



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 November 29, 2018

To: Selectmen
Board of Health
Building Commissioner
Town Clerk

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

Absent: none

Guests: David Favreau, Rich Tabaczynski, Jim Begley, Frank Calandra, Rich Osgood, Scott Raymond, Terry Aho, Demetri Typadis, Mark Popham, Marsha Foster, Scott Peoples, Ernie Lyford, Alan Belanger, Don Gribbons, John Bowen, Doris Bartkus, Paul Bartkus, Karl Cudak

Documents, Plans and other Exhibits

1. Plan – 28 Livermore Hill Road / Borrego Solar
2. Plan – Sargent Road Solar / Oak Square Partners
3. Plan – 6 Field Road
4. Plan – 0 Overlook Road Solar / TES Overlook
5. Plan – Lot B1 South Ashburnham Road
6. Plan – 63 Old Oak Avenue
7. Photo – 5 Hill Road
8. Photos – DCR Leominster State Forest
9. Plan – Lot 2 East Gardner Road
10. Plan – 187 West Mains Street Solar / Koski Solar
11. Plan – 180 State Road East / Grumman
12. Plan – Lot 7B White Pine Drive
13. Plan – Lot 8B White Pine Drive
14. Plan – Lot 9B White Pine Drive
15. Plan – Lot 10B White Pine Drive

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

Mail, Minutes,

Mail was read and distributed

The Minutes of October 11, 2018 were approved.

Extensions and Certificates of Compliance:

The following Extension and Certificates of Compliance of Compliance were approved upon recommendation by Conservation Agent Matt Marro.

1. **Extension / Crocker Pond Recreation Area / #336-0716**
2. **CofC / 33 Laurie Lane / Eagan / #336-0891**
3. **CofC / Livermore Hill Road / Links Realty / invalid order –project never started / #336-0538 – Matt Marro will deliver**
4. **CofC / Livermore Hill Road / Links Realty / invalid order – project never started / #336-0537 – Matt Marro will deliver**
5. **CofC / 105 Worcester Road / Honeycutt / #336-0494 – hand delivered at mtg.**
6. **CofC / 276 Bean Porridge Hill Road / Kerrissey / #336-0586 – hand delivered at mtg.**
7. **CofC / 15 Laurie Lane / Roberts / #336-0777**
8. **CofC / 276 Bean Porridge Hill Road / Kerrissey / #336-0682 – hand delivered at mtg.**
9. **CofC / 276 Bean Porridge Hill Road / Kerrissey / #336-0683 – hand delivered at mtg.**

Gardner News failed to advertise the following and therefore the hearings and meetings were not opened and were continued to the next meeting on January 3, 2019.

1. 5 Hill Road
2. 187 West Main Street / Koski Solar
3. 180 State Road East / Lutz / Northrop Grumman

Continuation - RFD

6 Field Road

Little

7:05 pm. Matt Marro requested that the continuation of the public hearing for the replacement of a failed septic tank at 6 Field Road be heard first. The applicants had failed to be present at previous meetings. Board of Health issued an Emergency Permit to replace the tank as they determined that it had become a public health threat. Matt Marro verified that erosion control was in place and recommended a negative determination. The Commission unanimously approved. The public meeting was closed at 7:10 pm.

RFD

Lot B1 South Ashburnham Road

Francis / Whitman River Dam

7:10 pm The public hearing requested by Bob Francis for the construction of a single –family home with driveway, lawn, sewage system, and well on Lot B1 South Ashburnham Road was not opened. Mr. Francis was not present.

NOI

180 State Road East

Grumman / Lutz

7:10 pm The Notice of Intent requested by Scott Lutz of Northrop Grumman Systems Corporation for the remediation of hazardous materials was briefly discussed. The Gardner News failed to run the legal notice and the public hearing could not be opened. They will be meeting with MEAPA next week and the hearing was continued to January 3, 2019.

NOI
63 Old Oak Avenue
Lyford

7:15 pm. The public hearing requested by Ernest and Lyle Lyford for the installation of a new septic system including a tight tank, pump chamber, and soil absorption system for 63 Old Oak Avenue was opened. Scott Peoples represented the owners and provided proof of notification of abutters. The Board of Health has approved and Matt Marro has reviewed the plan and found it to be complete and accurate and recommended a standard Order of Conditions. The Commission unanimously voted to approve the project and the meeting was closed at 7:25 pm.

