



Town of Westminister

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

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Jon Wyman, chairman

Marie N. Auger, vice chairman

Andrew Rice

Linda Wiest

MINUTES OF REGULAR MEETING

June 6, 2017

Room 222, Town Hall

Attendees: Jon Wyman, Marie Auger, Linda Wiest, Andrew Rice, Town Planner Stephen Wallace.
Additional Attendees: David Thomas & Pedro Rodriguez from Seaboard Solar, Wes Flis and James Rheault of Whitman & Bingham, John Alto, David & Joan Dufort, Larry Streeter, and Ryan Smith.

Chairman Wyman opened the Planning Board meeting at 7:00 PM and informed those present the meeting was being audio recorded.

First up was an Approval Not Required (ANR) Plan for Ryan Smith. His proposal would split a 40-acre lot into two potential building lots fronting on Davis Road. Both lots have enough frontage and land area to be considered flag lots under Section 205-13 of the Westminister Zoning Bylaw. Jamie Rheault from Whitman & Bingham went over the plan with the Board and explained that Mr. Smith would return at a later date with a proposal for a reduced road standard subdivision that would further divide one of the new lots in to, with the lots being served by a privately-owned and maintained road. The Board went through the three-part criteria for plans seeking ANR endorsement: the lots front on a public way, the lots have the frontage required by zoning, and the buildable portion of the lots can be accessed via said frontage. The Board voted unanimously (4 – 0) to endorse the plan.

Next up was a public hearing for Ellis Road Development LLC, for a ground-mounted solar farm on Ellis Road. This project will involve the ground-mounted installation of approximately 20,000 solar panels covering eight acres of land. Once complete, it will generate approximately 6.8 million kilowatts of power, making it the largest solar farm in the Town. Between the last hearing and tonight, the two remaining issues were resolved: the Fire Department approved the applicant's plan to do away with Ellis Road as a secondary point of access, and; the Board's engineering consultant (Tetra-Tech) was able to put together a recommended bond amount for decommissioning the project at the end of its useful life (approximately 20 years). The applicant agreed with the recommended bond amount, but requested that he be allowed to post it as a surety bond. The Board did not object to this request. With these issues resolved, the Board agreed they had enough information to make an informed decision on the site plan application and voted unanimously (4 – 0) to close the public hearing. The first order of business was to act on the requested waivers:

2.1.5 Landscape plan.

2.1.11 Building elevations.

2.1.13 Evaluation of Impact on Landscape plan.

2.1.15 Environmental impacts.

The Board voted unanimously (4 – 0) to grant the requested waivers. The Board then voted unanimously (4 – 0) to approve the site plan with the following conditions:

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 applies only to the site which is the subject of this 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. This Approval shall lapse on June 6, 2019 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 June 6, 2019 and the Board reserves its rights and powers to grant or deny such request without a public hearing.
5. The Applicant will post a surety bond with the Town in the amount of \$154,000 for the purpose of decommissioning the project at the end of its useful life. The surety bond shall be submitted to the Town prior to the Planning Department's sign-off on the Building Permit for this project.
6. The Applicant shall not schedule construction deliveries during school drop-off (7:00 AM to 9:00 AM) and pick-up hours (2:00 PM to 4:00 PM).
7. Access to the project site from Old County Road will be limited to the Town's emergency vehicles only and not be used during the project's construction phase.
8. The site plan should clearly indicate that all solar panels to be installed will be of the non-reflective variety.
9. The hours of operation during the construction phase shall be from 7:00 AM to 5:00 PM Monday through Friday.

10. The Applicant should provide information on who to contact during the construction phase, should any problems arise.

11. The Applicant should agree to schedule a pre-construction meeting with all relevant Town departments prior to breaking ground.

12. The plan should be revised to clearly depict the land intended to be conveyed to the Town of Westminster for recreation purposes.

The last agenda item was a request from the Board of Selectmen on the citizen petition to abandon a section of Old Road #3. The Board reviewed maps of the road and received some background on the road's history. Citizen John Alto was quite familiar with the road and gave the Board a comprehensive overview of the road, its history and current status. The Board voted unanimously (4 – 0) to support the citizen petition.

Meeting adjourned at 7:22 PM.