

Planning Board Meeting |

January 10, 2023
6:00 p.m.



Planning Department
856 Main Road
Westport, MA 02790



Planning Board

James Whitin
Robert Daylor
John K. Bullard
Mark L. Schmid
Manuel Soares

AGENDA

Tuesday, January 10, 2023

Call to order 6:00 p.m.

1. Administrative Items

- a. Maya Way Subdivision - Roadway incompleteness & surety
- b. **Isidoro Court (21-002C)** – Closeout and release of Consultant Review balance plus interest.
- c. **Braybach Lane (18-005C)** – Closeout and release of Consultant Review balance plus interest.
- d. **Coastal Healing, LLC (19-015SP-MM)** Sign Form O – Partial Release of Surety
- e. **202 Pine Hill Road (19-012SP-LID-S)** Endorse 1-year extension
- f. **Westport Rt. 88 Solar 1, LLC (18-011SP-SPA-LID-S)** – 1-year extension request
- g. Request additional ARPA funds for Route 6 Zoning study from Select Board
- h. **Approval Not Required (ANR) 34 Old Harbor Road (22-006A)** Request by the applicant for endorsement of a Plan of Land showing four (4) Parcels of land located at 34 Old Harbor Road, Map 85 Lot 44.
- i. FY24 budget
- j. Community One-Stop Expression of Interest

2. Assistant/Planners report

3. Minutes

November 29, 2022
December 13, 2022

4. Short/Long-term Planning Discussions

ADJOURNMENT

NOTE: Agenda is subject to change

NEXT MEETINGS:

Planning Board: January 24, 2023 at 6:00 p.m.

Work Session: ?

Westport Route 88 Solar 1, LLC c/o Infiniti Energy, LLC

2885 Route 9 North
Howell, NJ 07731

12/16/2022

Planning Board
Town of Westport
816 Main Road
Westport, MA 02790

RECEIVED

January 5, 2023

WESTPORT
PLANNING BOARD

Dear Board Members,

Westport Route 88 Solar 1, LLC is formally requesting a 12-month extension on the Low Impact Development Site Plan Approval File #18-011SPA-LID. We are also requesting a 12-month extension on the Special Permit File #18-011SP-S.

Due to extended acquisition timelines on equipment/materials and financing, we project that we will begin construction early next year. Current market conditions have created unusually long timelines for acquiring materials. This is a result of Covid-19 induced supply issues/delays. Additionally, the utility (Eversource) is in the process of final stages of designing and engineering the grid interconnection method. Eversource, at the request of ISO-NE, performed an Affected System Operator study which delayed many projects in the region for a period of over a year.

Sincerely,

James H. Weil
Development Manager
Infiniti Energy
jweil@infinitienergy.com



Lot 5

Lot 6A

Sat Apr 2 2022

Imagery © 2023 Nearmap, HERE

500 ft

nearmap



TOWN OF WESTPORT
856 Main Road
Westport, Massachusetts 02790

Tel. (508) 636-1037
Fax (508) 636-1031

PLANNING BOARD

January 10, 2023

Board of Selectman
816 Main Road
Westport, MA 02790

RE: Route 6 Rezoning Initiative – ARPA Funding Request

Members of the Board,

On November 4, 2022, Planning Staff and Planning Board and Zoning Board of Appeals (ZBA) representatives met with Russ Burke of BSC Group to initiate the Route 6 rezoning initiative. The meeting revealed that an expanded scope of services is necessary in the Town's contract with BSC Group. BSC Group initially limited the initiative to Route 6 from the Fall River line to Route 88. Staff and Planning Board/ZBA members requested that the scope is expanded to include the Route 6 corridor from Route 88 to the Dartmouth line, representing the entirety of Route 6 in the rezoning project.

BSC Group prepared a revised project scope representing an additional \$20,000 in planning services, for a total project cost of \$55,000. The Planning Board therefore requests that the Board of Selectmen (BOS) request an additional \$20,000 from the Bristol County ARPA committee to fund the expanded project scope. BSC Group's revised scope of services and cost estimate is attached for the BOS's reference.

Sincerely,

Jim Whitin, Chair
Westport Planning Board

DECEMBER 9, 2022

www.bscgroup.com

Michael Burris,
Town Planner
Westport Town Hall Annex
856 Main Road
Westport, MA 02790

RE: Route 6 Corridor Zoning and Land Use Study – Scope of Work

Dear Mr. Burris,

BSC Group, Inc. (BSC) is pleased to submit this proposal to complete a comprehensive zoning and land use review and analysis as part of an action plan to help remove barriers to development and attract specific industry clusters within the Route 6 Corridor in Westport, Massachusetts in anticipation of the future extension of public sewer and water service to the area.

BSC welcomes this opportunity to provide these services to the Town of Westport. Having completed the rewrite of the Town's Zoning Bylaws, we have developed a familiarity and understanding of the current regulatory provisions and the need to expand its provisions to accommodate the Town's vision for the Route 6 Corridor. Previous planning studies have been prepared for the Route 6 Corridor focusing primarily on the portion between the Fall River municipal boundary and the intersection with Route 88. However, the portion of the Corridor east of Route 88 has not been extensively studied nor has a future vision for the area been identified. Our goal is to help the Town to understand the development potential of this area and focus on best practices in land use policy and regulations to use zoning as a mechanism to facilitate long-term and positive changes in the Route 6 Corridor over time.

BSC's approach to this process contains several steps and includes the following:

- Conduct a thorough and technical review of the Town's Zoning Bylaws.
- Meet with relevant Town staff to discuss in detail the history, concerns, challenges, recent site plan submissions, and zoning amendments (both proposed/failed and adopted) to gain additional local knowledge of the project, and to understand the approval process for changes to the Zoning Bylaws.
- Visit the area to confirm existing conditions in the vicinity of the Corridor remain the same.
- Meet with key stakeholders, and review and discuss the Town's goals for this project.
- Attend community meetings/public hearings to discuss the project and our findings and recommendations. Based on client needs, BSC can prepare a presentation, make a presentation, and/or attend to support Town staff during questions and answers.
- Prepare a comprehensive deliverable that summarizes our zoning analysis and recommends updates to the Town's Zoning Bylaws. This deliverable will provide the Town of Westport with a clear and action-oriented plan to formulate a zoning regimen to establish performance standards to facilitate private investment and accommodate the anticipated turnover in land uses to more preferred, complementary uses consistent with the vision for the entire Route 6 Corridor.

