

Water, Wastewater and Stormwater

1. Are the goals still appropriate?

Chapter 10 set two goals:

“Goal 1. Provide safe and affordable drinking water supply, wastewater disposal and stormwater improvements to meet existing and future demands of the Town.”; and

“Goal 2. While awaiting results of a comprehensive plan, move ahead with addressing critical, urgent problems in all three areas.”

Within each goal there were three objectives as follows:

“1.1. Determine whether the Town should participate in the State’s Water Infrastructure Improvement Program.”

“1.2. Develop a comprehensive plan to address water, wastewater and stormwater issues.”

“1.3. Based upon a comprehensive plan, begin implementation of priority programs in each sector.”

“2.1. Continue to work on resolving water quality problems along Route 6.”

“2.2. Continue to implement septic upgrade programs and related septic improvement measures.”

“2.3. Improve Maintenance of Existing Stormwater Facilities.”

Goal 1 is certainly still appropriate and should be an “evergreen” goal for the Town. Goal 2 as worded is no longer appropriate since in January 2020, a comprehensive plan was produced under the guidance of the Planning Board and Planning Department and subsequently accepted by the Select Board. However, the Goal’s intent of moving ahead to address critical and urgent problems in all three areas is still pertinent. As discussed below, significant progress has been made on each goal, and actions are ongoing on most objectives.

2. What progress has been achieved over the past five years in moving toward these goals?

With the exception of objective 1.1, the Town government’s assessment of whether the Town should participate in the State’s 2014 Water Infrastructure Improvement Program (WIIP) and to report that assessment to the Town Meeting, progress has been made on all other objectives. That program authorizes municipalities to adopt a 3% surcharge on the property tax to be used exclusively for water, wastewater and stormwater infrastructure. There has been no action and, in fact, little motivation to move forward on participating in the WIIP. Only one community in Massachusetts, Sandwich, has just begun to adopt such a program with no projects funded yet. At the same time, the Town has been participating in other programs and received grants and loans in these infrastructure areas, including funding of the Targeted Integrated Water Resources Management Plan, the continuing Board of Health pass-through support to qualified individuals for septic system upgrades and a related grant under the State’s new Climate Change Vulnerability Assessment for East Beach. More narrowly focused specific

project or specific program grants or loans seem more acceptable to pursue than a more comprehensive general assessment program.

Objective 1.2, the development of a “comprehensive” plan, has been accomplished with one caveat; that is, that the Targeted Integrated Water Resources Management Plan (IWMP) only studied the East Branch of the Westport River. However, most of the recommended water quality improvement measures applicable to the East Branch are also applicable to the West Branch and that northwest portion of the Westport tributary to the Watuppa Ponds/Taunton River/Mount Hope Bay Watershed. In its general applicability, it can stand for a town-wide wastewater comprehensive plan. The plan is available at the following site: https://www.westport-ma.com/sites/g/files/vyhliif1441/f/uploads/tiwrmp_final_report_jan2020_compiled.pdf.

Objective 1.3, with the exception of a comprehensive water plan, implementing priority programs in each sector is well underway. As direct follow-up to the IWMP, the Town has completed a 30% design and cost estimate for the Phase 1A Route 6 sewer (Fall River to Route 88). The Planning Board (PB) has solicited a proposal for the preparation of construction documents for that sewer, and presented it to the Town Meeting with the support of the Select Board and Finance Committee. It received unanimous approval for an article authorizing the borrowing of \$350,000 for the design of the Phase 1A Route 6 sewer. In addition, the Planning Board has recommended to the Select Board that they allocate \$1.2 million from the federal (Covid Relief) American Recovery Act funds of \$1.6 million for the Town of Westport. That money would be used to design the complete Route 6, Westport Factory sewer and to pursue construction money from the pending federal \$1.2 trillion infrastructure bill. The Board of Health (BOH) has adopted a regulation requiring nitrogen reducing wastewater systems for all new construction and the elimination of the use of cesspools within 5 years. The Town has sponsored and is participating in a feasibility study of shared wastewater systems for residential clusters along the river using Cadman’s Neck and the Let communities (1st, 2nd, 3rd Streets and the Bayside Restaurant) as examples.

While not flowing directly from the IWMP, the Town, under the direction of the Planning Department and the Highway Department, has implemented stormwater management measures such as a roadway ditch and culvert maintenance. At the Head Village, the Highway Department installed a created wetland to treat village stormwater before discharge to the river. Also in the Head Village, the new high school has implemented stormwater collection and treatment systems. The Planning Board has required stormwater management on all development projects requiring a special permit. Most importantly, under the direction of the Town Planner and with engineering consultants, the Town has been brought into compliance with its federally-mandated MS4, stormwater discharge permit requirements. To date, the Town, working with the Buzzards Bay National Estuary Project, has completed mapping and reporting of all stormwater system outfalls. It has produced an Illicit Discharge Detection and Elimination Plan (IDDE) and the Briggs Fire Station Stormwater Management Plan (SWMP). It has filed each year’s required Annual Report, and has prepared a Good Housekeeping Manual for public facilities, schools, municipal buildings, public parks and roadway maintenance with implementation by the Highway and School Departments. All discharges to waterways require ongoing monitoring and testing. In March, the Town’s MS4 Program went successfully through a federal program audit.

The Town should act on Objective 1.3a priority measures to address potable water. With the exception of the 4.8 miles of water main in North Westport, required by the State because of well contamination in that part of town, there is still no comprehensive plan for safe drinking water in the Town. As

identified in the IWMP, there are small lot residential clusters in parts of town with contaminated wells that are closely linked to the use of cesspool or old non-conforming septic systems. In addition, along the shore, especially in the Harbor area, there are increasing saline intrusion problems, making coastal wells non-potable. The Town should perform a comprehensive water supply study considering existing and projected demands, the effects of sea level rise and dependency of shallow wells in coastal areas and evaluate solutions, including the economic feasibility of extending the present connection to the Fall River water system and the geohydrologic potential for developing district or community scale groundwater supplies.

All in all, significant progress has been made in the past few years on Objective 1.3, implementing programs.

The same is true on Objective 2.1, continuing to work on resolving water quality problems along Route 6. As described above, the IWMP updated a phased plan for installing sewers in Route 6. Work has continued to look at next steps on expanding both the sewer and water in that area. The sewer can be implemented in two major steps to construct the “spine” of the sewer collection system. The first Phase 1A would be the connection to the Fall River system and extension to Route 88, as shown in the preliminary design. The next step of the “spine” construction would be to build the collection system in Route 6, which would feed the local low spot pumping station near where Bread and Cheese Brook crosses the highway, and to build that pumping station and its forcemain which would carry flows from this portion of the Route 6 neighborhoods back to the high point in the gravity sewer system at Sanford Road built in Phase 1A.

In the 2016 Master Plan, the Town was asked this question: “Should the Town install water and sewer lines in advance to meet the expected needs of future development?” It was answered 42% yes and 58% no. The failure of the Town to see public investment in utilities to encourage beneficial private development will hinder economic growth.

There is a major connection between the Economic Development Goals of Chapter 3 of the Master Plan and the North Westport, Route 6 infrastructure improvements. The Science and Technology Overlay District was adopted in 2012, and since then no development has occurred in that district. There can be several reasons for that but certainly the lack of sewer and adequate water supply is one of those reasons.

There is a similar connection between Goal 4 Commercial Development in Chapter 6, Land Use. If the Town changed its opinion about infrastructure investment, it could integrate the Town Meeting’s actions to fund sewer and water with changes in zoning to encourage net positive tax revenue and job creation from redevelopment or new development in North Westport. Such an integrated approach of constructing sewer and water facilities in North Westport combined with new business district zoning along portions of Route 6 and new science and technology district zoning could open desirable new net positive tax revenues from well-planned uses. While the rezoning might be adopted with the Phase 1A sewers, the other infrastructure could be phased. A second sewer phase could be the Route 6 Bread and Cheese Brook area and the water extension in two loops around the science and technology area and a second in the residential areas further east (we could attach illustrations).

Of course, the above infrastructure investment has costs. The Phase 1A sewer is estimated to cost around \$4 million and the North Westport sewer and water investments described above in phases totaling about \$25 million in today’s dollars. The basic core or spine of the system could be built with

general obligation bond debt offset by grants. As this Master Plan review is drafted, high quality municipal debt is around 2%. There is likely to be new federal administration stimulus or Covid-19 recovery fund for businesses and infrastructure to support new job creation. The Town should position itself to capture its share of these incentives and borrow at today's low interest costs the local share portion of these infrastructure projects.

Objective 2.2, improving septic systems, is well underway with the Board of Health's adoption of a new regulation requiring de-nitrification systems for new construction of the 5-year sun-setting provision for use of existing cesspools. This is coupled with their continuing enforcement of Title 5 regulations and provisions for low-interest, long-term loans for qualified families to upgrade existing non-compliant systems.

Objective 2.3, improving stormwater systems, was described above and is effectively being managed.

3. What circumstances or obstacles require change in goals or objectives?

The planning objectives are fine and do not face obstacles that require their change. However, the Town's willingness to incur debt to invest in infrastructure is uncertain. In the past, the reluctance to do so, as reflected in the 2016 Master Plan survey, has kept the Town from building an infrastructure system. If one looks at Route 6, you can see the result of that lack of action. With the exception of the LaFrance hospitality complex at the Narrows, which is supported by private water and sewer connections to the Fall River systems, development is generally low net tax yield uses, such as used car lots, not needing water or sewer. Also, the reluctance to invest in water and sewer for North Westport continues properties in that part of town being burdened by non-compliant septic systems which hampers their expansion or sale. It also leaves the two largest clusters of small lots with contaminated wells from non-compliant septic systems and the resulting health risk to our citizens. By not providing sewer and water along the existing small lot, residential areas along Route 6, it leaves in place the poorly performing on-site systems with resulting nitrogen contamination and periodic or seasonal bacterial contamination of the Westport River.

The Town should not be in a position of planning but not acting on major economic, public health and environmental issues. The Town has been willing to make significant public facilities investment. In 2010, a new headquarters fire station was built under a debt exclusion vote to be paid off by 2029. In 2019, the adjacent new police station opened and its debt will overlap with the fire station for 10 years. Additionally, the new \$97 million junior/senior high school is scheduled to open in the fall of 2021, and its debt will overlap with the other facilities for the immediate future. The question remains, would the Town undertake an investment in water and sewer over the next 10-15 years that might cost \$25 million? If so, how would that system be operated and managed and what are the costs and structural changes needed to run those systems?

4. What changes in goals should be made?

Goal 1 should remain as an evergreen target to be accomplished. Goal 2 should be reworded because the IWMP has been drafted.

The present objectives all need to be reworded to reflect the progress made. The review should add a new objective under Goal 1. Objective 1.4. Based upon the BBC/WRWA/Town 2021 study of shared water and sewer facilities for the existing, non-conforming small lot residential clusters along the East

Branch of the Westport River, the Select Board (SB), working with the Planning Board and Planning Department, should study how the Town could implement shared facilities for these areas. The study should evaluate: 1) the formation of water and sewer districts; 2) their governance, including operation, management, testing and reporting, fees, rate-setting and billing; and 3) the appropriate roles for the Town and the residents of any special sewer district. Governance could be accomplished by the SB sitting as water and sewer commissioners, or a separate town-wide appointed or elected board of commissioners or some combination, perhaps multiple commissions with local representatives, elected or appointed by districts, such as an Acoaxet Water District.

The conventional role for the Town would be as the provider of water and sewer services, either managed by a DPW, a commission, or water and sewer departments reporting to the SB like our present Highway Department. The Town has all the authority it needs to go to Town Meeting and adopt one of these forms. Some hybrid public/private entity, such as the district entirely funded by residents within it, but needing the Town, for instance, to take an easement for facilities is more complicated and potentially troublesome. The study should evaluate these alternatives.

(Prepared by Robert Daylor)

Traffic and Circulation

1. Are the goals still appropriate?

Chapter 9 set two goals:

“Goal 1. Improving the existing vehicular, pedestrian and bicycle roadway/circulation network by reconfiguring key intersections and roadways.”

“Goal 2. Recommend a framework for future town-wide circulation system that:

- Forms a structure for the land use plan
- is functional, economical, and pleasant to use
- meets the requirements of Public Safety officials; and
- Integrates the needs of drivers, pedestrians, bicyclists, and others, including commuter and recreational users.”

Within each goal there were multiple objectives as follows:

“1.1. Mitigate the deficiencies of the Rt. 6 corridor – request a State study of this corridor before future design improvements.”

“1.2. Mitigate deficiencies of Main Road/Adamsville Road intersection.”

“1.3. Mitigate destruction of East Beach Road during storm events by seeking permanent improvements.”

“1.4. Support using Federal, State, and Town funding as well as Chapter 90 funding to improve the condition of Town roads.”

“1.5. Mitigate safety deficiencies of Rt. 177 intersections.”

“1.6. Improve the streetscape and safety of Old County Road and Main Road, particularly in the Central Village, which is the civic and primary local retail center of Westport.”

“1.7. Encourage alternative modes of transportation such as walking and bicycling.”

“2.1. Support the public demand for “multiuse” trails expressed during public meetings on the Master Plan.”

“2.2. Plan for circulation as part of planning for future growth.”

“2.3. Identify, acquire and manage Town assets.”

Both goals are certainly still valid. Improving capacities as demand increases and improving safety always should be Town tasks. Goal 2 of including circulation in future planning likewise should be a forever goal. In the discussion below regarding specific objectives, one may read that some progress has been made and others remain unresolved issues.

2. What progress has been achieved over the past five years in moving toward these goals?

Mass DOT has made fully signalized intersections at Davis Road and Route 177/Rt. 6. The Route 177 intersection has a left turn pocket for westbound traffic on Rt. 6 and both controlled left turn and right turn lanes from Route 177. The State is currently in a design assessment of the Route 6 corridor through Westport and safety analyses of the many median breaks. The current design proposal is to reduce or modify the median breaks and to reduce through lanes to one in each direction with left-turn pockets at signals and bicycle lanes and sidewalks the entire length.

No progress has been made by the Town on the major Adamsville/Main Road intersection. The left turn movements from Main onto Adamsville and from Adamsville to Main are made complicated by the angular intersection, the historic island, and turning movements into adjacent properties, such as the fish market and Post Office. Improvements on Objective 1.2 should be integrated with a larger solution for the Central Village under Objective 1.6. Prior planning failed to be adopted over controversies regarding sidewalks, curb cut control, etc. This remains a task uncompleted.

At Objective 1.3 East Beach Road, a significant vulnerability study of the whole East Beach has just been completed and is in the final drafting. While there are small tactical improvements that can be made, such as raising the road to a uniform grade to eliminate extremely vulnerable low spots and reinforcing utility poles, the road on a barrier beach has a high vulnerability to storm damage. The frequency and severity of storm inundation and breaking wave damage will increase with climate change.

The Town, working with the State, has made or is planning to make improvements on Route 7 in its entire length, at intersections on Route 177 and Route 88 and John Reed Road. On the latter, the State has added a sidewalk from Drift Road to Cherry & Webb Lane with new parking for bridge fishermen. It also added bike lanes on Rt. 88 and John Reed Road from Drift Road to East Beach Road. This provides a bike link from Main and Drift Road to the State and Town beaches. As indicated in Table 9-1, the Town has made significant repaving and drainage improvements in most of the major arteries using Chapter 90 monies.

With the new Middle/Sr. High school, existing elementary school, and library complex on Old County Road near the Head Village, there is an immediate future need for re-evaluating sidewalks and crosswalks in that section of Old County Road.

There is still a need for bicycling and walking networks. There is a significant seasonal demand for recreational biking on all our major arteries. Fitness walking occurs year-round on our

roads, and safety is an issue. There has been a significant increase in Land Trust and conservation property trails. But the big walking demand remains along our roads.

The Town has done some research on town road layouts, parking at Town landings, and the Main Road piers. The questions of public lands boundaries and road layouts should be firmly established.

3. What circumstances or obstacles require changes in goals or objectives?

In North Westport, there is a combination of actions that could alter traffic and circulation patterns. They are the completion of South Coast Rail scheduled for fall of 2021 with new terminals in Fall River combined with the extension of water and sewer in the Route 6 corridor. That water and sewer construction is planned to be combined with rezoning in parts of the Business District and the STOD overlay district to harvest the growth benefits from the sewer investment. This is less of a change in objective but a reinforcement of the importance of the State/Town coordination on Route 6 improvements.

The new senior/middle high school opening in the fall of 2021 requires a look at traffic patterns as the schools come into operation this fall.

4. What changes in goals should be made?

Goal 1 Improving roadway capacity and safety should continue to be an “evergreen” target. In absolute terms, most of our local roadway network is not under capacity; that is most of us drive about without serious delays. However, most of our major arteries follow their colonial period origins and have narrow traveled ways, tight horizontal and vertical alignments, and intersections with poor sight distances. What worked well at low volume horse and buggy speeds functions less well today. This is particularly true when these roadways are shared by walkers and bicyclists.

The task going forward is to target and fix the dangerous intersections which have been ongoing.

Goal 2, the development of a planning framework for our circulation network. This is less about adding capacity but integrating the pedestrian, cyclist with vehicle needs. Especially in making the Village Center work better with all its curb cuts and turning movements, backup traffic at high-demand spots like the village gas station, and business entrances right at intersections such as the fish market. The Planning Board should revisit Central Village streetscape planning.

While the Town has no engineering department and the Select Board have among their many duties the role of “highway commissioners”, there is a need to attend to the housekeeping of public way layouts, drainage easements, etc. The Town should know what it owns and is responsible for. By default that might fall to the Planning Department working with the Highway Department, just as the MS4 stormwater effort landed there. Given the age of land

uses such as at the Point, determining where the public roadway ends, the ownership limits at the piers, parking, etc., can be very complicated. As property values continue to escalate, pressure on getting who owns what right will be a growing issue.

Prepared by Robert Daylor

Historic Resources

Are the following plan goals and actions still appropriate?

- 1 Complete a Community Assessment.
- 2 Promote Preservation, Restoration, and Rehabilitation of Historic Resources.
- 3 Support Preservation of Historical Resources in Westport.
- 4 Protect and preserve Westport's Agricultural Heritage.
- 5 Protect and preserve Westport's Marine and Fishing Heritage.

