



# 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, November 13, 2012

Room 222, Town Hall

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

Absent: Don Barry

Additional Attendees: Mr. Jim Delisle

7:00p.m.

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

7:00p.m. *Minutes*

Motion by Marie to approve the October 22, 2012 meeting minutes. Seconded by Jon. Voted AIF to accept the minutes.

7:01p.m. *MRPC response to Planning Board's letter regarding the Wachusett Corridor Smart Growth Plan.*

Stephen stated the PB had received a response from MRPC asking for clarity about our general comment #6 *We noticed that some of the road conditions described in the data presentation were not fully up to date. We encourage you to make sure the data used for the Transportation Element reflect the up to date conditions on the ground.* Stephen asked Jon to point out the bridge he had mentioned as miss-identified on the MRPC Transportation element presentation map. Jon identified the rebuilt Depot Road Bridge as being completely rebuilt and not deficient. Mike mentioned the 2010 Westminister Transportation Element created by MRPC contained more up to date information than the Smart Growth presentation. The Depot Road bridge is not listed as it had been completed by November of 2010. The traffic count data section was out dated; 2008 on the Smart Growth plan...2010 in the Westminister Transportation Element. No one had addressed the lack of sidewalks on the plans for the extension of Development Road at the end of Sargent Road, the town's only access road directly to the train station. Mike suggested the PB send the MRPC their own Westminister Transportation chapter, ask them to review it and update the information themselves. Bud asked for a motion to have Stephen create a second letter to the MRPC outlining the discussion the PB had that would be reviewed by the PB at the next meeting. Mike made the motion to create the second letter for review at the next meeting. Seconded by Marie. Voted AIF to draft the second letter to MRPC.

7:18p.m. *Town Planner update on revising the Town's earth removal and fill bylaws.*

Stephen stated his intention was to keep most of the present Earth Removal Bylaw and incorporate the earth fill regulations under one new bylaw that would then be under the purview of the PB. He is in the process of combining the bylaws and hopes to have something for review by the end of the year. There was a brief discussion about the Longley residence on Carter Road that put the spotlight on the fill regulations. Bud stated he would like to see the Town Council comments on those regulations would be incorporated in the rough draft.

7:27p.m. *Review October inspection report for Phase II of the Westminister Business Park, prepared by McCarthy Engineering.*

Bud reported to the PB that he had videotaped earthwork being conducted on the previous weekends at Westminster Business Park. Stephen stated the Earth Removal permit restricts hours of operation but the subdivision permit did not. Bud wanted the board to look at the long range plans of the Westminster Business Park with regards to regulating sound. Marie did not feel the park owners were testing the PB or town but further stated there was nothing the town could act on at this point. Stephen pointed out that the future build-out of the park would probably result in businesses that would want to operate 24/7. Mike stated it was important to recognize there were two distinct sets of operating conditions for WBP, earth removal and Subdivision Plans. Mike stated that there were conditions that were supposed to be met from phase one before phase two was supposed to be allowed to start. Marie stated as built plans were usually supplied as a condition of road acceptance. After further discussion the PB agreed to review previous minutes and or tapes to come to an agreement about what the WBP owners had been asked to supply to the PB. Mike asked that future pictures supplied in reports by Mcarty Engineering include station numbers referenced from the plans for the PB's use to identify where the pictures were taken.

*7:47p.m. Review and discuss an upcoming case to be heard by the Zoning Board of Appeals: amendment to a Variance for Gerard Desrosiers and Jennifer Ryan regarding constructing a single-family dwelling at 32 Church Street.*

Marie stated this was a really problematic lot. Stephen stated he had sent the PB the relevant materials. Bud asked Marie who stated she thought the owners were looking for an amendment to a previously granted variance. Mike stated that his interpretation was that a garage foundation was poured outside a 150 foot restriction from the road from the original variance. After further discussion, Bud asked the PB whether they wished to comment to the ZBA. The board was in agreement to take no action on the variance.

*7:57p.m. Review warrant articles for Special Town Meeting.*

Stephen stated he would explain the articles at town meeting but would like the PB members to read the articles. Bud asked for volunteers to read the articles:

Bud Article 12, Jon 13 and 16, Marie 14, Mike 15 and 17.

Marie made a motion that the PB support article 12, seconded Mike, Voted AIF to support. Marie motioned to support articles 13 thru 17. Seconded Jon. Voted AIF. Jim Delisle asked about the PB policy to pull articles from the warrant if there were amendments from the floor. After discussion on the subject, the PB asked Stephen to send the policy to the PB members, town moderator, town clerk, chairman of advisory board, chairman of selectmen, town administrator.

*8:18p.m. Discuss December Planning Board meeting dates.*

Stephen asked the PB to set December meeting dates. There was a motion by Jon to meet on December 10th and forego the December 24th meeting. Seconded Marie. Voted AIF. There was a motion by Jon to accept the first six months of 2013 meeting dates. Seconded Marie. Voted AIF.

*8:22p.m.*

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

Two Pages of Minutes  
Respectfully submitted,  
Michael Fortin

4Attachments :

- 1 13 page ZBA materials package for 32 Church Street.
  - 2 Mcarty Engineering Inspection Report for Westminster Business Park dated November 1st 2012.
  - 3 Westminster Town Warrant for November 29th 2012.
  - 4 PB Meeting date memo from Stephen regarding first six months of 2013.
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