



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

July 28, 2015

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

APPOINTMENTS

At the request of the Planning Board, Robert Carigg, Alan Heures & Rich Riccio were present to discuss the benefits of a shared septic system. A 12 lot subdivision at the end of Brookwood Drive was discussed. Carigg stated that 12 single family house lots would use a "shared" septic system, each house having its own private well. Riccio from Field Engineering described the septic system in detail for the Board which included a 24 hour power outage backup storage system. It was noted that twelve perc tests were performed on the site as ordered by the Board of Health. Cole expressed his concern for nitrogen loading Angeline Brook. Whitin noted that this is a 40B application and does not require approval from the Planning Board. Carigg noted that the site is designed in accordance with the Massachusetts code. Denitrifying septic systems were discussed.

Approval Not Required (ANR). Merrow (15-010A). Request by applicant for endorsement of a 3-lot plan of land located between 453 and 559 Old Harbor Road, Assessors' Map 87 Lot 5.

Steve Gioiosa from SITEC Engineering presented the plan to the Board. Gioiosa explained that the applicant was previously before the Board in June, 2015. This plan locates Lots 1 & 2 along the southerly line of the original parcel; previously there was a 10 foot separation. All other dimensions remain the same as previously approved.

Raus motioned to endorse the plan entitled "Approval Not Required Plan of Land In Westport, MA" dated June 22, 2015, Assessor's Map 87, Lot 5 because it complies with the provisions of MGL Ch 41 Section 81P and is not a subdivision as defined under the Subdivision Control Law. Cole seconded the motion and the vote was unanimous with all in favor.

Public Hearing

Clean Energy Collective (15-006SP-CD SOLAR). Request by applicant to construct a 2.7 Megawatt solar energy system with a common driveway at 703 Old County Road Assessors' Map 40, Lot 53.

Whitin read the legal notice into the record which was published on July 8, and July 15, 2015, in "The Chronicle" newspaper. Steve Gioiosa from SITEC Engineering was present along with Colleen Benedetto from Clean Energy Collective, Mike Kio the Legal Counsel for the applicant, Doug Gardner from Clean Energy Collective and Ron Medeiros the development consultant for the project.

Gioiosa described a large scale solar project to be located on a 44 acre parcel of land on the south side of Old County Road, owned by Barbara A. Zanin. The property has frontage on Old County Road and a single family home is located on the property. Gioiosa described the wetlands on the property and noted that an Abbreviated Notice of Resource Area Delineation (ANRAD) has been filed with the Conservation Commission and the wetland line has been approved. The proposed common driveway was described to

follow the current driveway. He described the solar panel field with post mounted panels, which would be completely fenced in. The topography and potential change in runoff was explained for the Board. Gioiosa noted that a Notice of Intent (NOI) has been filed with the Conservation Commission. It was noted that this parcel would have two uses: residential and a large scale solar installation. Discussion ensued over the allowance of two uses on the one parcel. Gioiosa noted that there would be no lighting on the property and then discussed using above ground utilities because there are already a few electrical poles on the proposed common driveway. Doug Gardner described the electrical side of the solar system.

Whitin read the comments from the various Boards into the record. Whitin read a Tibbetts letter dated July 8, 2015, into the record. Whitin read a Tibbetts' letter dated July 9, 2015, into the record while Gioiosa commented on a few of the points. Whitin requested MSDS sheets for the materials used in the solar system. Sousa questioned if there was a concern of fire from the transformers, Gardner noted that it was extremely low fire risk. Whitin read a Tibbetts' letter dated July 16, 2015, into the record.

Abutter Glen Mauk, 5 Princess Pine Way, was present to request that the limit of clearing be clearly and permanently marked to ensure that the clearing line is not exceeded. Mauk requested additional information on the plan including plantings that would be done and a detailed profile to the tapered tree clearing incline mentioned by Gioiosa. Mauk questioned if the project would be completed in phases. Gioiosa later discussed the phase process. Mauk requested that the exact area of the fence be placed on the plan. He stated that he does support the project.

Abutter Jeff Breton, 709 Old County Road, was present and stated that his children grew up in and around this property. He stated that there is a wide variety of wildlife in the area and the trees that will be cut down are very old and it would be a shame to remove them. Breton noted that there is rock ledge in the area that is not shown on the plans. He was concerned for the clearing around the proposed power lines in the area because it would clear the vegetation barrier that separates his property from the abutting property.

Abutter Shea Pierce, 709 Old County Road, was present and stated that there are various types of wildlife in the area that would be disturbed. He also expressed his concern for excess water flow onto his property once the land is cleared and how the well and groundwater could be affected.

Abutter Brie Goodwin, 709 Old County Road, was present and stated that clearing the woodlands in the area would be taking away from the heritage of Westport.

Michael P. Sullivan, Westport Economic Development Coordinator, was present and questioned how many residential lots would fill the space of the proposed solar array, and what would be the impact of those potential homes. He stated that once built, the project would be low intensity, low impact. He stated that the project embraces ecologically friendly energy production. Sullivan also mentioned the revenues that could be obtained from the project.

