

TOWN OF WESTPORT PLANNING BOARD



MEETING MINUTES April 5, 2022

PLANNING BOARD MEETING

Chairman Jim Whitin called the meeting to order at 6:00 p.m. with Vice-Chair Robert Daylor and members Manuel Soares, Mark L. Schmid, and Assistant Town Planner Amy Messier in attendance. John Bullard was absent.

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

1. Call to order 6:00 p.m.

a. CVE North America (18-003SP) Pollinator habitat establishment challenges

Evan Abramson from Landscape Interactions along with Wyster Desir of CVE Group was present to discuss the challenges of the vegetation re-growth. Abramson asked the Board to provide an exemption to use as few as one or as many as four applications of herbicides to kill overgrown trees, vines, and bushes. He mentioned the reason for the vegetation re-growth was because panels needed to be repaired within the first winter use. The use of ATV vehicles driving over the site for the repairs damaged the pollinator seeds.

Schmid suggested getting a second opinion on the herbicide mix.

Attorney Michael Kelly of 8 Clyde's Way was present. Attorney Kelly was concerned that the pesticide run-off would contaminate the brook and eventually into the river. Abramson stated that Mass Wildlife uses the same pollinator mix in wetland buffers and that it is highly unlikely that herbicides would reach natural waterways because they would be collected in catch basins.

The Board agreed to continue to May 10, 2022, at 6:00 p.m. as an administrative item.

b. Coastal Healing (20-007SP) Update/review – S.W. Cole

Attorney Brian Corey, Jr. was present representing the applicant. Attorney Corey asked if the Planning Board could notify the Building Inspector that Coastal Healing is compliant and issue a temporary occupancy permit.

Ms. Messier read the S.W. Cole report dated April 1, 2022, into the record.

Motion

Bullard recommended to the Building Inspector that he grant Coastal Healing, LLC a temporary occupancy permit and provide the Planning Department a surety check of \$50,000. Seconded by Schmid with all four members in favor.

6:15 p.m. Public Hearing

2. Ironwood Renewables, LLC (21-001SP) *(Continued from May 11, 2021, July 13, 2021, August 10, 2021, October 5, 2021, December 14, 2021, January 25, 2022, February 22, 2022)*

Request by the applicant to consider the Special Permit and Site Plan Approval Low Impact Development applications for Ironwood Renewables, LLC. for property owned by Randy S. & Patricia A. Mayall, Trustees of the Mayall Family Trust, and located on the west side of Horseneck Road between 1227-A and 1143 Horseneck Road, Assessor's Map 76, Lot 69S. Pursuant to Westport Zoning By-Laws Section 8.2 Low Impact Development and Section 9.6 Large Scale Solar Energy System, the applicant requests permission to construct a solar energy system of approximately 5.26 Megawatts DC, lot size of 45 acres.

Hamilton Carrier of Gadus Solar, LLC was present. Carrier highlighted the project's modifications and addressed concerns since the prior meeting.

Ian Jewkes of Krebs & Lansing Consulting Engineers was present. On the advice of Planning Board member, Bob Daylor, Jewkes redirected the stormwater to the west further reducing the run-off to the Small's property to the south. Jewkes also touched on the secondary oil contamination and what the process would be should there be a leak.

Whitin inquired whether there were any special concerns about the safety of battery storage that should be disclosed. Carrier mentioned the battery storage unit is monitored 24 hours and the Fire Department would be notified immediately if a situation was to occur relating to safety.

Whitin inquired as to how Gadus Solar intends to manage the pollinator mix difficulties that other solar projects had to minimize the overgrowth of vegetation. Merrill Read with BRI was present. Ms. Read mentioned the project would be monitored closely and management project meetings are held throughout the construction process.

Soares would like to see as a condition of approval, that Gadus Solar would cover the cost of an engineering inspector for a peer review. Carrier agreed the costs would be covered.

Attorney Kelly of Clyde's Way was present representing the applicants. He asked who the owners and contractor would be, and who would maintain the solar array once it was constructed. He also inquired as to the composition and the safety of the battery unit. Attorney Kelly asked if the utility lines will be upgraded along Horseneck Road. Ms. Read responded that the owners would fall under Gadus Solar, LLC.

