



TOWN OF WESTPORT
856 Main Road
Westport, Massachusetts 02790

Tel. (508) 636-1037
Fax (508) 636-1031

PLANNING BOARD

PLANNING BOARD MEETING MINUTES

August 7, 2018

Vice Chairman Robert Daylor called the meeting to order at 6:00 pm with Members David Cole, Marc De Rego and Town Planner, James Hartnett. Chairman James Whitin was present through remote participation for the Hixbridge Solar LLC appointment.

Averyl Andrade, Between the Rows LLC – Averyl Andrade was present and discussed cannabis agriculture and how the community can benefit with craft cannabis co-ops with no direct customer sales. Cole would like a prototype proposal drawn up to review. Louise Rodrigues of 473 Old Bedford Road supported and commented on the benefits that can come from cannabis agriculture.

Daylor announced that Jim Whitin will be participating remotely due to illness.

Hixbridge Solar LLC (18-004SPA) - Notice is hereby given that the Westport Planning Board will hold a public hearing on Tuesday, August 7, 2018 at 6:15 p.m. at the Westport Town Hall Annex, 856 Main Road, Westport, MA on the application of **Hixbridge Solar, LLC**, 111 Speen Street, Framingham MA for land owned by **Town of Westport**, for property located at **72 Hix Bridge Road**, Westport, MA Map 54 Lot 40A, pursuant to Westport Zoning By-Laws Article 20 Low Impact Development (LID) and Article 24 Site Plan Approval, Large Scale Solar Energy System. The applicant requests permission to construct a 0.622 Megawatt DC solar energy system on 2.5 acres, total lot size 22 acres. A copy of the permit applications and plans are available for review at the Planning Board office in the Town Hall Annex.

Daylor read the Hixbridge Solar LLC public hearing into the record. Daylor noted for the record that his son works for Ameresco but is not involved in this project.

- Robert Bukowski was representing AMEC and Joel Lindsay was representing Ameresco. Bukowski noted that the solar array will be located at the top of the existing landfill cap. The existing access road will be used for construction and will be extended with crushed gravel for loading and unloading of equipment. The site will be enclosed with a 7-foot high perimeter fence for security reasons. Questions from the audience were answered.
- Hartnett read into the record the staff comments from other departments. Grant Moore of Gooseberry Farms Lane asked the maximum height of the panels. Bukowski commented that the maximum height of panels will be 7-8' in height angled facing south.
- Sky Wild of Drift Road asked what the decommissioning plans are. Are the panel's hazardous waste and are they recycled at the end of the life of the panel?
- Hartnett read the Sample Findings and Sample Conditions into the record.

Sample Findings of Fact

1. The project as presented protects adjoining premises by avoiding adverse effects on the natural environment and abutters. Buffer for abutters has been adequately addressed &/or provided as

required under Zoning By-law §15.4.2. There will be no lights for the portion of the site with the solar arrays.

2. The project as presented provides for convenient and safe vehicular and pedestrian movement and that the locations of driveway openings are convenient and safe in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site. With the exception of the access road extension, circulation will not change.
3. The project as presented will have no impact on the arrangement of parking and loading spaces in relation to the new proposed uses of the premises.
4. The project as presented will have no impact on 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.

Sample Conditions

1. The applicant shall, as a condition of this approval, install and maintain the stormwater system at all times. In addition there shall be no negative impacts off-site resulting from the stormwater system.
2. Any changes to the approved site plan shall require additional Planning Board approval.
3. Upon completion of the construction, the applicant shall submit an as-built plan to the Planning Board for review and approval.

Prior to issuance of a building permit the applicant shall provide surety, in accordance with section 24.3.17 of the Zoning Bylaws (either through escrow account or other form of surety approved by the Building Inspector or Planning Board) to cover the cost of removal in the event the Town must remove the installation and remediate the landscapes, in an amount and form determined to be reasonable by the Planning Board. Such amount shall not exceed 150% of the estimated cost of removal.