Discussion:

The proposed **community assessment** of existing historic resources and needs for the protection of historic resources has not been conducted in any formal way. Various entities such as the WHS, CPC, Ag and Open Space Council (AOSC), WHC, and WLCT have taken many initiatives to identify and protect historic resources without the benefit of such an assessment. These entities have sought and obtained funding to undertake these activities. The town, either through actions by the Select Board or Town Meeting, often makes decisions as to the funding and authorization of individual projects thereby giving expression of community priorities as to historic preservation.

Questions:

- a. **Would the ongoing actions of the several entities engaged in historic preservation benefit from some kind of a formal assessment of projects to be initiated and resources needed to implement them?**
- b. Who or what entity might conduct such an assessment?
- c. Would the benefits of such an assessment be worth the cost in terms of time and effort required to carry it out?
- d. Should the pursuit of this goal continue to be left up to the several entities involved without trying to conduct an overarching community assessment?

Discussion:

Goals b. and c. can probably be combined into “Promoting and Supporting Preservation of Historical Resources in Westport.” Here the record has been very impressive over the past five years and appears likely to continue on that path. Outstanding examples have been the expanding high-quality programs at the Handy House; identification and preservation of both public and private cemeteries throughout the Town; preservation of historic public, religious and private buildings; preservation of historic farms -- most notably the Santos Farm on Main Road; publications and programs in the public schools relating to the Town’s history – “Small Town Big History”- and its most honored former citizen – Paul Cuffe; a continuing series of talks about research on Town history sponsored by the WHS; very significant expansion of historic documents and records online at both the Town website and the WHS website;

encouragement of high school students to engage in research on the history of the Town and its citizens. This is only a partial listing, but perhaps enough to indicate that historical research, preservation, and public outreach in Westport has been, and is expected to continue to be, proceeding at a very high-level thanks to the activities of all the groups mentioned above and the many volunteers who help support their activities.

It has been suggested that these attractive historic resources could be linked with the well-known local recreational and natural resources in a coordinated marketing strategy to promote tourism and economic development.

Teaching Westport history in the local schools: Local history is currently taught in the 3rd-grade curriculum. The Westport Historical Society has been working with the curriculum director and the third-grade teachers to enrich their material on Westport History. In 2020 there was a celebration of Paul Cuffe's birthday for all the students in the Elementary School which included a PowerPoint presentation prepared by the WHS and a discussion by a descendant of Paul Cuffe. In the 6th-grade civics classes, there may be opportunities for informing students about the role and functioning of local government including presentations by local officials and representatives in the State Legislature.

There are several historic buildings in Westport that are not registered on the National Registry of Historic Sites. An effort could be mounted to identify, document, and apply for the historic status of these sites.

It may be noted that the WHC has not played much of a role in this broader process of preservation and outreach but has continued to focus on its role as the Westport Historic District Commission to preserve the historic integrity of the buildings within the Westport Point Historic District.

Questions:

- a. **Is there any need for adding new guidance for the various entities already engaged in historic research, education, and preservation in the Town, or can we simply commend the ongoing activities and support their continuation?**
- b. Should the WHC be encouraged to play a broader and more active role, or should it continue its current focus on preserving the Westport Point Historic District and implementing the Demolition Bylaw?
- c. Are there any new or overlooked areas of historic preservation that should be identified and encouraged?
- d. Should an effort be made to seek National Registry status for additional historic sites in Westport?

As for the **protection and preservation of Westport's agricultural heritage**, the actions under this heading can be divided into two parts: documenting both historical and current agricultural land use and, second, protecting existing agricultural properties.

On the first point, there has been little systematic research, but the WHS has recently mounted a display at the Handy House Heritage Trail showing the transitions from native forest to early clearing of trees and subsequent widespread farming and more recent dairy farming and truck gardening. (See an example of one display below.)

Forest Timeline

<p>BEFORE 1700 PRE-SETTLEMENT OLD GROWTH FOREST</p>  <p>The woods you see today are quite different from the vast expanses of old growth forest that covered the landscape before the arrival of European colonists. Old growth forests contained a diversity of tree ages and sizes, abundant downed wood, large standing dead trees and gaps in the canopy. 17th century explorer Bartholomew Gosnold praised the landscape for its "fair fields, fertile meadows, and stately groves."</p> <p>There was a significant Native American presence in Westport in the 17th century, including large, semi-permanent habitation areas close to the river used during the summer and warmer months, while their winter camps would be expected in the northern/interior portions of town. The Westport River and the surrounding land was intensively exploited for its use as a riverine and marine resource base, potential logging grounds, and land and water transportation.</p>	<p>1715 SETTLEMENT AND LAND CLEARING</p>  <p>English settlers dramatically changed the land through forest clearing, hunting, and trapping. The abundance of many tree species changed rapidly and old-growth forests were transformed into a rural landscape.</p> <p>In Westport, settlers such as William and Elizabeth White, owners of this land, created their domestic landscape from the trees that surrounded them. They constructed their home from chestnut and white oak, felled trees for fuel to keep warm, built furniture, tools, and boats from the seemingly infinite natural resources. It was described by historian Eric Sloane as "the age of wood...from cradle of wood to coffin of wood, the life of man was encircled by it."</p>	<p>1830 HEIGHT OF FOREST CLEARING AND AGRICULTURE</p>  <p>The peak of deforestation and agriculture in most of New England occurred from 1800 to 1850. Most of New England, 60 to 80 percent cleared for pasture, tillage, orchards and remaining areas of woodland were subject to cuttings for lumber and fuel.</p> <p>The agricultural census of 1850 recorded for Westport. At that time, Dr. James Hall had a 140-acre farm also encompassed orchard for Westport farms, he raised small numbers of: 1 horse; 2 cows, 2 oxen, and 3 swine. He also raised small flocks of sheep.</p>
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HANDY HOUSE HISTORIC SOCIETY

A recently raised possibility would be to publish a book about Westport farmers and farming along the same lines as the one produced by Deedee Shattuck for the farmers of Dartmouth. She has indicated an interest in working on such a book for Westport.

Information on current agricultural land use has been developed as part of the Integrated Water Resource Plan to estimate the potential discharge of pollutants from these lands.

In previous years, local historian Claude Ledoux has written and given presentations about Westport's farming history and digital versions of these materials are available at the WHS. Very recently a new project has been initiated by the WHS to transcribe the daily journal of Frederick Allen that contains much detail about farming activities on his family farm in Westport for the years 1833 to 1837, with Maury May preparing the transcriptions and participating in discussion sessions about the journal on-line.

Much more has been done in terms of **protecting existing agricultural properties**. The WLCT has led the way on this with financial support from both Community Preservation Funds and AOSC funding as well as large private donations. It is important to note that both the Community Preservation Funds and AOSC funding are derived from taxes paid by the property owners of Westport, the first through a surcharge on the property tax and the second as subsequent payments of the debt incurred by the Town to participate in land purchases recommended by the AOSC to the BOS and then approved by the BOS, all based on borrowing authority approved by Town Meeting. Thus, both of these sources should be recognized for what they are – funds derived largely as payments by all Westport property owners for the support of these programs, which have then been supplemented by private donations to the WLCT for its land purchases. CPA funding also benefits from the state match. Since 2001, a total of \$11,010,000 has been expended to preserve active farms in Westport with \$2,116,500 coming from AOSC, \$??? From Community Preservation and \$??? from private contributions. This represents a significant commitment of the Town to the preservation of farms and agriculture in Westport.

The Westport weekly Farmers’ Market that is held from mid-spring to late fall has provided effective marketing opportunities for local farmers and buying opportunities for local customers. Several farms also have onsite farm stands that are very popular. The enactment of a town by-law authorizing entertainment events at farms attracts numerous attendees but also raises some issues with local neighbors.

At a special Town Meeting in February 2020, the issue of Town support for the preservation of agriculture was raised in the form of a proposed by-law to severely limit the authority of Town Boards to impose restrictions or reporting requirements on farmers. This proposed by-law was passed by Town Meeting but then rejected by the State Attorney General as conflicting with state laws. An animal registry regulation adopted by the Board of Health was what provoked support from many representatives of the farming community to support the by-law that has now been rejected by the State.

Questions:

- a. **Should the publication of a book on Westport farms and farmers be encouraged?**
- b. **Is the Town of Westport already doing enough to protect and preserve farmers and farmlands or should it be doing more, or perhaps less?** As a specific example, the AOSC borrowing authority of \$3,000,000 has been reduced to \$158,000 after the commitment of \$500,000 to the preservation of the Santos farm on Main Road. Should a request for an additional \$1,500,000 borrowing authority for future use be supported?
- c. **Are there other measures to support agriculture in Westport that should be considered in light of the recent rejection of the by-law limiting regulation of farm activities?**

- B. The **protection and preservation of Westport's marine and fisheries heritage** have received less attention in recent times than that of the agricultural heritage. Restoration of the Life Saving Station a decade ago has provided a focal point for preserving the historical record and the dredging and rebuilding of the docks at the Point, also some time back, continue to support the commercial fishing activities. A program at the High School engaging students in the building of a small boat each year has provided opportunities for exploring the local maritime heritage. These are the main activities that have been ongoing during this current plan period to protect or preserve the marine heritage.

The recently completed Integrated Water Resource Plan for the East Branch of the Westport River was focused heavily on ways to reduce nitrogen levels in the river that are harmful to marine life in the estuary. Approval of the Plan by the BOS is opening the way to various actions that will help reduce nitrogen and thus preserve the health of the River. The second phase of this plan covering the East Branch remains to be undertaken, but the evidence and recommendations from the first phase are already providing the basis for various actions, addressed in other parts of this Master Plan update, that will help to preserve and increase marine life in the whole River.

The past and future effects of climate change on marine life have been and are being investigated by scientists at Woods Hole and the School of Marine Sciences and Technology at U/Mass Dartmouth and the results of this research will be available for future use by the Town and the commercial fishing community.

Installation of large-scale offshore wind power generating facilities to the southwest of Martha's Vineyard in the next few years may have impacts on both the commercial and recreational fishing activities of Westport fishermen. Some fishing guides have suggested that fish are attracted to the towers that act somewhat like coral reefs and are therefore of benefit to recreational fishermen. Commercial fishermen had raised concerns about whether the towers will impede their operations. Recent decisions to increase the generating power of individual towers and reduce the number of towers have resulted in increasing the distance between the towers which should reduce the possible interference with commercial fishing operations. Thus the offshore wind power projects may benefit recreational fishing and have a limited impact on commercial fishing.

The loss of marshes especially in the West Branch of the Westport River has been investigated by studies supported by both the Buzzards Bay Coalition and the Westport River Watershed Alliance, but the results so far are largely inconclusive and offer little guidance for future action. Commercial harvesting of oysters has expanded substantially in recent years without the need for much support from the community other than providing authorization for harvesting licenses by the BOS.

Questions:

- a. **Is there a need for more effort on documenting the marine heritage beyond that already provided by the Life Saving Station?**
- b. Should a book on Westport fishermen and fishing businesses along the lines of the proposed book on farming and farmers be encouraged?
- c. Should the initiation of the second phase of the Water Plan be encouraged as a way of helping to support the commercial and recreational fishing activities within the Westport River watershed?
- d. Can more be done to provide answers to the loss of marsh problem or the potential threats of climate change?

Prepared by David Cole

Addressing Westport’s Structural Deficit

This document was prepared in connection with the formulation of the Master Plan Update of 2021. Parts of it were presented to the Westport Finance Committee in connection with their deliberations on how to solve the Town’s structural deficit. It is included here to provide both backgrounds for the Plan Update as well as for future discussions about solving the deficit.

1. A Comparative Analysis of Westport’s Fiscal Situation

The Master Plan of 2016 contained the following statement in the Executive Summary:

“The community needs to understand that the current level of funding is not only inadequate to provide quality services to the community, but it is also having a negative impact on property values. An increase in the property tax rate and authorizations of debt issues to fund major projects will be required to restore and improve the quality of these services.”

Data from the Division of Local Services of the Massachusetts Department of Revenue for the Town of Westport covering the years since the plan was issued indicate that there has been an increase in revenues within the limits of Proposition 2 ½ and some major capital expenditures financed by debt overrides. But, a comparison of recent levels of revenues, expenditures, and debt service for Westport with those of a sample of similar nearby towns indicates clearly that Westport’s level of fiscal activity is still significantly below the average levels of those other communities.

Changes in Revenues and Expenditures, 2015 to 2020

Table 1. Town of Westport, Total Revenues and Expenditures
(\$millions)

	2015	2016	2017	2018	2019	2020	% change 2015-20
Revenues	36.3	39.2	37.7	40.3	42.1	45.5	+26%
Expenditures	33.7	35.5	37.6	39.2	41.1	42.2	+25%

Revenues and Expenditures increased by 25% and 26% between 2015 and 2020. The national consumers price index rose by about 9% during the same period so that both revenues and expenditures increased by about 15% in constant prices.

Table 2. Town of Westport, Revenues by Category, 2015-2020
(\$thousands)

Source	2015	2016	2017	2018	2019	2020	% change
							2015-20
Tax Levy	23,327	24,332	25,235	26,209	28,304	29,495	+26%
State Aid	6,566	6,648	6,793	6,958	7,047	6,976	+ 6%
Local Receipts	3,925	4,232	4,764	5,062	5,213	5,728	+46%
All Other	834	2,746	864	2,095	1,586	1,917	+130%
Sub-total	34,653	37,959	37,655	40,324	42,149	44,115	+27%
Ent. & CPA	1,554	1,265	985	2,039	1,429	1,351	-13%
Total Receipts	36,207	39,224	38,640	42,363	43,578	45,467	+26%
Property tax rate	7.93	7.91	7.97	8.17	8.27	8.43	+6%

Both the tax levy and total receipts have increased by 26% whereas the tax rate has increased by only 6% between 2015 and 2020. There were large increases in local and other receipts and a decline in Enterprise and CPA receipts.

Table 3. Town of Westport: Expenditures by Category
(\$thousands)

Fund	2015	2016	2017	2018	2019	2020	% change
							2015-20
General Gov't	1,746	2,037	2,045	2,154	2,350	2,546	+46%
Public Safety	4,846	5,380	5,954	6,087	5,881	6,096	+26%
Education	17,577	18,469	19,324	19,619	20,000	20,270	+15%
Public Works	1,753	1,493	1,359	1,604	2,028	1,520	-13%
Debt Service	877	1,044	1,064	1,011	2,098	2,051	+134%
Unclassified	5,964	6,019	6,767	6,923	7,517	8,378	+40%
Other		1,011	1,118	1,830	1,224	1,340	+33%
Total Expenditure	33,718	35,455	37,631	39,228	41,097	42,203	+25%

The changes in expenditure levels are more sizeable and concerning. While public safety spending increased at much the same rate as total spending, general government spending increased at a significantly higher rate, whereas education spending increased by only 15%, much below the overall increase rate of 25%, and public works spending declined by 13%. Debt service showed the largest percentage increase, but from a very low base, and this increase to service recent borrowing to fund the new Fire and Police Stations was expected.

Comparisons with Other Nearby Towns of Similar Size

While the discussion so far has shown the basic trends in receipts and expenditures for the Town of Westport over the past five years, another analytical perspective is to compare the fiscal indicators for Westport with those of nearby towns other than the cities of Fall River and New Bedford. This paper seeks to do that by using the DOR data series to compare Westport’s pattern and performance with those of 14 nearby municipalities of roughly similar size and population. These comparisons are presented in the following 5 tables. These data are from the Massachusetts Department of Revenue Division of Local Services and are based on reports supplied by the individual towns.

In each table information on specific measures is presented for each town and then the average is shown for all the towns. This makes possible an easy comparison of how Westport stands relative to the average of all these towns.

Some basic characteristics

- Populations of the 14 towns range from 5,143 in Marion to 34,307 in Dartmouth, with an average population for all the towns of 14,747.
- Westport’s population of nearly 16,000 is 8% above the average so very much in the middle of the range.
- The land area in Westport is 53% above the average, population density is 35% below the average, and road miles are 29% above the average for the other towns.
- These characteristics are consistent with the predominantly rural nature of Westport as compared with some of the other towns.
- The fiscal indicators in this table are more significant in showing how Westport differs from the averages for all the towns. For example,
- The estimated per capita income in Westport in 2016 of \$39,479 was 6% above the average of all towns and the EQV or assessed value of all property per capita of \$212,236 was 20% above the average for all towns,
- The single-family property tax bill in Westport is only 77% of the average for all towns. This is a clear indicator of what will be seen in subsequent tables that the tax burden, as well as public expenditures in Westport, are significantly below the averages for all these communities.

Table 4. Comparative Data on some Characteristics of 14 Municipalities

Municipality	2018 Popu- lation	FY 2021 Single Family Tax Bill	FY 2016 DOR Income Per Capita	FY 2018 EQV Per Capita	Land Area	Population Density	2018 Total Road Miles
Acushnet	10,580	4,360	30,529	114,754	18.43	574	69.20
Berkley	6,802	5,592	37,159	129,490	16.51	412	63.23
Dartmouth	34,307	4,331	34,186	171,544	60.92	563	225.52
Fairhaven	16,094	3,608	28,440	135,576	12.33	1,305	109.04
Freetown	9,395	4,617	35,902	150,760	34.47	273	107.79
Lakeville	11,418	5,210	39,256	155,427	29.56	386	115.17
Marion	5,143	7,499	54,984	329,282	13.99	368	41.11
Mattapoissett	6,379	6,945	55,547	286,743	17.36	367	58.90

Middleborough	25,121	5,548	28,925	107,908	69.07	364	207.99
Rochester	5,628	5,774	42,177	171,066	33.58	168	74.09
Sandwich	20,226	6,194	39,187	212,304	42.74	473	217.12
Swansea	16,705	4,317	32,280	134,308	22.69	736	124.02
Wareham	22,666	3,403	23,840	163,645	35.86	632	187.53
Westport	15,988	3,905	39,479	212,236	49.84	321	162.91
Averages	14,747	5,093	37,278	176,789	32.67	496	125.93

On property taxation:

- The property tax rate for Westport is the lowest of any of the 15 towns and is roughly two-thirds of the average rate for all the other towns.
- Westport is one of 7 towns that apply the same tax rate to all kinds of property; 8 of the towns apply higher rates to commercial, industrial and personal property.
- The share of property tax coming from a commercial and industrial property in Westport is slightly less than half that of the average for all the towns.

