



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 .

MINUTES OF REGULAR MEETING

Tuesday, April 14, 2015

Room 222, Town Hall

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

Absent:

Additional Attendees: Mr. Chuck Scott CFS Engineering, Mr. Chris Clark/Nexamp,
Mr. Brandon Doane/Nexamp.

7:00 p.m.

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

7:00 p.m. - Minutes

Jon asked PB members to review the March 24, 2015 minutes. Mike noted a heading error and asked PB members to replace “7:17p.m. Review proposed amendments to zoning...” with “7:17p.m. Public Hearing - Site plan review of Theodore Drive Solar LLC.” and made a motion to approve the minutes with the heading change. Seconded Jay. The PB voted AIF to accept the minutes as amended.

7:02p.m. Town Planner Report for March 2015.

Jon asked Stephen to update the Board on the monthly activity. Stephen noted the Master Plan copies had been handed out to all town departments. Jon asked about the USDA grant and MassWorks grant for the sewer project. Stephen noted the USDA grant application was submitted in early March with an award/loan offer expected in May or June. Expected award would be 25% with remainder to be town funded with an expected vote at Fall Town Meeting. The MassWorks application is due by August.

The EDC Promotional Brochure has been sent to the printer.

A workshop for the Demolition Delay Bylaw was held at the Library. After visiting town boards and committees, the bylaw is leaning towards a list of structures to be protected by the bylaw rather than a time period(older than 100 years).

Jon reminded everyone of the town election on April 28.

Marie attended the MidState Trail meeting and noted that Charlton is a key portion of the trail in jeopardy with two large farms being divided into housing projects. Charlton officials are working on the route.

There was discussion about the frontage on Syd Smith Road. Marie suggested Stephen contact the Town Clerk. Marie noted the road has eroded and is impassable. Stephen will be attending a site visit with the owner of a lot further down the road, Josh Hall, and a neighbor.

7:15p.m. Public Hearing – Continued Site plan review of Theodore Drive Solar LLC.

Jon read the Gardner News notice of the public hearing and asked Stephen to updated the PB on the outstanding items. Stephen told the PB the plans have been revised. The drainage calculations from Bob Maki have been reviewed and approved. The revised plans note “non-reflective panels”. Stephen received a memo from TetraTech stating the bond amount of \$63,060 appears sufficient to cover the decommissioning. TetraTech also sent a memo about the release of Lot I-4c stating all utilities have been installed and noting a deficiency in the bonding of the roadway from Station 17.00 to 26+50.

TetraTech recommends a review of the bonding between these stations as the roadway is deteriorating

and may need repair in the future. There was discussion about former bonds on the property and what they are meant to be used for. Mr. Chuck Scott thinks the bond amount in question is probably for the top coat of the roadway. Stephen recommends the Board have TetraTech cost out the work remaining between the 17.00 and 26+50 stations and compare that money with the existing bonding. The PB asked Stephen to have TetraTech perform the costing.

The remaining outstanding issues have been completed to the satisfaction of the board.

Regarding the bonding, Mr. Chris Clark asked the PB to consider a bond amount of 50% with the remainder to be straight line funded over ten years. There was discussion about acceptable forms of bonding, how the payment system might work and the risk to the Town if payments were not made or worst case scenarios played out.

Jon then asked PB members if there were any further questions or information needed before closing the public hearing and beginning deliberations. There were none. Marie made a motion to close the public hearing. Jay Seconded. Voted AIF.

Stephen noted two items for the PB to act on: The requested waivers and the decommissioning bond.

Marie made a motion to accept all the waivers requested. Seconded Jay. Voted AIF.

Mike made a motion to ask for 100% of the decommissioning security amount of \$63,060. Seconded Jay. Voted AIF.

