



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

Jill Normandin

Andrew Rice

Linda Wiest

March 27, 2018

PLANNING BOARD MEETING MINUTES

Meeting Room 222

Members present: J. Wyman, Marie Auger, Andrew Rice, Linda Wiest, Jill Normandin and Town Planner, Stephen Wallace.

Staff: Andrea Mastrototo, Recording Secretary

Additional Attendees: Tom Torrans, Gail Brannon, Paul Aldrich, Matt & Margaret Dunn, Ryan Smith, Carol Incobone, Jamie Rheault, David & Jane Ferrazza, Brett Smith, Tony Somers, John Aalta, Jim Begley, Gene LeBlanc and Alan Belanger

J. Wyman, Chairman called the meeting to order at 7:00PM and informed those present the meeting was being recorded.

First order of business, approving and signing ANR for Ryan Smith 48 Lanes Rd. J. Normandin recused herself. J. Rheault presented the plan which showed 2 lots both meet the required lot size and frontage. The Town Planner asked if there was a watershed land on the property.

J. Rheault stated no per Frank Preston the project surveyor. A. Rice asked if there was already a house on one lot. J. Rheault stated yes. J. Wyman asked if the access for lot 1 would be off Lanes Road not the existing driveway. The Town Planner confirmed yes off Lanes Road as shared driveways are not allowed.

M. Auger made a motion to endorse the plan as presented, A. Rice seconded, motion carried (4-0)

Next order of business, approving and signing ANR for Ryan Smith off Davis Road.

J. Normandin recused herself. The Town Planner informed the Board this plan is being submitted as the lot lines have been modified. J. Rheault presented the plan which showed the 23.9+- acres non-buildable parcel known as 5A is going to the abutter. Lot 5C is 10.65 acre buildable lot with reduced frontage. J. Wyman asked if the lot 5B was changed to 5C because it was divided again. J. Rheault stated yes. The Town Planner also noted the applicant did comply with showing the wetland buffer on the plan. M. Auger made a motion to endorse the plan as presented, L. Wiest seconded, motion carried (4-0)

Public Hearing Preliminary Subdivision Plan for Lead the Way Development Corporation.

J. Wyman read the public hearing notice into the minutes. The subdivision consists of 9 house lots on 12 acres served by a new road that connects to Narrows Road.

This institution is an equal opportunity provider

Stephen Wallace
Town Planner
swallace@westminster-ma.gov

The Town Planner noted one abutter was inadvertently left off the mailing therefore the hearing will be continued until April 10, 2018.

Chris Anderson of Hannigan Engineering presented the Preliminary Plan. The existing house numbered #188 is incorporated into the development. The roadway will be approximately 890 feet long with a cul-de-sac. C. Anderson stated they have the ability to do gravity to connect to the public sewer, no septic systems on site. The water is supplied through Fitchburg.

C. Anderson is asking for 2 waivers.

- Length of the subdivision road
- Maximum grade 6% allowed - 7% proposed

C. Anderson added they will be filing with the Conservation Commission during the definitive stage of the project. J. Normandin asked if there were trees being left. C. Anderson stated there are some on the #188 lot and the tree line will remain, there is an island of trees near the house to be removed.

J. Normandin asked if C. Anderson is suggesting this is going to be a high impact development with almost every single tree removed from the 10 acre site. C. Anderson noted not the entire site there is vegetation on the back of the property that is not being developed. J. Normandin asked to be shown what area will be left because there has been a lot of disturbance in this neighborhood. The Town Planner reminded the members to not make declarative statements, ask questions.

J. Normandin asked what impact she was making. The Town Planner said "high impact".

J. Normandin stated she is quoting Westminster law regarding high versus low impact developments, there are a lot of trees missing from the site and you are suggesting the removal of the remainder. C. Anderson explains what is to be left.

J. Normandin asked C. Anderson to explain to the abutters the impact of the new road.

C. Anderson explains there will be regrading and stormwater management will be in effect. They are required to make sure there is no additional runoff.

The Town Planner asked to show the location of the driveway in relation to house #192 for the next hearing. C. Anderson stated yes he will be able to do that.

