



**TOWN OF WESTPORT**  
**856 Main Road**  
**Westport, Massachusetts 02790**  
**PLANNING BOARD**

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**PLANNING BOARD MEETING MINUTES**

**June 1, 2016**

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

**BLACK OAK CIRCLE (16-001C-LID)** Approved (4/28) Low Impact Development Site Plan and 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 for 4 residential lots.

- Approve Home owner’s Association Agreement.
- Approve Maintenance Agreement.
- Endorse Form F Covenant.
- Endorse Form F-RRL – Covenant for a rural residential lane.
- Endorse Plan mylar.

Hartnett noted that the Subdivision Approval (Form-C) was previously approved by the Board and filed with the Town Clerk and has successfully passed the appeal period. Hartnett briefly reviewed the plan for the Board.

Raus motioned to accept the Home Owners Association and Maintenance Agreements. Sousa seconded the motion and the vote was unanimous with all in favor.

Raus motioned to approve and endorse the Form-F and Form F-RRL Covenants and the mylar plan for the Definitive Subdivision plan entitled “Black Oak Circle” dated January 6, 2016. De Rego seconded the motion and the vote was unanimous with all in favor.

**Public Hearing**

**NOQUOCHOKE VILLAGE (15-026SPA-NOD-IHSP)** (*Continued from February 9, 2016, March 8, 2016, April 19, 2016 and May 17, 2016*). Request by applicant for approval pursuant to Westport Zoning By-Laws, Article 13, Inclusionary Housing Special Permit, Article 15, Site Plan Approval and Article 19, Noquochoke Overlay District Special Permit to construct a community center, 50 townhouse units within seven structures and associated parking areas and landscaping for property owned by the Town of Westport and located at 1163-1175 American Legion Highway, Assessor’s Map 33, Lots 17, 45, 47, 47A & 47E, Westport, MA.

**\*\*A request was received from the applicant to continue the hearing to June 28, 2016.**

Whitin read a letter from The Community Builders dated May 26, 2016, into the record requesting a continuance to June 28, 2016.

At the request of the applicant, Raus motioned to continue the public hearings for Noquochoke Village to June 28, 2016, at 6:30 p.m. Sousa seconded the motion and the vote was unanimous with all in favor.

**Westport School Department 16-002SPA-m.** Review plans for the increased proposed parking area at the Macomber School, 154 Gifford Road.

Michelle Raposa, School Business Administrator for Westport Community Schools, Mike Duarte-Director, of Maintenance for Westport Schools, and John Keegan of SITEC Engineering were present. Raposa explained that the school department was proposing to reconstruct the school parking lot to better accommodate the needs of the growing school population. Raposa noted that the school currently has 54 real parking spots, and the proposed plan will have a total of 89 parking spots. She explained that the current design and the poor condition of the parking lot area have become hazardous to students, staff and parents. Raposa described the existing condition of the parking lot in detail. Raposa described the proposed design which also included a revised drop off area, grassed areas and a safe walkway for students. Raposa stated that the proposed design would increase the traffic flow which would improve the general safety in the parking area.

The traffic flow for the parking area has been a problem especially with the new class rooms being added and the overall pavement condition is poor. This is essentially a reconstruction of the existing parking lot. A rough calculation of the pre and post development shows a slight decrease in the paved area, approximately 2,000 s.f. (this is an estimation based on a scaled calculation). The current parking area sheds the stormwater to the north into the Town's Osborn Street drainage system. The proposed design provides an infiltration swale and a grassed area between the proposed parking and the paved portion of Osborn Street.

Hartnett noted that he looked at the area with a paving contractor to discuss the most cost efficient way to pave the lot. Hartnett stated that the most cost efficient design would include leaving the grading of the area as close to the existing grade. Sousa questioned if the Police Department had looked at the current traffic flow and the proposed plan. Raposa stated that several Police Officers have children that attend the school, and the officers/parents have observed the traffic conditions, resulting in the suggestion of a parent drop off area. Raposa explained the timelines of student drop offs including bus times for all grades and parent drop offs.

