



TOWN OF FAIRHAVEN, MASSACHUSETTS
PLANNING BOARD
Town Hall - 40 Center Street - Fairhaven, MA 02719

MEETING MINUTES

Tuesday, May 14, 2024 at 6:30 pm

Held both at Town Hall & Remotely via Zoom

1. GENERAL BUSINESS:

a) **Chair's Welcome and Media Notification:** Madame Chair, Ms. Cathy Melanson, opened the meeting at 6:32 PM and advised who was present. The media notification was written on the agenda for the meeting and thus was not read aloud.

b) **Quorum/Attendance: Present:** Cathy Melanson, Jessica Fidalgo, Sharon Simmons, Patrick Carr, Diane Tomassetti, Ruy daSilva, and Rick Trapilo in the Town Hall Banquet Room.

Recording Secretary Stephanie Fidalgo and Conservation Agent Bruce Webb were also present for this meeting.

Absent: Kevin Grant

c) **Minutes: April 23, 2024 and May 4, 2024 drafts to be reviewed:**

Ms. Tomassetti made a motion to accept the minutes of April 23, 2024 and was seconded by Ms. Simmons. The motion passed unanimously. (7-0)

Ms. Tomassetti made a motion to accept the minutes of May 4, 2024 and was seconded by Ms. Fidalgo. The motion passed unanimously. (7-0)

Ms. Fidalgo made a motion to take Item E before D and F and was seconded by Ms. Tomassetti. The motion passed unanimously. (7-0)

e) **Community Planning Grant Application for FY25**

\$25,000 had been approved at the May 4, 2024, Annual Town Meeting to go towards hiring a Zoning Bylaw Consultant. An additional \$50,000 would be requested via a Community Planning Grant for a full project cost of \$75,000.

Conservation Agent Bruce Webb had been delegated the task of finishing and submitting the grant application. During the interim period as the Town sought a new Planner, Mr. Webb would be signing off as the department head as necessary. Ms. Melanson confirmed that the review

would cover all the Zoning Bylaws. The Board and Mr. Webb discussed his current role and responsibilities with regard to the Planning Department and the Board.

d) Correspondence:

Mr. Trapilo had requested that a letter he wrote be forwarded to the Board. Ms. Simmons read the letter into the record. [See Attachment.]

Mr. Trapilo then elaborated on the points of the letter and stated his intention to also forward the letter to Select Board. He covered the importance of the Planning Board with forwarding smart growth via housing and adoption of 40R bylaws and overlay districts. He also outlined his concerns with environmental and pollution issues in the local bays and rivers.

f) May 4, 2024 Annual Town Meeting, Article 20 Discussion:

Ms. Melanson noted the issue with the complicated nature of the Town Meeting Warrant, explaining that the accompanying appendix was written by prior Planning Director, Paul DiGiuseppe rather than the Board. While steps were taken to provide additional materials for clarification and to reorganize the article and its related motions, the Article still did not pass. Ms. Melanson stated her intention to submit revised articles for the fall Town Meeting.

Ms. Melanson then invited comments from the Board.

Ms. Tomassetti noted the need for clarity of communication, having read many comments from the residents. She then explained the term, "by right," as it applies to Zoning Bylaws, indicating a use which does not require a special permit, but still was required to follow all other permitting processes and procedures. She also discussed the purviews of both the Planning Board and Zoning Board of Appeals.

Mr. daSilva agreed with the need for further education and communication with the Town Meeting Members to ensure that residents could see the benefits of the changes.

Mr. Carr voiced his support for Mr. Trapilo's letter, and the plans outlined therein. He also agreed that the Planning Board should have a role in educating residents and raising awareness of local issues.

Ms. Simmons also agreed with the need for more communication and welcomed residents to attend Planning Board meetings and be a part of the process.

Ms. Fidalgo noted the need for clarifying all the details, citing the discussion around accessory apartments to businesses. She recommended holding citizen planner forum events ahead of Town Meeting to help educate residents.

