



**TOWN OF WESTPORT**  
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**PLANNING BOARD**

**PLANNING BOARD MEETING MINUTES**

**June 26, 2018**

Chairman James T Whitin called the meeting to order at 6:03 pm with Members Marc De Rego, James Watterson and Town Planner James Hartnett present. Vice-Chair Daylor and Cole were absent.

**Upland Trails (13-008C)** – Dan Aguiar from SITEC Engineering was present to discuss drainage on behalf of owner, Bruce Kowal. Mr. Aguiar would like to make modifications from the original design by extending the riprap swale around a portion of the cul-de-sac to eliminate erosion and regrade the shoulder. He would like to make modifications on the drainage easement and eliminate the 2 ft. grass strip. Whitin questioned why the design wasn't followed as signed off by the Planning Board. Mr. Aguiar stated that the developer does not own the lots and does not have control over the private property. Watterson and Whitin noted that it is still the owners' responsibility. Aguiar will send letter of formal modification to the Board with the proposed changes. Peter Geldmacher – abutter and President of the Upland Trail HOA was concerned about erosion and grass swale. He stated that once the Planning Board releases the subdivision the homeowners will be responsible for the road and he wants to make sure it is constructed properly.

**James Long (18-002SPA) and Jo Mary Long** for property located at **515 American Legion Highway**, Assessor's Map 66, Lot 18C in Westport, MA, pursuant to Westport Zoning By-Law Article 15 for Site Plan approval, on a request to construct a 60' x 151' self-storage building, 9,060 sq.ft., with associated gravel parking area and storm drainage.

Bill Smith of Civil Engineering Concepts was present along with Jim Long, owner to address the Board. Mr. Smith reviewed the design plans with the Board, he noted that the parking area and drives would be gravel. There would be no well or septic system on site. The proposed building will be similar to the storage building across the street.

Hartnett read into the record the staff comments from other departments and SW Cole Engineering report. Hartnett questioned the drainage outlet and Smith explained that the drainage goes to the wetlands south of the property. Whitin asked about lighting and if a photometric plan has been submitted. Mr. Long stated that the lights meet all requirements and the fixtures will not shed light off property. The location of the lights are shown on the building plans and he will submit plans showing the lighting contours.

Board requested a condition for approval that a lighting plan be submitted and a condition requiring a deposit for inspection fees prior to the building permit being issued.

Hartnett read into the record sample findings and conditions.

**Sample Waivers**

1. 20.4.b Access drive waive width.
2. 20.6.e Waive vegetated buffers.
3. 20.6.1.b Waive 10' perimeter landscape in lieu of fencing.
4. 20.6.1.c Waive 20' landscaped buffer along public way.

### **Sample Findings of Fact**

1. The project as presented protects adjoining premises by avoiding adverse effects on the natural environment and abutters. Landscaped buffers have been adequately addressed by maintaining existing landscaping where possible and providing new landscaping on the north, west and east sides of the property.
2. The project as presented provides for convenient and safe vehicular and pedestrian movement and the location of the driveway opening is convenient and safe in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site. The project as presented provides an adequate arrangement of parking spaces, including one handicap parking space.
3. The project as presented provides adequate methods of disposal of refuse or other wastes resulting from the uses permitted on the site.
4. 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 as determined by the Building Inspector to the approved site plan shall require Planning Board approval.
2. All lighting shall conform to the requirements of Section 20.9 of the Rules and Regulations of the Westport Planning Board for Site Plan Approval and to the approved design plans.
3. The applicant shall submit a copy of the approved Massachusetts Highway Access Permit, if required by MassDot.
4. Prior to commencement of work, the approved plan shall be submitted to the Board's Consultant Engineer. The Applicant shall be responsible for reasonable costs associated with construction observation/inspection services during the construction phase.
5. The Applicant shall install all erosion and sediment controls on site as shown on the plans as clearing begins and shall maintain said controls throughout construction
6. Landscaping and lighting shall be installed in accordance with the approved Landscape Plan and Details.
7. Prior to the issuance of an occupancy permit, the applicant shall submit an as-built plan to the planning board for review and approval, showing all structures including, parking, drainage, and landscaped areas. The applicant's engineer shall certify that the site was developed in substantial conformity with the approved plans
8. The applicant shall submit a lighting plan prior to issuance of a building permit.

