



Town of Westminister

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD
Phone: (978) 874-7414
swallace@westminister-ma.gov

Jodi Snyder, Chair Isaiah Grigos, vice chair Jacklyn Nally, Clerk Michael Ferris

**NOTICE OF DECISION
PLANNING BOARD – SITE PLAN APPROVAL &
STORMWATER MANAGEMENT PERMIT
NEW BUILD - MIXED USE BUILDING
150 State Rd E
Victor Abdo (Applicant/Owner)
July 11, 2023**

RECEIVED
TOWN OF WESTMINSTER
2023 JUL 17 AM 10:46

1. Application

This document is the *amended* DECISION (*page 1 only*) of the Westminister Planning Board (hereinafter the Board) on the Applicant, Victor Abdo (hereinafter the Applicant) for property located at 150 State Rd E. This Decision is in response to Applications for Site Plan Approval and a Stormwater Management Permit to remove a vacant house and construct *a 7,500 square foot print (50' x 150'), two story* mixed use building on the subject property. (*italics amended/added July 17, 2023*)

2. Applicant/Owner

Victor Abdo
8 Taymax Rd.,
Westminister Ma 01473

3. Location

150 State Rd E, Assessors map 92 parcel 9, located in the Commercial II district.

4. Board Action

After due consideration of the application, the record of proceedings, and based upon the findings set forth below, on July 11, 2023 the Board voted to APPROVE the Site Plan and Stormwater Management Permit by a unanimous vote of the four members sitting on the Application. The record of the vote is stated as follows:

JODI SNYDER	YES
ISAIAH GRIGOS	YES
JACKLYN NALLY	YES
MICHAEL FERRIS	YES



Town of Westminister

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD
Phone: (978) 874-7414
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2023 JUL 13 AM 10:02
TOWN OF WESTMINSTER

Jodi Snyder, Chair Isaiah Grigos, vice chair Jacklyn Nally, Clerk Michael Ferris

**NOTICE OF DECISION
PLANNING BOARD – SITE PLAN APPROVAL &
STORMWATER MANAGEMENT PERMIT
NEW BUILD MIXED USE BUILDING
150 State Rd E
Victor Abdo (Applicant/Owner)
July 11, 2023**

1. Application

This document is the DECISION of the Westminister Planning Board (hereinafter the Board) on the Applicant, Victor Abdo (hereinafter the Applicant) for property located at 150 State Rd E. This Decision is in response to Applications for Site Plan Approval and a Stormwater Management Permit to construct a 3,600 square foot mixed use building on the subject property.

2. Applicant/Owner

Victor Abdo
8 Taymax Rd.,
Westminister Ma 01473

3. Location

150 State Rd E, Assessors map 92 parcel 9, located in the Commercial II district.

4. Board Action

After due consideration of the application, the record of proceedings, and based upon the findings set forth below, on July 11, 2023 the Board voted to APPROVE the Site Plan and Stormwater Management Permit by a unanimous vote of the four members sitting on the Application. The record of the vote is stated as follows:

JODI SNYDER	YES
ISAIAH GRIGOS	YES
JACKLYN NALLY	YES
MICHAEL FERRIS	YES

5. Proceedings

The Applicant filed applications for Site Plan approval and a Stormwater Management Permit on January 19, 2023. The first public hearing date for this project was February 14, 2023, which was continued to March 28, 2023(no testimony), May 9, 2023(no testimony), May 23, 2023, June 25, 2023 (no testimony) and July 11, 2023 when the Board closed the hearing and voted on the applications.

Board Member Snyder was present for each hearing where information was presented and discussed. Board Member Nally was present for all hearings where information was presented and discussed but May 23, 2023. Members Grigos and Ferris were present at all hearings where information was presented and discussed except for the February 14, 2023 hearing. Members Nally, Grigos and Ferris have all submitted Mullen Certifications on this matter.

The minutes of the public hearing and submissions on which this Decision are based, which together with this Decision constitute the record of the proceedings and may be reviewed at the Planning Department office of the Westminster Town Hall.

6. Findings

Based upon its review of the Application, exhibits, and the public hearing thereon, the Board makes the following findings and conclusions:

6.1. This project will result in the removal of a vacant house and construction of a 7,500 square foot mixed use building. Potential uses include dwelling units with consumer service establishments.

6.2. The project will be built on a 1.2 acre piece of property with frontage on State Rd E (Rte. 2A).

6.3. A review of the property's permit history indicates that the property has not received any Variances or Special Permits in the past.

6.4. The applicant has addressed all comments from the Town's consulting engineer (Tetra-Tech).

6.5. At its hearing on July 11, 2023, the Planning Board determined that the final site plan as presented addresses all outstanding concerns expressed by Town Departments.

