



## PLANNING BOARD MEETING MINUTES

**Date/time of Meeting:** June 13, 2023, at 6:00 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, Vice-Chair Bob Daylor, and members, Manuel Soares, Mark L. Schmid, Town Planner, Michael Burris, and Assistant Town Planner, Ms. Messier.

### **ABSENT**

John Bullard

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

### **1. Administrative Items**

#### **a. Preliminary Subdivision Plan – Rural Road (23-013B-RRL)**

Request by the applicant to consider a Preliminary Subdivision plan entitled **“Preliminary Plan – Rural Road”** prepared for **Emanuel B. Pacheco** and located on the west side of Gifford Road, south of **225 Gifford Road**, Assessor's Map 29 Lot 22C proposing to divide the property into two (2) lots.

Emanuel Pacheco and his father, Emanuel Pacheco Sr., attended the meeting held by the Board. They were there to provide feedback regarding a two-lot subdivision plan for a Rural Residential Road. Specifically, they requested two waivers related to the road radius and cross-section. The Assistant Town Planner noted that if the plan moves from Preliminary to Definitive status, a consultant will review the waivers. The Planners expressed no concerns about the proposal. Daylor suggested that an update on the swale be provided, including how it diverts water away from the road.

### **Motion**

Daylor moved to approve the preliminary subdivision plan entitled “Preliminary Plan 0 Rural Road” for Emanuel B. Pacheco because it conforms to the Planning Board's requirements. Seconded by Schmid. 4-0-0.

#### **b. Pre-Application Consultation (23-018PAC)** Request by David Santos of Pare Corporation for an installation of a 15' x 30' commercial garage at 146 State Road, Map 3 Lot 40-40A.

David Santos, of Pare Engineering, was representing the applicant, Junior Burke, who was also present. They presented their proposal for building a commercial motorcycle restoration repair garage on a residential lot in the business district. David Santos, also from Pare Engineering, was also present. Santos mentioned that the septic system would be upgraded if necessary, while Daylor pointed out that a new state permit would be required for a new curb cut. Santos clarified that they plan to use the existing curb cut. Whitin reminded the group that state approval is still necessary for the project to move forward.

Ms. Messier commented that they will need to check with MassDOT to confirm that it is permitted for use and they will need to go before the Board of Health for septic upgrade.

Before filing with MassDOT and requesting a building permit, Soares stated that the Planning Board would need to authorize the curb cut location first.

- c. Approval Not Required (ANR) A.P. 45 Lots 8 & 15 (23-014A)** Request by the applicant for endorsement of a Plan of Land showing 2 Lots for land located at 0 Division Road, Map 45 Lots 8 & 15.

Attorney Neil B. Smola was representing New Leaf Energy. He mentioned a new lot line would show the division of land and it would not create a buildable lot due to lack of frontage. Whitin asked if it would be conveyed for conservation. Smola replied it would be conveyed to the Westport Land Trust.

**Motion**

Daylor moved to approve the endorsement of the plan entitled “A.P. 45, Lots 8 & 15 0 Division Road, Westport, Massachusetts” for Westport Land Conservation Trust, dated April 24, 2023, Assessor’s Map 45 Lots 8 & 15, 0 Division Road because the plan complies with the provisions of M.G.L. Ch. 41 Section 81P. Seconded by Schmid. 4-0-0

- d. Approval Not Required (ANR) Gifford Road and Mouse Mill Road (23-016A)** Request by the applicant for endorsement of a Plan of Land showing 2 Lots for land located at 0 Gifford Road, Map 31 Lot 11.

Greg Nicholas of Southcoast Engineering was present on behalf of Michael and Debbie Ferry. They are proposing the division of Map 31, Lot 11 into two (2) Lots. A.P. 31 Lot 11 (Lot 2) has 32.2 acres that would be protected by an Agricultural Preservation Restriction (APR) and remain in Chapter 61A pending the Planning Board’s approval. A.P. Map 31 Lot 11 (Lot 1) has 3.36 acres, adequate frontage, and will remain in Chapter 61A. If someone buys Map 31 Lot 11 (also known as Lot 1), they must follow the necessary steps to confirm if the lot has enough uplands to be considered a buildable lot.

