



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

October 2, 2018

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

Upland Trails (13-008C) – Proposed drainage swale

Dan Aguiar from SITEC Engineering was present representing Bruce Kowal, developer of Upland Trail. The grading improvements that are being proposed are to keep upland water from entering the roadway surface, get runoff off the roadway surface and to get more water into the two ponds and would like to install a culvert under the existing driveways of Kowal and Pawlak's property to allow water to flow, to resolve runoff issues. Would like create swale from end of gravel swale and not in interface.

Hartnett visited the site and didn't see any significant run off but did see some erosion but that is typical with gravel. Aguiar doesn't feel that it was necessary for an additional review from S.W. Cole. Peter Geldmacher, of 9 Upland Trail, is concerned about electrical lines. SITEC will call Dig Safe to property mark for the electrical lines prior to doing work. Geldmacher mentioned that he would also like any plantings that are disturbed to be replaced. Mark Pawlack, of 18 Upland Trail, requested to have his driveway properly patched since it was recently paved. Whitin questioned if S.W. Cole (formerly Tibbets) has made any additional reports and if they have inspected the plans. Hartnett replied that no additional work has been done at the site by S.W. Cole since November 2017.

Hartnett stated there have been some concerns regarding drainage flowing through the cul-de-sac instead of around the cul-de-sac. The northerly detention pond does not appear to be collecting any stormwater. To address this, the developer and engineer are proposing to construct a swale along the northerly shoulder of the cul-de-sac and along the south side with a drainage pipe under the existing paved driveway. Because of the impact on abutting property owners within the subdivision, owners should be made aware of these changes prior to the Planning Board voting on them. All work will be within the existing layout and drainage easement area with the exception of some minor grading on Parcel 2. I believe these changes are relatively minor and can be approved by the Board without a subdivision modification.

Daylor moved to approve the grading changes shown on the plans and for the purposes of expediting the approval that the owners sign off on the plan entitled "Upland Trail Grading Modification" dated September 18, 2017. Seconded by De Rego. The vote was unanimous with all five in favor.

Whitski Way (18-005C-FF)

In accordance with Massachusetts General Laws, Chapter 41, Section 81T, a public hearing will be held on Tuesday, October 2, 2018 at 6:15 p.m. at the Westport Town Hall Annex, 856 Main Road, Westport, MA to consider a definitive subdivision plan entitled “Definitive Subdivision Plan of Whitski Way” prepared for and owned by Peter B. Katzenbach Trustee for property located at 310 Cornell Road, Assessor’s Map 85, Lot 12, proposing a 3-lot subdivision with 2 new buildable lots and pursuant to Westport Zoning By-Laws Article 23 for a Flexible Frontage Special Permit requesting approval to reduce frontage requirements on a private way in exchange for a reduction in development density. Copies of the definitive plan and special permit application and plans are available for review at the Planning Board office in the Town Hall Annex.

Alan Heureux and Mark Boucher from Boucher & Associates were present representing the owner, Peter Katzenbach of 310 Cornell Rd. Heureux read the waivers into the record. Several town departments opposed the original name of Whitski Way for the reason that it was similar to Whit’s End and is proposing the name of Braybach Lane. Whitin questioned how the Katzenbach house is currently getting utilities and if the new lots will be using the same power lines or will a new utility line be brought down the lane way. Katzenbach stated they are receiving power from poles that run through Mr. Barker’s yard. If the waiver is granted as requested, would also like the option in the future to bring overhead utilities if the existing utilities are not sufficient. Whitin asked if it would be better to do Flexible Frontage, Boucher stated that it was considered but they would prefer not to because of the additional restrictions.

Watterson raised concerns that the fire trucks will not have enough room to access the houses due to the tight turns and asked if the Fire Chief has seen the Fire Truck plan. The current driveway access had an easement but that easement will expire in the year 2020. Boucher stated they want to give the family the flexibility of how to configure lots and still meet lot requirements. Whitin read Cole’s report dated 9-20-19 into the record. Daylor questioned the water flow. Heureux commented the water flows north to south toward Cornell Rd. Heureux would like to continue to work on the drainage issues.

Warren Barker of 254 Cornell road was also present and confirmed that the “farmers lane” works well and water doesn’t back up.

Daylor was concerned about the elevation of the proposed road in relation to the wetlands.

Hartnett stated that the engineer was before the Board with a pre-application consultation and presented the Board with a preliminary road design similar to what is being proposed. This is not a typical subdivision and there are a number of waivers required in order for this to be approved by the Board. The original filing was for a Definitive Subdivision Plan and a Flexible Frontage Special Permit Application. The applicant has submitted a revised lot layout plan for the subdivision and would like the Board to act on the new lot layout design, if approved by the Board it would not need the flexible frontage special permit.

A letter has been submitted requesting a Continuance for the Flexible Frontage Special Permit.

Daylor moved to continue both hearings to November 27 at 6:30. Seconded by De Rego. The vote was unanimous with all five in favor.

