



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

Mike Smith

Planning Board Meeting Minutes - August 27, 2019

Meeting Room 222

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

Staff: Andrea Mastrototo, Recording Secretary

Additional Attendees: Pete Normandin, Jane & David Ferrazza, Steve DiPasquale, Suzanne Farias, Brian Marchetti, Mindy Lordan, Jerry & Susan Kavagher, Bob Francis, Philip Merysz, Alan Belanger, Jill Normandin and Ross Barber, and Doug Andrysich.

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

First order of business, M. Auger made a motion to accept the minutes for August 13, 2019, M. Smith seconded, all in favor, motion carried (4-0).

Next order of business: ANR Plan for JEKN LLC, one new house lots at 90 Main Street. J. Wyman read Town Council's comments regarding this ANR plan into the minutes.

The Board agreed with Town Council's findings and denied the endorsement.

The Board determined that the plan does not satisfy the statutory requirement because:

1. The proposed lot is located in the Village Center District. Per a Zoning Determination, dated June 18, 2019 (regarding the same property), the Building Commissioner determined that lots located within the Village Center District require at least 50 feet of frontage. The Applicant did not appeal this Zoning Determination.

M. Auger made a motion to deny the endorsement, M. Smith seconded, all in favor, motion carried (3-0). D. Bartkus abstained.

Next order of business: ANR Plan for JEKN LLC, three new house lots (two on Adams Street and one on Main Street). J. Wyman read Town Council's comments regarding this ANR plan into the minutes. The Board agreed with Town Council's findings and denied the endorsement.

The Board determined that the plan does not satisfy the statutory requirement because:

1. The buildable portions of Lots 1 & 2 are located within the R-1 Zoning District, which requires each lot to have a minimum of 150 feet of frontage.

2. Lot 3 is located in the Village Center District. Per a Zoning Determination, dated June 18, 2019, the Building Commissioner determined that lots located within the Village Center District require at least 50 feet of frontage. The Applicant did not appeal this Zoning Determination.

Next order of business, Sign the Mylar for the Minor Modification of an Approved Subdivision plan for the Rowtier Drive Industrial Park, on behalf of Snow Hill Development LLC.
The Board signed the Mylar.

Next order of business: Earth Removal Permit time extension request for Robert Francis, 97 Oakmont Avenue. The Board received the DPW inspection report. R. Francis informed the Board Phase 3 was 95% complete. Phase 4 will be started in the spring of 2020.

J. Normandin expressed concern with the excavation in the vicinity of Crocker Pond.

J. Normandin asked why R. Francis was asking for the extension. R. Francis stated he is grading the land for a cattle farm.

J. Wyman did a site visit and stated everything looks good.

M. Auger made a motion to extend the permit July 9, 2019 until October 31, 2019, D. Bartkus seconded, all in favor, motion carried (4-0).

Public Hearing

Next item on the agenda, West Acres Realty Trust, Definitive Subdivision Plan for a 2-lot subdivision that will be served by a private road (Jordan Lane) coming off the cul-de-sac at the end of Mark Newton Road. J. Wyman read the notice into the minutes.

B. Marchetti presented the project and stated no changes have been made to the plan. B. Marchetti noted Town Council has reviewed the maintenance agreement. B. Marchetti stated the applicant agreed with the Planning Board recommended changes.

The following have been changed on the draft conditions of approval for this project;

- #1 the words “for building purposes” have been added.
- #10 a word has been deleted, it was a duplicate.
- #14 the words “otherwise the plan is void” have been added.

Public Comment

A resident requested the Board consider not allowing work to be performed on Saturdays.

A resident expressed concern with dust control. J Wyman stated if dust becomes a problem contact the Building Commissioner.

Residents also discussed the possibility to walk the property line with the G. LeBlanc. The Town Planner suggested a condition of approval will be to notify the abutters 2 weeks in advance of a date for a site walk.

D. Bartkus made a motion to close the public hearing, M. Auger seconded, all in favor, motion carried (4-0).

The waivers the West Acres Realty Trust Subdivision requested are as follows;

1. Filing fee be reduced to \$1000.00
2. Environmental Impact study.
3. Performance Bond for roadway and utilities.
4. As-Built plans
5. Roadway width 26 feet required - 15 feet proposed with 5 foot shoulder.
6. Radius 20 feet, 10 feet proposed.
7. Roadway grade 6% required - proposed 7.47%.
8. Circular turnaround
9. Intersection 90 degrees - 161 degrees proposed.
10. Roadway flares - none.
11. Granite curb inlets at all catch basins - none proposed.
12. Street trees - none.
13. Sidewalks - none.
14. 4" of pavement, 4" asphalt millings proposed

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

The conditions to the West Acres Realty Trust Subdivision are as follows;

1. Neither lot shall be further divided for building purposes.
2. Written verification all taxes have been paid.
3. Board of Health approvals for septic systems.
4. Submit 12 large scale sets of plans, 1 reduced (11x17) and a digital copy.
5. DPW approval required for any work in the town's right-of-way.
6. Town Council to review homeowners association in place for road maintenance.
7. Snow will be plowed to the end of Jordan Lane not onto Mark Newton Road.
8. Fire suppression plans must be submitted to the Fire Department before requesting a Fire Department sign-off of Building Permit.
9. Decision to be supplied to any purchaser.
10. Mandatory meeting with Fire Department and Board of Health before applying for a Building permit.
11. Funds to be deposited for Tetra-Tech's inspections. No Occupancy Permit will be issued until Tetra-Tech approves road completion.
12. Hours of operation are 7am - 5pm Monday - Saturday, no Sundays or holidays.
13. Construction to be completed within 2 years.
14. Valid upon recording and after the 20 day appeal period.
15. Any modifications must be submitted in writing to the Planning Board.
16. Construction is based on endorsed plan and Decision.
17. Decision to be kept on site
18. Responsible person and emergency contact information to be submitted to the Planning Board, Police and Fire Department.
19. Signage to be approved by DPW with an additional sign reading "Private Road, Pass At Own Risk".
20. Prior to tree clearing the applicant shall have a site walk with abutters being notified at least two weeks in advance.

D. Bartkus made a motion to accept the conditions as read, M. Auger seconded, all in favor, motion carried (4-0).

Next item on the agenda: Alan Belanger, Definitive Subdivision Plan for two private ways coming off Narrows Road, each serving two new house lots.

B. Marchetti presented and explained the new preliminary plan. The plan shows one Reduce Road Standard Subdivision and one flag lot.

B. Marchetti noted the following main points of the subdivision:

- 1 private roadway with 2 house lots.
- Both lots will be served by on-site wells and septic systems.

Board Comment

M. Smith asked for clarification that there was one driveway and one road. B. Marchetti stated yes, correct.

Public Comment

Residents expressed concerns with the amount of gravel to be removed. D. Bartkus believes this new plan will cut the gravel removal by half of the first suggested plan.

M. Auger made a motion to have the applicant move forward with the project, D. Bartkus seconded, all in favor, motion carried (4-0).

The applicant to return with a definitive plan September 24, 2019.

Adjourned: 9:08 pm