

Approved *3/12/24*

**Town of Westminster
Planning Board
Phone: (978) 874-7414
Tracy Murphy, Town Planner**

Jodi Snyder, Chair Isaiah Grigos, Vice Chair Jaclyn Nally, Clerk Michael Ferris Amy Fantoni

February 27, 2024

MINUTES

Members present: Jodi Snyder, Isaiah Grigos, Michael Ferris
Town Planner, Tracy Murphy
Land Use Administrative Asst.: Ryan Forgues
Absent: Amy Fantoni, Jaclyn Nally

Additional Attendees: Christopher Pera, land surveyor & Ryan Doherty from MRPC

J. Snyder called the meeting to order at 7:03 PM.

Administrative Matters

Minutes – February 13, 2024 I. Grigos motioned to accept the minutes from the date previously listed. M. Ferris seconded. All in favor to accept the minutes as written (3-0-0).

64 Bathrick RD ANR – Applicants wish to divide their parcel into 3 lots, a new 1.15 acre lot, a second new 1.15 acre lot, and an existing and or remaining 5.25 acre master lot. M. Ferris motioned to approve the ANR application, I. Grigos seconded. Motion passed unanimously (3-0-0).

Public Hearings:

5 East Main ST -

The Special Permit, Site Plan Approval, & Storm water applications submitted by Eric Callahan of 8 East Gardner Rd, Westminster, MA 01473 for property located at 5 East Main St, Westminster, MA 01473, owned by the same, for a multi-use building. The subject parcel of land is located on Map 111, Parcel 23 and in the Commercial I (CI) zoning district.

M. Ferris Motioned to continue the 5 East Main Street public hearing to the March 12, 2024 planning board meeting at 7:00 PM. I. Grigos seconded. Motion passed unanimously (3-0-0).

Planners Updates

R. Doherty from Montachusett Regional Planning Commission (MRPC) attended the meeting to provide the board members with a presentation on MBTA community regulations and general information.

R. Doherty explains that the MBTA community law (3A) amends MGL Chapter 40A to require towns containing or abutting an MBTA commuter station to implement zoning overlay areas of reasonable size that would allow multi-family housing to be constructed by right with no age restrictive properties/units.

Board members asked clarifying questions on the location/distance requirements, zone size, timeline for implementation, and the unit capacity requirements to be within compliance with MBTA Community regulations.

R. Doherty explained that there is no distance requirement to an MBTA station because the town is an "adjacent small town" which is exempt from this requirement. Additionally, he stated there is no minimum size requirement so that the zone can accommodate for 165 units of capacity while adhering to the 15 units per acre requirement.

R. Doherty clarified that there is a maximum capacity of 10% of units built in MBTA zones being affordable housing.

M. Ferris asked if the MBTA zoning would be an overlay that would allow housing to be built anywhere within the zone, regardless of what the zoned area is designated (industrial, commercial, or residential).

T. Murphy clarifies that it is an overlay, essentially allowing either use to be pursued within the zone, such as being able to build housing units in a commercial zone within the MBTA overlay.

R. Doherty tells the board that there are 5 potentially identified districts that would be compliant with MBTA community regulations.

M. Ferris believes that it would be beneficial for information sessions to be held for community education on MBTA community zoning and its regulations.

R. Forgues provides some information and context pertaining to a potential MBTA zone nearby the Fitchburg commuter rail station.

R. Doherty and T. Murphy discuss the potential implications of creating an MBTA zone on the same site as a potential upcoming development with the affordable housing thresholds.

R. Forgues discusses the potential makeup of the to be created Master Plan Committee containing one representative from the Planning Board, Open Space Committee, Conservation Committee, Select Board, DPW, Agricultural Commission, Energy Advisory Committee, and two citizens at large. One alternate will be required for the Planning Board, Conservation Commission, Select Board, and Agricultural Commission.

M. Ferris motioned to adjourn the meeting. I. Grigos seconded. Motion passed unanimously (3-0-0).

Adjourned 8:17 pm

Next Meeting March 26, 2024 7:00pm

Materials Discussed:

64 Bathrick RD site plan dated February 20, 2024
64 Bathrick Road context plan & property card showing existing parcel
5 E Main St Legal Notice dated November 14, 2023
5 E Main St Site Plan & Stormwater applications dated October 6, 2023
5 E Main special Permit application dated November 27, 2023
5 E Main St 300' abutters list
5 E Main context Plan showing location and layout of proposed building
Review Memo containing DPW, Fire, Board of Health, & Police comments dated October 31, 2023 revised February 13, 2024
Tetra Tech site plan review comments dated November 17, 2023, revised December 12, 2023
McCarty Engineering response to comments dated November 28, 2023
5 East Main Waiver Request letter dated December 8, 2023
5 East Main revised layout and materials plan dated December 20, 2023
Letter of comments from Agricultural Commission dated February 6, 2024
5 East Main draft conditions of approval
MBTA Communities slideshow presentation prepared and presented by R. Doherty
MBTA Community potential zones map