



# 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

February 26, 2019

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

Additional Attendees: John Fairbanks, Wayne Walker, John Michael Smith, Justin LeClair - McCarty Engineering, Joe Serio, Adam Collette, and Lisa Rocheleau.

J. Wyman, Chairman called the meeting to order at 7:00PM.

First order of business: approving minutes from the January 22 and February 19 meetings. The Board voted unanimously to approve both sets of minutes.

Next on the agenda was rendering a decision on the Definitive Subdivision Plan for Weatherbee Lane for Applicant Justin Gelin. Weatherbee Lane will be a private road coming off Cudak Court. This project is a reduced road standard subdivision for one new house lot. The Board voted to close the public hearing when it last met on February 19th. The Town Planner explained that the Applicant's response letter to the departmental review memo has been shared with the other Town departments and all of their comments have been addressed to their satisfaction.

With Board members Jon Wyman, Dan Bartkus and Linda Wiest sitting on the case, the Board voted 3 to 0 to grant the following requested waivers from the Board's Subdivision Regulations:

- 231-12.A (5): An environmental and community impact analysis.
- 231-12.A(8): Drainage calculations.
- 231-12.F- Bond for roadway and utilities.
- 231.12H- An as-built plan.
- 231-14.A- Roadways shall be designed in accordance with Table 1, Roadway Design Standards. Roadway width required is 26 feet; the Applicant proposes 15 feet paved road with 5-foot shoulders on either side.
- 231-14.A Roadways shall be designed in accordance with Table 1, Roadway Design Standards. Curve radius at intersections: 20 feet. Applicant is proposing a 5-foot radius.

- 231-15.C- Turn-around required for a dead-end street. A turn-out is proposed.
- 231-16.A Intersection of ways A. All intersections of ways shall be at an angle of 90° or radial to curves. The proposed roadway intersects at an angle of 118 degrees to Cudak Court. Also, no right of way flare is proposed.
- 231-16.C: Grades at intersection shall be designed to be no greater than 2% for the first 40 feet and no greater than 4% for the next 30 feet. The existing roadway has a grade of 2.4% with no proposed work to be done on the new subdivision road.
- 231-16.D: The intersection of centerlines of streets shall occur not less than 200 feet apart. The proposed subdivision roadway is an existing driveway that is less than 200 feet from Tommy Francis Road.
- 231-27. Item D - Granite curb inlets conforming to Figure 4 will be required at every catch basin. None proposed.
- 231-29- Sidewalks. None proposed.
- 231-32- Street trees. None proposed.

The Board then voted 3 - 0 to approve the Definitive Subdivision Plan with the following conditions:

- 1 A note shall be written on each page of the Mylar for the definitive subdivision plan that states that neither lot (the master lot and the new house lot) will be further divided.
2. Prior to the board's endorsement of the plan prepared for recording, the applicant shall submit written confirmation from the Tax Collector that all taxes, including any roll back taxes if applicable, have been paid in full. In addition, the applicant shall provide proof that all fees associated with plan submission and approval have been submitted to the Planning Board and/or its consultants. The applicant shall record the endorsed plan prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Board.
3. Prior to the issuance of a Building Permit, the Applicant shall file a Notice of Intent with the Conservation Commission and receive an Order of Conditions for any land disturbance in close proximity to wetlands.
4. Prior to the Issuance of a Building Permit, the Applicant shall seek and obtain Board of Health approvals for the on-site septic system and water well that will service the new house.
5. Following plan endorsement by the Planning Board, the Applicant shall supply twelve (12) full sized plan prints and one (1) 11x17 reduced-size of the signed plan. Additionally, a digital copy of the plans shall be provided.
6. Any road work performed within the town's right-of-way shall require Public Works approval.
7. The applicant shall submit plans for the proposed fire protection system in accordance with the "Fire Protection Water Supply Regulations" for review and approval by the Chief of the Westminster Fire Department prior to requesting Fire Department sign-off on the Building Permit.
8. The Applicant shall provide a copy of this to Decision to any subsequent purchaser of the properties.

9. Prior to applying for a Building Permit, the Applicant shall meet in person with the following municipal entities:

- Fire Department to discuss compliance options for meeting the Fire Protection Water Supply Regulations
- Fire Department for the new home's fire suppression system
- Board of Health for the new home's on-site septic system and/or water well
- Conservation Commission for the jurisdictional wetlands on the property.

10. Prior to applying for a Building Permit, the Applicant shall deposit with the Town the funds necessary to have the Planning Board's consulting engineer inspect the new subdivision roadway for conformance with the approved subdivision plan. The Building Department will not issue an Occupancy Permit until it receives verification from the Planning Board's consultant engineer that the road has been built to the specifications set forth in the approved subdivision plan. Failing this, the Applicant shall post a bond with the Town in an amount sufficient to cover the cost of road construction.

11. Site construction activity shall be limited to the hours of 7:00 a.m. – 5:00 p.m. and shall not be allowed on Sundays and legal holidays.

12. The subdivision roadway shall be constructed within two (2) years from the date of plan endorsements unless the applicant obtains a written extension from the Planning Board.

13. This Definitive Subdivision Plan and Decision are not valid until they are recorded and indexed at the Worcester North Registry of Deeds in accordance with the provisions of M.G.L., Chapter 40A, Section 11. The copy of the decision to be filed shall contain a certification by the Town Clerk that 20 days have elapsed after the decision was filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied.

14. Any requests for modifications shall be made in writing to the Planning Board for review and approval. The request shall include a description of the proposed modification, reasons the modification is necessary and any supporting documentation. Additionally, no corrections, additions, substitutions, alterations or any changes shall be made in any plans, proposals and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board.

15. The final revised plan set shall be endorsed by the Planning Board. Unless amended with the approval of the Planning Board, the endorsed plan set shall be the plan of record and construction shall proceed in accordance with the improvements on said plan and this Decision.

16. A copy of this Decision shall be kept on site and shall be made available to all site contractors. The site contractor(s) shall sign a memo indicating that they have read and understand the conditions of this decision, prior to commencing any work.

17. Prior to commencement of authorized site activity, the Applicant shall provide to the Planning Office the name, address and phone number of the individual(s) who shall be responsible for all activities on the site. Additionally, the Police and Fire Departments shall be provided with an emergency notification sheet.

18. The street sign shall meet Westminster DPW specifications, i.e. MUTCD requirements, with an additional sign stating "Private Road, Pass At Own Risk".

The three sitting Board members then affixed their signatures to the Mylars for this project.

The next item on the agenda was a presentation on the proposed Town Charter by the Town Government Study Committee. Committee Member John Fairbanks gave an overview of the problems with the Town's existing form of government and how the new charter would address them. There was much discussion between the Planning Board and the Study Committee about the new charter, covering such topics as: how town government is organized, inter-departmental communication, the difference between a Town Administrator and a Town Manager, the difference between elected and appointed board membership, how other towns of our size operate, the volume of administrative business the Town deals with, and the need for effective leadership from the Town's management team. At the end of the discussion, there was no clear consensus among the Planning Board members on whether they supported the proposed Town charter or not, and no formal vote to support was taken.

Adjourned: 8:35 PM