



TOWN OF WESTPORT
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PLANNING BOARD

PLANNING BOARD MEETING MINUTES

September 24, 2019

Chairman Jim Whitin called the meeting to order at 5:31 p.m. with members John Bullard, James Watterson, and Town Planner James Hartnett in attendance. Robert Daylor and William Sheahan were absent.

5:30 p.m. Public Hearing

1. Request by the applicant to consider a definitive subdivision plan entitled **“Cornell Hill Definitive Subdivision Plan of Land in Westport, MA”**, dated July 25, 2019, proposing a 3 lot subdivision, total acreage 4.6 acres with an existing single-family dwelling on each lot, prepared for William & Betsy Couto. The property is located at **65 & 67 Cornell Road, Assessors Map 82 Lots 30 & 31. Cornell Hill**

Sean Leach of Sitec Engineering was present representing the applicant.

Whitin read the notice into the record.

Leach commented the 3 lot subdivision would clean up inconsistencies. A 1986 subdivision was approved that created a lot with 25' of frontage.

Whitin questioned if the totality of the lots will remain the same size as the 1986 subdivision. Leach responded the plan is slightly different due to creating a 40' right of way with a hammerhead on each lot increasing Lot 1 slightly from land that was lost due to the right of way.

Whitin asked if the subdivision should be a modification to the 1986 subdivision. Leach stated the new subdivision would be preferred.

Bullard commented the plan creates 3 lots that meet zoning By-law regulations. It takes a non-conforming situation and makes it conforming. Bullard suggested the existing condition has an illegal structure and is occupied. Bullard commented to possibly send a communication to Building Department that building should not be occupied due to it being an illegal structure.

Whitin recommended making a cul-de-sac closer to Cornell Road. Leach will review the plan for the possibility of a cul-de-sac.

Whitin read department comments into the record. Leach addressed the Board of Health's denial and approval comment in the 9-23-19 Sitec letter.

Motion

Watterson moved to continue the hearing to October 8, 2019, at 5:30 p.m. Seconded by Bullard and the vote was unanimous with all three in favor.

5:45 p.m. Public Hearing

2. Approval Not Required (ANR) Charles Deknatel (19-011A) 1780 Main Road.

Request by the applicant for endorsement of a 2-lot plan of land, Assessors Map 58 Lot 91.

Sean Leach from Sitec, Inc. was present representing Charles Deknatel.

Leach commented the non-buildable 4.2 acre Parcel A will be combined with the abutting Land Trust land.

Hartnett recommended endorsement.

Motion

Bullard moved to approve endorsement of the plan entitled "Approval Not Required Plan of Land in Westport, MA prepared for Charles Deknatel, because the plan complies with the provisions of MGL Ch. 41 Section 81P. Seconded by Watterson and the vote was unanimous with all three in favor.

3. Approval Not Required (ANR) Richard Leblanc (19-012A) 542 River Road.

Request by the applicant to convey 1,118 feet from Map 87 Lots 83 & 83B to Map 87 Lot 81.

Richard Leblanc of 60 Palmer Lane was present.

Leblanc is requesting approval of Parcel A on lot 83B & 83 to be combined with Lot 81 for additional parking. The remaining parcel has a minimum of 60,000 s.f. and more than 150' of frontage.

Hartnett recommends endorsement because it meets the requirements for an Approval Not Required.

Motion

Bullard moved to approve endorsement of the plan entitled "ANR Plan of Land, Prepared for Richard LeBlanc, A.P.87, Lot 81" because the plan complies with the provisions of MGL Ch. 41 Section 81P. Seconded by Watterson and the vote was unanimous with all three in favor.

6:00 p.m. Public Hearing

4. Devoll Pond Nominee Trust - Kaplan – Pre-Application Consultation (19-003PAC)

Steve Gioiosa of Sitec, Inc. was present representing the applicant.

Attorney Dorothy Tongue was present representing the applicant.

Gioiosa was before the Board about a year ago originally proposed an 18' gravel way, he is now proposing a 20' gravel lane. Gioiosa is proposing a minimum of 40' layout with a turn-out for emergency vehicles. He is proposing 7-lots on Devoll Pond Drive. A restriction of the placement for the septic systems along with a denitrification septic system is being maintained as proposed. Gioiosa would like to retain the aesthetic of the stone walls and to construct the gravel drive between the walls. The gates on the northerly line would remain.

