

Planning Board Meeting

June 13, 2023



Planning Department
856 Main Road
Westport, MA 02790



Planning Board

James Whitin
Robert Daylor
John K. Bullard
Mark L. Schmid
Manuel Soares

AGENDA

Tuesday, June 13, 2023

Call to order 6:00 p.m.

1. Administrative Items

a. Preliminary Subdivision Plan, Preliminary Plan – Rural Road (23-013B)

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. A copy of the plan is available for review at the Planning Board office in the Town Hall Annex.

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.

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.

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.

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.

f. Committee re-appointments

Jim Whitin	Harbor Water Study
John Bullard	Ag/Open Space Preservation Trust
Bob Daylor	Cable Advisory Climate Resiliency Committee Infrastructure and Safety Oversight Subcommittee
Mark Schmid	Community Preservation Committee Long-term Planning Town Building Evaluation
Manny Soares	Economic Development Task Force Tax Incentive Program Committee Infrastructure Oversight Committee

2. 6:15 p.m. Public Hearing

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

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.

4. Assistant/Planner’s report

- a. Planner’s report
 - 1. Grants Update

5. Correspondence

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

6. Invoices/Reimbursements

- a. W.B. Mason – keyboard and mouse \$28.44
- b. SRPEDD Annual Meeting travel reimbursement – Nadine Castro - \$39.39
- c. SRPEDD Annual Meeting travel reimbursement – Amy Messier - \$39.39
- d. SRPEDD Annual Meeting travel reimbursement – Michael Burris - \$39.39

7. Minutes

May 16, 2023

8. Short/Long-term Planning Discussions

9. Matters not reasonably anticipated

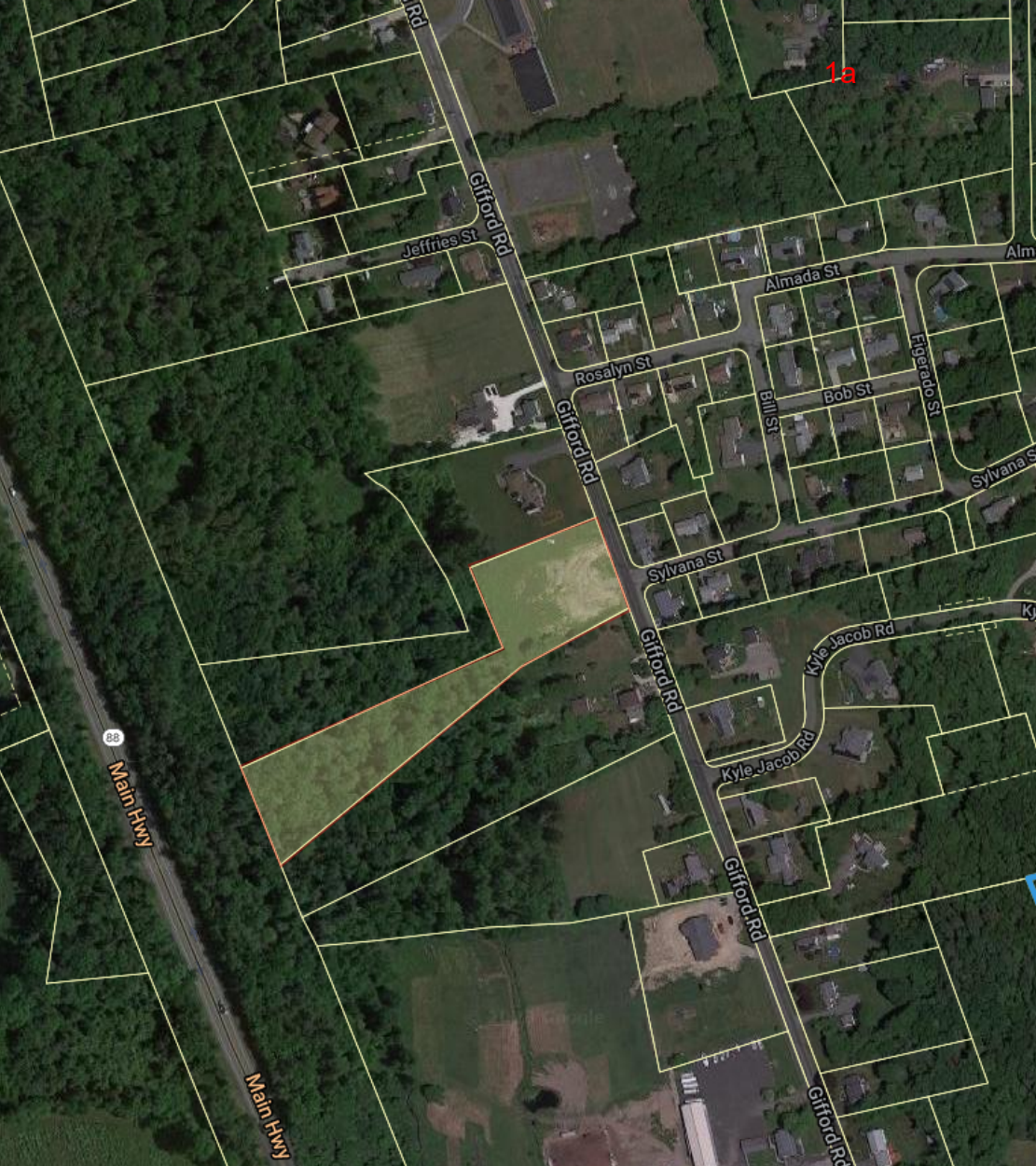
ADJOURNMENT

NOTE: Agenda is subject to change

NEXT MEETINGS:

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

Work Session: ?



1a

Rd

Gifford Rd

Jeffries St

Rosalyn St

Almada St

Alm

Bill St

Bob St

Efigarado St

Sylvana St

Sylvana St

Gifford Rd

Kyle Jacob Rd

Ky

Gifford Rd

Gifford Rd

Gifford Rd

88

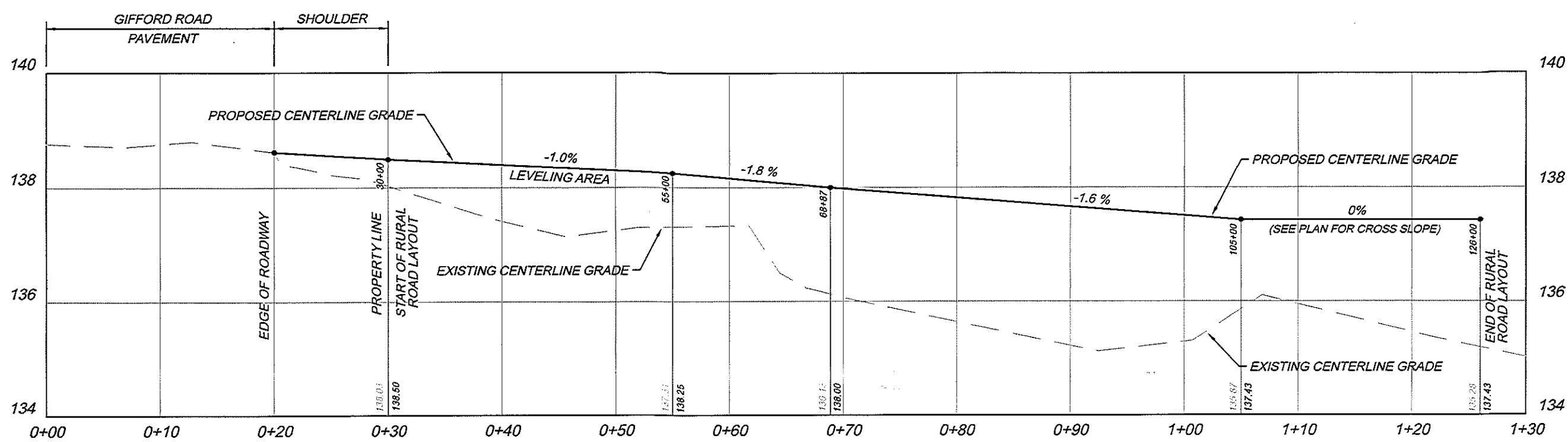
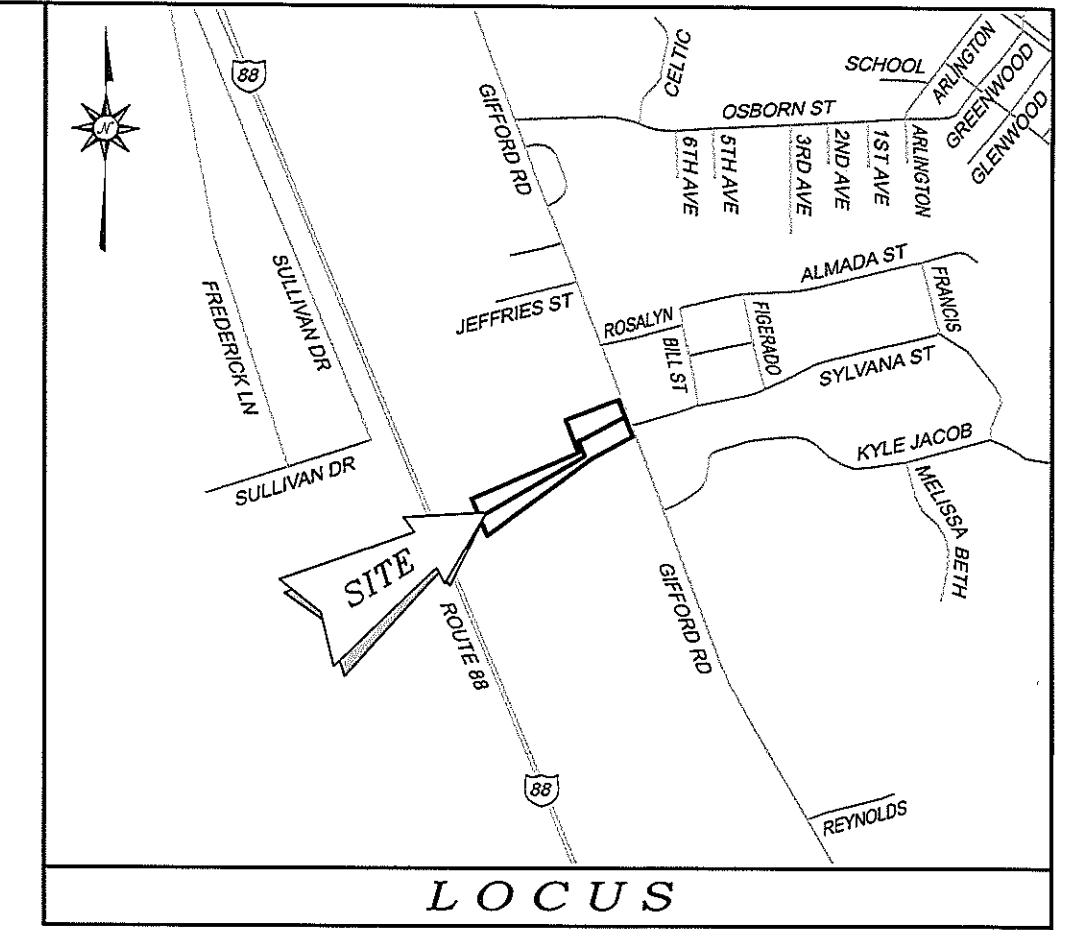
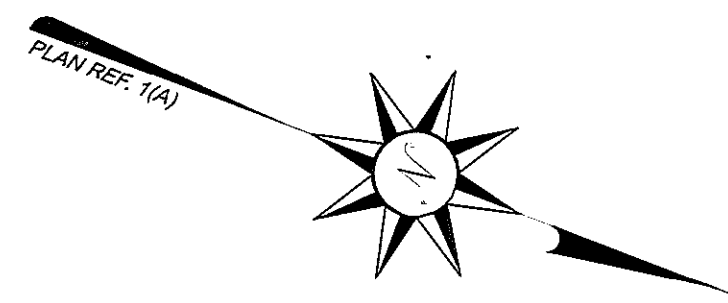
Main Hwy

Main Hwy

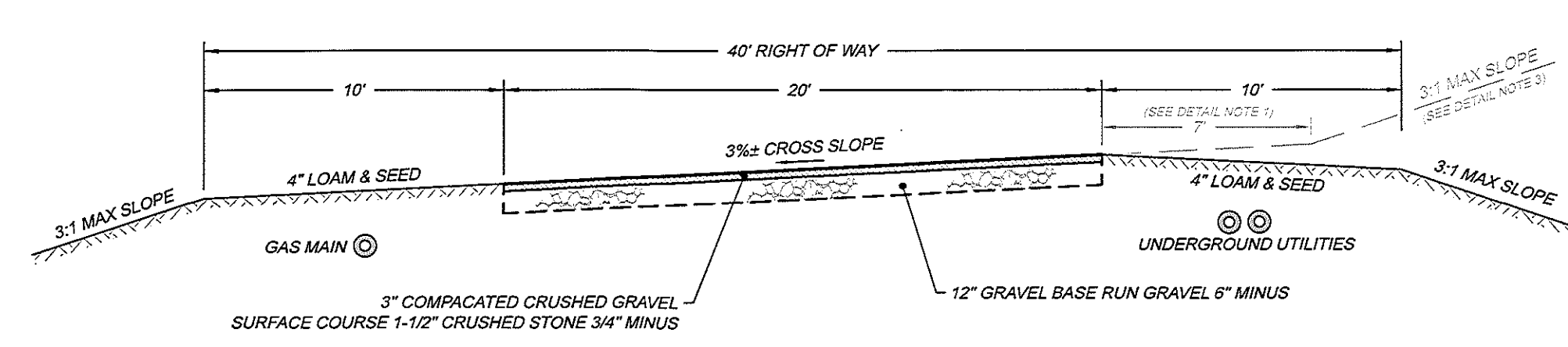
LEGEND & ABBREVIATIONS

Table with 2 columns: Abbreviation and Description. Includes NF (Now or Formerly), A.P. (Assessor's Plat), S.F. (Square Feet), AC. (Acres), etc.

ROUTE (STATE HIGHWAY) 88 (NO ACCESS)



RURAL ROAD PROFILE HORIZONTAL SCALE: 1" = 10' VERTICAL SCALE: 1" = 2'

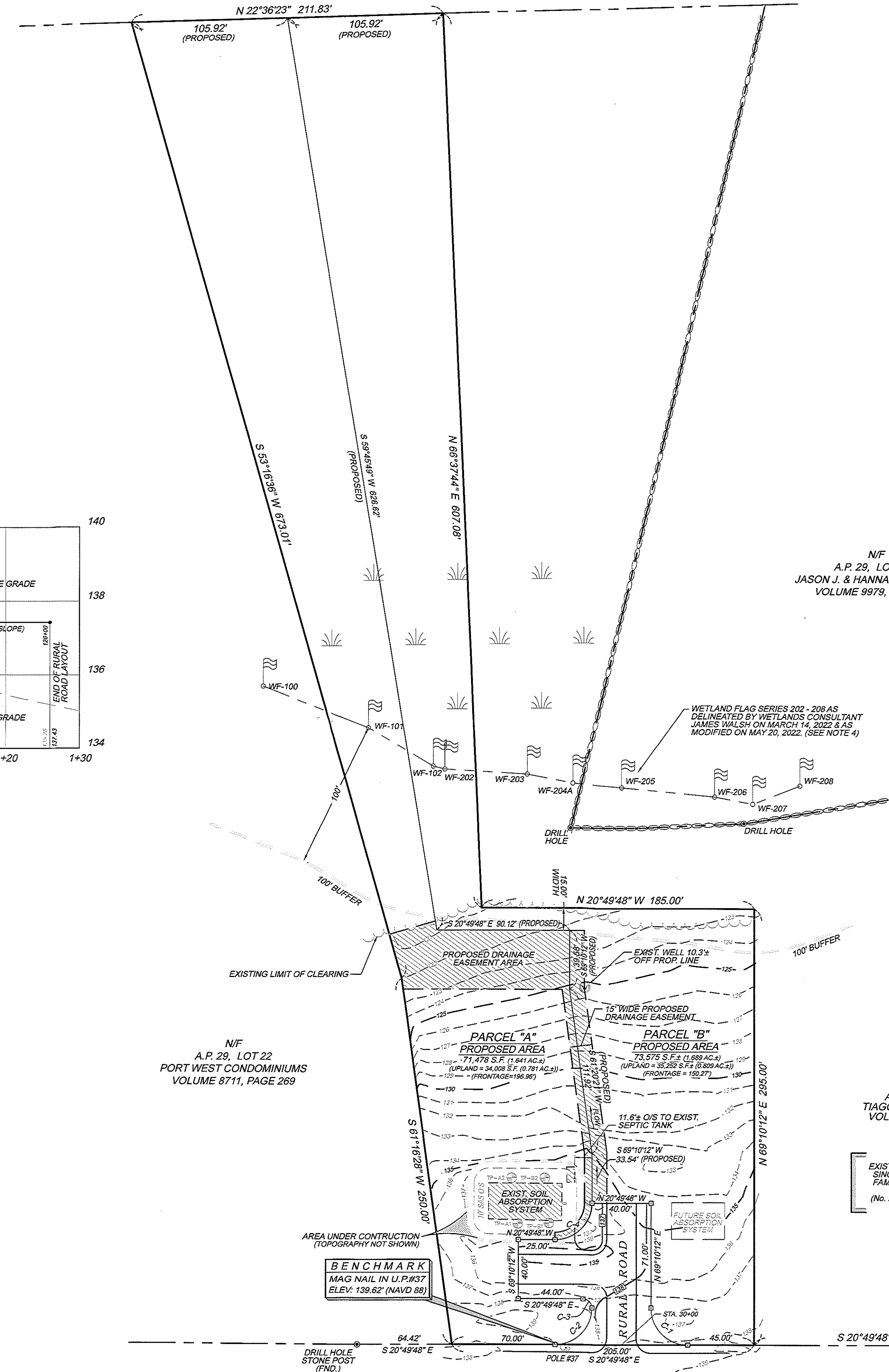


RURAL RESIDENTIAL LANE (GRAVEL ROADWAY) SCALE: 1" = 5'

- ANTICIPATED WAIVERS: 1. WAIVER TO ALLOW THE REDUCTION OF ONE ROADWAY RADIUS FROM 25' TO 6'. 2. WAIVER TO ALLOW FOR MODIFICATIONS TO STANDARD CROSS SECTION.

CURVE TABLE with columns: CURVE, DELTA ANGLE, RADIUS, ARC LENGTH, CHORD BEARING, CHORD LENGTH, TANGENT.

COPYRIGHT WATERMAN ENGINEERING CO. THESE DRAWINGS ARE THE PROPERTY OF THE ENGINEER/SURVEYOR AND HAVE BEEN PREPARED FOR THE OWNER...



N/F A.P. 29, LOT 22 PORT WEST CONDOMINIUMS VOLUME 8711, PAGE 269

N/F A.P. 29, LOT 21A JASON J. & HANNAH M. CAMARA VOLUME 9979, PAGE 280

N/F A.P. 29, LOT 22D TIAGO C. & MARIA SOUSA VOLUME 11323, PAGE 2

NOTES / REFERENCES

- 1. REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD. A.) PLAN ENTITLED 'APPROVAL NOT REQUIRED PLAN PREPARED FOR EMILIO ESTACIO, ET AL... B.) PLAN ENTITLED 'SUBSURFACE SEWAGE DISPOSAL SYSTEM AND STORM WATER MANAGEMENT PLAN... 2. REFERENCE IS MADE TO THE FOLLOWING LAND EVIDENCE RECORDS AS RECORDED IN THE SOUTH BRISTOL COUNTY REGISTRY OF DEEDS... 3. THESE PREMISES ARE SITUATED IN A 'RESIDENCE DISTRICT'. 4. WETLAND FLAG SERIES 'WF-100' THROUGH 'WF-102' AND 'WF-202' THROUGH 'WF-208' AS APPROVED BY THE WESTPORT CONSERVATION COMMISSION ON JUNE 7, 2022... 5. THESE PREMISES ARE SITUATED IN A ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)... 6. THE HORIZONTAL DATUM FOR THIS PROJECT IS TAKEN FROM PLAN REF. 1(A) AND THE VERTICAL DATUM FOR THIS PROJECT IS NAVD 88...



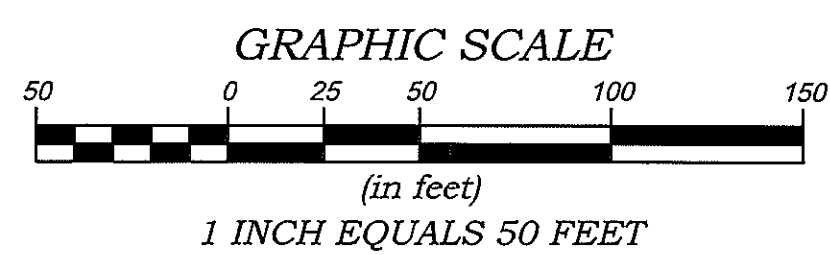
SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

SURVEY CERTIFICATIONS

I CERTIFY THAT THIS SURVEY AND PLAN CONFORM TO THE ETHICAL PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES & REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

SIGNED: [Signature] DATED: 04/12/2023 BRADFORD J. TRAVERS, PLS NO. 6816

Revision table with columns: NO., DATE, REVISION, CHECKED BY. Includes entries for PRELIMINARY PLAN - RURAL ROAD PROPOSED PLAN.



Waterman ENGINEERING COMPANY logo and contact information: 46 Sutton Avenue, East Providence, RI. Phone: (401) 438-5775. Fax: (401) 438-5773. www.watermanengineering.net

Handwritten note: 23-D13B

**Please RETURN To Planning Board No Later Than
May 12, 2023**

FROM: Building Dept

DATE: April 18, 2023

RECEIVED

APR 27 2023

TO: The Westport Planning Board

**WESTPORT
PLANNING BOARD**

FORM M-1 PLAN REVIEW FORM

Application No. 23-013B

SUBJECT: Comments and recommendations regarding **Rural Residential Lane showing two lots.**

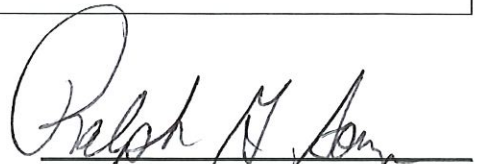
A public meeting is scheduled for **May 30, 2023** at **6:15** p.m. at the Westport Town Hall Annex.

Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval No Comment
- Approval with modifications
- Disapproval

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:


Name of officer, agency or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

**Please RETURN To Planning Board No Later Than
May 12, 2023**

FROM: Fire Dept

DATE: April 18, 2023

TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-013B

SUBJECT: Comments and recommendations regarding **Rural Residential Lane showing two lots.**

A public meeting is scheduled for **May 30, 2023** at **6:15** p.m. at the Westport Town Hall Annex.
Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval No Comment
 Approval with modifications
 Disapproval

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

2 Lot residential lane way w/ a width of 20 ft. O.K.
Street sign and house numbers shall be posted prior to occupancy.

Capt. Brisk, FPO CCO
Name of officer, agency or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.



37B

37C

37D

37E

37A

37F

38C

38E

38F

38D

34C

34

138

1b

147

6

Borden St

Borden St

Borden St

Borden St

44Q

44K,L,N

44M

44P

44Y

44R

44D

39

39A

40-40A

Grand Army of the Republic Hwy

44A,E,F

44C

38A

40B

40C

44G

143

Sanford Rd

Sanford Rd

Sanford Rd



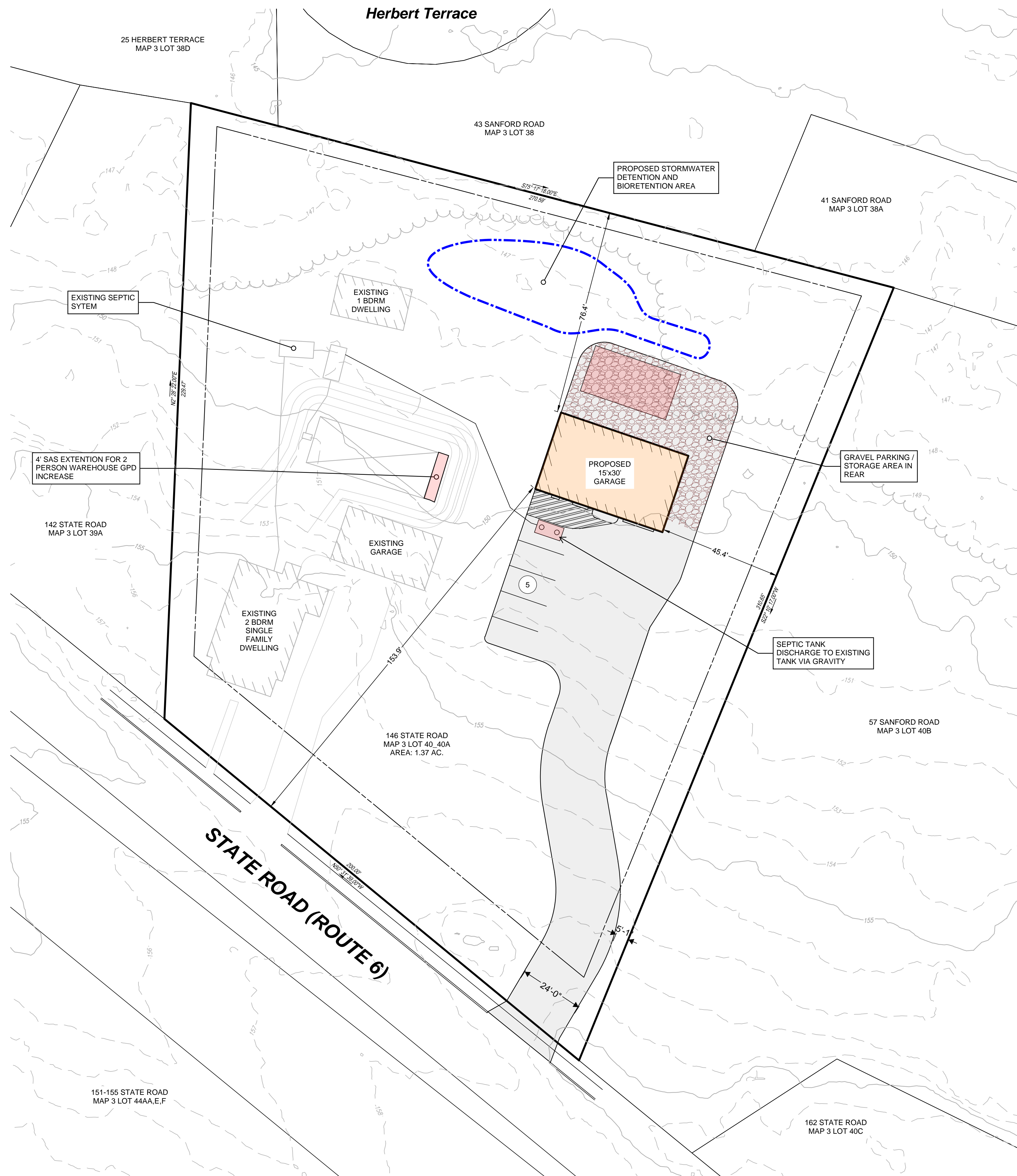
Project Description
146 State Road, Westport – Proposed Commercial Garage (23-018PAC)

The project consists of constructing a new 15’x30’ commercial garage, parking lot, and associated site work on an existing 1.4 acre lot located at 146 State Road, Map 3 Lot 40-40A.

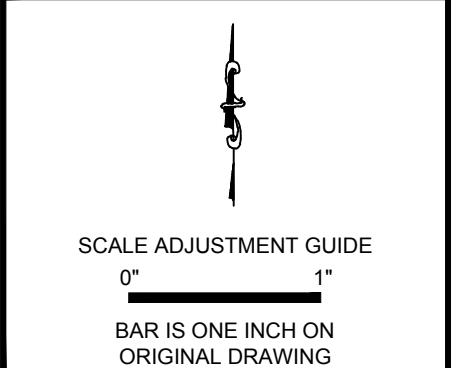
The existing lot’s use is currently designated as Multi-Family, within the Business zoning district. There are two existing dwellings and a garage on site, accessible by State Road (Route 6). The property consists primarily of maintained lawn, sloping gradually downward from State Road toward a wooded area to the rear (North).

The proposed commercial garage will be a motorcycle restoration facility. The garage will have separate access from the residential dwellings, utilizing an existing curb cut along State Road. Stormwater will be mitigated in the rear of the property through bioretention, detention ponds, and roof infiltration. The existing septic system will be upgraded through the Board of Health, to accommodate the additional design flow from the garage.





ZONING TABLE		
EXISTING ZONE: BUSINESS		
TOTAL LOT AREA MAP 3 LOT 40-40A = 1.37± ACRES		
EXISTING USE: RESIDENTIAL PROPOSED USE: MOTOCYCLE RESTORATION		
	REQUIRED	PROVIDED
BUILDING SETBACK		
FRONT SETBACK	25 FT	153.9 FT
SIDE SETBACK	10 FT	45.4 FT
REAR SETBACK	6 FT	76.4 FT
MAX. BUILDING HEIGHT	40 FT	16 FT
MIN. FRONTAGE	150 FT	200 FT ±
MIN. LOT AREA	60,000 SF	60,000 SF



BURKE V TWIN - PROPOSED GARAGE
WESTPORT, MASSACHUSETTS

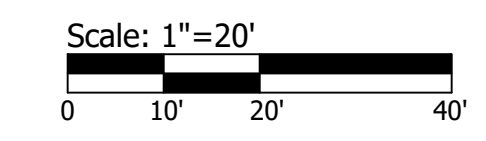
REVISIONS:

NO.	DATE	DESCRIPTION

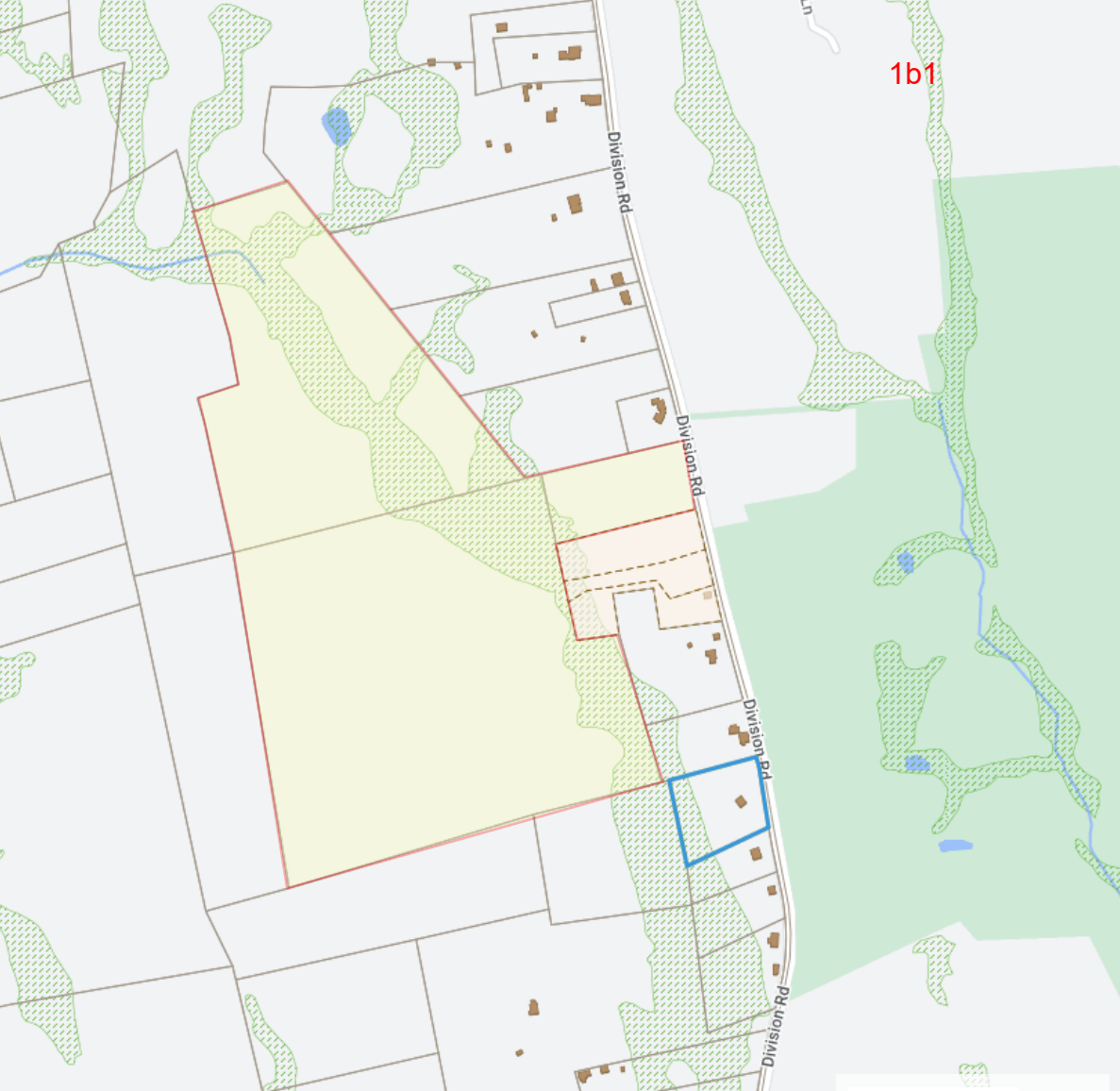
PROJECT NO.: 23060.00
DATE: 5.10.23
SCALE: AS SHOWN
DESIGNED BY:
CHECKED BY: DLP
DRAWN BY: DJLS
APPROVED BY:
DRAWING TITLE:

CONCEPT PLAN

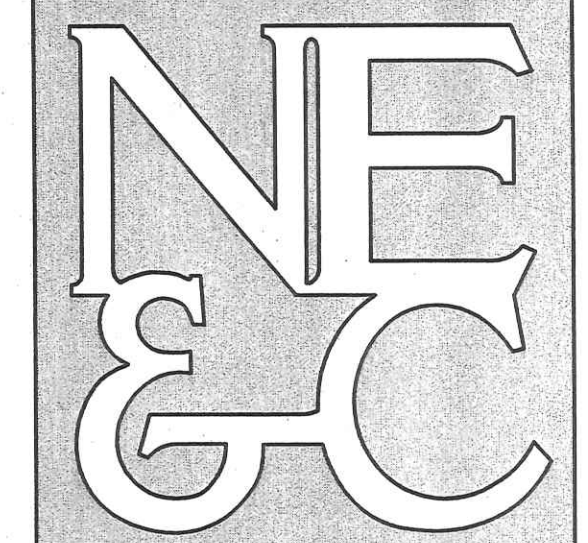
DRAWING NO.:
C1.0
SHEET NO. 1 OF 1



1b1



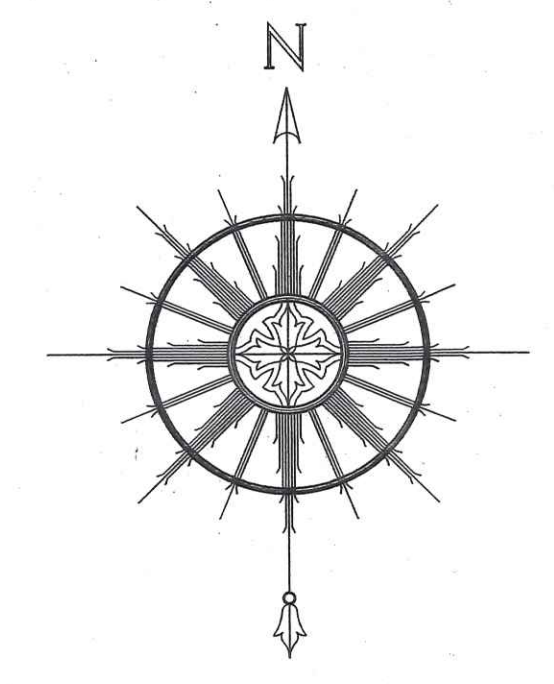
NORTHEAST ENGINEERS & CONSULTANTS, INC.



