



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

January 14, 2020

Chairman Jim Whitin called the meeting to order at 6:02 p.m. with Vice-Chair Robert Daylor, member John Bullard, and Town Planner James Hartnett in attendance. Members, Jim Watterson and Bill Sheahan were absent.

Call to order 6:00 p.m.

1. Administrative Items

- a. Refer Annual Town Meeting Zoning Amendments to Board of Selectmen
- Recodification of Zoning By-laws
 - Discontinuance- Abandonment amendment
 - Use Table update
 - Definitions
 - Portable Storage units.

Hartnett updated the Board regarding the Zoning Recodification amendment.

Motion

Bullard moved to file the proposed zoning amendments with the Board of Selectmen for consideration at the 2020 Annual Town Meeting. Seconded by Daylor with Bullard, Whitin, and Daylor in favor.

- b. Appoint steering committee for East Beach MVP Grant

Steering Committee

Representative – Beach Committee
Representative – Board of Health
Representative – Planning Board (1)
Representative – Planning Board (2)
Representative – Conservation Commission
Representative – Board of Selectmen ??
General Public ???

Resource Members

Highway Surveyor – Chris Gonsalves
Town Planner – Jim Hartnett
Conservation Agent – Chris Capone
Director of Board of Health – Matt Armendo

Daylor suggested homeowners, businesses and associations should be included and those who would be affected. Hartnett mentioned area businesses such as East Beach residence Association, DCR, Tripp's Boat Yard would be invited to be part of a stakeholder group. Bullard expressed interest in participating as part of the group.

Hartnett will send out a letter to the Beach Committee, Board of Health, Selectboard and Conservation Commission requesting one member to serve on the committee.

Motion

Daylor moved to have three Planning Board members along with the other committee representatives to serve on the East Beach Steering Committee. Seconded by Bullard with Whitin, Daylor, and Bullard in favor.

- c. **CVE North America (18-003SP-LID)** – Report from SW Cole – The minor changes to the plan were approved at the last meeting subject to review by SW Cole. Byron Holmes from SW Cole submitted a report dated

January 6, 2020, with a couple of comments. The applicant addressed the comments on the revised plan. – **No Action Required – Noted**

Hartnett read S.W. Cole's report dated 1/6/2020 and commented the applicant addressed S.W. Cole's concerns.

Motion

Bullard moved to accept the report in accordance with S.W. Cole's report. Seconded by Daylor with Whitin, Daylor and Bullard in favor.

d. FY 2021 Budget – Tentatively scheduled for February 4th with the Finance Committee. Hartnett asked if the Board wants to meet with Hugh Morton prior to the Finance Committee meeting.

Whitin to meet with Hugh Morton prior to the 2/4/20 Finance Committee meeting.

e. Cornell Hill Definitive Subdivision (19-013C) Approve covenants, Home Owners Association and Endorse Plan.

Hartnett recommends accepting the homeowner's association and covenant for Cornell Hill. This subdivision was approved previously by the Board and the Clerk has certified that there has been no appeal.

Motion

Bullard moved to accept the Homeowners Association and Covenant and endorse the Definitive Subdivision Plan for Cornell Hill. Seconded by Daylor with Bullard, Whitin, and Daylor in favor.

f. Chapter 61A Release – Board of Selectman requesting comments on Release of Land owned by Manuel Ferry, II & Carolyn P. Ferry located at 136 Old Pine Hill Road, Map 43, Lot 29.

Hartnett recommends releasing land located at 136 Old Pine Hill Road for Manuel Ferry II & Carolyn P. Ferry. This is the property for the recently approved solar project.

Motion

Bullard moved to approve the Chapter 61A Release of Manuel Ferry, II & Carolyn P. Ferry located at 136 Old Pine Hill Road, Map 43, Lot 29. Seconded by Daylor with Bullard, Whitin, and Daylor in favor.

g. Chapter 61A Release – Board of Selectman requesting comments on Release of Land owned by the Meader Corporation located at 0 River Road, Map 87 Lots 87B, F, D.

Hartnett recommends releasing land located at 0 River Road, Map 87 Lots 87B, F, D.

Motion

Bullard moved to approve the Chapter 61A Release of Land owned by the Meader Corporation located at 0 River Road, Map 87, Lots 87B, F, D. Seconded by Daylor with Bullard, Whitin, and Daylor in favor.

h. Targeted Integrated Water Resource Management Plan (TIWRMP) – Consider Denitrification septic systems for new construction.

Motion

Bullard motioned for giving guidance to the Board of Health recommending denitrification for new construction or construction that exceeds 50% of the value of the structure. Seconded by Daylor with Bullard, Whitin and Daylor in favor.

