



Town of Westminster

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

Jon Wyman - Chairman, Marie N. Auger - Vice Chair, Michael Fortin Jay Shenk Joseph Flanagan

MINUTES OF REGULAR MEETING

Monday, November 25, 2014

Room 222, Town Hall

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

Absent: Jay Shenk, Joseph Flanagan

Additional Attendees: Mr. Alan Belanger, Mr. Tim Halliday, Mr. Paul Vardakis, Mr. Bud Taylor, Mr. Billy Terrell, Mr. Seth Terrell, Ms. Rachel Terrell, Ms. Martha Robertson and son.

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 the November 10, 2014 minutes. Marie made a motion to approve the minutes. Seconded Mike. The PB voted AIF (those present) to accept the minutes.

7:02p.m. *One lot Approval Not Required (ANR) Plan for Mutual Builders on behalf of Seth Terrell for property on Sunset Road.*

Jon asked the proponent to describe the plan. Mr. Alan Belanger spoke on behalf of the plan. Mr. Belanger told the PB the original lot was 8 acres, and would be divided into two lots. Percolation tests had been completed on both. The property would become two hammerhead lots and they had used the existing stone walls as the divider as much as practical. After brief wetland driveway questions, Mike moved to endorse the plan as presented. Seconded Marie. Voted AIF to endorse.

Public Hearing - Continued

7:06 p.m. – *Housatonic Solar 1 LLC regarding a Site Plan Approval for a ground-mounted solar array to be located at 339 South Ashburnham Road in a Residential-II zoning district.*

Stephen noted to the PB he had received a request from the proponent requesting an extension until December 9th 2014, so he could complete his work with the Conservation Commission. Jon re-opened the public hearing and read the public notice. Marie moved to continue the public hearing to December 9th, 2014 at 7:00p.m. Seconded Mike. The PB voted all in favor to continue the public hearing.

Discussion Items

7:09 p.m. *Martha Robertson – discussion regarding land development options for property at 176 Minott Road.*

Jon asked Ms. Martha Robertson to describe what she would like to do with her land. Mr. Tim Halliday, Ms. Robertson's brother described her intentions: Lot is 17 acres. She would like to create two more lots. Stephen noted that the plan as sketched would need to go through the subdivision process if the PB was agreeable to waive some of the road regulations in exchange for two things, the lot would not be further subdivided and the road would remain private. Mr. Halliday stated one advantage would be the town would not have to be maintained if it remained private. Marie noted the current house lot meets zoning and asked about the current house and buildings. Stephen told the PB he wanted the proponent to come in to see if they were amenable to the proposal. There was discussion by Marie about cluster subdivisions and Chapter 61 tax breaks for the remaining land. The Board discussed the

road waivers that would be needed/asked for. Article 5 granite bounds, underground utilities, 18 inch gravel base and paving, granite curb inlets, etc. Jon stated he would not be in favor of giving a blanket waiver on the road requirements, but would like to know specifically what would be requested. Marie noted that drainage would be of big importance. Stephen told the proponents that they should get together with their engineer/surveyor and share our road standards with them to discuss which road standards would make sense to waive, given the property, and then come back to him with the requested waivers. He would then present those waivers for comment to the Fire Department, DPW, and Police to make sure they are ok with the proposed road from a safety perspective. Marie noted problems with "shared or common driveways" noting most have a condo association type reserve fund for improvements, plowing, etc. Mr. Halliday noted he formerly owned a shared driveway that had language in the deeds specifying how expenses were divided. Mike mentioned the road would be more than 500 feet long and the Fire Dept. would probably be looking for a turnaround at the end of the road. Stephen noted that if all the details were worked out beforehand, they could go straight to a definitive plan due to the small size of the project. Stephen noted he would be glad to meet with the surveyor and the Fire Chief if needed.

7:31 p.m. Rowtier Drive progress report – Dig & Pour LLC.

Jon asked Mr. Alan Belanger to update the Board on the year end progress of his Rowtier Drive property- Snow Hill Development. Mr. Belanger presented the Board with both the original and an updated schedule of values and summary of work performed to date. After successfully receiving site plan approval for the site, Mr. Belanger has purchased the property and started moving forward on the action items. The road has been cleared, sewer manhole at 55 is staked out and should be in this year. Numbers 4,5,6,7, and 8 on Rt. 31 were either not needed or done by the State during the paving of that portion of the road. Jersey barriers were moved. Some material from the top of the hill has been moved. There are more blasting mats than expected on the hill and Mr. Belanger hopes to offer them for free. He will disassemble them if need be. National Grid has committed to give him a power plan for the rest of the subdivision with a live manhole beyond the cul-de-sac. Kim Proctor at Unitil has been contacted for gas. Mr. Belanger will dig the trenches, Unitil will install piping, and Mr. Belanger will backfill. On Rt. 31, working with Chuck Caron to delineated wetlands, Mr. Belanger has found enough high and dry land to create either a 6000 square foot single story or 12,000 square foot building he hopes he can market as medical offices. Mr. Belanger showed the PB an in progress site plan with building location and parking spaces laid out. The medical office/clinical use was determined to by the PB to be by allowed in an industrial I-2 district by special permit. Mr. Belanger said he will be working to move forward with the Rt. 31 parcel, obtain Con Com permitting and create a pad in the location in hopes of better marketing the site. The PB told Mr. Belanger they would support his intended project.