- SITE/CIVIL
- LAND PLANNING
- WATERFRONT SURVEYING
- GEOTECHNICAL
- ENVIRONMENTAL
- TRANSPORTATION
- STRUCTURAL
- MATERIALS TESTING

A KNOWLEDGE CORPORATION®

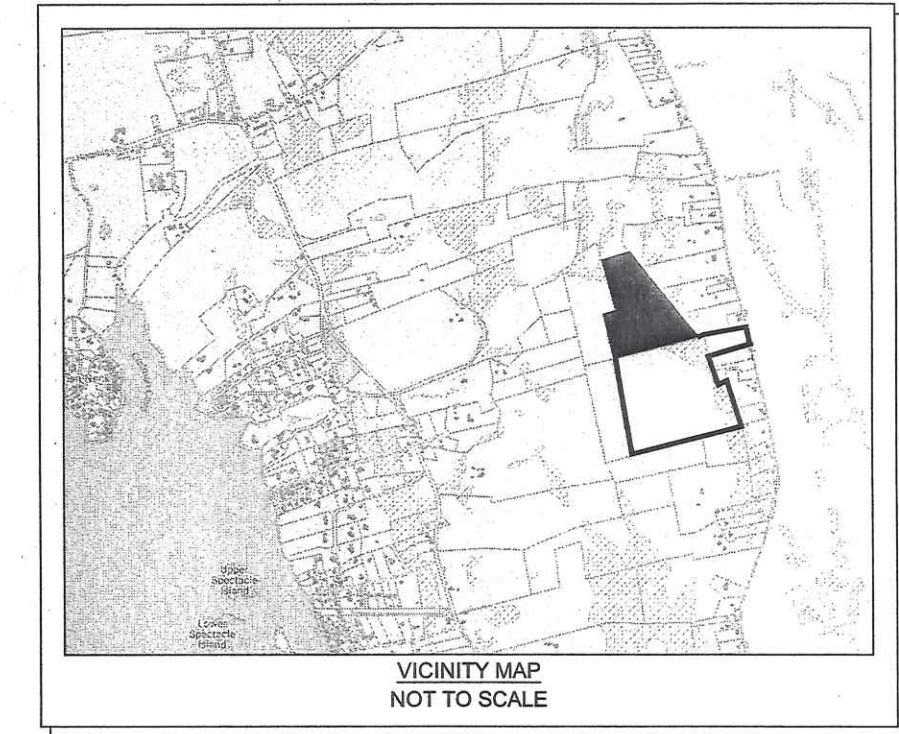
6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
PHONE (401) 849-0810 FAX (401) 846-4169
WWW.NORTHEASTENGINEERS.COM



APPROVAL NOT REQUIRED UNDER THE SUBDIVISION CONTROL LAW

WESTPORT PLANNING BOARD

DATE: _____

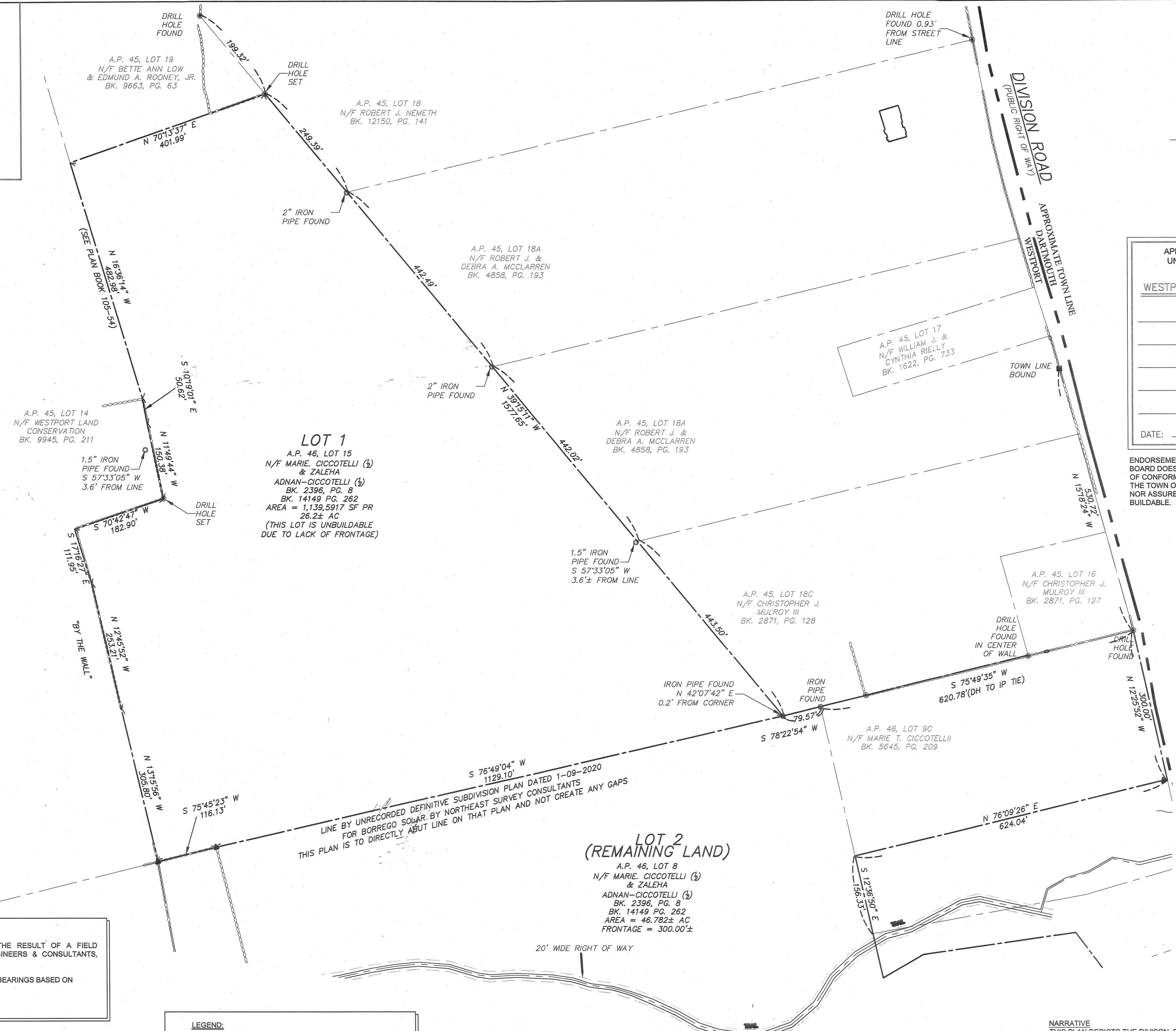


I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

Signature 4/23/23
 PROFESSIONAL LAND SURVEYOR DATE



No.	Revision	Date	App.
Designed By:	Drawn by: MG	Checked by: JC/SL	
Scale: 1"=100'	Date: 24APR 2023		
Project Title:			
A.P. 45, LOTS 8 & 15 0 DIVISION ROAD WESTPORT, MASSACHUSETTS			
Client/Owner:			
WESTPORT LAND CONSERVATION TRUST DRIFT ROAD WESTPORT, MA 02790			
Issued for:			
ENDORSEMENT			
Drawing Title:			
APPROVAL NOT REQUIRED PLAN OF LAND IN WESTPORT, MA			
Drawing Number:			
L-1			
Sheet 1 of 1			
Project Number:			
21275.0			
Survey Index:			
WSP- 45 - 8 & 15			
OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES, OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.			



GENERAL NOTES:

- EXISTING CONDITIONS ARE THE RESULT OF A FIELD SURVEY BY NORTHEAST ENGINEERS & CONSULTANTS, INC. IN DECEMBER 2022.
- NORTH ARROW AND BASIS OF BEARINGS BASED ON MA GRID 1927.

PLAN REFERENCES:

- PLAN BOOK 85, PAGE 52
- PLAN BOOK 115, PAGE 6
- PLAN BOOK 167, PAGE 4
- PLAN BOOK 170, PAGE 75

LEGEND:

—	PROPERTY LINE
- - -	ABUTTER'S PROPERTY LINE
⊘	STONE WALL
- - - - -	TOWN LINE
⊙	IRON ROD/IRON PIPE
⊚	DRILL HOLE

LOCUS INFORMATION

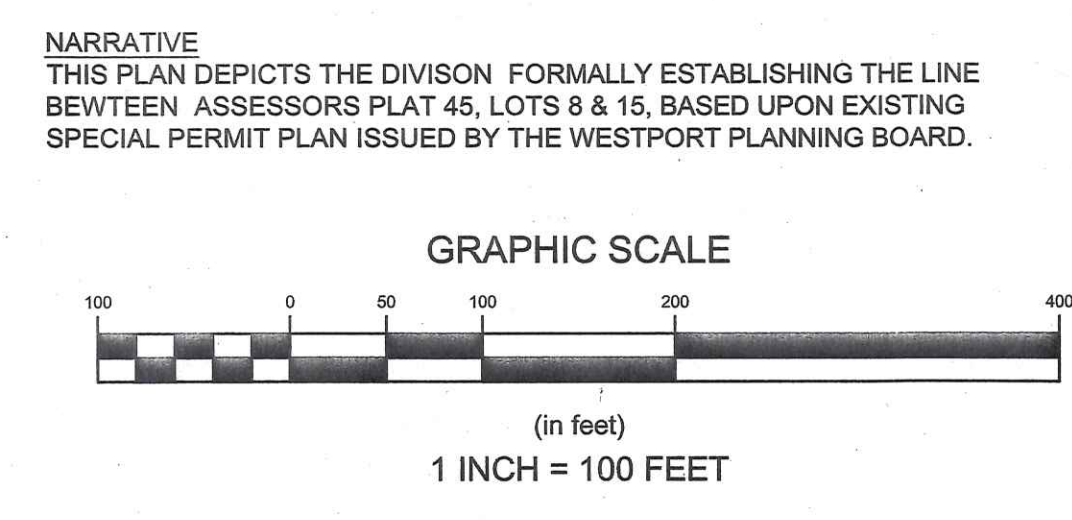
OWNER: MARIE CICCOTELLI
385 HIGH STREET
ROCHESTER, MA
ASSESSORS' PLAT 45, LOT 15
DEED BOOK 2396, PAGE 8

OWNER: ZALEDA BTE ADNAN-CICCOTELLI
794 GIFFORD ROAD
WESTPORT, MA
ASSESSORS' PLAT 45, LOT 15
DEED BOOK 14149, PAGE 263

ZONING REQUIREMENTS

SINGLE FAMILY
MINIMUM AREA = 60,000 SQ. FT. (30,000 SQ. FT. UPLAND)
MINIMUM FRONTAGE = 150'
MINIMUM WIDTH = 50'

MULTI FAMILY
MINIMUM AREA = 80,000 SQ. FT. (40,000 SQ. FT. UPLANDS)
MINIMUM FRONTAGE = 200'
MINIMUM WIDTH = 50'



RECEIVED
MAY 16 2023
WESTPORT PLANNING BOARD



Nadine Castro <castron@westport-ma.gov>

Narrative

1 message

Sean Leach <SeanL@northeastengineers.com>
To: Nadine Castro <castron@westport-ma.gov>

Tue, May 30, 2023 at 11:01 AM

23-014A

The plan for the WLCT is the remaining parcel from special permit for Borrego Solar on Division Road. That parcel is not shown on the plan submitted by Borrego for the Solar Field located off Division Road. The lot is unbuildable due to lack of frontage and will be combined to other land owned by the Trust.

The plan is needed to show the parcel as the special permit plan is not recorded for the Solar Array.

Sean Leach, PLS

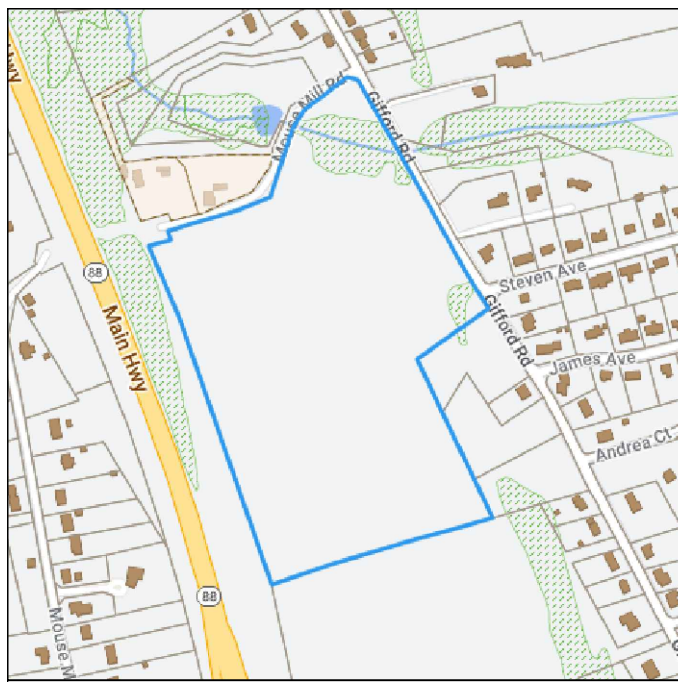
Northeast Engineers & Consultants, Inc

6 Valley Road

Middletown, RI 02832

(401)849-0810

SeanL@northeastengineers.com



LOCUS
(NOT TO SCALE)



RECEIVED
May 31, 2023
WESTPORT
PLANNING BOARD

NOTES:

- 1) THE PURPOSE OF THIS PLAN IS TO CREATE TWO LOTS FROM TOWN OF WESTPORT ASSESSORS' PLAT 31 LOT 11, LOTS LABELED AS LOTS 1 AND 2.
- 2) TOTAL QUALIFYING FRONTAGE FOR LOT 1 ON GIFFORD ROAD = 517.00', TOTAL QUALIFYING FRONTAGE ON MOUSE MILL ROAD = 375.56'
- 3) TOTAL QUALIFYING FRONTAGE FOR LOT 2 ON GIFFORD ROAD = 557.14', TOTAL QUALIFYING FRONTAGE ON MOUSE MILL ROAD = 679.12'
- 4) RECORD OWNER OF TOWN OF WESTPORT ASSESSORS' PLAT 31 LOT 11 LISTED AS MICHAEL P. FERRY AS INDICATED IN PROBATE DOCUMENT 93P1175 ON FILE IN THE BRISTOL COUNTY PROBATE COURT.
- 5) STONE WALLS ABUTTING BOTH GIFFORD ROAD AND MOUSE MILL ROAD TAKEN AS BOUNDARY LINES IN ACCORDANCE WITH MGL CHAPTER 86 SECTION 2. ANY ENCROACHMENT INTO THE EXISTING LAYOUTS MAY BE SUBJECT TO POSSESSORY RIGHTS OF OWNERSHIP AS INDICATED IN MGL CHAPTER 86 SECTION 3.
- 6) NO WETLAND DELINEATION HAS BEEN DETERMINED ON LOT 1. PLAN DOES NOT MAKE ANY DETERMINATION FOR ZONING REGULATIONS IN REGARD TO MINIMUM UPLAND REQUIREMENTS.
- 7) GIFFORD ROAD FORMERLY KNOWN AS BEULAH ROAD.
- 8) THE LOCATION OF THE BURIAL GROUND REFERENCED IN BOOK 1265 PAGE 163 IS UNKNOWN. NO EVIDENCE OF A BURIAL GROUND WAS DISCOVERED IN THE FIELD NOR IS ANY BURIAL GROUND IDENTIFIED IN THE MASSACHUSETTS CULTURAL RESOURCE INFORMATION SYSTEM WITHIN ANY PART OF THE LAND SURVEYED.

I CERTIFY THAT THIS SURVEY AND PLAN CONFORM TO ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS DATED JANUARY 1, 2018.

REGISTERED PROFESSIONAL LAND SURVEYOR _____ DATE _____

DEED REFERENCES:
AS NOTED ON PLAN.

PLAN REFERENCES:
PLAN BOOK 151 PAGE 79
PLAN BOOK 124 PAGE 61
PLAN BOOK 86 PAGE 114
PLAN BOOK 95 PAGE 12
PLAN BOOK 140 PAGE 10
PLAN BOOK 181 PAGE 1
STATE HIGHWAY LAYOUT #5098

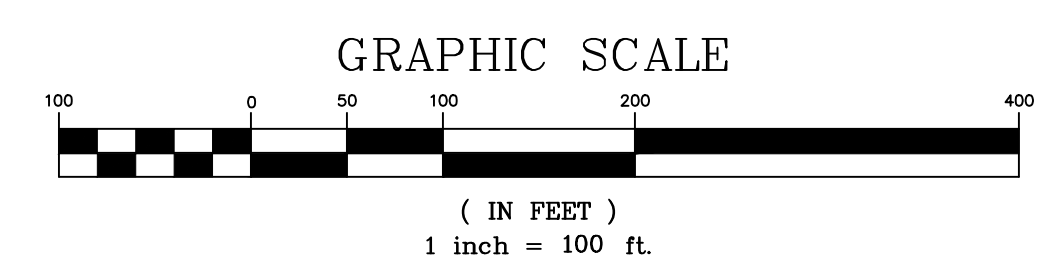
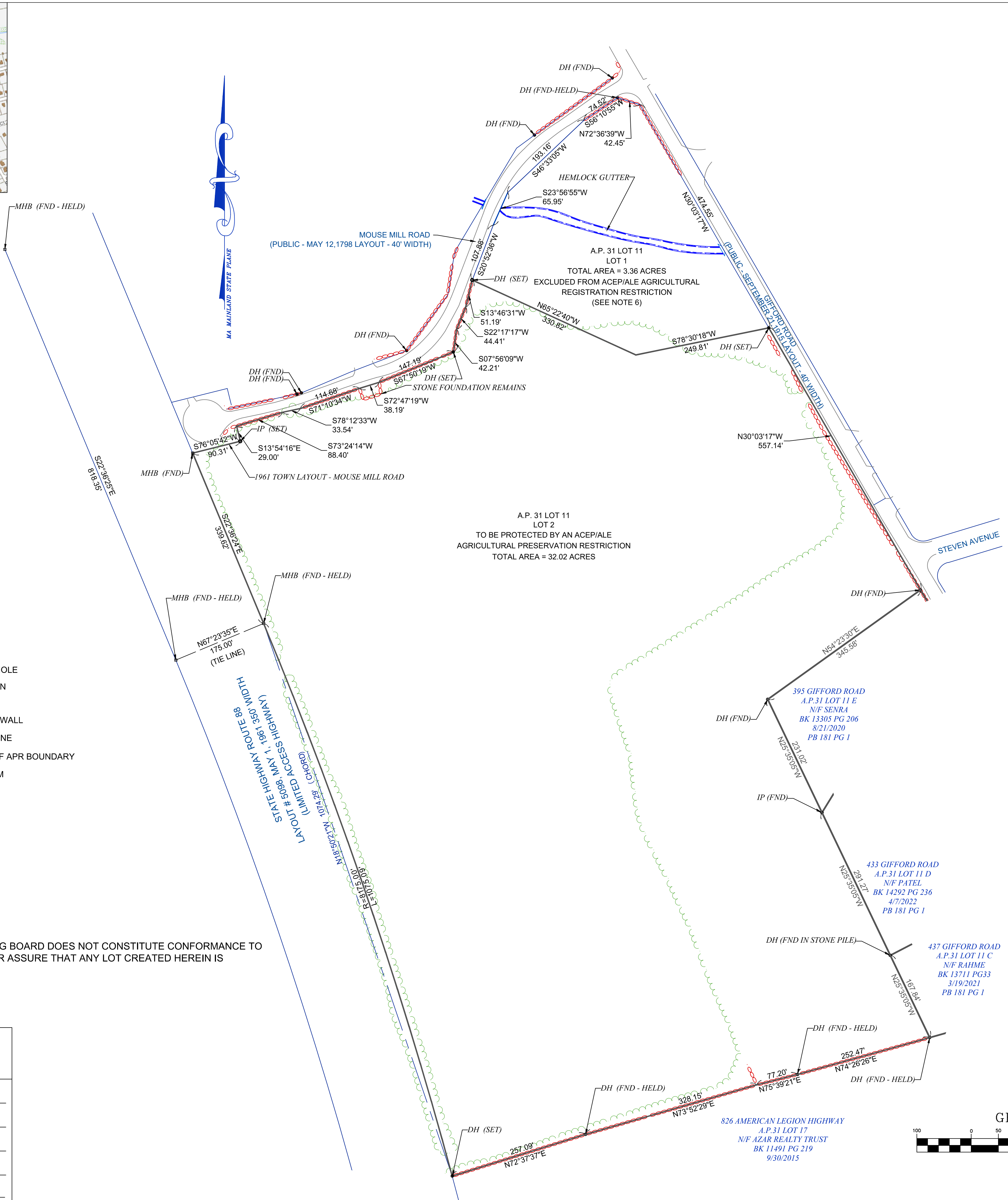
LEGEND

- DRILL HOLE
- IRON PIN
- BOUND
- STONE WALL
- TREE LINE
- LIMIT OF APR BOUNDARY
- STREAM

ENDORSEMENT BY THE PLANNING BOARD DOES NOT CONSTITUTE CONFORMANCE TO WESTPORT ZONING BYLAWS NOR ASSURE THAT ANY LOT CREATED HEREIN IS BUILDABLE.

APPROVAL UNDER SUBDIVISION
CONTROL LAW NOT REQUIRED
WESTPORT PLANNING BOARD

1)	
2)	
3)	
4)	
5)	
DATE:	



PLAN OF LAND		
AT: GIFFORD ROAD AND MOUSE MILL ROAD		
WESTPORT, MA		
FOR: MICHAEL P. FERRY		
SOUTHCOAST ENGINEERING		
182 DRIFT ROAD WESTPORT, MA		
SCALE: AS NOTED	(508) 636-8815	DATE: 12/15/2022
DESIGN: GN	DRAWN BY: GN	REV:
REV:	FIELD: VV, WW, BB, GN	

Project Locus with Plan Overlay





Main Hwy

88

Gifford Rd

Gifford Rd

Melissa Park Way

Brook

Main Hwy

Reynolds Dr

Mouse Mill Rd

Gifford Rd

88

Main Hwy

Steven Ave

Lynn Ann St

James Ave

Gifford Rd

James Ave

Andrea Ct

Mary Lou Ave

Gifford Rd

Shellie Ave

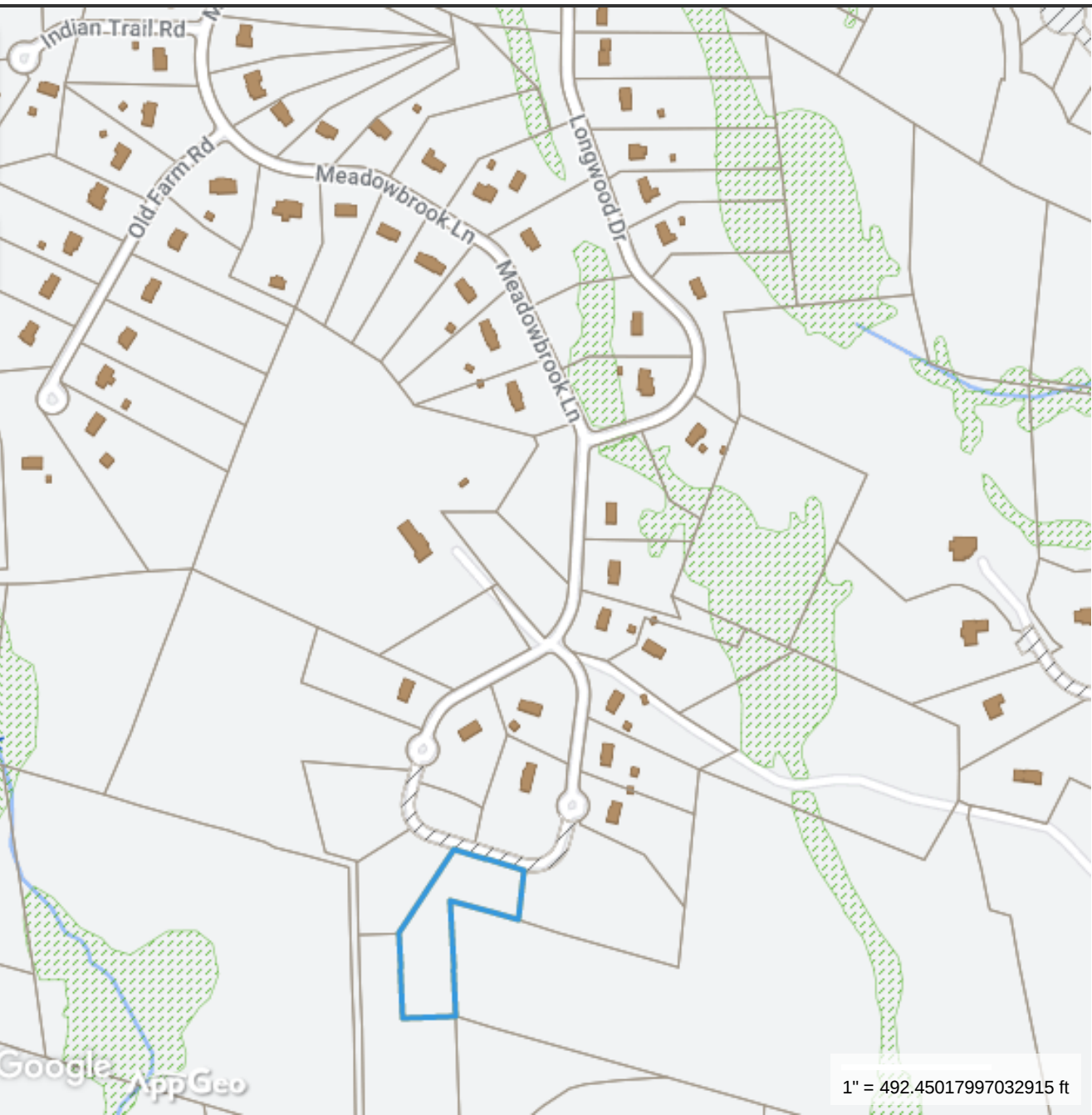
Dias Ave

88

Mouse Mill Rd

Foot Lakes

Brook



Indian Trail Rd

Old Farm Rd

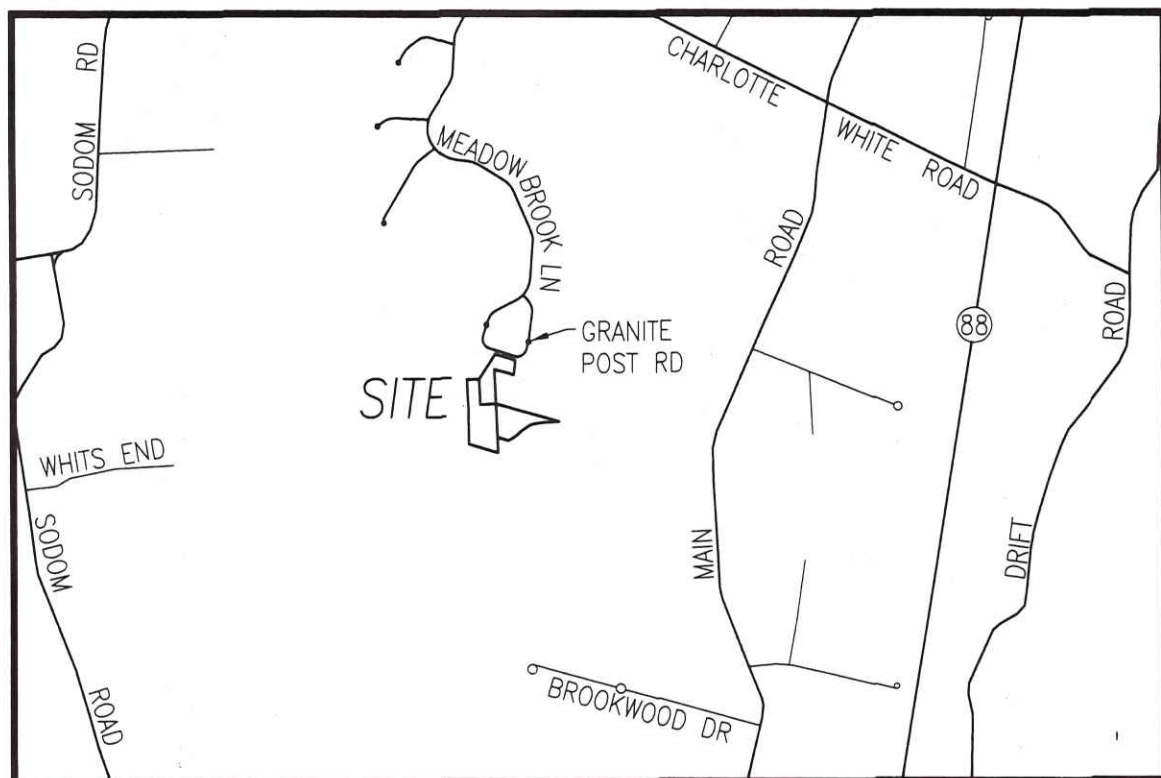
Meadowbrook Ln

Meadowbrook Ln

Longwood Dr

Google App Geo

1" = 492.45017997032915 ft



SITE LOCUS
SCALE: 1"=2000'

