



Town of Westminister

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

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Jon Wyman, chairman Marie Auger, vice chair Dan Bartkus Larry Skamarycz Mike Smith

June 8, 2020

Definitive Subdivision Plan for Bear Investments LLC - Betty Joe Way

Owner/Applicant: Bear Investments LLC
 6 Brooks Avenue
 Westminister, MA 01473

Property Location: 84 State Road West, Tax Map 102, Lot 8

Zoning District: Residential-I

Application Request: Definitive Subdivision Approval per MGL Chapter 41, Section 81K (Subdivision Control Law) and Chapter 231 of Westminister Town Bylaws (Subdivision of Land) to construct a new reduced road standard roadway (Betty Joe Way) that will connect to State Road West and serve one existing house lot and one new house lot.

Application Timeline:

Subdivision Plan Filed: May 14, 2020
Public Hearing Date: June 9, 2020
Decision Deadline: 90 days after close of public hearing

Background Information: The project will result in a new private way (Betty Joe Way) that will connect to State Road West and serve one existing house lot and one new house lot. The length of Betty Joe Way will be 425 feet. The new lot will be served by an on-site well and septic system.

A review of the permit history of the three properties indicates that there are no outstanding Variances or Special Permits for these properties.

Comments from Other Departments/Boards: The subdivision plans were distributed to the following municipal entities for review and comment: Department of Public Works, Board of Health, Conservation Commission, Fire Department, Police Department, Building Department, and Zoning Board. The following comments were received:

Board of Health (comment letter submitted to the Planning Board on June 4, 2020):

The Board of Health has done a perc/soil test and Title V inspection for the existing home at 84 State Road West.

Department of Public Works (e-mail dated June 4, 2020):

This subdivision is located on a state highway therefore Public Works does not have jurisdiction over the access or the signage.

We recommend that the Planning Board require that the applicant obtain an Access Permit from the MassDOT prior to the start of construction.

Conservation Agent (e-mail dated June 3, 2020):

I have reviewed the plans submitted by the applicant. My comments are based on the plan submitted entitled "Definitive Subdivision Plan, Site Plan and Profile" by Trowbridge Engineering dated May 15, 2020 signed and stamped by Christopher Mossman. I have no issues with the design as submitted. In consideration of the size of the entire lot, the scope of alteration proposed has been optimally spaced in a manner that will utilize multiple means of mitigation storm water and any potential erosion.

Sufficient vegetative buffering exists between the two houses noted on the plans, the drive is gravel and there is more than sufficient road mitigation in the form of grading of runoff and a small basin that water flow and quality should be more than adequately maintained. I have viewed the wetland resource area onsite and find it is adequately depicted on the plans submitted. Any potential resource area impacts are well mitigated in my opinion on the plans as presented.

Fire Department (see attached letter dated June 3, 2020)

Planner Comments:

1. The Applicant must decide which of the newly created lots will have ownership of Betty Joe Way. Roadway ownership should be clearly depicted on the Definitive Subdivision Plan that is submitted for Planning Board endorsement.
2. Town Counsel will need to review and approve the homeowner association documents that outline the maintenance responsibilities for Betty Joe Way. The Planning Department has yet to receive these documents.
3. The applicant's drainage report is currently being reviewed by Tetra-Tech and their comments should be ready by the Board's June 23rd meeting.

Requested Waivers:

See attached waiver letter prepared by Trowbridge Engineering LLC, dated May 14, 2020.

Exhibits:

1. Application cover letter from Trowbridge Engineering LLC, dated May 14, 2020.
2. Application for Definitive Subdivision Approval dated May 14, 2020.
3. Plan entitled "Definitive Subdivision Plan - Site Plan and Profile, Betty Joe Way" for Bear Investments LLC, prepared by Trowbridge Engineering LLC, dated May 15, 2020.
4. Plan entitled "Definitive Subdivision Plan prepared for Bear Investments LLC" prepared by Szoc Surveyors, Dated May 14, 2020.
5. Waiver request letter prepared by Trowbridge Engineering LLC, dated May 14, 2020.
6. Drainage Calculations prepared by Trowbridge Engineering LLC, dated May 15, 2020.
7. Tax card for the properties from the Westminster Assessor's office.

Outstanding Issues:

Address the issues raised through the departmental review process.