



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

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Jon Wyman, chairman

Marie N. Auger, vice chairman

Dan Bartkus

Andrew Rice

Linda Wiest

Planning Board Meeting Minutes - November 13, 2018

Selectmen's Meeting Room

Members present: Jon Wyman, Marie Auger, Dan Bartkus, L. Wiest and Town Planner, Stephen Wallace.
Staff: Andrea Mastrototo, Recording Secretary

Additional Attendees: J. Mike Smith, Alan Belanger, Bob Francis, Matt Olson, Glenn & Linda Hines, Steve Ballard, Andy Meserve, Rich Tabaczynski, Jill Normandin, Matt Dunn, Marsha Foster, John Peneseau, Chris Mossman and Don Gibbons.

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. Bartkus made a motion to accept the minutes for October 23, 2018, L. Wiest seconded, All in favor, motion carried (4-0)

Next order of business, Mylar for the Charles Way subdivision. C. Mossman presented the Mylar. The Town Planner noted the Town Clerk has certified the 20 day appeal period has lapsed, and the Town has a construction agreement with McCarty Engineering for the inspection of the construction of the way and the funds to pay for that are from a 53 G account. The Board reviewed and signed.

Next order of business, Mylar for the Kirali Court subdivision. The Town Planner noted the Town Clerk has certified the 20 day appeal period has lapsed. The Board reviewed and signed.

Next order of business, ANR plan for Whitman River Dam Inc., one building on South Ashburnham Road. The Town Planner stated the approved plan had never gotten recorded and the plan presented needs a new signature. S. Ballard stated Lot B-1 was created 10 years ago and at that time the lot was a non-buildable lot. The bylaws have since changed making B-1 a buildable lot.

L. Wiest made a motion to endorse the plan as presented, M. Auger seconded, All in favor, motion carried (4-0).

Next order of business, Alan Belanger's Narrow Road property. A. Belanger informed the Board he is actively marketing the property. A. Belanger stated he has reached out to McCarty Engineering to create a subdivision plan. The Town Planner asked what the timeframe was for that subdivision plan. A. Belanger noted McCarty Engineering is working on it and he should have it within 30 days. A. Belanger stated they would be doing some testing for the water tables as they will be lowering the grade.

J. Wyman asked if the entire subdivision was residential. A. Belanger stated yes.

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Public Comment:

A resident asked how many house lots. A. Belanger stated 2 lots.

A resident questioned if the houses were single family or duplexes. A. Belanger noted he is not the builder, he is just getting the lots ready to sell. A. Belanger stated the property is zoned for 1 & 2 family.

J. Normandin noted the site has been a gravel removal site since 2014. A. Belanger stated he has had a Federal Permit since 2009.

J. Normandin stated the Board needs to do an Operational permit review. The Town Planner stated he will forward the Board the Building Commissioner's May letter regarding the property.

The Town Planner summarizes that J. Normandin is asking for the Board to determine whether or not A. Belanger needs an Earth Removal permit.

M. Auger asked if the subdivision plan will involve removing material from the site. A. Belanger stated yes, some. M. Auger asked how much material will be removed. A. Belanger stated he does not until the engineering is done.

Next order of business, ANR plan for Litchfield Company Inc., lot line adjustment for one lot in the Village of Old Mill subdivision. G. Litchfield explained they had 68 lots and have successfully put in 54 houses. G. Litchfield noted this particular lot ended up too close to the rear lot line.

G. Litchfield stated the adjustment will be taking 500 square feet from the open space and adding it to the lot. M. Auger asked if the open space had been deeded to the Town.

G. Litchfield stated they still own. G. Litchfield also noted the subdivision is paved the curbing is in and 95% of the bounds are in. The Town Planner stated G. Litchfield will be at the Board's December meeting to ask for a bond reduction.

The Town Planner stated he asked the DPW and Tetra-Tech to inspect the site for the bond reduction that has been requested.

M. Auger made a motion to endorse the plan as presented, D. Bartkus seconded, All in favor, motion carried (4-0).

Next order of business, A. Belanger with an update for the completion of Rowtier Drive industrial park and an extension of time request for the approved site plan. The Town Planner noted the 2014 site plan approval which needs an extension states that before Rowtier Drive is turned over to the Town requires an amended subdivision plan be submitted. The Town Planner questions if the amended subdivision plan will show the berms removed and the length of the road.

The Town Planner asked what was left to be done on the property. A. Belanger stated the basecoat needs touching up then grinding and paving will go into the spring. A. Belanger will post a bond once the solar is approved. The Town Planner stated Tetra-Tech will look at the cost of the bond and A. Belanger's suggested amount.

D. Bartkus asked to have a definitive date for the binder to be completed and the subdivision plan to show where the roadway will actually end. A. Belanger stated he would have something for December 11, 2018.

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Public Comment:

G. Hines would like to see a push to get the road completed. G. Hines notes there was not work performed on the property in 2018. J. Wyman asked why G. Hines was concerned with the completion of the road. G. Hines stated there is no plowing or road maintenance being done and it is not adequate for Police and Fire.

D. Bartkus questioned why A. Belanger was not maintaining the road. A. Belanger stated he will plow the road.

M. Auger made a motion to grant the extension for 1 year, expiring November 30, 2019, D. Bartkus seconded, All in favor, motion carried (3-0). L. Wiest abstained.

