



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

Phone: (978) 874-7414

swallace@westminster-ma.gov

Jon Wyman, chairman

Marie N. Auger, vice chairman

Dan Bartkus

Lawrence Skamarycz

Mike Smith

Planning Board Meeting Minutes December 8, 2020

Members present: Marie Auger, Mike Smith, Larry Skamarycz, and Dan Bartkus
Staff: Stephen Wallace - Town Planner and Andrea Mastrototo - Recording Secretary

Absent: Jon Wyman

Additional Attendees: Christopher King, Tom Hammond, Mike Phelps, B. Alex Szoc, Mark Babincsak and Glenn & Linda Hines.

M. Auger called the meeting to order at 7:00 PM.

First order of business: approve the meeting minutes for November 24, 2020, and approved amended minutes for December 10, 2019.

D. Bartkus made a motion to accept the minutes for November 24 2020 and approved amended minutes for December 10, 2019, M. Smith seconded, all in favor, motion carried (4-0).

Next order of business: Approval Not Required (ANR) plan for Greenstone Realty LLC, one new house lot on Carter Road (Map 124, Lot 38.1).

The Board reviewed and discussed.

D. Bartkus made a motion to endorse the plan as presented, L. Skamarycz seconded, all in favor, motion carried (4-0).

Next order of business: Approval Not Required (ANR) plan for Mark Babincsak, 19 Academy Hill Road (Map 110, Lot 93), two new building lots on Dawley Road and one new building lot on Academy Hill Road.

The Board reviewed and discussed.

D. Bartkus made a motion to endorse the plan as presented, L. Skamarycz seconded, all in favor, motion carried (4-0).

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Continued Public Hearing

Next order of business: Revised Site Plan for a ground-mounted solar project in the Rowtier Drive industrial park, on behalf of applicant TES Rowtier Drive Solar 23 LLC.

The Town Planner noted if the applicant waits until the spring to complete the project, no bond will be required. C. King confirmed that is their plan.

C. King presented his responses to Tetra-Tech's comment letter dated October 30, 2020.

- #1 Stabilization, erosion controls - the applicant will address this in the spring.
- #2 Detention basin - to be addressed in the spring.
- #4 Clean basin and stabilize the slopes - will do this once more this winter and 2-3 more times depending on the weather. NOTE: Tetra-Tech will make a site visit in the spring.
- #5 Repair linear erosion controls - this has been done and will continue intermittently throughout the duration of the permit.
- #6 Swales - check dams are to be added this winter.
- #7 This was in error - no additional response required.
- #8 SWPPP - applicant is in compliance.
- #9 SWPPP - applicant exceeds the requirement with the check dams.
- #10 Analysis - this will be addressed in the spring.

The Town Planner noted the Conservation Commission visits the site after every storm. M. Smith asked if #5, erosion controls had been completed. C. King stated yes.

C. King presented his responses to the Planning Board's comment letter dated November 5, 2020.

- DPW had a concern with the grading and the location of the water-main. It will match the existing 2:1 grade.
- Conservation had a concern regarding vegetation - more vegetation will be added.

The Town Planner asked if they had resolved the lack of access to the rear of the property for the Fire Department. C. King stated that will be addressed.

Public Comment

G. Hines expressed his concern with the remaining work that needs to be done to the road. The Town Planner stated A. Belanger had posted a bond and ensured them the work would be done. The Town Planner noted after the solar work is done, Tetra-Tech will recalculate the bond and at that time the Board will request a timeline for completion from A. Belanger.

D. Bartkus made a motion to continue the public hearing to 7 pm January 12, 2021, M. Smith seconded, all in favor, motion carried (4-0).

Other Business

Next order of business, Open Meeting Complaint: Jill Normandin regarding Planning Board meeting minutes.

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The Board reviewed a draft letter from Brian Riley of KP Law.

D. Bartkus made a motion to agree to send Town Council's letter with no changes, M. Smith seconded, all in favor, motion carried (4-0)

Next order of business: Planning Board discussion on possible zoning amendments for 2021 Annual Town Meeting in May. The Town Planner presented his research regarding how other municipalities regulate driveway construction, but indicated that many of the Town's previous problems with driveway installations would be caught and addressed through the Town's new stormwater management permitting system. Town Planner also brought to the Board's contention a potential amendment to the Town's Earth Removal Bylaw suggested by Town Counsel in response to the Kiwi Court subdivision that the Board recently approved after a full year of consideration. The Planner noted that the Board recently revised its Earth Removal Bylaw to integrate additional stormwater mitigation measures as part of the Town's new stormwater management permitting system and increased the required buffers and setbacks for earth removal operations as part of this effort. The Board decided that it did not want to bring additional amendments to the Earth Removal Bylaw back to Town Meeting and would revisit the matter if further problems arise.

D. Bartkus made a motion to leave the bylaws as is with no additional amendments for the May 2021 Annual Town Meeting, M. Smith seconded, all in favor, motion carried (4-0)

The Town Planner asked the Board for a vote regarding J. Wyman signing the letter of support for the Senior Housing Residences on behalf of the Board.

D. Bartkus made a motion to allow J. Wyman to sign, L. Skamarycz seconded, all in favor, motion carried (4-0)

Last order of business, Planner report for November

Adjourned: 8:02 pm

Materials Discussed include:

- Draft meeting minutes for November 24, 2020
- Revised meeting minutes for December 10, 2019.
- Approval Not Required (ANR) plan for Greenstone Realty LLC, one new house lot on Carter Road (Map 124, Lot 38.1).
- Approval Not Required (ANR) plan for Mark Babincsak, 19 Academy Hill Road (Map 110, Lot 93), two new building lots on Dawley Road and one new building lot on Academy Hill Road.
- Revised site plan for Rowtier Drive solar project dated October 7, 2020.
- Revised Stormwater Management Report, dated October 7, 2020.
- Letter to the developer from the Town Planner, dated October 1, 2020.
- Planning Department review memo dated November 5, 2020.
- Applicant response to Planning Department review memo dated December 3, 2020.
- Tetra-Tech review memo dated October 30, 2020 and revised December 8, 2020.
- Applicant response to Tetra-Tech review memo dated December 3, 2020.
- Undated slope grading graphic provided by Applicant.
- Open Meeting Complaint: Jill Normandin regarding Planning Board meeting minutes.

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- Town Counsel response to Normandin OML complaint.
- Town Counsel suggestion for amendment to the Earth Removal Bylaw dated November 2, 2020.
- **Town Planner research on how other municipalities regulate driveways.**
- Planner report for November.

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