



**MEETING MINUTES**  
**January 10, 2023**

**PLANNING BOARD MEETING**

**PRESENT:** Chairman Jim Whitin called the meeting to order at 6:03 p.m. with Vice-Chair Robert Daylor and members John Bullard, Mark L. Schmid, and Town Planner, Assistant Town Planner Amy Messier in attendance.

**ABSENT:** Manuel Soares

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

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

**1. Administrative Items**

- a.** Maya Way Subdivision - Roadway incompleteness & surety

Ms. Messier stated that she had previously issued a letter to the developer advising them that Planning was holding their surety and that their project was not yet complete via certified mail in November 2022; however that letter was returned. Ms. Messier sent out a second certified letter on February 24, 2023, extending the notice for an additional 45 days in order for the developer to reply to Planning. The Board took no action.

- b.** **Isidoro Court (21-002C)** – Closeout and release of Consultant Review balance plus interest.

Ms. Messier advised against closing the account at this time. Before releasing the accounts, she will review the file and confirm it with Town Council to ensure that the issue has been resolved. The Board took no action.

- c.** **Braybach Lane (18-005C)** – Closeout and release of Consultant Review balance plus interest.

Ms. Messier recommended releasing the Consultant Review inspection balance because the project conforms with the Subdivision Rules and Regulations.

**Motion**

Bullard moved to release the inspection fees of \$3,691.92 + interest for Braybach Lane for Map 85 Lot 12. Seconded by Daylor with all four members in favor.

- d. Coastal Healing, LLC (19-015SPA-MM) Sign Form O – Partial Release of Surety**  
Ms. Messier stated that on December 13, 2022, the Board approved a partial release of \$25,000 to the applicant. The members signed the Form O.

**e. 202 Pine Hill Road (19-012SP-LID-S) Endorse 1-year extension**

Ms. Messier reminded the Board the one-year extension was approved to November 19, 2023, on December 13, 2022. The extension was endorsed by the members.

**f. Westport Route 88 Solar 1, LLC (18-011SP-SPA-LID-S)**

Jim Weil of Infiniti Energy was present on behalf of the applicant. The applicant is requesting a one-year extension due to delays in supply chain issues due to COVID. He mentioned they are in final stages within the next couple of months and once finalized construction will commence in early spring.

Whitin asked Weil to briefly describe the solar project. Weil stated that it is roughly 4 Megawatts and is located on a 42-acre parcel.

Whitin mentioned that as a condition of the extension, the applicant must present the Planning Department with a \$50,000 surety check up front so that the department can ensure proper vegetation growth after the Certificate of Occupancy is granted. Whitin mentioned an as-built topographic survey and a confirmation report are needed prior to the installation of the solar panels to be sent to the Peer Reviewer and the Planning Department. The applicant agreed to provide the surety and as-built survey.

Ms. Messier recommended the one-year extension be granted.

**Motion**

Bullard moved to grant a 1-year extension to Westport Route 88 Solar 1, LLC for the Special Permit – Solar until November 6, 2023, and Notice of Decision dated November 6, 2019, was recorded in the Bristol County Registry of Deeds Book 13062, Page 52 on a condition that a \$50,000 surety for the vegetation and provide a Site As-Built topographic survey of the site and a confirmation report that as a result of the work, no revisions are needed to the drainage design. Seconded by Daylor as amended with all four members in favor.

- g. Request additional \$20k in ARPA funds for Route 6 Zoning study from Select Board  
Burris mentioned he drafted a letter to the BOS to request the funds

**Motion**

Bullard moved to authorize the Chair to send a letter to the Selectboard requesting that \$20,000 be appropriated from the ARPA funds for the BSC Group for the Route 6 rezoning. Seconded by Daylor with all four members in favor.

- 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.

Brendan Sullivan with Merrill Associates was present on behalf of the applicant. He described the land transfer swap between the Town of Westport and the applicant.

