



TOWN OF WESTPORT
856 Main Road
Westport, Massachusetts 02790
PLANNING BOARD

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PLANNING BOARD MEETING MINUTES

October 18, 2016

Chairman James T. Whitin called the meeting to order 6:16 p.m. with Vice-Chairman William Raus, Clerk Marc De Rego, Member David Cole, Member Andrew Sousa and Town Planner James Hartnett in attendance.

Approval Not Required (ANR) DeCastro (16-013A) Request by applicant for endorsement of a 2-lot plan of land located at 8 Pottery Court, Assessors' Map 29, Lot 2S.

Sean Leach from SITEC Engineering was present to represent the applicant, Matthew DeCastro. Leach explained that the applicant owns two lots on Pottery Court. A simple land transfer was requested. The two lots will both continue to have the required acreage, uplands and frontage. Hartnett suggested approval of the plan.

De Rego motioned to endorse the plan entitled "Approval Not Required PLAN OF LAND POTTERY COURT in Westport, MA" prepared for Matt DeCastro dated September 28, 2016, because it complies with the provisions of MGL Ch. 41, Section 81P and is not a subdivision as defined in the subdivision control law. Sousa seconded the motion and the vote was unanimous with all in favor.

Members endorsed the Form A-1 approval.

Approval Not Required (ANR) Adams/Tripp (16-014A) Request by applicant for endorsement of a 2-lot plan of land to swap two equal areas of land between the two existing lots located at Cadman's Neck Road, Assessors' Map 50A, Lots 12 (Tripp) and 15 (Adams).

Sean Leach from SITEC Engineering was present to represent the applicant. The application requested a simple land swap of 89 square feet in order for the second lot to gain frontage along the river. A small patch of 89 square feet from each parcel would be transferred between Parcel A and Parcel B. The areas and frontages of the two lots will not change. Hartnett noted that the plan is suitable for endorsement by the Board however the Board does not give zoning relief if there is any needed. The note on the plan states "Endorsement by the Westport Planning Board does not constitute determination of conformance with the requirements of the Town of Westport's Zoning-By-Law, nor assure that any lot created herein is buildable."

Cole motioned to endorse the plan entitled "Approval Not Required Plan of Land in Westport, MA" prepared for Lee Tripp & Priscilla Adams dated October 13, 2016, because it complies with the provisions of MGL Ch. 41, Section 81P and is not a subdivision as defined in the subdivision control law. Sousa seconded the motion and the vote was unanimous with all in favor.

Members endorsed the Form A-1 approval.

Private Acres, Walter's Way (1999) Request by Applicant for an extension of covenant.

Matthew Antonio from Palmer River Development Company was present for the meeting. Antonio and Hartnett explained the current status of the covenants held by Antonio for the property. Hartnett recommended that the Board extend the covenant. Hartnett noted that work is being done on the property and progress is being made.

Abutter Scott Jasparro, 664 Old County Road, was present for the meeting. Jasparro stated that large boulders were moved on to his property by Antonio, and he would like them removed from his property. Jasparro also questioned when the gravel roadway would be completed, stating his concern over the dust created from the roadway when it is driven over. Jasparro noted that his daughter is allergic to dust, and the unpaved roadway causes dust to become airborne and disturbs the family, especially his daughter. Hartnett noted that Tibbetts will be consulted over the gravel specification that was used on the roadway. Antonio stated that the large boulders will be removed, and more stone will be placed on the roadway to prevent some of the dust until the road is ready to be completed.

Cole motioned to extend the covenant for the definitive Subdivision Plan, Private Acres, for lots 2 and 4 to June 30, 2017. Raus seconded the motion and the vote was unanimous with all in favor.

Members endorsed the Extension of Covenant Form.

Westport Lakes (01006C) Request by Applicant for an extension of covenant.

Shannon Khoury from American Golf Links, Inc. was present for the meeting. Khoury requested an extension of the covenant. Khoury explained the current status of the subdivision. Brief discussion ensued. Hartnett recommended approving the extension.

Cole motioned to extend the covenant for the Definitive Subdivision Plan, Westport Lakes, MA, prepared for S & P Realty, to October 31, 2017. Sousa seconded the motion and the vote was unanimous with all in favor.

Members endorsed the Extension of Covenant Form.

Public Hearing

BWC Bass River LLC. c/o BlueWave Capital (16-003SPA-LID-S) *(Continued from October 4, 2016)* Request by applicant for approval pursuant to Westport Zoning By-Laws, Article 20, Low Impact Development and Article 24, Large Scale Solar Energy System to construct a 3.6 Megawatt solar energy system for property owned by Sampson Solar LLC. Located on easterly side of Blossom Road, abutting the Fall River/Westport Town Line, Assessor's Map 2, Lot 2.

