



Fairhaven Planning Board

Town Hall · 40 center Street · Fairhaven, MA 02719

PUBLIC MEETING MINUTES Tuesday, July 28, 2026 at 6:30PM

1) GENERAL BUSINESS:

- a) Welcome and Media notification
 - **Jessica Fidalgo**
- b) Pledge of Allegiance
- c) Quorum/Attendance
 - **Present – Jessica Fidalgo, Sean Powers, Miles Grant, Kevin Grant, Mona Phillips, Jenn Cardoza**
 - **Zoom – Pat Carr**
 - **Absent – Ruy DaSilva**
 - **A quorum was confirmed**
- d) Staff update – Dawn Quirk
 - **New Planning Director Introduction:** Dawn Quirk was introduced as the new Planning Director. Her background includes municipal work (City of Cambridge), higher education (Tufts, MIT), an MSUP, and an MPA from Northeastern. She plans to meet with each board member individually to understand their interests.
- e) Meeting minutes draft to be reviewed- **7/14/2026**
 - Clarification to remove language implying a "consensus" was reached on goals for affordable/smaller homes, as no official vote had been taken.
Motion to approve minutes Miles grant seconded Kevin Grant roll call vote passed 7/0
- f) Correspondence:
 - i. Town of Acushnet, Town of Mattapoisett, Division of Fisheries and Wildlife, Resident Correspondence (Michelle Costen x2)
 - A question on PJ Keating expansion. Concerns from trucks traveling our roads and questioned if the town planned to attend.
 - Dawn planned to attend the meeting on Zoom to gain an understanding of the work.
 - MASS Dot was socialized on the work.
 - A question on the timing and planned Bridge work and increased traffic.
 - A good person to contact would be our state rep.

2) PUBLIC HEARING: None

3) RECEIPT OF PLANS:

4) NEW/OTHER BUSINESS:

- a) **FA26-06 – 292 Mill Road, Map 39 Lots 27B & 28** –The subject property is located on the west side of Mill Road, north of Route 195. Lot #1 has 40,832 SQ FT with Frontage 140' on Mill Road. Lot #2 has 87,119 SQ FT with frontage of 81.64' on Mill Road.
 - **Matt Leone (Schneider and Davignon and Leone) for Peter and Melissa DeTerra.**

- Lot 28: existing single-family dwelling at 292, with outbuildings, driveway, garage; fronts on Mill Road.
- Lot 27B: wooded upland to the rear; no access to Mill Road under current configuration.
- Proposed Lot 2: retains 87,119 sq ft; obtains 81.64 ft frontage on Mill Road.
- ZBA variance: obtained in May for reduction in frontage to 81.64 ft to allow development.
- Pat Carr recused himself from the discussion and vote due to a financial/working relationship with Mr. Deterra.
- The plan proposed creates a new lot that would not meet the town's minimum frontage requirements for an ANR.
- Town council had advised the board not to endorse an ANR that does not meet requirements, noting the ZBA variance is a separate matter and should not be considered.
- Mr. Leone (Applicant's Rep): Argued that a variance for the reduced frontage had already been granted by the Zoning Board of Appeals (ZBA) and the Planning Board's role was simply to endorse that the plan did not require subdivision approval. He stated they have done this multiple times before and it has passed.

A motion to not endorse the ANR was made by Miles Grant seconded Kevin Grant. Recusal Pat Carr roll call vote passed 6/0/1 .

5) LONG RANGE PLANNING:

a) Board discussion:

i. Bylaw Changes

- The Chair proposed that the board pause its work on reducing lot sizes.
- This suggestion is based on multiple state-level changes:
 - Recent state law changes now make some lots buildable by right at 7,500 sq ft.
 - A pending ballot initiative for November could make lots as small as 5,000 sq ft with 50 ft of frontage buildable by right, provided they are on public sewer and water.
 - The state legislature is also considering changes, with their session ending on 2026-07-31.
- The Chair reasoned that it would be a "waste of effort and time" for the new planner to work on local bylaws that might be immediately superseded by state mandates.
- The Chair referenced a prior suggestion from Mona about using an overlay district for the historic town center to handle differing needs across town, and noted that Michaela had also suggested an overlay or special permit as a more targeted approach than rewriting rules for entire districts.
- A raised concern that the town could develop a plan that is either non-compliant with new state laws or becomes redundant if the state mandates the same changes.
- Emphasized the need for public input, noting the requirement for two public meetings and the fact that the board does not yet have a finalized plan to present.