PLAN BK. 171, PG. 13

"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Craig Marshall 5/31/23
CRAIG A. MARSHALL DATE

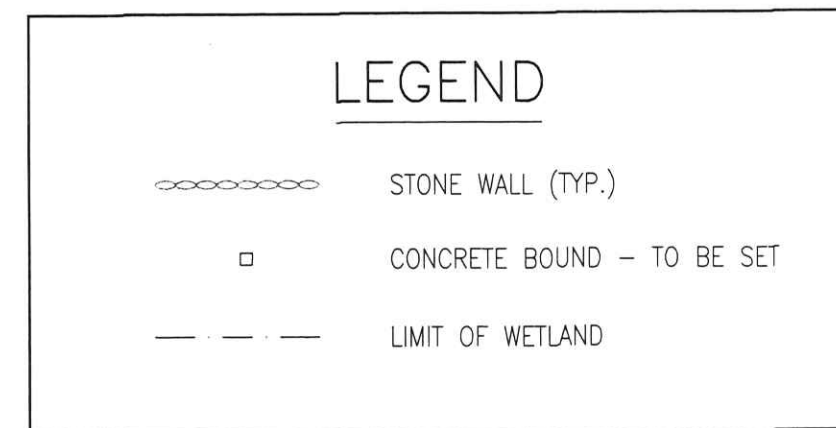
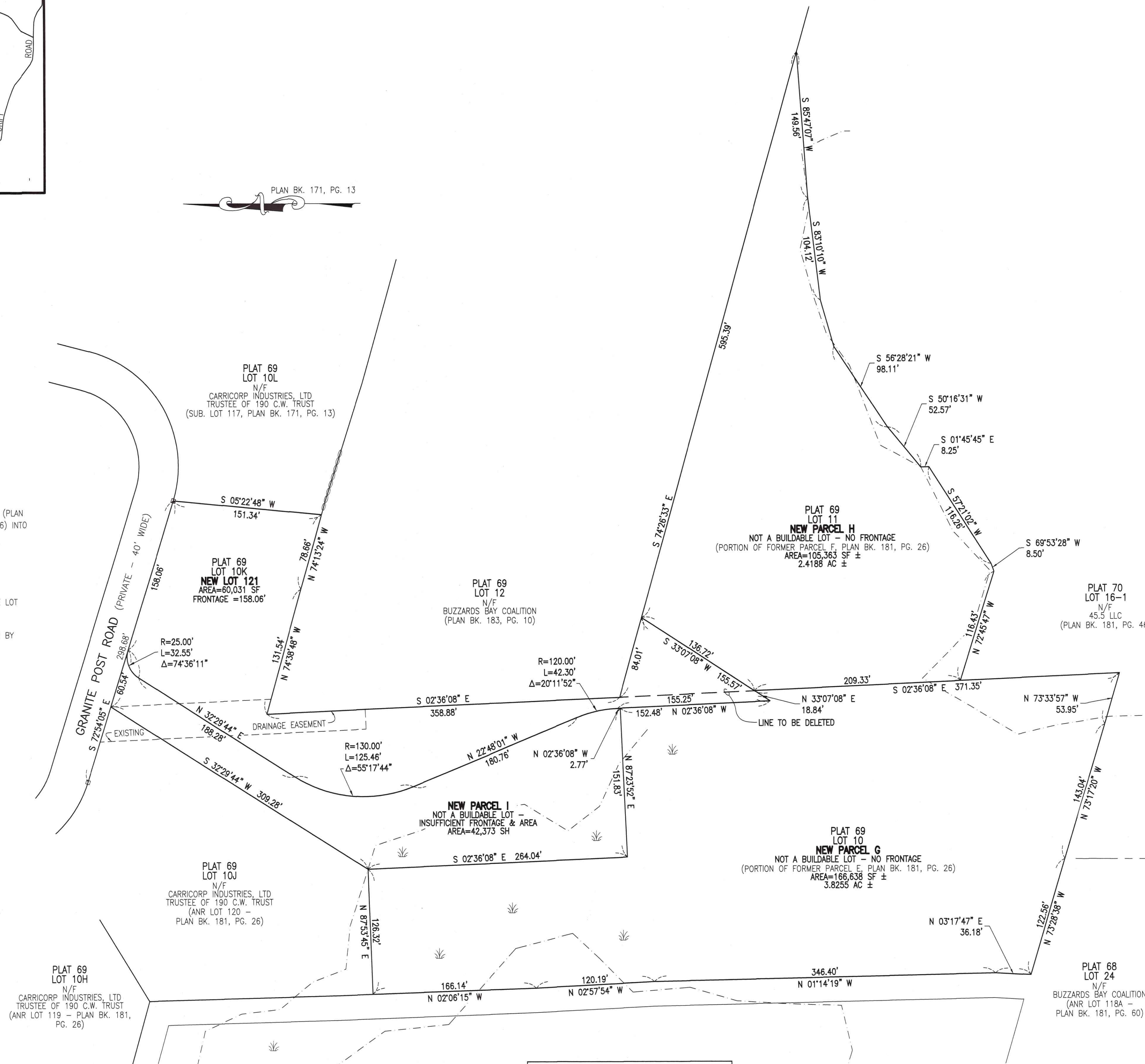
WESTPORT PLANNING BOARD
APPROVAL UNDER SUBDIVISION
CONTROL LAW NOT REQUIRED

DATE: _____

"ENDORSEMENT BY THE PLANNING BOARD DOES NOT CONSTITUTE CONFORMANCE WITH THE WESTPORT ZONING BY-LAWS NOR ASSURE THAT ANY LOT CREATED HEREIN IS BUILDABLE."

NOTES:

1. THIS PLAN SHOWS THE RECONFIGURATION OF FORMER LOT 116 (PLAN BK. 171, PG. 13) AND PARCELS E & F (PLAN BK. 181, PG. 26) INTO NEW LOT 121 AND PARCELS G, H, & I.
2. LOT 121 CONTAINS SUFFICIENT FRONTAGE, TOTAL AREA, AND CONTIGUOUS UPLAND AREA (>30,000 SF) TO CONSTITUTE A CONFORMING LOT UNDER CURRENT ZONING.
3. PARCELS G, H, & I AS CURRENTLY SHOWN ARE NOT BUILDABLE LOT DUE TO INSUFFICIENT FRONTAGE, AREA, AND/OR UPLAND AREA.
4. NO INCREASE IN THE NUMBER OF BUILDABLE LOTS IS ACHIEVED BY THIS PLAN.



Mark A. Boucher 05/31/23
MARK A. BOUCHER, P.L.S. DATE
MA. REG. NO. 41246



APPROVAL NOT REQUIRED PLAN OF LAND
IN WESTPORT, MASSACHUSETTS

PREPARED FOR
CARRICORP INDUSTRIES, LTD
TRUSTEE OF 190 C.W. TRUST
SCALE: 1"=60' DATE: MAY 31, 2023

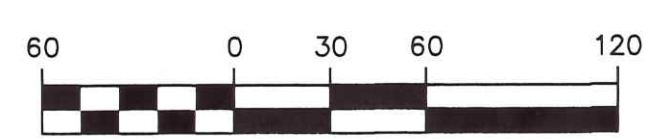
DRAWN BY
BOUCHER & ASSOCIATES, INC.

LAND SURVEYORS & CONSULTANTS
999 MAIN ROAD, UNIT 2
WESTPORT, MASSACHUSETTS 02790
(508) 636-5905

LOCUS: PLAT 69, LOTS 10, 10-K & 11

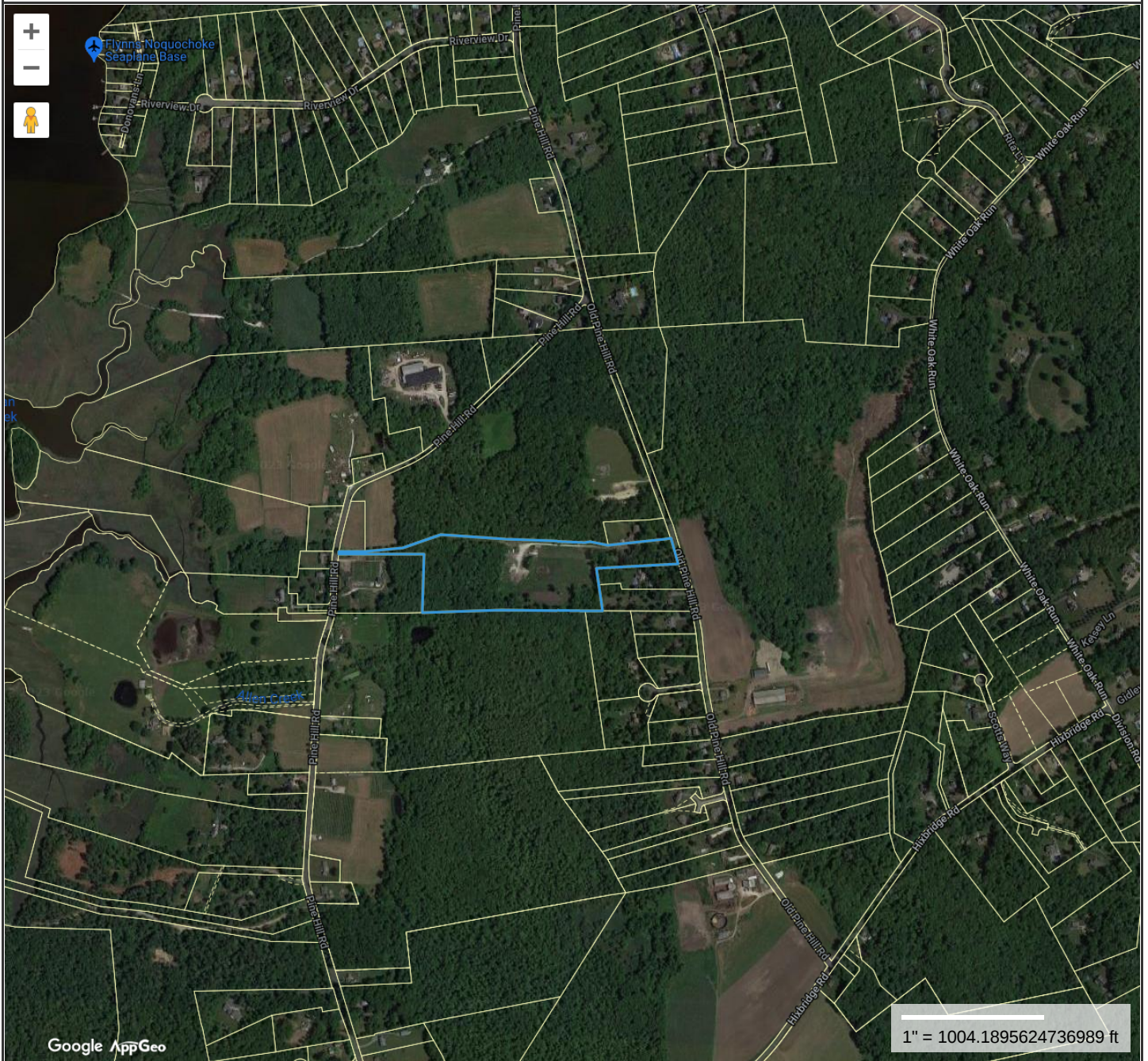
OWNER OF RECORD:
CARRICORP INDUSTRIES, LTD, TRUSTEE OF
190 C.W. TRUST
275 MARTINE STREET, SUITE 110
FALL RIVER MA, 02723

DEED: BK. 3813, PG. 48



RECEIVED
JUN - 2 2023
WESTPORT
PLANNING BOARD

23-017A



Property Information

Property ID 43_3_0
Location 0 OLD PINE HILL ROAD
Owner DEAN GEORGE F & DEAN ALAN M



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Westport, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated December 31, 2019
Data updated December 31, 2019

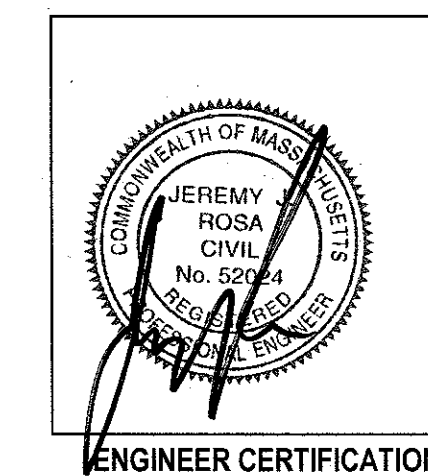
Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

DEFINITIVE SUBDIVISION "INHERITANCE LANE"

**4 LOT SUBDIVISION
ASSESSOR'S PLAT 43, LOT 3
OLD PINE HILL ROAD
WESTPORT, MASSACHUSETTS**

CIVIL ENGINEER:

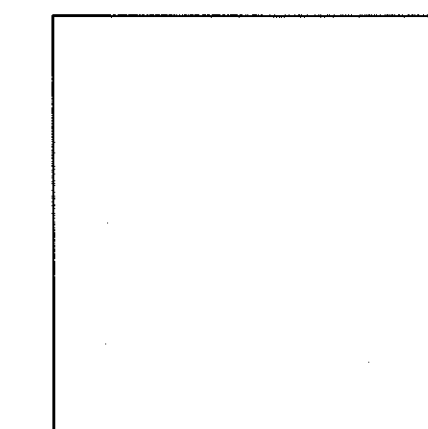
NORTHEAST ENGINEERS
& CONSULTANTS, INC.
NE & C
SITE/CIVIL
LAND PLANNING
WATERFRONT
SURVEYING
GEOTECHNICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL
MATERIALS TESTING
A KNOWLEDGE CORPORATION
6 VALLEY ROAD MIDDLETOWN RI 02842
PHONE (401) 849-0810 FAX (401) 846-4169
WWW.NORTHEASTENGINEERS.COM



ENGINEER CERTIFICATION

OWNER:

JACOB DEAN, GEORGE DEAN &
ALAN DEAN
119 OLD PINE HILL ROAD
WESTPORT, MA 02790



SURVEYOR CERTIFICATION

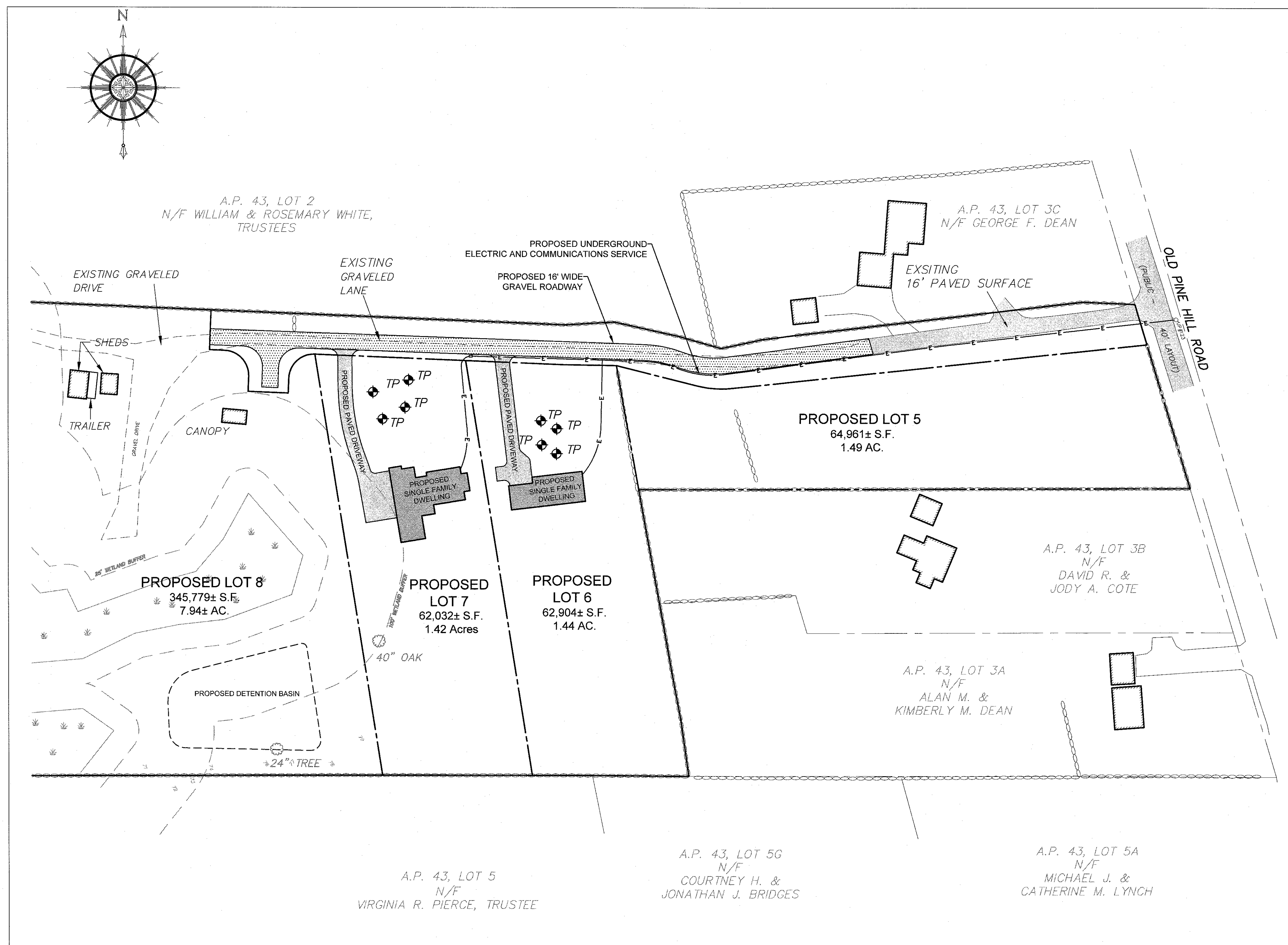
MARCH 29, 2023 PERMIT SET

PLAN INDEX

SITE/CIVIL ENGINEERING PLANS

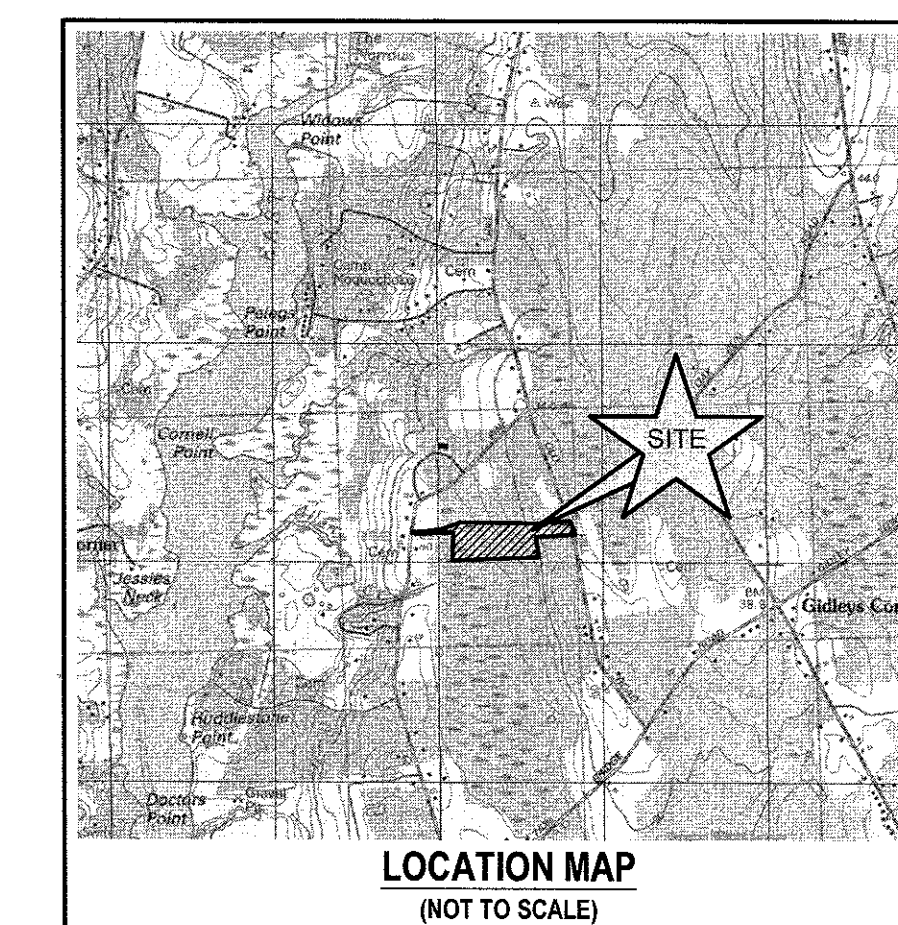
- TITLE SHEET
- EXISTING CONDITIONS
- SUBDIVISION PLAN
- GRADING AND DRAINAGE PLAN
- ROADWAY PROFILE
- PROPOSED DETAILS

- SHEET 1
- SHEET 2
- SHEET 3
- SHEET 4
- SHEET 5
- SHEET 6



SITE PLAN

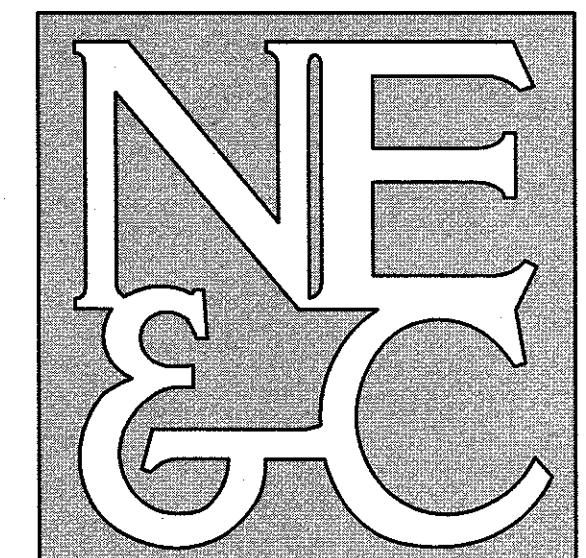
SCALE: 1"=60'



SUBMISSION AND REVISION SUMMARY

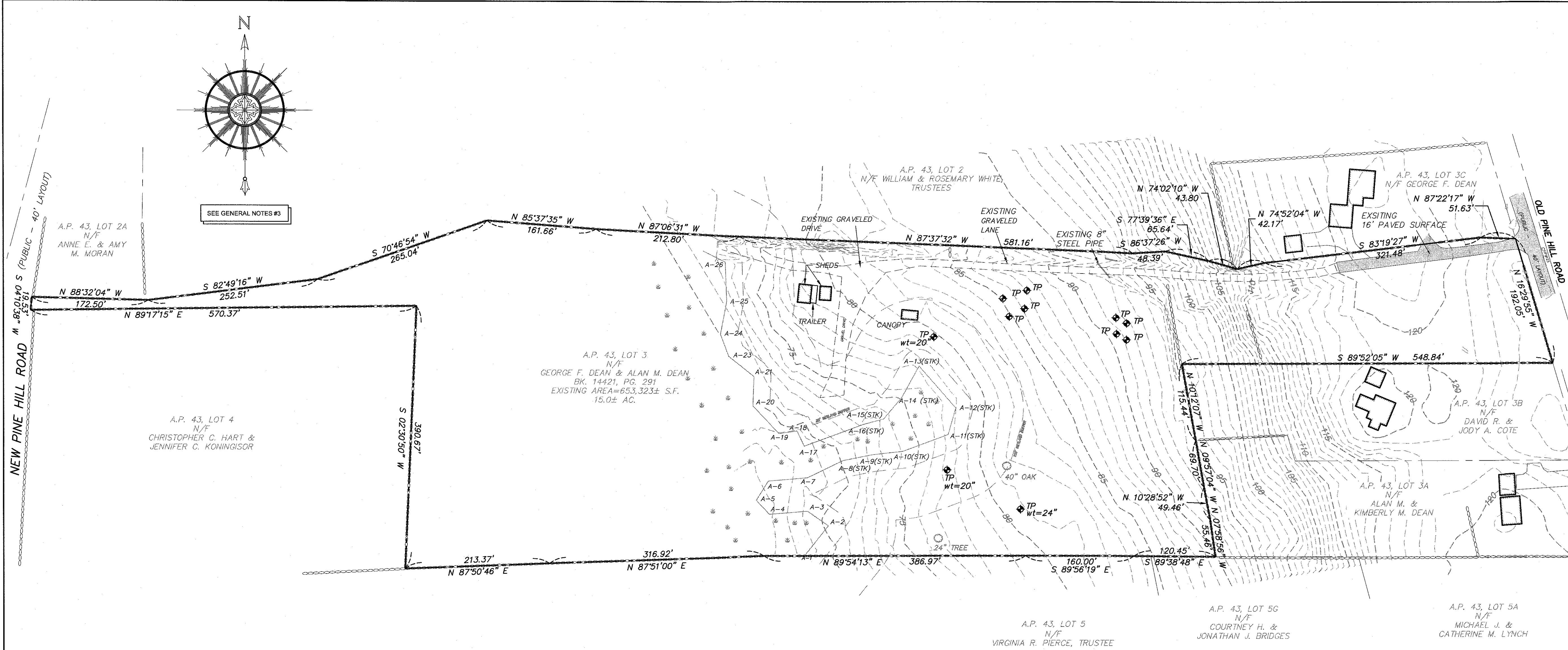
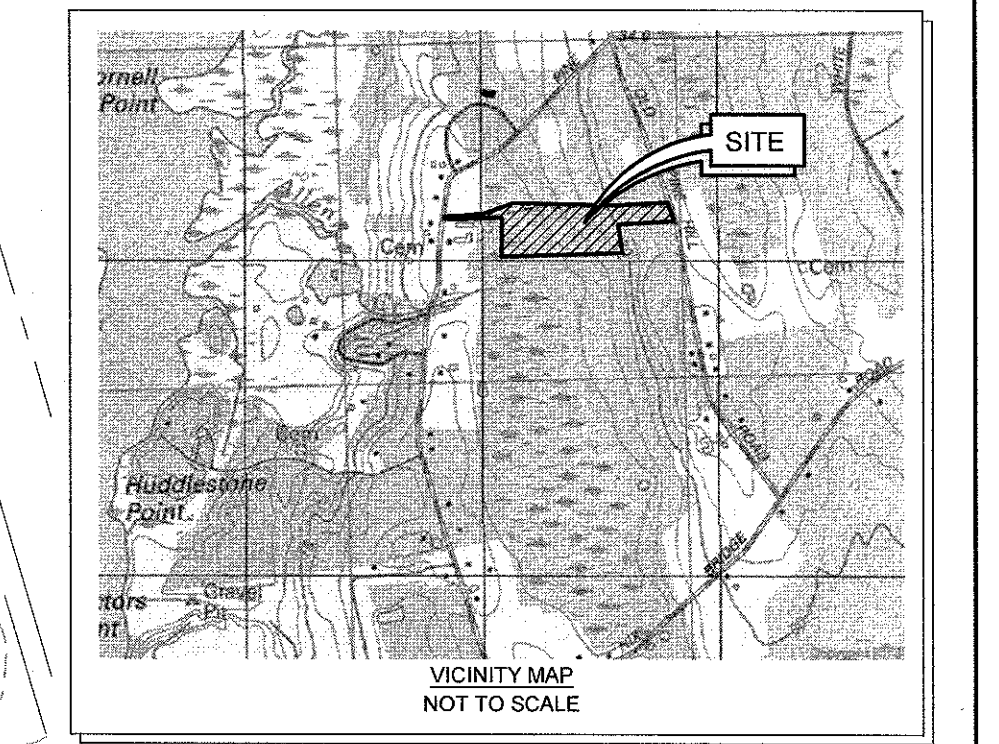
AGENCY OR REVISION	DATE	COMMENTS
TOWN OF WESTPORT PLANNING BOARD	MARCH 29, 2023	DEFINITIVE SUBMISSION

NORTHEAST ENGINEERS & CONSULTANTS, INC.



- SITE/CIVIL
- LAND PLANNING
- WATERFRONT
- SURVEYING
- GEOTECHNICAL
- ENVIRONMENTAL
- TRANSPORTATION
- STRUCTURAL
- MATERIALS TESTING

A KNOWLEDGE CORPORATION®
 6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
 PHONE (401) 849-0810 FAX (401) 846-4169
 WWW.NORTHEASTENGINEERS.COM



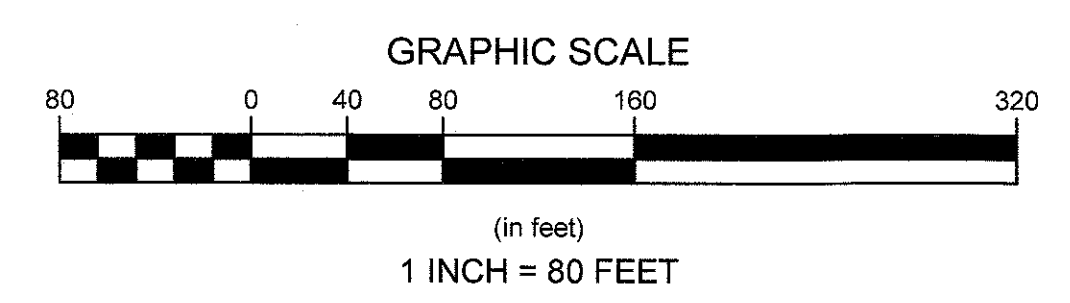
TOWN OF WESTPORT PLANNING BOARD
 APPROVED UNDER "SUBDIVISION CONTROL LAW"

BOARD MEMBERS	
CHAIRMAN	
VICE CHAIRMAN	N/A
	PREL. DATE FILED:
	DEF. DATE FILED:
	PUBLIC HEARING
	DEF. PLAN APPROVED
DATE:	DEF. PLAN ENDORSED

GENERAL NOTES

1. PROPERTY LINE DELINEATION AND EXISTING CONDITIONS ARE THE RESULT OF A FIELD SURVEY BY NORTHEAST ENGINEERS & CONSULTANTS, INC. IN NOVEMBER 2022.
2. BASE OF ELEVATIONS IS NAVD83.
3. NORTH ARROW AND BASIS OF BEARING BASE UPON RTK/GNSS OBSERVATIONS.
4. PROPOSED DEVELOPED AREA IS ZONED RESIDENTIAL / AGRICULTURAL.
5. THE CONTRACTOR SHALL VERIFY THE PROPOSED LAYOUT AND DETAILS WITH THEIR RELATIONSHIP TO THE EXISTING SITE SURVEY. CONTRACTOR SHALL ALSO VERIFY ALL DIMENSIONS, SITE CONDITIONS AND MATERIAL SPECIFICATIONS AND SHALL NOTIFY THE OWNER AND ENGINEER OF ANY ERRORS, OMISSIONS OR DISCREPANCIES BEFORE COMMENCING WORK.
6. THE UNDERGROUND UTILITIES KNOWN TO EXIST BY THE ENGINEER FROM HIS SEARCH OF RECORDS ARE INDICATED ON THE PLANS. CONTRACTOR SHALL VERIFY THE LOCATIONS AND DEPTHS OF THE UTILITIES AND EXERCISE PROPER CARE IN EXCAVATING IN THE AREA. ALL DAMAGED PORTIONS SHALL BE REPLACED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE AFFECTED UTILITY COMPANY AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY. PERSONAL INJURY RESULTING FROM CONTACT WITH EXISTING UTILITIES SHALL BE THE CONTRACTOR'S RESPONSIBILITY. WHEREVER CONNECTION OF NEW UTILITIES TO EXISTING UTILITIES ARE SHOWN ON THE PLANS, THE CONTRACTOR SHALL EXPOSE THE EXISTING LINES AT THE PROPOSED CONNECTIONS TO VERIFY THEIR LOCATIONS AND DEPTHS PRIOR TO EXCAVATION FOR NEW LINES. (PLEASE CALL DIG SAFE PRIOR TO CONSTRUCTION AT 1-888-DIG-SAFE AND ALL LOCAL UTILITY COMPANIES.)
7. THE CONTRACTOR SHALL NOTIFY ALL AGENCIES TO VERIFY THE ACTUAL LOCATIONS OF ALL UTILITIES IN THE PROJECT AREA PRIOR TO EXCAVATING.
8. THE CONTRACTOR SHALL RESTORE TO THEIR ORIGINAL CONDITION OR BETTER, ALL IMPROVEMENTS DAMAGED AS A RESULT OF THE CONSTRUCTION, INCLUDING PAVEMENTS, EMBANKMENTS, CURBS, SIGNS, LANDSCAPING, STRUCTURES, UTILITIES, WALLS, FENCES, ETC. UNLESS PROVIDED FOR SPECIFICALLY IN THE PROPOSAL.
9. CONTRACTOR SHALL EXERCISE EXTREME CAUTION TO PRESERVE STREET MONUMENTS.
10. STREET MONUMENTS THAT ARE DISTURBED SHALL BE RESTORED UNDER THE LICENSED LAND SURVEYOR'S DIRECTION. ANY NEW DATA SUCH AS ELEVATIONS SHALL BE CERTIFIED BY THE SURVEYOR, AND SUBMITTED TO THE TOWN.
11. DEVIATIONS OR CHANGES FROM THESE PLANS WILL NOT BE ALLOWED UNLESS APPROVED BY THE PROJECT ENGINEER, APPROPRIATE AGENCY AND OWNER.
12. RELOCATION OF ANY UTILITIES SHALL BE AT THE OWNERS EXPENSE AND BE COMPLETED WITH THE UTILITY WORK. THE OWNER SHALL BE NOTIFIED AS TO THE RELOCATION REQUIRED PRIOR TO THE START OF CONSTRUCTION.
13. AN APPROVED SET OF PLANS AND ALL APPLICABLE PERMITS MUST BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES.
14. CONTRACTOR AGREES THAT HE/SHE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF THE CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT TO BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL AND ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR PROJECT ENGINEER.
15. ALL TRAFFIC CONTROL SHALL CONFORM TO THE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES LATEST EDITION INCLUDING ALL REVISIONS.