Abutter Gerald Coutinho, 1 Pettey Lane, was present and questioned the amount of clear cutting of mature forest and undergrowth. He noted that the abutting land needs to be protected from excess runoff due to excessive clearing. He requested that the wetland be benchmarked, and the clearing limits be permanently marked. Gioiosa explained that out of the 44 acres, less than 20 acres would be cleared. Coutinho expressed great concern for the wetlands in the area and how they would change after the project. He requested that the wetlands be monitored for a period of years to determine if they would be affected by the development of the solar array.

Gioiosa responded to the public comments. He reviewed the existing drainage flow paths, and explained how they would be altered. He described the detention systems and the complete analysis done for water flow mitigation. Gioiosa noted that wetlands change periodically, so monitoring them would be difficult,

and the wetland line on the plan is locked in for three years. He stated that installing permanent markers for clear cutting is a good idea. Gioiosa noted that the rock ledge had been surveyed and is on the plans. Gardner noted that this 3 megawatt solar array would power approximately 600 homes in the area. The cross section of the tapered cutting line for the trees was discussed and Gioiosa stated the he will provide a 3D document to show the taper in detail. Cole discussed the history of the land, stating it used to be farmland.

Raus motioned to continue this Public Hearing to August 11, 2015, at 7:30 p.m. Sousa seconded the motion and the vote was unanimous with all in favor.

Crane Hill (12-005C). Request by applicant for final release of surety for completion of project.

Hartnett reviewed the plan for the Board, referencing a Tibbetts letter dated July 21, 2015. The diameter of the gravel cul-de-sac was discussed. Permanent "restricted clearing" monuments were discussed. The final release was not granted due to the lack of the marked or "monumented" clearing lines. Currently these are garden metal posts demarking the no-clear zone that could be removed easily and members would prefer that the restricted area be marked in a more permanent way using monuments.

Administrative Items.

a. Discussion re: crosswalk on Main Road.

Whitin noted that the crosswalk at the Apothecary is badly placed, is not ADA compliant, and ends in front of a catch basin at one end. Discussion ensued and a better placement was considered. Whitin suggested asking the Highway Department and the Commission on Disabilities for input.

b. Landing Commission waiver of fee for Pre-app consult.

The Landing Commission was a co-applicant for a pre-application consultation and has requested the Planning Board waive the fee for the Town committee and to waive the fees for the upcoming site plan application.

Sousa motioned to waive the fee for the pre-application consult and to waive the filing fee for the site plan review for the Landing Commission. Cole seconded the motion and the vote was unanimous with all in favor.

Town Planner Report.

1. On Tuesday and Wednesday of last week, the Town Planner attended a workshop in Framingham on hazard Mitigation Planning. With the assistance of SRPEDD the Town completed a Plan a number of years ago but it needs to be updated. Because of the new requirements the update will be the same as developing a new plan from scratch. Most communities are hiring consultants to prepare the plan and the cost for this work is between \$20,000 and \$75,000. In some communities the Planning Office takes the lead but in many communities the Fire Department or Highway Department take the lead.

There is some grant funding available to help pay for a consultant, there would be a 25% match from the Town. The 25% match can be adjusted for in kind services. The application deadlines are August 2, 2015 and November 2015.

2. The Town Administrator held a department head meeting on Tuesday of last week.

- New phones are being installed at the Annex.

- Will need a special town meeting to appropriate \$50,000 because the solar net metering credits came in late.
- Local Aid net increase is \$50,000 with additional Chapter 90 Funds.
- Police Department Feasibility study has been completed, they currently have 8,000 s.f. but they will need 18,000 s.f. looking at a couple of options 6-8 million.

3. Brookmeadow – This is the 40B development at the end of Brookwood Drive. They are requesting a reduction in the number of units from 52 to 12. The Board of Appeals will be making a determination if the change is substantial or not. If it is considered a substantial change the applicant would have to go through the public hearing process. The Board of Appeals is meeting on this in September.

Any other business that may come before the Board.

None.

Correspondence.

Brookmeadow 40B – letter from Brookwood neighborhood. The proposal from the developer is to modify the 40B units from 52 units to 12 single family homes. Members asked this be discussed further in September, 2015.

Minutes.

July 14, 2015. Cole motioned to accept the minutes as submitted. Raus seconded the motion and the vote was unanimous with all in favor.

Invoices.

Mileage reimbursement for Hartnett \$189.75.

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

Executive Session - pursuant to Massachusetts General Laws Chapter 30A, Section 21 to conduct negotiations with non-union personnel.

At 9:12 p.m., members unanimously voted to enter Executive Session by roll call vote. At 9:18 pm, members unanimously voted to adjourn Executive Session by roll call vote.

Members unanimously voted to send a letter to the Board of Selectmen requesting the Town Administrator, Planning Board and Town Planner enter into contract discussions.

ADJOURNMENT

Members unanimously voted to adjourn at 9:18 p.m.

Respectfully submitted,

Joan Steadman, Recording Clerk