7. Exhibits

Site Plan and Stormwater Management permit applications prepared Haley Ward dated January 19, 2023

Set of Site Plans prepared by Haley Ward dated January 12, 2023 revised May 9, 2023 & June 22, 2023

Stormwater Management Report prepared by Haley Ward dated January 12, 2023, revised May 9, 2023, & June 22, 2023

Planning Department review memo dated February 9, 2023 revised May 18, 2023 & June 13, 2023

Planning Board consulting engineer review dated February 7, 2023, revised May 19, 2023 and July 11, 2023

Applicant's response to consulting engineer review memo dated May 9, 2023 and July 5, 2023

Stormwater O & M Plan prepared by Haley Ward dated June 22, 2023

Landscape Impact Statement, undated

Traffic Impact statement, undated

Water resources impact statement, undated

Turning Radius diagram, undated

Building Schematics Plan prepared by E Design Studio, undated

8. Decision

At the July 11, 2023 hearing night, the Planning Board voted unanimously (4 - 0) to grant the Applicant's requested waiver, and Approve the applications for Site Plan approval and a Stormwater Management Permit with the following Conditions of Approval:

Waiver Granted:

SPA sec 2.1 – scale of drawings to from 1" = 40' to 1" = 20'

Standard Conditions:

8.1 Other approvals or permits required by the Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.

8.2 The Board hereby reserves its powers to modify or amend the terms and conditions of this site plan approval upon its own motion with consent from the owner or the applicant. The Board further reserves its powers to amend this minor modification without a new public hearing provided that the Board finds that such amendment is not significant to the public interest and that such amendment is not inconsistent with the purpose and intent of the Zoning Bylaw or with the terms of this Approval.

8.3 The Site Plan Approval with conditions shall lapse on July 11, 2025 if a substantial use thereof has not commenced for good cause. Any request for an extension of the time limitation set forth herein shall be made in writing to the Board at least 30 days prior to July 11, 2025 and the Board reserves its rights and powers to grant or deny such request without a public hearing.

8.4 Except as otherwise set forth in this decision, the facility shall be constructed in substantial conformance with the application documents submitted by the applicant, including without limitation the plans entitled, "Proposed Mixed-Use Development Proposed Site Development Plan – in Westminster Ma at 150 State Rd E" dated Jan 12, 2023, revised May 9, 2023 prepared by Haley Ward, Leominster Ma. (The "Plan"). Any substantial deviation from such documents shall require further approval by the Planning Board.

8.5 The Applicant will work with the Town Planner, the Planning Board's engineering consultant (Tetra-Tech), Conservation Agent, and the Director of the Public Works Department to establish an inspection schedule based on construction milestones. Tetra-Tech will perform the inspections

on behalf of the Planning Board and the cost will be borne by the Applicant who will provide the Town funds to be deposited into a MGL 53G account to cover the cost of this effort.

Site/Project Specific:

8.6 The applicant will provide proof of coverage under the US EPA NPDES General permit for Discharges from Construction Activities (CGP) and a copy of an approved Stormwater Pollution Prevention Plan (SWPPP) to the Town prior to construction.

8.7 Prior to obtaining a building permit the Applicant must:

- a. Obtain an access permit from Mass DOT naming the town as the applicant (town must sign) for connection to town water/sewer utilities
- b. All water and sewer materials shall be per Westminster DPW specifications. Shop drawings shall be submitted and approved by the DPW.
- c. A cross connection survey shall be conducted by a Westminster Public Works consultant with the design review fee for peer review paid by the Applicant. Fee to be determined once plan is submitted to Public Works.
- d. All Water and sewer connection applications and fees must be submitted and paid.
- e. All proposed signage shall conform to Article X, §205-44 of the Westminster Zoning Bylaw and be part of the Building Permit application.
- f. The Applicant must submit a mounding analysis for the basin.

8.8 The Applicant is responsible for providing/paying for an appropriately sized water meter that meets Westminster DPW standards.

8.9 Public Works shall be given 48-hours prior notice for inspections of all work related to water and sewer construction. No water or sewer infrastructure shall be buried without inspection by Public Works.

8.10 All water and sewer work shall be performed by a contractor approved by the town.

8.11 The applicant shall install all proposed utilities underground per Section 3.9 of the Westminster Site Plan Regulations.

8.12 The Applicant shall submit details on proposed façade, fencing or vegetation placement along the eastern side of the site obtain Planning Board approval prior to installation.

8.13 All Proposed lighting shall conform with § 205-43 of the Westminster Zoning Bylaw and be of dark sky type to prevent direct light from shining onto any street or adjacent property and to limit light pollution to the extent possible.

8.14 The Applicant will coordinate with the Westminster Board of Health for mitigation of the existing well and sewage disposal system.

8.15 The Applicant shall provide a plan for the proposed residential spaces prior to construction.

8.16 The Applicant will coordinate with Mass DOT for a driveway access permit and submit all subsequent traffic related data to the Planning Board prior to construction.

8.17 The Applicant shall provide the Town an easement for runoff generated on Town property flowing through the site via the proposed culvert.

8.18 The Applicant shall consult with the Fire Department when designing the fire suppression system.

8.19 The Applicant shall consult with the Fire Department when numbering the units within the building to ensure that the building is consistent with other buildings in Westminster.

8.20 The Applicant shall install fencing along the front and eastern side of the construction area for safety purposes.

WITNESS my hand this 12 day of July, 2025

WESTMINSTER PLANNING BOARD

By: Jodi Snyder
Jodi Snyder, Chair

Ellen M. Sheehan
Ellen Sheehan, CMMC
Westminster Town Clerk
Date Filed July 13, 2023

I certify that 20 days have elapsed without an appeal filed. _____
Ellen Sheehan, CMMC
Westminster Town Clerk
Date _____