LEGEND:	
	PROPERTY LINE
	ABUTTER'S PROPERTY LINE
	PROPOSED PROPERTY LINE
	TOPOGRAPHIC CONTOUR
	TREE LINE
	FLAGGED WETLAND
	CHAIN LINK FENCE
	UTILITY POLE
	TEST PIT
	SPOT ELEVATION
	IRON PIPE/REBAR
	BOUND



No.	Revision	Date	App.

Designed By: JCC Drawn by: SML/VAL Checked by:
 Scale: 1"=80' Date: MARCH 29, 2023

Project Title:
A.P. 43, LOT 3
OLD PINE HILL ROAD
 WESTPORT, MASSACHUSETTS

Client/Owner:
 JACOB DEAN, GEORGE DEAN & ALAN DEAN
 119 OLD PINE HILL ROAD
 WESTPORT, MA 02790

Issued for:
 PERMITTING

Drawing Title:
EXISTING CONDITIONS
"INHERITANCE LANE"
 WESTPORT, MASSACHUSETTS

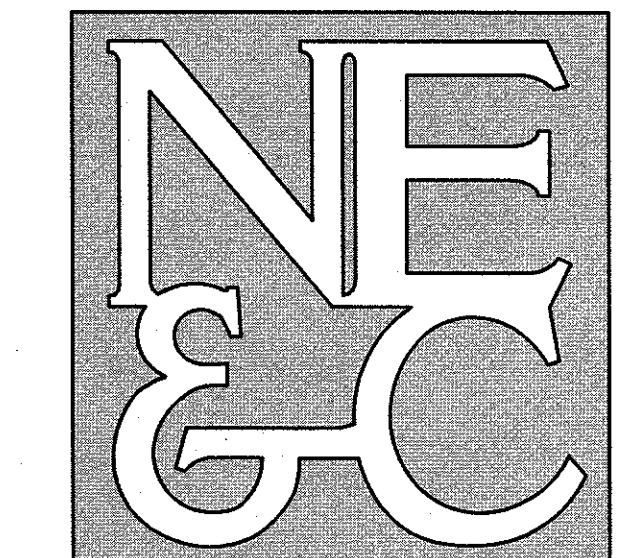
Drawing Number:
L-1

Sheet **2** of **6**

Project Number:
22205.0

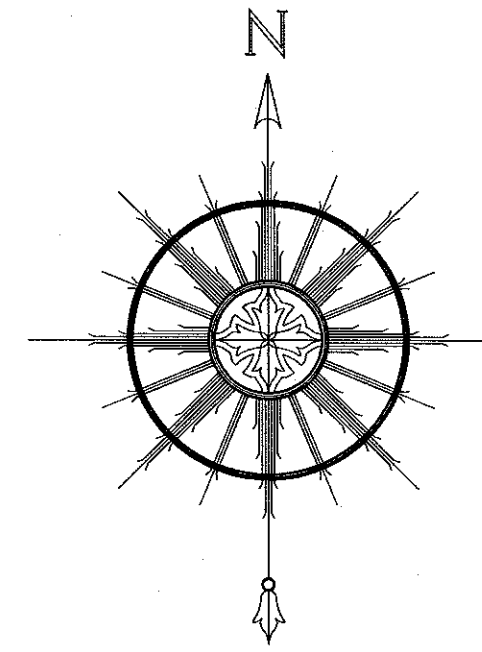
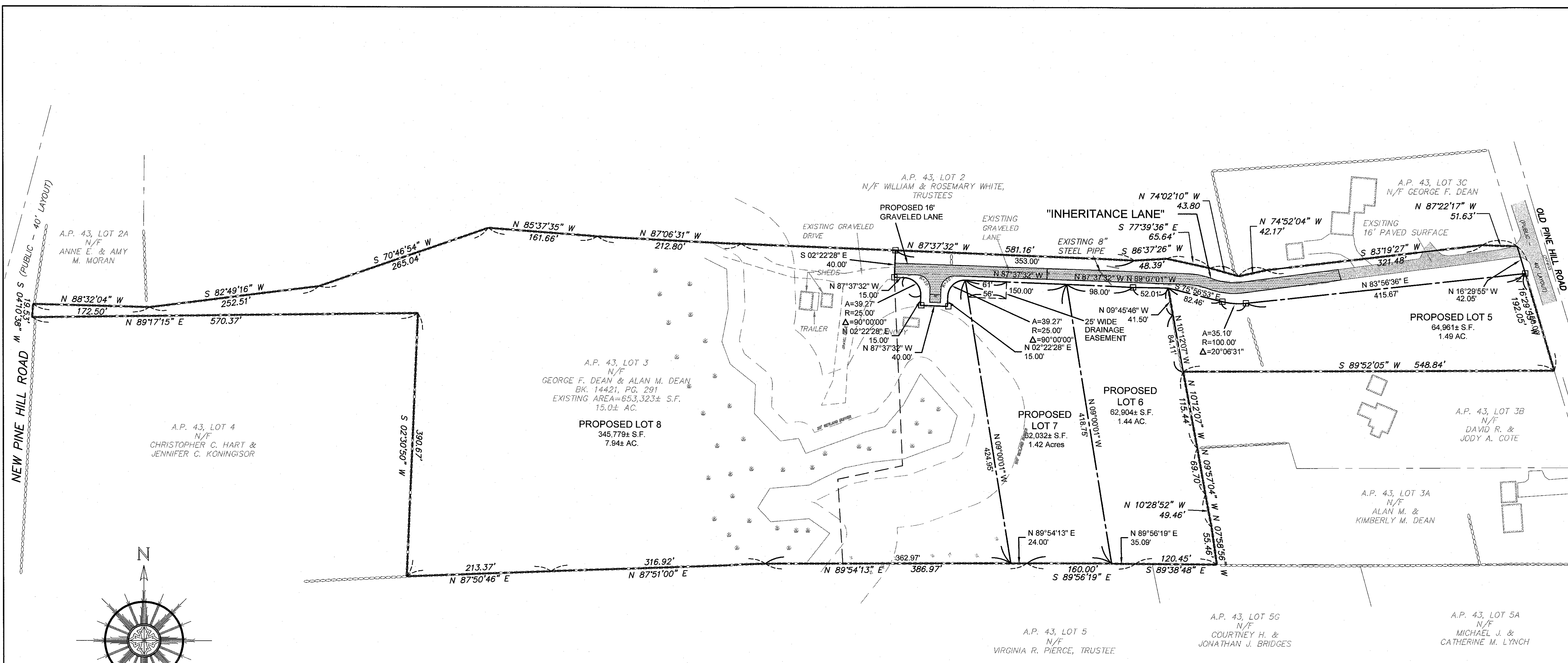
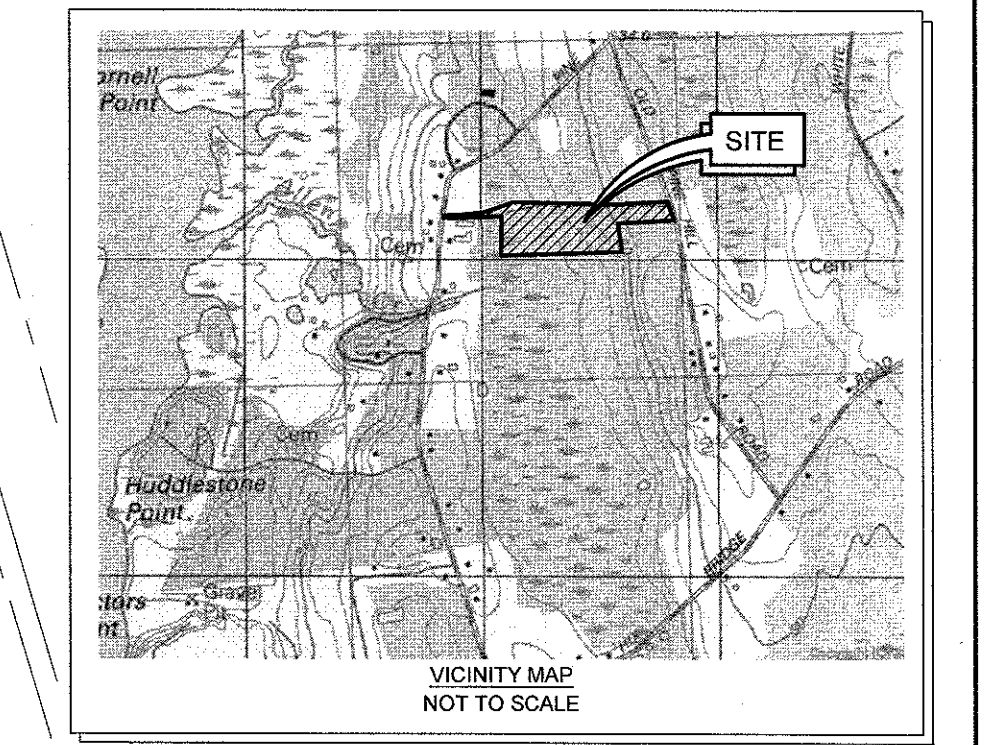
Survey Index:
WSP- 43 - 3

OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES, OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.



SITE/CIVIL
LAND PLANNING
WATERFRONT
SURVEYING
GEOTECHNICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL
MATERIALS TESTING

A KNOWLEDGE CORPORATION®
6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
PHONE (401) 849-0810 FAX (401) 846-4169
WWW.NORTHEASTENGINEERS.COM



SEE GENERAL NOTES #3

□ - DENOTES MONUMENT TO BE SET

THE SUBDIVIDER HIS HEIRS, SUCCESSORS AND ASSIGNS HEREBY AGREE TO THE FOLLOWING:

- 1. THAT THE ROADS BUILT AS SHOWN MAY NOT BE USED TO PROVIDE FRONTAGE OR ACCESS, EITHER FOR FURTHER SUBDIVISION OF LAND OR FOR USE ON 'APPROVAL NOT REQUIRED' PLANS, EXCEPT AS TO RECONFIGURE EXISTING LOTS.
2. THE LAYOUT OF THE ROAD AS SHOWN SHALL NOT BE PRESENTED TO THE SELECTMEN OR PRESENTED TO THE TOWN FOR ACCEPTANCE UNLESS RECONSTRUCTED TO THE STANDARDS ESTABLISHED UNDER ARTICLE 39 OF THE 1979 ANNUAL TOWN MEETING, ARTICLE 31 OF THE 1980 ANNUAL TOWN MEETING AND AND ARTICLE 39 OF THE 1984 ANNUAL TOWN MEETING AND THE 'RESIDENTIAL ROAD' STATUS AS DESCRIBED IN THE PLANNING BOARD'S RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

SUBJECT TO RESTRICTIVE COVENANT (FORM F-SR) DATED TO BE RECORDED HERewith IN THE BRISTOL COUNTY REGISTRY OF DEEDS BOOK PAGE

SUBJECT TO PERFORMANCE COVENANT (FORM F) DATED TO BE RECORDED HERewith IN THE BRISTOL COUNTY REGISTRY OF DEEDS BOOK PAGE

WAIVERS REQUESTED

- SECTION V.B.1 - WAIVER FROM RIGHT OF WAY CLEARING.
SECTION IV.A.3.b. - WAIVER FROM -1% LEVELING AREA.
SECTION V.B.5 - WAIVER FROM STANDARD CROSS SECTION.
SECTION V.B.3 - WAIVER FROM REQUIRED PAVED SURFACE.
SECTION V.D.1 - WAIVER FROM STANDARD 4 - WATER QUALITY.
SECTION V.D.2 - WAIVER FROM STANDARD 11 - VOLUME CONTROL.

I CERTIFY THAT NOTICE OF THIS PLAN BY THE PLANNING BOARD ON WAS RECEIVED BY ME ON AND THAT NO NOTICE OF APPEAL WAS RECEIVED BY ME DURING 20 DAYS NEXT AFTER RECEIPT OF SAID NOTICE.

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

Signature and date: 4/5/2023



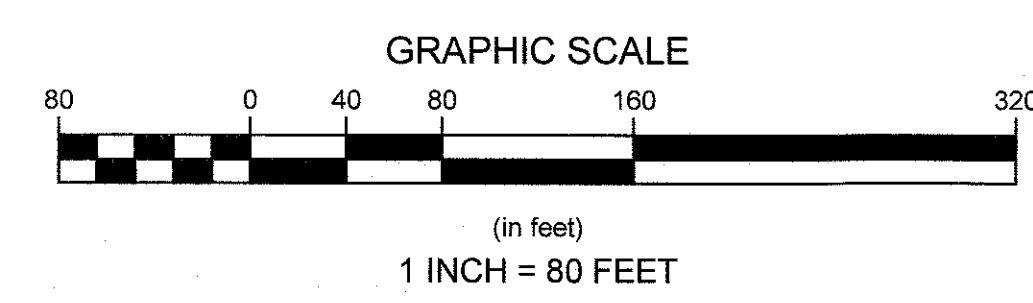
TOWN OF WESTPORT PLANNING BOARD
APPROVED UNDER "SUBDIVISION CONTROL LAW"

Table with columns for Board Members: Chairman, Vice Chairman, and Date. Includes fields for Preliminary Date Filed, Public Hearing, and Definitive Plan Approved/Endorsed.

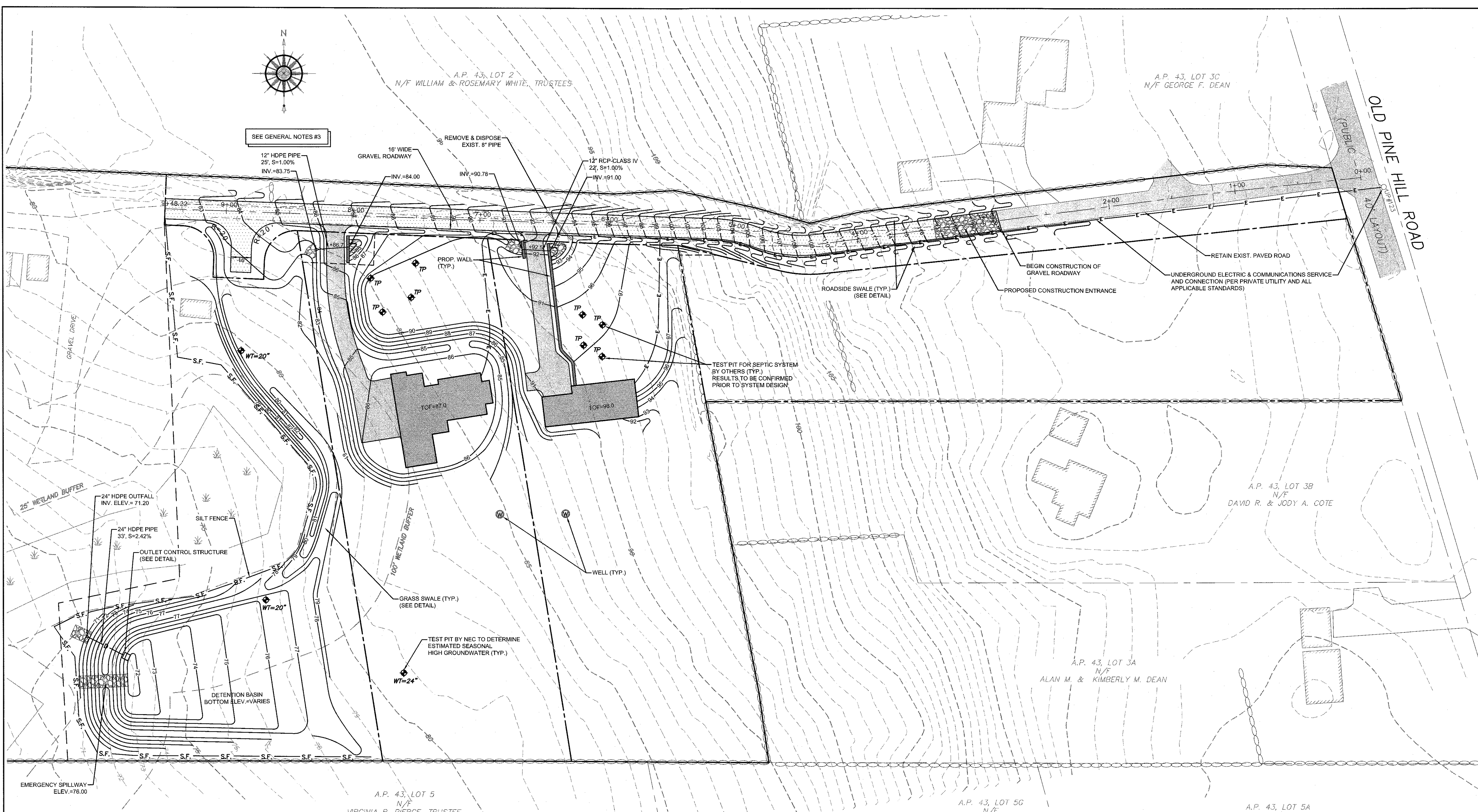
- 1. HOMEOWNERS ASSOCIATION: AS A CONDITION OF APPROVAL OF THIS SUBDIVISION, PRIOR TO ENDORSEMENT OF THE DEFINITIVE PLAN THE APPLICANT SHALL CREATE AND PROPERLY FUND A HOMEOWNERS ASSOCIATION. ALL PURCHASERS OF LAND WITHIN THE SUBDIVISION SHALL BE REQUIRED TO BELONG TO THE HOMEOWNERS ASSOCIATION.
2. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIRS AND PLOWING OF THE SUBDIVISION ROADWAYS.
3. THE HOMEOWNERS ASSOCIATION SHALL MAINTAIN PERMANENT OWNERSHIP OF ANY DRAINAGE BASINS OR PONDS IN THE SUBDIVISION, INCLUDING ALL PIPES AND OTHER APPURTENANT DEVICES, AND SHALL HAVE THE PERMANENT RESPONSIBILITY OF MAINTAINING, REPAIRING AND REPLACING SAID DRAINAGE SYSTEMS, AS NECESSARY.
4. THE HOMEOWNERS ASSOCIATION DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE PLANNING BOARD, IN CONSULTATION WITH TOWN COUNSEL (AT THE EXPENSE OF THE APPLICANT), AND THE HOMEOWNERS ASSOCIATION SHALL HAVE AN INITIAL FUND THAT IS DEEMED SATISFACTORY TO THE PLANNING BOARD, IN CONSULTATION WITH THE PLANNING BOARD'S TECHNICAL CONSULTANT.
5. ROAD MAINTENANCE AND SNOW REMOVAL: APPLICANT SHALL BE RESPONSIBLE FOR PERIODIC MAINTENANCE AND SNOW REMOVAL UNTIL SUCH TIME A PROPERLY FUNDED HOMEOWNERS ASSOCIATION IS CREATED AND IS PROPERLY FUNCTIONING.
6. CONSTRUCTION WORK ON THE SUBDIVISION ROAD AND UTILITIES SHALL ONLY BE DONE BETWEEN THE HOURS OF 7:00 A.M. AND 6:00 P.M., MONDAY - SATURDAY.

ENDORSEMENT OF THIS PLAN SHALL NOT BE DEEMED TO CONSTITUTE DETERMINATION OF COMPLIANCE WITH THE REQUIREMENTS OF THE TOWN OF WESTPORT'S ZONING BY-LAW.

- GENERAL NOTES:
1. EXISTING CONDITIONS ARE THE RESULT OF A FIELD SURVEY BY NORTHEAST ENGINEERS & CONSULTANTS, INC. IN NOVEMBER 2022.
2. VERTICAL DATUM IS NAVD88.
3. NORTH ARROW AND BASIS OF BEARING BASE UPON RTK/GNSS OBSERVATIONS.



Project information table including: No., Revision, Date, App., Designed By, SML, Drawn by, SML/LAL, Checked by, SML, Scale, 1"=80', Date, MARCH 29, 2023, Project Title, A.P. 43, LOT 3 OLD PINE HILL ROAD WESTPORT, MASSACHUSETTS, Client/Owner, JACOB DEAN, GEORGE DEAN & ALAN DEAN, Issued for, PERMITTING, Drawing Title, DEFINITIVE SUBDIVISION 'INHERITANCE LANE' WESTPORT, MASSACHUSETTS, Drawing Number, L-2, Sheet 3 of 6, Project Number, 22205.0, Survey Index, WSP- 43 - 3, and Ownership and Use of Documents section.

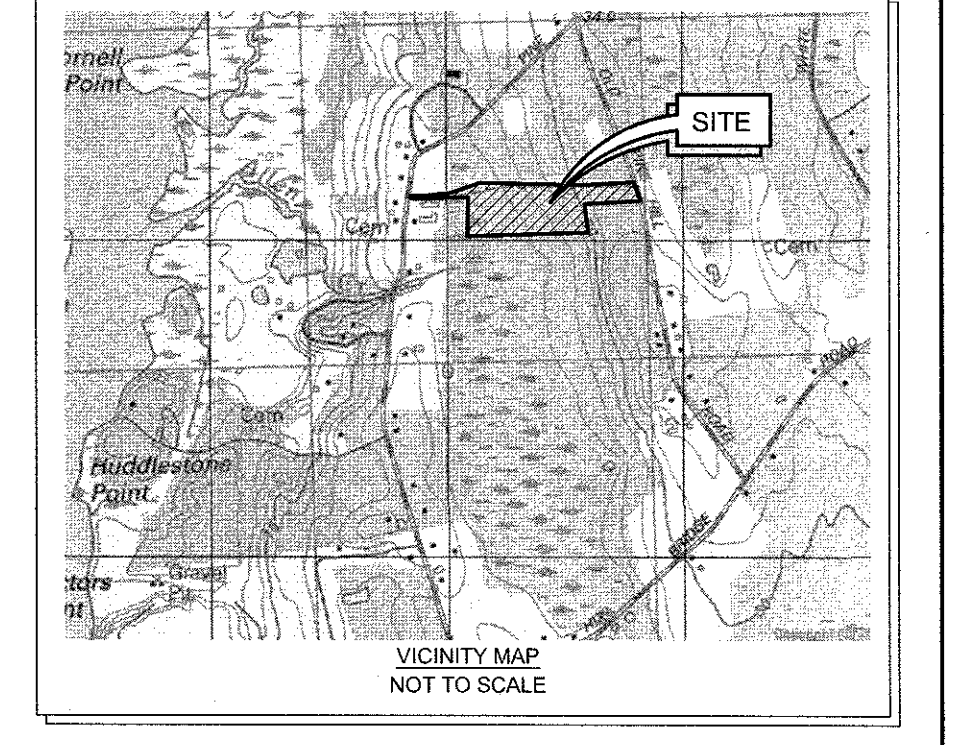


NORTHEAST ENGINEERS & CONSULTANTS, INC.

A KNOWLEDGE CORPORATION®

6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
 PHONE (401) 849-0810 FAX (401) 846-4169
 WWW.NORTHEASTENGINEERS.COM

SITE/CIVIL
 LAND PLANNING
 WATERFRONT
 SURVEYING
 GEOTECHNICAL
 ENVIRONMENTAL
 TRANSPORTATION
 STRUCTURAL
 MATERIALS TESTING



No.	Revision	Date	App.		
Designed By:	JCC	Drawn by:	SML/VAL	Checked by:	JJR
Scale:	1"=40'	Date:	MARCH 29, 2023		
Project Title:					
A.P. 43, LOT 3 OLD PINE HILL ROAD WESTPORT, MASSACHUSETTS					
Client/Owner:					
JACOB DEAN, GEORGE DEAN & ALAN DEAN 119 OLD PINE HILL ROAD WESTPORT, MA 02790					
Issued for:					
PERMITTING					
Drawing Title:					
GRADING AND DRAINAGE "INHERITANCE LANE" WESTPORT, MASSACHUSETTS					
Drawing Number:					
C-1					
Sheet 4 of 6					
Project Number:					
22205.0					
Survey Index:					
WSP- 43 - 3					
OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES, OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.					

TOWN OF WESTPORT PLANNING BOARD
 APPROVED UNDER "SUBDIVISION CONTROL LAW"

BOARD MEMBERS	
CHAIRMAN	N/A
VICE CHAIRMAN	PREL. DATE FILED:
	DEF. DATE FILED:
	PUBLIC HEARING
	DEF. PLAN APPROVED
DATE:	DEF. PLAN ENDORSED

GRADING NOTES

1. ADEQUATE PROVISIONS SHALL BE MADE TO PREVENT SURFACE WATERS FROM DAMAGING THE CUT FACE OF AN EXCAVATION OR THE SLOPED SURFACES OF A FILL. FURTHERMORE, ADEQUATE PROVISIONS SHALL BE MADE TO PREVENT SEDIMENT RUNOFF FROM LEAVING THE SITE.
2. ALL GRADED AREAS SHALL BE SODDERED OR PLANTED IMMEDIATELY AFTER THE GRUBBING WORK HAS BEEN COMPLETED.
3. THE TOWN SHALL BE INFORMED OF THE LOCATION OF THE DISPOSAL SITE, IF ANY, FOR THE PROJECT.
4. NO GRADING WORK SHALL BE DONE ON SATURDAYS, SUNDAYS AND HOLIDAYS AT ANY TIME WITHOUT PRIOR NOTICE TO THE MUNICIPALITIES, PROVIDED SUCH GRADING WORK IS ALSO IN CONFORMANCE WITH THE COMMUNITY NOISE CONTROL STANDARDS.
5. EROSION CONTROL LOCATIONS SHALL BE FLAGGED BEFORE THE COMMENCEMENT OF THE GRADING WORK.
6. ALL GRADING OPERATIONS SHALL BE PERFORMED IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE MUNICIPALITY.
7. WHERE APPLICABLE AND FEASIBLE THE MEASURES TO CONTROL EROSION AND OTHER POLLUTANTS SHALL BE IN PLACE BEFORE GRADING WORK IS INITIATED.
8. TEMPORARY EROSION CONTROLS SHALL NOT BE REMOVED BEFORE PERMANENT EROSION CONTROLS ARE IN-PLACE AND ESTABLISHED.
9. IF THE GRADING WORK INVOLVES CONTAMINATED SOIL, THEN ALL GRADING WORK SHALL BE DONE IN CONFORMANCE WITH APPLICABLE STATE AND FEDERAL REQUIREMENTS.
10. NONCOMPLIANCE TO ANY OF THE ABOVE REQUIREMENTS SHALL MEAN IMMEDIATE SUSPENSION OF ALL WORK AND REMEDIAL WORK SHALL COMMENCE IMMEDIATELY. ALL COSTS INCURRED SHALL BE BILLED TO THE VIOLATOR. FURTHERMORE, VIOLATORS SHALL BE SUBJECT TO ADMINISTRATIVE, CIVIL AND/OR CRIMINAL PENALTIES.

UTILITY NOTES

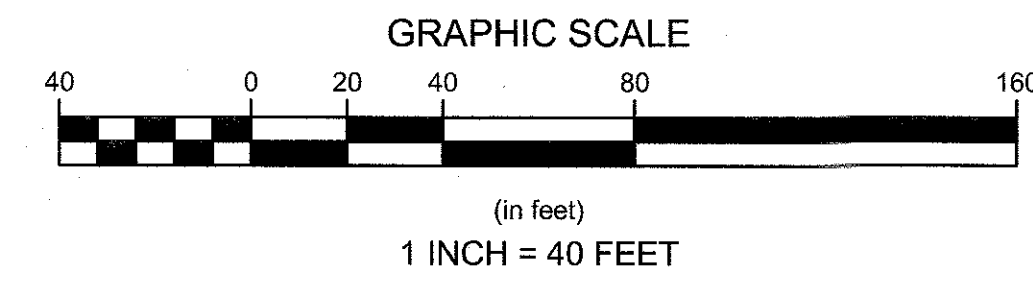
1. THE LOCATIONS OF PROPOSED ELECTRIC AND COMMUNICATIONS CONDUIT AND SERVICES ARE PRELIMINARY. FINAL DESIGN OF THE SERVICE CONNECTIONS IS SUBJECT TO DESIGN REVIEW AND APPROVAL OF THE RESPECTIVE UTILITY.
2. NEW ELECTRIC, TELEPHONE AND CABLE SERVICES SHALL BE INSTALLED UNDERGROUND.
3. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL ASSUMPTIONS, DEDUCTIONS, OR CONCLUSIONS HE/SHE MAY MAKE OR DERIVE FROM THE SUBSURFACE INFORMATION OR DATA FURNISHED ON THE PLANS. THE CONTRACTOR MUST SATISFY HIMSELF/HERSELF THROUGH HIS/HER OWN INVESTIGATIONS AS TO WHAT SUBSURFACE CONDITIONS ARE TO BE ENCOUNTERED.
4. IF THE CONTRACTOR ELECTS NOT TO EXPOSE AND VERIFY ALL EXISTING UNDERGROUND UTILITIES AND STRUCTURES AT CROSSINGS PRIOR TO PIPELINE EXCAVATION, HE/SHE FORFEITS HIS/HER RIGHTS FOR ANY CLAIMS FOR COMPENSATION CAUSED BY ANY CONFLICTS WITH EXISTING UTILITIES AND STRUCTURES.

DRAINAGE NOTES

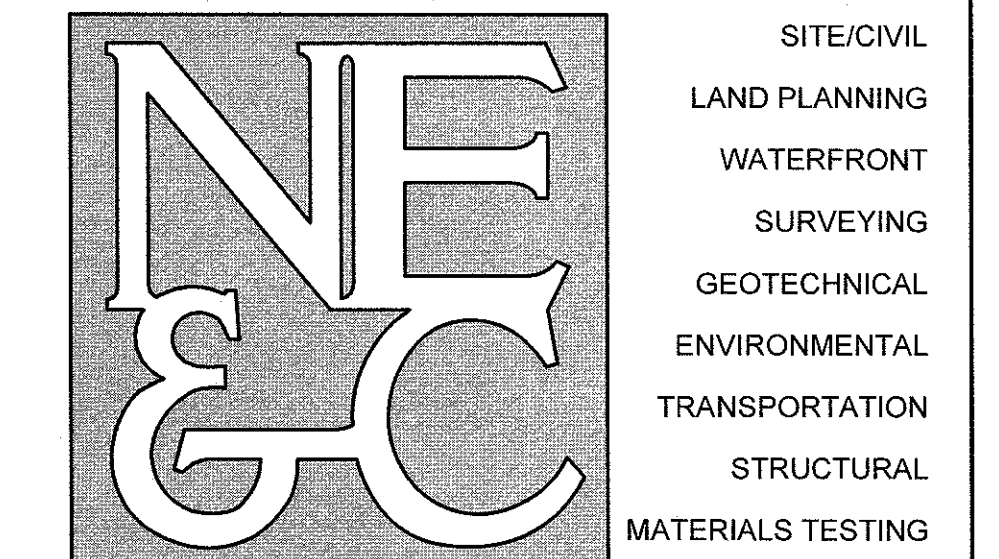
1. ALL DRAIN PIPES ON SITE SHALL BE ADS-N12 TYPE IB UNLESS OTHERWISE NOTED ON PLANS.