Ms. Messier stated that the Town Administrator, Jim Hartnett, signed the final agreement and supports the Planning Board's approval of the ANR. Ms. Messier went on to explain that Hartnett and Jeff Bull, from the Landing Commission, visited the site and are confident that all the delineations are accurate.

### **Motion**

Bullard moved to approve the endorsement of the plan entitled “Plan of Land 34 Old Harbor Road Westport, MA” Map 35 Parcel 44 because the plan complies with the provisions of MGL CH. 41 Section 81P. Seconded by Daylor with all four members in favor.

### **i. FY24 budget**

Burris noted that the Town Administrator had accepted and approved the proposed budget in its entirety.

Whitin mentioned he will be discussing the Planning Department’s requested budget with the Finance Committee at their next meeting.

### **Motion**

Bullard moved to recommend the 2024 budget for the Planning Department with the Finance Committee at their upcoming meeting. Daylor seconded the motion with all four members in favor.

### **j. Community One-Stop Expression of Interest**

Burris mentioned he spoke with Jim Hartnett, the Town Administrator, and stated that he would be putting together an Expression of Interest (E.O.I.) through the Small Town One Stop program *through the Rural and Small Town Development Funds for a streetscape improvement plan on Main Road* Burris stated that the town may have three expressions of interest: 1) Main Road streetscape, the project locus for which would be from Westport Village Commons to Ten Cousins restaurant, 2) Route 6 sewer through Mass Works and 3) *the old high school through the Underutilized Properties Program*. Schmid stated that the Long-Term Building Committee intends to conduct a more in-depth assessment of repurposing the former high school for community-based uses and senior housing. Schmid stated that the Long-Term Building Committee intends to conduct a more in-depth study to save the old high school to either adapt or reuse.

Whitin asked if this funding could be used to install underground wires at East Beach. Burris responded no, *since it is more for community economic development projects*. Whitin asked if it could be used for The Lets community septic. Burris will follow up.

## **2. Assistant/Planners report**

### **Assistant Planner’s report**

Ms. Messier provided an update on the ongoing projects, as stated below

### **Maya Way:**

The letter was sent via certified mail to the developer on 11/10/22 (copy of letter attached) with a 45-day deadline for a response (12/25/22). Certified mail was returned to Planning Office due to expiration of time to forward. A new address was provided, and the same letter as today's date was sent out via certified mail (letter attached). The new 45-day deadline for developers' response is 2/24/23.

### **34 Old Harbor Rd. ANR:**

The applicant and the Town have settled litigation for this land. Jim Hartnett and Jeff Bull (Landing Commission) have walked the site and have determined that the ANR presented to the Planning Board is accurate. The final settlement for this matter has been signed by Jim Hartnett as of this morning, and Jim Hartnett, and Ms. Messier recommend that the Planning Board vote to endorse the ANR plan as is.

### **Housing Production Plan:**

- Kick-off meeting held on 1/4/23 with SRPEDD and the Housing Office Clerk
- Next steps:
  1. SRPEDD to send out a Westport Housing Survey to residents to gather data on housing preferences and experiences.
  2. Schedule a meeting within the next month or so to go over the data gathered from the Westport Housing Survey and in turn, SRPEDD will make recommendations to Westport based on that data.
- Deadline for completed HPP update is 12/30/23

### **DLTA Funding (SRPEDD):**

District Local Technical Assistance funding program should be opening soon, Ms. Messier will submit an application for funding for the ongoing update to the town's Housing Production Plan. The estimated amount of updating the HPP is beyond the grant we were awarded in 2022 (\$7,500), so 2023 funding is expected to be used towards this project, as well as \$3,500 from the Affordable Housing Trust Fund.