Table 5. Property Tax Rates and Revenues for 15 Municipalities

Municipality	Residential	Commercial	Industrial	Pers. Prop.	Residential	Commercial	Industrial	Personal	Total Tax	R/O % of	CIP as % of
	Tax Rate	Tax Rate	Tax Rate	Tax Rate	Levy	Levy	Levy	Prop Levy	Levy	Total Levy	Total Levy
Acushnet	13.83	17.86	17.86	17.86	16,545,006	603,215	518,279	1,600,646	19,267,146	85.87	14.13
Berkley	14.28	14.28	14.28	14.28	13,270,225	273,071	67,789	351,613	13,962,698	95.04	4.96
Dartmouth	9.90	17.68	17.68	17.61	51,169,275	11,270,439	1,391,833	3,696,542	67,528,089	75.77	24.23
Fairhaven	11.29	22.53	22.53	22.53	22,949,185	5,699,748	671,240	1,145,460	30,465,633	75.33	24.67
Freetown	12.70	20.63	20.63	20.63	15,664,007	1,438,741	4,256,233	1,393,891	22,752,872	68.84	31.16
Lakeville	12.77	12.77	12.77	12.77	22,367,752	1,782,692	1,377,986	345,278	25,873,708	86.45	13.55
Marion	11.32	11.32	11.32	11.32	19,342,966	859,438	190,702	399,888	20,792,994	93.03	6.97
Mattapoissett	12.96	12.96	12.96	12.96	23,336,363	805,760	214,620	675,323	25,032,066	93.23	6.77
Middleborough	16.27	17.26	17.26	17.26	40,023,959	6,304,146	1,215,845	1,394,131	48,938,081	81.78	18.22
Rochester	13.37	13.37	13.37	13.37	12,512,798	480,848	666,010	761,311	14,420,967	86.77	13.23
Sandwich	13.77	13.77	13.77	13.77	57,268,361	3,396,551	939,734	5,129,546	66,734,192	85.82	14.18
Somerset	14.68	28.40	28.40	28.40	30,645,254	3,977,407	1,823,811	5,651,162	42,097,634	72.80	27.20
Swansea	14.21	23.13	23.13	23.13	28,403,696	5,316,252	342,763	1,579,712	35,642,423	79.69	20.31
Wareham	11.16	11.16	11.16	11.16	37,581,926	4,511,280	901,103	2,075,748	45,070,057	83.39	16.61
Westport	8.62	8.62	8.62	8.62	29,083,748	1,615,295	122,165	759,563	31,580,771	92.09	7.91
Averages	12.74	16.38	16.38	16.38	28,010,968	3,222,326	980,008	1,797,321	34,010,622	83.73	16.27

Comparing Westport's property tax burden to that of other nearby towns

The most significant way to portray the relative property tax burden of the owners of property in Westport with that of property owners in 14 nearby towns is to compare the average property tax bill for all residents with the average personal income of all residents. This is shown in the following table using data from the Mass. Department of Revenue:

- The average property tax bill relative to average personal income in Westport is lower than that of any other nearby town of comparable size.
- Between 2012 and 2021 the property tax relative to personal income increased in most towns raising the average for all towns other than Westport from 12.28% to 13.35%.
- The ratio declined in Mattapoisett from a relatively high level of 14.42% to 11.90%, and by a very small amount in Rochester.
- For Westport, the ratio of average property tax to average personal income remained essentially unchanged from 2012 to 2021, and in 2021 it is 32% below the average for all the other towns.
- The fact that the Westport ratio held steady while the average for all the other towns was increasing by 9% indicates that Westport is falling further behind despite having a ratio 32% lower than that of the other towns.

**Table 6. Average Property Tax Bill as % of Average Personal Income
(15 Municipality comparison)**

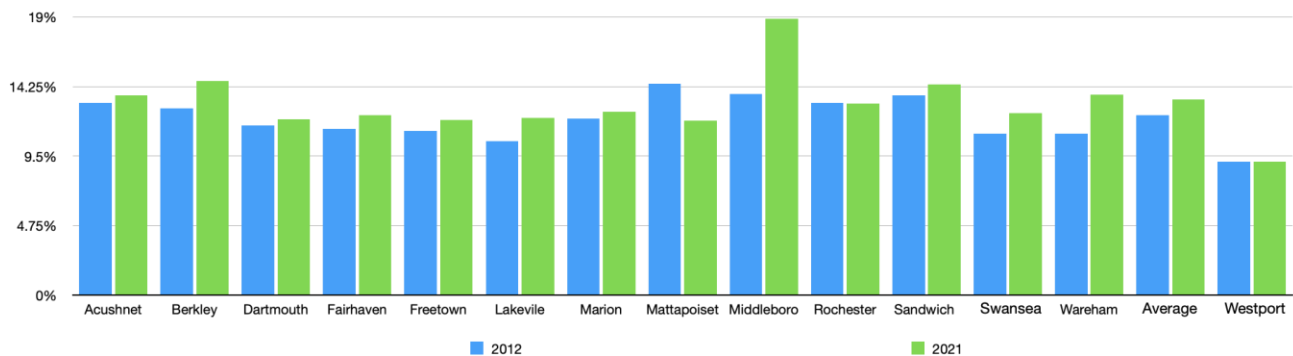


Table 1 Average Tax Bill as % of Average Income

	2012	2021
Acushnet	13.11%	13.66%
Berkley	12.76%	14.61%
Dartmouth	11.60%	11.99%
Fairhaven	11.37%	12.27%
Freetown	11.21%	11.96%
Lakeville	10.50%	12.11%
Marion	12.05%	12.52%
Mattapoisett	14.42%	11.90%
Middleborough	13.76%	18.90%
Rochester	13.14%	13.10%
Sandwich	13.66%	14.41%
Swansea	11.03%	12.43%
Wareham	11.01%	13.67%
Average without Westport	12.28%	13.35%
Westport	9.11%	9.12%

On the composition of government revenues:

Table 7 shows the composition of revenues for the 14 municipalities and the averages for each category of revenue.

- The property tax in Westport provides two-thirds of total budget funding which is about the same as the average for all 14 towns.
- Local receipts in Westport are above those for the average of other towns but the receipts from Enterprise and Community Preservation Act Funds are significantly less. Also, Other Revenue is only 26% of the average for the other towns.

Table 7. Government Revenue by Source

Municipality	Tax Levy	State Aid	Local Receipts	Enterprise & CPA Funds	Other Revenue	Total Budget	% of Budget Tax Levy	% of Budget State Aid	% of Budget Local Receipts	% of Budget All Other
Acushnet	19,267,147	8,210,569	3,247,442	2,632,213	1,756,243	35,113,614	54.87	23.38	9.25	5.00
Berkley	13,962,698	5,398,377	1,163,871	0	3,938,897	24,463,843	57.07	22.07	4.76	16.10
Dartmouth	67,528,089	15,699,874	8,206,641	16,411,104	6,696,359	114,542,067	58.95	13.71	7.16	5.85
Fairhaven	30,465,633	11,491,038	7,421,340	8,684,511	4,615,113	62,677,635	48.61	18.33	11.84	7.36
Freetown	22,752,873	2,388,622	2,719,363	2,150,388	3,371,898	33,383,144	68.16	7.16	8.15	10.10
Lakeville	25,873,710	1,560,992	3,575,000	633,765	1,476,657	33,120,123	78.12	4.71	10.79	4.46
Marion	20,792,995	1,214,947	1,500,000	6,684,330	2,426,776	32,619,048	63.74	3.72	4.60	7.44
Mattapoisett	25,032,066	1,641,896	1,863,498	5,639,774	945,065	35,122,299	71.27	4.67	5.31	2.69
Middleborough	48,938,081	21,761,315	6,873,500	11,661,475	6,560,444	95,794,815	51.09	22.72	7.18	6.85
Rochester	14,420,966	2,654,627	5,240,070	0	1,612,776	23,928,439	60.27	11.09	21.90	6.74
Sandwich	66,734,192	11,455,739	4,700,000	7,107,685	5,872,342	95,869,958	69.61	11.95	4.90	6.13
Swansea	35,642,424	10,887,321	2,069,000	1,996,248	1,489,375	52,084,368	68.43	20.90	3.97	2.86
Wareham	45,070,058	16,718,948	6,553,105	11,980,917	4,397,823	84,720,850	53.20	19.73	7.73	5.19
Westport	31,580,770	7,026,826	5,700,100	1,471,795	865,519	46,645,010	67.70	15.06	12.22	1.86
Averages	33,432,979	8,436,507	4,345,209	5,503,872	3,287,520	55,006,087	62.22	14.23	8.55	6.33

On government expenditures:

- In terms of total government expenditures, Westport is near the average for the 14 towns in the sample.
- Westport is somewhat higher than the multi-town average on Fire but somewhat lower on Other Public Safety. It is 10% below the average on education, 20% lower on public works, but 20% higher on human services. 50% lower on culture and recreation, and 15% higher on debt service.
- These differences reflect the characteristic features of Westport – a predominantly rural community with an aging resident population and very limited public services such as sewer and water and garbage pickup.

Table 7. General Fund Spending by Function

Municipality	General Government	Police	Fire	Other Public Safety	Education	Public Works	Human Services	Culture and Recreation	Fixed Costs	Intergovernment	Other Expenses	Debt Service
Acushnet	1,628,174	2,264,905	461,702	749,528	16,000,101	1,707,663	508,406	349,051	3,024,014	233,401	156,266	521,415
Berkley	620,873	1,018,149	158,842	775,627	12,804,563	857,238	62,465	135,501	1,095,686	219,603	149,827	1,466,800
Dartmouth	3,639,524	6,934,458	0	562,263	47,844,049	3,065,199	1,166,050	1,551,955	12,202,525	1,292,384	0	4,927,747
Fairhaven	3,043,270	3,787,555	2,569,334	513,338	22,234,715	3,207,920	1,037,022	1,235,856	4,417,708	490,757	0	1,173,342
Freetown	1,326,183	2,213,973	1,121,057	176,510	12,808,852	1,536,931	398,340	164,944	2,680,498	271,784	93,456	695,750
Lakeville	1,741,580	1,878,575	1,357,213	414,540	16,217,945	933,963	442,837	362,088	3,251,167	185,819	39,088	395,533
Marion	2,173,734	1,871,515	1,071,145	489,419	10,800,355	1,692,048	390,987	334,081	2,750,839	110,251	0	599,158
Mattapoisett	1,663,057	2,234,329	637,349	727,922	13,398,864	1,536,790	534,451	551,818	3,815,267	123,559	423,171	1,050,529
Middleborough	4,251,051	4,864,656	3,249,819	515,961	36,775,316	1,870,415	1,715,422	1,035,385	16,618,579	1,280,262	0	7,058,909
Rochester	1,310,292	1,227,642	259,716	881,357	12,536,159	1,072,054	377,382	239,373	2,127,899	107,965	23,849	1,243,353
Sandwich	4,572,498	4,698,535	5,022,303	341,465	35,236,043	1,994,421	777,358	1,568,225	16,252,730	4,752,331	593,173	3,063,001
Swansea	1,524,363	3,793,761	739,903	225,542	22,841,260	1,404,410	921,288	465,572	8,750,799	751,800	0	1,032,132
Wareham	3,714,558	5,404,525	0	900,614	32,478,562	2,343,233	575,274	304,002	12,729,000	4,227,172	509,316	431,993
Westport	2,349,567	3,304,739	2,157,955	233,254	19,999,552	1,372,685	923,674	285,382	5,941,644	1,375,397	200,000	2,098,176
Averages	2,397,052	3,249,808	1,343,310	536,239	22,284,024	1,756,784	702,211	613,088	6,832,740	1,101,606	156,296	1,839,846

Comparative data on debt service

The following table shows recent figures on total annual debt service payments and such payments as a percent of the total budget for each town. Westport's annual debt service is only 43% of the average for all the towns, and its debt service as a percent of the total budget is 64% of that for all towns. The averages for these items are driven up by the high levels of indebtedness of a few towns, namely Dartmouth, Marion, Mattapoisett, and Middleborough. Except for those towns, Westport's debt service numbers are similar to those of the other 9 towns. On the other hand, Westport's free cash and stabilization fund balances at the end of FY 2019 were significantly lower than those for all but the town of Lakeville's stabilization fund. This was a period when Westport was experiencing problems with its Treasurer's Office which may have had something to do with these low balances.

Table 8. Debt Service, Free Cash, and Stabilization Funds and Bond Ratings

Municipality	Total Debt	Debt Service as	Free Cash as of	FY 2019	Moody's	S&P
	Service	% of Budget	FY 7/1/2019	Stabilization Fund	Rating	Rating
Acushnet	1,425,315	4.10	1,039,191	2,725,977		AA+
Berkley	1,466,800	6.02	935,244	1,466,221	A1	
Dartmouth	8,125,286	7.37	6,341,645	6,864,507	Aa2	AAA
Fairhaven	1,690,934	2.86	4,393,392	8,114,944	Aa2	AA+
Freetown	711,459	2.03	1,116,331	2,556,177		AA+
Lakeville	395,533	1.28	1,027,165	1,004,006		AA+
Marion	8,445,694	28.12	1,925,922	3,056,754		AAA
Mattapoisett	5,204,002	15.02	1,023,055	2,636,473		AAA
Middleborough	6,368,410	7.08	4,118,433	2,848,772		AA
Rochester	1,219,353	5.51	1,166,078	1,329,074	Aa3	AA+
Sandwich	4,619,753	5.13	2,201,602	1,729,888		AA+
Swansea	1,141,132	2.32	9,255,312	2,248,681		AA+
Wareham	2,892,957	3.52	3,004,763	3,499,994	Aa3	AA+
Westport	1,898,176	4.36	639,398	1,099,286	Aa3	
Averages	3,257,486	6.77	2,727,681	2,941,482		

Subsidies embedded in the current Westport property tax structure

When certain categories of property are taxed at lower rates or a zero rate, this results in a shifting of the tax burden from those receiving such benefits to the rest of the properties that are subject to the normal or general rate. It is important to recognize these tax subsidies to be able to assess whether they reflect community preferences. There are two types of such subsidies, reduced property taxes on so-called Chapter 61 properties and exemption for religious and otherwise protected properties, that are generally recognized but seldom quantified. The following discussion provides such quantification for such exemptions currently in Westport.

Impact of Chapter 61 properties and exempt properties on the property tax burden

Chapter 61 of the Massachusetts State Laws provides for tax relief from the property tax on three categories of property: forest, agricultural land, and recreational. The total of 8,029 acres of land in Westport under Chapter 61 is shown in Table 9.

Table 9. Tax Exemptions and Assessments for Chapter 61 and Exempt Lands

Chapter 61 land	Acres	Total Value	Taxed Value	Tax Assessed
61 Forest	575	\$15,550,000	\$67,900	\$585
61A Agricultural	6,873	\$124,620,000	\$1,609,100	\$13,870
61B Recreational	573	\$14,981,000	\$3,745,300	\$32,284
Total for Chap. 61	8,021	155,551,000	\$5,422,300	\$46,740
Exempt Lands				
Religious	31	\$2,697,600		
WLCT	1,450	\$30,180,500		
Other organizations	111	\$3,293,800		
Total for Exempt lands	1,592	\$36,171,900		

If the Chapter 61 lands were taxed fully at the current tax rate of .0862, the total tax from these properties would be \$1,340,850. Thus, the value of the tax reduction on Chapter 61 land is \$1,294,110. Because of this State-mandated tax reduction on Chapter 61 land, an equivalent amount is shifted to the residential, commercial, and industrial properties via the increase in the property tax rate on those properties. In a sense, the rest of the town is providing the owners of the Chapter 61 properties an annual subsidy or tax reduction of this amount that in effect provides a benefit to the whole community through preservation of its agricultural/rural nature. A number of properties have recently been taken out of the Chapter 61 protection. When that occurs, the owners are required to pay the full property tax for the preceding 5 years and, if the land is converted to taxable uses, property taxes will continue to be collected. If buildings are added to the property such as a new house, that will further increase tax revenue from the property. Likewise, the tax-exempt lands benefit from a tax reduction of \$311,802 that is also shifted to the other groups that pay the property tax. These lands belong to religious and other organizations including private schools and are commonly granted tax exemption because they are considered a public good.

Implicit tax subsidies from applying uniform tax rates to all properties

Another kind of subsidy that is largely unrecognized, but made clear in Table 5 above, is that of applying a uniform tax rate to all types of property. As shown in that table, seven towns apply higher property tax rates to commercial, industrial and personal property than they do to residential property. For those seven towns, the average residential property tax rate is 13.3 per thousand whereas the rate for commercial, industrial and personal property is 18.1 per thousand, or 37% higher.

If a similarly higher tax rate was applied to such properties in Westport this would lead, under the constraints of Proposition 2 ½, to a corresponding reduction in the burden on residential properties. The argument that is often made against applying higher rates to commercial and industrial properties is that it is a disincentive for such businesses to locate within the town. Given the limited number of such businesses that have been established in Westport in the past plus the very low uniform property tax rate that has existed for some time in Westport, it would appear that this tax subsidy has resulted in all the residential taxpayers bearing more of the tax burden and has had little effect in attracting new businesses which pay much higher rates in nearby towns.

Summary

Although the annual budget levels in Westport have risen in real terms in recent years, they are still very low when compared to those of nearby towns and, more importantly, low in relation to the needs for public services, education, and public works. Failure to break out of the constraints of Proposition 2½ has kept Town and School administrations scrambling to keep systems operating on a patchwork basis.

The recent comparison of Westport's fiscal posture with that of other nearby towns of similar size and character shows that:

- Westporters' per capita income was 6% higher than the average of all 14 towns.
- The burden of the property tax relative to personal income for Westporters is lower than that of any other municipality in the 14-town sample and is 32% lower than for the average of all the other towns.

If the Town is going to realize the full benefits of the new school buildings and begin to address the multiple water, wastewater, and stormwater problems that it faces as well as other urgent needs, it will be imperative to increase revenues and incur more debt. Not only is this important to support the living conditions of all the residents, but it will also be important to protect property values in the future by assuring a viable and attractive community in which people will choose to live.

(Prepared by David Cole)

2. Property Tax Overrides Are Normal and Necessary

Massachusetts instituted Proposition 2 ½ - a law limiting increases in local property taxes - in 1980. Since then, many municipalities facing revenue shortfalls have repeatedly sought overrides – votes by community residents to approve levy limit increases higher than the allowed annual increase of 2.5 percent. While one of the objectives of Prop 2 ½ was to apply limits to increases in local government property taxation, the inclusion of the override process in the law along with the subsequent reduction in the required vote to authorize overrides to a simple majority rather than a two-thirds majority, was intended to permit towns to increase such taxes by raising the property tax levy limit when the voters decide that is the reasonable and desirable thing to do.

