



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

December 3, 2014

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

Present: Chairman Dan Bartkus, Vice Chairman Gary Smith, Members: Tim Sheehan, John Regan, Carrie Monty, Robert Gendron, Agent Bob Maki, Secretary Susan Kalagher

Absent: none

Guests: Barry Schonborg, Joshua Shonborg, Dan & Paulette Alisauskas, Kirt Mayland, Charles Caron, Wesley Flis

Documents, Plans, and other Exhibits:

1. National Grid – off Beech Hill Rod
2. 226 Worcester Road
3. 345 South Ashburnham Road
4. 214 Bean Porridge Hill Road

The meeting was called to order at 7:04 p.m. The meeting was not recorded.

Mail, Voucher & Minutes

The following voucher and Minutes were approved:

The Minutes of October 15, 2014

Mileage for Bob Maki was approved.

Mail was read and distributed. The Commission voted to subscribe to Northern Woodlands Magazine for 4 years.

Certificate of Compliance

The following Certificates of Compliance were unanimously approved upon recommendation by Bob Maki.

1. 25 Wachusett Drive / Szymkowski / # 336-0800
2. 214 Bean Porridge Hill Road / Ray Tech / #336-0791

Enforcement Order 28 Livermore Hill Road

Bob Maki issued an Enforcement Order for 28 Livermore Hill Road. An Order of Conditions was issued in 2006 and grandfathered to August 2016. The applicant began logging without flagging the wetland, posting a DEP sign, and having a preconstruction meeting with the Conservation Agent.

RFD

MA Electric / National Grid

Transmission Line Structure replacement off Beech Hill Road and Overlook Road

7:15 p.m. The public meeting for the Request for Determination of Applicability for a structure replacement within a managed cross-country electric transmission line right of way. Mike Toohill of BSC Group gave the overview of the project proposing to relocate one steel electric transmission structure located within an inundated portion of a large wetland complex. Work would take place between December and March and coordinated with MA Wildlife. After review, the Commission unanimously approved the plan. The public meeting was closed at 7:20 p.m.

AMENDMENT DEP # 336-0613

Lot 4A ~ 226 Worcester Road

Lead the Way Development / LeBlanc Construction

7:20 p.m. The public hearing for the request for an Amendment to an Order of Conditions for 226 Worcester Road was opened. Chris Mossman gave the overview of the plan. Proof of notification of abutters was submitted. The Order of Conditions approved construction of a new duplex house served by well, septic, and driveway. The location of the house will be moved farther away from the buffer zone. After review, the Amendment was unanimously approved upon motion by Gary Smith and second by Tim Sheehan. The public hearing was closed at 7:24 p.m.

NOI

345 South Ashburnham Road

Housatonic Solar 1

7:25 p.m. The public hearing for the Notice of Intent filed by Kirt Mayland of Housatonic Solar 1 for the construction of a solar panel array, access driveway, and related site features was opened. Chuck Caron, Kirt Mayland, and Wes Flis of Whitman & Bingham gave the overview of the project. The property is owned by Harry Redkey and Laura Hume, TR. The applicant is proposing to utilize the upland area for the array and will be located outside of the resource area. The access driveway will cross a narrow area of BVW. Work is proposed in the 25 ft. no disturbance zone. Trees will be selectively removed to reduce shading and to maintain the height of vegetation. The applicant anticipates that it will take 6 to 8 weeks to install the arrays. A Conservation Restriction was discussed. Bob Maki discussed the wetland destruction and replication and asked if the applicant would be opposed to increasing the replication area. He also asked for a cross section of culverts and discussed pre and post construction peak flow rates. Chuck Caron and Wes Flis both agreed that DEP and industry standard does not consider the panels to be impervious. The applicant does not intend to build until the growing season has begun. Dan Bartkus discussed soil testing and a Conservation Restriction to guaranty protection to the remainder of the lot. Chuck Caron suggested that a permanent condition be added in place

of a Conservation Restriction. Commissioners also discussed the maintenance plan, erosion problems, and checking for guidance from DEP on solar panel arrays. Mr. Mayland would be happy to take a heavily conditioned Order to have the project approved. Questions were taken from the audience. Upon motion by Gary Smith, second by John Regan, the plan was unanimously approved with conditions. The public hearing was closed at 8:10 p.m.

Kingsbury Arms - 28 Livermore Hill Road

Bob Maki had received phone calls from Donna Brownell and Josh Schonborg regarding logging taking place at 28 Livermore Hill Road. Logging requires a forest cutting plan. Several violations to special conditions were noted:

- No siltation measures in place
- Board of Health permits have expired
- Unpaid taxes

Bob Maki issued an Enforcement Order on December 1, 2014 after observing the violations. Jeff Brem of Links Realty Trust and John Clark of T. Jepson & Son agreed to re-flag wetlands, install mitigation, stabilize new roads, and submit a plan showing the total extent of the logging. and to cut in water bars according to best practice. Abutter, Paulette Alisaukas discussed her concern with their water connection. As this is not a wetland protection act issue, the Commission did not address it. The State Forester does not require a cutting plan because of the change of use category.

Upcoming Meetings

The Conservation calendar for 2015 was approved.

- Thursday, January 8, 2015
- Thursday, January 29, 2015
- Thursday, February 26, 2015
- Thursday, March 19, 2015

8:45 p.m. The meeting was adjourned.

Respectfully submitted,

Dan Bartkus
Chairman
(prepared by Susan Kalagher)