



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 5, 2013

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

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

Absent: Dan Bartkus, Tim Sheehan

Guests: John & Bobbie DiBattista, Don Foster, Chris Mossman, Matt Marro, Donna Jarvis, Sally Ann Pelletier, Richard Jarvis, Philip Henry, Chris Lucas, Phil Lombardi, Gary & Allison Streeter, Larry Streeter, Bud Taylor

Documents and other Exhibits:

1. Sketch – 11 Lake Drive East
2. Plan – 23 North Shore Road
3. Plan – 49 South Shore Road
4. Plan – 200 State Road West
5. Plan – 100 Town Farm Road
6. Plan – 68 Main Street

Gary Smith called the meeting to order at 7:02 p.m. The meeting was not being recorded.

Voucher and Minutes

The following was approved:

- Voucher for Bob Maki – mileage \$35.03

The Minutes of May 15, 2013 were approved

Certificates of Compliance

The following Certificates of Compliance were unanimously approved upon the recommendation of the Conservation Agent:

1. 120 Ellis Road / Lawrence
2. 42 Shady Avenue / Coty

Don Foster

Don Foster was in as a courtesy to advise the Commission that he was now accepting clean fill being removed for the expansion of the Westminster landfill project. The material is virgin glacial till soil, which will be used as a base and grading for reclamation of the gravel pit and will be used for agricultural purposes. The area is outside the buffer area and approximately 400 feet from the brook. The property in question is off Waterman Lane consisting of approximately 90 acres. Bob Maki found this acceptable.

**RFD
11 Lake Drive East
Luniewicz**

7:15 pm The public meeting for the removal of a tree stump, grading, removal of an old walkway and installation of a new walkway, and a shed addition at 11 Lake Drive East was opened. The applicant, Lois Luniewicz, was not present. Bob Maki gave the overview of the project. Upon motion by Gregg Buckman, the plan was seconded and unanimously approved. The public meeting was closed at 7:20 pm.

**RFD
23 North Shore Road
Plante**

7:20 pm The public meeting for the installation of a replacement septic system to serve the existing single-family home at 23 North Shore Road was opened. Chris Mossman gave the overview of the project and noted that it had received approval from the Board of Health. Bob Maki made a site visit and noted that the distance to the wetland was 78 feet. Upon motion by Gregg Buckman and second by Robert Gendron, it was unanimously voted to approve. The public meeting was closed at 7:25 pm.

**NOI
49 South Shore Road
Jarvis / Wyman Reservoir Trust**

7:25 pm The public hearing for the restoration and reinforcement of the shore line and replacement of the existing eroded stone wall at 49 South Shore Road was opened. Donna Jarvis gave the overview of the project and submitted proof of abutter notification. Gary Streeter explained the proposed work on the property. Upon Motion by Gregg Buckman, with second by John Regan, the plan was unanimously approved. The public hearing was closed at 7:32 pm.

RFD
200 State Road West
Longley

7:35 pm The public meeting for the determination and clarification of the current use of the property and to finish stabilization in compliance with an Enforcement Order issued to Michael Longley at 200 State Road West was opened. Matt Marro represented Mr. Longley. Mr. Marro stated that Mr. Longley will eventually file a NOI for future work. Mr. Longley has owned the property for 1+ years. He intends to establish a 25 ft. grass strip in compliance with the bylaws. Bob Maki discussed special conditions. A motion was made to issue a negative determination by Gregg Buckman with second by John Regan and was unanimously approved. The public meeting was closed at 7:45 pm.

NOI
100 Town Farm Road
DPW

7:47 pm The public hearing for the replacement of an existing residential water service crossing through a wetland area and riverfront area for a home at 100 Town Farm Road was opened. Jamie Rheault of Whitman & Bingham gave the overview of the project and submitted proof of abutter notification. Mr. Rheault discussed the brook, wetland replication, and plans to replace the culvert. Two water services will be installed in the same trench as there is the potential for a second lot. Mitigation measures were discussed. The best time for the work to be done would be at times of lowest flow in July or August. Bob has made a site check. A motion was made by Gregg Buckman, seconded by Robert Gendron and unanimously voted to approve. The public hearing was closed at 7:55 pm.

NOI
68 Main Street
Cumberland Farms

7:55 pm. The public hearing for the removal and rebuilding of the Cumberland Farms Convenience Store was opened. Paul Wilson of Cumberland Farms, Philip Henry from Civil Design Group, and Chris Lucas of Lucas Environmental were present. Proof of abutter notification was submitted. Phil Henry gave the overview of the project comprised of 2 lots and 1.17 acres, disturbing about half of the lot outside the flood zone and riverfront area. The plan calls for the existing building to be raised and a new smaller building structure with 13 parking spaces to replace it. The building will house Cumberland Farms only and three gas dispensers. There will be a decrease in hardscape and impervious materials. The storm water management system was discussed. A landscape strip with new trees and shrubs will be installed. Snow storage was discussed. John Regan asked about spill prevention and Mr. Henry advised him that industry standards would apply. The limit of work was discussed. The attorney to Cumberland Farms said that they intend to purchase Larry's (Streeter) gas station, dismantle it and have a deed restriction place upon it not adding another similar use. Questions from the Commission were taken regarding mitigation, use of filter fence and hay bales, storm sceptors, maintenance and monitoring, metering devices, and storage capacity. Bob Maki read an email received from

Jeff Aveni, trustee of 64 Main Street into the record. Mr. Aveni informed Mr. Maki that he did not receive notice of the hearing and had only a brief opportunity to review the NOI and reports and requested that the meeting be continued. Due to a previously scheduled family event, Mr. Aveni was not present. Abutter notification certified mail receipts submitted by Lucas Environmental, LLC were reviewed and it was noted that notice had been sent to Mr. Aveni at 94 Ellis Road on May 21, 2013. Bob Maki contended that satisfactory drainage calculations have been submitted and that he had the expertise and experience to make that determination. Gregg Buckman stated that the applicant has met their due diligence, met all time lines, and provided all information. Questions were taken from the floor. Bud Taylor, Chairman of the Planning Board suggested that interested parties may attend the Planning Board meeting and discuss concerns that are outside the purview of the Conservation Commission. Questions regarding snow storage and catch basins were addressed. Upon motion by Gregg Buckman with second by John Regan, it was unanimously voted to approve the plan with conditions. The public hearing was closed at 8:45 p.m.

The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Gary Smith, Jr.

Vice Chairman

(prepared by Susan Kalagher)