Stephen then read the 4 standard conditions the PB attaches to all site plan approvals:

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- 1 Other approvals or permits required by the Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
 - 2 The Site Plan Approval applies only to the site which is the subject of this Application. All construction to be conducted on the site shall be conducted in accordance with the terms of this Approval and shall be limited to the improvements shown on the Plan.
 - 3 The Board hereby reserves its powers to modify or amend the terms and conditions of this Approval upon its own motion with consent from the owner, or on the Application of the owner. The Board further reserves its powers to amend this Approval without a new public hearing provided that the Board finds that such amendment is not significant to the public interest and that such amendment is not inconsistent with the purpose and intent of the Zoning Bylaw or with the terms of this Approval.
 - 4 This Approval shall lapse on April 14, 2017 if a substantial use thereof has not sooner commenced for good cause. Any request for an extension of the time limitation set forth herein shall be made in writing to the Board at least 30 days prior to April 14, 2017 and the Board reserves its rights and powers to grant or deny such request without a public hearing.
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Stephen then read one additional condition for the site plan approval:

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- 5 The Applicant will post a decommissioning surety with the Town in the amount of \$63,060 prior to receiving a Certificate of Occupancy from the Building Commissioner.
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Marie motioned to approve the site plan with the above 5 conditions. Seconded Jay. Voted AIF. The PB endorsed the plans.

8:08 p.m. *Zoning amendment work Table of Uses*

Stephen suggested to the Board we hold off until April 28 for working on the Table of Uses. The present light load would allow the PB to devote most of the meeting for that discussion. He noted to the PB that a working meeting with the Building Commissioner had been held on April 2nd and Mike G. had two primary concerns. Mike G. would like to see the accessory apartment zoning now restricted to just R-III apply to R-I and R-II districts also. His second concern was creating some standards for home business occupations. Present zoning allows home business occupations but is lacking in the standards to be met when such uses occur.

There was discussion about lot sizes. Jon mentioned Mike G. suggested that lot sizes might be half of what they presently are. Mike told the Board he discussed this with Mike G. after the meeting and Mike G. compared the potential 45,000 future jobs if all the commercial and industrial land was built out with the 22,000 residents that would live here at that theoretical date in the future. Mike then asked Stephen how the PB should decide to either follow the citizen survey results of the Master Plan or explore Mike G.'s suggestion more in detail. Mike asked Stephen if there was any risk that big companies might overlook Westminster if housing availability in Westminster did not exist. Stephen told the PB that in

his 4 years here there was no interest in larger developments in Westminster and that large businesses who might locate here would base their decision making on regional housing availability. Stephen also reminded members that in year three of our revised zoning work we would be revisiting housing availability. Stephen told the board he had already lined up Jeff Lacey who would be helping us revise our cluster housing bylaw. Also, when the Senior Housing behind the Senior/Community Center was built out, there would potentially be 72 homes available for families if seniors chose to move to the senior housing.

Jon asked about and there was more discussion about bonds and bonding at Westminster Business Park. Stephen said he would review old 2000-2002 minutes to try to pinpoint what the old Lehtola remaining bond was being held for and also would set TetraTech on task for determining the cost for the un-bonded section of Theodore Drive.

8:27 p.m. Release of Theodore Drive Lot I-4c from covenant.

Jon asked members if they had enough information from the bond discussions to release lot I-4c.

Marie made a motion to release the lot. Seconded Jay. The PB voted AIF to release the lot. Stephen told Mr. Scott that the Form E lot release would need to be signed by PB members in front of the Town Clerk and notarized. PB members agreed to affix signatures by Tuesday, April 21.

8:32 p.m. Adjourn.

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

3 Pages of Minutes
Respectfully submitted,
Michael Fortin

6 Attachments :

- 1) Town Planner monthly BOS update dated March 27, 2015. 2 pages.
- 2) Town Planner Site Plan Review Memo for Theodore Drive Solar, LLC (NEXAMP) dated April 13, 2015 6 pages.
- 3) TetraTech Theodore Drive Lot I-4c lot release memorandum dated April 6, 2015 (with photos). 3 pages.
- 4) CFS Engineering letter dated March 25, 2015 requesting release of Theodore Drive Lot I-4c from covenant. 4 pages.
- 5) Email from Stephen to TetraTech requesting bonding review for Theodore Drive Solar project dated March 09, 2015 and reply from TT to PB dated April 02, 2015. 2 pages.
- 6) Revised Site Plans: Solar Development Westminster Business Park. 8 pages.