PUBLIC HEALTH SAFETY AND CONVENIENCE NOTES

1. CONTRACTOR SHALL OBSERVE AND COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS REQUIRED FOR THE PROTECTION OF PUBLIC HEALTH, SAFETY AND ENVIRONMENTAL QUALITY.
2. THE CONTRACTOR AT HIS/HER EXPENSE, SHALL KEEP THE PROJECT AREA AND SURROUNDING AREA FREE FROM RUBBISH, DUST, NOISE, EROSION, ETC. THE WORK SHALL BE DONE IN CONFORMANCE WITH THE AIR AND WATER POLLUTION CONTROL STANDARDS AND REGULATIONS OF ALL APPLICABLE FEDERAL, STATE AND LOCAL AGENCIES.
3. NO CONTRACTOR SHALL PERFORM ANY CONSTRUCTION OPERATION SO AS TO CAUSE FALLING ROCKS, SILT OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW ONTO ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR MAY BE CITED AND THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS AS NECESSARY.
4. THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN ALL NECESSARY SIGNS, LIGHTS, FLARES, BARRICADES, MARKERS, CONES, AND OTHER PROTECTIVE FACILITIES AND SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE PROTECTION, CONVENIENCE AND SAFETY OF THE PUBLIC.

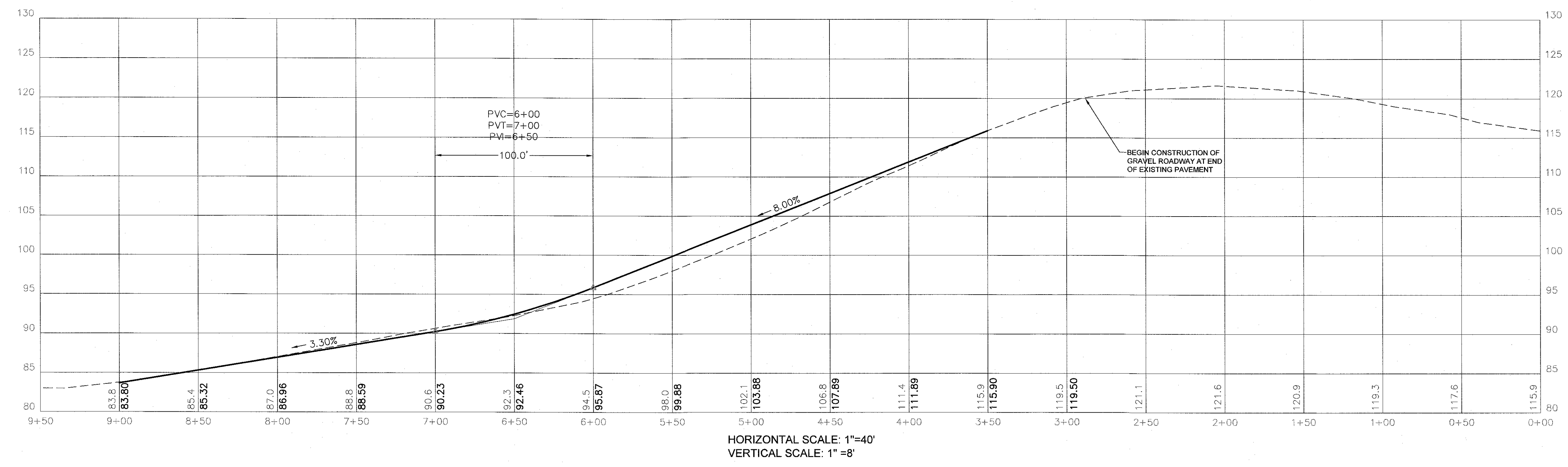
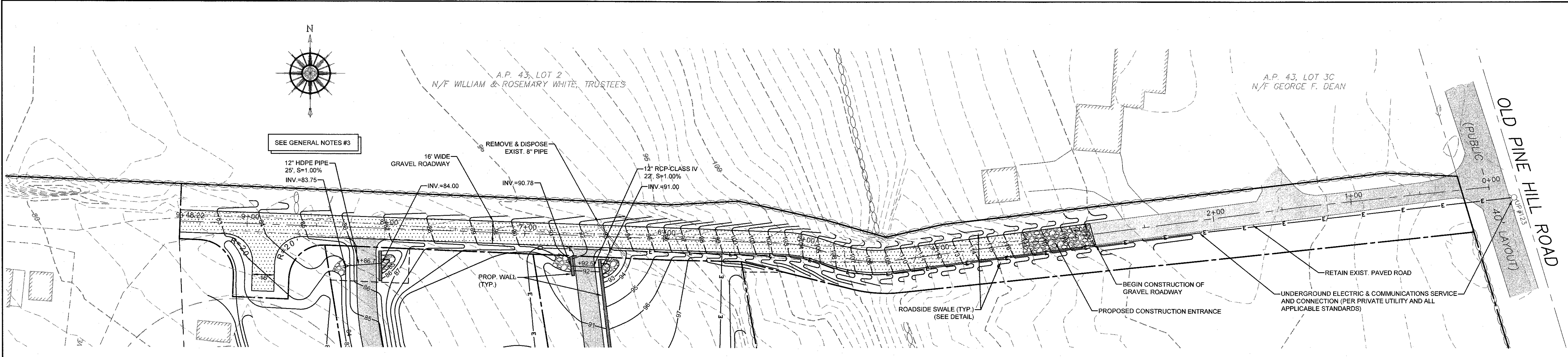
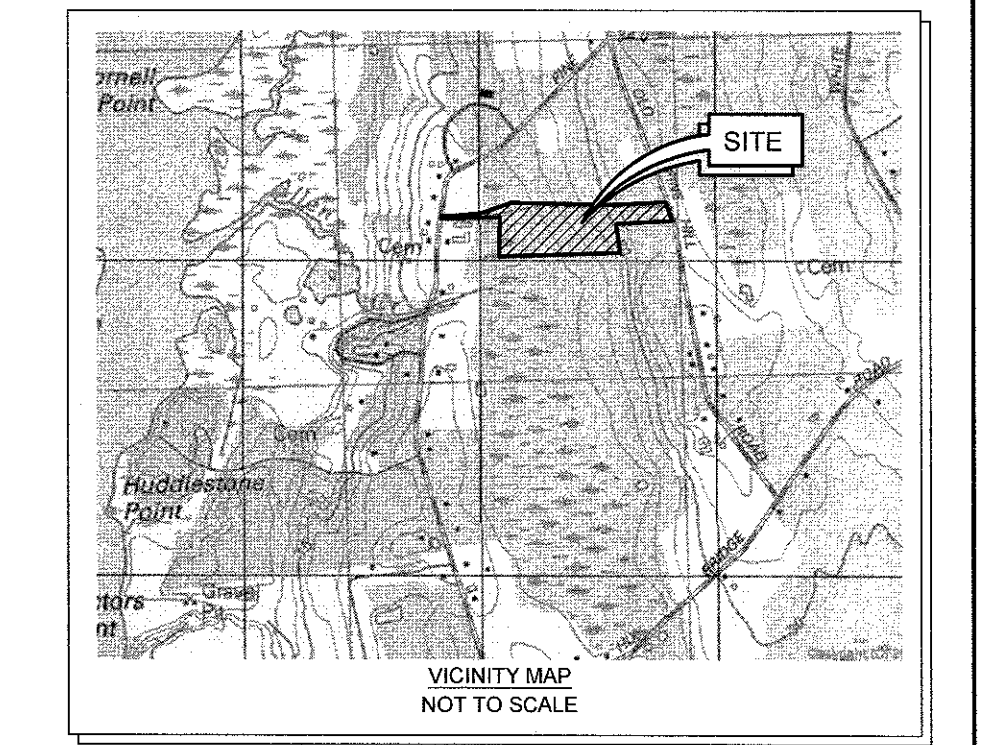


NORTHEAST ENGINEERS & CONSULTANTS, INC.



- SITE/CIVIL
- LAND PLANNING
- WATERFRONT
- SURVEYING
- GEOTECHNICAL
- ENVIRONMENTAL
- TRANSPORTATION
- STRUCTURAL
- MATERIALS TESTING

A KNOWLEDGE CORPORATION®
 6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
 PHONE (401) 849-0810 FAX (401) 846-4169
 WWW.NORTHEASTENGINEERS.COM



SOIL EROSION AND SEDIMENT CONTROL NOTES

1. CONSTRUCTION SEQUENCE:
 - A. DO NOT BEGIN CONSTRUCTION UNTIL ALL LOCAL, STATE, AND FEDERAL PERMITS HAVE BEEN APPLIED FOR AND RECEIVED.
 - B. ALL CONSTRUCTION VEHICLES SHALL ENTER AND LEAVE THE SITE VIA THE EXISTING PAVED ROADWAY SURFACE. THE CONTRACTOR SHALL CONSTRUCT A STABILIZED CONSTRUCTION ENTRANCE AT THE END OF THE PAVED SURFACE CONFORMING TO THE DETAIL PROVIDED.
 - C. INSTALL SILT FENCE AS INDICATED ON THE DRAWINGS TO CONTROL EROSION AND PREVENT SEDIMENT CONTAMINATION OF DOWNSTREAM AREAS PRIOR TO ANY EARTH MOVING ACTIVITIES.
 - D. REMOVE VEGETATION ONLY WHERE NECESSARY. ANY STUMPS TO BE GROUND OR DISPOSED OF OFF SITE.
 - E. CONSTRUCT THE DETENTION BASIN AND GRASS SWALE (ADJACENT TO THE 25-FOOT WETLAND BUFFER) IN ACCORDANCE WITH THE PLANS AND ESTABLISH A TEMPORARY VEGETATIVE GROWTH THAT MEETS THE APPROVAL OF THE TOWN.
 - F. INSTALL ELECTRICAL AND COMMUNICATIONS CONDUIT PER PRIVATE UTILITY REQUIREMENTS.
 - G. CONSTRUCT THE GRAVEL ROADWAY AND ROADSIDE SWALES.
 - H. PLACE CRUSHED STONE SURFACE COURSE ON ROADWAY.
 - I. MAINTAIN SITE IN ACCORDANCE WITH THE MAINTENANCE NOTES.
2. NOTES:
 - A. DURING CONSTRUCTION AND THEREAFTER, EROSION CONTROL MEASURES ARE TO BE IMPLEMENTED AS NOTED. ONLY THE SMALLEST PRACTICAL AREA OF LAND SHOULD BE EXPOSED AT ANY ONE TIME DURING DEVELOPMENT. WHEN LAND IS EXPOSED DURING DEVELOPMENT, THE EXPOSURE SHOULD BE KEPT TO THE SHORTEST PRACTICAL PERIOD OF TIME.
 - B. ANY DISTURBED AREAS WHICH ARE TO BE LEFT TEMPORARILY AND WHICH WILL BE REGRADED LATER DURING CONSTRUCTION SHALL BE STABILIZED WITHIN FOURTEEN DAYS IN ACCORDANCE WITH TEMPORARY MEASURES IN THE VEGETATIVE PRACTICE NOTES.
 - C. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOP SOIL TO REMOVE VEGETATION, ROOTS, AND ANY OTHER OBJECTIONABLE MATERIAL.
 - D. ALL FILL SHALL BE COMPACTED TO 95% MAX. DENSITY TO REDUCE EROSION, SLIPPAGE, SETTLEMENT SUBSIDENCE, OR OTHER RELATED PROBLEMS.
 - E. FILL INTENDED TO SUPPORT BUILDING STRUCTURES AND CONDUITS, ETC., SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL CODES AND SPECIFICATIONS.
 - F. ALL FILL SHALL BE PLACED AND COMPACTED TO 95% MAX. DENSITY IN LAYERS NOT TO EXCEED 12" IN THICKNESS FILLS.
 - G. FILL MATERIAL SHALL BE FREE OF BRUSH, RUBBISH, ROCKS, LOGS, STUMPS, BUILDING DEBRIS, AND OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
 - H. FROZEN, SOFT, MUCKY, OR HIGHLY COMPRESSIBLE MATERIAL SHALL NOT BE INCORPORATED INTO FILLS.
 - I. FILL SHALL NOT BE PLACED ON A FROZEN FOUNDATION SUBGRADE.
 - J. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER.
 - K. ALL DISTURBED AREAS SHALL BE STABILIZED WITHIN 14 DAYS OF FINISH GRADING IN ACCORDANCE WITH THE VEGETATIVE PRACTICE NOTES.
 - L. REMOVE TEMPORARY EROSION CONTROL MEASURES ONCE UPSLOPE AREAS HAVE BEEN PERMANENTLY STABILIZED AND VEGETATED AREAS HAVE RECEIVED TWO MOWINGS.
3. VEGETATIVE PRACTICE:

PERMANENT MEASURES:

 - A. SLOPES SHALL NOT BE STEEPER THAN 1 VERTICAL TO 2 HORIZONTAL UNLESS OTHERWISE SPECIFIED.
 - B. LOAM AND SEED REQUIREMENTS ARE SPECIFIED IN MASSDOT M1 05.0.
 - C. A MINIMUM OF 4 INCHES OF LOAM SHALL BE INSTALLED. THE LOAM SHALL BE GRADED TO A SMOOTH CONDITION AND STONES AND OTHER OBJECTS LARGER THAN 2 INCHES SHALL BE REMOVED.

TEMPORARY MEASURES (FOR TEMPORARY PROTECTION OF DISTURBED AREAS)

 - D. LIMESTONE AND FERTILIZER SHALL BE APPLIED AT THE FOLLOWING RATE:
 - D.1. LIMESTONE: 3 TONS/ACRE
 - D.2. FERTILIZER: (10-10-10): 600 LBS/ACRE
 - E. SEED SHALL BE APPLIED AT THE FOLLOWING RATE:
 - E.1. WINTER RYE: 100 LB/ACRE
 - F. STRAW MULCH SHALL BE APPLIED AT THE RATE OF 1.5 TONS/ACRE.
4. MAINTENANCE

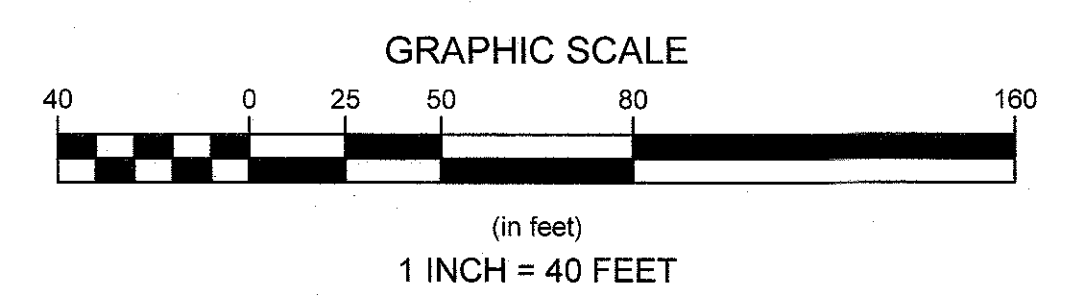
DURING THE PERIOD OF CONSTRUCTION AND/OR UNTIL LONG TERM VEGETATION IS ESTABLISHED, THE EROSION CONTROL MEASURES SHALL BE INSPECTED.

 - A. AT A MINIMUM THE SILT AND CHECK DAM BARRIERS (IF REQUIRED) SHALL BE INSPECTED AND REPAIRED ONCE A WEEK AND / OR IMMEDIATELY FOLLOWING A SIGNIFICANT RAINFALL OR SNOWMELT. SEDIMENT TRAPPED BEHIND THE BARRIERS SHALL BE EXCAVATED WHEN IT REACHES A DEPTH OF 6" AND REGRADED ON THE SITE.
 - B. EROSION CONTROL BLANKETS SHALL BE INSTALLED ON ANY SLOPES GREATER THAN 3:1 (H:V) AND SHALL BE INSPECTED ON A WEEKLY BASIS.
 - C. ANY STONE RIPRAP SHALL BE INSPECTED MONTHLY FOR EXCESSIVE ACCUMULATION OF SEDIMENT. IT MAY BE NECESSARY TO REMOVE STONES, EXCAVATE SEDIMENT, AND REPLACE STONES.
 - D. THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE REMOVED PRIOR COMPLETING THE ROADWAY CONSTRUCTION. DURING CONSTRUCTION THE ENTRANCE SHALL BE INSPECTED WEEKLY, AND RE-ESTABLISHED AS NECESSARY.
 - E. SEEDED AREAS WILL BE FERTILIZED AND RESEEDED AS NECESSARY TO INSURE ESTABLISHMENT OF A VEGETATIVE GROWTH THAT MEETS THE APPROVAL OF THE PLANNING BOARD.

TOWN OF WESTPORT PLANNING BOARD
 APPROVED UNDER "SUBDIVISION CONTROL LAW"

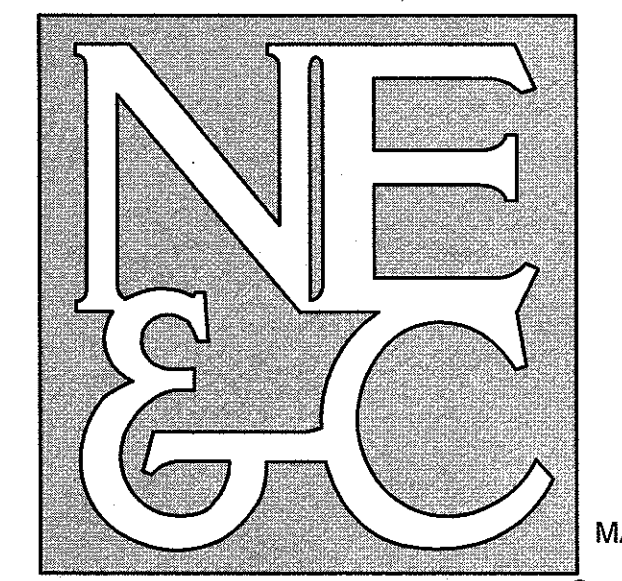
BOARD MEMBERS	
CHAIRMAN	N/A
VICE CHAIRMAN	PREL. DATE FILED:
	DEF. DATE FILED:
	PUBLIC HEARING
	DEF. PLAN APPROVED
DATE:	DEF. PLAN ENDORSED

ENDORSEMENT OF THIS PLAN SHALL NOT BE DEEMED TO CONSTITUTE DETERMINATION OF COMPLIANCE WITH THE REQUIREMENTS OF THE TOWN OF WESTPORT'S ZONING BY-LAW.



No.	Revision	Date	App.
Designed By:	JCC	Drawn by:	SML/VAL
Checked by:	JJR	Scale:	1"=40'
Date:	MARCH 29, 2023	Project Title:	
<p>A.P. 43, LOT 3 OLD PINE HILL ROAD WESTPORT, MASSACHUSETTS</p>			
Client/Owner:	JACOB DEAN, GEORGE DEAN & ALAN DEAN 119 OLD PINE HILL ROAD WESTPORT, MA 02790		
Issued for:	PERMITTING		
Drawing Title:	<p>PLAN AND PROFILE "INHERITANCE LANE" WESTPORT, MASSACHUSETTS</p>		
Drawing Number:	C-1		
Sheet	5	of	6
Project Number:	22205.0		
Survey Index:	WSP- 43 - 3		
OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES, OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.			

NORTHEAST ENGINEERS & CONSULTANTS, INC.



SITE/CIVIL
LAND PLANNING
WATERFRONT
SURVEYING
GEOTECHNICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL
MATERIALS TESTING

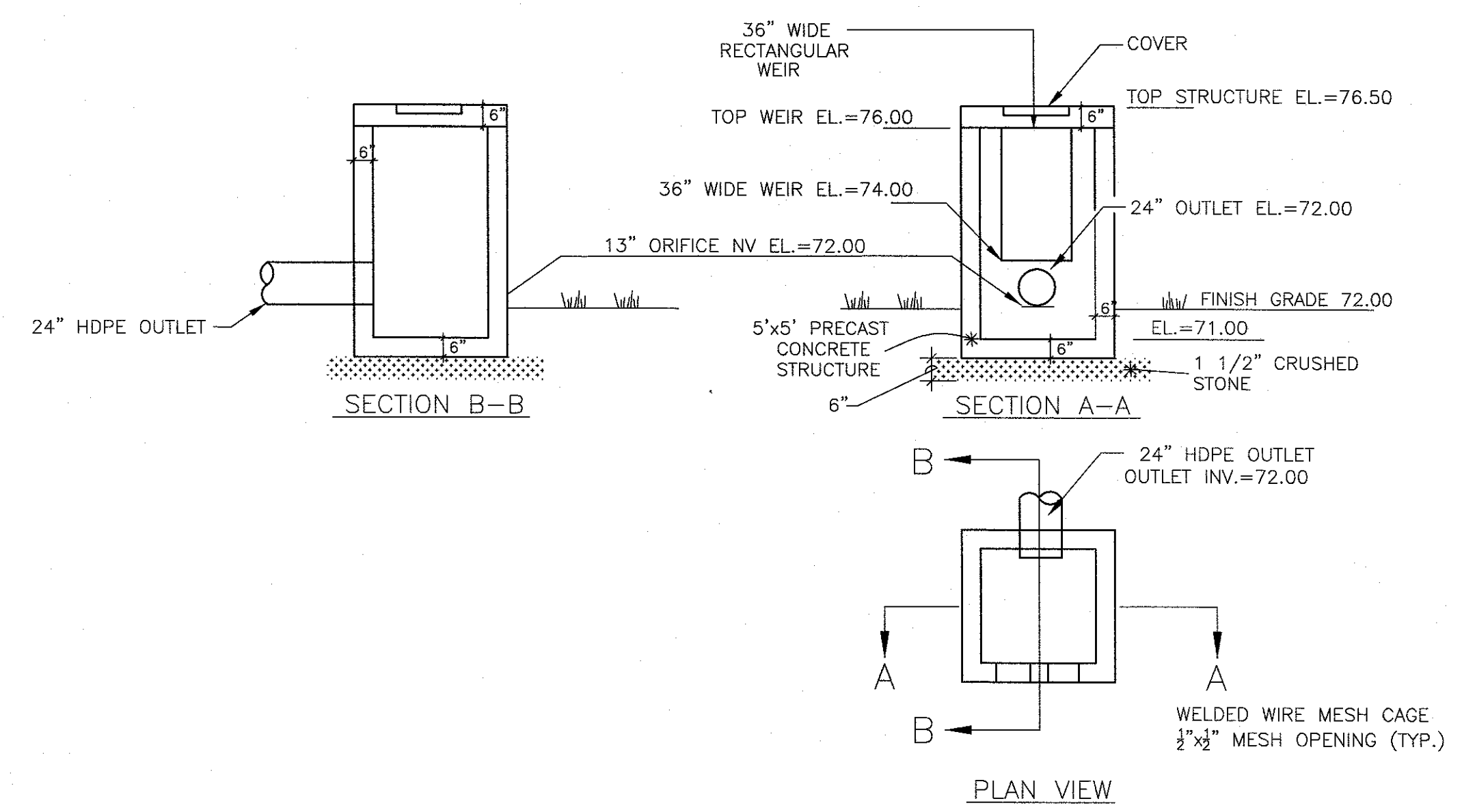
A KNOWLEDGE CORPORATION®
6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
PHONE (401) 849-0810 FAX (401) 846-4169
WWW.NORTHEASTENGINEERS.COM

TOWN OF WESTPORT PLANNING BOARD

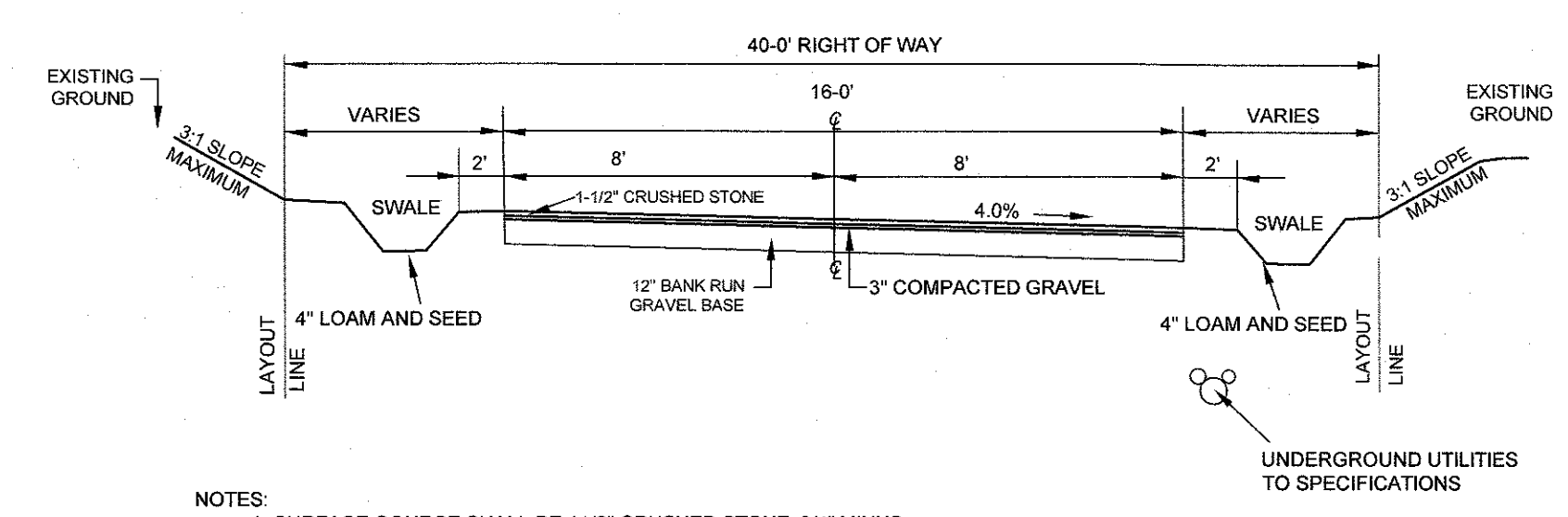
APPROVED UNDER "SUBDIVISION CONTROL LAW"

BOARD MEMBERS	
CHAIRMAN	N/A
VICE CHAIRMAN	PREL. DATE FILED:
	DEF. DATE FILED:
	PUBLIC HEARING
	DEF. PLAN APPROVED
DATE:	DEF. PLAN ENDORSED

ENDORSEMENT OF THIS PLAN SHALL NOT BE DEEMED TO CONSTITUTE DETERMINATION OF COMPLIANCE WITH THE REQUIREMENTS OF THE TOWN OF WESTPORT'S ZONING BY-LAW.

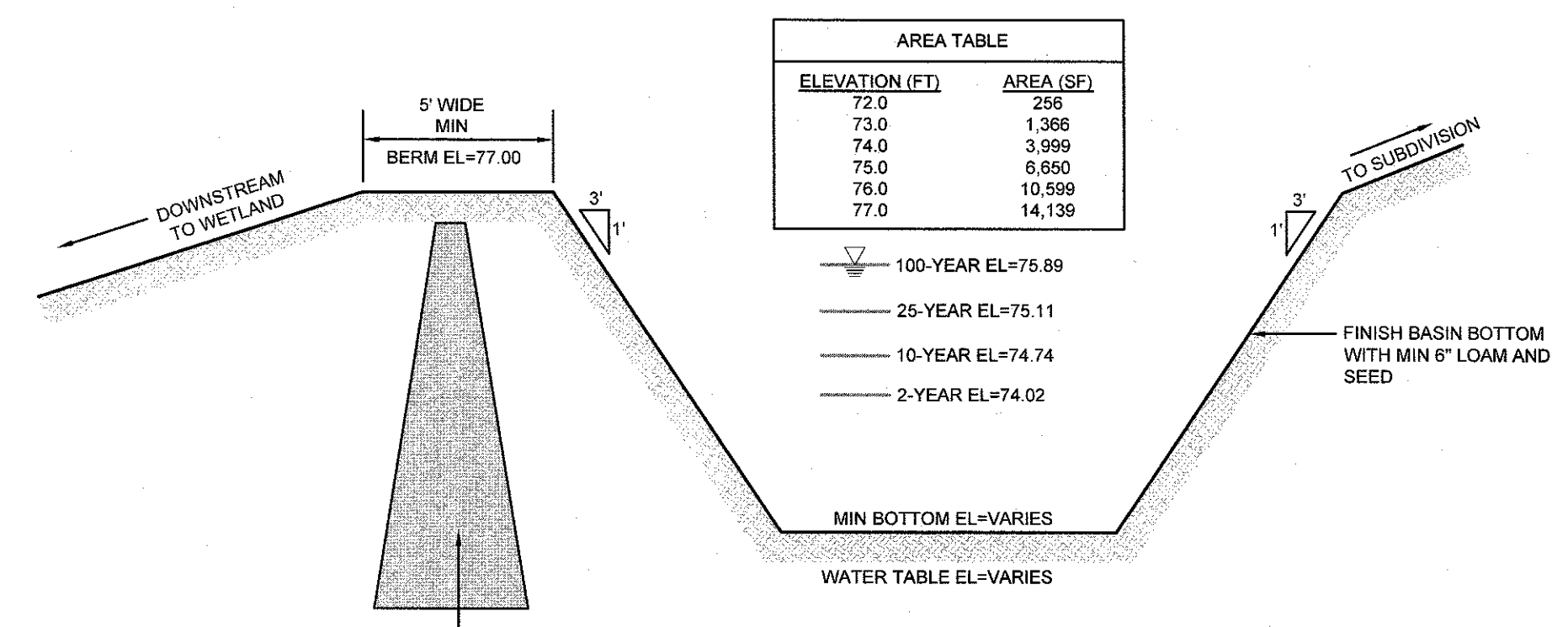


OUTLET CONTROL STRUCTURE DETAIL
SCALE: NOT TO SCALE

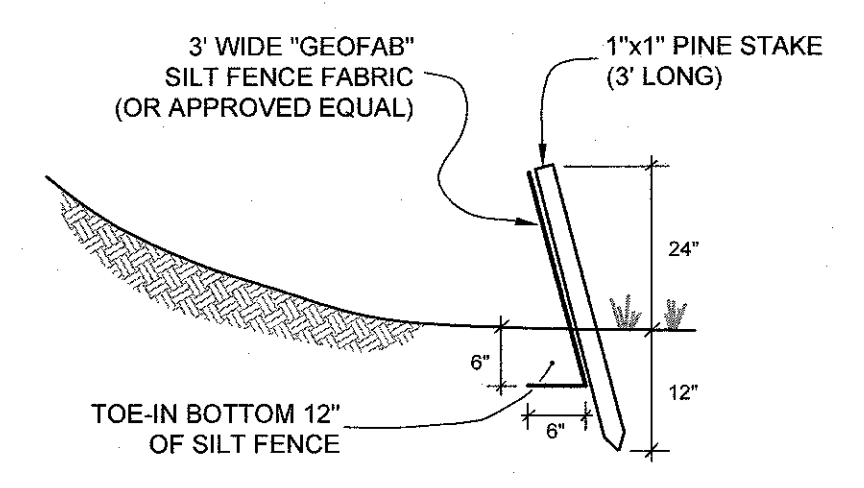


NOTES:
1. SURFACE COURSE SHALL BE 1 1/2" CRUSHED STONE, 3/4" MINUS.
2. BASE COURSE SHALL BE 12" BANK RUN GRAVEL, 6" MINUS.

