

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

Gregg Buckman, Chair

Marie N. Auger, Vice Chair

Dan Bartkus

Jodi Snyder

Jacky Nally

February 14, 2023 Planning Board Minutes AMENDED

Members present: Gregg Buckman, Marie Auger, Jodi Snyder, Jaclyn Nally, and Dan Bartkus  
Town Planner, Tracy Murphy  
Andrea Mastrototo, Recording Secretary

Additional Attendees: Patrick McCarty, Brendan Reali of Atlantic Design Engineers, Colin Johanna, Tom Rutherford, Paula Burgess, Wes Flis and John Bowen

G. Buckman called the meeting to order at 7:00 PM.

**Administrative Matters**

Approval of minutes from January 10, 2023

D. Bartkus made a motion to approve the minutes from January 10, 2023 with the correction.  
M. Auger seconded. All in favor, motion carried (5-0).

**New Business**

Next item on the agenda, Westminster Business Park Definitive Subdivision Extension Request

P. McCarty explained to the Board the reason for the extension request.

D. Bartkus made a motion to approve the 2 years extension. J. Nally seconded All in favor, motion carried (4-0-1), G. Buckman abstained.

**New Business**

**7:05 Public Hearing – 6 Village Inn Road**

Site Plan & Special Permit applications submitted by TJA Clean Energy, LLC to install a ground-mounted solar array on property located at 6 Village Inn Rd. The property is also known as Assessors map Map 113-Lot 126 (portion thereof) owned by Wachusett Village Inn, LLC and is located in both Commercial I and Residential I zoning districts.

G. Buckman read the notice into the minutes.

J. Nally made a motion to open the public hearing. J. Snyder seconded. All in favor, motion carried (5-0).

B. Reali presented the project and explained the follow main points of the project:

- The full application has been submitted.
- The wetlands delineation was completed 2022.
- Stormwater Management has been submitted.
- Located in the Residential 1 and Commercial 1 districts.
- Located in the cell tower overlay district.
- Parcel subdivided into 3 lots.
- 1 flag lot 25.8 acres
- 7.8 acres are located within the fence.
- 10.8 acres remain undisturbed.
- The entire parcel is 88 acres
- The array is 4 megawatts
- The array has frontage on Village Inn Road.

J. Snyder asked if it were possible to add a sitewalk. B. Reali stated yes.

*Public Comment*

J. Bowen expressed his concerns this project would be detrimental to the abutters.

J. Bowen asked the following:

1. Would the solar effect cell service?
2. Would the clear cutting effect the noise from Route 2?
3. Final grade?
4. Panel height?
5. Number of panels?
6. Spacing?
7. Distance from the panels to the fence?
8. What material will be under the panels?

B. Reali responses are as follows:

1. No
2. No, there is plenty of buffer.
3. Remain the existing grade.
4. 6.2 feet
5. Approximately 8700 panels .
6. 9 feet.
7. Average 17 feet.
8. Grass.

The Board continued the hearing to February 28, 2023 at 7 pm.

**7:15 Public Hearing 150 State Road E**

Site Plan & Stormwater applications submitted by Victor Abdo of 8 Taymax Rd., Westminster to construct a 7,500 sq. ft. mixed use building at 150 State Rd. East. The property is owned by the applicant, is also known as Assessors map Map 92 parcel 9, and is located in the Commercial II district

G. Buckman read the notice into the minutes.

W. Flis presented the Site Plan and noted the main points of the project as follows:

- The parcel is 51,894 square feet.

- There is an abandoned house and garage existing on the site.
- The proposed structure is a 7500 square foot, mixed use building.
- Located in the Commercial 2 District.
- 2 stories, 7 units each floor.
- Majority of the units are residential.
- The top floor is all residential.
- New driveway will have access off State Road.
- 32 parking spots.
- Stormwater basin in the front of the parcel
- Tie into Town sewer.
- Run a new water line.
- Stormwater report has been submitted.
- Working with MassDOT for driveway access, using the existing curb cut.
- Working with the abutter on grading.

