



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

Michael Fortin

Andrew Rice

Linda Wiest

MINUTES OF REGULAR MEETING

October 24, 2016

Room 222, Town Hall

Attendees: Mike Fortin, Andrew Rice, Linda Wiest, Town Planner Stephen Wallace.

Absent: Jon Wyman, Marie Auger.

Additional Attendees: Mr. Ross W. Barber.

7:05 p.m.

Mike opened the Planning Board meeting and informed those present the meeting was being audio recorded.

7:05 p.m. - *Approve meeting minutes from September 27 and October 11, 2016.*

Mike asked PB members to review the September 27, 2016 and October 11, 2016 meeting minutes.

Mike suggested that since only two members would be voting who had been present at the September 27th meeting, those minutes could wait to be approved at the next meeting. Linda motioned to approve the October 11th meeting minutes. Seconded Andrew. Voted AIF.

7:08 p.m. - *Review and Comment: Amendment to propane storage license for property located at 9 Village Road - increase capacity from 6,100 gallons to 10,000 gallons.*

Stephen briefed the Board. The Board reviewed the quantity of proposed storage and the locations proposed and compared them with the previous quantities, fuel types and locations. After discussion and motion by Andrew, seconded by Linda, the Board voted 3-0 to send a memo to the ZBA deferring to the Fire Department on this matter.

7:15 p.m. - *Finalize Planning Board Special Permit application.*

Stephen told the Board there may be a kennel special permit application coming in the near future. Thus the need to finalize a Planning Board Special Permit Application Form. Mike asked Board members to review the Draft Application and provide comments. Mike asked to have the wording in the Project Information section part 4. *Explain how the use will not be unduly detrimental to the health, safety, morals or welfare of the community or neighborhood by reason of noise, traffic, pollution, or demand on community facilities or utilities:* include the additional wording "... or demand on community facilities, services or utilities." Also include the word "services" in the General Guidance to Potential Applicants section #3 on page 4. There was discussion about 6 month time extensions for the special permit hearing process and 43D priority development site requirements of 180 day permitting. Mike asked if there is a time expiration /limit to record a special permit with the registry of deeds. Stephen will find the answer to this. Stephen told the Board there is a two year time limit to exercise the special permit after it has been filed with the Town Clerk. The Board agreed to add the changes and asked Stephen to create a second draft to be approved at the November 8th meeting.

7:30 p.m. - *Planning Board Work Session: Residential zoning changes.*

Stephen started the session off with the laundry list:

Accessory Structures in Residential Zoning Districts: Under 120 square feet will be allowed within 5 feet of property lines. Over 120 square feet will be required to meet the zoning district setback standards in the Land Space Requirements Table 205 Attachment 2.

Regulating Lot Dimensions: Stephen asked the Board to review the sample options he had provided. Both Andrew and Linda like the Lexington language requiring a circle diameter of 80% of the frontage requirement would need to fit within the lot lines.

Stephen reminded the Board that an ANR (Approval Not Required) plan requires the PB to endorse the plan if a three part test is met: Required Frontage for the district on a way. Required Lot Area. Adequate Access to the buildable portion of the lot. The Board must approve the ANR plan even if the lots created may not meet other zoning requirements for a buildable lot. There is a notation requirement placed on the plan that "No determination of compliance with zoning requirements has been made or intended."

There was much discussion about the front yard requirements being defined as "to a Building" and odd shaped lots.

The Board discussed the 54 foot wide requirement for flag lots as the minimum width the Town Zoning requires to access back land.

There was discussion of building envelope requirements taking the place of front yard requirements combined with the 54 foot minimum width at the narrowest portion of the lot. The Board discussed frontage and area requirements and how it controls density of neighborhoods.

After further discussion the Board agreed to the following general ideas: 1) There is no need to require the front yard width requirement to extend to "a building". 2) There should be a building envelope requirement. (a circle of "x" diameter must fit within the lot lines. 3) The narrowest portion of a lot should be 54 feet or greater. Stephen will work on some new language that incorporates the above ideas.

Table of Uses Draft 2 – Stephen has cleaned up the language in the table items A-12 temporary use of campers or trailers and A-13 mobile homes, campers, utility trailers etc. by pulling out the descriptions in the temporary categories and incorporating it into a new section of the bylaw. There will be references to the new section and addition of the wording Temporary added to the categories.

Linda asked about Air B&B. Discussion ensued about whether it should be regulated or could be regulated.

A new footnote requiring a 20 foot vegetative no disturb section for industrial and commercial lots abutting residential lots will be added to the Land Space Requirements Table.

Home Occupations- Home occupations listed in the present Table of Uses are now allowed by right. Stephen has removed descriptions of all the home occupations from the Table of Uses and placed them into a new Home Occupation section of the Bylaw along with new performance standards and possible inspection requirements. Mike asked the hours of operation be limited to 5pm instead of 7pm. All agreed.

Accessory Dwelling Units Cleaned up language that it must be contained within the structure, not in detached structures.

8:28 p.m. Adjourn.

Andrew made a motion to adjourn. Linda seconded. The PB voted AIF to adjourn.

3 Pages of Minutes
Respectfully submitted,
Michael Fortin

8 Attachments

- 1) Town Administrator/BoS Memo/Request for Comment package for Above ground and Underground Propane Storage, property located at 9 Village Inn Road. 10 pages.
- 2) *Plan Board Special Permit application - draft 1.pdf* 4 pages.
- 3) *Odd Lot Prevention Examples from Other Towns.pdf* 4 pages.
- 4) *Middleton Odd Lot Shape Study.pdf* 6 pages.
- 5) *Accessory Dwelling Unit - Revisions Draft #2.pdf* dated October 13, 2016. 3 pages.
- 6) *2016 Res Zoning Changes - Draft 2 .pdf* dated October 13, 2016) 2 pages.
- 7) *Home Occupations - Draft #2.pdf* dated October 13, 2016 2 pages.
- 8) *2016 Changes to Table of Uses - Residential Draft #2.pdf* Dated October 13, 2016. 3 pages.