



# Town of Westminster

MASSACHUSETTS 01473  
FROM THE OFFICE OF THE  
**PLANNING BOARD**

Phone: (978) 874-7414

[swallace@westminster-ma.gov](mailto:swallace@westminster-ma.gov)

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Jon Wyman, chairman

Marie N. Auger, vice chairman

Michael Fortin

William C. Taylor, II

## MINUTES OF REGULAR MEETING

Tuesday, August 25, 2015

Room 222, Town Hall

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

Absent: Bud Taylor

Additional Attendees: Mr. Steven Bouley/TetraTech, Mr. Brian Marchetti/McCarty Engineering, Mr. Chris Mossman, Mr. Joseph MacNeil

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 August 4, 2015 and August 11, 2015 minutes. Mike motioned to approve the August 11, 2015 minutes. Seconded Marie. The PB voted AIF to accept the minutes. (August 4, 2015 was a "working" meeting without a quorum.)

7:02 p.m. Approval Not Required (ANR) Plan for Joseph MacNeil, 1 Old County Road (two new lots).

Stephen described the plan. The legal frontage will not be the driveway access. There is a "right of way" that will be used for "ease" of access. Marie moved to endorse the plan, Seconded Mike. Voted AIF to endorse.

7:10p.m. Bond reduction and permit extension requests for Westminster Business Park Phase II earth removal permit.

Stephen explained to the Board that he had met with both Mr. Steven Bouley/TetraTech and Mr. Brian Marchetti/McCarty Engineering regarding the requested WBP Phase II Earth Removal bond reduction, present permitting in place and un-bonded roadway completion from Station 17+00 to Station 26+50.

Mr. Marchetti described the existing bonding in place and locations of that bonding. Some roadway construction items had been included in the earth removal bonding, making it difficult to ask for a release of the earth removal permitting without completing roadwork that did not make sense to complete at that time. Moving forward it would make sense to separate earth removal and roadway construction into separate bonding so the earth removal permitting could be closed out when completed.

Agreeable to all parties was to extend the Phase II Earth Removal permit for three months, at which time when the work is completed to the satisfaction of TetraTech, return a portion of the \$339,171 Phase II Earth Removal Bond related to earth removal and retain a portion (\$26,030) to cover installation of HMA Base Course 2" and Rip Rap from station 40+75 to Station 59+00 (See TT dated Aug 7 2015) as had been previously agreed to by Mr. Powell and the Westminster Business Park owners. Also at that time, WBP will post a bond in the amount of \$75,735 to cover the un-bonded portion of work from Station 17+00 to Station 26+50. (See TT Bond Estimate Dated May 6, 2015)

Marie made a motion to extend the Phase II Earth Removal Permit to November 30th 2015. Seconded Mike. The PB voted AIF to extend the permit.

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Stephen Wallace  
Town Planner  
[swallace@westminster-ma.gov](mailto:swallace@westminster-ma.gov)

The PB asked Mr. Bouley/TT to revise the TT Bond Estimate dated August 7, 2015 to reflect just the HMA Base Course 2" and Rip Rap.

7:24 p.m. Building Commissioner Referral: Michael Longley, potential need of Fill Permit for property located at 39 Carter Road.

The PB discussed the Superior Court Department C.A. No 2013-CV-1308-D Agreement For Judgment. The board discussed the timeline of the placement the fill and the old vs. new fill bylaw and associated adopted regulations. The PB asked Stephen to send a letter to Mike Gallant asking the following:

Starting from November 13th 2015:

1. When did the fill operation begin again?
2. Can you estimate how many yards of fill have been placed?
3. To what depth?
4. How many acres have been affected?
5. Do you have any written complaints from direct abutters?

The PB also acted on the General Bylaw 97-15A appointing the Building Commissioner to be PGA's authorized agent. Motion by Mike, seconded Marie. Voted AIF.

7:52 p.m. Planning Board zoning work: Definitions, Table of Uses and Table of Dimensional Requirements. .

Stephen asked the Board if they would like to make a distinction between Public Utilities owned by a Public Service Corporation and Public Utilities not owned by a Public Service Corporation. The Board decided to keep the distinctions. Stephen will get a definition for Public Service Corporation.

The PB then discussed definitions for nursery, preschool, and kindergardens.

The PB then reviewed the new cleaned up versions of definitions and Table of Uses.

8:03 p.m. Town Planner Update

Stephen asked the PB to refer the appointment of Mr. Andrew Rice, to fill the remainder of Jay Shenks term, to the BOS. Moved by Mike, seconded Marie. Voted AIF.

The Board discussed participation at MRPC meetings and the Mr. Mapper application the MRPC provides.

8:11 p.m. Adjourn. Marie made a motion to adjourn. Mike seconded. The PB voted AIF to adjourn.

2 Pages of Minutes

Respectfully submitted,  
Michael Fortin

11 Attachments :

- 1) ANR Plan of Lots Prepared for Joseph MacNeil by Szoc Surveyors dated July 21, 2015. 1Page.
- 2) Town Planner package for MacNeil including Form A, tax cards and Town Planner GIS map dated Aug.13, 2015. 7 pages.
- 3) McCarty Engineering, Inc. letter to PB requesting Phase II Earth Removal Permit Extension. Dated August 7, 2015. 1 page.
- 4) TetraTech Bond Value Estimate Westminster Business Park Phase II Earth Removal Section 1 (STA 40+75 - STA 59+00) dated August 7, 2015. 1 page.
- 5) TetraTech Bond Value Estimate Westminster Business Park Roadway (STA 17+00 - STA 26+50) dated May 6, 2015. 1 page.
- 6) Superior Court Department C.A. No 2013-CV-1308-D Agreement For Judgment.
- 7) 2 photos of Longley parcel and assessors map of Longley parcels 16,16-1 and 16-2, Carter Road. 3 pages.
- 8) Email to PB regarding Longley property dated August 25, 2015 from Donna Brownell. 1 page.
- 9) Forwarded email to PB dated August 25, 2015 from Donna Brownell. (Copy of July 14 2015 email to Mike Gallant.) 1 page.
- 10) Clean copy of Table of Uses - dated August 17, 2015. 5 pages.
- 11) Zoning Definitions (2015 Draft Revision #1) no date. 8 pages.

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Stephen Wallace  
Town Planner  
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