De Rego motioned to approve the Site Plan application for **Hixbridge Solar, LLC**, 111 Speen Street, Framingham MA for land owned by **Town of Westport**, for property located at **72 Hix Bridge Road**, Westport, MA Map 54 Lot 40A, pursuant to Westport Zoning By-Laws Article 24, Site Plan Approval, Large Scale Solar Energy System to construct a 0.622 Megawatt DC solar energy system on 2.5 acres, total lot size 22 subject to waivers, findings and conditions as stated. Seconded by Cole. In a roll call vote, members Whitin, De Rego, Cole and Daylor voted in favor of the motion.

Cole motioned to approve the **Low Impact Development (LID) Site Plan Approval** for **Hixbridge Solar, LLC**, 111 Speen Street, Framingham MA for land owned by **Town of Westport**, for property located at **72 Hix Bridge Road**, Westport, MA Map 54 Lot 40A, pursuant to Westport Zoning, for Low Impact Development, Article 20, subject to conditions, as the plan presented meets the intent and purpose of the LID By-law by reducing the adverse impacts of soil erosion, sedimentation and stormwater runoff. LID site design standards were utilized to the maximum extent feasible as defined in section 20.5 of the Zoning By-law. Seconded by De Rego. In a roll call vote, members Whitin, De Rego, Cole and Daylor voted in favor of the motion. Whitin disconnected remotely and left the meeting at 6:55 p.m.

Black Oak Circle (16-001C) – Subdivision Release/Reduction in Performance Guarantee.

The applicant has requested a release of the subdivision. SW Cole prepared a report dated July 6, 2018. Hartnett inspected the site on July 26, 2018 and it appears to be near completion. The apron looks to be a little worn for such a recent installment and I have asked the developer to take a look at it. The as-built plans have been updated in accordance with Tibbets notes.

- Shane Souza was present representing Black Oak Circle LLC requesting Surety Release and stated they disagreed with S.W. Cole's findings as well as the cost of the invoice for inspection services.
- Daylor motioned to reduce surety to \$4400 with another inspection from S.W. Cole, De Rego seconded the motion with all three in favor.

Devoll Pond Nominee Trust - Pre-Application consultation – postponed to August 21 meeting due to SITEC, Inc engineer/applicant was not present.

Planners Report

- a. There continues to be interest in Large Scale Solar projects in town. I received a call from a property owner on Route 6 who owns property in the business district and is considering solar.
- b. The project manager and Architect are looking to submit a site plan for the new middle/high school within the next two months.
- c. Hartnett has contacted SW Cole to set up a meeting with Board members to discuss invoices and design reviews.
- d. Hartnett spoke with George Block and Robert Chaput from SW Cole Engineering on August 10th to discuss billing and design review issues.

Administrative Items

Lawton Trust/Hickory Lane (03-009C) Request to address turnaround. Daylor moved to continue to the September 18 meeting. De Rego seconded. The vote was unanimous with all three in favor.

Matters not reasonably anticipated.

Chapter 91 License- 1334 F&G Drift Road – No action required

Daylor met with Board of Selectman August 6, 2018 to unanimously approve the selection of Kleinfelder & Pare Inc. Cole - to arrange a meeting with the planning team and the working group.
Cole - Awaiting a firm date for a site visit to Noquochoke Village from Leonardi Array

Correspondence.

S.W. Cole Inspections - Noted

1346 Main Road – Building Commissioner Enforcement Letter - Noted

935 State Road – Building Commissioner Enforcement Letter- Noted

WRWA withdrawal Letter- Noted

ZBA Notice of Decisions- Noted

Dartmouth Zoning Bylaw amendment- Noted

Minutes.

Cole moved to approve the minutes of July 30, 2018, seconded by Daylor, The vote was unanimous with all three in favor.

July 10 minutes - Daylor stated that he would like to review them further.

Invoices.

ADJOURNMENT

Members unanimously adjourned at 7:45 pm

Respectfully submitted,
Nadine Castro, Assistant Planner II