



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 Bartkus

Andrew Rice

Mike Smith

Planning Board Meeting Minutes: June 11, 2019

Meeting Room 222

Members present: Dan Bartkus, Mike Smith, Marie Auger, Andrew Rice and Town Planner, Stephen Wallace.

Staff: Andrea Mastrototaro, Recording Secretary

Additional Attendees: David Thomas, Wesley Flis, John Vedoe, Brain Marchetti, Rachel LeBlanc, Carol & Dave Iacobone and Daniel Peragallo.

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

First order of business, D. Bartkus made a motion to accept the minutes for May 28, 2019, M. Smith seconded, all in favor, motion carried (4-0).

Next order of business: ANR Plan for John & Tanya Vedoe, lot line adjustment between two existing lots on Lanes Road. J. Vedoe presented and explained the revised plan to the Board. The Board reviewed. A.Rice made a motion to endorse the plan as presented, M.Smith seconded, all in favor, motion carried (4-0).

Continued Public Hearing

Next order of business: Special Permit and Site Plan approval for a ground-mounted solar array off Ellis Road, on behalf of Ells Road Solar LLC & Seaboard Solar Holdings LLC.

W. Flis presented the revised plan to the Board and explained the changes made per the request of Tetra-Tech. The changes and additions are as follows;

- 1 additional basin has been added near the entrance.
- Revisions to the culverts with valves in the bottoms
- Labeling on the plan
- Dimensions added
- Locus map
- Zoning table
- Added Old County Road as second access
- Test pits where the basins will be located
- No landscaping

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M. Flis noted the Fire Department stated they were comfortable with the updated plan.

A. Rice asked if Old County Road will be upgraded. W. Flis stated the width is sufficient, the overgrowth will be cleared.

D. Bartkus made a motion to close the Public Hearing , A. Rice seconded, all in favor, motion carried. (4-0)

The Town Planner explained the two findings to be voted on are, #1 will the proposed use be appropriate on the site and #2 the solar array will not be detrimental to the community or neighborhood.

D. Bartkus made a motion the array would be appropriate to the site. A. Rice seconded, all in favor, motion carried. (4-0)

D. Bartkus made a motion the array would not be detrimental to the community or neighborhood. A. Rice seconded, all in favor, motion carried. (4-0)

The Waivers requested for the ground-mounted solar array off Ellis Road are as follows;

- 2.1.5 Landscape plan
- 2.1.6 Signage plan
- 2.1.7 Lighting plan
- 2.1.9 Locus plan has a scale of 1 inch = 1,000 feet, whereas the Site Plan Regulations require 1 inch = 200 feet)
- 2.1.13 Evaluation of Impact on Landscape plan
- 2.1.14 Evaluation of traffic impacts

M. Smith made a motion to accept the waivers, D. Bartkus seconded, all in favor, motion carried. (4-0)

The Board voted unanimously (4 - 0) to approve the Special Permit and Site Plan with the following conditions:

1. Other approvals or permits required by the Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
2. The Special Permit and Site Plan Approvals apply only to the site which is the subject of the Applications. All construction to be conducted on the site shall be conducted in accordance with the terms of this Approval and shall be limited to the improvements shown on the Plan.
3. The Board hereby reserves its powers to modify or amend the terms and conditions of these Approvals upon its own motion with consent from the owner or the applicant, or on the Application of the owner or applicant. The Board further reserves its powers to amend these Approvals without a new public hearing provided that the Board finds that such amendment is not significant to the public interest and that such amendment is not inconsistent with the purpose and intent of the Zoning Bylaw or with the terms of this Approval.
4. The Site Plan and Special Permit Approvals shall lapse on June 11, 2021 if a substantial use thereof has not sooner commenced for good cause. Any request for an extension of the time limitation set forth herein shall be made in writing to the Board at least 30 days prior to June 11, 2021 and the Board reserves its rights and powers to grant or deny such request without a public hearing.

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5. The Applicant will post a surety bond with the Town in the amount of \$154,000 for the purpose of decommissioning the project at the end of its useful life. The surety bond shall be submitted to the Town prior to the Planning Department's sign-off on the Building Permit for this project.
6. The hours of operation during the construction phase shall be from 7:00 AM to 5:00 PM Monday through Friday. The term "construction" shall include any tree cutting, land clearing and grading work. No construction vehicles or personnel shall enter the site before 7:00 AM and all construction vehicles and personnel shall be off the site after 5:00 PM.
7. The Applicant shall not schedule construction deliveries during school drop-off (7:00 AM to 9:00 AM) and pick-up hours (2:00 PM to 4:00 PM).
8. Access to the project site from Old County Road will be limited to the Town's emergency vehicles only and not be used during the project's construction phase.
9. The site plan shall clearly indicate that all solar panels to be installed will be of the non-reflective variety.
10. The Applicant shall provide information on whom to contact during the construction phase, should any problems arise.
11. The Applicant agrees to schedule a pre-construction meeting with all relevant Town departments prior to breaking ground.
12. Once construction begins, the Applicant shall submit test pit information to the Conservation Commission for the drainage basins created for this project. If groundwater is encountered during the construction of the basins, either sub-drains will be installed or the elevation of the basin will be revised to make sure that groundwater does not impact the capacity of the basins.
13. Prior to construction, the Applicant shall prepare a complete Stormwater Pollution Prevention Plan (SWPPP) for the project, as well as apply and receive a Construction General Permit under the EPA's NPDES program. Copies of both the permit and plan will be provided to the Planning Board.
14. The Applicant will work with the Town Planner, the Planning Board's engineering consultant (Tetra-Tech), Conservation Agent, and the Director of the Public Works Department to establish an inspection schedule based on construction milestones. Tetra-Tech will perform the inspections on behalf of the Planning Board and the cost will be borne by the Applicant who will provide the Town with a check to cover the cost of this effort. The check will be deposited into an MGL 53G consulting account and any balance that remains after the inspection effort will be returned to the Applicant.
15. When the Town's Electrical Inspectors schedule site inspections, the Applicant shall provide an all-terrain vehicle (ATV) for the Inspectors so that they can easily traverse the entire site if need be.

Next item on the agenda: Minor modification of an Approved Subdivision Plan for the Rowtier Drive Industrial Park, shortening the cul-de-sac and removing the traffic islands. Tabled until June 25, 2019.

Next item on the agenda: Discussion for Peragallo Construction for two reduced road standard subdivisions that would create two new house lots at 190 & 194 Narrows Road. B. Marchetti presented and explained the plan. B. Marchetti stated the two new lots exceed the minimum standards.

The Town Planner asked if the driveways were paved or gravel. D. Peragallo stated they will be reground and paved.

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D. Bartkus asked if any material be removed. B. Marchetti stated there will be dirt moved on the site. D. Peragallo noted there are existing piles of loam and some gravel that will be removed.

D. Bartkus asked the drainage will be redesigned. B. Marchetti stated yes.

The Town Planner asked if there would be wells and septic installed. B. Marchetti stated yes.

B. Marchetti noted there is one house in on one of the subdivisions and a foundation on the other.

Public Comment

R. LeBlanc asked if there would be any regrading. B. Marchetti stated no.

The Board agreed the applicant should move forward to the final design.

Last item on the agenda: Town Planner report for May.

Adjourned: 7:55 pm

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