De Rego moved to approve the site plan application of James J. and Jo Mary Long, for property located at 515 American Legion Highway, Assessor's Map 66, Lot 18C in Westport, MA, pursuant to Westport Zoning By-Law Article 15 for Site Plan approval, subject to waivers, findings, and conditions. Seconded by Watterson. Vote unanimous with all three in favor.

**CVE North America Inc. (18-003S-LID)-**

Notice is hereby given that the Westport Planning Board will hold a public hearing on the application of **CVE North America, Inc.**, 116 West 23<sup>rd</sup> Street, 5<sup>th</sup> Floor, New York, NY 10011 for land owned by **David P. and Lillian F. Cabral**, for property located at 1665 Drift Road, Westport, MA Map 57 Lots 25 & 33, pursuant to Westport Zoning By-Laws Article 20 Low Impact Development (LID) and Article 24 Large Scale Solar Energy System. The applicant requests permission to construct a 2.4-Megawatt solar energy system on 13.9 acres, total lot size 18.1 acres.

With only three voting members present, Whitin motioned to postpone the hearing to July 10 at 6:15, seconded by Watterson with all three in favor.

**Municipal vulnerability preparedness**

Public forum listening session recap of community workshops that Westport took part in at the Free Public Library. Bill Napolitano of SRPEDD presented a slideshow for the listening session. Mr. Napolitano explained the process to be certified as an MVP community and this was the first step in the certification. There were two work sessions held on May 11<sup>th</sup> and May 18, 2018. The community and town departments were well represented. The workshops included a number of exercises that led to the development of priorities to be considered. Napolitano will submit the workshop findings to the state and will set up a special workshop in the fall if the Board desires.

**Lawton Trust/Hickory Lane (03-009C) Request to address turnaround.**

Brian Corey Jr. representing the De Oliveira's, stated that no progress has been made from previous meetings. He also noted for the record that the Fire Chief's letter did not address the width of the turnaround being further decreased with the Morais' landscaping. Whitin agreed with this observation. Hartnett read Heroux's letter into the record which stated that the drainage is functioning properly and suggested that the pavement width in front of the walls could be widened. The Board requested that S.W. Cole review the drainage and the encroachment of the wall. Attorney Arthur Frank was present representing Norbert Morais owner of 14 Hickory Lane, he stated that his client is willing to work with all parties to come up with a solution.

**Matters not reasonably anticipated.**

None

**Planners Report**

- a. Middle/High School – Preliminary plans for the proposed school are available for review in the Planning Office, this would be the Design Development Pricing Set. The project is moving forward, the engineers are still working on the site design. It appears that the plan will be before the Planning Board some time later this summer for limited site plan review.
- b. Nadine has been working on the Federal Census, matching addresses with from the Assessor records to the Federal address list. The Town is looking to identify residential properties that are not currently included in the Federal list to improve the accuracy of the census. Once this comparison is complete, we will work with the Town Clerk and the Registrar to submit a package.

- c. The town received four proposals for the Targeted-Integrated Water Resource Management Plan (IWRM), and these will be reviewed tomorrow by the review group. The four companies are:
  - AECOM – Pocasset, MA
  - Horsley Witten Group, Inc. – Sandwich MA
  - Lombardi Associates, Inc. – Newton, MA
  - Kleinfelder & Pare Corporation – Boston, MA
- d. Hixbridge Solar, LLC submitted a solar project application on behalf of the Town for a small solar development to be located on the top of the landfill. This is scheduled to be heard at the July 24<sup>th</sup> meeting of the Planning Board.
- e. I have been working with Tim King on the disposal of surplus property from the middle school. Completed a walk through with the Auctioneer last week, there is not much left in the school. The school department and the town departments have salvaged and reused most of the equipment and furniture.
- f. Site plan enforcement – We have a number of site plans that have been approved over the years that have not been completed, some of these businesses are operating. As time permits over the next few months, I would like to revisit these sites and see if we can get the applicants to finish them up so we can close the files.

**Correspondence.**

Brightwood Path – Inspection report noted  
Santos & Tobias Chapter 91 license – no action required

**Minutes.**

June 19, 2018 – Work Session – postponed

**Invoices.**

Hartnett – Mileage & phone for May/June. De Rego motioned to approve, Watterson seconded. All in favor.

Whitin – Mileage for SRPEDD meeting. Watterson motioned to approve, De Rego seconded. All in favor.

WB Mason – \$60.59 De Rego motioned to approve, Watterson seconded. All in favor.

**ADJOURNMENT**

Members Unanimously Adjourned at 8:40 p.m.

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