Of the approximately 4,441 override attempts by all the municipalities in Massachusetts between 1990 and 2020, 1,818, or 41%, were approved and 2,623, or 59%, were rejected. The total dollar value of approved overrides for this same period was \$720,305,778, adding \$720 million to the property tax levy limits for those towns that had sought them.¹ In the most recent five-year period, 2016-2020, a total of 106 override proposals were approved in 62 towns with a total value of \$100,599,036.

Some municipalities have used the override process frequently to increase their property tax levy limits while others have never tried to pass an override. More attempts have failed than succeeded during this period and the value of the failed attempts has exceeded the successes by some \$60 million.

It is instructive to look at the experience of the Town of Westport and other nearby towns with overrides to see how this diverse experience has played out in this area.

Westport has attempted 19 override votes since 1990. Only two of them succeeded, in 1994 and 1995, for public safety expenses totaling \$160,000. The other 17 attempts totaling \$11,143,547 all failed. Eight of those attempts amounting to \$2,315,665 were said to be for general operating funds, seven attempts totaling \$3,907,984 were for schools. The \$160,000 approved for public safety in 1994-95 added that amount to the property tax levy limit. All the other attempts to raise that limit have failed.

¹ These data are from the Mass. Department of Revenue, Division of Local Services, Data Analytics and Resources Bureau and are available at the following website

https://dls.gateway.dor.state.ma.us/reports/rdPage.aspx?rdReport=Votes.Prop2_5.OverrideUnderide.

Table 1, Westport Override Votes, 1990-2015

Fiscal Year	Win / Loss	Department	Description	Amount
1990	LOSS	PUBLIC SAFETY	Fire And Ambulance Services	160,000
1993	LOSS	GENERAL OPERATING	General Operating Services	1,200,000
1994	WIN	PUBLIC SAFETY	Maintaining Fire And Ambulance Services	60,000
1995	WIN	PUBLIC SAFETY	Maintaining 911-Dispatcher Services	100,000
1997	LOSS	GENERAL GOVERNMENT	Repairs To Offices At Town Hall	185,000
1997	LOSS	SCHOOL	Replacement Windows For School Department	200,000
1999	LOSS	SCHOOL	School Operating Budget	424,284
2002	LOSS	GENERAL OPERATING	General Operating Expenses	335,000
2003	LOSS	CULTURE AND RECREATION	Purchase Land From Fire Station	200,000
2003	LOSS	GENERAL OPERATING	Town's Operating Budget	518,057
2004	LOSS	GENERAL GOVERNMENT	Other Budgets Excluding Schools	844,041
2004	LOSS	SCHOOL	Operating Budget For Schools	3,000,000
2005	LOSS	SCHOOL	Smoke Alarms For School Department	73,700
2005	LOSS	SCHOOL	Refrigerator/Freezer For Elementary School	45,000
2011	LOSS	GENERAL OPERATING	General Operating Expenditures	1,500,000
2013	LOSS	SCHOOL	Special Education Services At Westport Public Schools	297,000
2013	LOSS	GENERAL GOVERNMENT	Defraying General Operating Expenses	1,047,000
2013	LOSS	SCHOOL	Defraying To Reduce Class Size At Westport Public Schools	165,000
2015	LOSS	GENERAL GOVERNMENT	Fund The Operating Budgets For The Town And School Dept.	949,465
			Total	11,303,547

Dartmouth has attempted only eight override votes since 1990 of which three were approved and five were rejected. The three approved overrides amounted to \$2,121,439, whereas the rejected overrides were \$12,278,031. The biggest approved override was for general operating funds and public safety. The big rejections were for Town operating funds and school expenses. Dartmouth's override attempts all occurred in the years 2007-2009 and none have been attempted since 2009.

Table 2. Dartmouth Override Votes 2007-2009

Fiscal Year	Win / Loss	Department	Description	Amount
2007	LOSS	CULTURE AND RECREATION	Operating Costs Of New Library	400,000
2008	LOSS	GENERAL OPERATING	Funding Operating Budgets Of The Town And School	8,459,000
2009	LOSS	CULTURE AND RECREATION	Funding Extracurricular Athletic And Music Programs	325,000
2009	WIN	CULTURE AND RECREATION	Funding Public Library For Books, Materials, Operational Costs	89,874
2009	WIN	PUBLIC SAFETY	Funding Seven Full Time Police Officer Positions	520,160
2009	WIN	GENERAL OPERATING	Funding Operating Budget Of Town	1,511,405
2009	LOSS	GENERAL OPERATING	Funding Stabilization Fund	1,000,000
2009	LOSS	SCHOOL	Funding Operating Budget Of The Public Schools	2,094,031
				14,399,470

Fairhaven has only attempted one override vote in 1991 for \$741,000 to fund school expenses and it was defeated. No other attempts have been made since. This may reflect the fact that Fairhaven, like Dartmouth, has a relatively large commercial, industrial and personal property base – 25% of the total property tax base – and it applies a tax rate on such properties that are nearly double the residential property tax rate. These factors plus new construction and new businesses have helped to keep the

average per capita local government expenditures in Fairhaven 26% higher than in Westport (see Table 10).

Mattapoisett has frequently looked to overrides to manage its fiscal affairs. It has considered overrides 58 times since 1991, approving them 23 times for a variety of initial reasons but ultimately having the effect of raising the tax levy limit by \$1,862,189 over this period.

Table 3. Mattapoisett Override Approvals 1991-2004

Fiscal Year	Vote Type	Department	Description	Amount
1991	Override	PUBLIC WORKS & FACILITIES	Fund Rubbish Collection Budget	68,000
1992	Override	PUBLIC WORKS & FACILITIES	Fund Rubbish Collection Contract/Expenses	73,709
1993	Override	HEALTH AND HUMAN SERVICE	Supporting Rape Crisis Project	2,000
1993	Override	SCHOOL	Finance Costs Of Regional School	24,144
1993	Override	PUBLIC SAFETY	Purchasing Generator For Fire Depart	6,500
1993	Override	SCHOOL	Old Colony High School Budget	9,618
1993	Override	SCHOOL	Operating Costs For Regional Schools	151,033
1993	Override	HEALTH AND HUMAN SERVICE	Purchasing Van For Council On Aging	5,600
1993	Override	SCHOOL	Elementary School Costs	245,880
1993	Override	PUBLIC SAFETY	Purchase Masks For Use For Fire Dept	9,960
1994	Override	PUBLIC SAFETY	Defibrillator & Equip.For Amb.Service	16,900
1994	Override	PUBLIC SAFETY	Air Pac Smoke Masks For Fire Dept.	9,120
1995	Override	PUBLIC WORKS & FACILITIES	Curbside Pick-Up And Disp. Of Recyclable	53,995
1996	Override	CULTURE AND RECREATION	Maintaining Public Beach	9,250
1996	Override	PUBLIC SAFETY	Pants-Coats-Bottles For Fire Department	12,700
1999	Override	SCHOOL	Old Colony Operating Budget	9,893
1999	Override	SCHOOL	Old Rochester Regional Operating Budget	289,606
1999	Override	SCHOOL	Elementary School Operating Budget	105,561
2000	Override	GENERAL OPERATING	General Operating Budget	102,037
2000	Override	SCHOOL	Elementary School Operating Budget	160,613
2001	Override	PUBLIC WORKS & FACILITIES	Collection Of Rubbish	127,890
2002	Override	PUBLIC WORKS & FACILITIES	Rubbish Collection	166,820
2004	Override	SCHOOL	Increased Maintenance Requirements Of Old Rochester Regional School	201,360
				1,862,189

On the other hand, Mattapoisett has rejected overrides 35 times between 1990 and 2004. In the early years from 1990 to 1994 many override proposals were set forth for a variety of expenditures. In 1993 eight proposals were approved and eight items rejected. After 1994, the proposals were less frequent, but from 1999 through 2004 a total of \$1,163,780 was approved and added to the tax levy limit, whereas \$396,370 was rejected. There have been no more override proposals since 2004.

Table 4. Mattapoisett Override Rejections

Fiscal Year	Department	Description	Amount
1990	GENERAL OPERATING	Operating	448,539
1990	PUBLIC SAFETY	Police Cruisers	26,200
1990	GENERAL GOVERNMENT	Revaluation	22,134
1990	CULTURE AND RECREATION	Recreation/Plans	10,000
1991	PUBLIC WORKS & FACILITIES	Fund DPW /Street/Road Maintenance	25,000
1991	SCHOOL	Fund Reg. Sch. District Budget	98,736
1991	SCHOOL	Fund Sch. Dept. Oper. Budget	23,614
1992	SCHOOL	Fund Reg Sch. Oper.Budget/Capital Expense	182,542

1992	CULTURE AND RECREATION	Fund Recreation Salaries/Wages/Expenses	19,919
1992	GENERAL GOVERNMENT	Fund Town Hall Expenses	6,400
1992	SCHOOL	Fund DPW Salaries/Wages/Expenses	49,675
1992	GENERAL GOVERNMENT	Fund Print/Mail Town Report Expenses	9,000
1992	SCHOOL	Elementary School Expenses	95,828
1992	SCHOOL	Regional School Operating Expenses	90,415
1992	CULTURE AND RECREATION	Fund Bathing Beach Salaries/Expenses	22,883
1992	SCHOOL	Fund Elem. Sch. Wages & Expenses	95,828
1993	PUBLIC SAFETY	Revolving Fund For Police Officers	2,000
1993	PUBLIC SAFETY	Public Safety Costs	21,708
1993	GENERAL GOVERNMENT	General Govt Operating Expenses	40,285
1993	PUBLIC WORKS & FACILITIES	Operating Costs For Public Works	15,255
1993	GENERAL GOVERNMENT	Cost Of Maintenance Work At Town Hall	7,000
1993	PUBLIC SAFETY	Public Safety	37,225
1993	HEALTH AND HUMAN SERVICE	Health And Human Services Oper.Costs	2,910
1993	CULTURE AND RECREATION	Repairing Damages To Ship Yard	13,500
1994	PUBLIC SAFETY	Police Expenses	15,000
1994	CULTURE AND RECREATION	Defray Costs For Culture And Recreation	2,700
1994	SCHOOL	School Costs	11,000
1994	CULTURE AND RECREATION	Defraying Operating Costs For Library	4,168
1994	PUBLIC WORKS & FACILITIES	Install Storm Drains And Resurface Lane	16,100
1996	GENERAL GOVERNMENT	Renovations To Town Hall	6,300
2000	GENERAL OPERATING	Old Colony Operating Budget	49,198
2000	GENERAL OPERATING	Hire Part Time Planner	21,000
2003	SCHOOL	Old Rochester Regional School Operating Budget	130,603
2003	SCHOOL	Elementary Schools Operating Budget	179,569
2004	CULTURE AND RECREATION	Funding Position Of Part Time Conservation Agent	16,000

Marion has considered property tax overrides even more frequently than Mattapoisett and approved 39 while rejecting 30 for a total of 59 times over the years 1990 to 2020. The total increase in the tax levy limit over this period from these overrides was \$2,384,413. In many cases, the amount of the override was less than \$50,000, but on three occasions overrides totaling \$739,000 were approved for general operating expenditures and in 2020 \$420,000 was approved for outsourcing curbside collection.

The most recent total property tax levy for Marion was \$20,792,995. Assuming that this is at or near the tax levy limit, the total override approvals since 1990 have added \$2,384,413 or 11.5% to the tax levy limit. Put another way, the tax levy limit in Marion for the most recent year would have been about \$18,400,000 rather than \$20.8 million without the approved overrides.

Table 5. Marion Override Approvals 1990-2020

Fiscal Year	Department	Description	Amount
1990	HEALTH AND HUMAN SERVICE	Marion's Share For Reg'L Health Office	10,000
1990	GENERAL GOVERNMENT	Conserv/Commiss-Bird Island Improvmts	2,500
1990	PUBLIC SAFETY	Consultant For E. Marion Fire Station	3,000
1990	SCHOOL	Add'L Services&Programs At Sippican Sc	18,645
1990	SCHOOL	Marion's Share Old Roch.Reg. Sch.Distr	33,391
1990	GENERAL OPERATING	General Operating Budget	295,000
1990	GENERAL GOVERNMENT	To Hire A Professional Land Planner	10,000
1990	GENERAL GOVERNMENT	Conserva/Commiss-Improv Planting Is.Ca	5,000
1990	GENERAL GOVERNMENT	Clerical Employee's Contract	16,700
1990	SCHOOL	Marion's Share Reg. Sch. Dist.Asbest.	26,820

1991	PUBLIC SAFETY	Purchase Police Cruiser & Equipment	17,870
1991	GENERAL OPERATING	General Operating Budget	247,000
1992	GENERAL OPERATING	Override	197,000
1993	HEALTH AND HUMAN SERVICE	Providing Support Rape Crisis Project	2,000
1994	HEALTH AND HUMAN SERVICE	Rape Crisis Project	2,000
1995	SCHOOL	Maintaining Services At School	35,000
1996	SCHOOL	Maintain School Services	65,863
1997	PUBLIC WORKS & FACILITIES	Providing Curbside Recycling Collection	10,000
1997	SCHOOL	Maintain Current Services At Sippican Sch	83,081
1997	HEALTH AND HUMAN SERVICE	Operating Budget Animal Control Officer	11,600
1998	PUBLIC WORKS & FACILITIES	Animal Control	18,465
1998	GENERAL OPERATING	Cover Cost Of Project Grow	55,280
1998	PUBLIC SAFETY	Clerical Assistance For Fire Department	14,040
1998	SCHOOL	Maintain Services At Sippican School	56,836
1998	PUBLIC WORKS & FACILITIES	Repair Roads And Sidewalks	30,000
1999	PUBLIC WORKS & FACILITIES	DPW Utility Worker	35,570
1999	SCHOOL	Special Needs Programs At Sippican Sch.	159,569
1999	PUBLIC WORKS & FACILITIES	Perform Water Quality Testing	2,500
1999	SCHOOL	School Costs	38,726
2000	PUBLIC SAFETY	Purchase Police Cruiser	27,000
2000	SCHOOL	Education Expenditures	110,290
2001	SCHOOL	Educational Services At School	78,117
2002	GENERAL GOVERNMENT	Funding Wages For Council On Aging Coordinator	5,720
2003	PUBLIC SAFETY	Funding Increase In Fire Chief Position	50,000
2004	SCHOOL	Utility & Maintenance Req For Old Rochester Rsd	160,189
2005	SCHOOL	Fund The Sippican School Music Teacher Position	12,000
2005	CULTURE AND RECREATION	Provide Sufficient Funds For Tree Wardens Budget	5,000
2006	PUBLIC SAFETY	Increasing Weekly Hours For Public Health Nurse	12,641
2020	PUBLIC WORKS & FACILITIES	Outsourcing Curbside Collection	420,000
		Total	2,384,413

Wareham offers an interesting example of a town that has tried to pass overrides very few times and they have all been defeated. Two attempts in 1991 and 2013 were for funding of school expenses and were defeated. Then Wareham tried a large override of \$4.5 million for the town and school operating needs and capital expenses and it was defeated. Wareham’s uniform tax rate for all types of property has been around 11 per thousand in recent years, which is nearly 40% higher than the rate in Westport of 7.9 per thousand. Wareham’s total tax levy in 2015 when the last big override attempt was proposed and defeated, was about \$35 million, so the override of \$4.5 million would have increased the tax levy limit by nearly 13%. It is perhaps not surprising that such a large one-time increase in the levy limit was defeated. But Wareham’s property tax rate has remained on a par with nearby towns and significantly above that of Westport.

Table 6. Wareham Override Votes 1991-2015

Fiscal Year	Win / Loss	Department	Description	Amount
1991	LOSS	SCHOOL	Quaboag Regional Assessment	336,532
2013	LOSS	SCHOOL	Preventing Layoff Of Teachers	780,000
2015	LOSS	GENERAL GOVERNMENT	Fund Town And School Operating And Capital Expenses	4,500,000

Lakeville’s experience is also interesting. It attempted six overrides between 1991 and 1995 for substantial amounts, all of which failed. But in 1995 it held a second override attempt for the same amount, \$850,000, and the same purpose, General Operating Expenditures, and this second effort was approved. Then in 2005 and 2014 two more large overrides for school funding were successful. The three successful overrides amounted to \$2,840,838 raising the tax levy limit by that amount. The total property tax levy in 2014, when the last override for \$1,500,000 was approved, was \$19.5 million. Thus the override increased the tax levy limit by about 8 percent in that year and the three successful overrides raised the levy limit by nearly 15%.

Table 7. Lakeville Override Votes 1991-2014

Fiscal Year	Win / Loss	Department	Description	Amount
1991	LOSS	GENERAL OPERATING	General Operating Budget	300,000
1991	LOSS	GENERAL OPERATING	General Operating Budget	963,369
1992	LOSS	GENERAL OPERATING	Fund Operating Budget	202,000
1992	LOSS	GENERAL GOVERNMENT	Fund FY 92 Revaluation Expenses	70,000
1993	LOSS	PUBLIC SAFETY	Purchasing, Equip, Full Time Ambulance	330,000
1995	LOSS	GENERAL OPERATING	General Operating Budget	850,000
1995	WIN	GENERAL OPERATING	General Operating Expenditures	850,000
2002	LOSS	GENERAL OPERATING	General Operating Expenses	96,000
2005	WIN	SCHOOL	School Operating Budget	490,838
2014	WIN	SCHOOL	Funding The Freetown Lakeville Regional School Dist. Operating Budget	1,500,000

Experiences of Fairhaven, Freetown, and Swansea

Fairhaven and Swansea each tried to override one time since 1990 and they both were rejected, Fairhaven in 1991 and Swansea in 2003. Freetown has tried to pass overrides 27 times from 1991 to 2009 and all of them failed. The cumulative value of the failed overrides in Freetown has little relevance because if some of the earlier overrides had been successful, the later attempts probably would not have been proposed.

