



# **Town of Westminster**

11 SOUTH STREET  
MASSACHUSETTS 01473

FROM THE OFFICE OF THE  
**CONSERVATION COMMISSION**

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

## **MINUTES of MEETING June 22, 2017**

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

**Present:** Chairman Dan Bartkus, Vice Chair Gary Smith, Members: Tim Sheehan, and Carrie Monty, Secretary Susan Kalagher, Agent Bob Maki

**Absent:** Robert Gendron

**Guests:** Tom Torrans, Michelle Deline, Chris Mossman, Linda Leclerc, Heather Billings, Frank Calandra, Jim Begley, Wesley Flis

### **Documents & Plans and other Exhibits**

1. Revised Plan – Lot A Frog Hollow
2. Revised Plan – Lot B Frog Hollow
3. Plan – 180 State Road East
4. Plan – 102 State Road West
5. Plan – 7 Winters Drive
6. Plan – Lot 4 Newton Road
7. Plan – Lot 16 Newton Road
8. Letter from John Deline, 6/22/2017 re: Frog Hollow
9. Letter from Graz. Engineering, 6/22/2017 re: Frog Hollow

Dan Bartkus opened the meeting at 7:00 p.m. The meeting was not being recorded.

### **Certificates of Compliance**

The following Certificates of Compliance were signed per recommendation by Bob Maki:

1. 212 Bean Porridge Hill Road / Aho / #336-0772
2. 78 Lake Drive West / Ray-Tek Construction / #336-0835

**Extensions**

The following Extensions to Orders of Conditions were signed per recommendation by Bob Maki:

1. Old Town Farm Road / DPW / #336-0755
2. 39 Kent Road / Harrington / #336-0789

**Minutes, Mail**

Mail was read and distributed.

The Minutes of June 1, 2017 were approved and signed.

**NOI  
180 State Road East  
Northrop Grumman**

7:10 p.m. The public hearing for the request for an Order of Conditions filed by Scott Lutz of Northrop Grumman Systems Corporation for the implementation of a comprehensive remedial action to reduce cadmium-impacted soil and groundwater concentrations at 180 State Road East was opened. Proof of the notification of abutters was submitted. Frank Calandra of Vertex Companies, Inc. and Jim Begley, licensed site professional, discussed the plan to reduce cadmium-impacted soil and groundwater concentration to below acceptable regulatory thresholds. The scope of the work was discussed. Polysulfide will be injected from a grid of 157 temporary injections points with as many as 9 groundwater monitoring wells. They plan to sample the ground water before, during, and after the injections of polysulfide to confirm that the area being treated has been effective. No work will take place within the resource area at this time. Northrop Grumman will file a Notice of Intent for work on the bank, wetland soil, and river sediments will be completed in 2018 under a separate Notice of Intent. Excavated soil will be temporarily stockpiled on site in containers and be shipped out. Monitoring will continue for 3-5 years depending on observation. After lengthy discussion, the plan was unanimously approved with conditions upon motion by Gary Smith and second by Tim Sheehan. The public hearing was closed at 7:30 p.m.

**CONTINUATION / NOI  
Lot A Frog Hollow Road  
Lot B Frog Hollow Road  
Maggs**

7:30 p.m. The continuation of the public hearing for the request for two Orders of Conditions filed by Carlton & Patricia Maggs for driveways over stream Crossings on Frog Hollow Road was opened. Paul Grasewicz of GRAZ Engineering showed revised plans in response to requests by the Commission at the previous meeting and comments from DEP and John Deline, Deputy Commissioner of Water Supply for Fitchburg. The revised plans showed an increased replication area and shared maintenance of the crossing structure addressed in the notes on the plan. A letter from John Deline was read in which he strongly opposed the crossing. Mr. Grasewicz contends that the land was subdivided prior to the Conservation Bylaw in 2003 and the crossing was previously approved by the Commission by Order #336-0579 in 2007. Mr. Grasewicz incorporated several of Mr. Deline's requests in the revised plan. The common drive suggested by DEP is not allowed by the Town. Other requests by DEP were added to the plan. Bob Maki has had sufficient time to review the project and found it to be satisfactory. The box culvert, flagging, the force main, and other issues were discussed. Upon recommendation by Bob Maki, the plans for lot A and lot B Frog Hollow Road were unanimously approved with

conditions after a motion made by Gary Smith and seconded by Tim Sheehan. The public hearing was closed at 7:45 p.m.

**RFD  
102 State Road West  
JEKN, LLC**

7:45 p.m. The public meeting requested JEKN, LLC by for the construction of a new single family house with a well proposed within the 100 ft. buffer zone at 102 State Road West was opened. The property owner is Lorraine T. Flanagan Living Trust. Chris Mossman gave the overview of the project. The majority of the work is outside the buffer with the well and supply lines inside the buffer zone with minimal tree cutting and grading needed. After review, the plan was unanimously approved with condition. The public meeting was closed at 7:50 p.m.

**RFD  
7 Winters Drive  
Leclerc**

7:50 p.m. The public meeting requested by Linda Leclerc for the replacement of an existing split rail fence was opened. Bob Maki made a site visit and determined that there would be no need for a silt fence. Holes will be dug by hand. Upon motion and second, the plan was unanimously approved with conditions. The public meeting was closed at 7:55 p.m.

**NOIs  
Lot 4 Newton Road  
Lot 16 Newton Road  
Murphy/Westhub Realty Trust**

7:55 p.m. The public hearings requested by David Murphy of Westhub Realty Trust were opened. Wes Flis of Whitman and Bingham gave the overview of the project including a 16-lot cluster development with lot 4 and lot 16 showing work in the buffer zone. The project includes the construction of a single-family house with the proposed grading associated with the septic system, well, and rear yard within the 100 ft. wetland buffer zone. Erosion controls were shown. The plan was unanimously approved with conditions upon motion by Gary Smith, and second by Tim Sheehan. The public hearing was closed at 8:05 p.m.

**DISCUSSION: Woods of Westminster modification request**

***Dan Bartkus recused himself from the discussion and left the meeting.***

Wes Flis of Whitman and Bingham discussed the modifications requested by the Woods of Westminster Golf Course. An Extension Permit (#336-0570) was approved at meeting of June 1, 2017. The modification to the plan includes the installation of a 50 ft. by 10 ft. fire cistern in an area that was already proposed to be disturbed as part of the construction of White Pine Drive and not anticipated that additional disturbance will be required within the buffer zone.

**CONSERVATION AGENT REPORT:**

Bob Maki received a complaint from Anthony Raffaele of 21 Wachusett Drive stating that there had been a noticeable fish kill and demolition debris had entered the culvert. Bob Maki made a site visit and found no evidence of a fish kill or demolition debris in the culvert. Josh Hall further substantiated that there was no evidence of demolition debris found in the culvert.

8:15 p.m. The Commission discussed issues concerning Frog Hollow Road.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Dan Bartkus

Chairman

(prepared by Susan Kalagher)