



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

MINUTES OF REGULAR MEETING

Monday, January 14, 2013
Room 222, Town Hall

Attendees: Bud Taylor, Don Barry, Mike Fortin, Stephen Wallace-Town Planner , 8:08pm Marie Auger

Additional Attendees: Mr. Alan Belanger, Mr. Charles Billiter/Pine Tree Power, Mr. Glen Hines, Ms. Heather Billings

Absent: Jon Wyman

7:00p.m.

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

7:01p.m. *Minutes*

Motion by Don to approve the December 10, 2012 meeting minutes. Seconded by Mike. Bud requested to amend the minutes with a minor change to the 7:58pm *Distribution of PB Member Handbooks* wording. Voted AIF to accept the minutes as amended.

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.*

Mr. Alan Belanger asked the PB to withdraw his application without prejudice. He stated his financing through SBA would be delayed until May. Bud asked if there was anything the PB could do help. Bud asked the board to consider waiving the future application fee when Mr. Belanger returns in May. Stephen stated there would be new advertising fees and Mr. Belanger stated he understood and would pay them. He also expressed concern that the property will appraise for the loan amount. Don motioned to allow a withdrawal without prejudice. Mike Seconded. Voted AIF to withdraw.

7:09p.m. *Discuss the ZBA use variance application for Janet Lauricella that will allow for the construction of a single family home on property (104 Turnpike Road) located in a commercial (C-1) zoning district.*

Stephen explained that Mr. Chris Mossman had been in earlier in the year in May to discuss this project with the PB. Bud explained that the minutes of that meeting were attached as part of the ZBA application and the PB had agreed to support the project at that time due to the extenuating circumstances of the lot conditions. Don was concerned that if the lot was left half commercial and half residential, there would be future problems with use of the remaining property. Bud noted it was not for the PB to decide what the proponent would or should do. The frontage for property in question had been cut off for commercial use when the westbound Rt. 2 exit ramp had been built.

Motion for the PB to support the ZBA application by Don. Seconded Mike. After discussion of the criteria to grant relief under the town Zoning Bylaw, the PB voted AIF to support the application.

Stephen will write a letter from the board to the ZBA highlighting the May meeting. (attachment 1)
7:14p.m. Review December inspection report for Phase II of the Westminster Business Park, prepared by McCarty Engineering.

Stephen read an e-mail dated January 11, 2013 from MEI stating they would suspend monthly reports on Westminster Business Park for the PB until work activity resumed on the WBP portion of the park. Stephen stated he had been contacted by WBP/Chuck Scott regarding a bond reduction request for the road infrastructure that had been completed. Don stated he was concerned with bond reductions when there was still outstanding work to complete. He did not want to see the town shortchanged. Stephen stated the PB had a bond in place to the end of the layover station entrance road. Stephen stated McCarty would submit a letter to the board stating what had been completed. (attachment 2)

Jon seconded. Voted AIF.

7:19p.m. Review ethics paperwork.

Stephen asked members to review the ethics paperwork and if they had read it previously, to sign the top sheet for the Town Clerk's records. (attachment 3)

7:20p.m. Fiscal Year Discussion regarding the Planning Department's 2013 work program.

Stephen stated the BOS were going to review the 2013 PB work program during their January 28th meeting. Bud asked members to review the plan and asked members if they would support it. Mike made a motion to support priority list dated December 28th 2012. Don seconded. Voted AIF.

7:24p.m. Discussion regarding development activity taking place on Lot I-4A in the Westminster Business Park.

Bud stated the BOS were very clear about their concerns in their meeting with the MBTA on January 7th regarding the transport of gravel over the road in Westminster from lot I-4A at the WBP. Bud reviewed his communication with Joe Flanagan, BOS Chairman and stated that Mr. Hunter wants to deliver the project to the Town as a win-win for everyone. Stephen stated that Mr. Hunter had already committed to real world sound measurements and whatever mitigation that would be needed. Don asked if any of the verbal commitments were in writing. Don stated they verbally have promised anything but without it in writing, it was worthless. Bud stated Mr. Hunter would like to have the town officials explain the EA documents to him and how the town has found itself in the position it is in.

Bud asked members to review their subdivision regulations and stated he had sent them to the MBTA. Bud reviewed the design standards section of zoning.

Bud stated essentially the PB was being asked to go through site plan review with the MBTA. The second part of the charge was the rail spur and economic benefits to the park. Bud stated there would be dialog back and forth to determine what the PB felt were the benefits being provided or not provided.

Bud went through the ground rules of the upcoming meeting and asked members for agreement. The meetings would be working meetings with the PB and MBTA and their representatives only and the public would be asked to wait for a future meeting to ask questions.

Bud asked for availability of a Tuesday January 22nd meeting date. The second meeting would be February 4th.

Bud spoke of noise study emails that had been exchanged back and forth with Mr. Hunter. Don asked to try to keep people on task so that real information and answers can be obtained from the MBTA spokespeople.

Stephen stated he sees it as a two point end game.

- 1) How will the MBTA offset the lost claimed economic benefits.
- 2) How will the noise be mitigated to conform to the April 27, 2010 BOS conditional approval letter.

After much further discussion Bud asked for PB members to vote to hold the Special PB meeting on January 22, 2013. Don made a motion to hold the meeting. Seconded Mike. Voted AIF.

8:24p.m. Adjourn.

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

Three Pages of Minutes
Respectfully submitted,
Michael Fortin

3 Attachments :

- 1 ZBA use variance application for Janet Lauricella dated 11/19/2012.
 - 2 MEI McCarty Westminster Business Park December inspection report dated December 31, 2012.
 - 3 Annual Ethics paperwork package.
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