Impact of Overrides on the Property Tax Levy Limit

For those towns that have passed overrides it is possible to estimate the impact of the cumulative amounts of override on the current total tax levy. This is the case because, as has been frequently noted, a tax override raises the tax levy limit permanently whereas a debt override only raises the levy limit until the debt has been paid off. In the following table, the cumulative value of the overrides in the five towns that have approved them since 1990 is recorded and that magnitude is then shown as a percent of the total tax levy in 2021. For Dartmouth, it is only 3%, but for Lakeville, Marion, and Mattapoisett it is more substantial ranging from 7.4% to 12.3%. For the town of Westport, the two small overrides in 1994 and 1995 added only one-half of one percent to the tax levy limit.

Table 8. Impact of Overrides in 10 Towns on the 2021 Tax Levy

Municipality	Residential Levy	Total Levy	Value of Overrides	Override as % of Total Levy
Dartmouth	51,169,275	67,528,089	\$2,121,439	3.1%
Fairhaven	22,949,185	30,465,633	0	
Freetown	15,664,007	22,752,873	0	
Lakeville	22,367,752	25,873,710	\$2,840,838	11.0%
Marion	19,342,966	20,792,995	\$2,384,413	12.3%
Mattapoisett	23,336,363	25,032,066	\$1,862,189	7.4%
Somerset	30,645,254	42,097,634	0	
Swansea	28,403,696	35,642,424	0	
Wareham	37,581,926	45,070,058	0	
Westport	29,083,748	31,580,770	\$160,000	0.5%

Current Property Tax Rates in Westport and Nearby Towns

The following table shows the current tax rates for the ten towns whose override experience has been discussed above. Five of the towns, Lakeville, Marion, Mattapoisett, Wareham, and Westport, use the same rate for all classes of property. The other five, Dartmouth, Fairhaven, Freetown, Somerset, and Swansea, apply significantly higher rates to commercial, industrial and personal property than to residential property. Westport's uniform rate of 8.62 is 28% below the average residential rate for all ten towns and nearly 50% below the average commercial and industrial rates for all the towns. This current disparity in rates between Westport and the other 9 nearby towns is worth keeping in mind when considering whether tax overrides might be warranted and whether Westport taxpayers are overburdened by their current property taxes. It is also relevant when considering whether property tax increases would be likely to discourage businesses from being established in Westport or other nearby towns.

Table 9. Property Tax Rates for Westport and Nearby Towns, 2021

Municipality	Fiscal Year	Residential	Open Space	Commercial	Industrial	Personal Property
Dartmouth	2021	9.90	0.00	17.68	17.68	17.61
Fairhaven	2021	11.29	0.00	22.53	22.53	22.53
Freetown	2021	12.70	0.00	20.63	20.63	20.63
Lakeville	2021	12.77	0.00	12.77	12.77	12.77
Marion	2021	11.32	0.00	11.32	11.32	11.32
Mattapoisett	2021	12.96	0.00	12.96	12.96	12.96
Somerset	2021	14.68	0.00	28.40	28.40	28.40
Swansea	2021	14.21	0.00	23.13	23.13	23.13
Wareham	2021	11.16	0.00	11.16	11.16	11.16
Westport	2021	8.62	0.00	8.62	8.62	8.62
Averages		11.96		16.92	16.92	16.91

Improving the odds for approving overrides

A study published in 2010 set out to evaluate the role that Proposition 2 ½ has played in the fiscal condition of towns in Massachusetts in the following respects:²

- Has Proposition 21/2 been a factor in determining a town’s current fiscal condition?
- What influences the likelihood of passing overrides?
- Is the likelihood different for richer and poorer towns?
- Is the likelihood different for smaller and larger towns?

The study found that approval of overrides tended to significantly improve a town’s fiscal condition in the subsequent years, whereas repeated failure to pass overrides tended to worsen a town’s fiscal condition over the subsequent years. It also found that towns that were in a relatively good fiscal condition, often due to previously approved overrides, were less likely to seek further overrides in subsequent years and when they did the amount of the override was smaller. Thus, approval of overrides leads to a kind of virtuous circle whereas the rejection of overrides leads to a continuing decline in a town’s fiscal condition.

The median household income of a town is positively correlated with the likelihood of a town seeking an override vote and with the likelihood of a winning vote. Richer towns tend to have more successful override votes and tend to be in better fiscal condition than poorer towns. Richer towns attract households with a relatively high demand for public services who can afford to pay for them.

The population is negatively correlated with the likelihood of an override attempt, the likelihood of a win, and the amount of the override. Larger towns are less likely to engage in override behavior. The population is also negatively correlated with the local fiscal condition.

These findings raise the obvious question: How does Westport compare with other nearby towns on these several characteristics? The following table tells part of the story.

Table 10. Local Fiscal Conditions in Westport and 9 Nearby Towns

	2018	FY 2021 Single	FY 2016 DOR	FY 2018	2020	2020
Municipality	Population	Family Tax Bill	Income/Capita	EQV/Capita	General Fund Expenditures	Expenditures Per Capita
Dartmouth	34,307	4,331	34,186	\$171,544	\$91,686,492	\$2,690
Fairhaven	16,094	3,608	28,440	\$135,576	\$53,776,884	\$3,354
Freetown	9,395	4,617	35,902	150,760	\$26,870,454	\$2,881
Lakeville	11,418	5,210	39,256	155,427	\$29,452,631	\$2,579
Marion	5,143	7,499	54,984	329,282	\$23,622,591	\$4,625

² Wallin, Bruce, and Jeffrey Zabel, “Property Tax Limitations and Local Fiscal Conditions: The Impact of Proposition 2 ½ in Massachusetts.” Cambridge, MA, Lincoln Institute of Land Policy Working Paper, 2010

Mattapoisett	6,379	6,945	55,547	286,743	\$30,008,643	\$4,741
Somerset	18,181	4,625	29,390	123,677	\$57,151,126	\$3,151
Swansea	16,705	4,317	32,280	134,308	\$47,667,003	\$2,887
Wareham	22,666	3,403	23,840	163,645	\$68,495,168	\$3,029
Westport	15,988	3,905	39,479	\$212,236	\$42,202,776	\$2,656
Averages	14,390	4,846	37,330	\$186,320	\$47,093,000	\$3,259
West./aver.	111%	81%	106%	114%	90%	81%

Westport is a relatively small town surrounded by many other small towns, all small in relation to Dartmouth and even more so to New Bedford and Fall River. Being relatively small is believed to improve the prospects of passing overrides according to Wallin and Zabel. So far that has not proven to be the case for Westport.

Westport has higher per capita income and equalized property values than neighboring towns indicating that it is relatively more prosperous and that is expected to lead to higher probabilities of approval of overrides, but again that has not happened in Westport. Marion and Mattapoisett, however, that have significantly higher per capita income and property values, have been much more successful in passing overrides.

The effects of Westport’s failure to enact overrides are demonstrated in two elements of this table: the single-family tax bill and the general fund expenditure per capita, both of which are 81% of the average for the other towns in the sample. Westport is taxing and spending less than the average levels for neighboring communities even though it has higher per capita incomes and per capita property values than those communities. This can be directly attributed to the failure to pass overrides on the property tax over the past three decades.

How to gain voter approval of overrides in Westport?

The voters in Westport should be informed of the following facts:

- When compared to neighboring towns the funding of governmental services in Westport is significantly lower.
- This is creating serious problems especially with the school system and public safety, but also in supplying adequate services and paying competitive salaries to all town employees.
- The low level of government funding is directly attributable to the failure to pass overrides over the past three decades.
- Property tax overrides are a standard and frequently used means for keeping town government revenues and expenditures in step with growing needs, public expectations, and the levels in neighboring communities.

- Annual 2 ½ % increases in the property tax levy limit plus new build-out are not enough to keep pace with growing needs.
- While low property tax rates may be appealing to current homeowners and some prospective home buyers, a growing reputation for poor and limited government services ultimately has adverse impacts on property values and the wealth of existing homeowners.
- The new fire station, police station, and Middle/Senior High School, which are being funded by debt-service overrides, are very important capital investments that can only achieve their expected and hoped-for potential if they are supported by more funding of the people who work there.
- The designated purpose of any specific override is more a matter of eliciting public support than of meeting the needs of that particular activity because the override raises the tax levy limit permanently and enables the town to increase its revenues into the future which is what Westport needs to do.

3. Some Thoughts on Gaining Voter Support for an Override

The Westport Finance Committee stated clearly in its report to the June 5th Town Meeting that the Town has, and will continue to have, a structural deficit in its annual budget due to voter unwillingness over many years to approve an override of the constraints imposed by Proposition 2 ½. Recognizing the problem is an important first step towards finding a solution. This paper focuses on several possible solutions and discusses how they might be designed to gain the support of Town voters to adopt them.

Crafting an equitable override

A first goal should be to craft an override that will not lead to a significant increase in the residential property tax rate and thus not increase the tax burden of owners of less valuable residential properties. This could be achieved in two ways:

- There is currently a very strong demand for high-value residential properties in Westport. Some houses in especially favorable locations, such as Westport Point, Westport Harbor, and shoreline properties along the banks of both branches of the River are attracting bidding competitions that have pushed the prices of these properties up by 40-50% above the initial high offering prices. Assessed values of these and neighboring houses can be expected to increase significantly in the coming years. If these higher assessed values, which will add to the total property tax base, are not offset by an increase in the levy limit, the property tax rate will have to be lowered to stay within the constraints of Prop 2 ½. This would result in a lower tax rate and lower tax burden for all properties other than the high-value residential properties. An override could be designed to prevent this reduction in the tax rate and instead maintain a constant tax rate for all residential properties. The effect of this would be to impose the full burden of the override on the higher value properties whose values had increased due to the current surge in demand for them. Most owners of such properties should be able to absorb the increases in their property taxes without any difficulty. (See the attached Example!).

- A second way to increase the amount of property tax without adding additional burden to the owners of low to medium value residential properties is to follow the practice of many other towns in Massachusetts by applying higher property tax rates to commercial, industrial and personal property than to residential properties. In the comparison of property tax rates in Westport and nearby towns shown in the table below, seven of those towns apply higher property tax rates to commercial, industrial and personal property than to residential property. In the town of Fairhaven, for example, the CIP tax rate is double the rate on residential property.

While the value of commercial, industrial, and personal property in Westport is a considerably smaller share of total property tax revenues than the average for the other towns, a significant increase in the rate on such properties in Westport could add to total property tax revenues for the Town. But, this would only be the case if there is a matching increase in the tax levy limit through a Prop 2 ½ override. Otherwise, the higher rate on CIP properties would just result in an offsetting reduction in the property tax rate on residential properties. So here again, the amount of the proposed override should be designed to allow for the increase in potential revenue from CIP properties without leading to a reduction in the tax rate on residential properties. (See the attached Example 2).

Opposition to a higher tax rate on CIP properties in the past has been based in part on the notion that it would discourage new businesses from moving into Westport. The evidence from the table above suggests that the existing low tax rate on CIP properties has had little effect in this regard, other factors are more important. The low tax rate on businesses has just provided an added benefit to the existing businesses.

Conclusion

The Town of Westport needs to increase revenues to reduce its structural deficit and be able to fund the many important services desired by and required for meeting the expectations of the community. When compared with other neighboring communities, Westport has much room to raise more revenues and still maintain a relatively low tax burden.

The property tax is the main source of revenue for the Town and any substantial increase in Town revenues must be linked to increases in the property tax rates. Two ways of achieving this have been suggested: an override of the Prop 2 ½ limit, and imposing a significantly higher rate on commercial, industrial and personal property. Both measures could be managed in a way to minimize the increase in the tax burden on low and medium-value properties. Taken together, these measures could make a major contribution to closing the looming fiscal deficit. But further overrides may still be required in the future.

Appendix: Hypothetical examples of alternative approaches to property tax changes

Example 1. Dealing with increased residential property values (not including new construction and other possible additions to the tax rolls) to avoid a reduction in the tax rate and loss of revenue:

1. The initial assessed value of the residential property: \$3 billion.
2. The initial assessed value of commercial, industrial, and personal (CIP) property: \$300 million.
3. Initial tax rate: 0.8.
4. Tax levy limit (assumed equal to existing levy): $0.8 \times \$3.3 \text{ billion} = \26.4 million .
5. Divide residential property into three categories of high, middle, and low property values with \$1 billion in each category. This is a breakdown by the cumulative value of properties not by numbers of properties. There would be relatively fewer properties in the high-value category and many properties in the low-value category.
6. Initial tax on all categories of properties:
 - a. All residential properties: $\$1 \text{ billion} \times 0.8 = \8 million for each category, \$24 million total.
 - b. CIP properties: $\$300 \text{ million} \times 0.8 = \2.4 million
 - c. All properties: \$26.4 million.
7. Assumptions as to increases in residential property values:
 - a. High-value properties increase by 50%.
 - b. Medium value properties increase by 10%.
 - c. Low-value properties do not increase in value.
8. New total assessed values for three categories of properties:
 - a. High value properties = \$1.5 billion.
 - b. Medium value properties = \$1.1 billion.
 - c. Low value properties = \$1 billion
 - d. Total value of residential properties = \$ 3.6 billion.
 - e. Value of CPI properties = \$300 million
9. New tax levy limit based on 2.5% increase: $\$26.4 \times 1.025 = \27.1 million , an increase of \$700,000
10. Tax rate needed to match new total property values to tax levy limit = $27.1/3,900 = 0.69$.
11. Without an increase in the tax levy limit and the tax rate, the tax levy on low-value properties would decline by \$1.1 million, on medium value properties it would decline by \$410,000, and on high-value properties, it would increase by \$2.35 million.
12. Increase in tax levy limit (override) needed to match new tax base to 0.8 tax rate:
 $0.8 \times 3,900 = \$31.2 - \$27.1 = \$4.1 \text{ million}$ increase in tax levy limit due to override
13. Total increase in tax levy limit: (Prop. 2 ½) \$0.7 million + (override) \$4.1 million = \$4.8 million.
14. Tax amounts on different categories of property and all properties after revaluation and override:
 - a. High value residential properties: $\$1,500 \text{ million} \times 0.08 = \12 million .
 - b. Medium value residential properties: $\$1,100 \text{ million} \times 0.08 = \$ 8.8 \text{ million}$.
 - c. Low value residential properties: $\$1,000 \text{ million} \times 0.08 = \8 million .
 - d. CIP properties: $\$300 \text{ million} \times 0.08 = \2.4 million
 - e. Total of \$31.2 million or an increase of \$4.8 million

One extremely important point that is demonstrated by this example, is that when values of existing properties rise as they are now doing very strongly, it is essential to match those property value increases with overrides to be able to capture the taxes from those more valuable properties and prevent a reduction in the property tax rate to stay within the limits imposed by the Prop 2 ½

constraints. The failure to enact such overrides in Westport over many years, while property values have been steadily rising, has contributed to the very low property tax rate and the fiscal structural deficit that the Town is now finally confronting. Property value increases in the future will need to be matched with further overrides to avoid this problem from recurring.

Example 2. Applying higher property tax rates to commercial, industrial, and personal property and using the override to prevent a loss of revenue:

1. The initial assessed value of CIP properties = \$300 million.
2. Initial tax rate on CIP properties = 0.08.
3. Initial tax revenue from CIP properties: \$2.4 million.
4. Potential revenue from doubling current tax rate on CIP properties: $0.16 \times \$300 = \4.8 million.
5. Increase in revenue from doubling the tax rate: \$2.4 million.
6. Override required to avoid reduction of the tax rate on all properties: \$2.4 million.

The combined effects of this override plus the override projected in Example 1 would be: **\$2.4 million + \$4.1 million = \$6.5 million.** While the numbers used in the examples are hypothetical, they approximate the current levels of the property tax base and tax rate in Westport. Therefore, the potential revenue increase of \$6.5 million through an override is indicative of what might be achieved in Westport.

The burden of these revenue increases would fall mainly on the owners of high-value properties and on businesses that would be likely to pass much of the burden to their customers in the form of higher prices. Little if any of the burdens would fall on the owners of low and medium-value properties.

Westport's Economic Development – Past Patterns and Future Choices

Since its incorporation in 1787, the economic character of the town of Westport, Massachusetts has gone through some dramatic changes. Given the recent shocks of the Covid-19 pandemic and the prospects for major federal government initiatives to support a wide range of activities in communities like Westport, we may again be confronting an external-event-induced transition to fundamentally new patterns of living and economic activity. This paper seeks to review some of the major shocks and transitions from the past and then explore some of the opportunities and possibilities for meeting the challenges of the future.

A review of historical changes

For the first century after its incorporation, Westport remained essentially a farming and seafaring community with a mix of widely dispersed residences on farms and denser clusters of residences and shops at the Head and the Point. Shipbuilding was a major industry and the ships were used for whaling, fishing, and cargo transfer. Water-powered mills in the upper reaches of various streams were an important feature of industrial activity along with many products produced in the homes.

In the latter half of the 19th century, oil and kerosene destroyed the whaling business, but some new textile factories appeared in the northern part of the town. A new wooden bridge from The Point to Horseneck in 1893 opened up the beaches to settlement and the automobile precipitated a flood of tourists to a mini-Coney Island. New hotels and pavilions along the shoreline became a dominant feature of the Westport economy.

Also, in this period, the booming textile businesses in Fall River and New Bedford spilled over into the Westport Factory area where mills and associated houses were built. The migration of the textile mills from New England to the South in the first half of the 20th century also ended Westport's textile mill.

In the middle years of the 20th century, the seafront economy was washed away by the successive hurricanes of 1938, 1944, and 1954. The State took over control of much of the shoreline, established a State Beach on part of it, and permitted a new Town-owned beach and private beaches to operate. A new highway that cuts through the back-forty of many existing farms brought thousands of tourists to Westport in the summer months as well as many summer residents at either rented or self-owned summer cottages.

Interstate highway 195, built in the 1960s rerouted much of the Cape Cod traffic away from Route 6. Many of the establishments that had served the Route 6 travelers went out of business and were replaced by used car lots.

The Westport River became a major attraction for both local boat-owners and others who moored or launched their boats into the River from various landings. Servicing this new clientele became a major focus of the Westport economy including marine services, restaurants, and rental property owners.

The dairying business that historically had been widely dispersed across many smaller farms in Westport went through a period of consolidation with the advent of large trucks and refrigeration that supported the collection of milk from fewer large-scale dairy operations and distribution of final products throughout the country. Over time local farms faced increasing competition for larger, more efficient operations in the mid-West as well as loss of government subsidies, and many of them closed down. In many recent cases, the community has financially supported and subsidized the conversion of some of these properties into protected farms or open space.

