



Town of Westminister

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

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Lawrence Skamarycz, Chair

Marie N. Auger, Vice Chair

Dan Bartkus

Gregg Buckman

Jodi Snyder

Planning Board Meeting Minutes for February 22, 2022.

Members present: Marie Auger, Dan Bartkus, Jodi Snyder and Gregg Buckman

Absent: Larry Skamarycz

Staff: Town Planner Stephen Wallace and Andrea Mastrototaro, Recording Secretary

Additional Attendees: Paula Burgess, Tom Rutherford, Joan & Jeff Curtis, Devin Howe, Corinne Tobias, Jeff A., Patrick McCarty, Jen Marbury and Courtney Sudak.

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

Administrative Matters

First order of business, Approve meeting minutes from February 8, 2022.

G. Buckman made a motion to approve the February 8, 2022 minutes.

D. Bartkus seconded, all in favor, motion carried (4-0).

Next order of business, Consider a new landscaping plan for the Bean Porridge Hill solar project.

Applicant: Syncarpha Solar LLC.

D. Howe discussed using White Spruces and low-level shrubs (Rhododendrons) as screening.

119 White Spruces and 120 Rhododendrons. D. Bartkus suggested the use of a drip irrigation line. D.

Howe stated they will water when it is a dry period and if the trees died they would be replaced. D.

Bartkus made a motion to approve the plan with the following revised conditions and J. Snyder seconded:

1. For the project's frontage along the length of Bean Porridge Hill Road, the applicant shall install the full amount of landscaping as shown on the landscaping plan (Exhibit Plan EX1.0), submitted by Beals Associates and designed by DPH, last revision date January 25, 2022. The landscaping installed shall reflect the location, type and quantity shown on the approved landscaping plan. The applicant shall notify the Town of when planting will occur at least 72 hours prior to planting. For landscaping that dies off within three years of planting, the applicant shall replace in kind.
2. Install Hedgeline fence slats into the chain-link fence along the frontage of Bean Porridge Hill Road. This condition has been rescinded.

All in favor. (4-0)

Continued Public Hearings

Westminster Owner LLC (owner/applicant): Site Plan approval to construct a 600,000 square foot warehouse with 25,000 square feet of office space on Lot I-7 within the Westminster Business Park (Tax Map 72, Lot 1).

C. Sudak of Tetra-Tech reviewed the remaining items to be addressed.

- Upon signing a tenant, the tenant traffic volume be reviewed to make sure it fits in with the traffic study.
- Transportation Demand Management will be developed once there is a tenant selected.
- Site distance triangles to be added to the plan.
- Intersection improvements in conjunction with MassDOT.
- The Applicant to perform analysis of entering and exiting laid bays based on WB-67 trucks.
- Final Site Plan be reviewed to ensure adequate access for delivery and emergency vehicles.
- Route 2A and Depot Road intersection accommodate large vehicles.
- Sidewalk obstructions to be removed.

C. Tobias, Traffic Engineer, stated they are working with MassDOT for a roundabout or a signaling option. P. McCarty stated this intersection improvement is for the entire Business Park. C. Tobias noted this study is projecting for the full build out.

D. Bartkus inquired about the options. P. McCarty stated C. Tobias will prepare and submit two options to MassDOT, one showing the round-about and the other showing the signal. The preference would be a traffic light, but MassDOT will make the final decision.

The Town Planner asked if there would be public hearings for the abutter. C. Tobias stated yes, later in the project.

A resident asked why the abutters of the intersection were not notified. The Town Planner noted the Board's Site Plan Regulations call for notifying abutters within 300 feet of the project property.

G. Buckman made a motion to close the public hearing. J. Snyder seconded. All in favor (4-0).

Waivers requested are as follows:

1. Scale of the plan, required 24"x36" with 1":40' scale, the scale is 1":60' and 1"=80'.
2. Building elevation plan 1/4" = 1', requested 3/64" = 1'

J. Snyder made a motion to accept the waiver as presented. G. Buckman seconded. All in favor (4-0)

Conditions of Approval are as follows:

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1. Other approvals or permits required by the Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
 2. The Site Plan Approval shall apply only to the site that is the subject of the Application. All construction to be conducted on the site shall be conducted in accordance with the terms of this Approval and shall be limited to the improvements shown on the Plan.