BSC has prepared this Proposal based upon the following understanding of your needs and circumstances that have affected the scope of services. BSC, the *Company*, proposes to provide to the Town of Westport, the *Client*, the following specific services in accordance with the attached Fee Schedule and Scope of Work.

Scope of Services

Based on our understanding of the project, BSC proposes the following scope:

1. Background Review of Current Zoning, Dimensional Standards, Table-of-Use Regulations, and Recent Plans/Planning Efforts
 - BSC will conduct a thorough and technical review of the Town's Zoning Bylaws based on (but not limited to) the observations and recommendations made in the Route 6 Corridor Study Framework Plan. Prepare a zoning analysis based upon review and findings.
 - BSC will obtain and review all relevant information for the Corridor including filed/proposed site plans, redevelopment opportunities, and planning/transportation studies. BSC will also complete a site visit.
2. Perform an Assessment of the Development Capacity of the Route 6 Corridor, east of Route 88
 - Identification of existing conditions and current land uses through various methods, including field work, windshield survey, town records, and desktop research.
 - Evaluate and identify environmental features (wetland resource areas, aquifers, soils) and man-made features (utilities, public land, ownership patterns).
 - Mapping of collected data to identify areas that are developable.
 - Consider zoning and environmental/physical constraints to determine level of development capacity along this section of the corridor.
3. Meet with Project Team/Town Staff/Town Officials
 - BSC will conduct regular meetings with the Town's core project team. BSC believes that video conferencing is the most efficient platform for these frequent meetings and proposes they occur twice a month as the plan is being developed. BSC will prepare a work plan and project schedule to be discussed during the first project team meeting.
 - Meetings with the Planning Board to present findings and recommendations and receive feedback and guidance.
 - A total of twelve (12) meetings/video calls have been allocated for this task overall.
4. Community and Stakeholder Outreach/Meetings
 - BSC will coordinate with the Town to hold up to two (2) community meetings to solicit feedback and public comment. In lieu of one community meeting, BSC could also hold a focused stakeholder meeting with those businesses/property owners for the Route 6 Corridor, particularly east of Route 88.
 - BSC will attend one (1) Planning Board meeting on proposed Zoning Amendments for the Corridor.
 - BSC will attend one (1) Select Board meeting on proposed Zoning Amendments for the Corridor.
 - BSC will assist with the preparation for these meetings, including any presentation and/or list of questions.
5. Develop an Action Plan
 - BSC will explore various opportunities to amend the current zoning in the Route 6 Corridor, including but not limited to zoning districts, land uses, dimensional requirements, tables, special permit/variances, overlays, and map changes, among others. BSC will create a base map depicting proposed zone changes and incorporate graphics to help guide site and building development and massing.
 - Preparation of proposed revisions to the Zoning Bylaws and preparation of Warrant Article(s) for presentation to Town Meeting.

BSC has allocated budget for project coordination, task management, and preparation for the public engagement components of the project.

Additional Services

Any services not specifically identified in the Scope of Work above are not included as a part of this Agreement. Translation services are not included in the above Scope of Work. Additional services may become necessary based upon the conclusions derived from the performance of the proposed scope above. If required, these services will be performed for an additional fee to be paid on an hourly basis in accordance with the attached BSC Fee Schedule.

Schedule For Services

BSC proposes to begin the services identified in this proposal upon receipt of written authorization to proceed. BSC will perform the services listed in this Scope of Work in a mutually agreed upon schedule with the Town. This offer to perform services is valid for a period of thirty (30) days from the date of this proposal.

Services are expected to begin in December of 2022. BSC proposes to substantially complete the project by June 30, 2023.

Fee For Services

BSC has estimated a budget of **Fifty-Five Thousand Dollars (\$55,000)** inclusive of any and all direct reimbursable expenses for the services described in this Scope of Work. BSC proposes to provide these services on an hourly basis in accordance with the attached BSC Fee Schedule. BSC's estimated budget for proposed services shall not be construed to be a not-to-exceed amount by line item or in the aggregate. The Company shall inform the Client as soon as practical if it becomes necessary to exceed the budget to perform all proposed and additional services required. The estimated budget by task is provided in the table below.

TASK	BUDGET
Task 1	\$ 3,000.00
Task 2	\$15,000.00
Task 3	\$12,000.00
Task 4	\$15,000.00
Task 5	\$10,000.00
TOTAL	\$ 55,000.00

The Client shall provide BSC with any specific billing format required for prompt payment of invoices. The mailing address for all payments is:

BSC Group, Inc. / 803 Summer Street / Boston, MA 02127

General Considerations

- BSC will perform all services in a timely manner, but it is agreed between the parties that BSC cannot be responsible for delays occasioned by factors or parties beyond its control, nor by factors which could not reasonably have been foreseen at the time this proposal was prepared and a contract executed. Delays of this nature shall extend the completion date.
- BSC's submittal will depend on the timely receipt of any required information from other project team members and/or the Client.
- This proposal is valid for a period of thirty (30) days.
- BSC typically bills clients monthly. Unless otherwise agreed in writing, payment of each BSC invoice is due on receipt and interest will accrue after 30 days. Client understands that BSC's services may be put on hold or terminated if invoices are not paid per the Agreement. It is the Client's responsibility to review invoices upon receipt. If there are any items which the Client wishes to discuss with BSC, it is the Client's responsibility to contact BSC to request any needed clarification. In the absence of any such request from the Client within 30 days from the date when rendered, it is agreed that the amount invoiced is correct and shall be paid in full to BSC.

Thank you again for the opportunity to provide professional services for this project. We look forward to working with you.

