



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

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. Jon Wyman - Chairman, Marie N. Auger - Vice Chair, Michael Fortin Andrew Rice

MINUTES OF REGULAR MEETING

Tuesday, March 22, 2016

Room 222, Town Hall

Attendees: Jon Wyman, Mike Fortin, Andrew Rice, Town Planner Stephen Wallace

Absent: Marie Auger (working),

Additional Attendees: Ms. Jordan Tillery/Sentinel & Enterptise, Ms. Jane Ferrazza, Mr. David Ferrazza, Mr. Marc LaVoie, scribble scribble?, Mr. Jon Hansen, Mr. Ron L'Ecuyer, Mr. Greg Hughes/PRM Realty Group, Mr. Allen Rabinow, Mr. Mark Caines, Ms. Linda Wiest, Ms. Betsy Hannula, Mr. Jamie Rheault / Whitman & Bingham.

7:00 p.m.

Jon opened the Planning Board meeting and informed those present the meeting was being audio recorded.

7:00 p.m. - *Minutes*

Jon asked PB members to review the March 8, 2016 meeting minutes. Jon asked to add Mr. David Murphy to the attendees, and corrected a sentence on page 2: *MRPC's District Local Technical Assistance (DLTA) grant program will be used to conduct some advance work in preparation for sending out an RFP for senior housing behind the new senior center.* Andrew motioned to approve the minutes as amended by Jon. Seconded Mike. The PB voted AIF to accept the minutes as amended.

7:01 p.m. - *Representatives from NIP Owner IV, on behalf of Seaboard Folding Box Company: discussion of plans for the interior renovation of the old Tyco building.*

Stephen described the purpose of the visit of Seaboard Folding Box Company representatives. The company has decided to lease 220,000 square feet of the old Digital/Simplex building. The Building Commissioner has requested input from the Planning Board to determine whether Seaboard should be required to go through site plan review process. Stephen referred PB members to the Site Plan/Change of Use Policy signed by the PB on November 13, 2013.

Mr. David Hughes/PRM Realty Group (representing owners of the building) introduced Mr. David Rabinow, owner of Seaboard and Marc LaVoie who works with PRM on construction and engineering. Building has been owned since 2007 – revolving door of short term tenants have leased space/Seaboard on a month to month basis – Masonite formerly occupied the space that Seaboard will expand into.

Seaboard will move its manufacturing operation currently located in Fitchburg into the building. The landlord will put a new roof on the building, add some bathrooms inside, and add a partition wall to accommodate upgrades to the air conditioning and mechanical systems. Improvements to the building will be approximately \$2.4M. Seaboard will also do work specific to their use.

Mr. Hughes noted Seaboard will be signing a long term 10 year lease. Mr. Rabinow is working with PRM to try to bring in another company to secure some of the remaining space. PRM was notified by Simplex they will be leaving the 55,000 square feet of space they currently occupy in November 2016.

Mr. Allen Rabinow told the Board he is excited to come to the building. Seaboard has been in Fitchburg for 35 years but has outgrown their 3 floor facility. Seaboard manufactures hard cardboard boxes for the perfume and tissue industries. They use another current tenant of the building, Interstate Container, as one of their suppliers.

Mike asked if there would be any changes to the exterior of the building to get their presses in. Mr. Rabinow told the Board he did not believe so, the equipment can be broken down into small for moving. He hopes to have a sign put on the building. Mike told him there were sign regulations.

Mr. Rabinow stated he hopes to be in the area for the long term, the next 35 years at least.

Jon asked if there was any waste produced from the manufacturing process. Mr. Rabinow told the Board all the waste cardboard was recycled. Andrew stated the company he works for presently leases space to Seaboard but did not think it would affect his ability to make an unbiased decision on the matter. Andrew then asked about what type of sign they hoped to put up. Mr. Rabinow stated they would conform to ant regulations that the Town required. They were here to be good neighbors.

Hearing no further questions, Mike read item #3 from the PB Site Plan/Change of Use Policy:

3. For changes of use or change of tenants proposed for a multi-unit commercial or industrial structure where there will be no addition or outside alteration of the building(s), no new parking required as regulated by zoning ~~proposed~~ and the only exterior change in appearance will be a new conforming sign for the new business, then site plan review with the Planning Board is not required.

Mike stated that even though the jobs were for the most part just being relocated here from Fitchburg, he was grateful the jobs were remaining in the local region. Mr. Rabinow told the Board they were hopeful that the move would allow them to add an additional 40 to 50 jobs in the near future.

Jon asked for a motion. Mike motioned to not have to put Seaboard through site plan review. Seconded Andrew. Voted AIF.

Stephen will send an email to Mike Gallant informing him of the Boards decision.

