$125.35 and was seconded by John Farrell, Jr. The motion passed unanimously.

3. Mileage - **William Roth** - \$150.85

Jeffrey Lucas made a motion to pay William Roth mileage of \$150.85 and was seconded by John Farrell, Jr. The motion passed unanimously.

Gary Staffon asked if any funds came from Planning and Economic Development and Mr. Roth noted this closes the year out and there was \$116 from the Planning and Economic Development budget and \$150.85 from the Planning Board budget. Mr. Roth indicated that both millage accounts have been expended and that only cover mileage June 17, 2015, and any travel between then and June 30<sup>th</sup>, is a donation to the Town. Mr. Staffon asked when funding would be available and Mr. Roth stated starting July 1, 2015.

**B. CURRENT PLANNING:**

Receipt of Plans

None.

Approval of Plans

None.

**C. PUBLIC HEARINGS AND MEETINGS:**

1. Special Permit – Brahmin Leather Works #4 – 77 Alden Road (Cont'd from 6/9/15)

William Roth noted he was given some plans that were resubmitted to Conservation Commission and there will be some site revisions. Mr. Fostin is out due to personal matters for the rest of the week; therefore, he was unable to find out when it was continued to but believes it is July 13, 2015. Mr. Hayward said they have changed the size of the detention basin. Mr. Roth indicated they have altered the parking from what was last seen and recommended continuing to July 14, 2015.

Rene Fleurent, Jr. made a motion to continue the hearing to July 14, 2015, and was seconded by Gary Staffon. The motion passed unanimously.

2. Special Permit – Carapace, LLC. #2 – 250 Bridge Street (Cont'd from 6/9/15).

Mr. Hayward introduced the Board members.

Rene Fleurent, Jr. wanted to make it publically known as a member of the Board of Appeals and that he was a non-voting member at the public hearing of Carapace last month.

Rich Rheaume of Prime Engineering was present as well as Jim Lutz and Craig Lutz.

Mr. Rheaume explained the proposal and plans. The plans had a proposed replication area to the east and proposed detention basin to the west, dealership in the upland section and they have straightened the driveway to the left. Conservation Commission was concerned with the detention basin and asked to bring the bottom up. It requires them to elevate the site and then caused elevation problems getting across existing culverts and they are presenting revised plans tonight.

Mr. Rheaume explained the driveway has been widened slightly to allow vehicles an easier right turn. They have added a rain garden to the west of the driveway. There is now an underground pipe detention system under the parking lot replacing what was a replication area, which is now located on the other side of the property.

The basic proposal is a 10,000 sq. ft. auto dealership; parking around it and display area along Bridge Street and area closest to Route 240. They presented to the Board of Appeals to get relief from the 50-foot required setback along Bridge Street and were granted a variance to allow a 4-foot width at the eastern end gradually getting larger as you head west. Along Route 240, there is vegetation. Mr. Rheaume gave a description of the drainage system. They will hire a landscape architect to provide a landscape design. There is the proper amount of handicap accessible and number of parking spaces for the facility.

They are going to ask for a waiver from the standard to not increase the volume runoff. The State has independent drainage they could overflow into and they meet storm water quality and DEP standards.

William Roth reported the issue regarding the driveway had been revised, to right in right out and slightly to the west and that would be sufficient. The site plans need to include the adjacent layout to the north, access and display areas. (Discussion ensued.)

William Roth said he would encourage Whalers Way, which is private and is in poor condition to be improved. Mr. Lutz said it has been patched.

William Roth said that a detail of the dumpster pad and screening needs to be on details sheet. Mr. Roth also said the existing plan is showing the existing driveway and line work that needs to be cleaned up so it is not confusing. Mr. Roth indicated they needed a site lighting plan.

Landscaping Plan is weak and does not meet code. Code requires projects of 20 or more spaces to be designed by a Landscape Architect. East side display area, there is a wall and there are no spot elevations, top, bottom, corners and 2 midpoints and on the detail sheet an elevation cross section of what type of wall being proposed. The engineering review will change and has to be sent to GCG for a second review. Fire Department has approved for site plan purposes only. Board of Health had no comments. BPW had a letter dated May 15, 2015. It was scanned and emailed. Mr. Rheume said yes. Mr. Roth recommended holding the hearing, reviewing the project and then having the applicant continue the project.

Wayne Hayward asked what the zoning was and Mr. Roth said Industrial. Mr. Hayward asked how many retail parking spaces, were they going by public standards and Mr. Rheume said it was employee/customer parking, 20 ft. long and display spaces, depending on inventory is how cars are displayed Jeffrey Lucas felt the lines were different.

