



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

February 23, 2016

Chairman James T. Whitin called the meeting to order 6:03 p.m. with, Clerk Marc De Rego, Member David Cole, Member Andrew Sousa and Town Planner James Hartnett in attendance. Vice-Chairman William Raus arrived at 6:17 p.m.

Briggs Landing.

Request by applicant for release of Lots 32, 76-83, 59-67 on Davol Ave, Sherman Ct, Jennings Way, Brownell Ave and Courtney Drive from covenant and provide cost surety.

Muhammad Itani, manager for Briggs Landing, was present to request the release of Lots 32, 76-83, 59-67 from the Briggs Landing subdivision. Itani stated that a road cost estimate was provided by Tibbetts Engineering. Itani proposed posting a bond for the amount of the cost estimate to allow the Planning Board to release the requested lots. Hartnett read a Tibbetts letter dated February 4, 2016, into the record. Itani stated that all of the contractors for ongoing work have been instructed to use Brownell Road. Discussion ensued over the current conditions of the roads. Whitin questioned if there was a Home Owner's Association in place. Itani stated that the HOA has been in place since day one of the project, but is not currently active. Discussion ensued over the HOA, with Whitin stating that the HOA needs to be active as part of the comprehensive permit. Hartnett recommended the release of the lots in exchange for the cost surety. Itani stated that the first regular meeting for the HOA will be in June 2016.

Cole motioned to approve the release of Lots 32, 76-83, 59-67 from the covenant dated August 11, 2009, and recorded in the Bristol County Registry of Deeds Southern District, Book 9477, Page 73 as shown on the Plan entitled: "Briggs Landing A Residential Subdivision in Westport, Massachusetts" in exchange for an increase in the cash surety in the amount of \$97,000 for a total of \$287,000. De Rego seconded the motion and the vote was four in favor with Raus abstaining.

Public Hearing

BLACK OAK CIRCLE (16-001C-LID) Request by applicant in accordance with Massachusetts General Laws, Chapter 41, Section 81T, and Article 20 of the Westport Zoning By-laws for a Low Impact Development to consider an application by Shane M. Sousa of Black Oak Hill, LLC, for a definitive subdivision plan entitled "**Black Oak Circle**" dated January 6, 2016, for property located at Assessor's Map 65, Lot 1 on the northerly side of Charlotte White Road and to consider a Site Plan Approval for a Low Impact Development. The subdivision will create 4 residential lots.

Whitin read the legal notice into the record. Matt Pike from Southcoast Engineering was present to present the plan to the Board. Pike reviewed the proposed plan for a four lot rural residential subdivision for the Board, noting that a revised design was submitted to the Board on February 22, 2016. Whitin read the comments from the various Boards into the record. Whitin read a Tibbetts report dated February 4, 2016, into the record. Pike reviewed the storm water runoff control systems on the proposed plan, noting that the storm water has been reduced on the entire plan. Discussion ensued over the cul-de-sac. Sousa asked what were the snow removal procedures and where would the snow be stored. Pike responded that the snow removal process is detailed in the maintenance plan for the subdivision. Hartnett read his comments into the record.

Frank Rego, 334 Charlotte White Road, was present to express his concerns on the subdivision. Rego stated that the proposed 750' gravel road is directly across the street from his driveway. Rego expressed his concern for his children's safety.

Jim Harrington, 341 Charlotte White Road, was present to express his concerns for additional water runoff due to the subdivision. Pike explained the reduction in storm water runoff and described the control systems for the audience including the grading for the area. Pike noted that there are currently no proposed culverts.

Sarah of Newton Street, was concerned because she recently purchased an abutting property. Sarah expressed her concern for excess water on her property and stated that trees have been cut down on her property and brush has been dumped onto her property. She expressed her concern of the location of the roadway and the cul-de-sac because they directly abut her backyard where her children will be playing. Sarah stated that there is currently no buffer between the roadway and her back yard. Potential buffers were discussed.

Pike described the location for the fire cistern and the proposed limits of clearing. Pike stated that 64% of the entire subdivision lot will remain wooded. Discussion ensued over the gravel road and the storm water reduction. The engineer has just submitted revised plans to Tibbetts for review. Hartnett recommended continuing the hearing until a later date.