In recent times, Westport has become primarily a residential community with the number of residences increasing from x in a to y in b. The main area for commercial activity is along the Route 6 corridor. The absence of water and sewer services to this area has served as a kind of natural limiting factor on the size and nature of commercial operations. The prevalence in this same area of many residences on very small lots with failed on-site septic systems has led to both significant public health problems and constraints on new construction. The other significant commercial center is in Central Village where there has been little change or expansion in recent decades and all facilities depend on local on-site septic systems and wells.

In other parts of the town, new residences have been built on larger lots as required by zoning regulations and these, together with the older residences scattered around the town have provided housing for the growing population. Many local businesses are focused on servicing these year-round and seasonal residents. These businesses include restaurants, grocery and liquor stores, home maintenance and repair businesses, health facilities, marine services, and a few gas stations.

Prior to the Covid pandemic, most local residents relied upon the facilities in Fall River, Dartmouth, and New Bedford for major medical and assisted living services, large department stores, more diverse types of restaurants, and similar primarily consumer-oriented services. These types of business did not become prevalent in Westport because of the lack of water and sewer facilities and because of easy access to those services in nearby towns.

During the shutdown of many normal activities due to the pandemic, there have been fundamental changes in how both businesses and consumers operate. There has also been a surge of new technologies such as internet-based meetings and shopping to meet these changed circumstances and many people have learned to varying degrees how to use these new technologies

Planning for Post Covid

Post-Covid it seems unlikely that businesses and consumers will simply revert to their pre-Covid ways. Working and shopping patterns have changed fundamentally and, in many cases, have proven to be preferable to the old patterns. Some examples are:

- Working from home rather than commuting, often long distances, to work in an office.

- Buying many types of goods online rather than going to a store.
- Carrying on multi-person conversations over the internet rather than getting together at a bar or restaurant or someone's home.
- Conducting complicated meetings with persons scattered around the world on the internet would have been impossible or very costly otherwise.
- Teaching all kinds of classes from pre-school learning to graduate-level seminars via the internet rather than in schools and classrooms.
- Viewing home movies rather than going to local theatres.
- Listening to live concerts of all kinds on the internet.

Many types of activities are not possible or are much less satisfactory when done over the internet and they have either prevailed throughout the pandemic or are likely to be renewed in the post-pandemic world, but for now, maybe somewhat curtailed. Examples are grocery shopping, many medical services, some educational activities.

In planning for the post-pandemic era, it is important to identify those activities that are likely to be restored or even take on a new importance, and then to identify measures that can and should be taken to help those activities become more efficient or more accessible to all who might want to use them.

In applying these concepts to planning for the future of the Town of Westport, the following aspects appear to be worth exploring:

- Improving internet services for all the many activities that will be relying on it.
- Evaluating the potential prospects for commercial businesses that may be negatively or positively impacted by new work or life patterns.
- Deciding how best to provide the new services needed for the new lifestyles.
- Deciding what to do with the businesses or properties that are unlikely to recover post covid.
- Deciding how to shape policies and regulations, including zoning regulations, to accommodate the needs of the post covid economy.

Some models for what to do and not to do:

Fortunately, there are some good examples from our own and other town's experiences as to how we might proceed, or, on the other hand, what should be avoided, in addressing the future needs of Westport. A number of these models are discussed below.

A Westport model for improving educational performance

When the 2016 Master Plan was being drafted, there were perceived to be serious problems with the Town's educational system. It was receiving low-performance ratings from State agencies,

many Westport youth, especially of high school age, were choosing to attend other schools than those of the Westport public school system and the poor public image of Westport's school system was discouraging new residents especially of families with school-age children. The Master Plan contained several recommendations for addressing these problems.

Over the past five years, much progress has been made in resolving these problems. The Town voted to support funding for a new Middle/Senior High School that will be ready for occupancy by the fall semester of 2021. The School Building Committee undertook a serious analysis of the problems in the Westport School System and has proposed ways to solve them. New officials in the School Department have proven effective in improving performance, raising educational standards, improving salaries and morale, and, generally, moving the Westport School System to a higher level.

A strategic plan has been proposed for the next three years that commits to:

- Developing a horizontally and vertically aligned curriculum, instruction, and assessment system to facilitate the students' growth.
- Improving family and community partnerships to support both the academic and social-emotional development of all students.
- Pursuing new revenue sources to support current initiatives and implement new initiatives such as vocational and evening school programs to foster the students' success.

The combination of a new building for grades 5-12 plus stronger leadership and improved morale bode well for transforming the Westport School System into a model deserving future support. While funding for new school construction has been approved, the Town's annual education budget has not kept pace with other Town expenditures and will need to be increased to achieve the goals of the strategic plan listed above.

The Lafrance hospitality model for hotels and restaurants

The Lafrance model within Westport consists of a large restaurant and two hotels cuddled up to the Fall River boundary where they have tied into the water and wastewater services provided by the City of Fall River and also the high-speed fiber optic internet service that runs along Route 6 from Providence to Cape Cod. These three facilities demonstrate the benefits of these three types of service in terms of cost savings, increased efficiency, and meeting hotel residents' demands. They provide a model of what may be realized in terms of future hotel and restaurant facilities along Route 6 by extending the water, sewer, and fiber optic services across to the Dartmouth boundary. Lafrance Hospitality also has another popular special event facility on Route 6, Rachel's Lakeside, which is just across the boundary in North Dartmouth where it is connected to the water and wastewater services of the town of Dartmouth.

Lafrance owns two other restaurants in Westport that depend on on-site water and wastewater facilities that are sufficient now for their current requirements. High-speed internet is probably not as important a service for these restaurants as it is for the two hotels where guests may well demand it.

There are currently several other restaurants along Route 6 that can be expected to benefit from increased residential development in this area.

The Lincoln Park model for residential development

The recent transformation of the abandoned Lincoln Park recreation center, established in 1894 as part of the Coney Island era, into a large-scale modern residential community provides a good example of how a significant expansion of housing designed to meet diverse needs should be done.

The original plans for this new development called for a line of shops and office buildings along the area fronting on Route 6, to be followed by the construction of housing facilities in the large area behind the commercial buildings. Market forces appear to have caused a change in these plans. Instead of starting with the commercial buildings, the first units constructed were 48 sizeable middle-income houses along new roadways at the extreme south end of the property. As these lots rapidly filled up with new houses, the next phase began with the construction of three large multistory apartment buildings toward the northern side of the property. These contain 138 apartments plus recreational and meeting facilities. Some units are for residents aged 55 and older, and some have reduced rates for lower-income families.

The 48 house lots on which houses have already been constructed have a rough average assessed value of \$400,000 per house or a total of \$19,200,000. When the six more lots, as yet without houses, do add the houses, the total assessed value will probably be \$21,500,000. At the current residential property tax rate in Dartmouth of 10.83 per thousand, this will generate property tax revenue of about \$233,000 per year. The three apartment complexes have assessed values of about \$10.5 million, which, with the same tax rate, will generate an additional \$113,700 of property tax per year, or a total revenue from this complex of nearly \$350,000 per year.

This whole community has public water, wastewater, and garbage services provided by the Town of Dartmouth. Internet services for the apartments are provided by Comcast.

The Noquochoke Village model for affordable housing development.

We have a very successful model from our own town's experience of how to achieve a major increase in affordable housing. It should be applied again in another suitable location. This project not only provides 50 units of good housing at affordable prices to low and moderate-income families, but it also adds \$37,380 to the Town's revenue through the property tax.

The Route 6 Corridor model for managed commercial/residential development.

The Targeted Integrated Water Resource Management Plan recommended, as its first two priorities, an extension of water and sewer lines the full length of the Route 6 corridor from the Fall River line to the Dartmouth line. These would not only address the serious water pollution problems in this area and reduce nitrogen pollution in the Westport River but would also open up possibilities for many new types of business activity.

There have been several studies about how to maximize the benefits to be derived for the community from the development of properties along the Route 6 Corridor once the new water and sewer services become available. All of these studies were done pre-Covid and are now being updated utilizing a new SRPEDD assessment of this area.

Neighboring towns of Dartmouth, New Bedford, and Fall River have experienced numerous closures, and perhaps even bankruptcies of various kinds of businesses, such as Sears and Office Max in North Dartmouth. (Ask about other examples in these three towns.) With changes in shopping patterns and office usage, other businesses may follow suit. This could lead to an excess supply of buildings and space designed to serve these types of businesses and call for a rethinking of the developmental prospects for the Route 6 Corridor.

In essence, these local experiences may guide us as to what paths not to follow as opposed to the LaFrance and Lincoln Park models that may provide more viable guidance. Should we be guiding the Route 6 Corridor development more in the direction of residential space with a combination of single homes, duplexes, and multistory residences to meet a range of housing needs, with associated services such as assisted living facilities and medical offices, or more in the direction of commercial businesses? Should we be thinking of Westport as primarily a residential, farming open space community relying upon the neighboring towns for many commercial and employment opportunities, or as a mixed residential, commercial community with an expansion of commercial and perhaps technological businesses?

The “Let” model for shared community wastewater treatment systems.

The Water Plan recommended installing cluster wastewater treatment systems at Cadman’s Neck and the Let area west of Horseneck Road near East Beach as models for possible systems that might be used in other similar areas that are far removed from any potential public sewer and water systems. These two sites contain numerous residences many on very small lots and in many cases with failed on-site septic systems and polluted wells. They are particularly suitable for shared cluster wastewater treatment systems that may also help to reduce nitrogen pollution in the wells. The treatment units and soil absorption systems can be located nearby in open fields. They will be able to remove as much as 95% of the nitrogen in the wastewater coming from the many residences that are tied into the system. The Water Plan estimated that these two facilities would cost \$2.4 million and engineering studies are currently underway to refine those estimates, prepare preliminary designs and engage local residents in discussions of the projects. The response from residents of the Let has been more positive than those from Cadman’s Neck.

Both of these projects would contribute to nitrogen reduction throughout the East Branch of the Westport River. A recent assessment by SRPEDD at the behest of the Westport Planning Board identified many locations in the town where shared community systems, or, in some cases, permeable reactive barriers that remove nitrogen, would be the most feasible and most efficient ways of achieving significant nitrogen reduction.

The Fairhaven model for community-owned internet.

The nearby town of Fairhaven is currently seeking community approval for a community-owned fiber optic internet system. The Town contracted with a firm, EntryPoint Communications LLC.,

to prepare a plan for such a system and assist with the approval process. The master plan is available at the following website: https://www.fairhaven-ma.gov/sites/g/files/vyhlf3131/f/pages/fairhaven_ma_-_broadband_master_plan_-_02_03_2021.pdf

Key Strategic Ideas guiding this Plan were established by a Broadband Study Committee and include the following:

1. Improve Affordability – The Town of Fairhaven seeks to promote policies and initiatives that will make internet access universally available and affordable throughout Town limits.
2. Foster Competition & Choice – The Town seeks to promote initiatives that will increase the number of service providers and types of services that are available to Fairhaven residents.
3. Promote Abundant Bandwidth – Town leaders seek solutions that move from the current practice of treating bandwidth as a scarce commodity toward policies and programs which treat bandwidth as an abundant resource.
4. Solve the Digital Divide – Town leaders are interested in promoting access for all residents by making access affordable and by promoting ubiquitous infrastructure.
5. Mitigate Risk for the Town, Constituents, and Partners –Town leaders are particularly interested in implementing a business model which mitigates financial and operational risks to the Town and its partners while at the same time helping the Town achieve its other objectives.
6. Improve Network Reliability - Town leaders seek to promote network attributes that will increase reliability for residents, businesses, and anchor institutions within Town limits.
7. Make Participation Voluntary – A core component of the strategy the Town is advancing is to increase connectivity options for Fairhaven stakeholders but not compel residents or local businesses to subscribe to a particular program or initiative.
8. Establish Local Control over Essential Infrastructure - The economy is now an information economy and the importance of digital infrastructure continues to grow in significance. The Town of Fairhaven has an interest in ensuring that the Town has a robust digital infrastructure, and it is interested in promoting initiatives that will give the town greater influence over this important infrastructure.

This Fairhaven initiative could provide a model of how Westport might undertake to explore such possibilities.

The Cedar Dell model for assisted living facilities.

There are several assisted living facilities in Dartmouth and more in New Bedford and Fall River, but, at this time, none in Westport. With an aging population in the Town and the area, there will be increasing demand for such facilities. The Residences at Cedar Dell provide a model of what appears to be a popular and well-regarded facility that could be used for future planning.

Future employment prospects from offshore wind projects.

One of the most important and promising new economic activities in this region is the prospective development of large offshore wind power projects in a large area of the southwest side of Martha's Vineyard. Six areas have already been designated by the Federal Government and leased to offshore wind power developers that will be capable of generating x amount of power to meet the needs of much of New England. The Bureau of Ocean Energy Management of the US Department of Interior is expected to grant final approval of the first site, being developed by Vineyard Wind, in the very near future.

It is estimated that the Vineyard Wind project, Phase 1, will employ x thousand workers during the two-year construction phase and a continuing y thousand in the operational phase. There will be five more such projects in the next few years. Bases for support of this new industry are being developed in New Bedford, Martha's Vineyard, and other towns along the South Coast of Massachusetts, Rhode Island, and Connecticut. These will not only create employment for Westport residents but will create increased demand for housing by persons moving into this area to work in this new industry. Such employment opportunities in this region will provide a significant stimulus to economic development throughout the region, including in Westport.

Large distribution centers in Fall River as models for nearby employment generation

Both Amazon and Stop and Shop established large distribution centers at the north side of Fall River before Covid hit. Both of these centers have proven extremely valuable in the Covid era and are likely to continue to do so post-Covid. They also have provided significant employment opportunities for those already living in this area and for those who may have moved here to be closer to those work sites. There have been concerns expressed about the nature of the work that is done in the Amazon distribution center and the working conditions.

The Stop and Shop facility has been well-positioned to serve a growing demand as people have continued to do in-person shopping, especially of perishable goods in the local grocery stores. Also, many people, faced with closed or limited access restaurants, have probably increased their grocery store purchases. This shift in shopping patterns may decline somewhat post-Covid, but not by much.

Also, the Stop and Shop facility includes a power generating plant that is mainly fueled by waste products that are brought back to this location by the Stop and Shop trucks that have been delivering new stocks to their local stores. This positive use of waste materials rather than simply disposing of them by other means is a win/win situation.

There is still open space in the northern part of Fall River and other neighboring towns that may attract more such distribution facilities which could provide numerous employment opportunities for local residents and a boost to the local economy. We should continue to support the establishment of such facilities even when located in nearby towns and not necessarily try to attract them to locate within the boundaries of Westport. Often companies deciding on where to locate these facilities request reduction or exemption from local property taxes at least for several years, so they are not likely to be significant new sources of revenue for the town.

Summing up

In planning for the post-Covid era in Westport, there are some good examples or models of what to do and, in some cases, what not to do. Some of the most critical possibilities are focused on the Route 6 corridor and most of those will be dependent upon moving ahead with the current preparations for extending wastewater and water services across the full length of that corridor that are tied into the systems in Fall River. If that project is approved and initiated, then other desirable developments in that area can move ahead. These include:

- New hotels or motels and restaurants following the Lafrance model.
- New multistory, condominium, or single housing facilities are similar to the Lincoln Park model.
- Another affordable housing project like the Noquochoke Village model.
- Possibly some assisted living and senior care facilities like the Cedar Dell facility.

Possible approaches to expanding denitrifying wastewater treatment facilities include:

- Extending out from the first phase of water and sewer along Route 6 to nearby areas along with Sanford and Gifford Roads to South Watuppa and Sawdy Ponds.
- Shared cluster systems. A possible variant of this could be the use of permeable reactive barriers in locations where they might work.
- Individual on-site nitrogen reducing systems for new construction and for replacing a failed septic system, as required by the recent Board of Health Regulation.

Improving internet services for many residents and businesses in town will be a major challenge for the post-Covid era. One option is to follow the Fairhaven model and call on their consulting partner, Entrypoint Communications, to lead us through the process. The other alternative is to stick with Charter and negotiate a new contract.

When searching for future employment opportunities or sources of economic stimulus the choices appear to be between relying on a range of new or expanding businesses nearby such as offshore wind power, major product distribution centers, more services for the elderly, and more home-based jobs or, on the other hand, trying to attract new businesses to set up operations within this community. Extending water and sewer services along the Route 6 corridor will undoubtedly attract some new businesses to Westport and also probably change the composition of businesses there towards more high-value consumer service activities.

Prepared by David Cole

Education Chapter Review

Part 1 - Are the Goals in the Master Plan still appropriate?

Goal 1. Prepare all Westport Community Schools students for successful careers through higher education and productive employment.

Goal 2. Communicate the importance and value of a quality education to all members of the Westport Community.

Goal 3. Increase engagement with the community.

When the Master Plan was being prepared a decision was made by the Plan Preparation Committee to have a special chapter on education because of many serious problems facing the Westport School System at that time. The problems included:

- A PCB-plagued Middle School that was too expensive to repair.
- Widespread public perceptions that the quality of education in Westport Schools was deteriorating and this was affecting property values as well as the appeal of living here.
- Salary levels for Westport teachers were below those of nearby communities leading to the departure of qualified teachers.
- Increasing numbers of Westport high-school-level students choosing to attend other schools than Westport High School.

The Master Plan set forth the three above-listed goals and spelled out several objectives and actions to try to address these problems. Although much has been accomplished in the intervening five years, these broad goals are still appropriate for the remainder of this plan period. The emphasis on specific objectives and actions needs to be adjusted as some of them have been accomplished and the focus has shifted to new follow-on actions.

Part 2 – What progress has been made towards these objectives in the last five years?

The Town established a School Building Committee in 2015 and that committee has been intensively engaged for the past five years in the following activities:

- Undertaking a needs assessment for the school building and school system that engaged a wide range of public participants.
- Determining that the old middle school needed to be removed and the existing high school replaced with a new Middle/High School.
- Overseeing the design of the new school.
- Seeking and obtaining Town approval of the debt funding for the new school.
- Obtaining support from the State for funding nearly half of the cost of the new school.
- Interacting with the architects and builders to address several issues that arose during the construction process.
- Overseeing the construction that will lead to a new Middle/High School that is expected to be open in Fall 2021.

As one of the co-chairs of the School Building Committee wrote in summing up the role of that committee:

“I am grateful to the Committee for its professionalism, dedication, and significant time commitment many have made, all on a volunteer basis. Many on the committee have been members since its inception in the early part of 2015. There have been several challenges and differences of opinion on many issues. We have worked together in a collaborative way to solve these issues and will deliver what we believe to be an innovative, beautiful, and functional asset to the Westport community.”

