

## PLANNING BOARD MEETING MINUTES

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**Date/time of Meeting:** May 16, 2023, at 6:01 p.m.

**Place:** Town Hall Annex, 856 Main Road

**Call to order:** The regular meeting of the Westport Planning Board was called to order at 6:00 PM by Chairman, Jim Whitin.

### **ATTENDEES**

Chairman Jim Whitin, and members John Bullard, Manuel Soares, Mark L. Schmid, Town Planner, Michael Burris, and Assistant Town Planner, Amy Messier.

### **ABSENT**

Vice-Chair - Robert Daylor

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

### **1. Administrative Items**

- a. Reorganization of the Board

#### **Motion**

Bullard moved to nominate to James Whitin to remain as Chairman of the Board, Robert Daylor as Vice-Chair of the Board, and Mark L. Schmid as the Clerk. Seconded by Soares. 4-0-0.

- b. Appoint member to Infrastructure Committee

#### **Motion**

Bullard moved to nominate Manuel Soares and Robert Daylor serve as members of the Infrastructure Committee. Seconded by Schmid. 4-0-0.

- c. Southeastern Regional Planning Economic Development District (SRPEDD) 2023-2024 Commission Member appointment

#### **Motion**

Bullard moved that Jim Whitin to remain on as the SRPEDD representative. Seconded by Schmid. 4-0-0.

- d. Open Meeting Law – Trainings and Certifications.  
Certificates were signed by the members and will be kept on file in the office.
- e. Community One-Stop for grown grant authorizations.  
Burris informed the members that he received a support letter from the Board of Selectmen to apply for the Commonwealth Places and the Rural and Small Town Fund Grants. This grant will help to develop a study along Main Road for roadway, walkway, and place making improvements.

**Motion**

Bullard moved the Planning Board authorizes the chair to sign a supper letter for the Rural and Small Town Fund and the Commonwealth Places grant. Seconded by Schmid. 4-0-0.

- f. Main Road Corridor Plan American Rescue Plan Act (ARPA) funds request

**Motion**

Bullard moved that the Planning Board authorize the chair and to amend the letter of support to include *from both the ARPA funds and/or the grant local match fund* ~~for ARPA funding~~ concerning the Main Road corridor plan. Seconded by Schmid. 4-0-0.

- g. **Pre-Application Consultation (23-009PAC)** Request by VazRo Realty Trust to discuss the new layout for the subdivision previously known as “Francis Estates.”

Tom Morris, Zenith Consulting Engineers, was present on behalf of the applicant. He appeared before the board to discuss the proposed design and to give an overview of the modifications made to the plan from David D. Gardner & Associates, Inc. which originally called for a subdivision of 12 lots but is now asking for a subdivision of 10 lots. They are seeking a standard subdivision and are no longer seeking the Open Space Residential Development (OSRD). Morris mentioned they may seek a waiver to reduce the size of the basin that would help with the volume leaving the site. Whitin suggested a more detailed plan would be needed to make a decision on how to handle the reduction of the basin based on the volume. Ms. Messier asked for an updated wetland delineation because the last one was from 2007. Morris mentioned more information such as the impervious surfaces and cleared area would be in the definitive plan. Burris recommended to send Ms. Messier provide an overview and it will then be in turn be forwarded to Bob Daylor for his comments.

- h. **Bentley Estates II (15-009C)** – Request to eliminate sidewalk in phase II

Ms. Messier mentioned the applicant requested a continuance to June 27, 2023. *Noted.*

- i. Approval Not Required (ANR) 408 Sodom Road (23-012A) Request by the applicant for endorsement of a Plan of Land showing three (3) Lots for land located at 408 Sodom Road, Map 68 Lot 28 & 28C.

Greg Nicholas of Southcoast Engineering was present on behalf of the applicant. Nicholas described the property to board. The applicant is proposing to subdivide map 68 lot 28 and 28C into three (3) lots with one (1) buildable lot (28C) and parcel A would be a non-buildable lot to the east that does not have frontage. Parcel B will be combined with Lot 1 making the lot 7.50 acres with a total frontage of 554.06’.

