



# **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**

**May 20, 2021**

**THE CONSERVATION COMMISSION WILL MEET REMOTELY. YOU MAY JOIN THE ZOOM MEETING AT <https://us02web.zoom.us/j/7370885635> Meeting ID: 737 088 5635 or One tap mobile +19292056099,7370885635# US**

**To: Selectmen  
Board of Health  
Building Commissioner  
Town Clerk**

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

**Absent:** Robert Gendron

**Guests:** Chris Mossman, Amie Robollard, Mike Petrin, Don Gribbons, Derek Knerr, Scott Tibodeau, Louis Pelletier, Rob Boujold, Elizabeth Williams, Rene Paine, Francesca Person, Patrick McCarty

### **Documents, Plans and other Exhibits**

1. Plan – 52 Oak Avenue / Leino Park Bridge
2. Plan – 100 Simplex Drive (industrial bldg.)
3. Plan – 89 Town Farm Road
4. Plan – 3 Woods Road
5. Plan – Lot 13A White Pine Drive

Gary Smith called the Zoom meeting to order at 7:10 pm. The meeting was recorded by Matt Marro.

### **NOI**

**Lot B -13 A White Pine Drive  
Carlson / Traditional Concepts**

This NOI will be continued to the next meeting as requested by the applicant.

**NOI**  
**3 Woods Road**  
**Hilton / Lineage Home Solutions**

7:10 pm. The public hearing requested by Clifford Hilton of Lineage Home Solutions, LLC was opened for the rehabilitation of an existing single family house including the replacement of the septic system and improvements to the existing driveway at 3 Woods Road. Chris Mossman gave the overview of the project and submitted proof of notification of abutters. The plan was shared on the screen. The rehabilitation involves work on the house and garage, construction of farmer's porch, a deck, and possibly a breezeway connecting the house and garage. The driveway will be improved and paved and the septic system will be replaced. Work located within the buffer zone is associated with a wetland area and a Riverfront area extending from a perennial stream. The septic repair leaching area are outside the riparian zone and exempt from the Rivers Act. There will be some grading going into the inner riparian zone and a Presby system will be installed. Drainage improvements and erosion controls were discussed. Sona tubes will be used on the deck and the slope will be stabilized with wood chips. All questions from the Commissioners were answered and there were none from the abutters. A motion to approve was made and seconded and the motion passed. The public hearing was closed at 7:20 pm.

Extra Note(s): It was noted that the BOH had approved the septic. I had noted that as a septic repair and the fact it was out of the buffer zone and not within the inner riparian zone it was exempt from the rivers protection portion of the regulations.

Tim Sheehan joined the meeting.

**NOI CONTINUATION**  
**100 Simplex Drive (Industrial Building)**  
**Levine / Equity Industrial Partners**

7:20 pm. The Continuation of a public hearing requested by Bruce Levine of Equity Industrial Partners for development of an industrial building with associated parking areas at 100 Simplex Drive was opened. Mike Petrin gave the overview of the project and shared the plan on the screen. There have not been any changes to the limit of work. The Planning Board reviewed the plan and found no issues with regard to storm water. A planting plan was discussed. Abutter Don Gribbons discussed concerns with the amount of forested area that would be cut between this project and the solar farm proposed nearby. It was made clear that the solar farm was not part of this project. Mr. Gribbons concern that deforesting an entire hill side would cause considerable run-off and thought that the cumulative effect of the combined projects should trigger an EPA study. Mike Petrin discussed drainage associated with this project and eased Mr. Gribbons concern. The plan was unanimously approved with all in favor. The public hearing was closed at 7:36 pm.

Extra Note(s): I had asked VHB to examine the issue Don Gribbons raised from the standpoint of the abutting project also removing a large amount of trees. Don's issue was addressed by VHB showing the drainage watershed being different and stormwater from the Simplex project would not influence the solar project. I wanted to ensure it was addressed that with all of the tree clearing proposed cumulatively in both abutting lots, storm water would build up on both lots. Fortunately, the drainage patterns on this

project carry the flow in the opposite direction. The hearing had been continued as I had asked the storm water revisions that the Planning Board reviewer wanted were incorporated into the current plan.

