



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

Tuesday, January 14, 2014
Room 222, Town Hall

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

Absent: Bud Taylor

Additional Attendees: Ms. Kimberly Peltalas/Gardner News, Mr. Dennis Ring/ Northwest

7:00 p.m.

Marie opened the Planning Board meeting and informed those present the meeting was being audio recorded. Marie noted that the Gardner News was also recording the meeting.

7:00p.m. *Minutes*

Don made a motion to approve the December 10, 2013 minutes. Seconded Jon. Mike asked to have a typo in the minutes in the section for the ANR for the Aldrich property on Main St. to read as follows: *Mr. Aldrich explained he hoped to work with the Town to create a future park by combining the non-buildable outlot being created from this ANR at 112 Main Street with part of the land he owns at ~~110~~ 100 Main Street.* The PB voted AIF to accept the minutes with the typo change noted.

7:02p.m. *Review and discuss draft Medical Marijuana Dispensary bylaw.*

Stephen explained most of the particulars of this bylaw are regulated by State law. After looking at about 8 draft bylaws from other towns which repeated the State text, Stephen chose to focus on local specifics: where in Town and under what circumstances. After reviewing the draft bylaw, Stephen suggested item A-2, (2) *No registered medical marijuana dispensary shall be located on a lot which abuts a residential zoning district.*) be removed from the draft since it would allow only 4 properties in town to qualify. Marie stated that site plan approval and the present setbacks to residential properties in industrial zones should prevent any problems with abutting residential properties. After discussion, Don made a motion to accept the draft bylaw as written but with section A-2 stricken. Seconded Mike. The PB voted AIF. Stephen stated he would send the draft off to the Town Boards asking for feedback by the end of February. A Public Hearing could then be scheduled in March in anticipation of Annual Town Meeting.

7:11p.m. *Distribution of State Conflict of Interest sign-off sheet.*

Stephen distributed State Conflict of Interest sign off sheets to PB members and asked them sign and return them, and complete the test if needed. Don, Mike and Marie needed to renew the test.

7:14p.m. *Review and Comment: David & Sarah Hessel request to Zoning Board for a Special Permit to allow a kennel in an R-III zoning district. The property is located at 18 Cross Road.*

Stephen asked PB members if they wished to comment on the request to allow a kennel at 18 Cross Road. Kennels are allowed by zoning in RIII with a special permit. After brief discussion concerning the location of the fencing proposed, Don made a motion the PB send a memo of support to the ZBA.

Seconded Jon. The PB voted AIF to support the proposal and asked Stephen to send a memo to the ZBA.

7:20p.m. *Rebanna Road Subdivision - PRM Capital Investments LLC, discussion regarding outstanding items.*

Stephen asked Mr. Dennis Ring if he would like to speak. Mr. Ring stated he was subcontracted by Northwest to manage the construction of the homes on Rebanna Rd. He was aware of a letter sent to PRN, the owners of the subdivision, requesting a bond be placed by January 31st. Mr. Ring stated that he

had a buyer for one of the lots. He said Stephen had informed him that the PB had requested no work go on until the issue of the bond was settled. Mr. Ring wished to get something in writing to that effect.

Stephen told those present that a new bond request had been prepared after the last PB meeting requesting one be prepared. Stephen had at that time asked what would happen if the owners refused to post a bond. Town Council had told him at that time that the PB was well within its rights to hold off on signing any building permits and DPW any driveway permits. Stephen stated he had received an email this afternoon from the owner of Rebanna Road which he suggested be forwarded to Town Council. Don and Mike both agreed. Stephen offered to arrange a meeting between himself, Town Council, DPW, the owner, their council, and a representative of the PB to try to resolve the issue.

7:34p.m. Planning Board liaison reports.

Stephen reported to the PB that the 2014 Open Space Plan was nearly complete. A final editing session was scheduled for January 27th 2014. The Final Draft of the Open Space Plan would then be sent to the State and Town Boards for review. Mike asked PB members to review the draft.

Stephen stated he had attended a steering committee meeting of the Wachusett Station Smart Growth Corridor Plan. He has requested that the words "create living wage jobs" be incorporated into the plan if it is indeed an intention of the project.

Don continued to show concern for a high pressure waterline located in the area that needs to be addressed.

7:38p.m. Adjourn.

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

2 Pages of Minutes
Respectfully submitted,
Michael Fortin

3 Attachments :

- 1) First Draft Medical Marijuana Dispensary Bylaw 2 pages.
- 2) ZBA package for David & Sarah Hessel request to Zoning Board for a Special Permit #13-13 dated 12/9/2013 including Building Commissioner letter dated December 4, 2013. 11 pages.
- 3) Rebanna Road letter from Partridge Snow & Hahn LLP/ Jay Peabody dated January 13, 2014, Re: PRM Capital Investments LLC/ Rebanna Road Subdivision. 2 pages.