



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 - January 14, 2020

Meeting Room 205

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

Staff: Andrea Mastrototo, Recording Secretary

Absent: Andrew Rice

Additional Attendees: Peter Normandin, J. and David Ferrazza, Heather Billings, Sue Fisher, Philip Murray, Christopher Alpher, Steven Herman, Peter Hass, Donald Berry, Dean Smith, Wesley Flis, Carol and Andy Kaski, Jonathan Gilette, Patrick McCarty, John Bowen, James Perrine, John Winslow and Matt Waterman and Jill Normandin

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: minutes for December 10, 2019.

D. Bartkus made a motion to accept the minutes for December 10, 2019, M. Smith seconded. All in favor, motion carried (3-0).

Next order of business, vote on conditions for Earth Removal Permit for Alan Belanger for property located at 198 Narrows Road.

The Town Planner read the three waivers that were requested:

1. Groundwater elevations
2. Origin and testing of fill
3. Excavation within 50 feet of the lot line

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

The following are the conditions for the Earth Removal Permit located at 198 Narrows Road:

1. The permit is valid from March 31, 2020 until March 31, 2022.
2. Hours of operation are 7am - 5pm Monday - Friday, no Saturdays, Sundays or holidays.
3. Loaded trucks must be covered when exiting the site.
4. A "No Right Turn" sign shall be placed at the exit.
5. Tetra-Tech to perform periodic inspections.
6. A water tank must be on site to control dust.

7. A new owner will need their own Stormwater Pollution Prevention Plan (SWPPP).
8. The applicant shall flag the boundaries.
9. If any rock crushing on site, the machinery should be located as far as possible from nearby residences.
10. The driveway apron must be built prior to any earth removal.
11. Single access point to the site.
12. The applicant shall comply with the Earth Removal Operational Standards and Recreation Standards.
13. Other approvals or permits shall not be implied.
14. The permit applies only to the properties listed on the application.
15. Any modifications must be submitted in writing to the Planning Board
16. The permit will lapse on March 31, 2022.

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

M. Auger made a motion to allow J. Wyman to sign for the Board, D. Bartkus seconded, all in favor, motion carried (4-0).

Next order of business, Minor Amendment to an approved Site Plan for Borrego Solar: finalize the landscaping for their solar project located at Livermore Hill Road.

D. Smith presented the plan and discussed the buffering to abutters. The tree-line was not sufficient therefore they had proposed a “Hedge-Link” fencing for areas with visibility from residences. D. Smith explained Hedgeline is comprised of slats installed in the fencing to give the appearance of a hedge. J. Wyman asked if this was an addition to the original plan.

D. Smith replied yes.

D. Bartkus asked about the life expectancy of the material for the Hedgeline. D. Smith was uncertain. The Town Planner noted they have a condition to inspect the fencing yearly.

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

Continued Public Hearing

Next order of business: Senior Housing Project, Commonwealth Community Developers, Site Plan Approval to build 50 affordable senior apartments at the end of Community Way.

The Town Planner noted the applicant had made changes to the plan according to comments received from Tetra-Tech and the DPW.

M. Waterman noted the following points of the project;

- They held a second department head meeting
- The DPW performed a technical review.
- The Senior Center is in front of the senior housing project.
- Community Way will be extended.
- The emergency access is 20 feet wide with stabilized grass

M. Waterman stated they had met with the Police and discussed fencing along Route 2 and additional security and cameras in the rear of the building. The Police also will be given key cards for access.

M. Waterman noted the berm was corrected to reflect the 40 foot no touch, a small swale and berm will be 20 feet.

M. Waterman stated the plans have been revised to reflect the requests of the DPW such as construction details, an engineer on site during the hours of operation for construction, materials in accordance to DPW guidelines. The DPW also wanted a change to the water and sewer lines.

J. Winslow noted the following changes to the footprint of the building.

- The parking was moved closer to the building.
- The inside second entry, the stairs have been reversed.
- Department of Housing and Community Development (DHCD) required 2 elevators.
- Community Recreation room had been enlarged.
- There is a Medical Office room.
- The Management Office has increased in size.
- There are trash rooms in the building
- Additional storage rooms have been added for each unit.
- Per the DHCD there are 50 one bedroom units.

The Town Planner asked J. Perrine if they had submitted their permit on time. J. Perrine replied their pre-application had been accepted and they are working on the full application.

J. Perrine explained the process, after submittal the applicant will be notified somewhere around July. Finalize the construction documents and financing. The closing could be December 2020- March 2021 and then construction will begin. The construction will take approximately 12-15 months to complete. J. Perrine explained tax credits are typically given a year after the application is submitted.

Public Comment

A resident asked if this was the final site plan. M. Waterman replied yes.

A resident asked if the parking had increased. J. Perrine stated there are 60 parking spots, whereas the DHCD wanted only 50 spots.

Mr. Kaski asked to re-address the berm height of the berm on the senior housing side, he feels it is too low and headlight will be a nuisance. M. Waterman will revisit the options to raise the berm.

J. Normandin asked where Route 2 was located on the plan. M. Waterman explained the housing units were 60 feet from the property line and Route 2 was an additional 60 feet from there.

J. Normandin asked where the nearest abutter was located. M. Waterman stated 63 W. Main Street was the closest at approximately 300 feet.

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

The Town Planner stated the applicant had requested 2 waivers.