Sincerely,

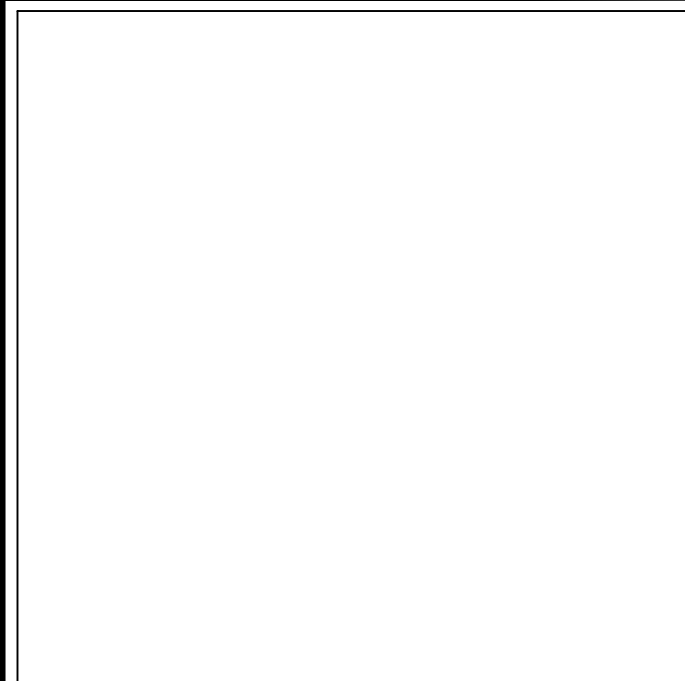
BSC Group, Inc.



Heather K. Gould, AICP
Director of Planning



1h



FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED
IN CONFORMANCE WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH
OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR DATE

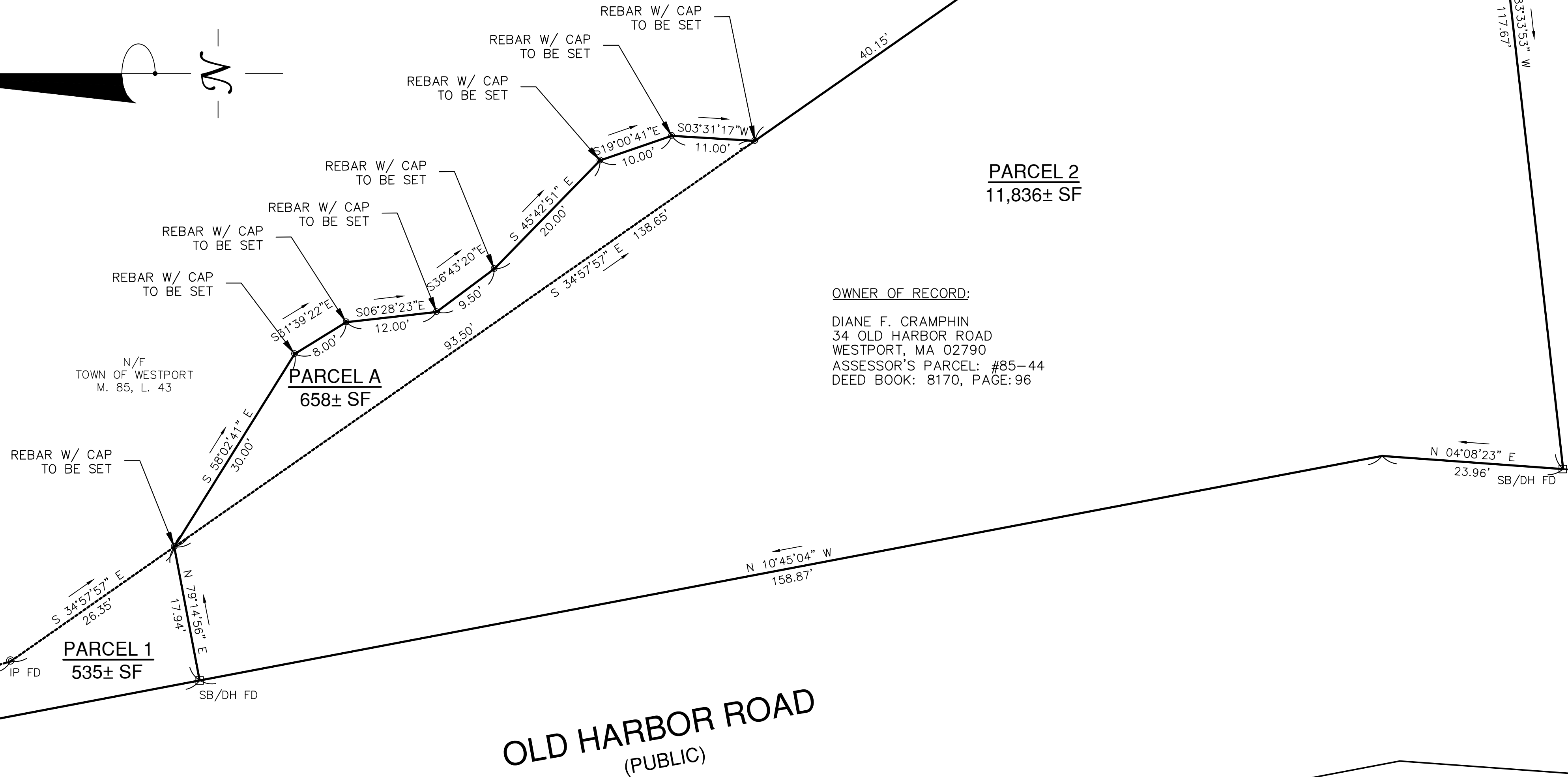
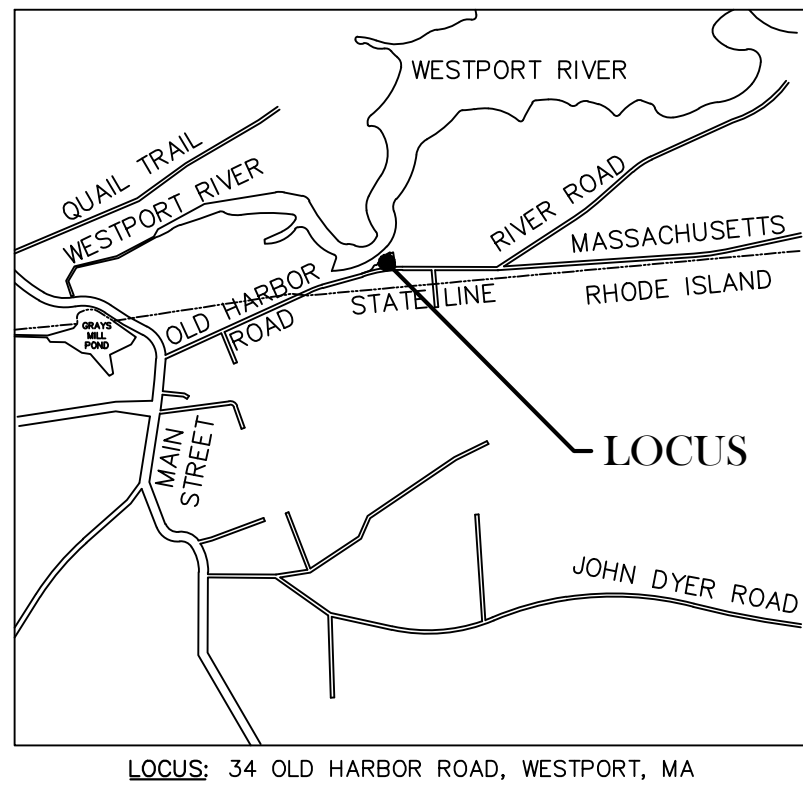
APPROVAL UNDER SUBDIVISION
CONTROL LAW NOT REQUIRED