Mr. Lutz said Alden said it's roughly 500 and Mazda was roughly 250. Craig Lutz said there are roughly 100 display spaces. Mr. Hayward asked if they have a license and Craig Lutz said it will be a transfer of where the license is currently held. Mr. Hayward noted they could adjust their existing permit. Craig Lutz said the inventory would flex. (Discussion ensued.)

John Farrell, Jr. asked if they were going to have service and Mr. Rheume said there will be.

Kaisa Cripps asked if they were two separate properties and asked if they owned both and Mr. Lutz said yes. Ms. Cripps asked if they were going to comingle car brands and was indicated they are not. Ms. Cripps also asked about service and felt there were not enough parking spaces for service, display and customers. Mr. Rheume noted cars today have longer service intervals so they see fewer cars for higher value service. Craig Lutz said they were also dealing with a small brand compared to GM. Kaisa Cripps asked how many cars they service at Mazda and Mr. Lutz said 3-12 on an average day, so average of 6. Ms. Cripps asked how many employees worked at the dealership. Mr. Rheume said that there were 8 full-time employees and up to 10 part-time employees.

John Farrell, Jr. asked where the hydrants were on the site plan and Mr. Rheume indicated on plan. Mr. Roth noted it is a sprinkle building. Mr. Rheume said there is water on Bridge Street and they will bring in domestic and a 6" sprinkler line to the building.

John Farrell, Jr. asked re: the proposed driveway and was the utility pole in the way. Mr. Rheume said yes and they are shifting the island over, widening the driveway and will be relocating the utility pole.

Jeffrey Lucas asked about the setback variance. Mr. Rheume said the building is setback for 50' front yard setback. Craig Lutz said there is State property on the corner and there is a fence that could add potential area before you get to the actual curb.

John Farrell, Jr. asked if they were going to be maintaining the property. Mr. Rheume said on the Bridge Street layout they will trim. John Farrell, Jr. asked if the proposed wall to fence would be landscape. (Discussion ensued.)

Craig Lutz said on the outside of the fence, you have to go through the State to get a permit to maintain visibility. The State is very meticulous and there is a permitting process. Mr. Roth asked if that was their intention and Mr. Rheume said it was.

Wayne Hayward asked about future build-out to the west and Mr. Rheume said it was too controversial. There is some upland along the western portion of the property but wetlands between it and the driveway. The Conservation Commission required them to clear the Rosa rugosa and replant wetland vegetation.

Kaisa Cripps asked about the display area and if it constituted a parking lot and Craig Lutz said cars are stacked for display and the only ones able to move them is a sales associate. (Discussion ensued.)

Wayne Hayward asked to describe the front and Mr. Roth noted the design is weak. They are proposing 3 Canopy trees, locust. Mr. Roth said ramp display area and Craig said no they are dangerous. Mr. Roth felt the Junipers were going to be a problem and felt it needed more annual and perennial beds in the front curb appeal. Craig Lutz said they do not want plants that grow too high.

Kaisa Cripps said there were several ditches on property and are they proposing to fill those in, the ones close to Route 240 and Mr. Rheume said where the silo is they are bringing it down. There are all kinds of debris that will be removed and they will be making rain gardens. The role of the stone wall is transition from wetlands.

Mr. Hayward asked how far along they were with the Conservation Commission and Craig said John Rockwell has been out to the site and they are getting direction from him, but all members have been presented with two on-sites.

Wayne Hayward asked about signage and Mr. Rheume said there will be signage on the building with one free-standing sign. Mr. Roth noted they can have one per front. Craig Lutz said there is not an extensive amount of direction signs.

Wayne Hayward said he would like them to consider a no left turn sign. Craig Lutz said they have one now, but his biggest concern is the trucks getting in and out. Mr. Roth said that the "in" has been widened. Mr. Lutz said both were widened and drivers were instructed to use Whalers Way but GM doesn't like it.

William Roth asked how delivery trucks will get on and off the site and Craig Lutz noted there would be two types, daily parts delivery and car hauler. Ideally, parking in areas that are not used much. (Discussion ensued re: deliveries/parking)

Jeffrey Lucas asked about bay doors and Craig said there will be only one bay door, not multiple bay doors and Mr. Lucas asked what the set back was on the back of the building and Mr. Roth indicated 25'. Craig Lutz said they will have to swing around and also he has never developed a policy on where the drivers go.

Jeffrey Lucas asked if they were going to show on the plan the bay doors, service doors, where people park and have to walk. Craig Lutz said ideally in a dealership, there is one point of entry.

