



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 - January 28, 2020

Meeting Room 222

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

Staff: Andrea Mastrotoro, Recording Secretary

Absent: Andrew Rice

Additional Attendees: Chris Mossman, Wilfredo & Elizabeth Melendez, Tom & Paula Magee, Philip M., Steven Hearn, Wesley Flis and Don Gribbons.

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: approving the minutes for January 14, 2020. D. Bartkus made a motion to accept the minutes for January 14, 2020, M. Smith seconded. All in favor, motion carried (4-0).

Next order of business: Retroactive time extension for Snow Hill Development, LLC (Alan Belanger) to extend the time period for its Earth Removal Permit from August 8, 2019 to August 8, 2020.

The Town Planner informed the Board that the required bond had been posted.

D. Bartkus made a motion to extend the permit to August 8, 2020, M. Auger seconded, all in favor, motion carried (4-0).

Next order of business: Review of Preliminary Subdivision Plan for Paula M. Magee. The plan calls for a new private road (Andrew Lane) coming off 82 Lake Drive West that will serve one new house lot and one existing house lot. Note: Correction subdivision is off 77 Lake Drive West.

C. Mossman present and explained the preliminary plan. The Board reviewed.

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

Next order of business, Preliminary Subdivision Plan for Bear Investments LLC, a new private road (Betty Joe Way) coming off 84 State Road West that will serve one new house lot and one existing house lot.

C. Mossman present and explained the plan. The Board reviewed.

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C. Mossman asked the Board's for their thoughts on the feasibility of granting a waiver for a 50 foot wide right of way. C. Mossman explained in order to meet the frontage requirements he will need to have a 50 foot right of way.

The Town Planner noted Section 231-14 table 1, Roadway design standards require a 54 foot width for the right of way.

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

Continued Public Hearing

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.

C. Mossman explained the preliminary plan for the driveway will be submitted to the MassDOT. The driveway is 15 feet and widening at the road to 24 feet, a stop sign at the bottom and a division line to separate traffic.

The Town Planner asked about the drainage. C. Mossman explained there is a culvert that is blocked. They will be exposing the culvert, stabilizing the area and add a rip rap channel that connects the two culverts.

The Town Planner suggested the culvert maintenance be added to the Homeowner's Agreement.

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

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

D. Bartkus made a motion to continue the public hearing to February 11, 2020, M. Auger seconded, all in favor, motion carried (4-0).

Next order of business: Preliminary consultation for Summit Estates at Sargent Rd, LLC (James Xarras), potential multi-family housing project with commercial component at 88 Sargent Road (Tax Map 82, Lot I).

W. Flis informed the Board the applicant is planning on constructing a friendly 40B complex.

The Town Planner stated the first step should be obtaining a letter of support from the Board of Selectmen (BOS).

The Town Planner offered to work with the Zoning Board of Appeals (ZBA) to coordinate the interdepartmental and technical reviews.

J. Wyman asked what the steps were in this process. W. Flis stated they will first meet with the BOS then file with the State, next meet with the ZBA then return to the State.

The Town Planner asked the Board if they would like him to write a letter of support on their behalf. The Board replied yes.

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The Board agreed to allow J. Wyman to sign the letter of support on the Board's behalf.

Next order of business, Open Meeting Complaint: Jill Normandin regarding Planning Board meeting minutes.

J. Wyman stated J. Normandin requested a draft copy of the December 10, 2019 minutes. At the time of the request, the Town Planner did not yet have possession of the draft meeting minutes and was not certain he could release a copy of the draft minutes.

J. Wyman confirmed he could release a draft copy of the minutes. J. Wyman provided J. Normandin the requested information the same night she provided her Open Meeting Law complaint, January 14, 2020

J. Normandin filed a complaint with the State.

J. Wyman explained to fulfill the complaint the Board needs to discuss the complaint/request fulfillment at tonight's meeting and then send the complaint to the Attorney General, Division of Open Government.

The Town Planner suggested sending the response email and minutes to Town Council before submission to the State.

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.

W. Flis explained the additional notes added to the plan, they are as follows;

- Roadway grade
- The area of the lots
- Linear feet of the roadway
- New easement added for the adjacent solar array
- No further subdivision of the parcels
- Barn to be removed
- Three benchmarks added

The Town Planner asked about the fire suppression. W. Flis stated the builder will be responsible for the fire suppression.

D. Bartkus asked if there was a road name. The Town Planner noted the applicant would have to meet with the Historical Commission and the DPW to determine a road name.

J. Wyman asked about parcel D. W. Flis stated parcel D would be added to the adjacent parcel.

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

The waivers Harry Redkey requested are as follows;

1. Environment impact.
2. Drainage calculations.
3. 50'-1" scale - 40'-1" required.
4. Surety bond.
5. As-builts.

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6. Roadway design.
7. Road width 20 feet - 25 feet required.
8. Road intersection 83°25' - 90° required.
9. Bounds.
10. Roadway surface 4 inches of asphalt millings.
11. No curbs.
12. No sidewalks.
13. No street trees.

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

The conditions for the Harry Redkey subdivision are as follows;

1. Neither lot shall be further divided.
2. Written verification all taxes have been paid.
3. Must meet Title V requirements.
4. Board of Health approval of septic systems.
5. Submit 12 large scale sets of plans, 1 reduced (11x17) and a digital copy.
6. W approval required for any work in the town's right-of-way.
7. Decision to be supplied to any new purchaser.
8. Plans must be submitted to the Fire Department before requesting a Fire Dept. sign off of Building Permit.
9. Mandatory meeting with Fire Department, Board of Health and Conservation Commission before applying for a Building permit.
10. No Occupancy Permit will be issued until Tetra-Tech approves road completion.
11. Approval from Conservation Commission.
12. Hours of operation are 7am - 5pm Monday - Friday, 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. Street sign must meet with DPW specifications, and additional sign to read "Private Road, Pass At Own Risk".
20. The Applicant is to complete Stormwater Pollution Prevention Plan.

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

Adjourned: 8:00 pm

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