



Town of Westminster

11 SOUTH STREET
MASSACHUSETTS 01473

FROM THE OFFICE OF THE
CONSERVATION COMMISSION

Phone: (978) 874-7413 * Fax: (978) 874-7411

MINUTES MEETING October 29, 2013

**To: Selectmen
Board of Health
Building Commissioner
Planning Board
Highway Department
Town Clerk**

Present: Chairman Dan Bartkus, Co-Vice Chairs: Gary Smith, Gregg Buckman, Members: Robert Gendron, John Regan, Agent Bob Maki, Secretary Susan Kalagher

Absent: Tim Sheehan

Guests: Paul Daniello, Jennifer Roberts, Ed Simoncini, Matt McGuirl, Chris MacKenzie, Joan Hay

Documents and other Exhibits:

1. Plan - 8 Winters Drive
2. Plan - 272 Minott Road
3. Plan - 15 Laurie Lane
4. Plan - Tommy Francis Road

Paul Daniello of Mount Grace discussed the Engman Conservation Restriction.

Dan Bartkus opened the Meeting at 7:04 p.m. The meeting was not recorded.

The Conservation meeting scheduled for Wednesday, December 11, 2013 will be changed to Tuesday, December 10, 2013.

Minutes and Vouchers approved:

The Conservation Commission Minutes of October 8, 2013

Voucher: Bob Maki for mileage - \$39.33

Mail was read and distributed.

Certificate of Compliance

AMEC Earth & Environmental / Colony Road, Sargent Road, Simplex Drive / DEP# 336-0739 issued to Fitchburg Gas / Unitil - will be held until the next meeting to allow Bob Maki time to make an inspection.

**NOI
15 Laurie Lane
Roberts**

7:15 p.m. The public hearing for 15 Laurie Lane requested by Jennifer Roberts for the installation of a dock was opened. The Commission was advised that they had filed for a Chapter 91 Permit and that they have not yet received the permit. Proof of abutter notification was submitted. The length of the dock was a concern, but determination as to whether or not it will impede navigation will be made through the Chapter 91 Permit. The applicant intends to work during a period of draw-down and use poured concrete in sono tubes. They also would like to renovate a shed and a deck. After discussion, the Commission agreed to sign off on the building permit, but suggested that they look into alternatives to using concrete. A motion was unanimously approved to sign the building permit for the shed and deck and to put the installation of the dock on hold pending the outcome of the applicant's findings. The public hearing was continued to Tuesday, December 10, 2013 at 7:15 p.m.

**NOI
272 Minott Road
Nelson**

7:30 p.m. The public hearing for the construction of a new single-family house and installation of a driveway, septic system, and well at 272 Minott Road was opened and proof of abutter notification was submitted. Ed Simoncini gave the overview of the project of behalf of Mark Nelson. The property abuts Wrights Reservoir. The plan was reviewed and a motion was made by Gregg Buckman, with second by Gary Smith and was unanimously approved with conditions. The public hearing was closed at 7:35 p.m.

**NOI Continued
8 Winters Drive
Woodruff**

7:30 p.m. The continuation of the public hearing for 8 Winters Drive for the installation of a dock and retaining wall was opened. The public hearing was opened on September 13, 2013 and Mr. Woodruff was advised that he would need to apply for a Chapter 91 Simplified Permit and it was also advised to have a habitat study prior to the next meeting. The meeting was continued to October 8, 2013 and Mr. Woodruff was not in attendance. The hearing was again continued to October 29, 2013, and again Mr. Woodruff was not present. The secretary was advised by Mrs. Woodruff that Mr. Woodruff does not intend to move forward with the project. It was unanimously voted to deny the plan as presented.

NOI
Tommy Francis Road
McGuirl / BMS Realty

7:37 p.m. The public hearing for a driveway and wetland crossing for access to a new single-family home on Parcel B Tommy Francis Road was opened. Matthew McGuirl was present. Chris MacKenzie of Whitman & Bingham Assoc. submitted proof of abutter notification and gave the overview of the project. The project is located on Parcel B and involves work within the 100 foot buffer zone and within the riverfront areas. Hay bales and silt fence barriers were discussed. Conservation Agent Bob Maki took issue with the size of the proposed alteration area and determined that the figures were not accurate. Mr. MacKenzie explained that there was a typo on the plan and further explained how he determined the wetland replication area by using auto cad. Mr. McGuirl originally bought 2 lots, one of which was not buildable. Land area requirements for Town have changed now making it a buildable lot. On the original definitive subdivision plan the property was deemed a parcel – not a lot. Gary Smith asked if this has been presented to the Planning Board to determine if this is an ANR lot. The Planning Board must determine the status of this property before Conservation can make a decision. Conservation Agent Maki requested to see the changes on the plan regarding the size of the replication area and also requested that wetlands be reflagged. The Commission discussed the concern over the large amount of replication area and noted that they only the discretionary authority to approve up to 5,000 sq. feet. A replication plan including species, and plant locations was requested. Abutter Joan Hay asked to see the plan in relationship to her home. Mr. MacKenzie asked if this could be considered a limited project and the pros and cons of this were discussed along with the placement of culverts. Another concern was the 10 foot wide driveway shown on the plan.

8:15 p.m. The Commission continued the hearing to December 10, 2013 to allow time to comply with their requests.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Dan Bartkus
Chairman
(prepared by Susan Kalagher)