APPROVED BY
WESTPORT PLANNING BOARD

DATE: _____

SIGNED: _____

ENDORSEMENT BY THE PLANNING BOARD DOES
NOT CONSTITUTE CONFORMANCE TO WESTPORT
ZONING BY-LAWS NOR ASSURE THAT ANY LOT
CREATED HEREIN IS BUILDABLE.



OWNER OF RECORD:
TOWN OF WESTPORT
C/O WEST PORT LANDING
COMMISSION
816 MAIN ROAD
WESTPORT, MA 02790
ASSESSOR'S PARCEL: #85-43

OWNER OF RECORD:
DIANE F. CRAMPHIN
34 OLD HARBOR ROAD
WESTPORT, MA 02790
ASSESSOR'S PARCEL: #85-44
DEED BOOK: 8170, PAGE:96

RECEIVED
DECEMBER 29, 2022
WESTPORT
PLANNING BOARD

1h1

DRAWING REVISIONS		
ACTION	DATE	DESCRIPTION
FEMA: LOCUS LIES IN F.I.R.M. ZONE X, ZONE VE (EL 15), ZONE VE (EL 17) AS SHOWN ON COMMUNITY PANEL NO. 25005C 0442G AND 25505C 0461G DATED JULY 6, 2021.		
OWNER OF RECORD: DIANE F. CRAMPHIN 34 OLD HARBOR ROAD WESTPORT, MA 02790 ASSESSOR'S PARCEL: #85-44 DEED BOOK: 8170, PAGE:96 TOWN OF WESTPORT C/O WEST PORT LANDING COMMISSION 816 MAIN ROAD WESTPORT, MA 02790 ASSESSOR'S PARCEL: #85-43		
PLAN REFERENCES: 1. PLAN OF SURVEY, DIANE F. CRAMPHIN, 34 OLD HARBOR ROAD, AP 85- LOT 44, WESTPORT, MA, DATED MARCH 11, 2020, LAST REVISED JULY 1,2020 BY AVT ASSOCIATES CIVIL ENGINEERS AND SURVEYING 18 ALGONQUIN DRIVE, DARTMOUTH, MA 02748 2. PLAN BOOK 162, PAGE 50 3. PLAN BOOK 154, PAGE 60 4. PLAN BOOK 163, PAGE 79 5. PLAN BOOK 7, PAGE 2		
UTILITIES: UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON VISIBLE ABOVE GROUND UTILITIES AND RECORD INFORMATION OF BELOW GROUND UTILITIES AND ARE APPROXIMATE ONLY. CONTRACTOR IS RESPONSIBLE FOR TAKING ALL NECESSARY PRECAUTIONS BEFORE BEGINNING ANY EXCAVATION. (DIGSAFE 1-800-322-4844)		
SURVEY NOTES: 1. ALL MONUMENTS SHOWN HEREON WERE FOUND AND FIELD LOCATED BY CAVANARO CONSULTING, IN AUGUST AND SEPTEMBER 2022. 2. ANY EASEMENTS SHOWN HEREON ARE IN ACCORDANCE WITH CURRENT DEED DESCRIPTIONS AND/OR THOSE THAT ARE VISIBLE OR OF PUBLIC RECORD. LEGAL STATUS OF SAID EASEMENTS ARE NOT KNOWN. 3. SEWER CONNECTION/SEPTIC SYSTEM COMPONENTS ARE NOT SHOWN HEREON. 4. PARCEL 1 IS NOT A BUILDING LOT AND IS TO COMBINED WITH LAND NOW OR FORMERLY (N/F) TOWN OF WESTPORT, M. 85, L.43. PARCEL A AND PARCEL B ARE NOT BUILDING LOT AND ARE TO BE COMBINED WITH PARCEL 2. SEE LAND COURT CASE, DIANE F. CRAMPHIN v. TOWN OF WESTPORT, 21 MISC 000316 (MDV).		
 SCALE: 1" = 10' 		
CAVANARO CONSULTING 687 MAIN STREET NORWELL, MASSACHUSETTS 02061 PHONE: 781.659.8187 A DIVISION OF MERRILL INC		
PLAN OF LAND 34 OLD HARBOR ROAD WESTPORT, MA PREPARED FOR: FIDELITY NATIONAL LAW GROUP 125 HIGH STREET, SUITE 1813 BOSTON, MA 02110		
PROJECT NO. : 22516	DRAWING NO.	
SCALE : AS SHOWN	POL	
DATE : 10/04/22		
DESIGNED BY : -	SHEET NO. 1 OF 1	
DRAWN BY : MCM	FILENAME: X:\PROJECTS\	
CHECKED BY : BPS		

		FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY23	FY24	FY24
		Actual	Actual	Actual	Actual	Actual	Actual	Approved	Dept Request	TA Rec
Planning Board - 175										
5105	Clerk FT									
5106	Clerk PT	1,275	611	312	0	0	105			
5121	Town Planner	68,648	70,348	72,082	76,559	76,557	15,993	86,426	91,800	91,800
5122	Assistant Town Planner				0	0	48,398	64,361	73,440	73,440
5123	Assistant Town Planner II	39,993	36,577	42,160	43,354	44,438	44,974	45,049	45,950	45,950
5130	Overtime	1,412	2,001	256	9	0	0	1,000	1,000	1,000
5140	Career/Educational Incentive	100	200	2,200	2,200	2,200	600	625	650	650
5142	Longevity	700	850	0	0	850	850	900	950	950
5148	Sick Buy Back-Clerk	1,911	1,786	1,360	1,988	2,011	592			
Subtotal Wages & Salaries		114,039	112,373	118,370	124,110	126,055	111,513	198,361	213,790	213,790
5241	Equipment Repair	0	0	0	0	0	0	750	750	750
5305	Advertising	810	138	800	1,085	957	1,949	900	600	600
5308	Tuition & Training	350	0	0	0	350	0	0	0	0
5311	Professional Services	775	725	4,793	38,700	27,300	42,557	15,000	15,000	15,000
5341	Telephone	550	600	450	600	500	100	750	100	100
5342	Postage	550	815	0	0	0	0	550	400	400
5420	Office Supplies	1,444	616	685	1,531	1,002	689	1,000	1,265	1,265
5580	Computer Software	3,000	3,000	0	0	3,000	3,000	3,500	4,600	4,600
5582	Books & Subscriptions	0	0	0	0	0	0	50	100	100
5710	Travel	1,310	1,688	528	751	294	299	1,500	1,150	1,150
5711	Meetings & School	345	95	190	595	75	0	1,100	1,100	1,100
5730	Dues/Memberships	0	0	0	0	0	160	290	325	325
5781	Misc Charges & Expenses					106	105			
Subtotal Expenses		9,133	7,677	7,446	43,262	33,584	48,859	25,390	25,390	25,390
Total Planning		123,172	120,050	125,816	167,372	159,639	160,372	223,751	239,180	239,180

COMMUNITY ONE STOP FOR GROWTH – FY23 APPLICATION TEMPLATE

This template is provided as a guide for reference purposes only. All proposals and applications must be submitted electronically through the program's online application portal

EXPRESSION OF INTEREST (Optional)

The purpose of this Expression of Interest is to give interested applicants an opportunity to articulate their overall goals, objectives, and preparedness as they relate to growth through community economic development. When completing the form, consider all of the funding requests that may be made in the full application. Forms submitted by the posted deadline will be reviewed by the state's economic development partner agencies, who can provide feedback and guidance for the best path forward for each project.

SECTION 1. Prospective Applicant & Project Information

1.1 Primary Location: (Westport)

EOHED Region	(auto-filled)		MassDOT District	(auto-filled)	Rural or Small Town	(auto-filled)
MDFA Regional Office	(auto-filled)		Gateway City	(auto-filled)	Housing Choice	(auto-filled)
Regional Planning Agency	(auto-filled)		MVP Community	(auto-filled)	MBTA Community	(auto-filled)

1.2 Organization Type: (Select from following drop-down options)

Public Entity:

- ☒ Municipality
- ☐ Public Housing Authority
- ☐ Redevelopment Authority
- ☐ Regional Planning Agency
- ☐ Quasi-Governmental Agency
- ☐ Water or Sewer District

Non-Public Entity:

- ☐ Community Development Corporation
- ☐ Non-Profit Organization
- ☐ For-Profit Organization

1.3 Applicant Organization Name: Town of Westport

1.4 Applicant Organization Legal Address: 856 Main Road

1.5 City/Town: Westport 1.6 State: MA 1.7 Zip Code: 02790

1.8 CEO Name: Jim Harnett 1.9 CEO Title: Town Administrator

1.10 CEO Tel.: 508.636.1150 1.11 CEO Email: hartnettj@westport-ma.gov

1.12 Project Contact Name (if different): Michael Burris

1.13 Project Contact Title: Town Planner

1.14 Contact Tel: 774.264.5143 1.15 Contact Email: burrism@westport-ma.gov

COMMUNITY ONE STOP FOR GROWTH – FY23 APPLICATION TEMPLATE

This template is provided as a guide for reference purposes only. All proposals and applications must be submitted electronically through the program's online application portal.

- 1.16 Organization Description – Describe your organization's structure, including staff capacity, and economic development goals.

The Town of Westport has a board of selectmen-town administrator governmental structure with an annual town meeting. Long-range planning is delegated to an independent Planning Board and Planning Office that collaborates with Town Administration. The Westport Planning Office has a full-time staff of three positions: an AICP-certified Town Planner, Assistant Planner, and Administrative Assistant. Westport's current Town Administrator is also the former Town Planner. Westport's Planning Board is staffed by five highly-involved volunteers with backgrounds in engineering, architecture, construction contracting, government administration, and business. The Town Planner is responsible for programmatic oversight and implementation, as assisted by Planning Office staff, the Planning Board, and Town Administrator.

The *Town of Westport 2016 Westport Master Plan* recommends that new economic development in Westport's villages should reinforce their traditional, small-town development patterns. This includes recommendations for pedestrian and bicycling infrastructure improvements to enable easier, non-motorized travel between commercial developments. The Main Road Central Village Area is specifically recommended for safety and streetscape improvements. The *2016 Master Plan* finds that safer pedestrian corridors would bolster Westport's commercial areas' economic vibrancy and encourage improved development patterns more oriented around active transportation.

(2,000 characters)

- 1.17 Indicate any applicable certifications and/or classifications for this organization (*For Non-Public Entities Only*):

- ☐ Women-Owned Business Enterprise
- ☐ Minority-Owned Business Enterprise
- ☐ Disadvantaged Business Enterprise
- ☐ Veteran-Owned Business Enterprise

- ☐ LBGTQ-Owned Business Enterprise
- ☐ Disability Business Enterprise
- ☐ N/A

COMMUNITY ONE STOP FOR GROWTH – FY23 APPLICATION TEMPLATE

This template is provided as a guide for reference purposes only. All proposals and applications must be submitted electronically through the program's online application portal

SECTION 2 (P): Priority Projects / Initiatives – Describe the top priority projects or initiatives that the applicant intends to submit in a One-Stop application for grant consideration. Describe the projects, areas, and/or sites and indicate the types of funding sought, even if unsure about the specific sources. This section is meant to provide state reviewers with insight into the prospective projects.

