

PLANNING BOARD MEETING MINUTES

Date/time of Meeting: March 19, 2024, at 6:00 p.m.

Place: Town Hall Annex, 856 Main Road

Call to order: The regular meeting of the Westport Planning Board was called to order at 6:01 PM by Chairman, Jim Whitin.

ATTENDEES

Chairman Jim Whitin, Vice-Chair Bob Daylor, and members, John Bullard, Mark L. Schmid, Manuel Soares, Town Planner Michael Burris, and Assistant Town Planner, Amy Messier.

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

1. Administrative Items

a. Approval Not Required (ANR) – 1193 American Legion Highway (24-005A) Request by applicant to combine a portion of land located at 1193 American Legion Highway, Assessors Map 33 Lot 47B with 1177 American Legion Highway, Map 33 Lots 47D & 47F.

Jeremy Holden, 1177 American Legion Highway, was present. He stated that a garage was built on land owned by his uncle and that they were here to correct the lot lines by combining Parcel "A" with his lot at 1177 American Legion Highway.

Ms. Messier recommended endorsement because it meets the criteria of an ANR, and the plan depicts that Parcel A is not to be considered a buildable lot.

Motion to Approve

Bullard moved to approve the endorsement of the plan entitled "Approval Not Required Plan, 1193 American Legion Highway, Assessors Map 33 Lot 47B, Westport, Massachusetts" because the plan complies with the provisions of MGL Ch. 41 Section 81P. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

b. Approval Not Required (ANR) – 512 River Road (24-006A) Request by applicant for endorsement of a 2-lot plan to reconfigure land located at 512 River Road, Assessors Map 87 Lots 61&61A.

Mark Boucher of Boucher and Associates was present on behalf of the applicants, Brian and Kristen Mullaney. Boucher gave an overview showing the reconfigured lot lines for Map 87 Lot 61 & 61A. He mentioned the house at 512 River Road would remain and is intended to be an accessory apartment.

Ms. Messier recommended approval because it meets the requirements of an ANR. She stated that the project violates zoning section 7.1 because there are two houses on one lot, but she mentioned that zoning-related issues are the purview of the Building Inspector.

Whitin recommended that the new house and the cottage be numbered Rosemary's Way because they front on that named way.

Motion to Approve

Bullard moved to approve the endorsement of the plan entitled "Approval Not Required Plan of Land in Westport, Massachusetts Prepared for Brian & Kristen Mullaney" because the plan complies with the provisions of MGL Ch. 41 Section 81P. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

c. Approval Not Required (ANR) – 521 American Legion Hwy (24-007A) Request by applicant for endorsement of a 2-lot plan of land located at 521 American Legion Highway, Assessors Map 66 Lot 18.

Sean Leach of Northeast Engineers was present on behalf of the applicant, Mackenzie Long. He provided a summary of the changes to the lot that would result in a lot that met the requirements for frontage.

Ms. Messier recommended endorsement because it met the requirements of an ANR.

Motion to Approve

Bullard moved to approve the endorsement of the plan entitled "Approval Not Required Plan, AP 66 Lot 18, 521 American Legion Highway, Westport, MA" because the plan complies with the provisions of MGL Ch. 41 Section 81P. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

d. Summer schedule Discussion

The members discussed eliminating two meetings in July and one meeting in August for a summer schedule.

Motion

Bullard moved to eliminate the Planning Board meeting dates scheduled for July 2 and July 30, 2024, and August 27, 2024, as part of the summer schedule. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

e. Rosewood Lane (23-039C) – Endorse Certificate of Approval Form C-1 & Mylar

Ms. Messier mentioned the Rosewood Lane plans were not ready to be endorsed because the Planning Department is waiting for a revised set of plans.

f. Stacy Lane (20-002C LID SPA) – Endorse Form O – Partial release of Lot 10 and release Surety reduction

Ms. Messier commented that the applicant requested the release of the last lot, Lot 10, of the subdivision and a reduction in surety from \$100,000 to \$50,000 as recommended by S.W. Cole's report dated March 14, 2024.

Motion to release a lot and retain surety

Bullard moved to approve the release of final lot, Lot 10, from the Covenant for the subdivision known as the “Definitive Residential Subdivision Stacy Lane off Fisher Road, Westport, Massachusetts”, dated November 23, 2020. Additionally, retain \$50,000 for surety. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

g. Inheritance Lane (23-010C) – Endorse Form G - surety reduction to \$65,550.

Ms. Messier referred to S.W. Cole’s revised report dated 3/17/2024, stating that based on their review, \$65,550 is enough surety to finish the outstanding work, if needed.

Motion

Bullard moved to reduce the surety to \$65,550 from \$133,000 for Inheritance Lane. Seconded by Soares. The motion passed unanimously, with all five members voting in favor.

2. 6:15 p.m. Public Hearing

- a. Cory Ridge Estates (23-035C)** (*continued from November 14, 2023; January 23, 2024*) Request by the applicant to consider a definitive subdivision plan entitled “Definitive Subdivision “Cory Ridge Estates”, located at 265 Cornell Road, A.P. 81, Lot 4, proposing to divide the property into four (4) lots.

Ms. Messier stated that the revised plans were sent to S.W. Cole for review; however, the peer reviewer’s comments were not received in time for this meeting.