RFD
1 Fitchburg Road / Wolf Rock Trail / Leominster State Forest
Commonwealth of Massachusetts / DCR

7:25 pm. The public meeting requested by Rich Osgood of DCR for work on Wolf Rock Trail in Leominster State Forest was opened. Rich Osgood was present and gave a description of the work that Matt Marro found to be within normal thresholds concerning common trail construction practices. Upon recommendation by Matt Marro, the Commission unanimously approved a negative determination. The public meeting was closed at 7:30 pm.

NOI
Lot 2 East Gardner Road
Ray-Tek Construction

7:30 pm. The public hearing requested by Ray-Tek Construction for the construction of a single-family house on Lot 2 East Gardner Road was opened. Mark Popham gave the overview of the project and submitted proof of notification of abutters. The Commission discussed gravel vs. paved driveway and determined if the driveway was paved, an energy dissipating apron would be used. Matt Marro commented that the plan had been optimized for less impact. The Commission unanimously voted to approve the plan with conditions. The public hearing was closed at 7:45 pm.

NOI
0 Overlook Road
TES Overlook Road Solar

7:45 pm. The public hearing requested by TES Overlook Road Solar for the installation of a ground-mounted photovoltaic array, gravel driveway, storm water facilities, electrical equipment pads and underground utility lines at 0 Overlook Road was opened. Rich Tabaczynski of Atlantic Design Engineers, Inc. gave the overview of the project and submitted proof of notification of abutters. After meeting with the Planning Board, a substantial plan revision was made and the project size was reduced that was beneficial to the wetland protection and increased setbacks were beneficial to neighbors. It is Matt Marro's opinion that all of DEP and local concerns have been addressed. The applicant will use a 50/50 mix of native wildflower grass & honeybee forage mix promoting a pollinator habitat. Abutters discussed their concern with run-off and suggested that the access road be relocated. Don Gribbon, thanked Atlantic Design and TES Overlook Road Solar for making changes to the plan and suggested that they have a bond to protect homeowners. Dan Bartkus explained that a bond could not be conditioned into the plan. Mr. Gribbons also asked to have trees flagged before the forestry comes in to clear and the applicant was agreeable. After discussion, the Commission unanimously voted to approve the project and the public hearing closed at 8:30 pm.

**NOI CONTINUATION
28 Livermore Hill Road
Smith / Borrego Solar**

8:30 pm. The continuation of the public hearing requested by Dean Smith of Borrego Solar Systems for the installation of a ground-mounted solar photovoltaic racking /modules on a portion of land at 28 Livermore Hill Road was opened. Dean Smith gave an overview of the intention to combine two solar projects into one larger project. Storm water plans have been reviewed by Tetra Tech. It is the opinion of the Conservation Agent that all of DEP concerns have been addressed and Borrego Solar will use a wildflower mix as an alternative to the fescue. After review, the plan was unanimously approved after a motion by Gary Smith and second by Tim Sheehan. The NOI was then hand delivered to Mr. Smith at the hearing. The public hearing was closed at 8:45 pm.

**RFD CONTINUATION
Sargent Road Solar
Oak Square Partners**

8:45 pm. The Continuation of the public meeting for the solar project on Sargent Road was opened. Demetri Typadis gave the overview of the project and presented a revised plan that increased the buffer to the neighbors. After review, Matt Marro recommended a negative determination and the plan was unanimously approved after motion by Gary Smith and second by Tim Sheehan. The RFD was hand delivered at the meeting. The public meeting was closed at 8:57 pm.

**4 NOIs
Lots 7B, 8B, 9B, & 10B White Pine Drive
Westminster Estates
Bartkus and Barro Properties Limited Partnership**

Dan Bartkus recused himself and left the meeting.

8:58 pm. Gary Smith opened the public hearing for 4 lots on White Pine Drive requested by Dan Bartkus on behalf of Barro Properties Limited Partnership. The work will include the construction of a single-family house on each lot, plus associated driveways, septic systems, well, and site grading. Wes Flis of Whitman & Bingham gave the overview of the project and the plan for each lot was reviewed. Conservation Agent, Matt Marro found the plans to appear complete and accurate with the wetland area to be accurately depicted and the homes optimally placed. The four plans were unanimously approved upon motion by Tim Sheehan and second by Gary Smith. The public hearing was closed at 9:10 pm.

The meeting was adjourned at 9:10 pm.

Respectfully submitted,

Dan Bartkus
Chairman
(prepared by Susan Kalagher)