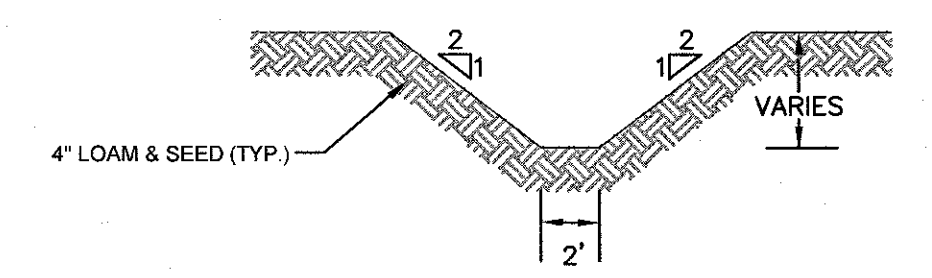
PLANNING BOARD - WESTPORT MA
SECONDARY ROAD (GRAVELED ROADWAY)
NOT TO SCALE



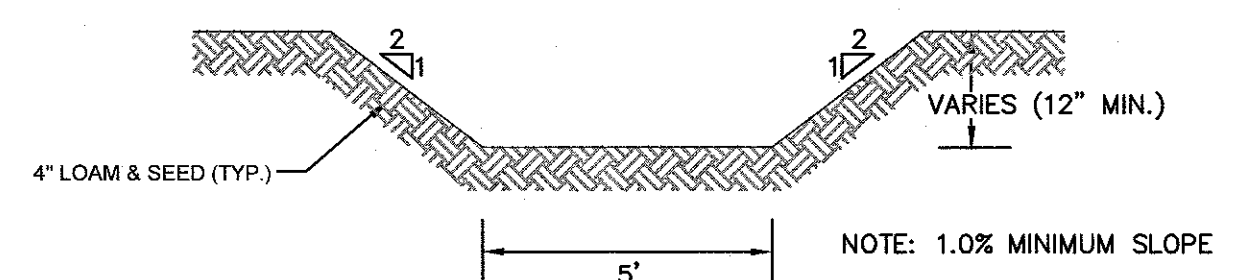
DETENTION BASIN SECTION
SCALE: NOT TO SCALE



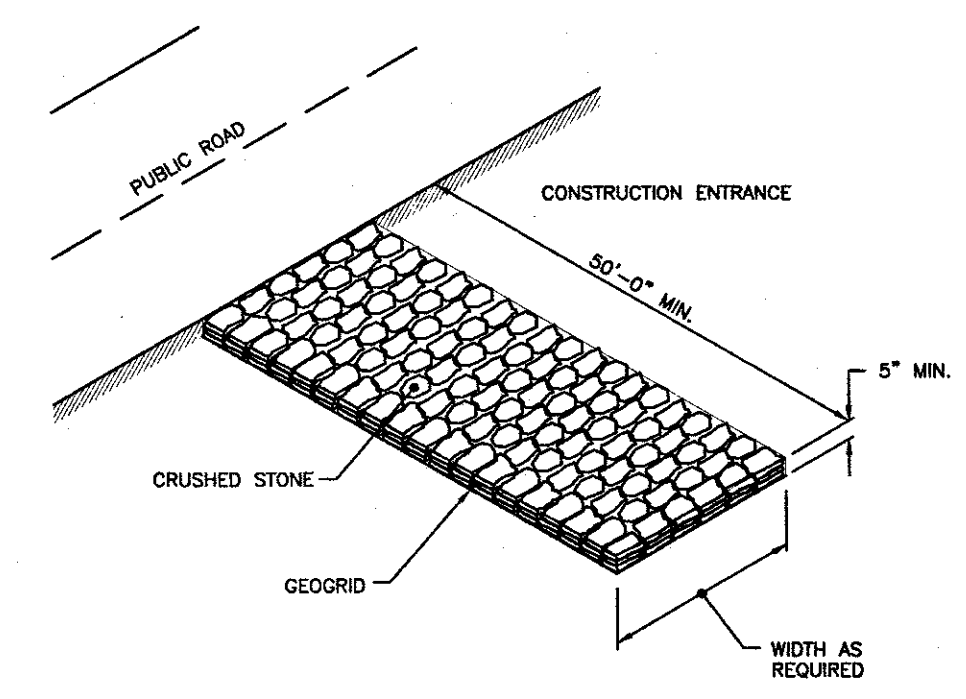
SILT/EROSION CONTROL FENCING
NOT TO SCALE



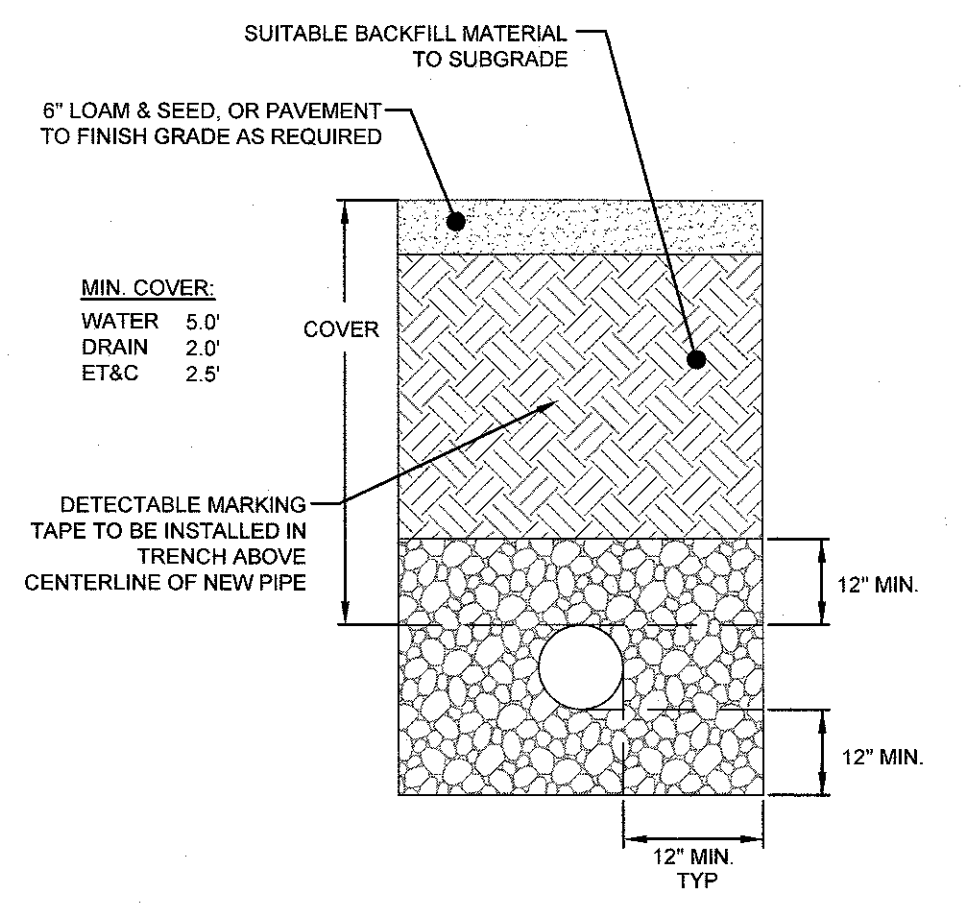
ROADSIDE SWALE DETAIL (TYP.)
(N.T.S.)



GRASS SWALE DETAIL (TYP.)
(N.T.S.)



CONSTRUCTION ENTRANCE DETAIL
SCALE: NOT TO SCALE

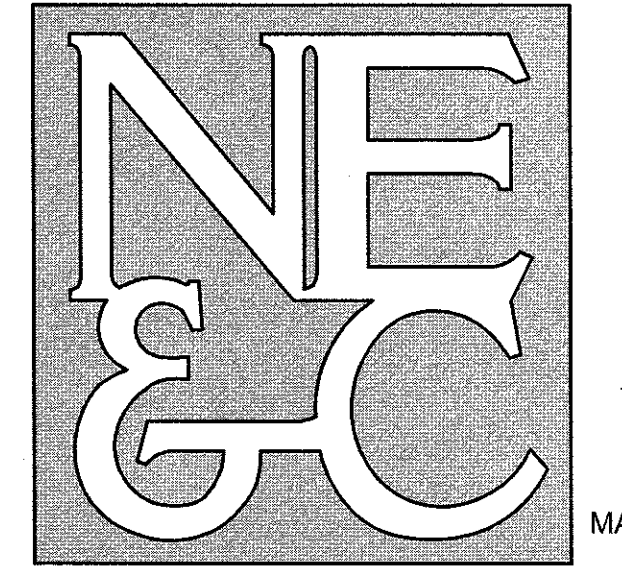


UTILITY TRENCH DETAIL
SCALE: NOT TO SCALE

- NOTES:
- UNDESIRABLE MATERIAL SHALL BE EXCAVATED TO A MINIMUM DEPTH OF 12-INCHES BELOW THE DESIGN INVERT ELEVATION.
 - TRENCH PROTECTION SHALL PROVIDED AS REQUIRED IN ACCORDANCE WITH OSHA REGULATIONS, AND AS OTHERWISE REQUIRED TO PROTECT UTILITIES, ROADWAYS, AND ADJACENT STRUCTURES.
 - DRAIN PIPES SHALL BE LAID BEGINNING AT THE DOWNSTREAM END OF THE PIPE LINE.
 - ALL DRAIN PIPES SHALL BE ADS N-12 UNLESS OTHERWISE INDICATED.
 - BACKFILL MATERIAL SHALL BE PLACED IN LAYERS NOT TO EXCEED 12" IN HEIGHT WHEN INSTALLED UNDER LANDSCAPED AREAS ONLY. INSTALLATIONS UNDER PAVEMENT REQUIRE BACKFILL MATERIAL TO BE PLACED IN LAYERS NOT TO EXCEED 6" IN HEIGHT. THESE LAYERS SHALL BE COMPACTED TO 95% MAXIMUM DENSITY (AASHTO T180). SUITABLE BACKFILL SHALL BE FREE OF LOAM, CLAY, ORGANIC MATTER AND PARTICLES LARGER THAN 2 INCHES IN DIAMETER.
 - DRAINAGE PIPE TRENCHES SHALL BE BEDDED WITH CRUSHED STONE OR SCREENED GRAVEL. THESE MATERIALS MUST CONFORM TO MASSDOT M2.01.3.
 - WATER PIPE TRENCHES MUST BE BEDDED WITH SAND CONTAINING NO PARTICLES LARGER THAN 3/8". THIS MATERIAL MUST CONFORM TO AASHTO M6 REQUIREMENTS.
 - WHEN TRENCH EXCAVATION IS ADJACENT TO OR UNDER EXISTING STRUCTURES OR FACILITIES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY SHEETING AND BRACING THE EXCAVATION AND STABILIZING THE EXISTING GROUND TO RENDER IT SAFE AND SECURE FROM POSSIBLE SLIDES, CAVING IN AND SETTLEMENT AND FOR PROPERLY SUPPORTING EXISTING STRUCTURES AND FACILITIES WITH BEAMS, STRUTS OR UNDERPINNING TO FULLY PROTECT THEM FROM DAMAGE.

No.	Revision	Date	App.
Designed By:	JCC	Drawn by:	SML/VAL
Checked by:	JJR	Scale:	AS SHOWN
Date:	MARCH 29, 2023		
Project Title:			
A.P. 43, LOT 3 OLD PINE HILL ROAD WESTPORT, MASSACHUSETTS			
Client/Owner:			
JACOB DEAN, GEORGE DEAN & ALAN DEAN 119 OLD PINE HILL ROAD WESTPORT, MA 02790			
Issued for:			
PERMITTING			
Drawing Title:			
DETAILS "INHERITANCE LANE" WESTPORT, MASSACHUSETTS			
Drawing Number:			
D-1			
Sheet 6 of 6			
Project Number:			
22205.0			
Survey Index:			
WSP- 43 - 3			
OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.			

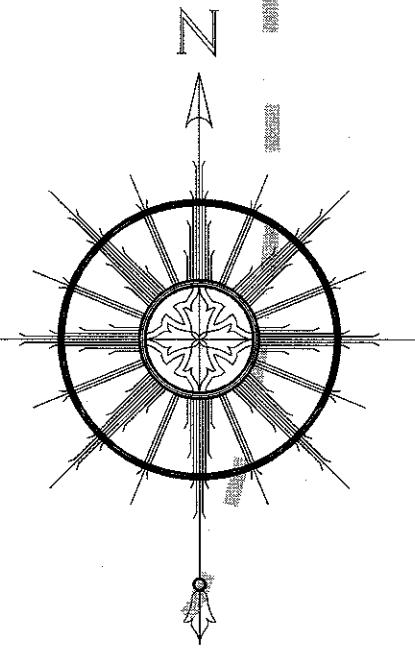
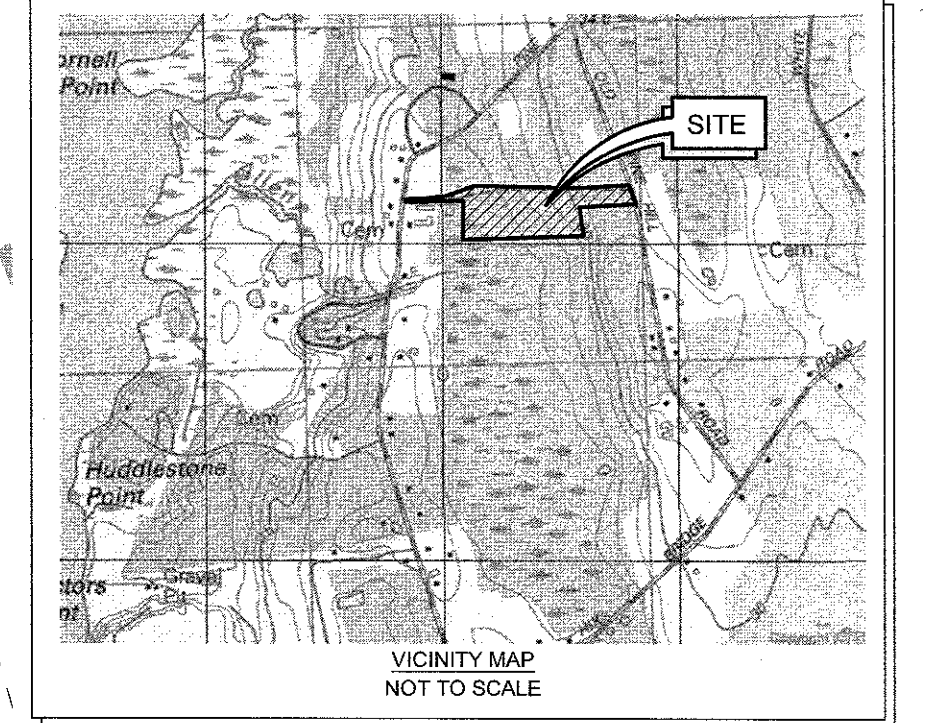
NORTHEAST ENGINEERS & CONSULTANTS, INC.



- SITE/CIVIL
- LAND PLANNING
- WATERFRONT
- SURVEYING
- GEOTECHNICAL
- ENVIRONMENTAL
- TRANSPORTATION
- STRUCTURAL
- MATERIALS TESTING

A KNOWLEDGE CORPORATION®

6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
 PHONE (401) 849-0810 FAX (401) 846-4169
 WWW.NORTHEASTENGINEERS.COM



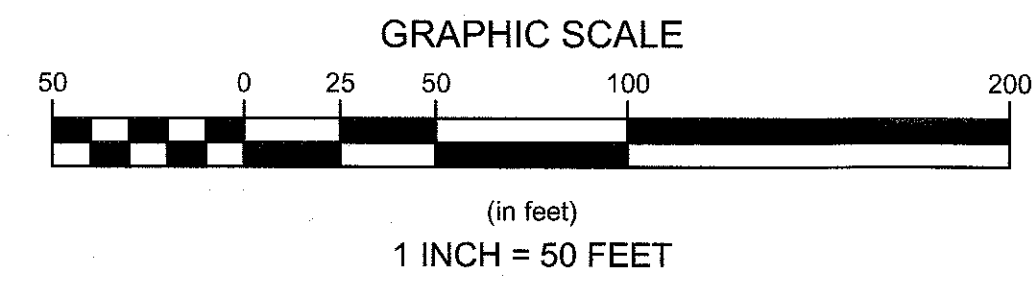
SEE GENERAL NOTES #3

LEGEND

- WATERSHED BOUNDARY
- SOIL BOUNDARY
- FLOW PATH & TIME OF CONCENTRATION
- CHARLTON PAXTON COMPLEX & TO 15 PERCENT SLOPES (HSG B)
- PRE-DEVELOPMENT WATERSHED
- DESIGN POINT

DESIGN POINT 1 (DP-1)	
EDGE OF WETLAND	
STORM	PEAK (cfs)
2-YEAR	7.49
10-YEAR	15.53
25-YEAR	22.02
100-YEAR	35.48

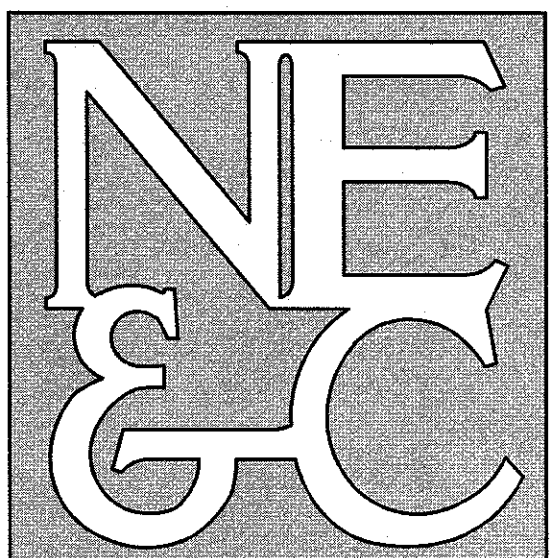
- GENERAL NOTES:**
- EXISTING CONDITIONS ARE THE RESULT OF A FIELD SURVEY BY NORTHEAST ENGINEERS & CONSULTANTS, INC. IN "NOVEMBER 2022."
 - VERTICAL DATUM IS NAVD88.
 - NORTH ARROW AND BASIS OF BEARING BASE UPON RTK/GNSS OBSERVATIONS.



No.	Revision	Date	App.
Designed By: SML		Drawn by: SML/VAL	Checked by:
Scale: 1"=80'		Date: 28FEB2023	
Project Title:			
A.P. 43, LOT 3 PINE HILL ROAD WESTPORT, MASSACHUSETTS			
Client/Owner:			
JACOB DEAN, GEORGE DEAN & ALAN DEAN PINE HILL ROAD WESTPORT, MA 02790			
Issued for:			
PERMITTING			
Drawing Title:			
EXISTING WATERSHED PLAN OF LAND IN WESTPORT, MASSACHUSETTS "CHIEF GEORGE ESTATES"			
Drawing Number:		W-1	
Sheet 1 of 1			
Project Number:		22205.0	
Survey Index:		WSP- 43 - 3	
OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES, OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.			



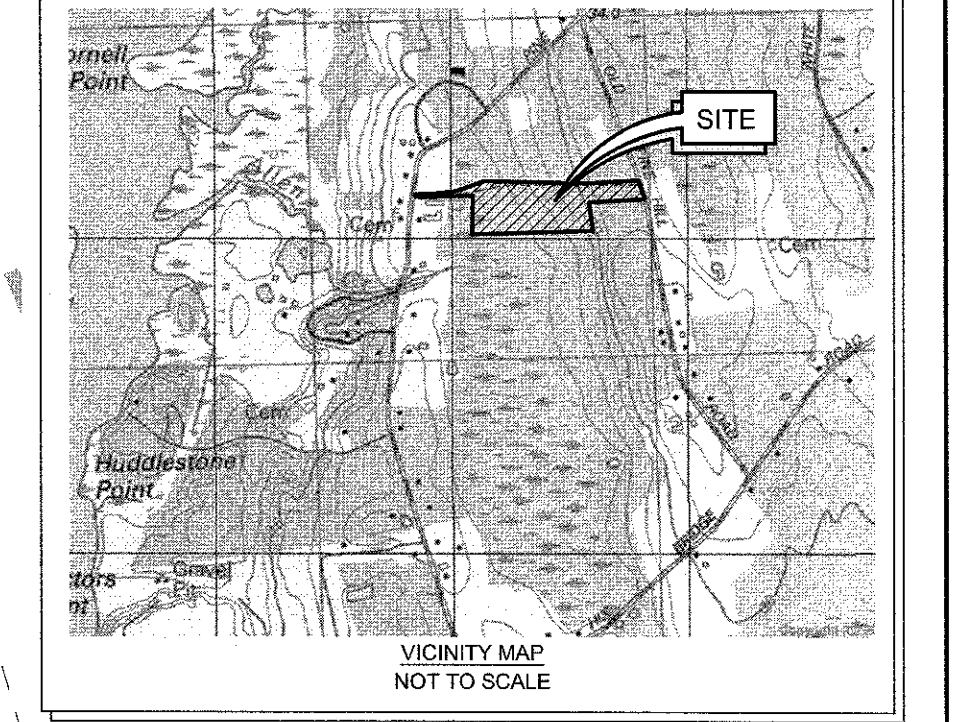
NORTHEAST ENGINEERS & CONSULTANTS, INC.



SITE/CIVIL
LAND PLANNING
WATERFRONT
SURVEYING
GEOTECHNICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL
MATERIALS TESTING

A KNOWLEDGE CORPORATION®

6 VALLEY ROAD MIDDLETOWN RHODE ISLAND 02842
PHONE (401) 849-0810 FAX (401) 846-4169
WWW.NORTHEASTENGINEERS.COM



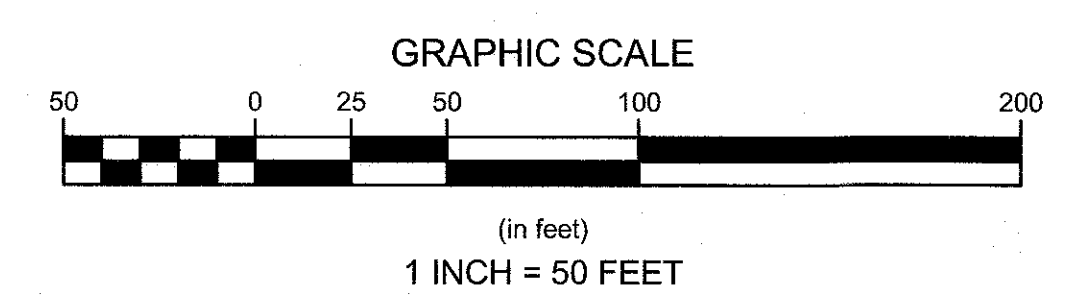
LEGEND

- WATERSHED BOUNDARY
- SOIL BOUNDARY
- FLOW PATH & TIME OF CONCENTRATION
- POST-DEVELOPMENT WATERSHED
- DESIGN POINT

DESIGN POINT 1 (DP-1)
EDGE OF WETLAND

STORM	PEAK (cfs)
2-YEAR	5.80
10-YEAR	13.72
25-YEAR	19.73
100-YEAR	27.41

- GENERAL NOTES:**
- EXISTING CONDITIONS ARE THE RESULT OF A FIELD SURVEY BY NORTHEAST ENGINEERS & CONSULTANTS, INC. IN "NOVEMBER 2022."
 - VERTICAL DATUM IS NAVD88.
 - NORTH ARROW AND BASIS OF BEARING BASE UPON RTK/GNSS OBSERVATIONS.



No.	Revision	Date	App.
Designed By:	SML	Drawn by:	SML/VAL
Scale:	1"=80'	Date:	28FEB2023
Project Title:			
A.P. 43, LOT 3 PINE HILL ROAD WESTPORT, MASSACHUSETTS			
Client/Owner:			
JACOB DEAN, GEORGE DEAN & ALAN DEAN PINE HILL ROAD WESTPORT, MA 02790			
Issued for:			
PERMITTING			
Drawing Title:			
PROPOSED WATERSHED PLAN OF LAND IN WESTPORT, MASSACHUSETTS "CHIEF GEORGE ESTATES"			
Drawing Number:			W-2
Sheet			1 of 1
Project Number:			22205.0
Survey Index:			WSP- 43 - 3
OWNERSHIP AND USE OF DOCUMENTS: DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ENGINEER. THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECTS OR PURPOSES, OR BY ANY OTHER PARTIES, THAN THOSE PROPERLY AUTHORIZED BY CONTRACT, WITHOUT THE EXPRESS AUTHORIZATION OF THE ENGINEER.			

Project Locus with Plan Overlay



400 200 0 400 Feet



Please RETURN To Planning Board No Later Than
May 12, 2023

FROM: Assessors Dept.

DATE: April 19, 2023



TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-010C

SUBJECT: Comments and recommendations regarding a definitive subdivision plan entitled "Definitive Subdivision Inheritance Lane", 4 Lot subdivision, Assessor's Plat 43, Lot 3, Old Pine Hill Road, Westport, MA. Prepared for Jacob Dean, George Dean and Alan Dean and located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots.

A public meeting is scheduled for May 30, 2023 at 6:15 p.m. at the Westport Town Hall Annex.
Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval
- Approval with modifications
- Disapproval
- No Comment

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

Name of officer, agency, or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

Please RETURN To Planning Board No Later Than
May 12, 2023

FROM: Board of Health

DATE: April 19, 2023

RECEIVED

MAY 23 2023

TO: The Westport Planning Board

WESTPORT
PLANNING BOARD

FORM M-1 PLAN REVIEW FORM

Application No. 23-010C

SUBJECT: Comments and recommendations regarding a definitive subdivision plan entitled "Definitive Subdivision Inheritance Lane", 4 Lot subdivision, Assessor's Plat 43, Lot 3, Old Pine Hill Road, Westport, MA. Prepared for Jacob Dean, George Dean and Alan Dean and located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots.


A public meeting is scheduled for May 30, 2023 at 6:15 p.m. at the Westport Town Hall Annex.

Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval
- Approval with modifications
- Disapproval
- No Comment

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:



Name of officer, agency, or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

**Please RETURN To Planning Board No Later Than
May 12, 2023**

FROM: Board of Selectmen

DATE: April 19, 2023

RECEIVED
May 2, 2023
WESTPORT
PLANNING BOARD

TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-010C

SUBJECT: Comments and recommendations regarding a **definitive subdivision plan entitled "Definitive Subdivision Inheritance Lane", 4 Lot subdivision, Assessor's Plat 43, Lot 3, Old Pine Hill Road, Westport, MA. Prepared for Jacob Dean, George Dean and Alan Dean and located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots.**

A public meeting is scheduled for **May 30, 2023** at **6:15** p.m. at the Westport Town Hall Annex.
Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval
- Approval with modifications
- Disapproval

No Comment

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

Caulea Brown Administrative Assistant

Name of officer, agency, or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

Please RETURN To Planning Board No Later Than
May 12, 2023

FROM: Conservation Commission

DATE: April 19, 2023



TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-010C

SUBJECT: Comments and recommendations regarding a definitive subdivision plan entitled "Definitive Subdivision Inheritance Lane", 4 Lot subdivision, Assessor's Plat 43, Lot 3, Old Pine Hill Road, Westport, MA. Prepared for Jacob Dean, George Dean and Alan Dean and located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots.

A public meeting is scheduled for May 30, 2023 at 6:15 p.m. at the Westport Town Hall Annex.

Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval
- Approval with modifications
- Disapproval
- No Comment

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

Applicant needs to have the wetland delineation approved.
Any grading work within 100' of BVW needs to be permitted with a NOTICE of Intent.


Name of officer, agency, or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

**Please RETURN To Planning Board No Later Than
May 12, 2023**

FROM: Conservation Dept

DATE: April 18, 2023

TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-013B

SUBJECT: Comments and recommendations regarding **Rural Residential Lane showing two lots.**

A public meeting is scheduled for **May 30, 2023** at **6:15** p.m. at the Westport Town Hall Annex.

Your response is greatly appreciated no later than May 12, 2023.

The undersigned recommends:

- Approval No Comment
- Approval with modifications
- Disapproval

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

<p><i>OWNERS will be required to file a Notice of Intent for the proposed driveway and swale for activity in the 100' Buffer zone.</i></p>


Name of officer, agency or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

**Please RETURN To Planning Board No Later Than
May 12, 2023**

FROM: _____

DATE: April 19, 2023



TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-010C

SUBJECT: Comments and recommendations regarding a **definitive subdivision plan entitled “Definitive Subdivision Inheritance Lane”, 4 Lot subdivision, Assessor’s Plat 43, Lot 3, Old Pine Hill Road, Westport, MA. Prepared for Jacob Dean, George Dean and Alan Dean and located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots.**

A public meeting is scheduled for **May 30, 2023** at **6:15** p.m. at the Westport Town Hall Annex. **Your response is greatly appreciated no later than May 12, 2023.**

The undersigned recommends:

- Approval
- Approval with modifications
- Disapproval
- No Comment

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

Name of officer, agency, or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

This office has reviewed a 4-lot subdivision site plan entitled, Inheritance Lane. This office has reviewed a 4 Lot Subdivision Site Plan entitled, Inheritance Lane, Westport Massachusetts.

The roadway site plan shall comply with 527 CMR CH. 18.2: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6.1 m). Fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches (4.1 m). Fire apparatus access roads shall have a cul-de-sac design of not less than 120 feet (60' radius) or a hammerhead design of not less than 120 feet in width.

The center of the cul-de-sac shall remain free from obstructions that prohibit emergency vehicles from a complete turn. Consideration of a gradual berm edge (Cape Cod Berm Mass.gov).

Under Fire Protection Regulation 100, subsurface water storage tank(s) shall be installed within 750 feet of a structure. A fire department permit is required before the installation. The water storage tank shall be protected, filled, dressed with the appropriate appliances, and in service before occupancy. The Fire Department shall inspect the water storage tank(s) before occupancy.

MGL 148 S.59: Street signs and house numbers shall be installed before the final occupancy of any structure.

**Please RETURN To Planning Board No Later Than
May 12, 2023**



FROM: _____

DATE: April 19, 2023

TO: The Westport Planning Board

FORM M-1 PLAN REVIEW FORM

Application No. 23-010C

SUBJECT: Comments and recommendations regarding a **definitive subdivision plan entitled "Definitive Subdivision Inheritance Lane", 4 Lot subdivision, Assessor's Plat 43, Lot 3, Old Pine Hill Road, Westport, MA. Prepared for Jacob Dean, George Dean and Alan Dean and located between 99 and 115 Old Pine Hill Road proposing to divide the property into four (4) lots.**

A public meeting is scheduled for **May 30, 2023** at **6:15** p.m. at the Westport Town Hall Annex. **Your response is greatly appreciated no later than May 12, 2023.**

The undersigned recommends:

- Approval
- Approval with modifications
- Disapproval
- No Comment

of the above-named plan insofar as its area of jurisdiction is concerned. The reasons for this recommendation are as follows:

Name of officer, agency, or board

Note: The Planning Board will take into consideration any recommendations made hereon before taking final action on the definitive subdivision plan. Lack of a timely report by any officer, agency, or board will be so recorded in the minutes of the Planning Board.

Project No. 23-0742 C
May 25, 2023

Mr. James T. Whitin, Chairman Town
of Westport Planning Board 856 Main
Street Westport, MA 02790

RECEIVED

June 5, 2023

WESTPORT
PLANNING BOARD

**Re: Review of "Inheritance Lane": Westport, MA, Application for
Definitive Subdivision (23-010C-RRL)**

Dear Chairman Whitin,

S.W. Cole Engineering, Inc. (S.W. COLE) has completed the review of the subject Definitive Subdivision ("Inheritance Lane") application off Old Pine Hill Road Westport Massachusetts.

The following documents were received and used for this review:

Completed Form F-RRL dated 3/10/23
Stormwater Runoff Analysis with "Existing" and "Proposed" Watershed Plan of Land (2 sheets)
Pre- & Post-Development Drainage Calculations
Form C dated 3/10/23
Definitive Subdivision "Inheritance Lane" Plans (6 Sheets)

Reference:

(1) Town of Westport Planning Board Rules and Regulations Governing the Subdivision of Land dated January 1, 2017

This project is proposed as a "Rural Residential Lane" (Note, plans show it as a "secondary road"; but is considered a "Residential Rural Lane" under Town of Westport's regulations, with four lots. The lane, as proposed in these plans, will use an existing 300 feet long 16 feet wide paved driveway changing to a 16 feet wide gravel lane for the remaining 650 feet.

The following comments are provided:

1. Per Section V, Part I of the referenced regulation, a subdivision of 4 or more lots, where there is no public water available, the Planning Board and the Chief of the Westport Fire Department may require a subsurface water storage tank be included in the project to protect the public safety.

2. A cross-section of the proposed spill way noting materials to be used shall be provided.
3. No operation and maintenance plan has been provided with this submission. It's noted that the top of the dike creating the diversion dikes and the detention pond is only 5 feet wide. This is inadequately sized to move large equipment, such as a typically sized backhoe, from the Lane to the outlet structure to perform emergency repairs if a situation arises.
4. Drainage design to work as designed is dependent on overland flows. This is especially vital for the flows that outlet the culvert going under the driveway of proposed lot 7. An easement should be provided to insure unimpeded flows into the future. This easement shall also include the dikes, detention basin, outlet structures and the means to access and maintain the structures.
5. Plan notes the use of the existing 16 foot wide driveway (cross-section unknown) and a 16 foot wide gravel travel surface. Reference (1), Table A (Standard Specifications), Note i. requires a 20-foot wide travel surface for both paved and gravel lanes.
6. Per Reference (1), Sec. IV, Para. 4.b.: "Dead-end streets over 150 feet long ...: Y-shaped" designs for Rural Residential Lanes provided that each leg of such turnaround be not less than 50 feet in length." Proposed turnaround only has a leg 32 feet long.



If you have any questions, please contact me directly.

Sincerely,
S.W. COLE ENGINEERING, INC.

