



# Town of Westminister

MASSACHUSETTS 01473  
FROM THE OFFICE OF THE  
**PLANNING BOARD**  
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William C. Taylor, II - Chairman, Marie N. Auger - Vice Chair, M. Donald Barry Michael Fortin Jon Wyman

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## MINUTES OF REGULAR MEETING

Monday, June 25, 2012  
Room 222, Town Hall

Attendees: Marie Auger, Don Barry, Bud Taylor, Mike Fortin, Jon Wyman, Stephen Wallace-Town Planner

Additional Attendees: Mr. Michael Gallant, Building Commissioner

3:02p.m. - *Minutes*

The Planning Board opened the meeting. Bud informed those present the meeting was being audio recorded. There was a motion by Marie to approve the June 11, 2012 and Revised May 29, 2012 meeting minutes. Seconded by Jon. Jon asked for an amendment to reflect a corrected spelling of his first name. Bud asked for an amendment to include the roll call vote for the WBP lot release. Voted AIF to accept the June 11, 2012 and Revised May 29, 2012 minutes as amended.

3:05p.m. *Board recommendation on the Town's right-of-first-refusal on Joseph Hollenbeck removing land along Town Farm Road from the State's Chapter 61A program.*

The PB discussed a previously signed ANR plan and the tax implications that Hollenbeck might face. The intention was to sell land to a neighbor. The land had been included in the Chapter 61A program. The PB determined that the sale of the land privately would preclude the any future development of the Hollenbeck backland. Mike moved a motion to write a letter to the BOS stating the PB has no issues with the sale. Jon seconded. Voted AIF to have Stephen write the letter.

3:23p.m. *Discussion regarding how the Planning Board and Building Commissioner interpret the Zoning Bylaw's various dimensional standards.*

Stephen had previously suggested that the board meet with Mike Gallant to discuss various dimensional provisions used to make determinations for front yard, side yard, rear yard, etc. Any confusion between PB members and Mike G. could be addressed and possible future zoning amendments could be suggested to clarify interpreting the various zoning dimensional provisions. The PB discussed various definitions and articles with Mike G.: 205:14 Lot Width, Lot line front, Lot line rear, Lot line side, Lot coverage. Yard: Front Yard. 205:24 Use of land for more than one requirement.

Marie summed up the discussion by stating that the ANR process in Massachusetts allows boards to sign ANR lots that are not buildable and citizens can be misled into thinking the ANR endorsement implies a buildable lot. The Westminister Planning Board has consistently pointed out this to ANR applicants with unbuildable lots and have asked them to withdraw their ANR request so there is not any future confusion. Mike F. showed the board some sketches he had drawn to help him better understand the Chapter 205 dimensional definitions and footnotes. (attached)

Mike G. stated there was a further need for clarity between the footnotes and the definitions. Bud stated he felt there was clearly a need to have the PB and the Building Commissioner on the same page so as to not cause concern or undue cost to citizens. Bud asked Mike G. to put his recommendations in writing to help the PB understand better where he felt there seemed to be conflict.

Mike G. noted he had received a request to put up a 90' high communications tower on Goodrich Street for use by the DPW and stated he believed the Town is not exempt from zoning. Stephen stated Town Council had been contacted two weeks prior to provide input on whether the Town is or is not exempt from zoning regarding the possible tower. Bud asked Stephen to contact the Town Administrator to ask Town Council when the PB could expect to receive a reply.

The board went on to discuss common driveways and the purpose of setbacks.

*4:25p.m. Revised Cost of Community Services Letter*

Bud read the revised letter to the PB. Don made a motion for the PB to allow Bud to sign the revised letter dated June 15th 2012. Seconded Marie . Voted AIF.

*4:33p.m. Announcement*

Stephen reminded the PB he will be on vacation from Friday June 29th, to Monday, July 9th.

*4:38p.m. New Business*

Marie reviewed the history of the former denied subdivision land of JCJ on Overlook Road that had come before the PB in 2007. She was concerned it was being listed as 3 possible building lots and said it was another case where the seller may be misleading a potential buyer and the PB needed to be aware of it.

*4:45 p.m.*

Don made a motion to adjourn. Seconded Jon. The PB voted AIF to adjourn.

Respectfully submitted,  
Michael Fortin

2 Attachments :

- 1 ANR plan from Hollenbeck / Syd Smith Road / Town Farm Road.
  - 2 Mike F. lot setback dimensional sketches.
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