J. Normandin asked if there were 2 detention basins proposed near the property line of #192. C. Anderson answered yes and noted again this is just a rough layout.

J. Normandin stated the 2 basins and the excavation seems extremely detrimental. The Town Planner stated a reminded to ask questions not to state declarative statements.

J. Normandin feels the abutters need to be protected against further extreme development.

J. Normandin asked for confirmation that there will still be more excavation to be done.

G. LeBlanc stated as part of the approve for gravel removal he must submit a plan. He said he is doing exactly what the Board asked.

J. Normandin asked if the scope to put 2 ponds near abutter is a good idea, it seems a little stressful and a bit unfair.

This institution is an equal opportunity provider

Stephen Wallace
Town Planner
swallace@westminster-ma.gov

The Town Planner informed the Board of their role during the Public Hearing, it is to ask questions and gather evidence not to make statements. J. Normandin rephrased and asked if the ponds can be relocated. C. Anderson stated they can look into it in the definitive phase.

J. Normandin asked how the typography was gathered.

C. Anderson explained this was done with a survey gun and collects data. J. Normandin asked when was it done. C. Anderson stated just after Thanksgiving time.

The Town Planner noted Tetra-Tech will be doing their last inspection for the gravel removal project sometime in April 2018.

Public Comment:

A resident questioned if there was a chance the 8 proposed houses could be duplexes.

C. Anderson did not have an answer for that. G. LeBlanc stated duplexes were not the intent.

A resident asked if a traffic study will be done. M. Auger noted a traffic study cannot stop the development. The Town Planner reiterates this is just a preliminary plan and the Board is to approve the layout of the road and the lots only. J. Wyman asked if the Board could be limited them to single family only. They are zoned for 1 or 2 family homes.

A resident asked how close the detention pond could be to the road. C. Anderson stated there is to set-back requirement.

The Town Planner asked if trees are removed can some be added in for screening. C. Anderson said he will look into in.

A resident asked if the houses were built to order or spec. G. Leblanc stated it depends on the economy. A resident asked if the road was stabilized. C. Anderson stated it is paved. A resident asked about drops in water pressure. C. Anderson stated they are working with Fitchburg and Westminster DPW.

A resident asked for clarification when the Board approves the plan the applicant has the ability to build single or 2 family. The Town Planner stated that was correct.

J. Normandin asked if more fill will be removed. C. Anderson stated it is still and active gravel removal. A resident asked what the timeframe is for the project. M. Auger there is a 2 year build out when the definitive plan is filed. The Town Planner noted the gravel permit expires August 2018.

The Town Planner asked if the definitive plan will be before the end of 2018.

G. LeBlanc said he is pushing forward quickly and is hoping to be this summer.

J. Normandin asked the Town Planner to make his memo to the other departments more clear and more background information. The Town Planner stated, noted.

A resident asked about the requirements for gravel permits. The Town Planner stated they are required to register with the Town.

M. Auger made a motion to continue the Public Hearing to April 10, 2018 at 8pm, A. Rice seconded, motion carried (5-0)

This institution is an equal opportunity provider

Stephen Wallace
Town Planner
swallace@westminster-ma.gov

Next on the agenda, continued public hearing for site plan review for Cresticon, Inc. for a solar array in the rear of 180 State Road East. The Town Planner informed the Board there has been progress on the 2 issues.

1. The panels in the active remediation area have been reviewed at a meeting with the following parties: The property owner's Licensed Site Professional (LSP), The Town's LSP Ken Gendron of Weston & Sampson, The Board of Health, The Town Planner and Tony Somers of SWLA. A revised site plan has been submitted and Tetra-Tech (TT) has reviewed and commented T. Somers has responded to the TT comments.
2. The access to the array via Old Depot Road Right of Way. The Town uses the road as a trail to access Crocker Pond. The Applicant has done exhaustive research and they will discuss with Town Counsel and come up with a plan. The access to the array and to Crocker Pond will be maintained by the applicant. The Town Planner noted no one maintains it now.

J. Wyman asked if the applicant paid Town Counsel to review. The Town Planner stated the applicant did the research on their own so they didn't have to pay Town Counsel.

