



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

August 14, 2018

PLANNING BOARD MEETING MINUTES

Meeting Room 222

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

Staff: Andrea Mastro, Recording Secretary

Additional Attendees: J.M. Smith, Pat Hotzas, Heather Billings, Matthew Costa, Todd Morley, Paul Aldrich, Emily Scerbo. Brian Marchetti, Steve Powell, Bob Hakala, Patrick McCarty, RaeDean & Gerado Garcia, Chris Mossman, Theresa Schuebe, Gary Watt, and Matt Gronowicz.

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

First order of business, D. Barkus made a motion to accept the minutes
For August 7, 2018, M. Auger seconded, all in favor, motion carried (4-0)

Next on the agenda, continued Public Hearing for Michael & Lisa Longley, permit to allow the placement of fill on property located at 39 Carter Road. Tabled

Next order of business: Westminister Business Park request to extend their Earth Removal permit for lot I-7 for 2-3 years. The Town Planner received a letter confirming the park is in compliance.

B. Marchetti addressed the issues that have arisen regarding the park's permit.

B. Marchetti also confirms the parks are in compliance with the Federal permit and the National regulation for discharge of stormwater (SWPPP) known as the Stormwater Pollution Prevention Plan. B. Marchetti notes the SWPPP has expired 2012 but the park has maintained the plan. The park does have a current MEPA certification (Massachusetts Environmental Policy Act).

B. Marchetti states Tetra-Tech still performs monthly inspections and has no issues.

J. Wyman asked when the permit expires. B. Marchetti stated 2022, the new permit was issued 2017.

B. Marchetti noted the park does not have to adhere to the NEPA for the Industrial code as it is not a mining operation it is an active construction site.

B. Marchetti stated the park has had several Order of Conditions issued by the Conservation Commission.

B. Marchetti notes there is still one Order of Conditions open.

The Town Planner asked if there will be a new Order of Conditions needed for the area outside I-7. B. Marchetti stated no.

B. Marchetti stated the concern with the encroachment of the riverfront. B. Marchetti stated well beyond the limit, over 500 feet from the riverfront.

B. Marchetti addressed the concern regarding the grading being less than 6 feet above the water table. B. Marchetti ensured the grading was correct. He also noted Tetra-Tech does ground water readings monthly.

There was a concern about the local rule regarding the use of 6 acres for Earth Removal.

B. Marchetti noted the park's permit was issued in 2012. The rule was revised in 2013 to reflect the 6 acres. B. Marchetti stated the permit preceded the 2013 revision.

Steve Powell and Bob Hakala, owners noted they will be stabilizing the property in September and October. The stabilization material will be short paper fiber.

The Town Planner noted Tetra-Tech concurs with the owners' responses to all concerns.

Public Comment

H. Billings expressed concerns with sand coming down the railroad tracks and in a vernal pool. She would like these areas to also be inspected monthly. The Town Planner requests the owners, Steve Powell and Bob Hakala develop a dust management plan.

The Town Planner, Conservation Commission, H. Billings, Steve Powell and Bob Hakala will do a site walk before the August 28th meeting.

E. Scerbo asked about the streams on the property. D. Barkus stated they were intermittent.

Next order of business, Site Plan review for Syncarpha Solar Westminster, LLC and JP Dell, LLC for a ground-mount solar array on Bean Porridge Hill Road.

T. Morley refreshed the Board to the key points of wetlands, screening to be done after the project and screening to be planted on Bean Porridge Hill Road.

T. Morley informed the Board he is in receipt of the Superseding Negative Determination issue by the MassDEP, dated 8/10/18.

T. Morley submitted in writing to the Board, his responses to the concerns of the abutter regarding;

- Setbacks
- Emissions
- Electromagnetic Fields

J. Wyman asked if the abutter received a copy of these responses. The Town Planner stated yes.

T. Morley stated Tetra-Tech had 25 comments on this project. T. Morley responded to the comments in writing. There were only 2 items the parties were hung up on. One item being the bond amount. T. Morley stated the bond recommendation from Tetra-Tech is \$90,000.00.

The Town Planner stated there is only one outstanding issue left, the stormwater methodology. T. Morley will meet with Tetra-Tech to resolve the stormwater issue.

No Public Comment

Carter McGann asked if the Town Planner would draft the decision ahead of the next meeting to expedite the approval. The Town Planner agreed to have it done by the August 28th meeting.

M. Auger made a motion to continue the Public Hearing to August 28, 2018, D. Barkus seconded, All in favor, motion carried (4-0)

Next order of business: Definitive subdivision plan for Charles Way, two lots with an interior road coming off of Overlook Road. C. Mossman presented the plan and explained the key point, which are as follows;

- The existing driveway will be used
- Maximum grade will be 10.8%
- Improve (widen) the access road
- An Order of Conditions has been issued by Conservation Commission
- Additional paving will be done to satisfy the Fire Department's 45 degree turn radius

The Town Planner states the technical review has been done by the DPW, Board of Health and Fire Department, all are all set with the submitted plan.

The Building Commissioner requested revised lot lines. C. Mossman noted the lines were revised and reflected on the plan.

The Town Planner asked if the owner was going to put up a bond. C. Mossman stated she will.

The Town Planner questioned the fire suppression. C. Mossman stated there would be sprinklers.

The Town Planner questioned if there were HOA (Homeowner Association) documents. C. Mossman stated yes.

Public Comment

C. Dawson stated her disapproval of the subdivision and expressed concern with the widening of the driveway. C. Mossman stated the subdivision is downstream and will not affect here. He also noted the Conservation Commission was satisfied.

C. Dawson questioned the subdivision expanding in the future. The Town Planner read the condition of the subdivision, which states neither lot will be further developed.