Robert Alves, a member of the Highway Department was present and noted that he has children which are in the Westport School System. Alves pointed out an area in the parking lot that has a "significant water problem". Alves suggested placing two drains on either side with oversized catch basins. John Keegan from SITEC described the existing conditions of the drainage and the proposed drainage plan. Discussion ensued.

Hartnett read the proposed waivers into the record.

**Waivers:**

1. Section 20.3. f Waiver of 24' curb cut width (proposed 45', 48' & 75').
2. Section 20.8.1.c To allow the landscaping and screening proposed in lieu of landscaping and buffer requirements of the by-law.

Hartnett read the findings of fact and the proposed conditions into the record.

**Findings of Fact:**

1. The project as presented protects adjoining premises by reducing adverse effects on the natural environment and abutters. Landscaped buffers have been adequately addressed by maintaining existing landscaping where possible and providing new landscaping along the northerly property line.
2. The project as presented provides for convenient and safe vehicular and pedestrian movement and the location of driveway openings are convenient and safe in relation to

vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site. Provisions have been made to accommodate pedestrian and vehicular movements including proper access for emergency vehicles.

3. The project as presented provides an adequate arrangement of parking spaces in relation to the proposed use of the premises.
4. The project as presented provides adequate methods of disposal of refuse or other wastes resulting from the uses permitted on the site.
5. The project as presented complies with all applicable requirements of this By-Law, the Rules and Regulations of Site Plan Approval, and the Rules and Regulations Governing the Subdivision of Land (to the extent applicable), unless explicitly waived by the Planning Board.

#### **Conditions:**

1. Any material changes to the approved site plan shall require Planning Board approval.

Sousa suggested an independent review of the plan by Tibbetts Engineering to avoid any potential setbacks or issues with the plan. Hartnett noted that the Fire Department had not yet reviewed or approved the plan. Hartnett stated that the Conservation Department wrote a letter, dated May 31, 2016, stating that the proposed parking lot is within 100 feet of the vegetative wetland and the Westport Community Schools has filed for a determination from the Conservation Commission. Hartnett suggested approving the plan subject to review and approval from the Fire Department.

Raus motioned to approve accepting the plan as a minor site plan, filed May 31, 2016. Sousa seconded the motion and the vote was unanimous with all in favor.

Raus motioned to approve the Minor Site Plan under Zoning By Law, Article 15, for Westport Community Schools for the property located at 154 Gifford Road, Assessors Map 24, Lot 7, on a request to reconstruct the driveways and parking areas subject to waivers, findings and conditions as previously stated. De Rego seconded the motion and the vote was unanimous with all in favor.

#### **Administrative Items.**

a. Endorse Form C-1 & Special Permit for Inclusionary Housing Bentley Estates II.

Hartnett reviewed the cul de sac plan, and stated that the Certificate of Approval was ready to be filed.

Sousa read a letter he wrote into the record. In the letter, Sousa stated that the “driveability” of the cul de sac design was “limited” and would not be plowable, noting that the area would not be drivable 365 days out of the year. Sousa requested that the Board review the design and seek a more permanent solution.

Hartnett read the previously endorsed decision into the record. He read Condition #9, which was concerning the cul de sac.

Raus motioned to endorse the Certificate of Approval for the Definitive Subdivision Plan: Bentley Estates II, prepared for Robert Kfoury. De Rego seconded the motion and the vote was unanimous with all in favor.

Raus motioned to endorse the Special Permit for Inclusionary Housing Decision for Bentley Estates II. De Rego seconded the motion and the vote was unanimous with all in favor.

b. Ch91 dock license notification for Hawes at 1780 Drift Road. Noted.

c. 2008 Planning Board Minutes regarding the waiver for technical review of the New Fire Station Site Plan. Raus motioned to waive the consultant review requirement for the proposed Police Station parking designs and runoff, unless Hartnett later determines that a review is necessary. Sousa seconded the motion and the vote was unanimous with all in favor.