C. Johanna suggest a permanent easement with the abutter for the grading. The Peer Review had not been received at the time of the hearing. T Murphy stated that many have asked what the building is going to look like. The applicant agreed to produce something for the next hearing date.

The Board continued the hearing to March 14, 2023 at 7 pm.

#### **Other Business**

Lot 1-8 Theodore Dr. – New England Sheets, LLC Minor modification of Site Plan Approval and Stormwater Permit to accommodate access to the CSX Railroad Right of Way (ROW) on the northern side of the proposed building.

P. McCarty explained the minor modification as the relocation of the switch. The Conservation Commission approved the modification.

M. Auger made a motion to approve the modification. J. Snyder seconded. All in favor, motion carried (5-0).

#### Set Date for Public Hearing on potential Zoning Bylaw amendments –

- Short Term Rental
- Short Term Rental on Use table
- Cluster Development Bylaw modification

The Board had a brief discussion *on setting the date for the Public Hearing on proposed zoning amendments*. The Public Hearing will be held March 28, 2023 at 7 pm.

Meeting Adjourned 8:47 pm

#### **Materials discussed at this meeting include:**

December 13, 2022 Draft Minutes

Westminster Business Park – Definitive Sub-division Extension request – November 14, 2023

WBP – Memorandum, March 2021

Site Development Plans prepared by Atlantic Design Engineers, Sheets 1 – 6, dated January 10, 2023;

Application for Site Plan Approval – 6 Village Inn Rd January 10, 2023

Application for Special Permit Approval 6 Village Inn Rd January 10, 2023

Application for Stormwater Permit 6 Village Inn Rd  
Stormwater Report for the Village Inn Road Solar Project dated December 28, 2022;  
Certified Abutters List for properties 300' from the Locus; (6 Village Inn Rd) January 10, 2023  
Waiver Request List; January 10, 2023  
Data sheets of inverter, battery, transformer, racking system; January 10, 2023  
One-Line Electrical Diagram January 10, 2023  
First Amendment to Solar Real Estate Lease Option Agreement (Proof of Site Control) January 10, 2023  
Email correspondences with National Grid dated August 3, 2020 (Proof of Utility Notification)  
Decommissioning Plan; January 10, 2023  
Emergency Response Plan; January 10, 2023  
Operation and Maintenance Plan; January 10, 2023  
Construction Sequencing and Inspection Schedule Report; January 10, 2023  
Vegetative Management Plan; January 10, 2023  
Screening Narrative; January 10, 2023  
Wetland Impact Narrative; January 10, 2023  
Department Review Memo dated February 9, 2023  
Legal Notice published January 31, Feb 7

Application for Site Plan Approval – 150 State Rd East – January 19, 2023  
Site Development Plans prepared by Haley Ward, Sheets 1 – 9, dated January 12, 2023;  
Stormwater Permit Application – January 19, 2023  
Stormwater Management System Report – January 12, 2023  
Legal Notice – published Feb 7, 2023  
Review Memo – February 9, 2023  
Distribution Memo – January 26, 2023  
Tetra Tech Review- February 7, 2023  
Fire Dept. Letter dated January 31, 2023

Site Plan Minor Modification Application Lot I-8 November 30, 2022  
Certified Abutters List for properties 300' from the Locus;  
Site Development Plans prepared by Haley Ward, Sheets 1 – 25, dated November 30, 2022;  
Stormwater Permit Modification Application – November 30, 2023  
Stormwater Management Report – June 30, 2022 revised November 21, 2023  
Fire Dept Comments – February 2, 2023  
Tetra Tech Review December 12, 2022 revised January 17  
Applicant response to Tetra Tech January 9, 2023  
Revised {Plan sheets 5, 6, 19) dated January 9, 2023  
Revised HydroCAD dated January 18, 2023  
Review Memo dated February 9, 2023  
MaDEP 336-0996 - Order of Conditions dated January 30, 2023

Copy of proposed Draft Zoning Bylaw amendments, Short Term Rental, Use Table (Chapter 205),  
Cluster Development