3. The Board hereby reserves its powers to modify or amend the terms and conditions of this Approval upon its own motion with consent from the owner or the applicant, or on the Application of the owner or applicant. The Board further reserves its powers to amend this Approval without a new public hearing provided that the Board finds that such amendment is not significant to the public interest and that such amendment is not inconsistent with the purpose and intent of the Zoning Bylaw or with the terms of this Approval.

4. The Site Plan Approval shall lapse on February 22, 2024 if a substantial use thereof has not sooner commenced for good cause. Any request for an extension of the time limitation set forth herein shall be made in writing to the Board at least 30 days prior to February 22, 2024 and the Board reserves its rights and powers to grant or deny such request without a public hearing.

5. Except as otherwise set forth in this decision, the facility shall be constructed in substantial conformance with the application documents submitted by the applicant, including without limitation the plans entitled, "Site Plan Approval Documents," dated October 29, 2021, and revised January 17, 2022, prepared by McCarty Engineering, Inc. Any substantial deviation from such documents shall require further public hearing and approval by the Planning Board.

Site Specific Conditions

6. The hours of operation during the construction phase shall be from 7:00 AM to 5:00 PM Monday through Saturday.

7. The Applicant shall provide information on whom to contact during the construction phase, should any problems arise.

8. The Applicant agrees to schedule a pre-construction meeting with all relevant Town departments prior to breaking ground.

9. The Applicant will work with the Town to establish an inspection schedule based on construction milestones. The Town's engineering consultant will perform the inspections on behalf of the Board and the cost will be borne by the Applicant who will provide the Town with a check to cover the cost of this effort. The check will be deposited into an MGL 53G consulting account and any balance that remains after the inspection effort will be returned to the Applicant. The Planning Board will provide copies of the inspection reports to the Applicant.

10. Prior to the issuance of a Building Permit, the Applicant shall demonstrate to the Department of Public Work's satisfaction that the sewer system and associated pumping station can handle the proposed sewer flows for this site. DPW will require a sanitary sewer evaluation survey for the dry sewer system and recommended repairs made as well as sewer main/manhole testing for the dry system.

11. Prior to seeking an Occupancy Permit, the Applicant shall return to the Planning Board and provide such details as: tenant name, type of business, hours of operation, number of employees, traffic generation estimates and number of parking spaces needed. Should the tenant need to modify the approved Site Plan in any way, the tenant will return to the Planning Board to seek approval for said modification.

12. Any future change in use at the site to a last-mile distribution facility or fulfillment center that will generate a traffic volumes above those projected in the Applicant's traffic study (dated January 22, 2022) shall be subject to filing a notice of project change for review by the Planning Board.

Stormwater Management Conditions

13. The property owner shall permanently maintain the stormwater management system in full working order. As required by the project's Storm Water Pollution Prevention Plan (SWPPP), the owner shall submit periodic inspection reports to the Town as a condition of this approval. The owner shall properly maintain all components of the system for the life of the facility.

14. The applicant or owner shall clean all catch basins and drainage structures at the end of the facility's construction. The Planning Board's consulting engineer shall conduct an inspection of the stormwater basins once construction is complete to ensure they are functioning as designed.

15. Prior to construction, the Applicant shall prepare a complete Stormwater Pollution Prevention Plan (SWPPP) for the project, as well as apply and receive a Construction General Permit under the EPA's NPDES program. Copies of both the permit and plan will be provided to the Planning Board.

16. In the event that the reserve parking is deemed necessary for the facility's operation and are constructed, the Applicant shall provide the Planning Board with an updated Stormwater Report with appropriate changes to the post-development model (and for expanding the proposed systems) to ensure that the stormwater infrastructure is properly sized for the project.