**Motion**

Daylor moved to approve the endorsement of the plan entitled “Plan of Land at Gifford Road and Mouse Mill Road, Westport, MA” for Michael P. Ferry, dated December 15, 2022, Assessor’s Map 31 Lot 11 because the plan complies with the provisions of M.G.L. Ch. 41 Section 81P. Seconded by Schmid. 4-0-0.

- e. Approval Not Required (ANR) Approval Not Required Plan of Land in Westport, Massachusetts, Carricorp Industries (23-017A)** Request by the applicant for endorsement of a Plan of Land reconfiguring 4 Lots, for land located at 0 Granite Post Road, Map 69 Lot 116.

Mark Boucher of Boucher & Associates was present on behalf of the applicant. The applicant is requesting to modify Lot 121 by adding adjacent parcels to the south to ensure continued access to the Brookwood Drive Solar farm owned by Carricorp Industries. The 30-year lease for the abutting property is set to expire and will return to the ownership of Carricorp Industries.

**Motion**

Daylor moved to approve the endorsement of the plan entitled “Approval Not Required Plan of Land in Westport, Massachusetts” for Carricorp Industries, Ltd. Trustee of 190 C.W. Trust, dated May 31, 2023, Assessor’s Map 69 Lot 116 because the plan complies with the provisions of M.G.L. Ch. 41 Section 81P. Seconded by Soares. 4-0-0.

- f. Committee re-appointments.**  
**1. Climate Resilience Committee**  
Jim Whitin

**Motion**

Daylor moved to nominate Jim Whitin to serve as a member of the Climate Resilience Committee.

- 2. Ag/Open Space Preservation Trust/Climate Resilience Committee**  
John Bullard

**Motion**

Daylor moved to nominate John Bullard to serve as a member of the Ag/Open Space Preservation Trust and Climate Resilience Committee.

- 3. Community Preservation Committee/Long-term Planning Town Building Evaluation**  
Mark Schmid

**Motion**

Daylor moved to nominate Mark Schmid to serve as a member of the Community Preservation Committee & Long-term Planning Town Building evaluation.

- 4. Cable Advisory/Climate Resilience Committee/Infrastructure Oversight Committee Subcommittee**  
Bob Daylor

**Motion**

Whitin moved to nominate Bob Daylor to serve as a member of the cable advisory/Climate Resilience Committee/Infrastructure Oversight Committee Subcommittee.

- 5. Economic Development Task Force/Infrastructure Oversight Committee/Tax Incentive Program Committee**  
Manny Soares

**Motion**

Daylor moved to nominate Manny Soares to serve as a member of the Economic Development Task Force, Infrastructure Oversight Committee, and Tax Incentive Program Committee.

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

- a. Stoneridge: A Private Community (23-002SP-ILF-SPA-LID) (continued March 7, 2023)**

Whitin announced that the attorney representing the applicant has submitted a letter requesting the withdrawal of their application.

**Motion**

Daylor moved to accept the withdrawal without prejudice. Seconded by Soares. 4-0-0.

**3. 6:30 p.m. Public Hearing**

- a. Inheritance Lane (23-010C-RRL)**

Request by the applicant to consider a definitive subdivision plan entitled "Inheritance Lane", located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots, Assessors Map 43 Lot 3.

Representatives from Northeast Engineers and Consultants, Inc., Sean Leach and Jon Connell, spoke on behalf of the applicant who was also in attendance. Leach briefly explained their proposal, which includes building a roadway that will create two additional buildable house lots, a gravel driveway, and an extended driveway with a hammerhead with drainage, swale, and retention ponds.