7:15 p.m. - *Approval Not Required (ANR) Plan for Joanne Blood, one new lot at 73 North Common Road.*

Mr. Jamie Rheault / Whitman & Bingham presented the plan. Mr. Rheault presented Stephen with a plan that showed the land contours and where the new home and septic will be located on Lot 2. There is an existing property with house and septic. Land is being divided into two lots. There are wetlands that were flagged by Chuck Caron. The buildable lot has the required upland. Jon asked the setback requirements for septic systems. Mr. Rheault stated it was 10 feet. Jon asked if work done under the power lines is regulated. Mr. Rheault: yes all work done within proximity of the power lines is regulated. Mike made a motion to endorse the plan as presented. Seconded Andrew. Voted AIF to endorse.

7:19 p.m. *Public Hearing: seven zoning amendments for consideration at the May 2016 Annual Town Meeting.*

Jon read the public hearing notice posted in the Gardner News and opened the Public Hearing. Stephen gave an overview of the 7 zoning proposals and prior planning that led up to the proposed changes.

- 1-Enacting Village Center Zoning,
- 2- Revising Table of Uses for Industrial and Commercial Uses,
- 3- Revising Table of Dimensional Requirements for Industrial and Commercial Uses and
- 4- Revising Definitions for Industrial and Commercial Uses.

Where do the changes come from?

- Years of working with an antiquated bylaw
- 2010 Analysis of our Zoning Standards
- 2012 Master Plan Citizen Survey
- 2014 Master Plan Recommendations

The Shortcomings of our Current Zoning:

- Antiquated (written in the 1970s).
- Dimensional standards scattered throughout the bylaw.
- No design standards for commercial/industrial uses.
- Many uses in the Table of Uses were never defined.

- Some uses have the definition written into the Table of Uses, making the table hard to read.
- No provisions for affordable housing or building green.
- Parking standards require too much land for parking.

2010 Analysis of our Zoning Standards

- Limited options for economic development.
- Too many low impact uses require Special Permits.
- Restrictive dimensional requirements for industrial uses.
- Many uses listed in the Table of Uses are not defined.

2012 Master Plan Citizen Survey

- “Small town character” was the number #1 reason people like living in Westminster.
- To preserve the Town’s rural character, survey respondents were supportive of design guidelines for new development.
- Survey respondents were supportive of New England-style village zoning for our town center.

2014 Master Plan Recommendations

- Enact Village Center zoning for town center.
- Complete overhaul of the Zoning Bylaw.
- Expand options for new economic development.
- Enact design standards for new economic development.
- Make the Zoning Bylaw more understandable, easier to read and easier to enforce.

Three Phase Approach to Revising Zoning Bylaw

Phase I:

- Revise Parking Standards (done)
- Enact Village Center Zoning
- Revise Definitions Section
- Revise Table of Uses for commercial/industrial uses
- Revise Dimensional requirements for commercial/industrial uses

Phase II:

- Revise Table of Uses for residential uses
- Revise dimensional standards for residential uses
- Address home occupations
- Address in-law apartments
- Review our cluster housing provisions
- Add affordable housing provisions

Phase III

- Revise the sign bylaw
- Develop a wayfinding sign program for local points of interest
- Prepare a design guidebook for new commercial/industrial development

Stephen reviewed the publicity and public information sessions that had led up to the Public Hearing:

- Two public information sessions, February 27 and March 5,
- Advertised the public information sessions on cable access and in a local paper,
- Stephen and PB members appeared on the "Your Voice" cable access show,
- Public outreach articles have appeared in local papers,
- Solicited and obtained the support of Town Departments, Boards and Committees.
- As part of the Village District Bylaw, we solicited input from all commercial stakeholders at the start, and sent a postcard to all addresses in the new proposed district informing them of the public information sessions, and public hearing.
- Hired and worked with a professional planning consultant with demonstrated ability at Village Center planning.

The Board then asked for questions and comments from the audience.

- Does this expand both ways through the district (R1 and CIII)?

Stephen showed two uses on the map prepared by Community Opportunities Group (COG) of existing uses and the map that shows the new proposed Village Center District (VC) that will be created. The problem as it exists is that changing a use from RI to CIII would require a Town Meeting vote to change the use of property (which could be construed as spot zoning). The VC district would allow either by right, or combined uses of both. Stephen went on to say that most developers are more than willing to make a building look the way you want it to if you just articulate those design standards to them. Jon gave a “for instance”: requiring the building to be up at the front of the lot next to Main Street rather than what is required now – building set back necessitating parking in the front. Jon read part of the pertinent sections of the VC Bylaw.

- Is there a reason Bacon Street/Elliot Street are not included? In the past there were doctors and dentists on those streets. Those streets look like traditional village district homes.