M. Auger made a motion to continue the Public Hearing to August 28, 2018, D. Barkus seconded, All in favor, motion carried (4-0)

Next order of business, Westminster Business Park, Definitive subdivision plan with two lots with an interior road (Roadway A) coming off of North Common Road. B. Marchetti presented and described the with the key points being the following;

- Subdivision comprised of 2 lots.
- The owner of lot 1 will own the driveway.
- The road is 410 feet to the cul-de-sac.
- Each lot will have individual septic and well.
- Homes will have sprinklers.
- Site distances at entrance noted on plan per DPW.
- The Mid State Trail will be relocated.
- Tetra-Tech has signed off.
- The 150' buffer zone will be flagged.

- Plans revised according to the Building Commissioner.
- The buffer zones for the Residential & Industrial districts are 100 feet.

M. Auger questioned the remaining acreage being used for a cluster development. B. Marchetti stated yes it located on the approved subdivision road.

Some discussion continued regarding future subdivision, not relevant at this time.

M. Auger made a motion to closed the Public Hearing, D. Barkus seconded, All in favor, motion carried (4-0)

The waivers Westminster Business Park requested are as follows

1. 231-12-A Requirement of the environmental and community impact analysis
2. 231-12-D-1-D 1"=40' scale - submitted 1"-50'
3. 231-12-F Bond
4. 213-12-H As-built required
5. 213-14-A 26 foot road width
6. 231-14-A Curb radius
7. 213-15-6 Turnaround at the end of the street
8. 213-16-A 90 degree intersection - will be 88 degree
9. 231-16-A 90 degree radius
10. 231-27 Granite curbing
11. 231-29 Sidewalks
12. 231-32 Street trees
13. 213-14-A 6% grade - will be 7.56%

M. Auger made a motion to accept the waivers, D. Barkus seconded, All in favor, motion carried (4-0)

The conditions to the Westminster Business Park permit are as follows;

1. Town Council to review homeowner association for road maintenance.
2. Consult the Historical Commission and Fire Department for the road name.
3. Neither lot can be further subdivided.
4. Written verification all taxes have been paid.
5. Submit 16 large scale sets of plans, 1 reduced (11x17) and a digital copy.
6. DPW approval required for any work in the town's right-of-way.
7. Decision to be supplied to an purchaser.
8. Plans must be submitted to the Fire Department before requesting a Fire Department sign off of Building Permit.
9. Mandatory meeting with Fire Department, Board of Health and Conservation Commission before applying for a Building permit.
10. No Occupancy Permit will be issued until Tetra-Tech approves road completion.
11. Hours of operation are 7am - 5pm Monday - Friday, no Sundays or holidays.
12. Construction to be completed within 2 years.
13. Valid upon recording and after the 20 day appeal period.
14. Any modifications must be submitted in writing to the Planning Board.
15. Construction is based on endorsed plan and Decision.
16. Decision to be kept on site
17. Responsible person and emergency contact information to be submitted to the Planning Board, Police and Fire Department.

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

Recess 9:15pm

Reconvened 9:25pm

Next order of business, Westminster Business Park, Definitive subdivision plan with two lots with an interior road (Roadway B) coming off of North Common Road. B. Marchetti presented and described the with the key points being the following;

- Subdivision comprised of 2 lots.
- The owner of lot 1 will own the driveway.
- Lot 1 is within the buffer zone and will require a Notice of Intent from Conservation Commission.
- The road is 410 feet to the cul-de-sac.
- Each lot will have individual septic and well.
- Homes will be sprinklered.
- Site distances at entrance noted on plan per DPW.
- The Mid State Trail will be relocated.
- Tetra-Tech has signed off.
- The 150' buffer zone will be flagged.
- Plans revised according to the Building Commissioner.
- The buffer zones for the Residential & Industrial are both 100 feet.

M. Auger made a motion to closed the Public Hearing, D. Barkus seconded, All in favor, motion carried (4-0)

The waivers Westminster Business Park requested are as follows

1. 231-12-A Requirement of the environmental and impact analysis
2. 231-12-D-1-D 1"=40' scale - submitted 1"-50'
3. 231-12-F Bond
4. 213-12-H As-built required
5. 213-14-A 26 foot road width
6. 231-14-A Curb radius
7. 213-15-6 Turnaround
8. 213-16-A 90 degree intersection - will be 105 degree
9. 231-16-A 90 degree radius
10. 231-27 Granite curbing
11. 231-29 Sidewalks
12. 231-32 Street trees
13. 213-14-A 6% grade - will be 6.22%

M. Auger made a motion to accept the waivers, L. Wiest seconded, All in favor, motion carried (4-0).

The conditions to the Westminster Business Park permit are as follows;

1. Town Council to review homeowner association for road maintenance.
2. Consult the Historical Commission and Fire Department for the road name.
3. Neither lot can be further subdivided.
4. Written verification all taxes have been paid.
5. Submit 16 large scale sets of plans, 1 reduced (11x17) and a digital copy.
6. DPW approval required for any work in the town's right-of-way.
7. Decision to be supplied to any purchaser.
8. Plans must be submitted to the Fire Department before requesting a Fire Dept.sign off of Building Permit.
9. Mandatory meeting with Fire Department, Board of Health and Conservation Commission before applying for a Building permit.
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11. Hours of operation are 7am - 5pm Monday - Friday, no Sundays or holidays.
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14. Any modifications must be submitted in writing to the Planning Board.
15. Construction is based on endorsed plan and Decision.
16. Decision to be kept on site
17. Responsible person and emergency contact information to be submitted to the Planning Board, Police and Fire Department.

Last on the agenda, The Town Planner's report for July, tabled.

Meeting adjourned at 9:40 PM.