Project / Initiative One

P1.1 Name of Project/Initiative: Westport Central Village Streetscape Improvement Plan

P1.2 Based on the descriptions outlined for the One Stop's [Development Continuum](#), what is the primary funding you would like to explore for this project/initiative:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Community Activation and Placemaking | <input type="checkbox"/> Building |
| <input checked="" type="checkbox"/> Planning and Zoning | <input type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Site Preparation | <input type="checkbox"/> Not sure |

P1.3 Project Description – Provide a concise description of the project. For site specific projects, please provide an address and the ownership status of the site.

The project will result in a streetscape improvement plan for Westport's Main Road Central Village Area. Foremost consideration will be given to pedestrian infrastructure and safety improvements in the corridor. The plan will also consider bicycling improvements, parking, commercial business vehicular access and circulation, and landscaping. The plan will include an assessment of existing conditions, community preferences, policy recommendations, and implementation steps.

The project will involve:

1. Assessment of existing conditions from the Main Road and Adamsville Road intersection to the Westport Village Commons commercial development (760 Main Road).
2. Public engagement process including:
 - a. Community visioning and engagement: 3 meetings
 - b. Public hearing for Board of Selectmen adoption
3. Assessment of envisioned improvements' engineering feasibility and cost estimates.
4. Illustrations of proposed improvements.
5. Publishing the Westport Central Village Streetscape Improvement Plan using the information gathered from steps 1-4.

(1,000 characters)

COMMUNITY ONE STOP FOR GROWTH – EXPRESSION OF INTEREST

- P1.4 Project Goals – Explain how the anticipated outcomes of the project will catalyze community/economic development.

Stakeholder commitment will be integral to plan implementation. The public visioning process is intended to generate community support for a reimagined Central Village commercial corridor, as well as capital investments requiring approval at Town Meeting and necessary right-of-way acquisitions. With community and institutional support behind the effort, funding can be pursued, and then work can begin on installing infrastructure to create a more resilient community where more modes of transportation can travel safely through the Central Village. Moreover, streetscape improvements will enhance the Central Village's sense of place, and safer active transportation will facilitate easier trips between businesses without the need for an automobile. This will improve the Central Village's economic sustainability and make the corridor more attractive for private investment due to additional community assets and signal to the business community that the Town is dedicated to corridor's long-term success through infrastructure investments. New investment may encourage development on two parcels south of the Town Hall Annex, both currently unused and one with an abandoned residential structure.

(1,000 characters)

- P1.5 Budget Estimate – Approximately how much funding do you anticipate requesting from the One Stop for Growth? *Please note that you may change your budget request when completing the Full Application.*

Estimated \$ 55,000 (pending detailed budget)

- P1.6 What would you use the One Stop funding for? If possible, indicate specific scope of work and your anticipated expenses associated with the project.

One Stop funds would be used to engage a consultant(s) for studying existing traffic conditions, assessing envisioned streetscape improvements for engineering feasibility, and developing visuals to illustrate the improvements. The Town Planner would be engaged for project management services, community engagement, and drafting the plan document.

Detailed budget forthcoming

(1,000 characters)

- P1.7 Timeline Information – Describe the timeline for the project and provide information about any notable dates and/or milestones. Please indicate if project is phased and any progress made to date. Note: Grants will be announced in Fall 2023 for contracts starting in FY24.

An engineered sidewalk plan was developed in 2016, but it was not implemented. The engineered plan includes sidewalks from the Westport Town Hall property to the Westport Village Commons development.

The project would be completed over the course of approximately 10-12 months:

1. RFPs and assessing existing conditions: 2-3 months
2. Public engagement process: 4 months
3. Drafting plan document and final public hearing: 3 months



TOWN OF WESTPORT
856 Main Road
Westport, Massachusetts 02790

Tel. (508) 636-1037
Fax (508) 636-1031

PLANNING BOARD

Subject: Planner's Report - January 10, 2023

- John Bullard: Planning Board term expiration
- Route 6 Sewer Project Manager
 - Preliminary meeting with Roger Fernandes of Fern Corporation
- Route 6 rezoning project
- Buzzards Bay National Estuary Program Grants
 - Met with Buzzards Bay Coalition to coordinate application for a community wastewater system at The Let
 - Planning Office to apply for MS4 activities
- MVP expression of interest
 - The Outreach and Engagement Subcommittee from the Climate Resilience Committee is drafting an expression of interest to request funds for a climate ambassador position
- 2023 zoning revisions
 - Sent to Board of Selectmen for consideration on January 9

Sincerely,

Michael Burris
Town Planner, AICP

**TOWN OF WESTPORT
PLANNING BOARD**



**WORK SESSION
MEETING MINUTES
November 29, 2022**

PLANNING BOARD WORK SESSION

Chairman Jim Whitin called the meeting to order at 5:09 p.m. with Vice-Chair Robert Daylor and members John Bullard, Mark L. Schmid, Town Planner, Michael Burris were in attendance. Manuel Soares was absent.

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

Call to order 6:00 p.m.

1. Administrative Items

- a. Potential Town Meeting 2023 Zoning updates
 - Michael Burris provided an update on prospective zoning bylaw revisions for Town Meeting 2023. Neither the ZBA nor Ralph Souza requested any revisions to the zoning bylaws.

Items in the Zoning By-laws that the Planning Board would like to have updated. Whitin asked Burris to research the language other towns are using in Solar By-Laws.

Schmid and Daylor requested progress updates for the solar portion of the annual report, as well as other projects, the status of each project and whether they were prolonged due to COVID 19.

Discussion items:

- Bullard suggested hiring a third-party electrical inspector specializing in solar and paid for by the developer, for scaling down the project.
- Connections from the solar array into the electrical network should be underground
- Keep the language the same as municipal property to work it into Large-Scale solar. The solar to have the burden of figuring out how much the bond will cost in the future. extend decommissioning surety language to large-scale solar development
- Connections from the solar array into the electrical network should be underground to the greatest extent feasible
- Decommissioning: Extend decommissioning surety language to large-scale solar development.