Ms. Messier recommended endorsement of the ANR because it meets the minimum requirements.

**Motion**

Bullard moved to approve endorsement of the plan entitled “Plan of Land at 408 Sodom Road, Westport, MA” for Shirley Sylvia, dated April 12, 2023, Assessor’s Map 68 Lots 28 & Lot 28C because the plan complies with the provisions of M.G.L. Ch. 41 Section 81P. Seconded by Soares. 4-0-0

## **2. 6:15 p.m. Public Hearing**

### **a. Westport Horizons Development Corp. - Oakridge (06-001SP-MAJOR)***(continued from February 22, 2022, April 19, 2022, June 28, 2022, March 7, 2023)*

Ms. Messier read an email from Attorney Mark Levin of the Law Office of Levin and Levin dated May 16, 2023 into the record. It was recommended by Ms. Messier that S.W. Cole visit the site for a final site review to ensure that the as-built is accurate. Mark Allard of Oakridge, Vice President of the Oakridge Board was present on behalf of the Oakridge Group. Allard discussed the unfinished projects that they would like to complete before closing the file permanently. He mentioned Oakridge would have no recourse to complete the outstanding items after if the hearing is closed.

At 6:59 p.m., the Board had to have a recess due to a medical emergency in the audience. The meeting resumed at 7:15 p.m.

Bullard recommended to seek Town Council's opinion of how enforce the defunct corporation to comply with the conditions of the special permit.

Mr. Allard took a vote from the Oakridge members that were in the audience to see if they were in favor of continuing the hearing and seek Town Council's opinion on the matter. The audience members were in favor of continuing the hearing to another date.

### **Motion**

Bullard moved to continue the public hearing to July 11, 2023 at 6:15 p.m. so that town council, the zoning enforcement officer, and the town administrator could meet together to decide how to proceed move forward. Seconded by Schmid. 4-0-0

## **3. Assistant/Planners report**

Assistant Planners Report – Ms. Messier

### **Bentley Estates II (15-009C):**

- *Staff recommendation:* place on June 27, 2023 agenda. *Noted*

### **Francis Estates PAC:**

Questions were asked and answered by the applicant

### **ANR: 408 Sodom Road (2023-012A):**

- *Staff recommendation:* Endorse - lots 1 & 2 both have adequate frontage, uplands and lots are >60,000 s.f., which meet the requirements of an ANR.

### **Westport Horizons Development Corp. Oakridge (06-001SP-MAJOR):**

- Applicant submitted revised As-Built on 5/8/23 that lack the inclusion of the sidewalk
- *Staff recommendation:* Planning Board hold off on accepting As-Built at this time until the consultant can review
- Sidewalks: Applicant offering to give Oakridge the remainder of the money in the consultant review account (\$6,346.19 + interest – some of this will be used by our consultant for As-Built review – approx. \$1000.00) and an additional \$5,000.00
- *Staff recommendation:*
  1. Planning Board to amendment to the special permit for the elimination of the sidewalks
  2. Planning Board to accept the walking paths submitted by the residents of Oakridge (responsibility of the residents)

3. Planning Board to agree to give the remainder of the consultant review funds to the Oakridge HOA.
4. Planning Board to close the public hearing, deliberate on any conditions to be placed in the amended decision

*The Board decided to consult with legal council on several matters before making any decisions on this matter.*

Westport Stone & Sand update (536 Old County Rd.): civil crew is 75% with civil works on site (roadways, grading, basins, etc.), as-built grading survey should be completed and submitted to the Planning Office by the end of May. *Noted.*

Pine Hill Solar update (202 Pine Hill Rd.): Surety check for \$100,000.00 received last week. *Noted.*

Salt Marshes/ Ownership: spoke to Jen O'Neil, waiting on her to get back to Ms. Messier in reference to old maps. *Noted.*