Raus motioned to continue the Public Hearing for Black Oak Circle to March 22, 2016, at 7:00 p.m. De Rego seconded the motion and the vote was unanimous with all in favor.

Administrative Items.

a. BOS/ referral of Zoning By-Law Amendment. To provide new definitions for agricultural uses. The Planning Board is required to schedule a Public Hearing and file a report to the BOS.

b. Schedule public hearing for Zoning Amendment.

Raus motioned to schedule a Public Hearing for the Zoning By-Law Amendment to March 22, 2016, at 7:30 p.m. Cole seconded the motion and the vote was unanimous with all in favor.

c. Subdivision Regulations. Hartnett gave background information, noting that a Public Hearing would have to be held to discuss any official changes.

d. Proposed Stormwater Regulations. Hartnett reviewed the proposed regulations for the Board. Discussion ensued.

Town Planner report.

1. The Board of Selectmen approved Hartnett's contract last night. New title is Assistant Town Administrator for Planning.
2. Planning should be notified on Friday or the beginning of next week on the status of the SNEP Grant pre-application.
3. Korrin Peterson from the Buzzard's Bay Coalition was in today to review the site design and septic plans for the Noquochoke Village Development. They are concerned about the nitrogen impacts on the river from the septic system. She indicated that they will be submitting a letter to the Planning Board listing their concerns.
4. Hartnett attended a meeting on February 23, 2016 with department heads, a representative from the school department and Selectmen Vieira and Spirlet regarding the school administration moving into the Annex building. The preferred option would be for them to take the north side of the first floor. That would mean the Planning Board would not have access to this conference

room. There are other meeting location options including the planning office for small meetings, BOS office, school department or possibly the fire station.

5. Web page is being converted; Lucy and Diane are the system administrators so some of her time will be dedicated to assisting others in the building.
6. An ANR Plan was submitted today for 63 Prospect Avenue, because of some extenuating circumstances they are under a very strict timeline and asked that the Planning Board consider holding a special meeting to act on this Form A Plan. A meeting is scheduled for Thursday, February 25, 2015 at 4:00 p.m. to hear this request.
7. I will be attending a meeting of the Buzzards Bay Stormwater Collaborative on Thursday Morning
8. Finance Committee Meeting with the Planning Board is scheduled for March 15th.
9. Hartnett received some calls regarding large scale solar facilities, one in the north end of town and one off Fisher Road. Hartnett attended a preconstruction meeting on the approved solar field on Old County Road last week. Clean Energy Collective is looking to start clearing within the next two weeks.

Any other business that may come before the Board.

- a. Raus stated that he spoke to the New Bedford Water Department. Discussion ensued over the review of current permits.
- b. Whitin discussed the new MS4 water reporting system and filings.

Correspondence.

- a. ZBA Notice of decision - Phelan. ZBA approved the zoning variance including four house lots on the common driveway.
- b. ZBA Notice of hearing for 147 Cadman's Neck. Owner is looking to build an addition which encroaches on a setback. Noted.
- c. CH91 Notification 2028 Main Road. Hartnett described the proposed extended dock plan for the Board. No action required by the Planning Board.
- d. Freetown notice of public hearing for Site Plan review on Innovation Way. Noted.
- e. 2015 Ocean Management Plan MA. Hard copy is available in the Planning Office for review. Noted.
- f. SRPEDD DLTA Grant. Hartnett discussed the grant with the Board. Raus motioned to support the application for the DLTA Grant. De Rego seconded the motion and the vote was unanimous with all in favor.

Minutes.

February 09, 2016- Raus motioned to approve the minutes as written. Cole seconded the motion and the vote was unanimous with all in favor.

Invoices.

Notary renewal, Lucy Tabit \$60r.

Cole motioned to pay the invoice listed above. De Rego seconded the motion and the vote was unanimous with all in favor.

ADJOURNMENT

Members unanimously voted to adjourn at 8:23 p.m.

Respectfully submitted,

Joan Steadman, Recording Clerk