7:52p.m. Planning Board review of Westminster Business Park earth removal progress reports for October 2014.

Jon told the Board there were 4 outstanding work action items, and requests to not locate two wells. Stephen told the Board he would ask Mr. Chuck Scott to put together a map of where the wells were located and a formal request to not relocate and install them. Mr. Bud Taylor told the PB that the wells were put in for measuring both pre-development and post development water levels and should be re-installed. Mike told the Board he would like to receive the final cut and fill grading plan that has been continually listed of the action item schedule for months.

8:00p.m. Joe Flanagan's resignation from the Planning Board.

Jon asked the Board about strategizing a replacement for Joe. Mike told the Board he would like to hear from the Selectmen about what compelled them to add Article 11, the cause of Joe's resignation, to the warrant, and about why it is now being referred to the "Bylaw Review Committee" that seems to have never met once. Stephen informed the PB that he had been contacted by Karen Murphy to become a part of the BRC and they would be meeting in December or January. Mike asked the Board if anyone knew how to submit material to the BRC. Stephen told the PB he would submit ant material anyone would like to share. Mike told the Board there would be at least 4 town boards or committees affected

by the language of article 11. He told the Board there were presently 14 Boards looking for volunteers according to the Town website. He told the Board he had emailed Ms. Heather Billings asking why the BOS would put this item on the warrant without ever discussing it in an open meeting. Mike read Heather's response to his email and then read the questions he had written to her in his email. After much further discussion about open meeting law, BOS procedure policies that might have been ignored, moving the article forward by referring it to the BRC rather than withdrawing it completely or at least discussing it in open meeting, Mike told the Board he would not accept Joe's resignation or discuss an interim appointment without understanding the intentions of what the BOS hoped to create by moving article 11 forward. Mike noted that there were only three PB members present and the actions of the BOS had already affected the PB.

Mr. Bud Taylor outlined past voting practices of members of the Advisory Board, BOS and Planning Board all serving on multiple town committees dealing with important town issues. Bud told the Board the past practice has been for members on multiple boards to abstain from votes if there was any conflict of acting/voting improperly.

Stephen suggested that the PB send a letter to the BOS asking for answers to questions about article 11 and requesting a place on their agenda. Stephen told the Board he had contacted Mr. Fairbanks who told him he felt there was a conflict about making policy and advising on policy. Jon stated there is a difference, you just have to know what hat you are wearing where you're sitting. Marie moved a motion to send a letter to the BOS including the questions that were in Mike's email. Jon seconded it. The PB voted all in favor to send the letter.

8:25p.m. Liason Reports

MJTC- Jon told the Board the Regional Trail Map project is 90% complete and it is now a part of the "Mr. Mapper" online service. They are updating the Regional Transportation Plan and as part of that they have compared economic data from the 2000/2010 census which will be used to determine where to focus future transportation needs. There was also a presentation on complete streets. Wachusett Station completion date has slipped from Dec 2015 to June of 2016 due to track improvement delays by Pan Am.

Stephen attended a legislative luncheon that informed him that zoning reform did not pass again, surprise, surprise!

Mike told the Board that the Master Plan was accepted unanimously at Special Town Meeting and Stephen will be adding an agenda item to our next meeting for the PB to vote to formally adopt the plan.

8:35p.m. Adjourn.

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

3 Pages of Minutes
Respectfully submitted,
Michael Fortin

8 Attachments :

- 1) ANR Plan for Seth Terrell/Mutual Builders. 1 page.
- 2) Town Planner package for Seth Terrell/Mutual Builders including Form A, tax cards and Town Planner GIS map. 4 pages.
- 3) Town Planner package for Martha Robertson/Minott Road including tax cards and Town Planner GIS map. 3 pages.
- 4) Marked up copy of Town tax map showing Robertson land proposed road and lots. 1 page.
- 5) Alan Belanger/ Snow Hill Development letter and schedules dated November 10, 2014. 7 pages.
- 6) Alan Belanger preliminary site plan for Rt. 31. 1 page.
- 7) Westminster Business Park monthly review memo from Tetra Tech dated November, 5 2014. 4 pages.
- 8) Resignation letter from Joe Flanagan dated November 10, 2014. 3 pages.