



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

April 04, 2017

Chairman James T. Whitin called the meeting to order 6:00 p.m. with Vice-Chairman William Raus, Clerk Marc De Rego, Member David Cole, Member Andrew Sousa and Town Planner James Hartnett in attendance.

Administrative Items.

Members endorsed the following:

- a. Decision for Westport Historical Society –Cadman Handy House (17-004SPA)
- b. Decision for 726 Old County Road (17-005CD-FF)
- c. Decision for SEMALA (TLI) Minor Modification (15-005SPA-m-II)

Town Planner Report.

1. On March 30, 2017, Maury May and Hartnett attended a conference on the MS4 Permit in Marlborough, MA. Hartnett stated that he is currently working on the permit that is due on May 1, 2017. This permit would be similar to the permit that was filed last year. Chris Gonsalves from the Highway Department and Roberta Carvalho have been helping with the required information.
2. Hartnett noted that he will be meeting with Deborah Weaver from WRWA, Steve Gioiosa from SITEC Engineering and a member of the Landing Commission on April 11, 2017, to begin planning for the implementation of the Seaport Advisory Grant at the Head of Westport.
3. SRPEDD will conduct a follow-up meeting on April 13, 2017, at the Westport Library to present their finding on traffic and parking concerns on Old County Road at the Head of Westport. SRPEDD has taken a look at the area and will be providing some general design options to address concerns.
3. The Water Resource Management Committee has established a subcommittee chaired by Phil Weinberg to develop draft Board of Health regulations for alternative nitrogen reducing septic systems. Weinberg has requested a meeting with the Planning Board to present the preliminary draft.

Public Hearing

Gulf Holdings Westport LLC (17-006SPA) *Continued from March 21, 2017.* Pursuant to Westport Zoning By-Law Article 15 for Site Plan approval, request by applicant to re-construct existing gas station with a convenience store with 9 parking spaces and associated landscaping.

The proposed site plan shows an increase in the use and intensity of the site. The number of gas pumps will double from 4 to 8 and the size of the Kiosk will change from approximately 144 s.f. to 1,792 s.f.

Attorney Brian Corey Jr., Richard Rheaume from Prime Engineering, Traffic Engineer Philip Viveiros and Bob Collucio were present. Rheaume reviewed a minor change to the septic system and a minor change to the storm-cepter collection system. He explained what would happen in the event of a fuel spill on the site. Whitin read a Tibbetts report dated April 04, 2017, into the record. Traffic Engineer, Philip Viveiros from Mc Mahon Associates was present. Viveiros reviewed, in detail, the traffic analysis that had been completed and submitted to the Board. Discussion ensued.

Lori Crockett was present representing her mother, Carol Mercer of 6 Pine Needle Way. She stated that her concern was that her mother's back yard floods when it rains. Crockett suggested that her well be tested before construction and then again after re-construction of the updated gas station. The applicant agreed to testing their well for hydrocarbons prior to construction and again in 18-20 months after construction.

Signage on the property, additional landscaping on the plan and hours of operation were discussed.

Whitin requested that the sign be illuminated during business hours only and that the well at 6 Pine Needle Way be tested as conditions of approval.

Hartnett read the proposed waivers into the record. Hartnett read the Findings of Fact and the Conditions into the record.

Sample Waivers

Section 20.3.f Waiver of 24' wide curb cut requirement

Section 20.6.1.c Waiver of 20' street frontage landscaped buffer.

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 west and east side of the property and within the layout of Route 177.
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. The project as presented provides an adequate arrangement of parking, 9 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.

Sample Conditions

1. The applicant shall submit a revised "Subsurface Sewage Disposal System (upgrade)" plan showing the revised drainage on the site and sloping around the septic leaching field.
2. Any material changes as determined by the Building Inspector to the approved site plan shall require Planning Board approval.
3. 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 (LI1, LI2, LI3 & LI4).

4. Prior to construction the applicant shall submit a copy of the approved Massachusetts Highway Access Permit.
5. Prior to the start of any activity, the Applicant shall meet on site with the Planning Board's engineering consultant and obtain a signed Authorization to Proceed from the engineering consultant.
6. 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.
7. 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
8. Street trees and other landscaping shall be installed in accordance with the approved Landscape Plan and Details. After installation of the landscaping, the Applicant shall provide to the Planning Board certification that the plantings were installed in accordance with the approved plan.
9. 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, landscaped areas, tanks, pumps and septic system. The applicant's engineer shall certify that the site was developed in substantial conformity with the approved plans.
10. All structures shall conform to setback requirements as determined by the Building Inspector.

Cole motioned to close the Public Hearing for **Gulf Holdings Westport LLC dba Westport Mobil**. Raus seconded the motion and the Vote was unanimous with all in favor.

Raus motioned to approve the site plan application of **Gulf Holdings Westport LLC dba Westport Mobil** for property located at 634 American Legion Highway, Assessor's Map 30, Lot 25A, pursuant to Westport Zoning By-Law Article 15 for Site Plan approval, on a request to construct a gas station and convenience store with 9 parking spaces and associated landscaping subject to findings, waivers and conditions as stated. Sousa seconded the motion and the vote was unanimous with all in favor.

Any other business that may come before the Board.

Cole spoke about the implementation of the Master Plan. Cole stated that the Plan and the implementation of the Plan should be discussed yearly. De nitrifying septic systems were briefly discussed.

Sousa discussed a New England Interstate Water Pollution Control Commission meeting with the Board. He passed out information regarding the Mass Title 5 Training and Certification offered by the Commission.

Correspondence.

- a. MA Audubon LID workshop April 26. Noted.
- b. Green your community May 12 and 26. Noted.
- c. So Coast Rail update. Whittin read the update for the Board.
- d. Priority Habitat map review. Noted.
- e. Dartmouth PH Notice. Noted.
- f. TEC Construction Reports for Bentley Est and Blossom Rd A. Reviewed.
- g. CEC Incorrect Bond Issue. Hartnett reviewed the issue for the Board. Raus motioned Hartnett to send letter stating that there is a new bond in place, and the old one is VOID. Cole seconded the motion and the vote was unanimous with all in favor.

Minutes.

March 21, 2017- Raus motioned to accept the minutes as written. Cole seconded the motion and the vote was four in favor with De Rego abstaining due to his absence at the meeting.

Invoices.

None.

ADJOURNMENT

Members unanimously voted to adjourn at 7:35 p.m.

Respectfully submitted,

Joan Steadman, Recording Clerk