



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD
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. Jon Wyman - Chairman, Marie N. Auger - Vice Chair, Michael Fortin Jay Shenk Joseph Flanagan .

MINUTES OF REGULAR MEETING

Tuesday, October 28, 2014

Room 222, Town Hall

Attendees: Marie Auger, Jon Wyman, Mike Fortin, Joseph Flanagan, Jay Shenk, Town Planner Stephen Wallace

Absent:

Additional Attendees: Ms. Jan LeClair 182 State Road, Mr. Joshua Schonborg 58 State Road West, Ms. Eyn Dicu, Gardner News, Mr. David Albrecht Natick Ma/Borrogo Solar, Mr. Don Leblanc 5 Fenno Drive, Mr. Mark Maclusky Hudson Design Group, Mr. Dean Johnson/ Westminster, Ms. Heather Billings/Westminster, Mr. Steve Davis/Westminster, Mr. Chuck Scott,/Westminster, Mr. Steve Powell/Westminster, Mr. Steve Bouley/Tetra Tech, Mr. John Fairbanks/Westminster.

7:00 p.m.

Jon opened the Planning Board meeting and informed those present the meeting was being audio recorded.

7:00p.m. *Minutes*

Jon asked PB members to review 3 sets of minutes. Jay made a motion to approve the September 15, October 14, and October 16, 2014 minutes. Seconded Marie. The PB voted AIF (those present at each meeting) to accept the minutes.

7:00p.m. *Public Hearing - Borrego Solar Systems Inc. regarding a Site Plan Approval for a ground-mounted solar array to be located at 60 State Road West in a Residential-I zoning district. .*

Jon read the Gardner News legal notice. Jon then asked Stephen to describe the project to the PB. Owner of the property: Westminster Golf Course Inc., Leasing the property: Borrego Solar Systems Inc. Access location: 60 State Road West. Install 2,124 panels on three acres of a 105 acre property. Generate approx 650KW. R-1 Zoning District. Stephen read comments from other boards and the Technical Review meeting held October 14. (See attached Site Plan Review Memo dated October 14, 2014.)

Mr. Mark Maclusky presented and described the project using the Site Plan drawings(see attachment Proposed Solar Energy Generating Facility for Borrego Solar Systems, Inc at 60 State Road West, Westminster MA last dated 10/21/14 by Hudson Design Group.)

Questions: Jay- How high is the fence? Mr. Maclusky- 8 feet tall.

Joe- Any infra-structure off site needed? Mr. Maclusky- Not that they are aware. Just poles to get out to State Road West.

Marie- Difference between proposed project glass and anti glare glass and does it affect the cost or efficiency? Mr. Maclusky- Less than 1/4 cent per watt for cost and no efficiency difference.

Mike- How is the Fire Department request to access the site being addressed? Mr. Maclusky- There is only access need twice a year. Knox box will be provided. Mike- How will the snow be plowed? Mr.

Maclusky- There is a remote sensor of the facility...no need for Borrego to access during winter. Mike_ Departmental review stated Fire wanted access year round especially during the winter. Mr. Maclusky-

If the Town requires it, it can be provided. Stephen Wallace stated the road maintenance plan should and Borrego should address this request before the next hearing date. Mike- Borrego is aware of the need for a State Highway access permit? Mr. Maclusky- Yes. Mike- Any concerns from abutters? Mr. Maclusky- Stephen is aware of some who have come in to review the plans. Stephen- About a half dozen who are here tonight.

Stephen then told the PB that a decommissioning bond review estimate had been proposed from Tetra Tech if the PB wanted to proceed with them. The applicant has agreed to use them for the bond review. The applicant also has provided the lease agreement with the landowner for review by Town Council.

Jon- How is the size of the project determined? Mr. Maclusky- They are keeping the project to a certain size, (>650KW) anything bigger requires a whole additional level of scrutiny by the utilities. He then discussed shading details.