Erik Van Aarem, Rich Riccio, Evan Turner, Giovanna Olson and Mike Marsh were present for the meeting. Rich Riccio from Field Engineering presented the plan to the Board. Scott Arnold from Tibbetts Engineering was present for the meeting. Riccio detailed the changes made to the plan since the last meeting including the addition of a rain garden, the addition of two "bird boxes" and the addition of vegetative "plugs" in various, strategic locations on the property. Numerous shrubs and pollinating plants will also be added to the property to aid in the researched pollinating species

native to the area. Riccio addressed the amount of water reaching Blossom Road. For example, stated that a 12.7% reduction during a two year storm. Discussion ensued. Riccio referenced a Tibbetts report dated October 14, 2016, stating that Tibbetts was in agreement with the work completed on the plan. Sousa stated that he was impressed with the site specific improvements made since the last meeting. He also wanted to impress the need to mitigate the loss of pollinator habitat. Riccio responded that the only wildlife area lost would be that lost by the construction of the roadway, and the rest of the property will sustain or even increase the wildlife habitats on the property. Sousa noted that financial assistance is available to private land owners from the National Resource Conservation Service, part of the USDA, for the seed mixes and planting used on private property. Evan Turner noted that he met with an ecologist regarding the clearing that would have to be done on the property and also detailed a plan for long term maintenance on the property.

April Sampson, the land owner of the property was present for the meeting. She stated that in her opinion, the work being done with the land for the solar array is a “great improvement” to what is on the land currently.

Hartnett recommended that the Board grant the waivers of a 20% reduction in volume as well as the waiver for the setbacks to the property line for the drainage system. Hartnett read sample Findings of Fact and sample Conditions for the Low Impact Development Special Permit and sample Findings of Fact, sample Conditions and the recommended Waivers for the Special Permit Large Scale Solar into the record.

Sousa motioned to close the Public Hearing for the solar project submitted by BWC Bass River LLC c/o BlueWave Capital for Low Impact Development, Article 20 and Large Scale Solar Energy System, Article 24. DeRego seconded the motion and the vote was unanimous with all in favor.

Sousa motioned to approve the Low Impact Development (LID) Site Plan Approval for BWC Bass River LLC. c/o BlueWave Capital, for property owned by Sampson Solar LLC, located on the easterly side of Blossom Road, abutting the Fall River/Westport Town Line, Assessor’s Map 2, Lot 2, pursuant to Westport Zoning By-Laws Article 20 for Low Impact Development 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. Cole seconded the motion and the vote was unanimous with all in favor.

Sousa motioned to approve the Special Permit for a Large Scale Solar Energy System for BWC Bass River LLC c/o BlueWave Capital, for property owned by Sampson Solar LLC, located on the easterly side of Blossom Road, abutting the Fall River/Westport Town Line, Assessor’s Map 2, Lot 2, pursuant to Westport Zoning By-Laws Article 24 Special Permit for a Large Scale Solar Energy System subject to findings, conditions and waivers. Raus seconded the motion and the vote was unanimous with all in favor.

Town Planner Report.

a. Hartnett attended the Agricultural Commission meeting on October 12, 2016, to discuss the proposed changes to the definitions of Agriculture, Agri-entertainment, Agri-tourism and Agri-commercial. The proposed changes are intended to protect agricultural use of land in Town. Agri-entertainment, tourism and commercial uses would still be permitted but they would have to be an

accessory use to the primary agricultural use. They would also be required to meet the state requirements of a minimum of 5 acres, and meet the 25% and 50% sale of product rules.

b. Hartnett spoke with Bill DeSantis from VHB Engineering about the “Complete Streets Program”. This is a fairly new project that has been developed by the state. The Town would be required to develop a policy and there could be up to \$50,000 for engineering consultant to develop projects. The state would allocate up to \$400,000 per year for construction of these projects. The Town would be required to pay for the design but Chapter 90 money could be used for design purposes. Potential projects could include sidewalks, crosswalks at the existing or proposed school, and improvements to the area at the Head of Westport. Attached is a copy of the email from Bill DeSantis. Hartnett will set up a meeting with the Highway Department, and invite the BOS for discussion on this topic.

c. Responses are due on October 27th for the Board’s Engineering Consultant submittals.

d. St. Vincent’s Property – The Town’s working group will be meeting on Wednesday, October 19th, at 4:00 pm to discuss potential municipal uses for the St. Vincent property.

e. Water Resource Management Committee – There is a meeting scheduled for Wednesday, October 19th, at 6:00 pm to discuss water, wastewater and stormwater.

Administrative Items:

- FY18 Preliminary Budget approval. Discussion tabled to the next Work Session.

Any other business that may come before the Board.

Members agreed to hold the next work session on Tuesday October 25, 2016, at 6:15 p.m.

Correspondence.

None

Minutes.

None.

Invoices.

Recording fee for Rules and Regulations - Registry of Deeds -\$75.00.

Raus motioned to pay. Cole seconded the motion and the vote was unanimous with all in favor.

ADJOURNMENT

Members unanimously voted to adjourn at 7:48 p.m.

Respectfully submitted,

Joan Steadman, Recording Clerk