Changes in school enrollment and schooling choices

The following table shows the changes in school enrollment of Westport students over the past decade. Total enrollment has declined by 15% which is in line with the predictions of the Master Plan. The decline in enrollment in the Westport Community Schools has been 20% whereas the Ag/Voc enrollment has risen by nearly 35% between 2010 and 2020. Enrollment of students from Westport in other schools has remained fairly steady. Enrollment at the high school level has declined overall by 23.5%, while that at Westport High School has declined by nearly 42%. Ag/Voc enrollment which is only at the high school level has risen by 35% for the decade but has declined somewhat since 2015.

School Enrollment of Westport Students

Schools	2010	2015	2020	% Change 2010-20
WPT K-12	1717	1500	1368	-20%
Ag/Voc	116	171	156	34%
Other	353	368	339	-4%
Total	2186	2039	1863	-15%
WPT 9-12	505	335	295	-41%
Ag/Voc 9-12	116	171	156	34%
Other 9-12	139	197	130	-6%
Total	760	703	581	-24%

Westport Schools Expenditures for Salaries and Transportation, 2015/16 to 2019/20

Type of Expenditure	2015/16	2019/20	Percent change
Regular education salaries	\$9,858,966	\$11,396,850	15.6
Special education salaries	\$3,218,950	\$4,209,385	30.8
Total education salaries	\$13,077,916	\$15,606,235	19.3
Transportation	\$1,257,965	\$1,452,330	15.5
Total	\$14,335,881	\$17,058,565	19.0

Student enrollment in Westport Schools decreased by 9% between 2015 and 2020 whereas total education salaries increased by 19% during roughly the same period. This increased teachers' salaries per student by about 30%. This has helped to improve teachers' salaries from the below-average level that had existed previously.

Several indicators of educational performance based on state-wide testing have shown improvement in the Westport public schools in recent years. For example, in 2019 Westport Junior/Senior High School advanced from the "moderate" to "substantial" progress toward its educational targets category. The Westport School District's overall criterion-referenced target percentage increased from 43% in 2018 to 55% in 2019.

Part 3 – What events or circumstances require changes in the goals or objectives?

The success in addressing the most serious problems identified in the Master Plan means that it is now possible to shift the focus to assure that these new resources and community support are fully utilized to achieve the original goals of improved educational quality and engagement with the community.

Some important issues remain such as:

- Sharing the costs for new construction underway or planned for the Diman and Bristol/Aggie schools.
- Whether to try to incorporate more of the course content now offered at those two schools to provide opportunities for Westport students to obtain such instruction within the new Middle/High School?
- How to transition out of the current pandemic style of operations to more normal conditions while still incorporating some of the new educational technologies that have been developed during this difficult period and can be adapted for future use.
- Because the new school campus has limited space for playing fields, what will be the best means for meeting seasonal outdoor athletic activities through such options as bussing students to nearby playing fields at the old High School and WYAA facilities or creating new playing fields at the recently acquired former Campground nearby?
- Two issues that are primarily within the purview of the capital projects chapter but are also linked to education are: what to do with the old high school building, and, if it is sold or demolished or adapted to different uses, where to locate the school administration offices?

Part 4 – What actions should be taken in the next 5 years?

The upcoming school year, 2021-22, will be a critical period for assessing the prospects for the remainder of this plan period. Emergence from the Covid restrictions and relocation of school operations from the old to the new Middle/High School will present opportunities and challenges to students, teachers, and administrators. Will the excitement of being back in school regularly and, for many students, being in a new school building provide incentives for trying harder and achieving more? Will more of the senior high-level students who in the past have chosen to go elsewhere now choose to attend the new school. Will the public perception of the quality of the Westport School System improve significantly and will there be greater interest in community engagement as well as community support for the School System?

It will be important to try to evaluate these responses in the next few years to determine what further measures should be taken to meet the Plan Goals. As of now, it appears that many positive steps have already been taken towards achieving those goals and that the opportunities for further achievement in the coming years are significant.

Prepared by David Cole

Results of Two Surveys about Internet Services in Westport

During July and August, two surveys were conducted of Westport residents and business owners to learn their views on current internet services and future needs and desires. A total of 543 residents and 54 businesses completed the surveys which were conducted on a purely voluntary basis. In each case, the respondents represent approximately a 10% sample of the estimated total population.

The major findings from these two surveys are that there is considerable unhappiness with current internet services for many reasons but especially for unreliability and cost, and also for lack of choice as to the providers. Most respondents indicate that they depend heavily on the internet, that their dependence has increased significantly during the pandemic and many expect that will continue in the post-pandemic era.

The survey of business owners indicated that internet speed is very important for their business and that 80% would welcome access to a higher speed, fiber-optic network. As one business respondent commented: "Guest requirements for speed and connectivity have grown exponentially and higher speed is needed."

The survey of residents indicated very high reliance on the internet for a diverse range of uses such as entertainment – 94%, banking/bill paying – 92%, shopping – 91%, socializing – 83%, education – 82%, work – 72% and telehealth – 67%. Internet use has increased during the pandemic and a high rate of use is expected to continue in the future.

For those residents who rely on the internet for work, almost half indicated that they use it for more than 6 hours a day. 79% of those residents who use the internet for work from home said that higher speed internet service would be very helpful for their work.

Over half of the residents who responded to the survey rated their current service provider as poor or fair in terms of "reliability, speed, customer service, and cost." The individual comments contain many references to these same problems and high levels of dissatisfaction with current services. Many urge the adoption of high-speed fiber optic systems.

Following the vote taken at the June 3 Town Meeting, Westport is moving ahead with the installation of a fiber-optic network servicing the Town offices and schools running from Route 6 to the Harbormaster's office at the Point. This has been designed to be able to serve as a possible core for the expansion of fiber optic services into other parts of the Town. The results of these two surveys suggest that such an extension of the system would be much appreciated by a sizeable majority of the respondents.

Responses to the Survey of Westport Residents, 2021 (543 responses)

Q1 Do you currently have access to the internet?

Answers:

Yes: 538;	No: 1
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Q2 What devices do you use to access the internet? (check all that apply)

Answers:	%	No.
Smart phone:	93%	500
TV	87%	467
Computer	97%	525
Tablet	83%	448

Q3 How important is the internet to your household? (check only one)

Answers:	%	No.
Extremely important	92%	496
Important	7%	40
Useful but not important	1%	5
Not very important	0%	0
Not important at all	0%	0

Q4 For which of the following does your household use the internet?

Answers:	%	No.
Work	72%	389
Entertainment	94%	505
Socializing	83%	450
Education	82%	445
Telehealth	67%	362
Shopping	91%	494
Banking/bill paying	92%	497

Other: News and information, government, research, news, weather, sports, investment management, church services, communication, participation on Town Boards and volunteer organizations, meeting with civic organizations, home security, travel planning, full-time remote employment, gaming.

Q5 Considering your use of the internet for work only: On average about how many hours a day do you use your internet for work?

Answers:	%	No.
Less than 1 hour	11%	47
1-2 hours	23%	99
3-5 hours	20%	86
6+ hours	46%	198
Total responses		430

Q6 Considering your use of the internet for work only: Have you been using the internet for work from home more, less, or about the same as you did before the pandemic?

Answers:	%	No.
More	69%	291
Less	4%	15
About the same	27%	116

Q7 Considering your use of the internet for work only: Do you expect that this level of work from home internet use will continue post-pandemic?

Answers:	%	No.
Yes	78%	331
No	9%	38
Not sure	13%	55
Total		424

Q8 Considering your use of the internet for work only: Would much faster (higher speed) internet be a significant benefit for your work from home?

Answers:	%	No.
Yes	79%	336
No	7%	29
Not sure/no opinion	14%	58
Total		423

Q9 Considering the internet access on your computer and TV, how would you rate your current internet service provider on the following attributes?

Answers:						
	POOR	FAIR	GOOD	VERY GOOD	EXCELLENT	TOTAL
Reliability	17.32% 93	39.11% 210	23.84% 128	16.57% 89	3.17% 17	537
Bandwidth speed	19.96% 106	43.31% 230	24.48% 130	9.98% 53	2.26% 12	531
Customer service	27.20% 145	39.21% 209	23.83% 127	7.69% 41	2.06% 11	533
Cost	51.22% 273	35.27% 188	11.44% 61	1.69% 9	0.38% 2	533

Q10 How important is internet speed to you?

Answers:	%	No.
Very important	77%	413
Fairly important	22%	117
Not important	1%	4
Don't know	1%	<u>5</u>
Total		539

Q12 How much do you pay monthly for your internet service including modem rental, taxes, and fees?

ANSWER CHOICES	RESPONSES	
less than \$50	1.69%	9
\$50 - \$75	15.95%	85
\$76 - \$100	25.89%	138
\$101 - \$150	18.39%	98
\$151 - \$200	15.57%	83
more than \$200	22.51%	120
TOTAL		533

Q13 What does this charge include? (check all that apply)

ANSWER CHOICES	RESPONSES	
internet	99.81%	537
cable tv	52.79%	284
telephone	43.12%	232
Total Respondents: 538		

Q14 (For those responding either that they have no internet or that they access the internet only by smartphone) What is the most important reason that you do not have access to the internet on your computer?

ANSWER CHOICES	RESPONSES	
no need or no computer	2.78%	1
access through smart phone is sufficient	19.44%	7
cost	25.00%	9
other	52.78%	19
TOTAL		36

Q15 How many people are in your household?

ANSWER CHOICES	RESPONSES	
1	7.79%	42
2	32.28%	174
3	16.51%	89
4	27.09%	146
5	7.98%	43
6	5.94%	32
7+	2.41%	13
TOTAL		539

Responses to the Survey of Westport Businesses 2021 (54 responses)

Q1 Do you currently have access to the internet?

Answer: Yes 98% 53 No 2% 1

Q2 What type of connection does your business currently have?

ANSWER CHOICES	RESPONSES	
DSL (Digital Subscriber Line)	6.12%	3
Cable	89.80%	44
Fiber	2.04%	1
Cellular	2.04%	1
TOTAL		49

Q3 How important is the internet to your business?

ANSWER CHOICES	RESPONSES	
extremely important	86.79%	46
important	11.32%	6
useful but not vital	1.89%	1
not very important	0.00%	0
not important at all	0.00%	0
TOTAL		53

Q4 How would you rate your current internet service provider on the following attributes?

	POOR	FAIR	GOOD	VERY GOOD	EXCELLENT	TOTAL
Reliability	30.77% 16	32.69% 17	26.92% 14	7.69% 4	1.92% 1	52
Bandwidth speed	23.08% 12	48.08% 25	19.23% 10	7.69% 4	1.92% 1	52
Customer service	35.29% 18	27.45% 14	29.41% 15	5.88% 3	1.96% 1	51
Cost	60.78% 31	25.49% 13	9.80% 5	3.92% 2	0.00% 0	51

Q5 How strongly do you agree or disagree with the following statements?

	STRONGLY AGREE	AGREE	NEUTRAL	DISAGREE	STRONGLY DISAGREE	N/A	TOTAL
My internet is adequate for my business	5.66% 3	16.98% 9	22.64% 12	39.62% 21	15.09% 8	0.00% 0	53
My internet's limitations constrain my business	20.75% 11	33.96% 18	20.75% 11	15.09% 8	7.55% 4	1.89% 1	53
I am considering relocating my business to get better internet access	5.66% 3	7.55% 4	20.75% 11	24.53% 13	22.64% 12	18.87% 10	53
If I had to relocate my business, I would look for a site with better internet access	35.85% 19	26.42% 14	13.21% 7	1.89% 1	5.66% 3	16.98% 9	53
My property would be more valuable if it had better internet access	20.75% 11	32.08% 17	28.30% 15	3.77% 2	7.55% 4	7.55% 4	53
My parent company requires a certain level of internet accessibility	20.75% 11	13.21% 7	20.75% 11	0.00% 0	5.66% 3	39.62% 21	53
Fiber access would benefit my business	46.15% 24	36.54% 19	15.38% 8	0.00% 0	0.00% 0	1.92% 1	52

Q6 Has the pandemic increased your reliance on the internet?

ANSWER CHOICES	RESPONSES	
Yes	79.25%	42
No	20.75%	11
TOTAL		53

Q7 If yes, by how much?

ANSWER CHOICES	RESPONSES	
very much	68.18%	30
a moderate amount	27.27%	12
not very much	4.55%	2
TOTAL		44

Q8 In the future, post-pandemic, do you expect your internet needs to:

ANSWER CHOICES	RESPONSES	
keep increasing	67.92%	36
continue at the same level	32.08%	17
diminish somewhat	0.00%	0
diminish sharply	0.00%	0
TOTAL		53

Q10 How much do you pay monthly for your internet service including modem rental, taxes, and fees?

ANSWER CHOICES	RESPONSES	
less than \$50	0.00%	0
\$50 - \$100	44.23%	23
\$101 - \$250	44.23%	23
\$251 - \$500	7.69%	4
\$501 - \$1000	1.92%	1
\$1001 - \$2000	1.92%	1
more than \$2000	0.00%	0
TOTAL		52

Q11 What type of business are you?

ANSWER CHOICES	RESPONSES	
Agriculture, Forestry, Fishing and Hunting	3.92%	2
Construction	7.84%	4
Manufacturing	5.88%	3
Wholesale Trade	0.00%	0
Retail Trade	21.57%	11
Transportation and Warehousing	5.88%	3
Information (publishing, broadcasting, data processing)	1.96%	1
Finance and Insurance	3.92%	2
Real Estate	3.92%	2
Professional, Scientific, and Technical Services	11.76%	6
Educational and Health Care Services	5.88%	3
Arts, Entertainment, and Recreation	5.88%	3
Accommodation	7.84%	4
Food Services	5.88%	3
Repair and Maintenance Services	5.88%	3
Personal and Laundry Services	1.96%	1
TOTAL		51

Q12 Do you have employees other than yourself?

ANSWER CHOICES	RESPONSES	
yes	41.51%	22
no	58.49%	31
TOTAL		53

Q14 Comments:

Guest requirements for speed and connectivity have grown exponentially, and higher speed is needed. Also since my location is densely populated there are times when we can't even get band witch for tv.

Internet is needed to run our point of sale system and accept Credit Card payments. The service is constantly experiencing interruptions.

The internet stops working randomly every day. Can't cash out clients or book appointments or play music in the business. I call Spectrum and they say they can't help it but the bill is still \$206/ month

I operate a Shaklee distributorship by phone and internet. Many customers call in orders and I place them over the internet. Some customers place their orders themselves on the internet or by phone. Shaklee acknowledges all orders and does almost all other communications via the internet. They also do Zoom meetings.

I can get by with what I have but if I had better service (at a reasonable cost) I could self-host a bunch of services that I just can't right now.

I have already moved some of my business out of Westport to Fall River because the internet is faster and more reliable at the new office.

Charter/spectrum is awful and know the town people and businesses have no choice of providers. Westport internet access is a joke thought-out the town.

Spectrum is a monopoly in this town. They raise their rates without increasing benefits, seemingly for no reason. Seniors can't afford these rates. I have friends who cancelled internet because they can't afford it.

We would really like to have more options to choose from besides Spectrum. Thanks!

Our internet is unreliable. Sometimes it's good and just as quickly it's not.

This is the Westport Art Group, located on Main Rd. Our internet needs are minimal.

High-Speed Internet Services

The use of the internet by Westport residents and businesses has increased exponentially for a decade or more and then exploded during the pandemic. Also, new technologies have been developed and their use mastered by many residents so that they have become important parts of everyday lives.

The results of recent surveys of both residents and business owners as to their current internet usage and hopes for the future, as presented in the previous document, revealed that there is much dissatisfaction with the current services on various counts and strong desires for higher internet speeds, more choices as to service providers as well as reduced cost. Some respondents indicated that their business has been adversely affected by inadequate internet services. Some even indicated that continued residence in Westport might be affected by the future availability of better internet services. The challenge is how to respond most effectively and efficiently to these new demands and expectations.

The Town has approved the installation of a new fiber optic internet cable system that will connect all town-owned buildings including the schools. The system, to be installed shortly, will run from Route 6 down through the center of town to the Harbor Master's office at the tip of the Point with its central control at the new Police Station. This could provide the backbone for a fiber optic internet system that would reach much of the town and achieve greatly increased speeds, more service choices, and potentially reduced costs for those services.

It would seem appropriate for the Town to establish a special Internet Advisory Committee to explore the possibilities of establishing a fiber optic internet system, including the breadth and cost of various alternatives, how they might be financed and managed and the prospects for the People of Westport to support and sign on to such a system. The Committee should look into the experiences of Massachusetts towns such as Concord, which already has established a municipally-owned fiber optic system that serves 95% of all residents, and Fairhaven, which is in the process of establishing such a system. The services of a qualified consulting group could be engaged to work with the special committee to address these questions as was done in the nearby town of Fairhaven.

Massachusetts is likely to receive \$100 million for broadband upgrades from the federal infrastructure bill. Westport needs to determine what portion if any, of the \$100 million it might expect to receive and how best to position itself to obtain its share of this funding. The recent opinion surveys can be a useful tool in lobbying for such funds.

These are issues that the Internet Advisory Committee, working with the Select Board and the people of Westport should address. There is a strong desire for improved internet services in Westport and there are ways in which this could be realized. The challenge is to make it happen.

Prepared by David Cole

Housing

Part 1 --Summary of Goals and Objectives: Are the goals still appropriate?

The 2016 Master Plan emphasizes the diversity of single-family housing types and farms with 15,000 year-round residents and “significantly” more in summer. Property is uniformly zoned for a minimum of 60,000 square foot lots. The Plan notes “The lack of public water and sewer systems tend to limit new development to standard subdivisions, driving housing costs higher.”

Major challenges include increasing the supply of affordable housing, particularly for housing suitable for elderly residents, (e.g., Policies that encourage accessory units and aging-in-place). Low impact developments are a priority, and the Route 6 corridor program could improve the feasibility of a range of housing types. Also, providing water and wastewater services to older residences that have failed systems and insufficient space to resolve their problems through on-site improvements.