Jon- Is there a potential for more expansion later? Mr. Maclusky- Once a project is in place, per the current rules in place, you cannot add to it or subdivide the land for additional projects.

Mike asked about noise from inverters/transformers. Mr. Maclusky- They are far enough away from abutting homes to not cause a problem and should not be heard. Stephen noted the project was reviewed by the BOH who had no concerns.

Jon asked the public for questions/comments:

Ms. Jan LeClair- Area is traditionally a teenage snowmobile /ATV run through and is concerned vandalism. Mr. Maclusky- They have over 150MW in place with no instances of vandalism.

Mr. Steve Davis- Westminster Sportsman Club has had clubhouse for a long time in the area with no vandalism. He frequents the area to photograph wildlife that frequent that area and has never experienced problems with others using the land. He would like to have see the fence but is concerned about deer entangle in barbed wire. Also: concerned about drainage. Will there be a culvert to divert water along the driveway or at the bottom and is concerned that heavy storms dump water in the area of his driveways?

Mr. Maclusky- Apologized that the original plans showed berms that somehow were not included on the plans presented.

Jon asked Mr. Davis to clarify the barbed wire issue. In favor or not? Mr. Davis- Thinks deer will try to jump the fence and not sure barbed wire will stop them.

Mr. Josh Schornberg- Will there be any lighting? Mr. Maclusky- No Mr. Schornberg- Also concerned with drainage- lives two houses down and already has issues with his driveway during high rain events. Mr. Maclusky- Described construction drainage detailing measures and erosion control measures. Jon asked to have the construction and permanent erosion control measures added to the plans.

Stephen suggested that the access agreement with the owners should contain that (erosion control and driveway maintenance) information.

Stephen then summed up what needed to be done next: Amend site plan to include items discussed at the meeting, Stephen will start Tetra Tech on the decommissioning bond review, Stephen will send Town Council the lease agreement and the access agreement when ready, and he will secure the Fire Department comments on access and grading.

There was further discussion about grading and water.

Marie made a motion to continue the public hearing to November 10th, 2014 at 7:00 p.m. Seconded Jay. The PB voted all in favor to continue the public hearing.

7:40 p.m. Meeting with the Westminster Business Park: end-of-the-year update and discussion regarding the Park's 5-year update to the State.

Mr. Chuck Scott presented the 2014 MEPA update. Project review has been continuous since 1988. Air quality, traffic, and archeological questions asked in 2008 are addressed in the current 2014 plan.

Mr. Scott stated WBP hopes this will be their final update and hope to receive a final section 61 findings certificate from the state.

Mr. Scott showed the PB a revised Master Plan showing an additional 2.7 acres of altered land to for a 500 foot long cul-de-sac for residential housing due to interest they had received in the residential portion of the project.

The original project contained the potential for 1.57 million square feet of floor space. There was a loss of square footage due to the MBTA Layover that they hope to replace in existing lot building(s).

Jon asked about the residential portion of the project. Stephen told the board the residential portion of the project has been a part of the approved subdivision.

Mr. Scott described details of remaining construction in phase one and around the MBTA site.

Since 2008, 28,000 square feet of space have been built in the park- Dollar General has been built on lot C-1 which had been purchased by WBP for Rt 2A/ Depot Road intersection improvements. Land was retained during that transaction for those future improvements. Wachusett Animal Hospital was built in two phases. Additional space has been added to the Francis building lot I-1. The utilities for lot 4A, the MBTA site are complete and the road awaits paving in the spring. WBP awaits improvements to the Town sewer pumping station to accommodate Phase 2. Mr. Powell stated he has had five inquiries for parcels in Phase 2. Stephen asked Mr. Powell to help chronicle the work that has been done collaboratively between WBP and the Town for improvements to the Rt 2A intersection and the two Massworks grant applications that were turned down.

WBP has reached out to NextAmp for lots I-2, I-3 and 4-C for solar arrays.