John Farrell, Jr. asked if the building was proposed to have a flat membrane roof and asked about roof runoff and Mr. Lutz said the roof was most likely flat and Mr. Rheume explained the roof runoff.

Jeffrey Lucas said Mr. Rheume had mentioned a Stormwater waiver for water volume and asked where they expected overflow to go. Mr. Rheume explained. Craig Lutz said they were looking for waiver on the volume.

Kaisa Cripps asked about the Special Permit granted in 2006 to put the driveway in and were there any stipulations, which were no left turn and display. (Discussion ensued.)

Kaisa Cripps said their duty was to set up for future success and also asked about Mazda and Craig said they don't own it and would vacate the property. Ms. Cripps asked if there was an easement on the property and Mr. Roth said no because it was under the same ownership. (Discussion ensued.)

Wayne Hayward said plans show full access entry. Kaisa Cripps asked if they would consider giving that property a joint crossover access agreement and Craig Lutz said he would have to read more about it. The less restrictions the better and Mr. Hayward said it was no different than sharing water. Mr. Roth suggested addressing that at the next meeting.

John Farrell, Jr. asked about the hours of operation and Craig Lutz said 7:30 a.m. and both are gated off at night.

John Farrell, Jr. asked if the hydrants could be shown on the plan and Mr. Staffon asked about landscaping and commented on the shade master locust trees to be a minimum of 2-1/2" caliper.

Gary Staffon made a motion to continue Carapace to July 14, 2015 and was seconded by John Farrell, Jr. The motion passed unanimously.

**D. LONG RANGE PLANNING:**

1. Master Plan Discussion

William Roth indicated everything was on Dropbox. The next step is to have a consultant come in and have a discussion explaining steps and come up with draft RFP for the scope of services they want and then to garner the support.

Wayne Hayward said they may want more public input/involvement.

Rene Fleurent, Jr. said he felt they should have some outside guidance and feels they have a good foundation and should approach each segment individually. Mr. Fleurent, Jr. suggested creating a sub-committee and also felt they almost needed a secretary to help put it together. Mr. Roth said he was just describing the process and what the consultant would do and there were no staff resources.

Kaisa Cripps noted the population has increased 8-10%.

Mr. Hayward felt another approach was a committee selected into the Board sub-committee and Mr. Roth said they would have to have help from the public and Kaisa Cripps said she would advocate for that. Mr. Hayward said that might add confusion to the process. Mr. Roth said Planning Board effort with assistance of selectmen. Mr. Roth gave direction re: looking at the scope of services and what they felt was most important, including the public. (Discussion ensued.)

Rene Fleurent, Jr. said he would like to see people from the town, individuals and businesses, etc., involved and also get their consensus.

Wayne Hayward said to start thinking about a sub-committee. Rene Fleurent, Jr., said a 14-15 member sub-committee. This is supposed to be a tool of what direction the Town wants. Jeffrey Lucas felt it should function similar to the Town Government Study Committee. Mr. Hayward explained the document could have legal standing if they go through Town Meeting.

Mr. Hayward noted he would have discussion with Mr. Roth and decide on how to proceed strategically.

2. Auto Dealer Use – Potential Zoning Amendment

Wayne Hayward emailed document to Mr. Roth and a revision would hopefully be presented at the next meeting.

**E. CORRESPONDENCE:**

None.

**F. OTHER BUSINESS:**

1. EJ's Status Update

Wayne Hayward said there were still 4 tables on the west side of the bakery, but everything else looks to be addressed. He said that additional parking spaces needed to be created to meet parking requirements to keep them there. Mr. Roth said all issues have been addressed and this is a new issue and he would speak to the attorney and ask to remove them.

Kaisa Cripps asked if they had voted on trees and it was noted they had.

Rene Fleurent, Jr. said they have been talking about picnic tables and it has been going on for months now.

John Farrell, Jr. said it was not in the original letter. It is a new issue. (Discussion ensued on how to proceed.)

Rene Fleurent, Jr. would like to see the Enforcement Agent assist them.

Kaisa Cripps said she would like Mr. Roth to speak to the attorney

Gary Staffon said the picnic tables are a seasonal seat and understands with the tables they don't meet the parking requirements and is ok with Mr. Roth advising the attorney.

John Farrell, Jr., said he is concerned with selective enforcement and wanted to treat all applicants the same.

Wayne Hayward said it will remain on the agenda and they will continue to monitor.

## 2. Fairhaven Storm Water Regulations

Wayne Hayward indicated he is going to remove it from the agenda.

Gary Staffon made a motion to adjourn and was seconded by Kaisa Cripps. The meeting adjourned at 8:31 p.m.

Respectfully Submitted,

Tracy White  
Recording Secretary