Summary of major recommendations from the 2016 Master Plan:

- 1) Need for affordable housing.
- 2) Particular emphasis on housing for elderly (65+ years old)
- 3) Aging in place options for current homeowners
- 4) Target of affordable units to meet Town’s Chapter 40(B) program requirements.
- 5) Target of affordable rental “family” units qualifying for Federal Low Income Housing Tax Credits (LIHTC)
- 6) Review existing zoning and regulatory barriers or impediments to the development of affordable housing.
- 7) Development of Town resources such as the “Affordable Housing Trust Fund (the “Trust”)” and the Community Preservation Committee (the “CPA”)
- 8) Development of 50-unit Noquochoke Village development

Part 2: What progress has been made toward implementing these goals?

Since the 2016 Master Plan was issued, there have been several changes and improvements in the area of affordable housing. Perhaps chief among them is the growth in the number and type of activities undertaken by the Trust in coordination with the Planning Board and the Board of Selectmen.

The Trust has facilitated several initiatives that benefit homeownership and rental housing by:

- sponsoring the first-time homebuyer program (HOPP);
- sponsoring a homeowner rehab program (CRE-HAB);

- facilitating a two-unit homeownership development through Habitat for Humanity (Habitat);
- sponsoring and facilitating the Noquochoke Village development through the use of the Federal Low Income Housing Tax Credit;

The success of some of these programs has been limited due to several factors:

- First, the HOPP and CRE-HAB programs are constrained by the program's requirement that the resale of participating properties has limits on their marketability.
- Second, zoning constraints can result in reduced financial feasibility.
- Third, the absence of properties that are that have reasonable market prices) is severely limited.
- Fourth, perhaps most importantly, the lack of public water and sewer facilities.

The CRE-HAB program has had modest success but remains a small-bore tool. Likewise, the HOPP program has had to adjust its program parameters to better tailor them to the Town's requirements. To date, CRE-HAB has originated one unit with two more in process, and the HOPP has sponsored two units. However, the Trust is currently sponsoring an affordable Habitat for Humanity homeownership development ("Habitat") that will create two units and, hopefully, pave the way for additional Habitat units in the future.

There are bright spots in this area.

- Most impressive is the development of the Noquochoke Village development on the American Veterans Highway (Route 177). Together with the Trust, the Planning Board, funding from the State's CPA and the Board of Selectmen, the developer executed this 50-unit, affordable housing development, and it stands today as an attractive, financially successful rental development that has been oversubscribed since the first tenants moved in in 2019.
the development of the "Route 6 Corridor" presents the possibility of opening significant funding and financial flexibility over a wide range of housing types, including condominiums, accessory apartments, affordable housing, and more.
- The employment by the Trust of a part-time Housing Specialist who has been involved in all aspects of the Trust's activities for the last five years.

Part 3: What events or circumstances require changes in the goals?

There are several forward-looking initiatives on which the Town could productively focus its resources-both financial and professional expertise.

- Recently attention has been paid to the proposed development of water and sewer facilities along the Route 6 Corridor. The Board of Selectmen has approved a request to the Federal Administration to fund a \$2.5 million engineering study for the Route 6 Corridor program. This would be part of the Biden Administration’s proposed infrastructure initiative. Assuming approval, the Town’s request would open up a wide range of capital projects including housing types across the board.
- Siting, with all its attendant complexities, is often the weakest link in any housing development. When possible (as it was with Noquochoke Village), the financial feasibility of development starts with a contribution (free or low cost of state-or not-for-profit owned land). The attendant economies of scale from such an opportunity can be significant. This is particularly true of projects for low-income developments, but it applies as well to a wide range of housing types. The bulk of the development costs of a LIHTC-supported development comes from external financing sources such as proceeds of the syndication of the tax credits awarded by the state, and other financial organizations (primarily banks and other financial institutions motivated by requirements to invest in their communities).
- A second LIHTC property (“Noquochoke 2”) with a focus on family units and/or seniors. The only feasible program for developing a substantial number of low-income housing units in the LIHTC program. The lead time for such developments is long—Noquochoke Village was 4 or 5 years in the making—and to bring such a development(s) to fruition in the scope of the next Master Plan, development should begin immediately. Financing generally involves several sources including (1) fees generated by the development itself; (2) state contributions through CPC and (3) private sector sources backed by equity and debt structures according to the LIHTC.
- Systematic review and adjustment of all relevant zoning and other regulatory constraints with an eye toward a more efficient and financially feasible development process. This will be shadowed by the substantial rezoning plans wrought by the design of the proposed water and sewer zoning adjustments.
- Transit-oriented development policies will enable the transfer of development rights along the Route 6 Corridor and that in turn could drive the development of residential housing of all types.
- Likewise, the South Coast Rail Line linking Boston with Middleborough, Fall River, and New Bedford, currently under construction, will create value and opportunity throughout this area. Together with increased bus routes and inclusionary zoning policies, the Town will have substantial leverage to encourage a range of rental and homeownership projects, affordable and market-rate housing along with economic development policies of all types.

- Given the structure of the LIHTC program, the costs of using it as a development vehicle make it unsuitable for small programs. These small but important developments need to be financed with foundation and local sources as they are now, but this does not have to be an all-or-nothing approach. A mix of homeownership units and mixed-income units (see Noquochoke Village) would give balance to a proposed development. The homeownership programs such as (1) CRE-HAB; (2) HOPP; (3) Habit for Humanity and (4) 62 (A) would be kept in place but the bulk of the Town's resources (through the Trust) would be directed to programs utilizing and mostly financed by the LIHTC. One such proposal put forth by several affordable housing advocates is to develop a LIHTC development on the site of the former Diocesan Montessori School on the north side of the Veterans Highway across from Noquochoke Village. Likewise, the site of the "old" Westport High School, presents an opportunity that should be explored as to its suitability for affordable housing.

Part 4: What actions should be taken in the next five years?

The Master Plan lays out several longer-term goals that should be kept in mind as opportunities for various forms of housing development arise: These are longer-term but feasible plans whose relevance is still high.

- There is a need to improve the availability of fully accessible housing for people with disabilities, and veterans.
- Addressing the use of mixed-use zoning and seeking to allow greater density of housing in Central Village.
- Building community support and wider acceptance through a public education program for multi-family housing developments in general and especially immediate and future needs for affordable housing.
- A Planning Board Review of the current zoning bylaws with the Trust should be undertaken to determine if any changes or amendments are needed to address current housing needs and make the bylaws more effective in supporting affordable housing. Changes could include identifying suitable areas for two-family and multi-family dwellings and identifying areas where residential and commercial uses can co-exist.
- Another possible zoning initiative is the review and revision of the residential parking lot requirement. To meet the overall goal of low impact development it is suggested that the current requirement is necessarily severe and absorbs otherwise usable space in an affordable development. The State's Housing Choice legislation, approved by a Town meeting in January, gives the Town flexibility in easing some of the more onerous zoning strictures that impede the development of affordable housing.

Provide housing opportunities that will attract a wide range of buyers, including small families, college students, young professionals, and low to moderate-income workforce members. Continue to incorporate mechanisms to plan for and protect open space recreation areas and trails and to minimize the impact of new development on the environment. The Open Space Residential Development (“OSRD”) bylaw was developed by the Planning Board and approved in 2007. This planning bylaw allows new subdivisions to deviate from a standard design and dimensional requirements by using planning tools designed to encourage conservation/open space subdivisions which preserve or buffer significant natural or cultural features from negative impacts.

Looking forward the Town should incorporate into the housing development process clear mechanisms designed to preserve for the public’s benefit the visual and functional character of Westport as represented by its village centers, waterfront areas, farms, and other historic and scenic resources that contribute to the Town’s heritage and quality of life for its residents.

Support infrastructure improvements that will improve the livability of residents and increase the value of housing stocks. The Board of Health and the Board of Selectmen should consider alternatives to individual septic systems and private wells to allow for more flexibility in housing design and density guidelines. Subdivision regulations should be revised by the Planning Board to encourage pedestrian and vehicular improvements, including sidewalks, bicycle networks, and public transportation wherever possible. Town officials should encourage the Southeastern Regional Transit Authority to increase public transportation services in the Community, which is primarily auto-dependent at present, with bus service limited to the Route 6 Corridor.

Prepared by Henry Lanier

Climate Resilience

The first priority of the East Beach Corridor Vulnerability Study, which concluded its work in May of this year, was to “Establish and Sustain a Coastal or Climate Resilience Committee.” This was a unanimous recommendation of the committee, which felt that the issues raised during our deliberations about the impacts of climate change affected the entire Town. The report of the Study is available on the following website: https://www.westport-ma.com/sites/g/files/vyh1if1441/f/uploads/mvp_final_report_east_beach_corridor_vulnerability_study.pdf.

At a work session of the Planning Board on August 17, 2021, the Board voted unanimously to recommend to the Select Board to establish a town-wide Climate Resilience Committee under the joint jurisdiction of the Select Board and the Planning Board.

The makeup of the Committee would comprise two members of the Select Board, two members of the Planning Board, one member each from the Conservation Commission, Highway Department, Building Department, Beach Committee, Board of Health, Agricultural Commission, Fire Department, Massachusetts Department of Conservation and Recreation, and designees from the Westport Land Conservation Trust, Westport River Watershed Association, Buzzards Bay Coalition and three neighborhood associations to be selected from interested applicants. The Planning Board or their designee would staff the Committee.

The Committee would be Co-Chaired by a member of the Select Board and a member of the Planning Board, and the Committee would elect an Executive Committee of not more than 5 members who would be expected to meet on a more frequent basis to organize the work.

The charge to the Committee would be:

1. Identify the many ways that climate change is going to impact the Town of Westport, with a particular focus between now and 2050. We would expect impacts to include but not be limited to sea level rise, beach erosion, coastal flooding, loss of saltmarsh, potential breach of The Let, increased number of 90 degree days with resulting heat-related deaths, impact on the hydrological cycle of drought, and flood and resulting harm to agriculture, an influx of pests, stress on the electric grid, saltwater intrusion into wells, increased severity of storms, difficulty or impossibility of obtaining property insurance, ocean acidification affecting marine life, invasive species on land or sea, increase in disease because of weaker frost, estuary flooding, interior flooding of rivers, brooks and streams, possible dam breaches, etc.
2. For every impact, identify what entity in Town is most appropriate to understand the issue and prepare a response plan that would include what can be done and what resources are needed.
3. Submit this to the Select Board and Town Administrator so they can direct town entities to prepare each component of the response with the support of the Committee.
4. Identify state and federal grants, private foundations, and other funding opportunities that can support the work of the committee’s planning and the implementation of the committee’s recommendations.

5. Compile the responses with their costs into a prioritized list that considers factors of cost, urgency, impact, and numbers of residents affected.
6. Conduct at least three public meetings to inform the Town's residents of the committee's work.
7. Submit a final report to the Select Board.
8. Seek out funds for professional consulting to perform this mission.
9. Recommend and support projects and grants that would address issues raised by the committee. Follow up on climate-related action items identified in existing studies and reports such as the Master Plan Update and the East Beach MVP Corridor Study.

Prepared by John Bullard

Land Use Action Plan update

The Land-use goals and objectives as outlined in Chapter 6 of the 2016 Master Plan are still reasonable and accurate. Here I will try to outline which have been accomplished, those that are in process, those that are still to be done, and their priority. Added to these are some new objectives and action plans to be considered to effectuate these new goals and objectives.

Goal 1. Maintain Westport's rural appearance and character and preserve its natural and cultural features:

Objective 1.1 and 1.2 Preserve the Town's coastal, riverfront, and pastoral landscapes and Ensure farming and commercial fishing continue as viable industries

We have been very successful in preserving some large farms and open space parcels, such as the St. Vincent dePaul camp as "Westport Woods" and preserving the Santos Farm as a combination of preserved conservation land and restricted farmland. In conjunction with the latter, farm/stormwater mitigation has also been put in place before transferring the farm parcel to an active farming family.

The Town contributed money both from the Agricultural and Open Space Council and from CPA funds.

In addition, just this Spring, the Town recently transferred the right of first refusal for the 11-acre Pietrzyk farm on Briggs Road to the Westport Land Conservation Trust, which has already closed on the transaction and is evaluating farmer candidates in order to complete a sale to a local farmer.

To keep this up, Westport needs to pass another enabling Article at Town Meeting to provide a reasonable amount of funding (through bonds and CPC). This can also mesh with some of the zoning articles that the Planning Board should be developing for TDR's.

Westport already went through the process of determining Priority Protection Areas and Priority Development Areas through a SouthCoast rail grant with SRPEDD several years ago. This should be updated with this existing works as a starting point.

Scenic Roads, significant vistas, etc. By-laws should be evaluated to see what these might be and if there is a local vocal appetite for this.

1.1.a. Plan for climate change effects to Westport

We have participated in the Massachusetts MVP program to evaluate the Town-wide possible vulnerabilities that we anticipate, and subsequently applied for and was successful in receiving an award of a grant to evaluate the vulnerability of our infrastructure and utilities in the East Beach Corridor due to sea-level rise and increased storm activity. This is ongoing and nearing completion and will outline some of our possible mitigation strategies.

The items listed here pertaining to Objective 1.2 should be referred to periodically as they are

still valid. Action item 1.2.d should be evaluated as to the appetite for this type of zoning (agricultural zoning). This is prevalent in Europe, but I don't know of any successful application of this as most owners of farmland that is not in APR would consider this land taking. There could be a way to do it but needs to be thoroughly thought through with the Agricultural Community.

Objective 1.3 Promote and Protect the Town's Natural and Unique Resources and

Objective 1.4 Direct-Growth to areas that have the most potential to absorb it.

The Town has re-codified its entire Zoning By-Law in 2020. This is the first step in addressing zoning changes throughout Town. Items to be considered:

- Multiple commercial zones instead of one business district.
- Possible different residential zoning depending on the adoption of water and sewer in parts of Town.
- Village districts
- Marine related industry/uses
- Home occupation

We should consider using some of the Town's DLTA hours to produce some reasonably detailed maps outlining and incorporating soils, wetlands, acquirers, protected land, and historic and important vistas to accomplish 1.4a.

Goal 2. Plan for future challenges and needs

Objective 2.1 Develop Town-wide infrastructure including water, stormwater, and wastewater management planning:

Westport is in the process of evaluating Wastewater along the Route 6 corridor and is currently at the 30% design stage on the area of Route 6 from the Fall River Line to about Rte. 88 intersection. Westport is hoping to develop a further plan all the way east on Route 6 to the Dartmouth line with some of the Covid Relief funding that may become available to Westport, as well as possible major funding help from the proposed infrastructure legislation pending in Washington.

Westport's cluster neighborhoods along the Rivers are also a problem for residents and contribute much of the nitrogen to the River. Westport is now under a TMDL for Nitrogen as well as bacterial. Cluster wastewater systems are currently under evaluation from a grant from Buzzards Bay Coalition and the Westport River watershed Alliance.

Many of these small clusters neighborhoods also have potable water supply issues due to Nitrogen and saltwater intrusion into their wells or small water systems. The one in the Acoaxet area is currently searching for land that would qualify as a public water supply and is struggling in this endeavor. Possible Town participation in this and other areas should be considered.

Concerning Stormwater issues, Westport is in dire need of supplemental or primary road drainage systems with treatment before they dump into our streams or rivers. From decades or centuries of human development done without adequate attenuation Perhaps Ch90 monies from the state could be used when repaving certain areas?

Objective 2.2 Enable Departments and Board to effectively deal with the increasingly complex growth management needs.

To make interdepartmental information sharing, the Town should consider all departments using a shared relation database/shared info system. Other Towns/Cities do this makes sense. Still need to readdress stormwater regulations across Town departments
Have completed the rewrite of the Zoning by-law as discussed above (rectification).

Goal 3. Develop strategies for residential development that will meet the needs of the Town

Objective 3.1 Direct Housing development to complement the Town's rural character.

This is a very simplistic description of a very complicated problem.

This whole objective needs careful consideration in light of the state's new laws regarding multifamily areas to be designated as by right.

We have OSRD subdivision as part of our zoning by-law, and as in most of the state getting developers to utilize this method of subdivision has been very difficult. We should consider making a version of OSRD a 'by right' option and a standard subdivision by Special Permit. The other issue with OSRD that makes them less attractive to developers is that installing a combined septic system for the whole site means paying upfront, while they may not complete and sell off all of the lots for many years. Perhaps we can investigate the "scalability" of these types of systems so that they don't have to pay for the whole thing upfront. We need to always be looking at our subdivision rules and regulations to make them relevant to today's standards and to make our subdivisions more welcoming stable neighborhoods, maybe with some common land in conservation or small recreation areas.

Objective 3.2 Explore various housing types

We have implemented the Accessory Dwelling amendment to our By-Law. Home Occupation uses have been amended, but more needs to be done to mesh with the needs of Westport residents. Especially in a post Covid environment.

Goal 4. Develop strategies for Commercial development

Objective 4.1 Direct Commercial Development to complement the Town's rural character:

With the possible sewerage of parts of Route 6, rezoning the western end of the area between Fall River and Route 88 should be a high priority and would provide economic opportunities and much-needed tax base diversification.

This should be done in coordination with the redesign of the state of Route 6 to include room

for bicycles and sidewalks.

4.1.e Allowing business uses to extend into residential zones by special permit may be doable, but should be considered very thoroughly and cautiously. A need should be determined.

As mentioned above, Villages zoning should be investigated and implemented if these village areas desire this.

Goal 5 Develop strategies to enhance Westport's villages to prevent more strip development & Sprawl

Objective 5.1 Re-Inforce character of the villages.

A “village” plan was adopted by the Planning Board several years ago, but it has no regulatory force.

It would be useful to develop individual plans for each of the village areas outlined in the plans, but also including Acoaxet.

As we are considering zoning changes as above, seek to create these plans into zoning changes that may allow for higher density in areas where this is already typical and some wastewater infrastructure can be implemented.

Objective 5.2 Plan for Village Growth

As discussed above, zoning changes for Villages may allow for smaller lots, small commercial uses, and perhaps some limited multi-family housing where appropriate.

New Goal 6 Solar Arrays, large and small

Large-scale solar arrays have been allowed for several years now in Westport via the articles passed to amend our Zoning By-Law a couple of times. We now have approved and or installed many of these arrays in many parts of Town. These are a net positive for the Town economically as well as Westport doing their part for having an installed base of alternative energy. We should look at the question of how much more of the large-scale installations we should allow or at least discuss this. I think we have reached, or are soon to, the ability to produce as much electricity as the Town in aggregate uses. There is continuing opposition to clear-cutting woodland for this use, although I don't know how we can single out a single-use for this.

Prepared by Jim Whitin