Recording Secretary Fidalgo commented that if the Town was awarded full funding for the

Community Planning Grant, a large part of the review and revision process would be community outreach and collaboration with multiple boards and stakeholders in Town over the course of a full year before the proposed revision was presented at Town Meeting.

Ms. Melanson also stated her intention to have an agent of the State make a presentation to the Board on Accessory Dwelling Units and Ms. Fidalgo noted that the State Legislature could vote to make Accessory Dwelling Units by right statewide by July.

2. RECEIPT OF PLANS:

- a) **FA 24-07 16 Main Street:** Form A proposal divide 16 Main Street (Map 7, Lot 98A) into two lots - Lot 1 at 1,830 sq. ft. and Lot 2 at 783 sq. ft., submitted by Cullen North Walker Street LLC.

Mr. Jason Lanagan and Mr. Peter Cullen presented to the Board. Mr. Lanagan explained that the proposal had previously received a Variance from the Zoning Board of Appeals to subdivide the lot into two undersize lots (See ZBA-023-046 - 16 Main Street). The lot currently contains the buildings for both Mey Breakfast and the Ice Cream Cottage. Owners of both businesses had expressed a desire to purchase the respective buildings and dividing the lot proved to be the easiest way to facilitate these possible future sales.

Ms. Melanson noted that the small size of the lots would be characteristic of that area of the Mixed-Use District.

Ms. Tomassetti made a motion to approve the division of the lots as presented and was seconded by Mr. Trapilo. The motion passed unanimously. (7-0)

Mr. Lanagan then suggested that the Planning Board should consider a sidewalk expansion along Ferry Street. Ms. Melanson suggested that Mr. Lanagan should contact the BPW regarding the concept and offered the possibility of seeking a permit for outside dining. When the possibility of CPC funding being used for the proposed sidewalk expansion, Recording Secretary Fidalgo informed the Board that standard sidewalks were exempt from CPC funding. Ms. Fidalgo recommended also speaking to the Select Board regarding temporary outdoor dining permits. Ms. Melanson also encouraged seeking temporary outdoor seating before seeking a more permanent expansion of the sidewalk.

3. OTHER BUSINESS:

- a) **Bylaw and Procedure Handbooks for Board Members**

Ms. Melanson explained that she wanted all the Board Members to have their handbooks updated by Recording Secretary Fidalgo and for Board Members to bring their handbooks to every meeting. Board Members would also be required to return their books to the Planning Department once they leave the Board.

Ms. Fidalgo requested that the appendices be included. The Board discussed digital copies as

well but agreed that physical copies would work best for the meetings.

b) Master Plan Copies to the Board

Digital Copies of the Master Plan had been forwarded to Board Members and Ms. Melanson also recommended that all the Board Members also bring physical copies to the meetings.

c) Discussion on the Master Plan

Ms. Melanson outlined her intention to have reviews of Master Plan items within the Planning Board's purview as outlined within the Implementation Matrix at each meeting. She also noted that several aspects of the current Master Plan, approved in 2018, had been carried over from the previous 1996 Master Plan. She emphasized the need to implement the changes and recommendations within the Plan. The Board also noted that the Master Plan was available online via the Town Website - <https://www.fairhaven-ma.gov/planning-board/pages/informational-documents>

Ms. Fidalgo noted that the Select Board was also involved in goal setting for the upcoming fiscal year and recommend coordination wherever possible. Mr. Trapilo recommended tracking the changes in Town revenue and the wider economy between 1996 and 2024. Recording Secretary Fidalgo suggested reviewing the Town Report of 1996, which was available via the Millicent Library's online archive.

Mr. Carr outlined a process of breaking down the changes into smaller individual votes for future Town Meetings. He also praised BPW Superintendent Vinnie Furtado for his well-crafted Town Meeting presentations and cited them as a standard to match in the future. Ms. Melanson agreed that breaking down the Article into individual aspects should be the strategy going forward.

The Board also agreed that they would need to engage in community outreach in the months ahead of Town Meeting. Ms. Simmons asked if the Planning Board could create a FaceBook page, with Ms. Fidalgo noting that the FaceBook page for the Belonging Committee had to be created through the Town. Mr. Trapilo also suggested doing outreach at different Town events.

d) Any other business that may properly come before the Board, not reasonably anticipated when posting 48 hours prior to this meeting.

