



# Town of Westminister

MASSACHUSETTS 01473  
FROM THE OFFICE OF THE  
**PLANNING BOARD**

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Jon Wyman, chairman

Marie N. Auger, vice chairman

Dan Barkus

Andrew Rice

Linda Wiest

Planning Board Meeting Minutes: June 26, 2018

Meeting Room 222

Members present: Jon Wyman, Marie Auger, Andrew Rice, Linda Wiest, Dan Barkus and Town Planner, Stephen Wallace.

Staff: Andrea Mastro, Recording Secretary

Additional Attendees: Paul Aldrich, Mike Longley, Kyle Butterfield, David Monty, Marissa & Benjamin Chapman, Martha Roberts, Brian Marchetti, Justin LeClair, Mickey Marcus and Ryan Smith

J. Wyman, Chairman called the meeting to order at 7:10PM and informed those present the meeting was being recorded.

First order of business, M. Auger made a motion to accept the minutes  
For June 12, 2018, L. Wiest seconded, All in favor, motion carried (5-0)

Next order of business, preliminary consultation for a reduced road subdivision on North Common Road owned by Westminister Business. M. Auger suggests B. Marchetti consider a cluster subdivision instead of the reduced road subdivision. B. Marchetti will discuss the idea with the owners.

A. Rice asked if the Mid State Trail could be moved. B. Marchetti stated yes.

M. Auger asked if the lots were staked out. B. Marchetti stated not yet.

The Town Planner noted ultimately the Mid State Trail will be relocated.

*Public Comment:*

J. Normandin stated she felt a contractor using two substandard roads were wrong.

The Town Planner asked B. Marchetti to inform him when the lots are staked out and the Mid State Trail representatives can go out and view them.

B. Marchetti asked if he can move forward with the subdivision. The Board agreed, yes.

Next order of business: Marissa Chapman's request to modify the Planning Board's decision for the reduced road standard subdivision on Henry Lane.

The Town Planner explains the three option of the regulation that satisfy the adequate fire protection and maintenance requirement.

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1. Connection to Town Water
2. Cistern installed
3. Residential sprinklers inside the house

The Town Planner states the builder did not read the conditions of the subdivision. He also informs the Board that if these lots were created as ANR lots as opposed to the subdivision process they would not have to conform to this regulation, Smoke detectors and fire extinguisher would be sufficient.

The Town Planner suggests to the Board if they grant this waive to make it a one-time exception and future request would not be looked at favorable.

J. Wyman asked if the lack of the requirement was caught when the Certificate of Occupancy was to be issued. The Town Planner confirmed the Fire Department caught it at that time.

*Public Comment:*

M. Chapman stated she has spoken with the State Fire Marshall and he informed her that any residence under 14,400 square feet does not require residential fire sprinklers, if the Town has stricter regulations the Town needs to make the consumer and the builder aware of the water regulations.

K. Butterfield stated the regulation was put into place in 2005 and the sprinkler requirement was added in 2016 and adopted by the Selectmen which supersede the State Fire Code.

K. Butterfield stated in the future the Fire Chief will be the responsible party signing off on the all reduced road standard subdivisions. K. Butterfield stated this was an oversight of the Fire Department but does not want this to set a precedent for future builders.

A. Rice asked if the road is accessible by the Fire Department and does the road met with the Fire Departments requirements. K. Butterfield stated yes. The Town Planner noted the inspector was out and will write a letter indicating the subdivision road was built according to the plan.

M. Auger made a motion to waive the fire suppression requirement, L. Wiest seconded, All in favor, motion carried (5-0)

Next order of business, Public Hearing, Michael & Lisa Longley, permit to allow the placement of fill on the property located at 39 Carter Road. The Town Planner gave the Board the background on this project.

The Longley's started placing fill on the property in 2011. The Building Commissioner determined the fill magnitude required a fill permit through the Town. The Longley's submitted an application for a fill permit; it was not accepted due to the application being incomplete. The Longley's applied for another permit in 2013, again the application was incomplete. In December 2013 the permitting authority changed from the Board of Selectmen to the Planning Board.

The Court determined the Town could require a fill permit for the property.

The Longley's applied for a fill permit November 2017 and was determined to be complete in April 2018.

