



# 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, August 13, 2012

Room 222, Town Hall

Attendees: Marie Auger, Don Barry, Mike Fortin, Stephen Wallace-Town Planner

Absent: Bud Taylor, Jon Wyman

Additional Attendees: Mr. Lance Dellogono, Mr. James Moriarty III, Heather Billings, Mr. Matthew Bovenzi/Willoughby Farms LLC, Mr. Mark Beauderec, Mr. Chuck Scott of CFS Engineering

7:00p.m.

The Planning Board opened the meeting. Marie informed those present the meeting was being audio recorded.

Motion by Don to approve the July 23, 2012 meeting minutes. Seconded by Mike. Voted AIF to accept the July 23, 2012 minutes as amended.

7:01p.m. *Three lot Approval Not Required (ANR) Plan for JP Dell LLC, Bean Porridge Hill Road, Surveyor: James E. Gaffney Co.*

The Board reviewed the ANR plan. There was discussion about the strip of wetlands that divided the lots front to back. Mr. Lance Dellogono stated he believed the homes would be built on the street side of the lots and construction would not require crossing the wetlands.

Don made a motion to endorse the ANR plan as presented. Second Mike. Voted AIF to endorse.

7:12p.m. *Planning Board report to the Department of Public Works on the layout out of Sawin Drive (Willoughby Farms LLC, Petitioner).*

The Board heard from Mr. James Moriarty III representing Mr. Matthew Bovenzi of Willoughby Farms LLC seeking support of the PB for the acceptance of Sawin Drive. Stephen stated that the Fire Chief would need an easement and maintenance fee for the cistern located at the entrance of Sawin Drive.

There was discussion about driveway permitting and possible damage to the road after the town might accept the road. Don shared his knowledge of driveway permitting with the Board. Mr. James Moriarty III stated that all work requested by the PB when Mr. Bovenzi had taken title to the property had been completed including a finish top coat of pavement of the road.

Marie asked about when the open space would be conveyed to the town. Mr. Bovenzi stated the trail work had been completed and the foundation at the end of the cul de sac had been removed and the site cleaned.

Mr. Bovenzi stated he had an agreement with his bank to build two houses at a time on spec. His intention was to build houses on the remaining lots as the market demanded.

Don made a motion to have Stephen draft a letter of support in accepting Sawin Drive as a town road with the condition of the cistern ownership and maintenance be sorted out to the satisfaction of the Fire Chief. Seconded Mike. Voted AIF to write the letter of support.

*7:43p.m. Review draft Planning Board letter to State Legislative Delegation regarding House Bill 1759: An Act relative to the comprehensive siting reform for land based wind projects.*

Stephen reviewed the written letters to Representative Kimberly N. Ferguson and Senator Jennifer L. Flanagan with the Board. Mike made a motion to have the Chair sign the letters. Seconded Don Voted AIF.

*7:50p.m. Planning Board review and comment on Westminster Business Park's application to the Board of Selectmen for a Gravel Removal Permit for Lot I-7.*

Mr. Chuck Scott outlined the work that had been completed and the plans for the earth removal permitting for lot I-7. There was discussion about a traffic signal for the intersection of Batherick Road and State Road 2A. Stephen suggested the MRPC could do a new traffic count when school was in session. Don expressed a concern about 53 foot box trailers pulling onto Route 2A safely.

Stephen asked about the rail spur shown on the plans. Mike noted it came from the north end of the lot and not from the potential layover lead track. Mr. Scott explained to the board that the spur would have to enter from the lot from the north to allow proper drainage and 6' groundwater elevations on the lot for a 600,000 SF building. Mike asked if there had been any conversations with PAN AM Railway about the access shown on the plan and stated a letter indicating such would be useful to town officials. Stephen asked Mr. Scott to pursue a conversation with PAN AM engineers. Mike stated that if there were no rail access to lot I-7, there may not be a need to remove the gravel to create such a large flat area at rail grade. Without rail access, a large building would probably not be feasible or useful and the lot might be better off graded at a higher elevation closer to road height.

Stephen asked how long the gravel removal at I-7 would take. Mr. Scott stated Mr. Powell had indicated between 5 and 7 years at the current rate of removal.

There was a discussion about bonding costs and the ability of WBP to afford those costs and stay in business. Mr. Scott explained that materials could be moved out of the park faster if the owners had more bonding capacity to take on other jobs outside the park that would require the use of the gravel being removed. Tying up money in bonding at WBP only prevented bonding capacity at other sites that the park owners could potentially bid on to supply gravel from lot I-7. Mr. Scott stated park owners hoped to bond and open up half the site at a time.

Mike made a motion to have Stephen draft a letter that asks the BOS to ask for park owners to work with PAN AM to verify rail access and for the BOS to show some flexibility with the earth removal bonding if it will help complete the project sooner. Don seconded. Voted AIF.

*8:33p.m. Request to Approve Red Line Change for Westminster Business Park lot I-4A*

Mr. Scott stated he had talked to Stephen a few weeks prior about a conflict the new MART facility security fencing at the top of lot I-4A would create for the Town to access and maintain the detention basin and drainage. He presented the PB with a letter requesting an alternative detention basin plan that would allow access by the town for maintenance and change the direction of drainage out of the basin. (attached letter and two sheets of plans). Mr. Scott explained that the storage capacity, pipe size and inverts would all remain the same. There would be no change to the design storm calculations. He described the information of the new design that would also be presented concurrently with the Con Com. The letter requested the PB accept a redline change rather than a formal amendment to the subdivision plan. The easement area had been changed and recorded at the Registry of Deeds since MART now owned lot I-4A.

Don made a motion to accept a redline change to the plans as presented. Mike seconded. Voted AIF to accept the change as a redline to the plans.

*8:41p.m. Review State Highway Departments request for comments on the Route 12 Ashburnham Street bridge replacement project.*

Stephen stated the letter was asking for comments before preliminary design. The PB had no comments.

8:43p.m. *Review Planner's monthly progress report.*

Stephen stated that he had received a request from Westminster Village Inn owner Mr. David Crowley to meet with the PB to informally discuss potential uses to his remaining land off Rt.2 where a previously proposed big box hardware store had been voted down at town meeting. He asked the PB to give some thought to what would be a good commercial use of the land.

Mike stated that he was asking the 500 townspeople who vote at town meeting that question when he was asking the PB what they would like. It was the voters who would ultimately decide what they wanted there. Marie agreed and cited past change of use votes at town meeting.

Don started discussion about Open Space and who manages the open space properties. Mike asked how the town could use the open space in town as an asset to promote economic development. Marie stated there are a number of groups who use and maintain trails.

9:01p.m.

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

Respectfully submitted,  
Michael Fortin

6 Attachments :

- 1 Three lot Approval Not Required (ANR) Plan for JP Dell LLC, Bean Porridge Hill Road, Surveyor: James E. Gaffney Co. dated Jul. 2012.
  - 2 Sawin Drive Roadway Acceptance Plan by Hannigan Engineering dated July 12 2012(four pages)
  - 3 Two letters regarding MA State House Bill No.01759 and Senate Bill No.1666 both dated July 30 2012
  - 4 WBP Earth Removal Permit Package from Town Administrator dated August 8 2012 and Plans for Lot I-7 earth removal.
  - 5 WBP Request to Approve Red Line Change letter dated August 13 2012 and OOC-2 and OOC-3 Plans both dated Aug 13 2012
  - 6 URS letter dated July 16 2012 Project Review Request for Route 12 Bridge No. W-28-017
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