Roger N. Poisson, P.E. Engineering
Review Consultant



KEVIN P. MEDEIROS
ATTORNEY AT LAW

286 UNION STREET
NEW BEDFORD, MA 02740
(508) 991-4040 FAX: (508) 990-7930
EMAIL: kpmlaw286@yahoo.com

RECEIVED

MAY 17 2023

WESTPORT
PLANNING BOARD

May 15, 2023

VIA: Email and Regular Mail

Michael A. Kelly, Esquire
128 Dorrance Street, Suite 300
Providence, RI 02903

RE: Elizabeth Meyer
VS: James T. Whitin, Robert Daylor, John Bullard, Mark L. Schmid, And
Manuel Soares, As They Are Members Of The Westport Planning Board,
Daniel G. Richard, In His Capacity As Trustee For The Richard Family
Trust; David L. Taylor, As Trustee For The Richard Family Trust; And
The Richard Family Trust.
Docket No.: 2373CV00196

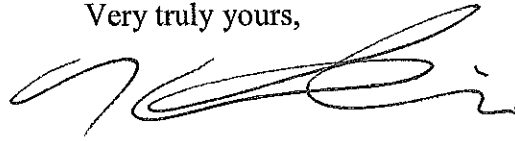
Dear Attorney Kelly:

Enclosed please find the following documents in regard to the above-entitled matter:

1. Defendant's Motion to Dismiss
2. Memorandum of Law in Support of Motion to Dismiss

In accordance with Superior Court Rule 9A(b)(2) the enclosed documents will be filed with the court on May 26, 2023.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kevin P. Medeiros', written in a cursive style.

KEVIN P. MEDEIROS

KPM/js

Enclosures

Cc. Westport Town Clerk
Daniel G. Richard and David L. Taylor
Trustees of The Richard Family Trust

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

SUPERIOR COURT DEPARTMENT OF
THE TRIAL COURT
DOCKET: NO. 2373CV00196

ELIZABETH MEYER; THE ELIZABETH E. MEYER)
REVOCABLE TRUST, BY AND THROUGH ITS)
TRUSTEE; THE MICHAEL JAMES MCCAFFREY)
REVOCABLE TRUST, BY AND THROUGH ITS)
TRUSTEE.)

VS.)

JAMES T. WHITIN, ROBERT DAYLOR, JOHN K.)
BULLARD, MARK L. SCHMID, AND MANUEL)
SOARES, AS THEY ARE MEMBERS OF THE)
WESTPORT PLANNING BOARD, DANIEL G.)
RICHARD, IN HIS CAPACITY AS TRUSTEE FOR)
THE RICHARD FAMILY TRUST; DAVID L.)
TAYLOR, AS TRUSTEE FOR THE RICHARD)
FAMILY TRUST; AND THE RICHARD FAMILY)
TRUST.)

MOTION TO DISMISS

Now come the defendants in the above-entitled matter and moves this Honorable Court to dismiss the pending petition for certiorari under Massachusetts Rules of Civil Procedure 12 (b) (6), as reason therefore states that the plaintiff has not met the requirements under MGL Chapter 248 Section 4.

Wherefore, defendants respectfully request that this matter be dismissed.

As further grounds for this motion the Defendants submit the accompanying memorandum of law.

Daniel G. Richard and David L. Taylor, as
Trustees for the Richard Family Trust; and
The Richard Family Trust,
By their attorney,



Kevin P. Medeiros, Esquire
286 Union Street
New Bedford, MA 02740
(508) 991-4040
BBO # 651028
May 15, 2023

CERTIFICATE OF SERVICE

I, Kevin P. Medeiros, hereby certify that on May 15, 2023 I served the foregoing motion on the plaintiff by mailing a copy of the same, postage prepaid, to her Attorney, Michael A. Kelly, Esquire with a mailing address of 128 Dorrance Street, Suite 300, Providence, RI 02903.



Kevin P. Medeiros, Esquire

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

SUPERIOR COURT DEPARTMENT OF
THE TRIAL COURT
DOCKET: NO. 2373CV00196

ELIZABETH MEYER; THE ELIZABETH E. MEYER)
REVOCABLE TRUST, BY AND THROUGH ITS)
TRUSTEE; THE MICHAEL JAMES MCCAFFREY)
REVOCABLE TRUST, BY AND THROUGH ITS)
TRUSTEE.)

VS.)

JAMES T. WHITIN, ROBERT DAYLOR, JOHN)
BULLARD, MARK L. SCHMID, AND MANUEL)
SOARES, AS THEY ARE MEMBERS OF THE)
WESTPORT PLANNING BOARD, DANIEL G.)
RICHARD, IN HIS CAPACITY AS TRUSTEE FOR)
THE RICHARD FAMILY TRUST; DAVID L.)
TAYLOR, AS TRUSTEE FOR THE RICHARD)
FAMILY TRUST; AND THE RICHARD FAMILY)
TRUST.)

**MEMORANDUM OF LAW IN SUPPORT
OF MOTION TO DISMISS**

The pending case is a petition for certiorari of the Westport Planning Board’s decision to endorse the Approval Not Required plan prepared for the Richard Family Trust for the property located at 533 Horseneck Road, Westport, Massachusetts.

STATEMENT OF RELEVANT FACTS

On or about September 15, 2022 my client, Daniel L. Richard, Trustee of the Richard Family Trust (hereinafter, the “Applicant”) engaged the services of Gregory Nicholas of Southcoast Engineering (hereinafter “Southcoast”) in order to subdivide the land located 533 Horseneck Road Westport, Massachusetts, Assessors Plat 73, Lots 73, 74 and 76. Southcoast

prepared an Approval Not Required subdivision plan (hereinafter “ANR”) that consisted of a 4 lot subdivision. See attached Exhibit “A”. The plan submitted met every requirement under the Westport Zoning bylaws and Massachusetts General Law Chapter 41 Sec. 81P.

On or about January 24, 2023 counsel appeared before the Westport Planning Board for endorsement by the Board on an ANR plan consisting of four (4) lots located at 533 Horseneck Road Westport, MA. Counsel represented to the board that each of the four lots met the frontage requirement (minimum of 150 feet on a public way) and square footage requirement (minimum of 60,000 square feet) and also that it met the requirements under Massachusetts General Law Chapter 41 Section 81P. The Board agreed that the plan met all of the requirements under said statute and endorsed the plan. The plan was subsequently recorded at the Bristol County Southern District Registry of Deeds at Plan Book 185, Page 27.

ISSUE

1. Whether the plaintiff has met the requirements under MGL Chapter 249 Section 4 in order to bring a petition for certiorari before this court.

ARGUMENT

Massachusetts General Law Chapter 249 Section 4 states “A civil action in the nature of certiorari to correct errors in proceedings which are not according to the course of the common law, which proceedings are not otherwise reviewable by motion or by appeal”. On or about February 13, 2023 the plaintiffs filed a complaint in this court appealing the Westport Planning Board’s decision to endorse the approval not required plan for the property located at 533 Horseneck Road Westport, MA. The Plaintiff’s filing of the complaint appealing the Westport Planning Board’s decision to endorse the ANR plan (docket no. 2373CV00084), which alleges the same or similar facts as in their petition for certiorari before this court is proof that petitioner

does have an alternative route to seek relief. Review under G.L. c. 249, § 4, is available, in the words of the statute, to "correct errors in proceedings . . . which . . . are not otherwise reviewable by motion or by appeal." "[C]ertiorari does not provide an additional or alternative avenue of appellate review." *Picciotto v. Superior Court Dep't of the Trial Court*, 437 Mass. 1019, 1020 (2002). Here, petitioner has an alternative remedy to certiorari, i.e., the ordinary appellate process.

G.L. c. 249, § 4 also states a civil action "may be brought in the supreme judicial or superior court or, if the matter involves any right, title or interest in land, or arises under or involves the subdivision control law, the zoning act or municipal zoning, or subdivision ordinances, by-laws or regulations, in the **land court**". The matter before this court clearly involves the subdivision control law and should be dismissed for lack of jurisdiction.

In *Leslie v. Bodkin* 488 Mass. 1012, Plaintiff appealed from a judgment of the county court denying, without a hearing, her petition for relief in the nature of certiorari MGL Chapter 249 Section 4. In her petition she sought review of various judgments and orders of the Superior Court and of the Appeals Court. The challenged orders and judgments, however, were all subject to review in the ordinary appellate process. Plaintiff received full appellate review of her claims. The court quotes from *Miranda v. Superior Court Dep't*, 482 Mass 1008 "It would be hard to find any principle more fully established in our practice than the principle that neither mandamus nor certiorari is to be used as a substitute for ordinary appellate procedure or used at any time when there is another adequate remedy."

Daniel G. Richard and David L. Taylor, as
Trustees for the Richard Family Trust; and
The Richard Family Trust,

By their attorney,



Kevin P. Medeiros, Esquire
286 Union Street
New Bedford, MA 02740
(508) 991-4040
BBO# 651028
May 15, 2023



Wed Mar 29 2023

Imagery © 2023 Nearmap, HERE

50 ft



Northeast Engineers & Consultants, Inc.
A Knowledge CorporationTM

4b1

RECEIVED

MAY 22 2023

WESTPORT
PLANNING BOARD

Northeast Engineers and Consultants, Inc.
6 Valley Road
Middletown, RI 02842
Tel. (401) 849-0810 Fax. (401) 846-4169

May 18, 2023

Re: 1380-J Drift Road, Westport, MA
Chapter 91 Dock License
22-WW01-0137-APP

Dear Planning Board,

As part of the completion of the application process for the above-mentioned address, the Waterways regulation Program of the MADEP has asked us on behalf of the applicant to provide you with a copy of the proposed plans, and notification of the public notice. The project has already received an Order of Conditions from the Westport Conservation commission. (DEP File #SE80-2629)

We respectfully request you to submit any possible written comments as instructed on the attached sheet.

If there are any questions you may contact me at (401) 849-0810. Thank you for your consideration.

Sincerely,

Sean Leach
Northeast Engineers & Consultants, Inc.

Attachments

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of License Application Pursuant to M.G.L Chapter 91 Waterways License
Application Number 22-WW01-0137-APP
Christopher Yule**

NOTIFICATION DATE: May 18, 2023

Public notice is hereby given of the waterways application by Christopher Yule to maintain an existing stone seawall, stone pier and wooden platform, and construct and maintain a pier, ramp and float at 1380-J Drift Road, in the municipality of Westport, in and over flowed tidelands of the East Branch of the Westport River. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Project plans and documents for the Waterways application are on file for public viewing electronically at: <https://eeaonline.eea.state.ma.us/EEA/PublicApp/> (enter the project address in the Search Page as the Location Address). If you need assistance, please contact Carlos.fragata@mass.gov or if you do not have access to email, please leave a voicemail at (617) 413-3768 and you will be contacted with information on alternative options.

Written comments must be addressed to: Carlos T. B. Fragata, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

RECEIVED

MAY 22 2023

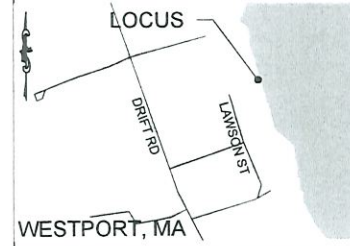
**WESTPORT
PLANNING BOARD**

I HEREBY CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

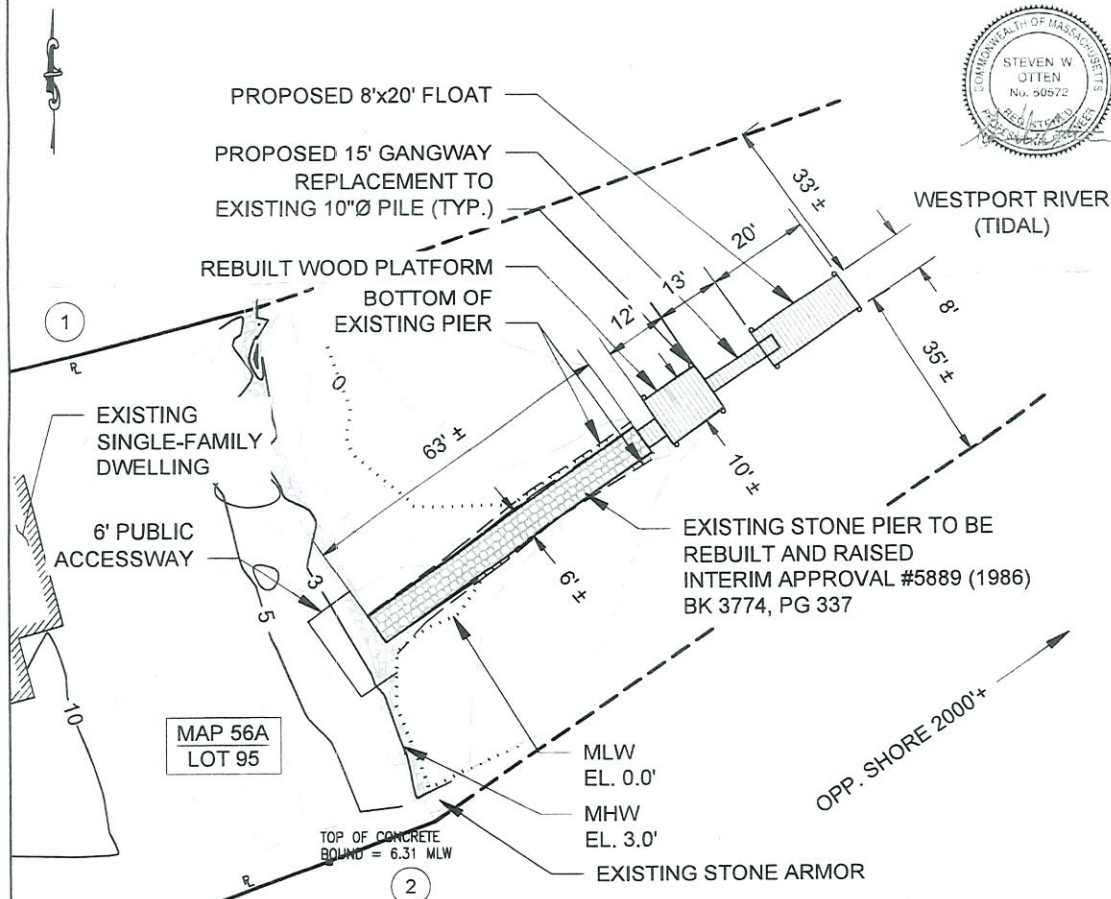
DATE

ABUTTERS LIST

- 1. MAP 56A LOT 99
PAULETTE FONTAINE
- 2. MAP 56A LOT 94
FRANK & VIRGINIA SWEENEY



LOCATION MAP NTS



PROPOSED CONDITIONS

PLAN TO ACCOMPANY PETITION OF CHRISTOPHER YULE TO REBUILD AND MAINTAIN EXISTING STONE PIER AND PLATFORM, AND CONSTRUCT AND MAINTAIN RAMP AND FLOAT THE WESTPORT RIVER. LAT 41°33'15.4794", LONG -71°04'6.6"

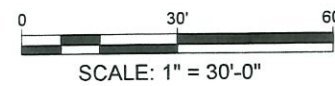
1380-J DRIFT ROAD
TOWN OF WESTPORT
BRISTOL COUNTY
MA
MAY 11, 2023

SHEET 1 OF 2



6 VALLEY ROAD WICKETOWN RHODE ISLAND 02842
PHONE: (401) 863-1515 FAX: (401) 864-1759
WWW.NEENGINEERS.COM

SITE/CIVIL
LAND PLANNING
WATER/WASTEWATER
SURVEYING
GEOLOGICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL
MATERIALS TESTING



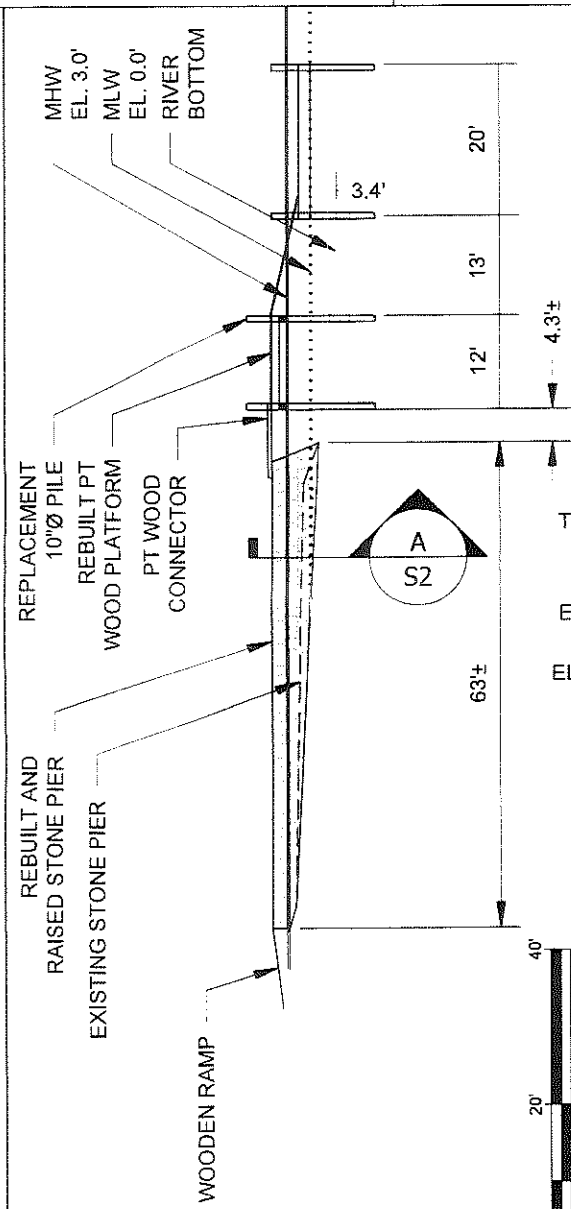
RECEIVED

MAY 22 2023

WESTPORT PLANNING BOARD

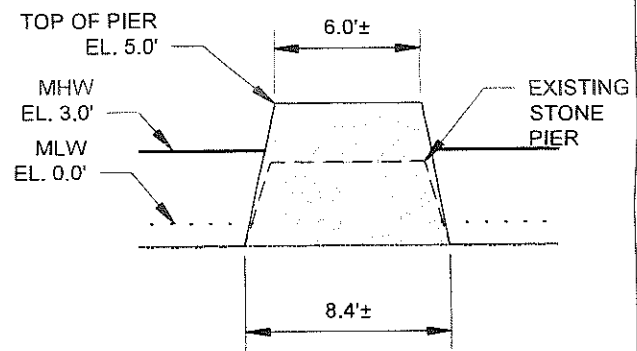
I HEREBY CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE

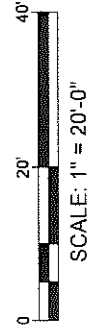


NOTES:

1. PILES SHALL BE OF DIAMETER SPECIFIED.
2. PILES TO BE DRIVEN TO DEPTH TO AVOID ICE LIFT OR TO REFUSAL.
3. ALL HARDWARE SHALL BE HOT DIPPED GALVANIZED OR STAINLESS STEEL.
4. DATUM BASED ON MEAN LOW WATER.
5. FLOATS SHALL BE ENCAPSULATED FOAM OR DRUM TYPE SYSTEM. NO EPS FOAM SYSTEM SHALL BE USED.



SECTION A
SCALE: NTS



PROPOSED PROFILE

PLAN TO ACCOMPANY PETITION OF CHRISTOPHER YULE TO REBUILD AND MAINTAIN EXISTING STONE PIER AND PLATFORM, AND CONSTRUCT AND MAINTAIN RAMP AND FLOAT THE WESTPORT RIVER.
 LAT 41°33'15.4794", LONG -71°04'6.6"
 1380-J DRIFT ROAD
 TOWN OF WESTPORT
 BRISTOL COUNTY
 MA
 MAY 11, 2023

SHEET 2 OF 2

23-016Ch91



Massachusetts Department of Environmental Protection
Chapter 91 Waterways Water-Dependent, Nonwater Dependent, Amendment Application
Municipal Planning Board Notification

RECEIVED

Note to Permittee: This form should be submitted, with the top portion completed, to the municipal Planning Board along with the complete application and project plans.

MAY 18 2023

WESTPORT
PLANNING BOARD

JUDITH & ROBERT CARRIGS

Name of Permittee

1707-C DRIFT ROAD

Project Address

WESTPORT RIVER

Name of Waterway

EAST BRANCH

WESTPORT

City/Town

Description of project and use or change in use (this field is not limited to the one line shown).

RAMP, ELEVATED WALKWAY, FIXED PIER GANGWAY
FLOAT & BOAT LIFT

To be completed by the municipal Planning Board representative.

"I hereby certify that the project described above and more fully detailed in the Permittee's Waterways License application and plans have been submitted by the Permittee to the municipal Planning Board."

Michael Burris

Print Name of Municipal Planning Board Representative

5.25.23

Date

Signature of Municipal Planning Board Representative

Town Planner

Title

Westport

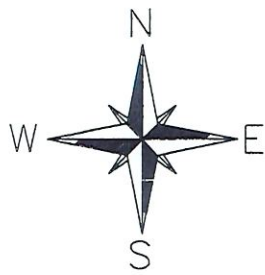
City/Town

Note: Any Planning Board recommendation shall be submitted in accordance with 310 CMR 9.13(5). Comments pertaining to this Application shall be submitted in accordance with 310 CMR 9.13(4); any comments submitted after the close of the public comment period shall not constitute a basis for standing in any appeal pursuant to 310 CMR 9.13(4) and/or 310 CMR 9.17.

"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Alan J. Heureux
 ALAN J. HEUREUX, P.E.

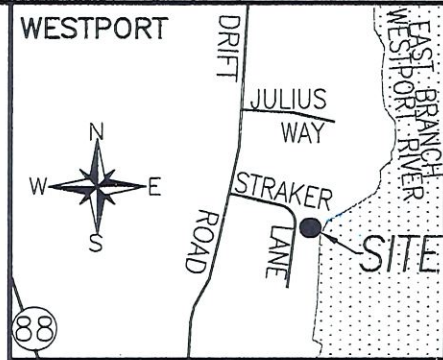
5/8/23
 DATE



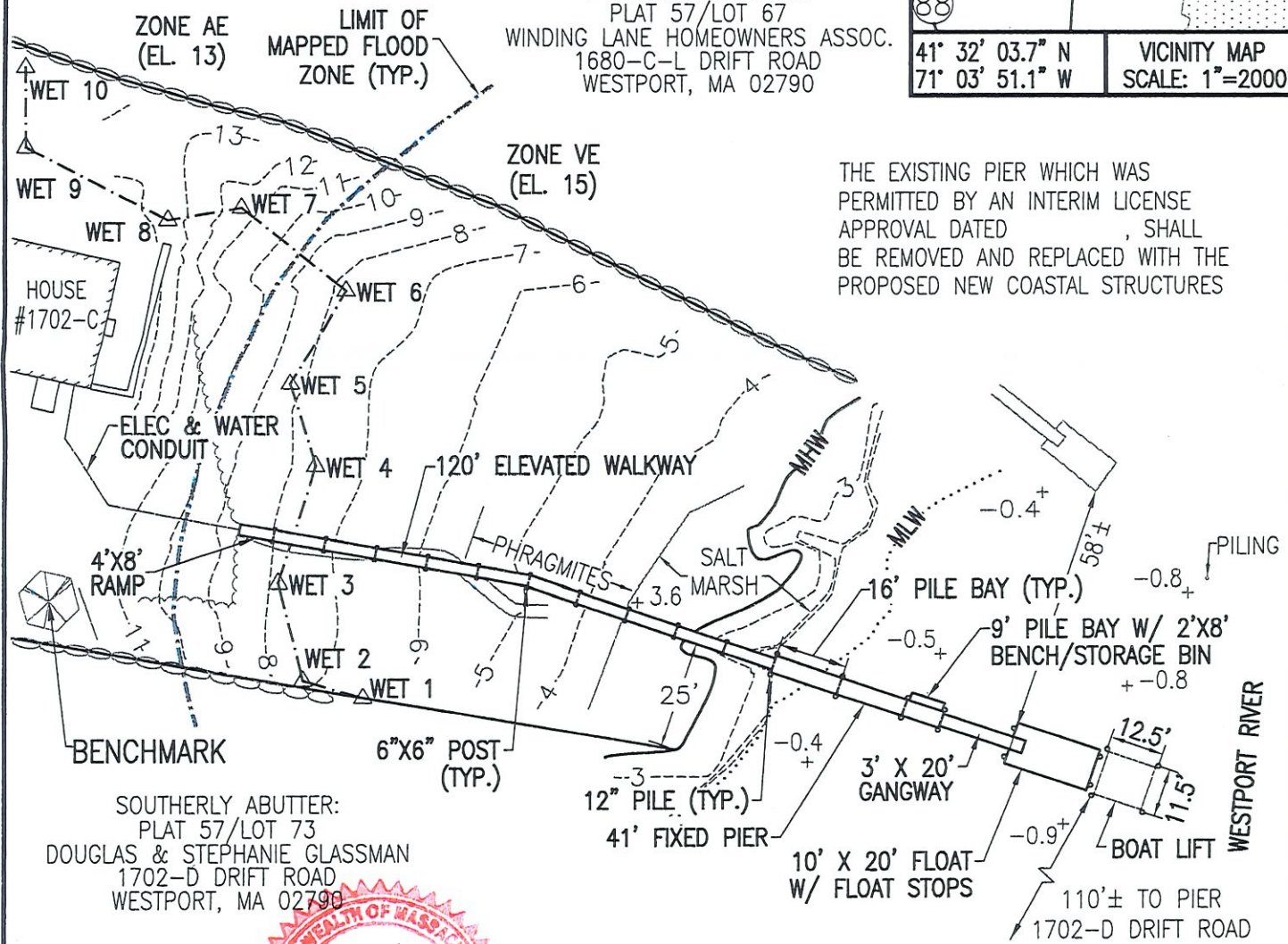
LEGEND

- PROPERTY BOUNDARY
- EXISTING CONTOUR
- EXISTING SPOT ELEV.
- MLW MEAN LOW WATER
- MHW MEAN HIGH WATER

NORTHERLY ABUTTER:
 PLAT 57/LOT 67
 WINDING LANE HOMEOWNERS ASSOC.
 1680-C-L DRIFT ROAD
 WESTPORT, MA 02790

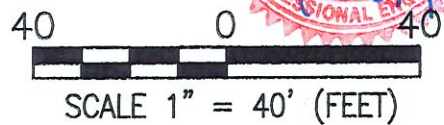
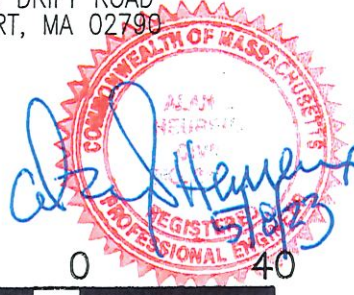


41° 32' 03.7" N
 71° 03' 51.1" W
 VICINITY MAP
 SCALE: 1"=2000'



THE EXISTING PIER WHICH WAS PERMITTED BY AN INTERIM LICENSE APPROVAL DATED _____, SHALL BE REMOVED AND REPLACED WITH THE PROPOSED NEW COASTAL STRUCTURES

SOUTHERLY ABUTTER:
 PLAT 57/LOT 73
 DOUGLAS & STEPHANIE GLASSMAN
 1702-D DRIFT ROAD
 WESTPORT, MA 02790



SCALE 1" = 40' (FEET)

BENCHMARK: (MLW)
 CUT NAIL SET IN 30" TREE, 50'± SOUTH OF HOUSE #1702-C DRIFT ROAD.
 ELEVATION=13.91

PLAN ACCOMPANYING THE PETITION OF ROBERT & JUDITH CARRIGG, 1702-C DRIFT ROAD WESTPORT, MA 02790, TO LICENSE AND MAINTAIN A PROPOSED ELEVATED WALKWAY, FIXED PIER, GANGWAY AND FLOAT ON THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT MA.

DWG#: 3597-01 MAY 8, 2023
 SHEET 1 OF 4

GENERAL NOTES:

1. PROPERTY INFORMATION SHOWN HEREON IS NOT THE RESULT OF A FULL BOUNDARY SURVEY AND THEREFORE SHOULD BE CONSIDERED APPROXIMATE.
2. A PORTION OF THE SITE IS WITHIN THE 100-YEAR FLOOD ZONE "VE" (ELEVATION 15, NAVD88) AS SHOWN ON THE NFIP/FIRM #25005C0462G, DATED JULY 6, 2021

Heureux Engineering, LLC

25 HIGH STREET
 DARTMOUTH, MASSACHUSETTS 02748

DATUM: MEAN LOW WATER ELEVATION = 0.0

"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

ALAN J. HEUREUX, P.E.

Alan J. Heureux
DATE 5/8/23

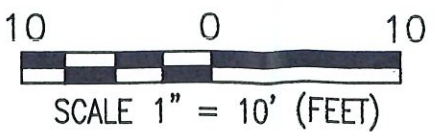
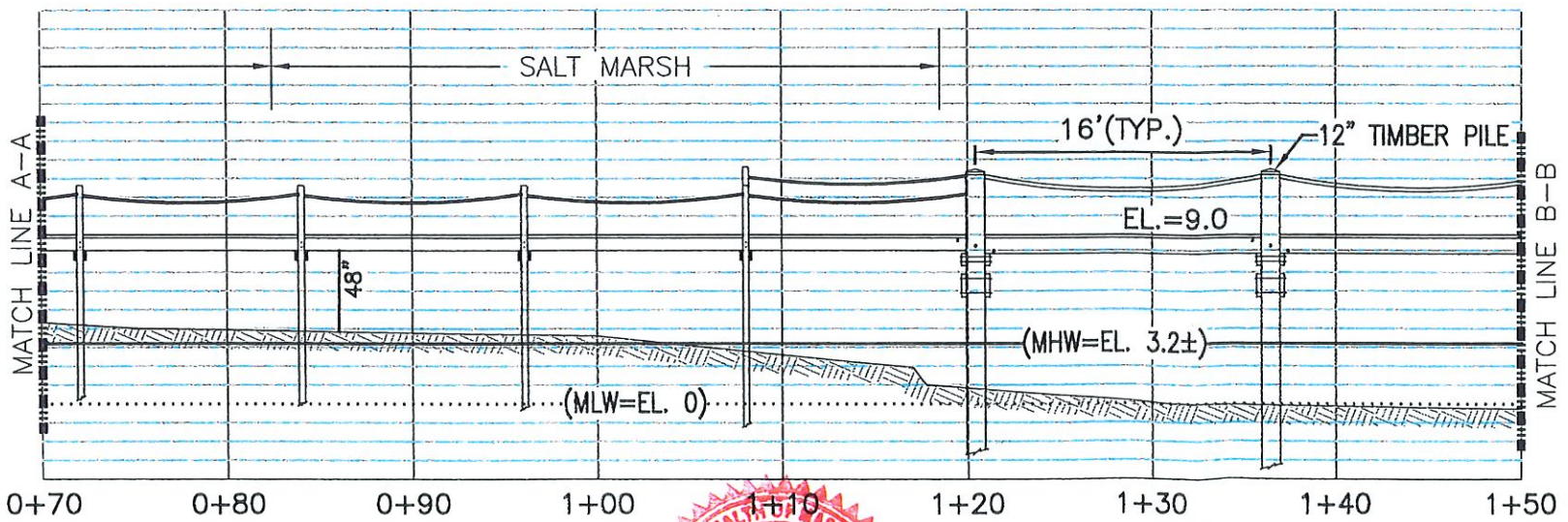
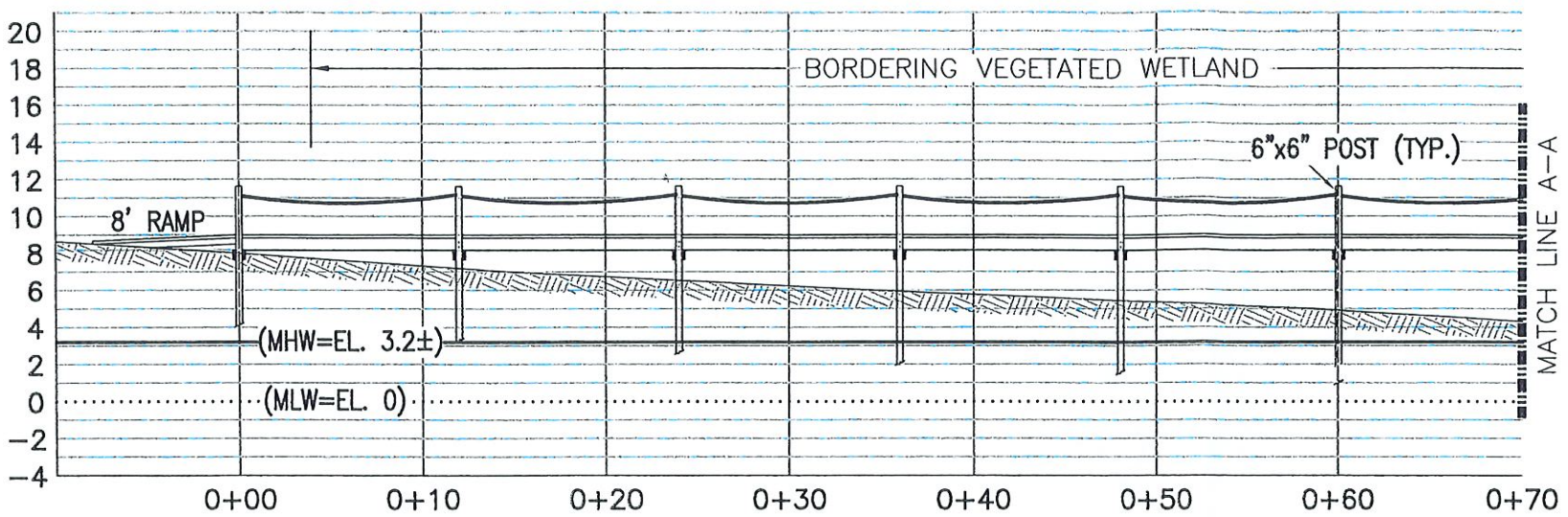
PROFILE VIEW

DATUM: MEAN LOW WATER ELEVATION = 0.0
PILES TO DRIVEN 12' BELOW RIVER BOTTOM OR UNTIL REFUSAL

PLAN ACCOMPANYING THE PETITION OF ROBERT & JUDITH CARRIG, 1702-C DRIFT ROAD WESTPORT, MA 02790, TO LICENSE AND MAINTAIN A PROPOSED ELEVATED WALKWAY, FIXED PIER, GANGWAY AND FLOAT ON THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT MA.