T. Somers of SWCA informed the Board about the project.

- The parcel is roughly 13 acres, 9 acres would be used and 7¾ acres for the array.
- All panels on the landfill are ballasted and the rest are pile driven.
- The array is 2.54 megawatts DC.
- The access to Crocker Pond will be relocated to the edge of the property by the Railroad track at Lake Street Developments Partners, LLC expense.
- The only stormwater mitigation or basin will be along the access road.

J. Wyman asked if the array will be fenced. T. Somers confirmed it is fenced with a 10 foot access road on either side.

The Town Planner stated if any of the entities, Owner's LSP, Board of Health's LSP or Environmental Protection Agency decide further remediation is needed the panels will be removed at the owner's expense. T. Somers confirmed the owner will be responsible for the cost.

J. Begley LSP for the owner, the owner has been cleaning the site. There is groundwater contamination but no soil contamination. J. Begley stated there is a limestone cap. J. Begley stated they are monitoring the groundwater, there may be future groundwater remediation. The future groundwater remediation involves injecting solutions into the groundwater to stabilize it.

J. Normandin asked how they stabilize. J. Begley stated they use Calcium Polysulfate which creates a chemical reaction with the Cadmium and converts it to an insoluble mineral.

J. Begley noted there are 6 wells and they are monitored 4 time per year.

J. Wyman asked whose risk is it if the law changes and MassDEP requires more to be dug up.

J. Begley stated the owner has an agreement with Lake Street Developments Partners, LLC, Lake Street Developments Partners, LLC is responsible for the removal.

No Public Comment.

M. Auger made a motion to continue the Public Hearing, J. Normandin seconded, motion carried (5-0)

Public Hearing

Three zoning amendments for consideration at the May 2018 Annual Town Meeting:

This institution is an equal opportunity provider

Stephen Wallace
Town Planner
swallace@westminster-ma.gov

1. Revise the definition of medical marijuana treatment center/registered marijuana dispensary to reflect a recent change and be consistent with the State.

M. Auger made a motion to move to Town Meeting, J. Normandin seconded, motion carried (5-0)

2. Change the Aubuchon parcel zoning from Commercial to Industrial. The Town Planner did receive some numbers regarding truck traffic.

A resident expressed concern over traffic. The Town Planner stated they can have control through site plan review. A resident asked if the public would have a say. The Town Planner stated yes during the public hearing for the site plan review.

A resident had some vegetation concerns. The Town Planner will see if the owner will address this. Marcus, representing Aubuchon noted the family is staying with the home office. M. Auger asked how many people were on staff. Marcus stated 60 staff.

M. Auger made a motion to move to Town Meeting, A. Rice seconded, motion carried (5-0)

3. Adding a minimum lot size and frontage requirements for the Village Center District. There are none presently. The Town Planner is proposing a minimum lot size of 7500 square feet and a minimum frontage requirement of 60 feet.

General discussion between residents and the Board regarding lot sizes. John of the ZBA mentioned he would rather see 7500 square feet than nothing. John also discussed some discrepancies in the table of dimensional requirement. The Town Planner suggest the item get tabled.

M. Auger made a motion to table the item, L. Wiest seconded, motion carried (5-0)

Next order of business Newton Road subdivision. J. Rheault informed the Board McCarty Engineering is the new Clerk of The Works. J. Normandin asked who the owner was. J. Rheault stated Matt Olson.

J. Wyman signed for the Board.

Next on the agenda Recommendation for withdrawal of Chapter 61 land of State Road East owned by Chris Mossman.

M. Auger made a motion to advise the Board of Selectmen not to exercise the option of Right of First Refusal, J. Normandin seconded, motion carried (5-0)

Last order of business: Minutes

J. Normandin made a motion to accept the minutes for January 9, 2018, M. Auger seconded, All in favor, motion carried (3-0)

J. Normandin made a motion to accept the minutes for February 13, 2018, A. Ricer seconded, All in favor, motion carried (3-0)

M. Auger made a motion to accept the minutes for February 27, 2018, L. Wiest seconded, All in favor, motion carried (3-0)

Meeting adjourned at 9:45 PM.

This institution is an equal opportunity provider

Stephen Wallace
Town Planner
swallace@westminster-ma.gov