Short/long-range planning efforts. Preparing surveying/data collection for 2023 Town Meeting

- Have an OSRD “by right” and make a subdivision by a Special Permit to allow more dense housing such as duplexes or townhouses.
- Density bonus for community on-site sewer, sidewalks, etc. more units for amenities when
- Open space - How can the town or a municipal entity help finance the septic installation.
- Cost of a community septic system offset by the value of the potential increased development
- Public participation at town meeting to post their concerns, ideas, and future visions on a board in the lobby to kick off discussions for the 2024 Town Meeting
- Update Open Space Residential Development regulations
- Update wording to clarify density language
- Update the Zoning By-Laws to reflect the change that was made in the Subdivision Rules & Regulations sidewalk language.

Motion

Bullard motioned to amend the motion of the Subdivision Regulations of November 15, 2022, to change the word houses to lots. Seconded by Daylor. Motion carried unanimously.

ADJOURNMENT

The members unanimously adjourned at 6:35 p.m.

Respectfully submitted,

Michael Burris, Town Planner
Nadine Castro, Assistant Town Planner II

NOTE: *Agenda is subject to change*

NEXT MEETINGS:

PLANNING BOARD: January 10, 2023 @ 6:00 P.M.

WORK SESSION: ?



TOWN OF WESTPORT PLANNING BOARD MEETING MINUTES December 13, 2022

PLANNING BOARD MEETING

Chairman Jim Whitin called the meeting to order at 6:02 p.m. with Vice-Chair Robert Daylor and members John Bullard, Manuel Soares, Town Planner, Michael Burris, and Assistant Town Planner Amy Messier in attendance. Mark L. Schmid was absent.

Chair's Announcement – Under MGL Chapter 30A, section 20(f) – The meeting was recorded.

Call to order 6:00 p.m.

1. Administrative Items

Highridge Road (22-007PAC) Requested by Eric Raposo to discuss a Flexible Frontage plan consisting of three lots, Map 42, Lots 1T, 7 & 8.

Sean Leach of Northeast Engineers and Consultants was present along with the applicant, Eric Raposo. Leach appeared before the Board to review the proposed plan for comments and/or suggestions. He commented that the two lots would each be approximately 6 acres and would provide frontage on the cul-de-sac. Whitin inquired as to whether two lots sharing a driveway would need a Homeowner's Association (HOA). Leach confirmed that an HOA would be needed per the bylaws and the shared driveway. No further comments were made by the Board or the audience.

a. Coastal Healing (20-007SP-RM) Review of the number of appointments/hours for non-medical retail sales, *Partial release of Surety*.

David Bullis was present on behalf of Coastal Healing. Bullis provided an update on the number of recreational sale appointments the Board asked for on November 15, 2022. Bullis stated that over the four weeks, they only had 33 appointments total, which equates to three customers every hour.

Ms. Messier, Assistant Town Planner, and Michael Burris, Town Planner, both recommended that Condition #16 of the Special Permit - Non-Medical Marijuana Decision (20-007SP-RM), which required scheduled appointments, be eliminated because parking and traffic were not an issue.

Motion

At the recommendations of the Assistant Town Planner and Planner, Bullard moved to lift Condition #16 of the Special Permit – Non-Medical Marijuana Decision for Coastal Healing, LLC based on the recommendation of the planners for Coastal Healing. Seconded by Daylor with all four members in agreement.

Ms. Messier recommended returning \$25,000 of surety and retaining \$25,000 for the remaining work that needs to be completed.

Motion

Bullard moved to release \$25,000 of the surety and retain \$25,000 to provide for the remaining resurfacing requirements of Route 6. Seconded by Daylor with all four in agreement.

b. Brookwood Drive Solar (19-005SP) – Surety deposit of \$150,000.

Michael Giaimo was present representing Borrego. He stated he was before the Board to request a reduction in the amount of surety based on S.W. Cole's progress report dated November 14, 2022, that the project is substantially complete and constructed per the approved plans.

Ms. Messier mentioned that she was present when S.W. Cole visited the site to inspect it on November 7, 2022. Ms. Messier recommended a replacement surety check for \$50,000 and return the undeposited \$150,000 check. Mr. Whitin inquired if Mr. Giaimo's client would agree to the Assistant Planner's recommendation. Mr. Giaimo confirmed Borrego would comply with the request.

Motion

Bullard moved to return the undeposited surety check for \$150,000 in exchange for a replacement check for \$50,000 for the remaining punch list item of hydro-seeding. Seconded by Daylor with all four members in favor.

c. 2023 Zoning By-Law amendments

Gerry Coutinho from the Zoning Board of Appeals was present. Town Council was asked by the Zoning Board to suggest a definition of who is considered the owner of a detached apartment. Bullard suggested the owner should focus on who lives and for how long the people reside there. Whitin suggested that it be forwarded to the Board of Selectmen so that they can return it to the Board for a public hearing.

The Town Planners and Board members discussed updating the language to the solar section to also include agrivoltaic.

Whitin recommended adding a definition for Residential Development Density to the definition section of the Zoning By-laws.

Motion

Daylor moved to forward the updated Zoning Articles to the Select Board for inclusion in the 2023 Town Meeting warrant. Seconded by Bullard with all four members in favor.

d. Westport Stone & Sand Solar, LLC (18-009SP) –Performance Bond Draft

Anthony Panebianco was present on behalf of the applicant. He appeared before the Board on November 15, 2022, to request a six-month extension; the extension was granted based on a condition a performance bond for landscaping would be provided. A draft Performance Bond was submitted to Ms. Messier and the Board for review.

Whitin questioned the need for an extension. Panebianco commented it was due to Covid related supply chain issues and solar industry delays. He commented they are only asking for a 6-month extension and are ready to start the project. Ms. Messier commented that the applicant has agreed to both the contingencies of supplying the topographic survey pre- and post-solar installation for erosion control. Ms. Messier recommended both the Special Permit and the Site Plan Approval be approved because the applicant has met both conditions.