Whitin read the department comments and S.W. Cole's report dated May 25, 2023, into the record. Leach and Connell discussed the department reviews and addressed the comments and concerns mentioned in S.W. Cole's report.

Ms. Messier and Soares both agreed that a 16-foot wide driveway would be sufficient, even though the requirement was for a 20-foot width. Soares also pointed out that the trees needed to be maintained by the Fire Department's requirements.

Ms. Messier has recommended the approval of the definitive subdivision, along with the waivers and conditions.

### **Motion**

Daylor moved to close the definitive subdivision public hearing for Inheritance Lane. Seconded by Soares. 4-0-0

### **Motion**

Daylor moved to approve the Definitive Subdivision plan entitled "Inheritance Lane" as defined under section 81L of the subdivision control law subject to additional revisions to the hammerhead turn-around and radius. Seconded by Soares. 4-0-0.

### **Motion**

Daylor move to approve the waivers as requested. Seconded by Soares. 4-0-0

## **4. Assistant/Planners report**

Ms. Messier's report was based on the ANRs at the start of the meeting.

Burris updated the Board regarding the following:

- Grants update
  - One Stop
  - Worked with Roger Fernandes to submit a \$1,750,000 request for construction of the Route 6 sewer
  - We also still have outstanding Federal Appropriations Requests for this project, the decisions for which should be released on July 31
  - A combined \$64,000 request through the Rural and Small Town Fund and the Commonwealth Places Grant to plan for streetscape improvements on Main Road in Central Village.
  - Coastal Resilience Grant Program
  - Working with the Southeastern Regional Planning and Economic Development District to apply to the Coastal Resilience Grant Program. Grant funds would be used to study Westport's marshes for their migration potential, develop a prioritization plan, and design a pilot project for future implementation.
  - Buzzards Bay National Estuaries Program – 2<sup>nd</sup> funding round to be released soon
  - Funds for operations and maintenance of the municipal storm sewer system
  - Funds to design a community septic system for The Let neighborhood
  - 3 additional grants still outstanding: Municipal Vulnerability 2.0, Department of Environmental Resources Culvert Replacement Grant, Hazard Mitigation Grant Program

## **5. Correspondence**

- a. Motion to Dismiss – 533 Horseneck Road – *Noted*.
- b. Chapter 91 – Yule 1380-J Drift Road – *Noted*.
- c. Chapter 91 – Carrigg – 1702-C Drift Road – *Noted*.
- d. Zoning Board of Appeals notices – *Noted*.

## **6. Invoices**

- a. W.B. Mason – keyboard and mouse \$28.44

### **Motion**

Daylor moved to approve the WB Mason invoice for \$28.44. Seconded by Soares. 4-0-0.

- b. SRPEDD Annual Meeting travel reimbursement – Nadine Castro - \$39.39
- c. SRPEDD Annual Meeting travel reimbursement – Ms. Messier - \$39.39
- d. SRPEDD Annual Meeting travel reimbursement – Michael Burris - \$39.39

### **Motion**

Daylor moved to approve the invoice for SRPEDD travel reimbursements. Seconded by Soares. 4-0-0

## **6. Minutes**

May 16, 2023

### **Motion**

Schmid moved to approve the May 16, 2023 minutes as written. Seconded by Daylor. 3-0-1.

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

During the meeting, Whitin, Mark Schmid, Michael Burris, and Ms. Messier discussed the rezoning of Route 6 with Russell Burke from The BSC Group. They plan on scheduling a public meeting to gather feedback from the community, tentatively towards the end of July.

Daylor recommended repurposing a section of the former high school for either senior living or housing for veterans, while also utilizing the cafeteria and library for events and gatherings.

## **ADJOURNMENT**

The Board unanimously voted to adjourn at 7:54 p.m.

NOTE: Agenda is subject to change

### **NEXT MEETINGS:**

Planning Board: June 27, 2023, at 6:00 p.m.

Work Session: ?