



**TOWN OF WESTMINSTER
ZONING BOARD OF APPEALS
11 SOUTH STREET
WESTMINSTER, MA 01473**

**Meeting Minutes
September 21, 2017**

Call to Order:

The meeting of the Zoning Board Of Appeals was called to order at 7:00 p.m. at Westminister Town Hall, 11 South Street, Westminister, MA by Chairman Aime DeNault.

Roll Call:

The following members were present: Chairman Aime DeNault, Members Robin Brasili and Peter Romano, and Recording Secretary Joseph Benavidez. Also present were Angela Cullen, Bryan Pepin, Mary Pepin, David Provencial, Karen Powers, Jerry Powers, Jeanne Erickson, Bruce Erickson, Keith Murray, Scott Butterfield and Margaret Romano.

Case #17-05 - Mary and Emile Pepin - 7 Wilson Drive

Applicant's testimony:

At 7:02 p.m. Bryan Pepin, of 7 Wilson Drive, spoke on behalf of Mary and Emile Pepin. Mr. Pepin stated his case, explaining the purpose of a 24' by 26' addition to the property to be used as a living quarters for him, his wife and their family. The addition would convert the single-story property from a one family to a single-story two family residence, which is within zoning regulations.

Mr. Pepin explained that the addition met setback standards on the sides of the house but would only be 15 feet setback from the front of the property whereas current zoning regulations require a 25 feet setback. The property uses the town's sewer system.

Witness for applicant:

NA

Those in opposition or speaking with concerns:

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NA

Discussion

At 7:08 p.m. Robin Brasili made a motion to close the hearing. The motion was seconded by Peter Romano and approved by a unanimous vote.

Following a short discussion, at 7:09 p.m. Mr. Romano made a motion to grant the finding as the addition would not be more detrimental to the community than it was before. The motion was seconded by Ms. Brasili and approved by a unanimous vote.

Case #17-06 - Angela Cullen - 1 Virginia Avenue

Applicant's testimony:

At 7:12 p.m. Keith Murray, of Cornerstone Land Consultants, 61 Main Street, Pepperell, MA, represented Angela Cullen. Mr. Murray stated his case, explaining that the property was already a pre-existing conforming lot that needed a special permit regarding building in a floodplain area, specially a two bedroom dwelling. The property would utilize a septic system with a surrounding retaining wall about 30' by 30' and 18 to 24 inches height. Mr. Murray said the retaining wall would be with Title 5 requirements, would not impact neighbors' systems and would be at least 30 feet away from Virginia Avenue.

Mr. Murray added that construction would require moving the ground but engineering was done to match the 100-year floodplain requirements and figures estimate a 12 percent increase in mitigation in the area directing rainfall to flow into the Wyman Pond.

Witness for applicant:

NA

Those in opposition or speaking with concerns:

Jerry and Karen Powers, of 3 Virginia Avenue, voiced concerns over flooding that frequently happens in the lot and worry over potentially having flooding on their property.

Jeanne Erickson, of 4 Virginia Avenue, attested that the lot floods easily.

Chm. DeNault read a letter from town Health Agent Elizabeth "Wibby" Swedberg (see attached), noting in 2015 the Board Of Health was presented with plans for construction of a single family home at 1 Virginia Avenue. The board found the plans did not meet regulations for a well and a septic system.

Mr. Murray responded to the letter saying the current plans are "substantially different" from the plans presented in 2015.

Discussion

At 7:49 p.m. Mr. Romano made a motion to close the hearing. The motion was seconded by Ms. Brasili and approved by a unanimous vote.

Following a discussion, at 7:58 p.m. Mr. Romano made a motion to grant the special permit. The motion was seconded by Ms. Brasili and approved by a unanimous vote.

New Business

The board was asked for input regarding the potential construction of a Cluster Development on North Common Road and solar panels on Livermore Hill Road. The board decided on no recommendation for either plan at this time.

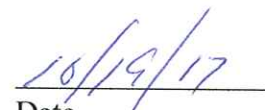
Approval of Minutes from previous meeting(s):

Ms. Brasili made a motion to accept the minutes from the July 13, 2017, July 27, 2017, and August 17, 2017 meetings. The motion was seconded by Peter Romano and approved by a unanimous vote.

Mr. Romano made a motion to adjourn the meeting at 8:26 p.m. This motion was seconded by Ms. Brasili and approved by a unanimous vote. The next Zoning Board of Appeals meeting was set for October 19th.



Zoning Board of Appeals Members



Date