MOTION

Bullard made a motion based on the November 15, 2022 meeting decision to approve the six-month extension and the applicant's agreement to submit the topographic survey and an as-built in exchange for a \$150,000 surety bond. Seconded by Daylor with all four members in favor.

f. 202 Pine Hill Road Solar (19-012SP-SPA-LID) – One-year extension request

A.J. Snell was present on behalf of Greenbacker Renewable Energy Company seeking an extension of the Special Permit and Low Impact Development permits due to issues and delays in equipment. They would like to begin construction in February 2023.

Whitin mentioned the as-built topographical pre- and post-panel installation that would include the access driveway and stormwater systems. Whitin added a \$100,000 surety deposit would be required.

MOTION

Bullard moved to grant a 1-year extension for the Special Permit Solar and Site Plan Approval to Greenbacker to December 14, 2023, to include a surety of \$100,000 for the as-built plan before the installation of solar panels. Seconded by Daylor.

e. BSC Group – Revised scope of work

The BSC Group's updated scope of work, which included a six-month project timetable, was presented to the Board by Burris. The Route 6 corridor, which runs from Fall River to Dartmouth, would be included in the rezoning, he noted. Burris noted there was an increase of \$20,000 for the visioning and drafting the zoning framework. Whitin indicated that the ARPA Feasible Committee will be meeting on December 14, 2022, and he would request an extra \$20,000 from the ARPA funds.

f. *Approval Not Required (ANR) 121,127,133 Gifford Road - Cabral (22-005A)* Request by the applicant for endorsement of a Plan of Land showing 3 Lots for land located at 121, 127, & 133 Gifford Road, Map 29, Parcels 19, 19C, 19D.

Terry McGovern of Zenith Consulting Engineers and Surveyors was present on behalf of the applicant. The applicant is seeking approval for two (2) conforming lots of 60,000 s.f. on the west side of Gifford Road and 150' of frontage. Lot 8 is not buildable due to not meeting frontage requirements.

Ms. Messier recommended endorsement because it meets the requirements.

MOTION

Bullard moved to approve the endorsement of the plan entitled "Approval Not Required Plan of Land, 121, 127, and 133 Gifford Road, Westport, Massachusetts" dated November 30, 2022, because the plan complies with the provision of MGL Ch. 41 Section 81P. Seconded by Daylor with all four members in favor.

2. 6:15 p.m. Public Hearing

a. Westport Horizons Development Corp. – Oakridge (06-001SPA-Major) (continued from February 22, 2022, April 19, 2022, June 28, 2022)

Request by Applicant for approval of a Major Modification to Site Plan for Oakridge: A Private Community. Assessors Map 21 Lots 4 & 4A to eliminate the sidewalks from the development plan.

Attorney Mark L. Levin, of Levin and Levin at 138 Rock Street Fall River, was present representing Richard D. Leblanc, former principal officer of Westport Horizons Development Corp.

Attorney Levin stated that Westport Horizon was dissolved ten years ago after the former owner completed all necessary tasks and completed the project. In exchange for avoiding having sidewalks installed, Mr. LeBlanc would be ready to turn over the balance in the Consultant Review Fee account to the Westport Horizons trust.

Whitin indicated that unless the as-built is submitted, the fees will not be released.

Burris recommended that instead of crushed shells as walking paths, a compromise would be to seek an estimate to pave the pathways instead of adding sidewalks, making the routes ADA-compliant and easier for residents to walk on.

Bill Smith of Civil Engineering Concepts was present. Smith stated that paving the existing pedestrian pathways would be expensive since the linear length would be greater than the approved linear length of the proposed sidewalks. He added it would also affect the impervious surface.

Soares suggested that if paving the pathways was not feasible, then possibly paving the more communal areas for the residents near the community center.

David Bourque of 7 Crestview Drive and President of Oakridge Board was present. Bourque stated that the shell pathway to the Community Center was recently paved for \$1800 to the association. He recalled the conversations he had with Mr. LeBlanc on the funds that were available in the Planning Department's Consultant Review account. Bourque referenced numbers 7 and 10 in the S.W. Cole report dated May 3, 2021.

Mark Allard of 12 Crestview Drive, also a Board member of Oakridge, was present. Allard read his letter into the record.

Whitin questioned the residents if they wanted the sidewalks installed or not. Allard mentioned they are looking for a proposal from the applicant.

Whitin advised the two parties to meet and discuss how to move forward. He emphasized that the Board can no longer be involved until the two parties have reached a resolution. The applicant agreed to reach an alternative solution for walkways in lieu of sidewalk installation. Mr. Allard also agreed to this approach.

Attorney Levin was advised by Whitin to have his client review the By-laws and the S.W. Cole report to take the required action to finish the project and obtain the as-built.

Daylor questioned if the width of the pavement was 40'. Smith responded that it is not a typical 40' and is owned by the association.

Soares added that it would be in everyone's best interest to get some type of functional sidewalk.

Whitin commented that the Planning Board would be open to suggestions to change the type of sidewalk, but it still needs to get permission from the homeowners.

Gerry Coutinho of Pettey Lane was present. When the project was first proposed, Coutinho claimed that he attended multiple hearings and that at the time, he didn't believe it satisfied the by-law specifications for an Assisted/Independent living facility.

Whitin emphasized the significance of resolving the open issues mentioned in the S.W. Cole report.

MOTION

Bullard moved to continue the public hearing Westport Horizons Development Corp. – Oakridge to April 18, 2023, at 6:15 p.m. Seconded by Daylor with all four members in favor.

3. Assistant Town Planners report

Ms. Messier mentioned there would be a meeting on Friday with Wesson & Sampson to discuss the harbor groundwater supply and the next steps. Burris added \$30,000 in funding may be required to move forward.

Town Planners report

Burris provided a summary of his planner's report from December 13, 2022, for the Board's records.

4. Correspondence

Zoning Board of Appeals Notices - Noted.

5. Minutes

November 15, 2022

MOTION

Bullard moved to approve November 15, 2022; minutes as written. Seconded by Daylor with all 4 members in favor.

6. Short/Long-term Planning Discussions

None.

ADJOURNMENT

The members unanimously adjourned at 9:06 p.m.

Respectfully submitted,



Nadine Castro, Assistant Town Planner II

NOTE: *Agenda is subject to change*

NEXT MEETINGS:

PLANNING BOARD: December 13, 2021, @ 6:00 P.M.

WORK SESSION: November 29, 2022, at 5:00 P.M.

DRAFT