



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

July 16, 2019

Chairman James T. Whitin called the meeting to order at 5:50 p.m. with Vice-Chairman Robert Daylor, Members John Bullard, James Watterson, and Town Planner James Hartnett in attendance. David Cole was absent.

Call to order 5:45 p.m.

1. Administrative Items

- a. Blue Acres Way (17-011C-MOD) Request to change performance surety.
Hartnett stated the land is in Chapter 61A and needs to go through the proper channels prior to being sold.
No action was taken.
- b. Lincoln Heights (19-003C-MOD) Endorse Decision

Motion

Daylor motioned to endorse the Modification of Approval of a Definitive Subdivision Plan for Lincoln Heights. Seconded by Bullard with all four members in favor.

- c. SunRaise Development LLC (19-002S-LID) Endorse Solar Special Permit and LID Decisions.
Hartnett stated the Special Permit and LID decisions were approved at the last meeting and need endorsement. The Board signed the decisions.

5:45.m. Public Hearing

2. Sodom Road Flexible Frontage (19-009SP)

Request by the applicant to consider a Special Permit applications of **Stephen Pettey** for property located at **963 & 969 Sodom Road**, Westport, MA 02790, Assessor's Map 60, Lots 5 & 5C, pursuant to Westport Zoning By-Law Article 21 Special Permit for Common Driveway and Article 23 Special Permit for a Flexible Frontage requesting approval to reduce otherwise applicable frontage requirements on a public way in exchange for a corresponding reduction in development density and the construction of a common driveway servicing three residential lots.

Sean Leach from Sitec Engineering was present representing the applicant. The lots do not conform to the minimal dimensions for flexible frontage and would like to have a general discussion with the Board for suggestions.

Whitin questioned the age of the barn on Lot 1 and suggested possibly doing a CITGO plan by moving the lot lines to encompass the barn that is on Lot 2. Leach commented the dashed lines on the plan refer to land that was subdivided in 1996. Whitin commented that the CITGO may not work because it was already used on the lot.

Whitin asked Hartnett if the lot complies with the Flexible Frontage on the revised plan. Hartnett responded yes.

Bullard asked Leach for clarification on the Lot 1. Leach stated that Lot 1 with the back house would be sold and Lot 2 and Lot 3 would remain in the family.

Motion

Daylor motioned to continue the Sodom Road Flexible Frontage Special Permit to August 13, 2019, at 6:00. Seconded by Watterson with all four members in favor.

6:15 p.m. Public Hearing

3. Dance Academy (19-003SPA) (continued from May 21, 2019)

Request by applicant to consider the Site Plan application of **Lisa Bibeau-Chace & Paul Chace** for property located at 699 State Road, Assessor's Map 24, Lot 3 in Westport, MA, pursuant to Westport Zoning By-Law Article 15 for Site Plan approval, on a request to construct a single-story building with parking to be utilized as a dance studio/classes.

Jon Connell and Sean Leach from Sitec Engineering were present representing the applicant. Leach presented the original application on May 21, 2019, to the Board.

Connell contacted Mass Highway and was told that a curb cut approval would be difficult without moving the catch basin and a telephone pole. They felt that exiting the property through Pleasant Street was a better design rather than weaving onto Route 6 and then making a U-turn at the break in the island to go north on Route 6. Hartnett also contacted Mass Highway and received the same information.

Seth Lingley, 25 Pleasant Street, stated it has been a residential neighborhood and asked the Board to keep it a neighborhood. Pleasant Street is very narrow.

Watterson and Whitin would like for the engineers to explore more options with Mass Dot and possibly get support from State Reps. to receive access from Route 6.

Gregory Chaunt, 705 State Road, commented that he is not opposed to giving an easement on his property to 699 State Road for the purpose of eliminating the need to use Pleasant Street.

Paul Chace, the owner of 699 State Road was present. The property is located in a business zone and does not want to destroy the neighborhood.