Hartnett noted the following:

1. Applicant has requested 12 waivers as listed on the plan.
2. Lot lines between lots 1 & 2 near the turnaround are shown differently on the construction plan and the definitive plan.
3. Cross section of gravel drive does not show 1 ½" of crushed stone ¾" minus
4. Lots 2 & 3 do not show minimum continuous uplands.
5. Drainage design and calculations do not comply with the subdivision regulations section V, sub section C & D
6. The design shows the first 300' of the gravel road sloping towards Cornell Road with over 100' at an 8% slope. This is steep for a gravel Road and the engineer should address runoff & washouts into Cornell Road.
7. The engineer is proposing a siphon pipe/drain outlet. How is this maintained, where does the water go when it outlets into Cornell Road. Once ruts are established in the gravel road, will the stormwater bypass the bio-retention areas?
8. There is no drainage proposed for the last 750' of roadway.
9. The Planning board usually requires underground utilities for all new subdivisions.
10. How are the wetlands connected under the existing gravel drive near the turnaround, and how will this be maintained?
11. Why use a siphon that can be clogged when a gravity line may be possible.
12. Plan should show that lot 2 meets the minimum 50' width requirement.
13. The strip of frontage for lot 2 that is shown in front of the buildable area of lot 3 is a poor design, lot 3 would have no rights to that strip of land shown as lot 2. This has been problematic in other subdivisions, when property owners want to landscape and maintain land in front of their property.

Sample Waivers

1. Waiver to allow a centerline radii of 60 feet for three curves in the road (Sec.IV.A.1.g)
2. Waiver to allow no radius in the street line of the proposed road at the intersection with Cornell Road (Sec IV.A.1.i.)
3. Waiver to allow the proposed road to be located along the perimeter boundary of the subdivision to provide safe access and to follow an existing, variable width strip of land (Sec. IV.A.1.j.)
4. Waiver to allow a street width of 20 feet with a gravel/stone surface rather than a width of 26 feet with a bituminous concrete surface for the proposed residential street. (Sec IV.A.2. With Table A Typical; Cross Section (Not Required)
5. Waiver to allow a +2% maximum leveling area at the proposed street intersection with Cornell Road (Sec. IV.A.3.B.)
6. Waiver to allow a dead-end street with a length of 1,210 feet measured along the centerline from the layout line of Cornell Road to the most distant centerline station point. (Sec IV.A.4.A.)
7. Waiver to allow existing stone walls to remain in the Road layout at Sta 2 +35, 6+10 & 9+00 (Sec V.B. Streets and Roadways)
8. Waiver to allow a cross slope without a crown for the proposed street. (Sec V. B. Streets and Roadways.
9. Waiver to the street shoulder slope to allow a 3:1 slope to existing ground or an earthen swale alongside the road. (see construction plan; Sec V.B. Street and Roadways)
10. Waiver to allow the centerline for the proposed street to not coincide with the centerline of the road for, Sta. 0+25 to 9+10 in order to allow room for drainage swales and minimize impacts to wetland. (Sec. V.B.2)
11. Waiver from requirement for 20% reduction in stormwater peak rate of runoff. (Sec. V.C.2.).

12. The 20% reduction refers to V.D.7. and only if the outflow is not outlet into a large wetland area or existing drainage system.
13. Waiver to allow overhead electric, telephone & CATV and not require that these utilities be placed underground in this subdivision (Sec. V.E.1) **Should be V.G.1**

Daylor moved to continue both hearings to November 27th at 6:30 p.m. Seconded by De Rego. Vote was unanimous with all five in favor.

Administrative Items

- a. Hixbridge Solar, LLC – (18-004SPA) – Hartnett recommended release of the consultant fee of \$2,000 to the applicant. Whitin motioned to approve the release. Seconded by De Rego. Vote was unanimous with all five in favor.
- b. CEC Energy – (15-006-S-CD) - Site Stabilization discussion – No action required

Matters not reasonably anticipated.

None

Planners Report

1. The department just received a small subdivision modification for property off of Briggs Road, adjustment of lot lines will be heard on November 13, 2018. Another small 2 lot subdivision off of Drift Road should be submitted within the next week.
2. CVE solar is scheduled to be on the agenda for November 13, 2018, the Board should discuss if legal representation for the Board should be at the meeting.
3. The Town Landing, Seaport Grant funded project should be before the Board October 30th or November 13th.
4. Proposed Middle/High School – At the school building committee meeting held on September 26, 2018, the septic system was discussed briefly. The additional cost for a 25 mg/l nitrogen reducing system will be \$100,000, if the system is designed to remove nitrogen to a level of 10mg/l the additional cost will increase from \$100,000 to \$250,000. The SBC created a subcommittee to evaluate the systems and report back to the SBC. The site plan should be filed with the planning office within the next 3-6 weeks.
5. Correspondence.
 - a1. 03-009C Lawton Trust Letter – Steven & Sheila Oliveira - Noted
 - a2. 03-009C S.W. Cole Site Review – Hickory Lane - Noted
 - b. FY 20 Budget policies - Noted
 - c. S.W. Cole Drainage Report- Noted
 - d. S.W. Cole Inspection - Noquochoke Village - Noted
 - e. S.W. Cole Inspection - Bentley Estates II - Noted
6. Minutes.

September 11, 2018

Daylor recommended to post-pone approving the minutes, seconded by De Rego with all five in favor.

September 18, 2018

Cole moved to postpone approving minutes, seconded by Daylor. The vote was unanimous with all five in favor.

7. Invoices.
Hartnett - phone

Adjournment

Members unanimously voted to adjourn at 8:45 p.m.

Respectfully submitted,

James Hartnett, Planner

Nadine Castro, Assistant Planner II