Traffic-Related Conditions

17. The Applicant and Business Park owners shall continue to work with the Town and MassDOT as to the design, permitting and construction of improvements to the intersection of Route 2A and Depot Road. Such improvements shall be subject to approval from MassDOT, the Planning Board and its peer review traffic consultant. In conjunction with the above, it is anticipated that the Town will apply for grant funding for such improvements and that the Applicant will provide the remaining funds for completion of such improvements. In no event shall an Occupancy Permit be issued for the facility prior to completion of the agreed upon improvements unless other measures or traffic controls, which the Planning Board deems adequate, are in place pending the completion of the improvements.

18. All truck traffic exiting the site shall access Route 2 via Depot Road. All truck traffic from Route 2 shall use the Depot Road exit (Exit 94) and then access the Westminster Business Park from the Route 2A/Depot Road intersection.

19. In the event that a traffic light is installed at the Route 2A/Depot Road intersection, the Applicant and Business Park owners shall work with MassDOT to install preemption devices for the benefit of emergency vehicles.

20. Once a specific tenant is identified, the Applicant shall develop a Transportation Demand Management (TDM) program for the site subject to review and approval by the Planning Board.

21. The Applicant shall include sight distance triangles on the final site plans showing the areas to remain clear of obstructions (i.e., signage, vegetation, etc.) to ensure that safe stopping sight distance and intersection sight distance will be met.

22. The Applicant and Business Park owners shall implement advance warning signs and pavement restriping as appropriate at the Village Inn Road/Narrows Road intersection subject to MassDOT and Planning Board review and approval.

23. The Applicant and Business Park owners shall evaluate and design appropriate intersection modifications at the Bathrick Road/Theodore Drive intersection subject to review and approval by the Planning Board.

Grading and Landscaping Conditions

24. The owner shall permanently maintain all landscaping, berms walls and fencing shown on the approved plan and the landscaping shall be replaced as needed.

25. The property owner and/or tenant is responsible for litter control both during and after facility construction.

26. The Applicant shall attempt to obtain written permission from the railroad to regrade between the site and the rail property during the construction of the proposed retaining wall. If the Applicant can obtain written permission from the railroad to regrade between the site and the rail property during construction of the proposed retaining wall, a copy of the written permission from the railroad will be provided to the Board. If the Applicant cannot obtain written permission from the railroad to regrade between the site and the rail property during construction of the proposed retaining wall, then the Applicant will notify the Board and the retaining wall will be constructed per the approved site plan. This written submission shall be submitted to the Planning Board prior to the issuance of a Building Permit.

Noise-Related Conditions

27. No-idling signs shall be placed around the building so as to be clearly visible to all trucks. No vehicles shall be allowed to idle for more than 5 minutes.

28. Idling reduction technologies, including electric parking space (anti-idling plugs) shall be installed at all operational loading bays throughout the building.

29. If rooftop air conditioning units are installed, they shall be shielded to prevent noise impacts to abutting residences. The specifications for such screening shall be presented to the Building Commissioner for review and approval prior to installation.

Adjourned: 8:04 pm

Documents discussed at this meeting included:

- Letter from Beals Associates Inc. dated February 3, 2022, requesting an amendment to certain conditions of the Site Plan approval for the Bean Porridge Hill solar project.
- Landscaping plan (Exhibit Plan EX1.0), submitted by Beals Associates and designed by DPH, last revision date January 25, 2022.

For the warehouse site plan, the following documents were discussed:

- Traffic Study prepared by Green International Affiliates Inc., dated October 2021, revised January 2022.
- Planning Department review memo dated December 9, 2021.
- Planning Board consulting engineer review memo for traffic study, dated December 13, 2021 and revised on February 11, 2022.
- Applicant's response to consulting engineer review of traffic study dated January 11, 2022.
- Applicant waiver request letter dated January 17, 2022.