Motion

Watterson motioned to continue the hearing to August 13, 2019, at 5:45 p.m. Seconded by Bullard with all four members in favor.

6:45 p.m. Public Hearing

4. Soltage Westport Route 88 Solar 1 (18-011S-LID) (continued from February 20, 2019 March 20, 2019, April 23, 2019, May 28, 2019)

Request by the applicant to consider the Special Permit and Site Plan applications of **Westport Route 88 Solar 1, LLC c/o Soltage LLC** for property owned by Pedro L. and Maria M. Teixeira, located on 0 Route 88 (End of Sullivan Drive), Assessor's Map 31, Lot 5 & 6A. Pursuant to Westport Zoning By-Laws Article 20 Low Impact Development and Article 24 Large Scale Solar Energy System, the

applicant requests permission to construct a solar energy system, approximately 4.5 Megawatts AC, 6.0 Megawatts DC.

John Bullard announced he has reviewed the February 20, 2019 meeting and has filed the appropriate paperwork with the Town Clerk.

Attorney Todd Brodeur was present from Fletcher Tilton representing the applicant along with David Mackwell from Kelly Engineering and Luke Childs.

Attorney Brodeur is proposing to pursue the June plan under the old zoning by-laws. Attorney Brodeur reviewed his opinion letter dated June 21, 2019. The plan has been modified to comply with setbacks and Sullivan Drive has been designed.

Maxwell stated that the site will be accessed over Sullivan Drive. They completed test pits on the site and verified soil conditions and the water table elevation. Survey work was completed along Sullivan Drive, the gravel drive will be widened to 18' and three cross culverts will be replaced.

Hartnett stated that the first 200' of Sullivan Drive has a steep slope towards Briggs Road and recommends this section be paved. Hartnett read additional items from the staff report dated July 16, 2019.

Whitin and Watterson suggested that the engineer consider moving the panels in the southerly field to the northerly field to limit forest clearing, even if it encroached on the setbacks in the northerly field.

Mackwell mentioned a full wetland and topography survey and responded to Field Engineering review dated July 12, 2019, and staff's comments.

Whitin opened the discussion to the audience.

Robert Cunha of 17 Plymouth Boulevard stated he was opposed to the tree clearing.

Motion

Daylor motioned to continue the Special Permit and Site Plan applications to August 13, 2019, at 7:45 p.m. Seconded by Bullard with all four members in favor.

7:00 p.m. Public Hearing

5. Watuppa Realty, LLC (19-010SPA)

Request by applicant to consider the Site Plan application of **Watuppa Realty, LLC** for property located at **25 Sanford Road**, Assessor's **Map 3, Lot 34C**, Westport, MA, pursuant to Westport Zoning By-Law Article 15 for Site Plan Approval, on a request to convert existing building into office space and to construct a 60'x120' warehouse/storage building with related parking.

Michael Koska from Michael Koska and Associates was present representing the applicant. Koska reviewed the design with the board. He stated that the design has infiltration for the roof run-off and the site drainage would run into a bio-retention basin system. The drainage will be handled on-site. The proposed plan will add a 7,200 sf building with 22 parking space including 1 handicapped space. Zoning requires 19 spaces. The area is zoned business and is not located in the Aquifer Protection District.

Hartnett read SW Cole's June 27, 2019 review into the record. Koska addressed the questions and will make the required changes.

Whitin read the Department Reviews into the record. Koska noted he could address the Fire Department's comments and will confirm with the building inspector that it is not located in an Aquifer Protection Zone.

Whitin opened the meeting to the audience. No comments.

Bullard motioned to continue the hearing to September 10, 2019, at 6:15 p.m. Seconded by Daylor with all four members in favor.