1. Landscaping, street trees.
2. Building elevation $\frac{1}{4}'' = 1'$ scale.

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

The Conditions for the Senior Housing Project are as follows;

1. Other approvals or permits shall not be implied.
2. The permit applies only to the properties listed on the application.
3. Any modifications must be submitted in writing to the Planning Board

4. The permit will lapse January 1, 2023
5. Hours of operation are 7am - 5pm Monday - Friday, no Sundays or holidays.
6. The applicant shall provide contact information during construction.
7. Pre-construction meeting with Town departments/
8. The DPW is not responsible for snow removal.
9. The DPW will not maintain the drainage
10. Drains from parking lot will not be connected to the Town's sewer.
11. Water valves are to be operated by the Town of Westminster.
12. The applicant shall obtain a road permit through the DPW.
13. The applicant shall obtain a trench permit
14. The project must maintain access to the Senior Center during construction.
15. Notice given to the DPW 48 hours prior to inspections.
16. Materials to be approved by the DPW.
17. Sidewalks must meet American with Disabilities Act (ADA) requirements.
18. Catch basins to have a square frame and grate.
19. The DPW shall perform a cross connection plan review.
20. DPW will require reconstruction of Community Way.
21. Third party inspections will be paid by the applicant.
22. Video surveillance to be installed
23. A 4 foot berm with 6 foot trees shall be in place within the first 6 months of construction.
24. Pavers for emergency access in the rear shall be 20 feet wide.
25. Mulch must comply with the State Fire Code.

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

Next order of business, Definitive Subdivision Plan for a new private way (Kiwi Court) coming off 66 Ashburnham State Road that will serve one existing home and one new house lot. The owner/applicant is BRNG LLC.

The Town Planner informed the Board the applicant was not ready and would like an extension until January 28, 2020.

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

Public Hearing

Next order of business: Definitive Subdivision Plan for JEKN, LLC, private road coming off Adams Street that will serve two new lots.

J. Wyman read the notice into the minutes.

The Town Planner noted the applicant had their ANR plans denied and that decision is being challenged in Land Court. The Town Planner stated the applicant has not submitted a determination in writing.

W. Flis presented and explained the plan. The main points of the plan are as follows;

1. The parcel is 2.1 acres.
2. The road is 15 feet wide, 240 feet long with 2-½ foot gravel shoulders
3. There will be 2 driveways of the bulb of the road.
4. One lot is approximately ½ acres and the other is approximately 1.2 acres.
5. The lots will have Town water and sewer.
6. The grading will be minor

7. Town Counsel has reviewed and commented on the Homeowners Association documents.

The Town Planner informed the Board the other departments had reviewed the plan and had no comments or issues.

D. Bartkus asked about the fire suppression. W. Flis stated they may add another fire hydrant.

The Town Planner asked where the snow would be plowed. W. Flis stated it would be pushed to the rear of the property.

The Town Planner asked if there was any landscaping. W. Flis replied no.

D. Bartkus asked if there would be no further subdivision to the parcel. W. Flis replied yes, no further division.

J. Wyman asked if the houses were single family. W. Flis stated they could be single family or duplexes.

J. Wyman asked who was responsible for the sewer pump chamber. W. Flis noted each owner would be responsible for their own.

Public Comment

J. Ferrazza asked what the Land Court had decided for this parcel. The Town Planner stated Town Council has drafted an offer but there has been no settlement.

A resident asked if the stone wall were to remain. W. Flis replied yes.

A resident also expressed concerns with the water run-off.

J. Normandin asked if the process could include the abutters. J. Wyman stated it could be a condition of approval.

J. Normandin asked if the Board could look into the water issue. The Town Planner noted the applicant has asked for a waiver for the drainage calculations and the Board should consider denying that waiver.

W. Flis--

A resident expressed concern with the LID bylaw and why the Board was not enforcing it.

J. Ferrazza asked P. Normandin to consider giving the parcel to the Town. P. Normandin felt the proposed plan was his best option.

The Town Planner recommends W. Flis put together drainage calculations for the next meeting.

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

Last item on the agenda: Definitive Subdivision Plan for Harry Redkey, private road coming off 345 South Ashburnham Road that will serve two new lots.

J. Wyman read the notice into the minutes.

The Town Planner noted the Department reviews were completed December 2019. The parcels will have private wells and septic. McCarty Engineering had performed a peer review of the plan.

W. Flis presented and explained the plan. The main points of the plan are as follows;

1. The road will be crossing wetlands.
2. The road is 15 feet wide with 2-½ foot gravel shoulders.
3. The applicant will file with Conservation Commission.
4. The easement for the adjacent solar array will come off the bulb of the road.

W. Flis read his responses to the peer review, they are as follows;

1. Environmental Analysis
2. Road easements and covenants
3. Drainage calculations
4. Scale 1"=40' - proposed 1"=50'
5. Will note benchmarks on the plan
6. Profile of driveway maximum 10%
7. Wells and septs to be reviews by the Board of Health
8. Add the location of the Telephone and cable lines
9. Add a table for Zoning
10. Surety Bond
11. As-builts
12. Bounds - Pins instead of bounds
13. 20' instead of 26' wide road
14. Intersection at road is 83 degrees not 90 degrees
15. Radius 25 feet on one and 15 feet on the other
16. Stormwater plan (SWPPP) to be done at a later date.
17. The road 18" of gravel and 2-½" binder
18. No sidewalk
19. No trees
20. Note to be added "the lot cannot be further subdivided"
21. Conservation Commission approval required.
22. Add the abutters to the plan
23. Add endorsement block

M. Auger asked if the percolation tests had been done. W. Flis replied yes.

Public Comment

A resident Sandy L. spoke in opposition to the subdivision and would like to see the Board deny the project.

Sandy L. also expressed concern about the additional traffic.

J. Wyman noted the barn will be removed and the parcel will be residential and no longer agricultural.

P. McCarty noted a SWPPP is only for erosion control during construction it is not for permanent stormwater control.

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

Adjourned: 9:17 pm