Stacy Lane: A site visit is scheduled for Thursday, May 18<sup>th</sup> to discuss the issue with subsurface water tank with the S.W. Cole, Fairhaven Excavating, and Captain Mark Brisk from the Fire Department. *Soares added a condition should be included in future decisions that a fire suppression tank should be install before any building permits are issued.*

CRC: last meeting 5/4/23, next meeting 7/13/23. *Noted.*

SRPEDD Annual Meeting: 5/24/23 – attending are; Amy, Michael, Nadine, Jim & Manny. *Noted.*

## **Planner's Report**

Michael Burris

- Central Village Corridor Plan Update
  - Meeting with the Westport Cultural Council
    - Interested in partnering on developing an arts project in the corridor.
  - Meeting with Business Owners & Preliminary Survey Results
    - Preliminary meetings with some members of the business community to see what concerns they have
    - 17% response rate on surveys
  - Next steps
    - Grants submitted in June. More public engagement to restart at the end of summer/early fall

- Route 6 Rezoning Update
  - Have a general framework for rezoning.
  - Going to use overlays to enable more dense residential development and more intensive commercial development
  - Creating a new use for these overlay districts: artisan, food, and beverage manufacturing district.
    - Recognition that these are manufacturing processes with few externalities but are not often not permitted in commercial areas because they are considered industrial
    - Provides flexibility for finding tenants in retail spaces
  - Framework for dealing with split lot zoning
- Municipal Vulnerability Preparedness (MVP) 2.0 Grant
  - Submitting our application to the MVP 2.0 Grant this week. The grant will provide a total of \$95,000 to reprioritize the vulnerabilities in the plan, do public engagement with harder to reach populations who haven't historically been involved in this type of planning process, and a seed grant project, TBD.
- Housing Production Plan (HPP) Update
  - Survey period for the HPP is still open, will be left open through June.
  - Need more respondents – only have about a 0.5% response rate.
- Southeastern Regional Planning and Economic Development District (SRPEDD) Annual Meeting
  - Planning Office, Manny, Nadine, Amy, Michael, and Jim to attend SRPEDD's annual meeting in Lakeville next week
- Route 6 Business Survey
  - Surveyed the Route 6 business community between Fall River and Route 88 to try to generate some of the necessary data points in the Town's upcoming Massworks application.
  - The data will be used to make the argument that there is a multi-faceted need for the grant funds, as opposed to just serving one development. So, preservation of affordable housing, job retention, and interest in redevelopment.

Soares spoke about businesses on Route 6 that would benefit from the water and sewer along that corridor.

#### **4. Correspondence**

- a. Zoning Board of Appeals notice – *Noted*.

#### **5. Minutes**

April 4, 2023

##### **Motion**

Bullard moved to approve the April 4, 2023 minutes as written. Seconded by Schmid. 4-0-0

#### **6. Reimbursement/Invoices**

- a. American Planners Association (APA) reimbursement - \$27

##### **Motion**

Bullard moved to approve the Town Planner's A.P.A. Massachusetts dues reimbursement of \$27.00.

Seconded by Schmid. 4-0-0

- b. American Planners Association National Planning Conference - \$400

##### **Motion**

Bullard moved to approve the Town Planner's reimbursement for the 2023 National Planning Conference of \$400. Seconded by Schmid. 4-0-0

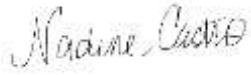
**7. Short/Long-term Planning Discussions**

Burris stated that the zoning revisions approved at the Annual Town Meeting were sent to the town clerk's office, who subsequently submitted it to the AG's office, which will respond within 90 days.

**ADJOURNMENT**

The Board members unanimously adjourned at 8:00 p.m.

Respectfully submitted,



Nadine Castro, Assistant Town Planner II

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

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**NEXT MEETINGS:**

PLANNING BOARD: June 13, 2023, @ 6:00 P.M.

WORK SESSION: ?