Public hearing:

Next order of business, Snow Hill Development LLC on behalf of the TES Rowtier Solar 23 LLC, Site Plan approval to install a ground-mount solar array within the Rowtier Drive Industrial Park.

J. Wyman read the notice into the minutes.

The Town Planner stated there was a technical review meeting and the comments were sent along to the applicant. The applicant responded to the departments and Tetra-Tech.

Andy Merserve of Target Energy opened the discussion by explaining the they would have a 25 year lease on the land, the array will be part of the SMART (Solar Massachusetts Renewable Target) Program and they will have a PILOT with the Town for taxes.

R. Tabavzynski presented the projected and noted some of the key point;

- The array will produce 3.9 Megawatts of power (AC).
- The parcel in 39.2 acres, the array is comprised of 10.6 acres.
- The parcel is zoned Industrial 2
- The site is partial disturbed
- There are some wetlands on the property but the project is outside the buffer zone.
- The array meets with the 50 foot setback and the 50 foot and 100 foot buffer requirements.
- 50 percent of the site is lawn cover.
- The access road is gravel and 15 feet wide.
- Array is fenced per Electrical Code with 2 gates per Fire Department.
- Stormwater basin with Stormwater report submitted to Tetra-Tech.

The Town Planner asked if there were any easements.

R. Tabavzynski stated the applicant will lease the land and the easement will be honored in the recorded agreement.

The Town Planner read an email received from Tetra-Tech regarding the test pits results need to be submitted prior to site plan approval.

R. Tabavzynski stated the basins are fairly shallow, they will store water then release it slowly through a small pipe.

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Public Comment:

G. Hines asked how the power would be leaving the array. R. Tabavzynski stated the utilities are underground. They have received a permit from National Grid for the interconnection. The SMART Program opens 11/26/18, they will apply at that time.

J. Normandin questioned the tax implication of the array. The Town Planner suggested J. Normandin write a letter to the Assessors.

The Town Planner informed the Board he is waiting for the other Departments responses to the applicants comments.

M. Auger made a motion continue the public hearing to November 20, 2018, D. Bartkus seconded, All in favor, motion carried (4-0).

Next order of business, Alan Belanger on behalf of TES Overlook Road LLC for a ground-mounted solar array off Overlook Road.

J. Wyman read the notice into the minutes.

The Town Planner stated the other departments had done their technical reviews and he is awaiting the departments review of the applicants responses.

R. Tabavzynski explained the project will consist of 17.6 acres for the three arrays and presented the projected and noted some of the key point;

- The solar array will produce 5.8 MW dc
- 25 acres to be cleared for the project
- The parcel is 60 acres total area.
- The parcel is zoned residential and abuts Industrial land.
- There are wetlands on the property, the applicant has filed with the Conservation Commission and are meeting November 15, 2018.
- The parcel is fully wooded and to be graded down to 15%.
- The project meets with the bylaw regulations for buffers.
- The access road will be 15 feet wide with a turnaround for the Fire Department.
- The back access is gated.
- There will be equipment cabinets on site.

R. Tabavzynski noted Tetra-Tech was satisfied with the project and the stormwater plan. There will be additional screening provided and the applicant has addressed and responded to all comments received. The Town Planner stated he is waiting on the other Departments to respond.

The Town Planner asked if it were possible to relocate part of the array to the potential adjacent warehouse roof. A. Belanger stated he is hoping to have more information on that by the end of the week. A. Merserve stated the two options A. Belanger has are to build the array around the warehouse or to roof-mount the array instead of ground-mount.

The Town Planner asked if a MEPA review or State permits were needed. R. Tabavzynsk stated no.

Public Comment:

A resident stated not all the abutters were notified. The Town Planner noted a letter went out to everyone on the abutters list.

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Abutter, K. Lussier asked if the applicant was bringing down 3 phase power have they looked at the quality of the poles. A. Merserve stated they are bringing in new poles.

D. Gibbons voice his concern with runoff when the trees are removed. The Town Planner will have Tetra-Tech perform an inspection.

There was a question about the equipment after the lease ends. A.Merserve explained the lease for the array is 25 years, after 25 years the equipment is removed. The applicant has a 40 year decommissioning bond.

The Town Planner recommended the Board not waive the evaluation of the landscape and the environmental impact study.

Marsha Foster voiced her concerns about leaving some trees.

The Town Planner noted now is the time if revisions were to be made and to have them submitted by the end of the week. A. Merserve stated he will speak to the engineer.

D. Bartkus made a motion continue the public hearing to December 11, 2018, M. Auger seconded, All in favor, motion carried (4-0).

The Town Planner stated he will mail the notice of continuation to the abutters.

Last order of business, Bond estimate review and lot release for Ashoryn LLC, Lighthouse Lane subdivision. The Town Planner informs the Board a bond is put in place instead of the covenant. The bond is being reviewed by Town Council.

D. Bartkus voice his concern with the basins not done. M. Olson stated the basins are seeded and stump grindings. The Town Planner suggests a representative for the Board make a site visit,

M. Olson stated he had purchase and sale agreements on 6 lots.

The board agrees with the bond amount.

Lot release request for Ashoryn LLC to be revisited at November 20, 2018 meeting.

adjourned: 10:00 pm.

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