Stephen noted we were starting out small and would entertain expanding the district if an interest is showed. The intent of the bylaw is to get buildings back on the street so Main Street will

- How will the values of the houses on the dead end streets not in the district be affected?

Those property values outside the district should not be affected. In the future they may rise as the VC design guidelines make the downtown more walkable and livable.

Jon described the idea of live, work and play as the goal of the VC bylaw.

Stephen pointed out that the VC Bylaw affects the Land and property on both sides of Main Street, but the right of way of Rt 2a is owned by the state and will be addressed at a future time through a regional transportation plan.

- As an abutter, will residents have any say what happens if a commercial use ends up next door?

Stephen noted that all new commercial uses would have to go through site plan review.

- Are there limitations to what commercial uses can be put in?

The Table of Uses shows what types of businesses are allowed under the VC heading. The limitation of 25,000 square feet of floor space for all commercial districts as well as the VC district will still apply.

- Is there a buffer zone that goes around the district?

Buffers are determined on an individual case by case basis during site plan review. Lighting overflow can be regulated to the site. The parking standards determine parking setbacks, which may require additional buffers.

Jon then asked Stephen to review the comments offered by Selectman Fairbanks (at the March 14th Selectmen's meeting). In regards to the Village District Bylaw, under the 205.39 A Purpose section, Mr. Fairbanks requested the word *commerce* be added to read as follows:

A. Purpose

The purpose of the Village Center District is to protect and strengthen the traditional New England character of the Westminster Village Center, encourage sustainable and attractive site design, and promote a diverse and vibrant mix of commercial, residential, institutional, and recreational opportunities in support of the **commerce** health, safety, and welfare of Westminster.

Under Section 205.39 (6) Massing, Window Fenestration, and Doors, Mr. Fairbanks had requested that the word fenestration be removed and replaced with the word arrangement. The Board reviewed the definition of fenestration: the *arrangement, proportioning and design* of architectural elements. The Board determined that the word fenestration would remain, with the words (*arrangement, proportioning and design*) added next to it to read as follows: 205.39 (6) Massing, Window Fenestration(**arrangement, proportioning and design**), and Doors.

After discussion Jon asked to vote on adding the changes as discussed. The Board voted AIF to include the discussed changes.

The Board next reviewed Town Council comments on the Bylaws. The Board voted to accept all Town Council comments as discussed.

Mike made a motion to close the Public Hearing. Seconded Andrew. Voted AIF to close the Public Hearing.

Mike made a motion to refer the Zoning Bylaws as amended during the public hearing as final articles to be included at the ATM. Seconded Andrew. Voted AIF.

8:10 p.m. *Review monthly progress report on Westminster Business Park earth removal operation.*

The Board reviewed the monthly report. There were no questions or comments.

8:11 p.m. *General Business.*

Stephen asked Board members to sign the Gardner News payment voucher for advertising the notice of public hearing to the Zoning Bylaw proposed changes.

8:12 p.m. *Adjourn.*

Andrew made a motion to adjourn. Mike seconded. The PB voted AIF to adjourn.

5 Pages of Minutes
Respectfully submitted,
Michael Fortin

12 Attachments :

- 1) Site Plan/Change of Use Policy signed by the PB on November 13, 2013. 1 page. (*PB site plan policy - change of use.pdf*)
- 2) ANR Plan of Land Prepared for Joanne Blood by Whitman & Bingham Associates, LLC dated March 15 2016. 1 Page. (*Blood ANR 73 North Common Road.pdf*)
- 3) Town Planner package for Joanne Blood, 73 North Common Road including Form A, tax cards and Town Planner GIS map dated March 15, 2016. 6 pages.
- 4) Copy of Legal Notice of Public Hearing for Proposed Zoning Amendments. 1 page.
- 5) *Draft Village Center Bylaw.pdf* dated 1/26/2016. 5 Pages.
- 6) *Village Center Map - COG.pdf* Modified 1/11/2016.
- 7) Revised Article II Definitions - Draft Revision #6 dated February 10, 2015. 9 pages.
- 8) Revised Table of Uses – Draft #6 dated February 9, 2016 5 Pages.
- 9) Revised Dimensional Requirements - Draft #3 dated 1/29/2016 2 pages.
- 10) Email from John Goldrosen to Stephen Wallace dated Tuesday March 22, 2016 9:59am RE: zoning amendments for May 2016 Town Meeting. 2 pages.
- 11) Tetra Tech Monthly Progress Report for Westminster Business Park. Dated March 9 2016. 2 Pages. (*2016-03-09_progress.pdf*)
- 12) Tetra Tech Monthly Cumulative Gravel Removal Report for Westminster Business Park. 1 page, no date. (*2016-03-10 YTD Cumulative Gravel Removal.pdf*)