



# 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 - March 24, 2020

Meeting conducted remotely via [www.freeconferencecall.com](http://www.freeconferencecall.com)

Members present: Jon Wyman, Dan Bartkus, and Mike Smith.

Staff: Town Planner Stephen Wallace

Absent: Marie Auger, Andrew Rice

Additional Attendees: Heather Billings and Jill Normandin.

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

First order of business was the Chairman reading the following statement for the record:

“Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to this meeting while in progress may do so by following the directions contained in the meeting posting. However, if despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the town’s website as soon as we are able.”

Second order of business: approving the minutes for March 10, 2020. D. Barkus made a motion to accept the meeting minutes, M. Smith seconded. All in favor, motion carried (3-0).

The next order of business was the public hearing for the following items:

- New general bylaw regulating Stormwater Management for projects disturbing more than an acre of land (new Chapter 137).
- Minor revisions to the Low Impact Development general bylaw (Chapter 136) that will regulate stormwater management on projects disturbing between 10,000 square feet up to an acre of land.
- Revisions to the Earth Removal & Placement of Fill general bylaw (Chapter 97) to lower the threshold for projects requiring permits, increase the setbacks for such activities and include new stormwater management provisions.
- Revise Section 205-13 (Minimum Building Requirements), by adding a new Item 4 under Subsection B that would prohibit flag lots from using cul-de-sac turnarounds for their required frontage.

The Chairman began the hearing by reading the public hearing notice into the record.

There were no comments on the new Stormwater Management bylaw, or the revised Low Impact Development bylaw. D. Bartkus made the motions to forward both bylaws to the Annual Town Meeting, Mike Smith seconded both motions, and the Board voted all in favor, both motions carried (3 - 0).

The Board moved onto the revisions to the Earth Removal bylaw. J. Normandin had the following comments to share with the Board: while the revised bylaw is a good start, there are a few items that need to be better addressed: the first issue is noise from earth removal operations, particularly stone crushing operations. It was noted that local enforcement of the State's noise regulations falls upon the Board of Health, which has so far declined to adopt a local noise bylaw for Westminster. There was disagreement as to whether the revised bylaw covers stone crushing operations or not. Ms. Normandin also wanted abutters within 800 feet of an earth removal project to be notified when a public hearing is held for such projects. The Town Planner replied that the current 300-foot abutter notification is consistent with the notification requirements of the MA Subdivision Control Law and the Planning Board's notice requirements for other plans requiring public hearings. Ms. Normandin also stated that she does not believe the bylaw's slope standards are consistent with federal regulations. The Board asked, and Ms. Normandin agreed to send a link to the federal regulations, and the Board would revisit the matter. D. Bartkus made the motion to forward the bylaw to the Annual Town Meeting, Mike Smith seconded the motion, and the Board voted all in favor, motion carried (3 - 0).

The last item of the public hearing was revising Section 205-13 (Minimum Building Requirements), to add a new Item 4 under Subsection B that would prohibit flag lots from using cul-de-sac turnarounds for their required frontage. There were no public comments on this zoning change. D. Bartkus made the motion to forward the bylaw to the Annual Town Meeting, Mike Smith seconded the motion, and the Board voted all in favor, motion carried (3 - 0).

The last item of business was consideration of letter of interest from Lawrence Skamarycz to join the Planning Board and fill out the remaining term for Andrew Rice. Ms. Normandin asked why this vacancy wasn't advertised to the public. It was explained that Mr. Rice had yet to resign from the Planning Board. Mr. Rice had expressed his desire to step down from the Planning Board last fall, but agreed to hold off on resigning until a new member could be recruited. The Town Planner put out an e-mail to all Town boards/commissions/committees last December asking if they knew of any suitable candidates who might be interested in joining the Planning Board. This e-mail was sent out again in January and then again in February. Mr. Skamarycz was the only person to come forward and was recommended by Planning Board member Dan Bartkus. This method of recruitment has been used in the past and it was noted for the record that the Town does not have a formal policy governing how to recruit new board members for interim appointments. D. Bartkus made the motion to forward Mr. Skamarycz's letter of interest to the Board of Selectmen for a joint appointment to the Planning Board. Mike Smith seconded the motion, and the Board voted all in favor, motion carried (3 - 0). Mr. Skamarycz's letter of interest will now be considered by the Selectmen at a later date and a quorum of Planning Board members will need to attend this meeting to jointly vote with the Selectmen on this temporary Planning Board appointment. If appointed, Mr. Skamarycz will serve one year of Mr. Rice's term and then a new Planning Board member will be elected next April.

Meeting Adjourned: 7:40 PM