Mr. Scott described the archeological workings around the Cowwee-Smith property per Jay's request.

Mr. Scott went on to detail the section 61 findings that had been addressed during the project and answered yes when Stephen asked if the plan was to ask for no more 5 year MEPA updates. any future significant changes to the project if a certificate was issued would have to go back through the MEPA process.

Stephen told the Board written comments were due by Friday from Town officials. Only one had been received from Bob Maki asking for updates to three outstanding order of conditions from Con Com.

Mr. Bill Goodwin noted he was one of the people who had written in as shown on page 8, section 7 of the report. Mr. Goodwin described his comments referring to the residential portion of the project tying into the end of the industrial portion of the project and the lack of information or a study to show the impact of that traffic from the industrial park going through the residential end of the road. Ten percent of the 5460 vehicle trips, or 546 vehicles would be using the North Common Road end of the road. Mr. Goodwin wanted the PB and Mr. Scott to be aware of the impact of 546 trips to the residential neighborhood. Mr. Scott noted that the road in the industrial park portion is a wide boulevard style that will narrow to a cul-de-sac type turn around before the residential section with no truck traffic signs alerting truck traffic to use the Rt 2A end of the road. Mr. Scott also noted that the only way to gain the Fire Chief support and PB support of the project at the time it was approved was to have the road go all the way through out to North Common Road. Marie confirmed this information stating the road would narrow down to a residential width road. The only traffic using it would be the residential neighborhood. After further discussion

Mr. Goodwin stated he felt the road would encourage people to use it as a direct route head to Rt. 2 and wanted to be on record he has had this concern since 1988. Mr. Goodwin stated that there was little to no discussion of the impact of the North Common Road exit of the industrial park road by the PB after it had been sanctioned as a safety concern that it was required. Jay asked if Mr. Goodwin was concerned about traffic coming off Rt. 2 using the road. Mr. Goodwin replied yes, that was his concern. Mr. Goodwin then asked how much more development would be done compared to what has already been completed.

140,000 square feet remain to be developed in Phase One. 100 percent of Phase Two remains and is not scheduled to be completed until 2028 as noted in the build out chart included in the report.

Mr. Scott then detailed work done since last year as a yearly update to the PB. Utilities are complete to the end of the MBTA driveway. Lot 4B was seeded but did not take well and is being worked on. The

slope on lot 4B will be re-stabilized in the spring of 2015. Earth work on the first portion of lot 7 continues with 3-5 years remaining. Mr. Powell stated Sean Pepper from Poulin Construction has inquired about available lots. Next year's work will be the solar fields, continuing work on lot 7, and 4B would be marketed. Mr. Scott stated they would not ask for any bond reduction requests at this time.

Jon asked the TetraTech representative at the meeting, Mr. Steve Boulay about the action items listed at the end of the reports and how they are handled. Mr. Scott addressed the test wells that are disturbed during earth removal and their replacement after the work. Jon asked Mr. Scott why some wells have been not been replaced or repaired after work has been performed. Mr. Powell said some stick out of the ground 60 feet after earth removal is performed and are hard to maintain. Mr. Boulay stated all the historical data show that there is very little fluctuation in the well levels other than seasonal variations.

Jon then asked about earth removal reports that indicate discrepancies in volumes of material or tons removed and asked Mike to explain what he always does to the Board at meetings. Mike stated it is his opinion that as long as the final contours approved on the finish park plans are met, the Board should not be concerned about the volumes removed. There was discussion about silt and catch basins being kept clean. Mr. Powell said one of his men inspect them daily.

Ms. Heather Billings asked about what happened to the material that had been moved off lot 4A and placed in other areas at the site. Mr. Powell explained most of that material had been removed from the site.

Joe asked if it was realistic to expect a 600,000 square foot building would be placed on lot I-7. Mr. Scott said it would probably be some sort of freight rail distribution facility. Lot 4B could accommodate a 100,000 square foot building. Mr. Scott said 15 gallons per 1000 square feet of space is a good daily average ballpark number for general industrial use.