7:30 p.m. Public Hearing

6. Fall River Rod & Gun Club (19-006SP-LID) (continued from June 4, 2019)

Request by applicant to consider the Special Permit and Low Impact Development applications of **Frank Epps, Watuppa Solar, LLC** for property owned by **Fall River Rod & Gun Club, Inc.**, located on **309 Sanford Road**, Assessor's Map 18, Lots 2 & 41, pursuant to Westport Zoning By-Laws Article 20 Low Impact Development and Article 24 Large Scale Solar Energy System Special Permit. The applicant requests permission to construct a 4.2 Megawatt solar energy system.

Ben Aparo from Energy Development Partners was present on behalf of Watuppa Solar along with Denise Cameron from Woodard & Curran.

Aparo updated the Board on the work that was completed since the last meeting. Aparo stated that they conducted test pits to confirm soil conditions and water table elevations. He also submitted a noise assessment for the site to address neighborhood concerns. The report is dated June 27, 2019, and was prepared by Erich Thalheimer. Aparo stated that the report shows that there would be a reduction in the noise level after the panels are installed.

Ms. Cameron updated the Board on the changes that were addressed in response to Field Engineering's request. Ms. Cameron stated that the plan clearly shows the designated 25% open space and that will remain in its current state. The site has been redesigned with additional grading to direct more runoff from the southerly outlet to the north. There will be a reduction in both the rate of runoff and volume at the southerly outlet. Additional contour mapping is shown for the northerly outlet and it has been moved northerly past the ridgeline to direct the flow away from the abutting residential property.

Whitin read abutter e-mails that were sent to Representative Paul Schmid's office into the record.

- Peter & Kimberly Duclos, 11 Plymouth Blvd
- Madeleine Ferraz, 67 Plymouth Blvd
- Gerard Durette, 4 Plymouth Blvd
- Steve & Theresa Wilcox, 46 Benoit Street.

Bullard stated that he would like to see the plan revised to meet the 150' setback on the west and south sides. The field could be extended northerly away from the residential uses. He would also like to see additional screening, white pine or deer resistant arborvitaes.

Whitin opened the discussion to the audience.

John Couto of 47 Benoit Street was present and expressed his concern about the drainage on Benoit Street.

Brenda Oliveira, 3 Plymouth Blvd, was concerned about the northerly outlet pipe draining towards her property. Cameron showed how the outlet would drain northerly away from her property.

Constance Gee, 424A River Road, requested if the solar field is adjusted or moved that it not encroach into the wetlands.

Gerard Durette, 4 Plymouth Blvd, asked how close the drainage pond would be to his property and how big will the pond be. Cameron stated the pond is approximately 1 acre.

Steve Wilcox, 46 Benoit Street was present. Wilcox asked if the project is moved northerly, where will the drainage divide be. Hartnett stated the drainage break would be the same as shown on the plan.

Joe Morais, 20 Benoit Street, stated he was concerned about stormwater.

Linda Cunha, 70 Plymouth Blvd, asked about the size of the southerly pond. Cameron stated it is about an acre.

Marie Murray, 15 Plymouth Blvd, asked if there are any electrical magnetic fields. The engineer stated it is less than your microwave.

John Oliveira, 3 Plymouth Blvd, and Linda Storey, 50 Plymouth Blvd, also expressed concerns regarding the project.

Motion

Bullard motioned to continue the hearing to September 10, 2019, at 6:45 p.m. Seconded by Daylor with all four in favor.

7. Administrative Items

None

8. Matters not reasonably anticipated.

None

9. Correspondence.

None

10. Minutes.

July 9, 2019

Bullard motioned to approve the minutes as written. Seconded by Watterson with all four members in favor.

11. Invoices.

BSC Group – By-law Recodification - \$3,967.38

Daylor motioned to approve the invoice for BSC Group. Seconded by Bullard with all four members in favor.

Adjournment

Members unanimously voted to adjourn at 10:22 p.m.

Respectfully submitted,

James Hartnett, Town Planner
Nadine Castro, Assistant Town Planner II