



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD WORK SESSION

August 25, 2020

Chairman Jim Whitin called the meeting to order at 4:01 p.m. with Vice-Chair Robert Daylor and members John Bullard, Manuel Soares, Mark L. Schmid, and Town Planner James Hartnett in attendance.

Call to order 4:00 p.m.

Chair's Announcement – Under MGL Chapter 30A, section 20(f) – Meeting is being recorded.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Westport Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to or view this meeting while in progress may do so by following the remote links:

A video recording of this meeting is posted on the town's website. (www.westport-ma.gov)

1. Administrative Items

a. Review Planning Board Regulations – Sidewalks

Hartnett suggested revising the sidewalk regulations for smaller subdivisions.

Bullard suggested inviting the Disability Commission for their recommendations on this matter. Whitin agreed with Bullard.

Hartnett mentioned a Disabilities Commission member was concerned about the incomplete sidewalks on Sycamore Lane in Forest Park. S.W. Cole did a review and it is on the punch list to be completed.

Hartnett will contact a member from the Disability Commission for their availability to attend a future Planning Board meeting.

b. Grant/Project Update

Hartnett updated the Board on the projects and grants.

○ DEP Grant, Senator Rodrigues – Route 6 Sewer Study

Whitin asked if Hartnett heard from the Selectboard regarding in-person meetings. Hartnett mentioned the Selectboard does not have any plans at this moment for in-person meetings. He spoke with the Board of Health and up to 10 people could meet in the Annex Meeting Room with the current protocols in place.

Daylor believes the next critical step would be to open the dialog with the Selectboard, the Town Administrator and Fall River to discuss connecting to the sewer system.

○ SRF Grant/Loan 2017 – Targeted Integrated Water Resource Management Plan

Bullard asked where the funding would come from for the TIWRMP and what the impact on the town was. Hartnett to follow up on that matter.

○ MVP Grant 2019 – Hartnett updated the Board. *Noted*

○ MS4 Permit – Hartnett updated the Board. *Noted*

c. Department/Town Budget update – Hartnett updated the Board. *Noted*

d. Recreational Marijuana Zoning Discussion.

Whitin opened the discussion to the public for their suggestions for a proper place for recreational marijuana.

Hartnett mentioned the current zoning allows recreational marijuana in the business districts and craft cultivation in the residential district with approved setbacks from residential structures and properties. Hartnett commented the By-Law provisions were approved at the Special Town Meeting in 2020 and included a provision to limit recreational marijuana retailers to 20% of alcohol licenses; the maximum allowable amount for recreational sales would be two and suggested possibly reintroducing zoning to prohibit recreational marijuana to certain areas of town.

Michael Fitzgerald mentioned a number of citizens were concerned with the site locations being in residential neighborhoods and recommended stricter guidelines.

Whitin asked Hartnett how many sites Old Soul Gardens was applying for. Hartnett mentioned they had four potential locations but he wasn't certain with their number of locations that they would move forward on, however, Old Soul Gardens followed the state community participation requirements.

Jason Caroselli was present virtually. Caroselli suggested adding water restrictions to the zoning guidelines to protect the water resources and increase the distance from the facility property line to 1500 ft. in the residential areas.

Jake McGuigan was present virtually. McGuigan addressed the concerns and impacts the medical facilities would have on the rural character of the town.

Sarina Alves was present virtually. Ms. Alves asked if a small change could be added to the Zoning article setbacks. Whitin responded there was insufficient time due to the process of getting articles in time for a town meeting.

Whitin mentioned he would like to move forward with modifying the recreational marijuana By-Law to include the participation with the public.

Tony Vieira was present virtually. Vieira suggested submitting an article to rescind the vote from Special Town Meeting. Whitin asked Hartnett to contact town counsel for their input.

Constance Gee was present virtually. Ms. Gee would like to see a location solution where the retail sales would be available in Westport.

Michael Fernandes was present virtually. Fernandes shared Tony Vieira's view to rescinding the vote at the next town meeting and added some locations are not suitable for retail marijuana due to being heavily populated.

Bullard recognizes the community's concerns and suggested the Planning Board move forward with a solution on how to regulate recreational marijuana and distinguish between sites even if they have the same zoning.

Schmid agrees with the rest of the members there is a need to re-examine the existing recreational By-Law and make recommendations to amend.

Hartnett commented we can compare the changes to previous regulations but pointed out that there are statutory provisions to freeze the zoning for 8 years.

2. Matters not reasonably anticipated.

Whitin suggested adding a Masterplan update sub-committee to the next agenda.

3. Correspondence.

a. **Medeiros Farm (07-002C)** S.W. Cole punch list dated 8-17-20. *Noted*

- b. **CVE North America (18-003SP)** S.W. Cole Construction Observation Report dated 7-29-20. *Noted*
- c. **Rita Lane Extension (19-001C)** S.W. Cole Construction Observation Report dated 7-29-20. *Noted*
- d. Mass. DOT permit – water service improvements dated 8-12-20.

Soares asked for clarification regarding the name the permit was filed with. Hartnett to look further into this matter.

4. Minutes.

August 11, 2020

Motion

Bullard motioned to approve the minutes as written. Seconded by Daylor. Upon a roll call vote being taken, members Bullard, Daylor, Schmid, Soares, and Whitin voted aye and the motion carried 5-0.

5. Invoices

Planners Monthly Phone (July/August) - \$100.00

Planners Mileage Expense (July) - \$35.02

Quill - \$30.05

Motion

Daylor motioned to approve all three invoices. Seconded by Daylor. Upon a roll call vote being taken, members Bullard, Daylor, Schmid, Soares, and Whitin voted aye and the motion carried 5-0.

Adjournment

The members unanimously adjourned at 5:45 p.m.

Respectfully submitted,

James Hartnett, Town Planner

Nadine Castro, Assistant Town Planner II