Mike asked what the PB could do to help move the WBP work forward. Mr. Scott replied the Town must supply the park with sewer capacity for Phase Two.

8:45p.m. Review and Comment: Willoughby Farms request to the Board of Health to use an open space area as a land credit so that homes on small lots could be built with 4 or 5 bedrooms.

Stephen read the BOH project summary from their October 17th memo requesting input. Marie stated it was not putting septic systems in the open space, it was using open space for credit for the nitrogen loading that the extra bedrooms would impart on smaller lots that by themselves would not meet the regulations. There was much discussion by Marie and Jay about type of systems and space requirements and the exception being asked for.

Mike stated it was his opinion that the PB was not expert enough to understand nitrogen loading being referred to, there were other boards expert in those areas, but the PB did negotiate in good faith with the original developer of the subdivision for three bedroom homes shown on the subdivision plan, the subsequent purchaser of the remaining subdivision lots, Willoughby Farms knew that when they bought the subdivision at auction. Extra bedrooms would only add more children to the school system which accounts for half the annual town budget and would cost the town more in services than it takes in for revenue for the additional bedrooms being asked for. Mike suggested it might be an appropriate time to send out a reminder notice to all Town Boards charged with making tax and revenue decisions that single family homes of less than \$700K cost the town money in services compared to the revenue they generate through taxes. The Farmland Trust Cost of Services report details this and should be included as an attachment as has been done previously by the PB. Stephen reminded the Board only two types of residential do not cost more in services than the tax revenue they generate. Marie noted only over 55 housing and McMansions fall into this category. Joe noted that even Mr. Roselli of Roselli and Clark, the Town review accountants is unaware of this.

Mike made a motion to send the BOH a letter of non-support citing the cost of services vs tax revenue generated and include the Farmland Trust Report, to be copied to all Town boards and departments and Roselli and Clark. Joe seconded. The PB voted AIF to send the letter and report.

8:55p.m. Downtown Initiative Final Report from the Cecil Group.

Stephen presented the PB with copies of the Cecil Group Final Report titled "Town Center Streetscape and Public Space Improvement Strategy" for their review. The report will help inform the future work for the Village Center Bylaw and upgrading the right of way of the roadway.

8:58p.m. Liason Reports

Jay informed the Board the meeting he attended dealt primarily with moving the offices of MRPC to a building owned by MART across the street. There may also be layoffs in the future.

Mike informed the Board the Final Draft of the Master Plan is complete and posted on the Town website.

9:02p.m. Adjourn.

Joe made a motion to adjourn. Mike seconded. The PB voted AIF to adjourn.

5 Pages of Minutes
Respectfully submitted,
Michael Fortin

9 Attachments :

- 1) Town Planner Site Plan Review memo for Borrego Solar Systems Inc. dated October 14, 2014. 4 pages.
- 2) Site Plans titled: Solar Energy Generating Facility for Borrego Solar Systems, Inc at 60 State Road West, Westminster MA last dated 10/21/14 by Hudson Design Group. 10 pages.
- 3) Tetra Tech Decommissioning Bond Review Proposal dated October 22, 2014. 1 page.
- 4) Decommissioning Estimate prepared by Borrego Solar Inc. and dated September 30, 2014.
- 5) Borrego Solar acceptance of Tetra Tech review estimate dated October 23, 2014. 1 page.
- 6) Application for Site Plan Approval and submission package letter prepared by the Hudson Design Group LLC dated September 23, 2014.
- 7) Westminster Business Park 2014 5 Year MEPA Update prepared by CFS Engineering dated September 15, 2014. 51 pages.
- 8) BOH request for input for Willoughby Farms letter dated October 17, 2014. 16 pages.
- 9) Town Center Streetscape and Public Space Improvement Strategy prepared by The Cecil Group dated October 20, 2014. 52 pages.