Richard Armstrong of 1194 Horseneck Road was present. He suggested that the tree survey should be performed, and the waiver should be denied.

Susan Wathen of Fisherville Lane was present. Ms. Wathen was concerned about the environmental impacts of the herbicides near the ecosystem.

Gaelen Canning of 1103 Horseneck Road. Ms. Canning is concerned is the unknowns of the project and the impact the construction sounds will have on her horse-breeding farm.

Joshua Small of 1229 Horseneck Road along with his sister, Heather Bellavance of 135A Cadmans Neck Road was present. Small expressed his concern regarding the size of the trees that would be removed.

Betsy Zell of Hix Bridge Road. Ms. Zell's concern was regarding the management of the solar sites.

Carrier addressed the public's concerns.

Merrill Read of Biodiversity Research Institute (BRI) was present. Ms. Read addressed the public's archeological concerns, noting that the cemetery and stone piles were beyond the project's disturbance limit, according to the PAL report. She commented an intensive survey will be performed due to the SWIPP requirements.

Whitin read Field Engineering's Peer Review #4 dated March 31, 2022, into the record. Carrier agreed with Field's review. He agreed, as a condition of approval, that no building permits would be issued until the town received certification from the state's Office of Historic Preservation that no archeologically significant resources had been identified on the property.

Attorney Kelly of KSP Law, Inc. was present representing the applicants. He questioned who the owner, who would be the contractor, and who would maintain the solar array once it was constructed. He also inquired as to the composition and the safety of the battery unit. Attorney Kelly asked if the utility lines will be upgraded along Horseneck Road.

Motion

Bullard moved to continue the public hearing with Ironwood Renewables, LLC to April 19, 2022, at 6:20 p.m. Seconded by Soares with all four members in favor.

6:30 p.m. Public Hearing

3. Isidoro Court (21-002C) *(continued from March 23, 2021, April 20, 2021, July 13, 2021, August 10, 2021, October 5, 2021, November 2, 2021, January 11, 2022, January 25, 2022, March 8, 2022)*

Request by the applicant to consider a definitive subdivision plan entitled **"Definitive Subdivision Plan of Isidoro Court in Westport, Massachusetts"** prepared for **Anthony Medeiros** and located at 93 Fisher Road, Map 40 Lot 30D, proposing to divide the property into two (2) lots.

Anthony and Barbara Medeiros of 93 Fisher Road were present. Medeiros enquired as to what additional information the Board needed to approve the long-running project. Ms. Messier read the Field Engineering review #2 dated March 11, 2022, with the additional punch list items that need to be addressed by their engineer.

Motion

At the request of the applicant, Bullard moved to continue the public hearing for the definitive subdivision plan entitled **"Definitive Subdivision Plan of Isidoro Court in Westport, Massachusetts"** prepared for **Anthony Medeiros** and located at 93 Fisher Road, Map 40 Lot 30D, proposing to divide the property into two (2) lots to April 19, 2022, at 6:35 p.m. Seconded by Soares with all four members in favor.

4. Short/Long-term Planning Discussions

a. David Cole – Master Plan/Review Update

This discussion was rescheduled to May 10, 2022, at 6:00 p.m.

Ms. Messier discussed:

- The expression of interest regarding the Route 6 corridor study/building assessment.
- Request to be placed on the Select Board's agenda to address what Complete Streets discussions are and what it includes, including informing the public.
- Virtual meeting with SRPEDD to discuss Complete Streets on April 28, 2022, at 6:00 p.m.
- Sam Haines of CZM will meet with some members on April 8, 2022, at 2:00 p.m. to review grant funding opportunities and what Westport's coastal challenges are.
- Grant King from DLTA announced Westport was awarded \$6,500 to begin the process to update the housing production plan.

5. Correspondence

None.

6. Minutes

March 22, 2022

Motion

Bullard moved to approve the minutes of March 22, 2022, as written. Seconded by Soares with all four members in favor.

ADJOURNMENT

The members unanimously adjourned at 9:04 p.m.

Respectfully submitted,



Nadine Castro, Assistant Town Planner II

NOTE: *Agenda is subject to change*

NEXT MEETINGS:

PLANNING BOARD: April 19, 2022, at 6:00 P.M.

WORK SESSION: April 26, 2022 at 4:00 p.m.