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**Town of Westford  
PLANNING BOARD**

Town Hall  
55 Main Street  
Westford, Massachusetts 01886  
(978) 692-5524 · Fax: (978) 399-2732

**MEETING AGENDA  
Monday, February 2, 2015  
7:00 PM Meeting**

**REVISED LOCATION: Millennium School, All Purpose Meeting Room  
23 Depot Street, Westford, MA 01886**

7:00 PM

**Executive Session**

To discuss strategy with respect to litigation, related to Newport Materials, LLC, vs. Planning Board of Westford, et al., as an open meeting may have a detrimental effect on the bargaining or litigation position of the Town.

7:30 PM

**Open Forum**

**Review Minutes:**

**January 20, 2015**

1. 7:35 PM

**PB 1430 SPR/SPMCP/SWM - 5 Lyberty Way (Ryan Development, LLC)**

*Public hearing for a Site Plan Review (Section 9.4 of the Zoning Bylaw), a Special Permit for a Major Commercial Project (Table of Principal Use Regulations and Section 9.3A of the Zoning Bylaw), and a Stormwater Management Permit (under Chapter 147 of the Town of Westford General Bylaws) in order to construct a new 8,500 s.f. addition to an existing building, construct a new 9,000 s.f. detached building, modify parking areas, and any other permit or relief as may be required under the Town of Westford Zoning Bylaw. The subject property is identified as Assessor's Map 017 Parcel 00778 Lot 0000 and lies within the Industrial Highway Zoning District.*

*Continued from: January 20, 2015*

2. 8:00 PM

**PB 1501 ZNG, Amend Zoning Bylaw, to update Section 3.6 - Nonconforming Uses and Structures.**

*To see if the Town will vote to amend Section 3.6, Nonconforming Uses and Structures, to provide greater consistency with MGL Chapter 40A Section 6 and current case law. This amendment is sponsored by the Planning Board.*

**PB 1502 ZNG, Amend Zoning Bylaw, to update Section 9.4 - Site Plan Review.**

*To see if the Town will vote to amend Section 9.4, Site Plan Review, to add Administrative Site Plan Reviews and Minor Site Plan Reviews and related changes. This amendment is sponsored by the Planning Board.*

**PB 1503 ZNG, Amend Zoning Bylaw, to amend Section 10 and Appendix A relating to Massage Establishments.**

*To see if the Town will vote to amend Section 10, Definitions, and Appendix A, Table of Principal Use Regulations to allow Massage Establishments in the Commercial Highway (CH), Industrial Highway (IH) and Industrial A (IA) zoning districts and related changes. This amendment is sponsored by the Planning Board.*

*Continued from: January 20, 2015*

3. 8:15 PM **PB 1429 SP/SWM/SCE – 28 Old Lowell Road (Steve Shea)**  
*Public hearings for a Special Permit/Stormwater Management Permit/Scenic Road Permit to **install a Common Driveway, disturb more than one acre of land, and for work within Old Lowell Road, a designated Scenic Road.** The Scenic Road public hearing shall be held concurrently with the **public hearing by the Tree Warden in accordance with MGL Chapter 87 – Shade Trees.***

*Continued from:* November 17, 2014  
December 15, 2014 (No discussion)  
January 5, 2015 (No discussion)  
January 20, 2015

4. 8:30 PM **PB 1504 SPR/SP MCP/SP WRPOD/SP under 9.3/SWM – 20 Commerce Way (also known as 540 Groton Road) (Newport Materials LLC and 540 Groton Road LLC)**  
*Public hearing for a Site Plan Review (Section 9.4 of the Zoning Bylaw), a Special Permit for a Major Commercial Project (Table of Principal Use Regulations and Section 9.3A), a Special Permit for storage of hazardous materials within the Water Resources Protection Overlay District, Section 8.1) a Special Permit (Section 9.3), and a Stormwater Management Permit (under Chapter 147 of the Town of Westford General Bylaws) **in order to construct an asphalt manufacturing facility and associated materials stockpile yard with a 10,000 gallon tank for storage of #2 fuel oil.** The applicant seeks the above permits and any other permit or relief as may be required under the Town of Westford Zoning Bylaw and as may be required by the Decision issued by Land Court 10 MISC 429867. The subject property is identified as Assessor's Map 048 Parcel 0011 Lot 0234 and is within the Industrial A Zoning District.*

These applications are being considered by the Planning Board on remand from Land Court in accordance with a Decision issued on December 8, 2014, as modified on January 6, 2015, in the case Newport Materials, et al v. Planning Board of Westford, et al. 10 MISC 429867.

Materials related to these applications and the Land Court decisions can be found on the Planning Board's Web Page under the tab "Asphalt Plant" at:  
[http://www.westfordma.gov/pages/government/towndepartments/boardsandcommittees/WestfordMA\\_planning/index](http://www.westfordma.gov/pages/government/towndepartments/boardsandcommittees/WestfordMA_planning/index)

*Continued From:* January 21, 2015

5. **Non-public hearing items**
- **PB 1505 ANR – 55 South Chelmsford Road**
6. **Reports and Updates**
- Master Plan Implementation Committee Update

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Victoria Johnson at 978-692-5524 or email to [vjohnson@westfordma.gov](mailto:vjohnson@westfordma.gov).