6:30 p.m. Public Hearing

2. Woodland Estates (19-005C)

Request by the applicant to consider a definitive subdivision plan entitled **“Definitive Plan of Woodland Estates in Westport Massachusetts”** prepared for **Borrego Solar Systems, Inc** and located at 573 Main Road, **Assessor’s Plat 70 Lots 15, 16, 16B & 16D; and Plot 69 Lot 5** proposing to divide the property into four (4) lots.

Josh Farkes from Borrego Solar Systems, Inc was present along with Steve Kohm from Prime Engineering representing the applicants.

Kohm informed the Board he was present only to freeze the zoning that the applicants have no intention to construct the subdivision. Kohm described the project and drainage.

Hartnett recommended continuing the hearing to allow the applicant time to address comments from the consultant, staff, and Board.

Daylor suggested Prime Engineering work with S.W. Cole to clean up the plan. Daylor noted that the lot lines of the subdivision do not correspond to the lot lines for the recently approved solar project. Whitin asked about the remaining land of the Carrigg property. This should be shown on the plan.

Whitin asked if there were any questions or comments from the Board or audience; there were no further comments from either party.

Kohm agreed to an extension of time to the February 25, 2020 meeting.

Motion

Bullard moved to grant the request for an extension. Seconded by Daylor with Daylor, Whitin, and Bullard in favor.

Motion

Daylor moved to continue the hearing for Woodland Estates to February 25, 2020, at 5:45. Seconded by Bullard with Bullard, Whitin, and Daylor in favor.

6:45 p.m.

3. High Point Estates (19-006C)

Request by the applicant to consider a definitive subdivision plan entitled **“Subdivision Plan 0 Division Road, Assessor’s Parcels 46-8-0 and 46-9C-0”** prepared for Borrego Solar Systems, Inc. and located on the west side of Division Road between 355 and 403 Division Road proposing to divide the property into two (2) lots with frontage on High Point Lane, a private gravel road.

Matt Swansburg from Borrego Solar was present and commented that Borrego Solar will be submitting a solar plan within the next month or so for this property.

Steve Kohm from Prime Engineering was present. He is proposing to create 2 lots with 1 parcel to freeze the zoning. Kohm showed the wetlands crossing and described the drainage.

Hartnett read Field Engineering’s report dated 1/3/20 comments into the record. Kohm will correct the plan to address Field’s peer review and the Town Planner’s comments.

Hartnett recommended continuing the hearing to allow the applicant time to address comments from the consultant, staff, and Board.

Motion

Bullard moved to grant the request for an extension. Seconded by Daylor with Daylor, Whitin, and Bullard in favor.

Motion

Bullard moved to continue the hearing for High Point Estates to February 25, 2020, at 6:15. Seconded by Daylor with Whitin, Daylor, and Bullard in favor.

7:00 p.m.

4. Coastal Healing LLC (19-015SPA) (continued from December 17, 2019)

Request by the applicant to consider the Special Permit and Site Plan Applications for **Coastal Healing LLC** for property located at **248 State Road**, Assessor's **Map 3, Lots 144C & 144E**, Westport, MA pursuant to Westport Zoning By-law Article 15 for Site Plan Approval and Article 25 Medical Marijuana Treatment Center Special Permit, on a request to construct a medicinal marijuana dispensary cultivation and distribution center. Lot size 106,626 s.f.

Hartnett communicated to the Chair, the Board did not have the necessary quorum and recommended a continuance to February 25, 2020.

Motion

Daylor moved to continue the hearing for Coastal Healing LLC to February 25, 2020, at 6:45. Seconded by Daylor with Whitin, Daylor and Bullard in favor.

5. Matters not reasonably anticipated.

Hartnett stated that four Zoning Articles were submitted to the Selectboard for the Special Town Meeting. The Selectboard referred all the articles to the Planning Board. It was unclear if the referral was based on Chapter 40A Section 5 to start the Zoning review process.

Motion

Bullard motioned to send a letter to the Selectboard regarding Zoning Amendment changes. Seconded by Daylor with Whitin, Daylor, and Bullard in favor.

6. Planners Report.

Hartnett read the Planners Report into the record. Hartnett will have the Assistant Planner Position posted.

7. Correspondence.

Chapter 91 license (20-001CH91) 1478-D Drift Road – Noted

8. Minutes.

December 17, 2019

Motion

Bullard moved to approve the minutes of December 17, 2019, as written. Seconded by Daylor with Whitin, Daylor and Bullard in favor.

9. Invoices.

None

Adjournment

The members unanimously adjourned at 8:23 p.m.

Respectfully submitted,

James Hartnett, Town Planner

Nadine Castro, Assistant Town Planner II