### **Town Planner Report.**

a. Cul de sacs – Hartnett noted that Tim King held a meeting on Tuesday May 24, 2016 to give residents the opportunity to discuss the seven cul de sacs that were paved under last year's street construction contract. The Planning staff agreed to send notification to the abutters of each street on behalf of the Town Administrator; Clover Lane, Forsynthia Lane, Windrush Lane, Miss Rachel Trail, Daisy Lane, Sunnyfield Drive and Briar Drive. At the meeting residents from Miss Rachel Trail and Windrush Lane were present and requested that the center islands the town removed be reinstalled.

b. Hartnett noted that he had a meeting with the representatives from the Slaughter House development on Route 6. He stated that they are looking to do some minor modifications to the site plan including: increasing the width of the entrance to conform to MassDOT requirements, lowering the grade of a portion of the drive to conform to the existing contours and lowering the grade to the rear of the loading area to allow for proper loading door heights. The size of the building will also be increased by about 10%. Hartnett noted that the work can be done with a minor site plan modification. Because there was also a Special Permit granted for this project, Hartnett suggested that, if approved by the Planning Board, the modification would include this statement addressing the Special Permit: "The Special Permit was granted for the use of the property in the Science and Technology Overlay District and the proposed site design changes do not impact the use, open space or dimensional requirement of the STOD and does not impact the previously approved Special Permit Decision".

c. The Board discussed the design review for the proposed Police Station at the last meeting. The drainage for the original design of the Fire Station was not sent out to review as described in the minutes of January 29, 2008. This was also similar to other town projects including the Town Landing at the Head of the Westport River.

d. MS4 Grant application – Andrew Sousa has been working on a grant application and he has requested information from the GIS relating to the number of outfalls within the MS4 Area. Hartnett noted that he has been working to assemble this layer in order to provide the information to Sousa.

e. Seaport Council Grant Application – This application for improvements to the Town Landing has been submitted and the Board is hoping to hear back in July. The \$50,000 earmark was passed in the budget by the State on May 26, 2016, for the Head Landing betterment.

f. The Clean Energy Collaborative Solar Project on Old County Road is under construction. Hartnett noted that the site had been cleared, drainage had been installed and the support poles had been installed. The other Solar project along Route 177 should be back in within the next month with a revised driveway design.

g. The Town of Westport, Management Letter prepared by Roselli, Clark & Associates was recently released and item 6 referenced the Planning Board. Hartnett noted that in the Board's three prior letters to Management, the Board determined that the Town was in possession of numerous Planning

Board Surety Accounts, many of which appeared to have been inactive for a number of years including two that had deceased parties; *“We understand that the Planning Department is continuing to work on resolving these and has reduced the balance to about \$115,000. We are encouraged by this and recommend that this process continue”*

**Any other business that may come before the Board.**

None.

**Correspondence.**

- ZBA Decision/Desrosiers, 7 Third Avenue. Noted.

**Minutes.**

May 17, 2016- De Rego motioned to approve the minutes as written. De Rego seconded the motion and the vote was unanimous with all in favor.

**Invoices.**

Graphics Plus- 75 printed copies of the 2016 Master Plan: \$1,392.50.

Mileage for Whitin for SRPEDD Commissioner duties to be determined and signed off by Vice Chairman Raus.

Mileage for Raus. Travel to SRPEDD Annual Meeting May 25, 2016: \$37.91

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

De Rego motioned to approve the amount “to be determined” for mileage for Whitin’s travel to regular SRPEDD meetings. Sousa seconded the motion and the vote was unanimous with all in favor.

**ADJOURNMENT**

Members unanimously voted to adjourn at 8:00 p.m.

Respectfully submitted,

Joan Steadman, Recording Clerk