Whitin commented the road needs to be a standard subdivision road with waivers to allow a narrower gravel way.

Whitin asked if trees would be removed to make room for the 20' roadway. Gioiosa responded yes it may be necessary to go to the 20' roadway.

Bullard questioned if the houses after the gate receive emergency services due to the width of the road. Attorney Tongue commented the Fire Department has access to the gate.

Hartnett commented that if the subdivision is approved, the applicant could potentially file an ANR and develop the other side of the land with additional lots without approval.

Whitin asked Hartnett if there was any way to condition the approval so that the property can't be further subdivided. Hartnett did not believe a condition could be placed but would look into it. Hartnett stated that this would be filed as a subdivision and the Planning Board is limited to issues such as access, frontage and the design standards of the road. Conditions relative to septic systems and lot clearing may be outside of the Planning Board's review.

6:30 p.m. Public Hearing

5. 202 Pine Hill Road Solar 1 LLC (19-012SPA-LID-S) (To be continued to October 8, 2019)

Request by the applicant to consider a Special Permit and Low Impact Development applications of **Pine Hill Road Westport Solar I LLC c/o Borrego Solar Systems, Inc.** for property owned by **Leonard F. Potter Trustee of The Leonard F. Potter Revocable Trust-2011, Alston J. Potter III and Dianne M. Potter Trustee of the Alston J Potter III Trust-2009**, for property located at **202 Pine Hill Road**, Assessor's Map 41, Lot 4, 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 solar energy system, approximately 4.0 Megawatts.

Bullard motioned to continue the hearing to October 8, 2019, at 6:30 p.m. Seconded by Watterson and the vote was unanimous with three in favor.

6. Administrative Items

a. David Cole - 3 Committee Assignments – Postponed until next meeting with all members

- Agriculture/Open space –
- Tax incentive
- Housing rehab

b. Watuppa Realty (19-010SPA) Endorse Decision – Noted

Motion

Bullard moved to endorse the decision. Seconded by Watterson and the vote was unanimous with all three in favor.

c. Stephen Pettey (19-009SP) Endorse Decision

Motion

Bullard motioned to endorse the decision. Seconded by Watterson and the vote was unanimous with all three in favor.

7. Matters not reasonably anticipated.

None

8. Correspondence

None

Planners Report

Hartnett read the Planners Report into the record.

1. MS4 Permit – A meeting was held last week to discuss the requirements of the MS4 permit. Tim King, Matt Armendo, Chris Capone, Chris Gonsalves and I attended the meeting. I stressed the importance of getting a consultant on board to assist with the MS4 permitting requirements, the Town does not have the staff or resources to complete this work in-house. Mr. King requested that we go out for proposals and hire a consultant. I am committed to getting the yearly report completed prior to the end of September, similar to most communities some of the requirements have not been completed but will be noted in the yearly report.
2. MVP 2019 Grant – Mr. Daylor provided a draft of the scope of work for the hiring of a consultant. I will look to get an RFP out by mid-October.
3. Route 6 Study – Mr. Daylor provided a draft of the scope of work for the hiring of a consultant for study and preliminary design of infrastructure along the Route 6 corridor. I am hoping to get the RFP out by mid-October.
4. Town Landing, Seaport Grant – The contractor should be finishing up the majority of work this week, overall the project has been going well. It has been difficult coordinating the work with the current users of the property but they have been accommodating and things have worked been working out.
5. School Building Committee – There will be a groundbreaking ceremony on October 8th for the new school. The drainage for the elementary school has been redesigned to provide infiltration trenches with the overflow draining in the new school site away from the abutters.
6. SRF – Water Wastewater Plan – There will be a stakeholder meeting tomorrow between 10:00 a.m. and 12:00 p.m.
7. Bentley Estates Subdivision – The binder course of pavement was installed on Phase II of the subdivision, Whalon Way on Monday of this week.
8. Adirondack and Blossom Road B – I have been working with the developers of these two developments and SW Cole to complete punch list items for final closeout.

9. Minutes

September 17, 2019

Motion

Bullard motioned to approve the minutes as written. Seconded by Watterson and the vote was unanimous with all three in favor.

Adjournment

The members unanimously adjourned at 7:00 p.m.

Respectfully submitted,

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