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- There is a need for Dawn (Planner) and Town Counsel to review any proposal to ensure legal compliance and correct wording.
- Kevin Grant stated his goal is to get the bylaw passed, not just presented. Rushing it for November could make the public suspicious that the board is "slamming something through."
- Strongly recommended aiming for the spring town meeting to allow for proper public engagement and to understand the final state-level legal landscape, thereby protecting the board's reputation.
- While pausing the major lot size initiative, a suggestion was the board could tackle other, more manageable bylaw updates.
- The board is awaiting a breakdown from Town Counsel on how recently passed state laws (signed in July 2026) affect current town bylaws. This compliance work is the highest priority.
- The state legislature's session ends on 2026-07-31, after which the Governor will sign pending bills. Attorneys will only begin analyzing these bills and advising municipalities after they are signed into law.
- the Chair agreed that taking on a smaller task, like reducing parking minimums, would be a productive use of time while state-level lot size changes are resolved.
- It was noted that excessive parking requirements can be a barrier for new ADUs or businesses, causing them to abandon projects or go to other towns.
- Reducing parking minimums in specific zones (e.g., mixed-use, residential) was identified as a concrete way the Planning Board could help stimulate development.
- Dawn and Town Counsel will compare state changes to town bylaws.
- They will prioritize getting bylaws into compliance for the November town meeting.
- If any compliance items are not ready for November, the board will follow state law regardless until the local bylaw is formally updated in the spring.
- Discussion shifted to supporting economic development initiatives like 40R and Accessory Dwelling Units (ADUs), which are managed outside the Planning Board's direct purview but can be influenced by its actions.
- Jenn asked what the board could do to help with the Select Board's work on promoting the 40R district and promoting ADUs, given the pause on other bylaw work.
- The Chair clarified that the Planning Board's role in this is complete, as the bylaws are already set. The responsibility for promotion now lies with the new Planning Director and economic development efforts.
 - The town website now has a page promoting 40R.
 - Letters were sent to property owners within the 40R district by Danielle and the town to stimulate interest.
- Will meet with state representatives on 2026-07-31 to learn about their vacant storefront tracking system and will report back.

- Noted New Bedford has an "empty building bylaw" that could be reviewed. An offer to connect the board with individuals working on the "Bay State storefront issue" (e.g., John Hines) and South Coast Places for People, which has run successful ADU info sessions in New Bedford and Fall River.
- Chair reiterated that while promoting ADUs is not the board's direct function, it can help by making development easier by reducing hurdles like high parking minimums.
- Mona noted significant state-level activity in energy and environmental policy is also causing a delay in local progress, but suggested exploring options like photovoltaics during the current "slow time."
- Chair recalls mention (from "last night") of battery storage and solar options, including solar canopies, and asks if "photovoltaics" is related to solar.
- notes there is no existing local bylaw for battery storage and is unsure if a state template exists for such a bylaw or how that process works.
- Confirm whether a state template for a battery storage bylaw exists and obtain it for review.
- suggests examining what in current bylaws may be overly restrictive regarding storage or similar developments, acknowledging that zoning often starts protective when technologies are new.
- Chair notes lack of expertise in this area and frames it as something "we look at."
- Mona highlights "balcony solar" as a scalable household measure, citing high adoption in Germany and potential to offset 15–20% of household consumption;
- Jenn made a recommendation and asks members to come to the next meeting with a "bite"-sized item to wrap up. Example battery storage and parking minimums to start momentum.
- Miles made statements regarding the state and solar and the many changes that have happened in recent years. And siting that parking should be left to the planner and town administrator if it is feasible for fall town meeting. But would love to do some work between now and next meeting.
- Chair shared the date for town meeting has been set.
- Pat Car asked for clarification on what is being discussed around bylaw changes and the specific districts. And if the state proposed changes were not out there, would we be talking about the bylaw changes.
- He would like to know why we are not still working on the bylaw changes.
- Kevin Grant stated that the state is and feels we should wait.
- Feels it needs time.

Kevin made a motion to present the remainder of our bylaw changes not covered by pending Mass General Law revisions and additions at the spring town meeting seconded Sean Powers. (Additional discussion ensued)

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- Miles asked are we doing nothing for fall and Kevin stated no just wait on remaining large bylaws but any small items may be feasible.
- Pat Carr stated Kevin's perspective was valid but spoke of the ADU in the past and how that went. He still feels like we should be moving on the districts in case they do not pass so we already have the work in. Is not comfortable sitting back and should be a board of action.
- Dawn spoke about all upcoming changes and stated she will reach out to town counsel on all the changes. Stated fall town meeting is so close to the ballot that it makes it tricky and make it politically difficult.
- A discussion continued on the passing of the state and the town meeting and how that looks.

Continued Motion - Kevin made a motion to present the remainder of our bylaw changes not covered by pending Mass General Law revisions and additions at the spring town meeting seconded Sean Powers. Roll call vote passed 5/2

- b) **Committee Reports** - None
- c) **Any other business:** that may properly come before the Board, not reasonably anticipated when posting 48 hours prior to this meeting. - **None**

6) NEXT MEETING: August 11, 2026 @ 6:30PM

ADJOURN: There being no further business before the board, the meeting is adjourned.