**NOI CONTINUATION**  
**52 Old Oak Avenue (Leino Park Bridge Replacement)**  
**Knerr / Leino Park Water District**

7:36 pm. The Public Hearing scheduled for April 29, 2021 was opened. Patrick McCarty of McCarty Engineering gave the overview of the project consisting of the demolition and reconstruction of the Leino Park Bridge. The bridge is approximately 100 years old and is in poor condition. A timber framed bridge mounted on timber piles will be installed. TEC Engineering prepared the proposed bridge plan. Removal will include removal of the existing abutments and removal of all existing piles. Temporary alterations during construction were discussed. There will be 44 new piles. There were no comments from DEP and no questions from the audience. Matt Marro recommended that a standard Order of Conditions be issued. After a motion by Tim Sheehan and a second by Carrie Monty the plan was unanimously approved. The public hearing closed at 7:49 pm.

Extra Note(s): I had noted that DEP issued a file number with no comments, which is great for a bridge replacement. Pat McCarty is going to be the onsite monitor as well as the design engineer and He and I will coordinate inspections. Patrick did a great job with the construction phasing and it will be built into the Order of Conditions.

**NOI CONTINUATION**  
**89 Town Farm Road**  
**Person**

7:49 pm. The public meeting scheduled for April 29, 2021 was opened. Chris Mossman gave the overview of the plan and shared it on the screen. The site is within a riverfront area associated with an unnamed stream and also contains in intermittent stream and a bordering vegetated wetland. The project is for the construction of a residential driveway with two wetland crossings to serve a new single family house. The house is outside the buffer zone and riverfront areas but will be accessed by a driveway that requires crossing two resource area. Crossing details and the replication plan were discussed. With no further questions, the plan was unanimously approved after a motion by Tim Sheehan and second by Carrie Monty. The public hearing was closed at 8:04 pm.

Extra Note(s):

No DEP number so the approval was contingent on the DEP issuing the number and any comments they have being addressed. The DEP did issue a number at the end of last week with some comments and I am having Chris address them prior to him receiving the order of conditions

**27 Laurie Lane – Field Change**

Louis Pelletier requested a field change for the landscaping at 27 Laurie Lane. The field change was approved after recommendation by Matt Marro.

Extra Note(s): Minor change....actually better than originally allowed

**Water ways access at Wyman Pond**

Matt Marro discussed a water ways access at Winters Drive requested by Jody Woodruff. The plan was denied for lack of a wild life study. Matt Marro will contact Town Counsel for an opinion on the easement. Ron Bujold noted that 2 Enforcement Orders had been issued to Mr. Woodruff and suggested that Mr. Woodruff had been aerating over the winter and installed a dock then questioned when will the violation be confirmed with a monetary value? Matt Marro discussed the lengthy process for issuing tickets and Gary Smith suggested that he contact Mr. Woodruff. Dan Bartkus made a motion to request Mr. Woodruff to be present at the next meeting and if he isn't will to move forward fines will be issued placing a lein on his property. All were in favor of Mr. Marro's request to discuss this issue with Town Counsel and send Mr. Woodruff a letter.

Extra Note(s):

Working with Sherri from Town Counsel and following up with Woodruff. I am finding access disputes becoming common and am trying to work with town counsel to see what the commissions enforcement rights and limitations area.

**Minutes**

The Minutes of March 18, 2021 were approved. Dan Bartkus abstained.

The Minutes of April 8, 2021 were not approved pending the presence of a quorum that were present at that meeting.

The meeting was adjourned at 8:21 pm.

Respectfully submitted,

Gary Smith  
Vice Chairman  
(prepared by Susan Kalagher)