Motion for a Continuance

Bullard moved to continue the Public Hearing for Definitive Subdivision “Cory Ridge Estates” to May 21, 2024, at 6:15 p.m. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

3. 6:30 p.m. Public Hearing

- a. 435 Old Harbor Road (23-037SPA)** (*continued from January 9, 2024; January 23, 2024*) Request by the applicant to consider converting the existing residence into an adolescent education and housing facility.

Ms. Messier mentioned the revised plans from the engineer were not ready and additional funds from the applicant were outstanding.

Motion for a Continuance

Bullard moved to continue the Public Hearing for 435 Old Harbor Road to May 21, 2024, at 6:30 p.m. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

4. 6:45 p.m. Public Hearing

- a. Salty Breeze, Inc. (23-032SPA-SP-RM)** (*continued from October 17, 2023, December 12, 2023; January 23, 2024*) Request by the applicant to remodel the vacant parcel for a recreational marijuana dispensary.

Ms. Messier stated that a traffic study and revised plans were still outstanding.

Motion for a Continuance

Bullard moved to continue the Public Hearing for Salty Breeze, Inc. to June 4, 2024, at 6:15 p.m. Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

5. Planners report

Ms. Messier said she collaborated with the Buzzards Bay Coalition to replace cold-water stream culverts for Angeline Brook on Cornell Road, Lions Brook on Drift Road, and Snell Creek on Drift Road. \$50,000 in funding was allocated for data collection and survey work. A meeting with Jason Clermont of the Buzzards Bay Coalition is scheduled to discuss the next steps.

Town Planner's report

Burris gave an update on the projects he has been working on such as:

- Hazard Mitigation Grant Program: The grant was awarded in 2023. Due to contract delays, an RFP was released in February, and proposals are due on March 27th; hopefully, contracts start in May.
- Online permitting grant - Eight proposals were received from six qualified candidates. The qualified company will receive a decision in April with a two-year contract.
- The National Coastal Resilience Fund– Burris mentioned that Westport is collaborating with the Assistant Town Administrator of Dartmouth and the Town Administrator of Little Compton to file a joint application, assisted by E.A. Engineering, to help find grants to fund a coastal resilience plan.
- MVP – If time permits, Burris would apply for the Municipal Vulnerability Program assessment. Burris stated that the Head of Westport would benefit due to frequent flooding and to assess the Head Landing Bridge for the vulnerability over the Westport River.
- Contract with MBL Land Developing: There is a signed agreement with MBL Land Developing to use as another peer reviewer on our projects. We look forward to working with them on future projects.
- Update on Hix Bridge landing renovation. Burris announced a public meeting would be held on March 20th if the public was interested in attending. The site would be modified with coastal restoration measures, a storm water management area, and paving and regrading of the parking area to accommodate additional parking. The Landing Commission will need to come before the Planning Board for a Site Plan Approval and a Low Impact Development plan.
- MVP 2.0 Grant - Burris stated that a few people have volunteered to speak to small groups about climate change and social resilience for long-term planning, which will include a small grant for a seed project.
- Route 6 funding – Community Development Block Grant, which is a Housing and Urban Development (HUD) program. Burris is working with SRPEDD to assess if Westport would be eligible under the HUD criteria, which is income driven for eligibility. Grant funds of up to \$1,000,000 could be used for the second phase of sewer construction.

Soares mentioned he will be going to Washington, D.C., on March 22, 2024, with Evan Gendreau and Christopher Thrasher to discuss the water & sewer project with Senator Markey.

- Burris met with staff from Fuss and O'Neil to discuss the Coastal Zone Management Program to discuss potential grant funds to implement methods to slow coastal erosion at East Beach.
- Burris applied to SRPEDD for their Local Technical Assistance Program to assist the Conservation Commission with renewing the Open Space Preservation and Recreation Plan.
- SRPEDD asked if the Town would be interested in applying to the One-Stop Program to develop an economic development plan.
- Quequechan Rail Trail: A meeting with MassDOT and SRPEDD to begin conversations to extend the bike trail from Fall River to Old Bedford Road using state Transportation Improvement Program funds.

Bullard mentioned that he is hoping at the next Climate Resilience Committee meeting to have discussions to make policy recommendations for the Planning Board and the Select Board to consider East Beach after the winter 2023/2024 storms.

6. Minutes

February 20, 2024

Motion

Bullard moved to approve the February 20, 2024, minutes as amended to include “*the Motion to forward the final Zoning Amendments to the Select Board.*” Seconded by Daylor. The motion passed unanimously, with all five members voting in favor.

7. Topics not reasonably anticipated forty-eight (48) hours before the meeting.

Soares publicly announced a complaint had been filed against him and his company, Granite City Crushing, Inc., with MassHighway regarding a clogged drain near his client Prestige Auto on State Road.

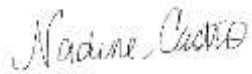
8. Short and Long-term Planning Discussions

Tony Vivencio from 119 Nichols Drive in Taunton, Massachusetts, and owns 134 East Beach. He gave a presentation on assessment and policy recommendations for preserving East Beach.

ADJOURNMENT

The Board members unanimously adjourned at 8:38 p.m.

Respectfully submitted,



Nadine Castro, Assistant Town Planner II

NOTE: *Agenda is subject to change*

NEXT MEETINGS:

PLANNING BOARD: April 2, 2024, @ 6:00 P.M.

WORK SESSION: April 16, 2024 @ 4:00 p.m.