TOTAL PILES = 16
PILES IN THE INTERTIDAL ZONE = 4
DISPLACEMENT VOLUME: PILES = 0.35 CUBIC YARD

DWG#: 3597-01 MAY 8, 2023



SHEET 2 OF 4

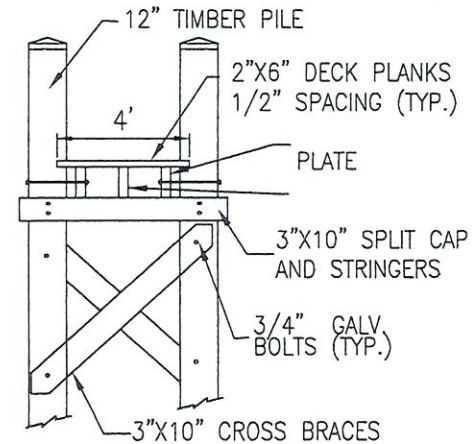
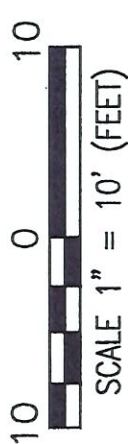
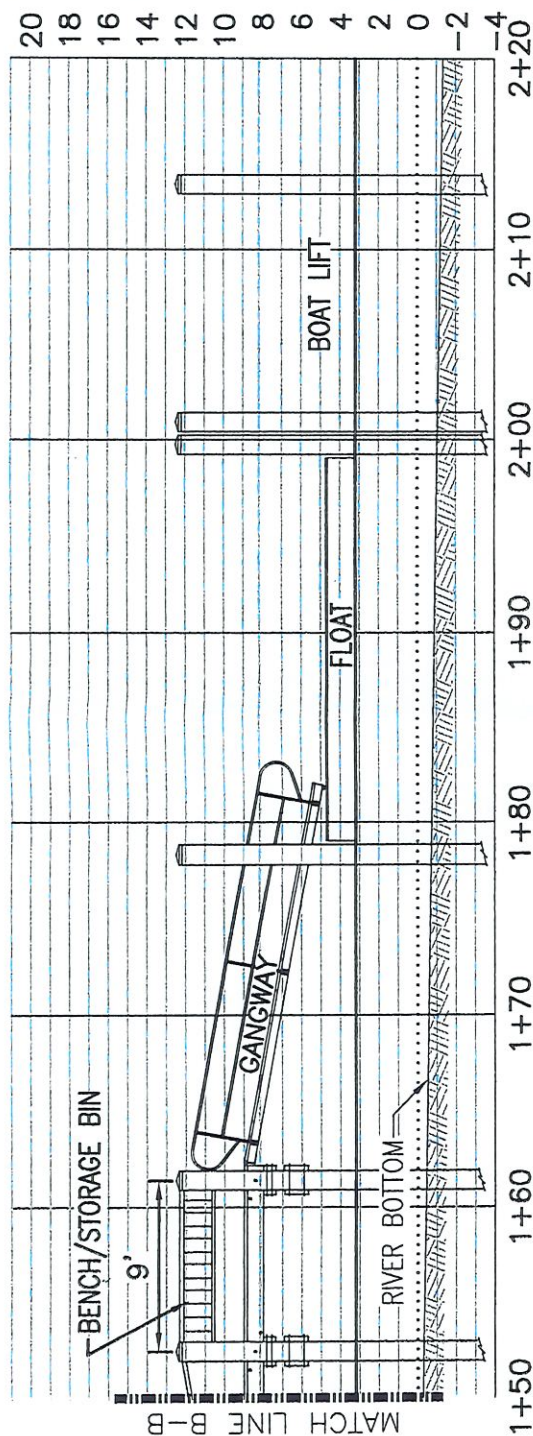
Heureux Engineering, LLC
25 HIGH STREET
DARTMOUTH, MASSACHUSETTS 02748



"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Alan J. Heureux
 ALAN J. HEUREUX, P.E.

5/8/23
 DATE



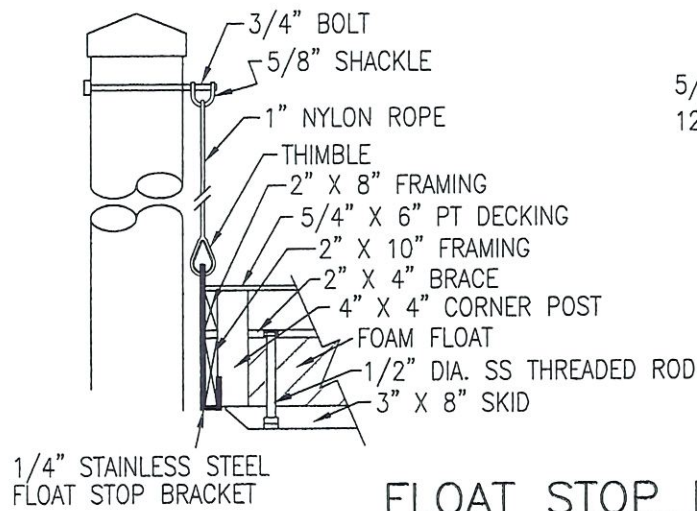
**FIXED PIER
 TRANSVERSE SECTION**
 NOT TO SCALE



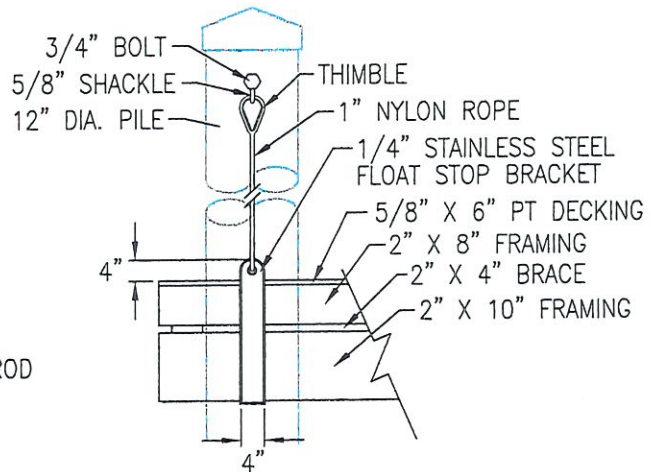
Heureux Engineering, LLC
 25 HIGH STREET
 DARTMOUTH, MASSACHUSETTS 02748

PLAN ACCOMPANYING THE PETITION OF ROBERT & JUDITH CARRIGG, 1702-C DRIFT ROAD WESTPORT, MA 02790, TO LICENSE AND MAINTAIN A PROPOSED ELEVATED WALKWAY, FIXED PIER, GANGWAY AND FLOAT ON THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT MA.

MAY 8, 2023



FLOAT STOP DETAIL
 NOT TO SCALE



DWG#: 3597-01

SHEET 3 OF 4

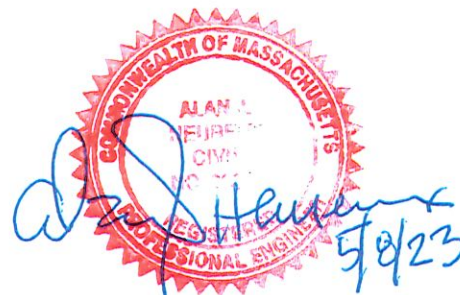
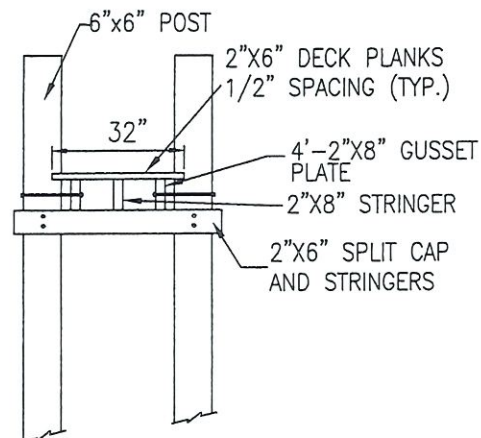
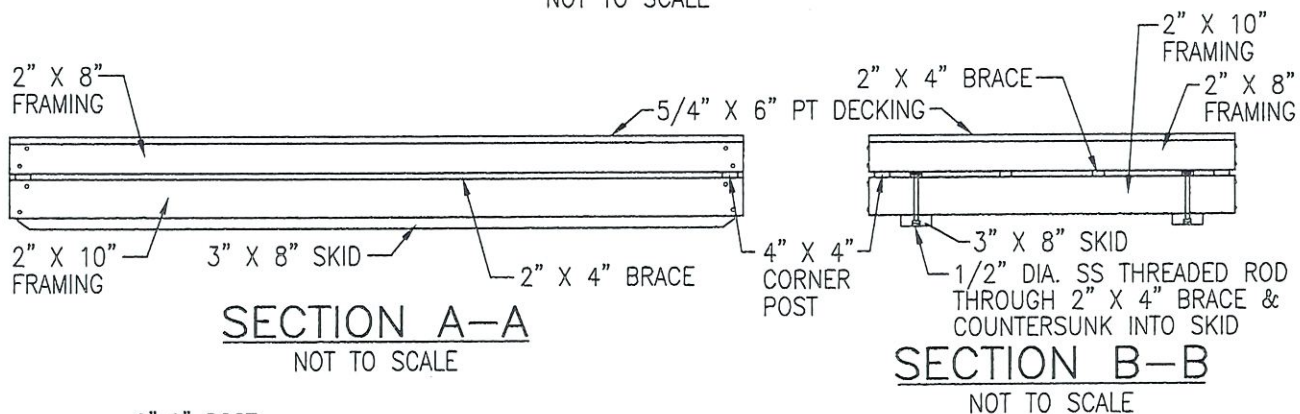
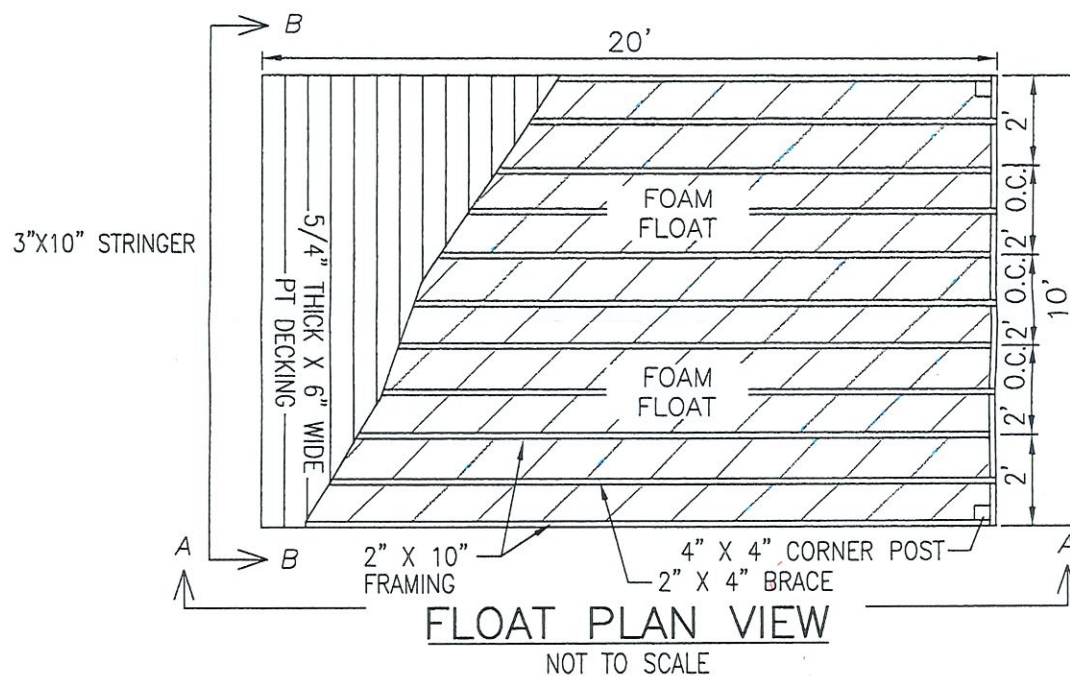
"I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Alan J. Heureux
 ALAN J. HEUREUX, P.E.

5/8/23
 DATE

CONSTRUCTION NOTES:

1. THE PILINGS SHALL BE 12" GREENHART.~ ALL TIMBER ABOVE THE WATERLINE SHALL BE TREATED WITH MICRONIZED COPPER AZOLE COMPOUNDS OR APPROVED COMPARABLE SUBSTITUTE.
2. HARDWARE BELOW THE WATERLINE SHALL BE STAINLESS STEEL.~ ALL OTHER HARDWARE SHALL BE HOT DIPPED GALVANIZED OR APPROVED COMPARABLE SUBSTITUTE.
3. THREE (3) STRINGERS ARE REQUIRED FOR BOTH THE ELEVATED WALKWAY (2" X 10") AND PIER (3" X 10").
4. ELECTRIC & WATER CONDUITS SHALL BE RUN ALONG THE TOP OF THE SPLIT CAPS.
5. ALL FOAM MATERIAL USED FOR DOCK FLOTATION SHALL BE CLOSED-CELL POLYSTYRENE FOAM APPROPRIATE FOR MARINE USE OR SHALL BE PROPERLY ENCAPSULATED.
6. THE FLOAT SHALL HAVE REFLECTIVE TAPE PLACED ON THREE SIDES FACING SEAWARD.
7. THE BOAT LIFT SHALL BE MANUFACTURED BY HI-TIDE BOAT LIFTS OR AN APPROVED COMPARABLE SUBSTITUTE. THE MARINE CONTRACTOR MUST CONFIRM THE PILING LOCATION AND SPECIFICATIONS PRIOR TO INSTALLATION. (WWW.HI-TIDE.COM 1-800-544-0735)



PLAN ACCOMPANYING THE PETITION OF ROBERT & JUDITH CARRIGG, 1702-C DRIFT ROAD WESTPORT, MA 02790, TO LICENSE AND MAINTAIN A PROPOSED ELEVATED WALKWAY, FIXED PIER, GANGWAY AND FLOAT ON THE EAST BRANCH OF THE WESTPORT RIVER, WESTPORT MA.



TOWN OF WESTPORT
Westport Town Hall
816 Main Road, Westport, MA 02790
Zoning Board of Appeals
Tel: 508-636-1003 or Fax 508-636-1147

RECEIVED

MAY 23 2023

WESTPORT
PLANNING BOARD

ABUTTER NOTIFICATION

TO: Abutter of 50 Spinnaker Way, Westport, MA

DATE: May 17, 2023

A public hearing will be held on Wednesday, June 21, 2023 at 6:30 p.m. at the Westport Town Hall, 2nd Floor Meeting Room, 816 Main Road, Westport, MA to hear the administrative appeal of Spinnaker Way LLC from a cease and desist order of the Building Commissioner and the Building Commissioner's determination that a Special Permit by the Zoning Board of Appeals is required to conduct a bed and breakfast, under Zoning Bylaw Article XIV, Section 1.1. The subject property is located at 50 Spinnaker Way, Westport, MA and is shown on Assessor's Map 22, Lots 2Y and 20K.



TOWN OF WESTPORT
Westport Town Hall
816 Main Road, Westport, MA 02790
Zoning Board of Appeals
Tel: 508-636-1041 or Fax: 508-636-1147

May 26, 2023

Kristin Stinson, Town Clerk
Town of Westport
Westport, MA 02790

RECEIVED

MAY 30 2023

WESTPORT
PLANNING BOARD

NOTICE OF DECISION

Dear Ms. Stinson:

The Zoning Board of Appeals hereby submits for filing in your office the following record of the Zoning Board of Appeals proceeding and its decision on the petition of Michael Castro, Applicant, and Michael Castro, Trustee, Owner for a Special Permit to construct a one-level, one-bedroom detached accessory apartment not greater than 900 square feet with two-car garage, as allowed by Zoning Bylaw Article 9, Section 9.5.3. The subject property is located at 46 Orlando Avenue, Westport, MA and is shown on Assessor's Map 68, Lot 25.

RECORD OF PROCEEDINGS AND DECISION

Pursuant to a Notice of Public Hearing that was duly published in the Westport Shorelines on April 20, 2023 and April 27, 2023, and posted in the Town Hall Bulletin Board and mailed to the owners, Petitioners, abutters, owners of land directly opposite on any public or private street or way, abutters to the abutters within three hundred (300) feet of the property line of the Petitioners, the Westport Planning Board, the Dartmouth Planning Board and the Fall River Planning Department, a public hearing was held at the Westport Town Hall, 816 Main Road, Westport, MA on Wednesday, May 17, 2023 at 6:30 p.m. on the above-mentioned petition.

Chair Menard explained the procedure that would be followed at this hearing, namely: the Petitioner would present his evidence; the Board would ask questions and discuss the information submitted; the Board would open up the hearing to the public for comment or questions; the Board would close the hearing; and the Board would then deliberate and render a determination.

Chair Menard stated that the members voting on this matter would be Gerald Coutinho, Barbara Pontolilo, Ray Elias, Cynthia Kozakiewicz and, himself, Roger Menard. He said that four (4) out of five (5) members would need to vote in favor of the granting of the Special Permit.

Chair Menard also noted that the Applicant would be required to comply with the conditions as enumerated in Zoning Bylaw 9.5.3.

Chair Menard stated that the Building Commissioner had recently denied the building permit, stating in pertinent part:

“After review of the submitted building permit application received on March 16, 2023, it has been determined that you are requesting a building permit to construct a 900 square foot, one (1) bedroom detached accessory apartment on your property at 46 Orlando Avenue.

The Town of Westport Zoning By-laws Article 9.5.3 . . . states, ‘The Zoning Board of Appeals may issue a Special Permit authorizing the installation and use of a detached accessory apartment in a detached structure on a lot containing a single-family dwelling provided the following conditions are met. . . .’

Therefore, your application is hereby denied. . . .”

Chair Menard also read an e-mail from the Health Department regarding the approved septic system.

Sean Leach, Northeast Engineers, 6 Valley Road, Middletown, RI, and Michael Castro, Petitioner, addressed the Board, stating that:

1. Sean Leach is the engineer working on this project.
2. The detached accessory apartment will be located 250 feet from the end of the cul-de-sac.
3. The property is large, containing more than 26 acres and a three-bedroom single-family home.
4. The structure will contain a detached accessory apartment with 900 square feet and an unheated two-car garage containing 1,236 square feet.
5. The structure meets all setback requirements and is a substantial distance from the road.
6. The septic system approval from the Board of Health was obtained earlier in the week.
7. The structure is not near the wetlands line.
8. The unheated attic space will be used for storage and dormers. Access to the attic will be by a pull-down ladder.

9. There will be a storage closet in the garage.

10. In the winter, the garage will be used to house the Petitioner's mother's van that accommodates a wheelchair for access to the apartment.

11. The structure is 200 feet from the abutters on the west, approximately 230 feet from abutters on the east, 250 feet from the roadway, and 400 feet from the house on the property.

12. The structure is being constructed onto a slab, with no basement. The future of the structure will be a garage.

Chair Menard stated that his main concern is with the space in the attic and in the garage that could, in the future, be converted into one (1) or two (2) bedrooms, which would be a violation of the Zoning Bylaw.

Vice-Chair Coutinho noted that placing the mechanicals in the attic may eliminate the space available for another bedroom; or, in the alternative, the Board could vote to not allow access to the attic.

Mr. Castro stated that he had not decided that issue yet, but they could be placed in the attic.

Chair Menard read into the record the e-mail sent by the Board of Health, indicating that the septic system had been approved at 46 Orlando Avenue. He also noted that the floor plan of 900 square feet is permitted by the Bylaw.

Chair Menard requested that the Petitioner go through each of the provisions required to approve the Special Permit, identifying how he would comply.

Mr. Castro and Mr. Leach answered the requirements under Section 9.5.3 in the affirmative. Mr. Castro noted that he will be building the structure himself to save money with the goal being to have his parents reside in the apartment.

Chair Menard reiterated his concern with the space in the attic and the garage that could be later converted into bedrooms.

Ms. Kozakiewicz also expressed a concern with the extra space in the garage.

Mr. Castro said that the dormers are something that his mother would like; and vaulted ceilings would not be cost-effective, especially with construction and heating costs.

Chair Menard noted that a Deed Restriction is required to ensure that not only the current owner, but future owners of the property will abide by the Special Permit requirements, especially the requirement for a single bedroom, no more than two people living in the apartment, and the owner living in either the main house or the accessory apartment.

Vice-Chair Coutinho said that, typically, the Board conducts a site visit; however, this is new construction.

Chair Menard asked if anyone in the audience would like to make a comment.

Ashley Sparks, 463 Long Highway, Little Compton, RI said that she is an architect and noted that, in the future, applying for a building permit for extra bedrooms may address the Board's concern.

Mr. Leach said that there are precedents that would aid the Board in granting the Special Permit.

Chair Menard said that the Board does not recognize precedents and that he has a major concern with the area in the attic.

Ms. Pontolilo asked Mr. Castro to confirm that the dormers are for aesthetic purposes only. Mr. Castro said that his mother has asked that the structure be constructed with the dormers.

Chair Menard advised Mr. Castro of his options. If the Board denies the Special Permit, Mr. Castro would not be eligible to re-file a new application for two (2) years, unless there was a substantial change in the plans. The other options would be for Mr. Castro to continue the hearing and return with revised plans, or withdraw his petition without prejudice.

Mr. Castro said that his son will be at college and the bedroom in the house is being removed. His concern would be not to put any further stress on the septic system. After discussion, Mr. Castro decided to proceed to a vote.

Motion to Close the Hearing

Motion was made by Vice-Chair Coutinho to close the hearing at 7:03 p.m. Seconded by Mr. Elias. The Board voted unanimously in favor.

Discussion by the Board

Chair Menard said that he has no issue with the project, except for the possibility of constructing a second bedroom.

Ms. Kozakiewicz said that there would be a concern with the septic system if a second bedroom were to be constructed. Otherwise, she had no issue with the project, as the Petitioner will be utilizing the accessory apartment for his parents, which is the purpose of the Bylaw.

Mr. Castro said that, although he agrees that two (2) bedrooms could be constructed in the attic, he could install more wall space in the attic.

Vice-Chair Coutinho stated that he is more concerned with whether the Petitioner complies at this time and not in the future.

There was brief discussion as to whether to install non-working windows in the attic.

Decision:

There being no further discussion, Mr. Elias made a motion to **Grant** the Special Permit of Michael Castro, Applicant, and Michael Castro, Trustee, Owner for a Special Permit to construct a one-level, one-bedroom detached accessory apartment not greater than 900 square feet with two-car garage, as allowed by Zoning Bylaw Article 9, Section 9.5.3. The subject property is located at 46 Orlando Avenue, Westport, MA and is shown on Assessor's Map 68, Lot 25, with the following conditions:

1. The Petitioner shall sign a Deed Restriction to ensure that there will be only one bedroom, a maximum of two people, and the owner shall live in either the main house or the accessory apartment.
2. Construction of the detached accessory apartment shall be in accordance with the undated plans that were submitted with the original petition, as well as the testimony and information presented to the Board at the hearing.

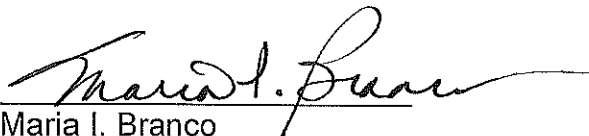
Vice-Chair Coutinho seconded the motion and the Board voted to grant the Special Permit by a vote of 4 to 1 as follows: Gerald Coutinho, Barbara Pontolilo, Ray Elias and Cynthia Kozakiewicz voting in the affirmative; and Roger Menard voting to deny.

Chair Menard indicated that there is a 20-day appeal period from the date that the decision is filed with the Town Clerk.

FILED WITH THE TOWN CLERK ON:

ZONING BOARD OF APPEALS



By: 
Maria I. Branco
Zoning Board Administrator

Any person aggrieved by a decision of the Board of Appeals may appeal to the Superior Court Department in which the land concerned is situated or to the Land Court Department, or to the division of the District Court Department within whose jurisdiction the land is situated by bringing an action within twenty (20) days after the decision has been filed in the office of the Town Clerk. Notice of the action with copy of the complaint shall be given to such Town Clerk so as to be received within such twenty (20) days in accordance with M.G.L. Chapter 40A, Section 17.



TOWN OF WESTPORT
Westport Town Hall
816 Main Road, Westport, MA 02790
Zoning Board of Appeals
Tel: 508-636-1041 or Fax: 508-636-1147

May 26, 2023

Kristin Stinson, Town Clerk
Town of Westport
Westport, MA 02790

RECEIVED

MAY 30 2023

WESTPORT
PLANNING BOARD

NOTICE OF DECISION

Dear Ms. Stinson:

The Zoning Board of Appeals hereby submits for filing in your office the following record of the Zoning Board of Appeals proceeding and its decision on the petition of Gilberto Teves for Special Permit to keep more than 3 dogs, but fewer than 7 dogs, for recreational purposes only in a residential area, as allowed by Zoning Bylaw Article 5, Section 5.1. The subject property is located at 2 Almada Street, Westport, MA and is shown on Assessor's Map 24, Lot 18E.

RECORD OF PROCEEDINGS AND DECISION

Pursuant to a Notice of Public Hearing that was duly published in the Westport Shorelines on April 20, 2023 and April 27, 2023 and posted in the Town Hall Bulletin Board and mailed to the owners, Petitioners, abutters, owners of land directly opposite on any public or private street or way, abutters to the abutters within three hundred (300) feet of the property line of the Petitioner, the Westport Planning Board, the Dartmouth Planning Board and the Fall River Planning Department, a public hearing was held at the Westport Town Hall, 816 Main Road, Westport, MA on Wednesday, May 17, 2023 at 6:30 p.m. on the above-mentioned petition.

Members voting on this matter were Chair Roger Menard, Gerald Coutinho, Constance Gee, Barbara Pontolillo and Ray Elias.

Chair Menard advised that the Applicant would address the Board, the Board would ask questions and, then, the audience would have an opportunity to ask questions. He also noted that, for the Special Permit to be granted, four (4) of the five (5) members must vote in the affirmative.

Chair Menard read into the record an e-mail that the Board received from Animal Control Officer Nick Vidmar, who said that he visited the property to inspect the dogs and their enclosure.

Gilberto Teves, Petitioner, and his wife, Maria Teves, addressed the Board. They stated that:

1. There are currently seven (7) dogs on the property.
2. At the time that he went to the Town Clerk to license the dogs, he was informed that he needed to obtain a Special Permit from the Board.
3. All the dogs were fully vaccinated and licensed in 2022.
4. All the dogs are contained in a 12' x 14' heated and insulated shelter, with each dog having its own individual crate (6' x 4').
5. The shelter was built two (2) years ago and complies with all setback requirements.
6. The Animal Control Officer Nick Vidmar visited the site and noted to the Town Clerk that the enclosure is more than sufficient for the dogs.
7. The dogs are used primarily for hunting. Mr. Teves travels to Martha's Vineyard and brings the dogs with him.
8. There has been only one (1) complaint that is known to the Petitioner and that was because one of his dogs had scratch markings on its face. Mr. Teves explained to Animal Control Officer Vidmar that, when hunting, the dogs search through brush and other vegetation that may cause them to be scratched up.
9. Mr. Teves would like to keep all seven (7) dogs and requested that the Board not compel him to dispose of one of the dogs.
10. The dogs' barking and hunting are controlled by a collar vibration that, when he pushes a button, the dogs return back to him and do not bark.

Chair Menard said that the special permit allows for a maximum of six (6) dogs. More than six (6) dogs would require a kennel license, which is allowed only in a business district. Chair Menard also mentioned that any complaints made to the Police Department, the last of which was in 2018, were due to the dogs barking. There have been no complaints since 2018.

Chair Menard asked Mr. Teves why there were complaints in 2018, and none since.

Ms. Gee said she drove by the property and the neighborhood contains many close homes.

Chair Menard indicated that the Zoning By-Laws only allows up to 6 dogs. Any more than that would require a kennel license.

Vice-Chair Coutinho said that, if the Board grants the Special Permit, the Board may revoke its decision if it is found that the Applicant has violated the conditions set by the Board.

There was no comment from the audience.

Motion to Close the Hearing

Hearing no further discussion by the Board or comment by the public a motion was made by Ms. Pontolilo to close the hearing at 7:58 p.m. Seconded by Ms. Gee. The Board voted unanimously in favor.

Decision:

Chair Menard reiterated that the Zoning By-Laws only allow up to 6 dogs in a residential area. Since Mr. Teves has 7 dogs, the Board may elect to allow Mr. Teves to temporarily keep 7 dogs until one of the dogs is no longer on the premises or dies, at which point Mr. Teves will only be allowed 6 dogs from that point forward.

Ms. Gee also indicated that she would not want Mr. Teves to have to either destroy a dog, or remove one dog from the group.

There being no further discussion, Chair Menard made a motion to **GRANT** the Special Permit to keep more than 3 dogs, but fewer than 7 dogs, for recreational purposes only in a residential area, as allowed by Zoning Bylaw Article 5, Section 5.1. The subject property is located at 2 Almada Street, Westport, MA and is shown on Assessor's Map 24, Lot 18E, with the following conditions:

1. The Board allows the Petitioner to temporarily keep seven (7) dogs on the property. However, once one of the dogs is no longer residing at the property or passes away, there will remain a maximum of six (6) dogs and no additional dogs will be acquired; and without the necessity of obtaining a kennel license.
2. The dogs be licensed accordingly with the Town Clerk.
3. The Petitioner allows the Animal Control Officer and the Building Commissioner to conduct inspections of the property.

Vice-Chair Coutinho seconded the motion, which passed unanimously to grant the Special Permit.

Chairman Menard indicated that there is a 20-day appeal period.

FILED WITH THE TOWN CLERK ON:

ZONING BOARD OF APPEALS



By: *Maria I. Branco*
Maria I. Branco
Zoning Board Administrator

Any person aggrieved by a decision of the Board of Appeals may appeal to the Superior Court Department in which the land concerned is situated or to the Land Court Department, or to the division of the District Court Department within whose jurisdiction the land is situated by bringing an action within twenty (20) days after the decision has been filed in the office of the Town Clerk. Notice of the action with copy of the complaint shall be given to such Town Clerk so as to be received within such twenty (20) days in accordance with M.G.L. Chapter 40A, Section 17.

PLANNING BOARD MEETING MINUTES

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 18th 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

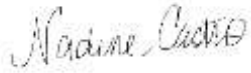
7. Short/Long-term Planning Discussions

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*

NEXT MEETINGS:

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

WORK SESSION: ?