



Town of Westminster

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

William C. Taylor, II - Chairman, Marie N. Auger - Vice Chair, M. Donald Barry Michael Fortin Jon Wyman

MINUTES OF REGULAR MEETING

Monday, November 26, 2012

Room 222, Town Hall

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

Additional Attendees: Ms. Noelle Berard

7:02p.m.

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

7:02p.m. *Minutes*

Motion by Don to approve the November 13, 2012 meeting minutes. Seconded by Jon. Voted AIF to accept the minutes.

7:03p.m. *Continued Public Hearing regarding Site Plan Approval for Alan Belanger (Dig & Pour LLC) to use the property at the end of Rowtier Drive for an industrial use: excavation/foundation business and wholesale business with outside storage, truck terminal and recycling facility in an Industrial-II zoning district.*

Stephen stated the PB had received an e-mail from Mr. Belanger and read from it.

Hi Stephen, Please continue our hearing for an additional month. Our Financing status:

We ran into a little delay with some of the SBA requirements that we need to deal with.

I also spoke to my bank concerning the tri-party agreement and that will not be issued until they receive SBA loan conditions and their own board conditions of approval if any, the construction agreement is part of their loan commitment package. Alan. (attachment 1)

To which Stephen responded to Alan he would ask the PB to continue the hearing to Dec. 10th, 2012. Motion by Don to continue the public hearing to Dec. 10 2012. Seconded Mike. Voted AIF to continue.

7:04p.m. *Discussion Items*

Discussion regarding Building Commissioner/Zoning Enforcement interpretations of Town of Westminster Chapter 205 Zoning and Chapter 231 Subdivision policies.

Bud said he had spoken to the Town administrator who advised the PB to send two members to a meeting with Mike Gallant and herself. There was discussion about how the item had been added to the agenda. Bud stated he hoped Mike Gallant could explain to the board his interpretations of three items associated with the Kennedy/Worcester Road case and one item about the Church Street ZBA case. Bud stated he did not want the Kennedy's to be in a position of receiving conflicting direction. 205 Zoning and 231 Subdivision regulations were to be the topic of discussion. Don stated there were always different interpretations from different departments. Don did not want this to be an issue of personality conflicts of inter-department clashes. Bud suggested that Marie and Mike were in the best position to discuss the issues with Mike G. Don motioned to have Marie and Mike attend the meeting. Jon seconded. There was discussion about variances and Building Department review

of documents pertaining to building permits. Bud stated the purpose of the visit was a fact finding mission to gather facts for the PB. The board voted AIF to send Marie and Mike to the meeting.

7:20p.m. Review the Board's second letter to MRPC regarding the transportation element of its Wachusett Corridor Smart Growth Plan.

Bud asked if all board members had reviewed the second letter to MRPC. Bud asked if there were any amendments to the letter. Mike asked to have some comments included with the letter. Bud read the comments.(attachment 2). Don motioned to have the comments included as an addendum to Stephen's draft second letter. Don also commented that the board knows, not believes the Depot Road Bridge is structurally sound and wanted the word changed in the letter. (attachment 3) Jon seconded. Voted AIF.

7:47p.m. Discuss how to regulate marijuana treatment centers after the passage of the Massachusetts Medical Marijuana Initiative.

Stephen stated he had forwarded the K&P memorandum on the new law. The board could take one of two approaches, do nothing and wait for the State's guidance on the subject or work on the regulations before the State issues any guidance. Don stated he did not want to waste time without any State rules and regulations. Mike agreed. Marie agreed. After further discussion the board agreed to take no action on the item.(attachment 4)

7:36p.m. Town Planner's monthly update.

Stephen asked for questions or comments from the Town Planner update.(attachment 5) Stephen stated the Town did not receive the MassWorks grant for the sewer project for the second year in a row. He had a meeting at the local rural development office about preparing a pre-application in pursuit of a part grant part loan package for infrastructure development. Bud stated Westminster could never build a treatment plant at the end of their line because of water protection issues. Mike stated that Ashburnham was in the same position with Garner as Westminster was with Fitchburg. Mike said he knew Ashburnham was looking into a plant on land they own at Pratt Road and Williams Road and it might be worthwhile to dialog with Ashburnham about combining both towns into a regional plant. Stephen stated he would talk with Josh Hall about it later in the week.

Don stated he had taken a ride down to WBP They were testing the water pipes tomorrow, sewer appeared to be done. The roadway did not look like it would be completed by the end of the month as WBP had indicated it would be. S&K the site work engineer for both Westminster and Fitchburg MBTA projects was on site and indicated a meeting at the Fitchburg site on Tuesday. Bud stated he saw the lights at 6:30pm at the business park. They had not completed the ground work but there was a water truck apparently doing static testing. Stephen stated that he had met with the Building Commissioner and after reviewing 20 hypothetical's, Mike Gallant's opinion was the present Earth Removal Bylaw was probably un-enforceable. They hoped to address deficiencies in the new bylaw that Stephen was working on.

7:53p.m.

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

Two Pages of Minutes
Respectfully submitted,
Michael Fortin

5 Attachments :

- 1 E-mail from Dig and Pour LLC/ Alan Belanger dated November 21, 2012.
 - 2 Mike Fortin's comments to MRPC Transportation Element/Wachusett Smart Growth Study (one page).
 - 3 PB second letter to MRPC/George Snow dated November 14 2012 regarding MRPC Transportation Element/Wachusett Smart Growth Study.
 - 4 K&P memo on Medical Marijuana dated November 14, 2012.
 - 5 Town Planner Update dated November 16, 2012.
-