### **Harbor Water Study:**

Most recent meeting held on 12/16/22, Frank Getchell of Weston & Sampson went over his findings and recommendations from his most recent memorandum dated 11/11/22. Findings and recommendations included the following;

- Provided minimum groundwater supply yields for the three private water systems (Acoaxet; Pond Meadow; Westport Harbor Water Assoc.).
- located and ranked areas within town that would be the best/least suitable for a water supply and recommends that the most favorable locations be assessed in a geologically/Geo physically focused manner before finalizing site selections and implementing any drilling activities.
- Preliminary observations made during the site reconnoiters will be discussed with the Town to review and update the well site prioritization before proceeding with subsequent site-specific assessments.
- Once hydrogeologic reconnoiter & ground-truthing be completed and discussed with the Town, Weston & Sampson recommends the completion of unobtrusive subsurface exploration at 2-3 of the most potentially favorable sites using geographical survey techniques.
- The results of the previously complete work, site reconnoiters, and geophysical surveys will be discussed with the Town to finalize site prioritization for future well installation consideration
- Once the town has determined the location of the future Town supply well, it can decide on a path forward including a schedule for its subsequent installation and testing. Weston & Sampson will assist the Town with the selection of the drilling contractor needed to install the well and set up the necessary testing efforts. Installation and testing should be completed under the coordination, direction, and observation of the Weston & Sampson hydrogeologist involved with the site selection and prioritization process.
- Cost estimates associated with the above recommendations were provided.
- Town will need to have the proposed well site surveyed prior to drilling to confirm its location relative to property boundaries and the anticipated zone radius.
- Additional costs / applications would include;
  - o pre-app meeting with DEP

- o wetlands delineation
- o MEPA review
- o towns Con. Comm. Approval
- o WS-15 application (required as part of the final approval by DEP) of the well as a groundwater source of supply by the Town.
- o A second well for backup and/or supplemental supply, along with pumping equipment and related infrastructure.

*\*Estimated costs for the above items cannot be reliably developed until an actual site is selected and proven\**

### **Planner's report**

Burris discussed his Planner's report.

- John Bullard: Planning Board term expiration
- Route 6 Sewer Project Manager
  - o Preliminary meeting with Roger Fernandes of Fern Corp.
- Route 6 rezoning project
- Buzzards Bay National Estuary Program Grants
  - o Met with Buzzards Bay Coalition to coordinate application for a community wastewater system at The Let.
- MVP Expression of Interest
  - o 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
  - o Sent to Board of Selectmen for consideration on January 9

### **3. Minutes**

November 29, 2022

December 13, 2022

### **Motion**

Bullard moved to approve the November 29, 2022; minutes as written. Seconded by Daylor with all four members in favor.

### **Motion**

Bullard moved to approve the December 13, 2022, minutes with the correction to include the vote “with vote of the four members in favor.” Seconded by Daylor. With a Roll Call vote, Daylor - aye Whitin - Aye, Bullard - aye. Schmid abstained.

### **4. Short/Long-term Planning Discussions**

Bullard, who is also Chairman of the Climate Resilience Committee (CRC), noted that the CRC might wish to apply for the Vulnerability Grant for Outreach for The Let and East Beach and requested a letter of support from the Planning Board members.

### **Motion**

Whitin moved to support the CRC's application for MVP for Outreach. Seconded by Daylor with all four members in favor.

Member Schmid, who is also a member of the Long-Term Building Committee, asked if the Planning Board would support the One-Stop Grant adaptive reuse plan for the old high school.

### **Motion**

Schmid moved to pursue the adaptive reuse of the old high school for the One-Stop Grant for the under-utilized properties program. Seconded by Bullard with all four members in favor.

### **ADJOURNMENT**

The Board unanimously moved to adjourn at 7:19 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nadine Castro". The signature is written in dark ink on a light-colored background.

Nadine Castro, Assistant Town Planner II

**NOTE:** *Agenda is subject to change*

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### **NEXT MEETINGS:**

PLANNING BOARD:           October 4, 2022 @ 6:00 P.M.

WORK SESSION:            ?