The Town required soil testing to be done by a Licensed Site Professional and a review of the grading plan. Parker Environmental submitted the results and the soil came back clean.

The request to finish the fill permit is for 1560 additional cubic yards to be brought in.

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M. Auger asked what the ultimate goal was for the property. M. Longley stated he will be building a house on the property.

M. Auger asked if there were Town water and sewer in that area. M. Longley stated yes.

The Town Planner question how much longer this will take. M. Longley is aiming to be done in the fall.

D. Barkus asked if M. Longley was stabilizing the site as he went. M. Longley stated he will.

The Town Planner would like a timeline submitted indicating the plans for the site, re-seeding and loaming.

The Town Planner requests Bachman Engineering submit;

- Full size electronic & hardcopy plans
- Add the names and address of the abutters to the plan
- Indicate the location of wetlands
- Note the hydric soils if no wetlands
- Include a scale bar on the plans

M. Auger made a motion to continue the public hearing until July 10, 2018,

D. Barkus seconded, All in favor, motion carried (5-0)

Next item on the agenda: Site Plan Review for Cresticon, Inc on behalf of Lake Street Development Partners, LLC. M. Marcus of Lake Street Development presented the final plan.

The Town Planner noted the access road easement agreement has finally been reached and Town Council has signed-off.

D. Barkus will abstain, as he was not in attendance for this project.

The Town Planner stated the relocation of the access road and the maintenance will be the responsibility of the applicant.

#### *Public Comment*

J. Normandin voiced concern with the access road being too close to the railroad tracks.

M. Marcus stated the road is not in the Railroad easement.

M. Marcus noted the site has no need for a stormwater basin or management, the property is well drained and cleared.

The Town Planner stated the stormwater report has been reviewed and signed off by Tetra-Tech.

M. Auger made a motion to continue the public hearing, A. Rice seconded, All in favor, motion carried (3-0). L. Wiest abstains from the vote.

The waivers Cresticon requested are as follows;

- Scale of drawings submitted
- Landscape plan requirement

M. Auger made a motion to support the waivers, A. Rice seconded, All in favor, motion carried (4-0).

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The conditions to the Cresticon permit are as follows;

1. Approvals of other Boards are not assumed in the decision.
2. Site Plan Approval is for this site only.
3. The Board reserves the right to modify or amend within its own power and without a public hearing.
4. The permit shall lapse on June 26, 2020 if work has not commenced
5. The Applicant will supply a decommission bond of \$62,300.
6. The contact information shall be provided to the Police, Fire, Planning and Public Works Departments.
7. Pre-construction meeting required with all relevant departments.
8. Inspections will take place at certain intervals at the Applicants expense with Tetra-Tech representing the Planning Board.
9. No deliveries during school hours of 7am-9am and 2pm-5pm.
10. Hours of operation are Monday through Friday 7am-5pm.
11. Any remediation shall be relocated within three business days.
12. Applicant to provide soil/groundwater test information.
13. Obtain and provide copies of NPDES permit and Stormwater Plan to the Planning Board as well as monthly constructions reports.
14. Provide the Town the Grant of Easement for the non-exclusive 15' wide Access Drive.
15. Upon relocation of the Access Drive the revised stormwater management report shall be submitted.
16. The Applicant shall provide to the Ma DEP the Site Suitable Assessment also a copy to the Planning Board.

*Public comment:*

A resident asked if a portion of that Access Drive could be widened. M. Marcus stated he will look into it.

M. Auger made a motion to approve with conditions, L. Wiest seconded, All in favor, motion carried (4-0).

M. Auger made a motion to allow J. Wyman to sign for the Board, L. Wiest seconded, All in favor, motion carried (4-0).

Last items on the agenda: Ryan Smith Preliminary consultation on the reduced road subdivision on Davis Road. R. Smith presented a revised plan that shows 3 lots to be accessed by a common driveway. The reduced road standard subdivision allows for 2 lots.

The Board reviewed and discussed.

The Board unanimously decided they would not deviate from the standard of 2 lots.

The Town Planner stated to R. Smith the Board would be alright with 2 lots or a cluster subdivision.

Meeting adjourned at 8:50 PM.

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