Mr. Carr inquired if there were any updates on the 40R bylaw. Ms. Melanson informed the Board that she would contact the consultants and would add an agenda item when she had an update.

Ms. Melanson then noted that the next Planning Board meeting would discuss setting goals based on the Master Plan and she handed out copies to Board Members.

162 4. NEXT MEETING: Tuesday, May 28, 2024.

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164 Ms. Melanson noted that the May 28, 2024 meeting was tentatively scheduled and could be
165 canceled if there was a lack of business for the Board.

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167 Ms. Melanson adjourned the meeting at 7:37 PM

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169 Respectfully submitted,

170 Stephanie A. Fidalgo

171 Recording Secretary,

172 Planning Board

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Approved, May 28, 2024



Steph Fidalgo <recordingsecretary@fairhaven-ma.gov>

Rick Trapilo Planning Board Fairhaven

Richard Trapilo <rfttrapilo@yahoo.com>

Mon, May 13, 2024 at 7:40 AM

To: "cathymelanson@yahoo.com" <cathymelanson@yahoo.com>, "info@a1crane.com" <info@a1crane.com>, "sfidalgo@fairhaven-ma.gov" <sfidalgo@fairhaven-ma.gov>

Esteemed Mdm Chair, Mr. Vice Chair, and fellow members,

Regrettably, our proposed recommendation to the Town meeting members, advocating for the approval of ADUs, did not secure passage. The Town's vote, by a margin of 60/40 against, concluded our meeting without a resolution and without a PLAN to confront our Town's housing and financial crises.

I am resolutely committed to resuming our proposal at the next Town meeting, advocating for the approval of ADUs solely within existing residential areas. It is evident that there was confusion and apprehension regarding ADUs in commercial or industrial zones. Furthermore, I will champion the establishment of smart 40R overlay districts along Route 6, drawing inspiration from the benchmark development of the Mashpee Commons on Cape Cod as a model for our Town's growth.

My promise to the residents of Fairhaven, in seeking their trust to serve on this vital Board, was to prioritize the Health, Safety, and Prosperity of our community today and for generations to come. This year, my focus will be threefold: addressing the housing crisis, developing smart tax growth < not new taxes > and raising awareness of the daily pollution of Buzzards Bay by our neighbor, New Bedford. We cannot delay in finding and funding immediate solutions to halt this economic and environmental catastrophe affecting our coastal community.

With unwavering conviction, I affirm that our community faces imminent peril due to a housing crisis that impacts our youth and young families, who struggle to find affordable housing or rentals, as well as our elderly population, who fear being priced out of their homes by rising taxes and inflation.

Financially, our Town is in dire straits, bound by the constraints of Proposition 2 1/2, which rightly limits government's ability to raise taxes beyond a certain threshold. We must not resort to stopgap measures such as fee hikes, but rather, as the Planning Board, we must innovate with housing and strategic development means to ease the tax burden without further straining our residents, especially the elderly and fixed-income families.

It is imperative that we do not permit any elected official to circumvent Prop 2 1/2. We must demand transparency from every candidate and officeholder on this critical issue. If we allow our Town government to breach this fiscal threshold, no family will be able to afford to reside and thrive in our picturesque Town.

To my colleagues on the Fairhaven Planning Board, let us be the architects of proactive, visionary solutions to address our housing and financial crises. Let us not merely react but lead with bold, intelligent decisions for the betterment of future generations.

I vow to persist in my mission to RESOLVE our housing crisis, tackle our Town's financial challenges, and combat the pollution destroying our bay, which jeopardizes our fishing and shellfish industries and endangers recreational activities in our waters. from Westport to Marion to the North facing shores of the Elizabeth Islands .

Let us work together for the prosperity of our Town. Our community is relying on our resolve and ingenuity!

With determination and and hopes of solidarity ,

Rick Trapilo

Fairhaven Planning Board

PS:Stephanie , would you please forward to Planning Board members

 **levylimitsprimer (1).pdf**
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