



# **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 March 27, 2019**

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

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

**Absent:** none

**Guests:** Nicholas Pelletier, Louis Pelletier, M. & Jack Merdcier, Paul & Mary Richinick, Michael Dobbs, James O'Connor, Tom & Tuja Curran, Jim Gaudet, Jamie Furr, Betty Legine, Dominic Meringolo, Christine Tree, Tracey Garefield, John Deline, Jill Normandin, David & Linda McMahon, Steven Arsenault, Angel May Lehtonen

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

1. Photo – 53 State Road West
2. Plan – Wyman Lake
3. Plan – Lot 3 Minott Road

The meeting was moved to the Selectmen's Chamber due to the large number of people interested in the hearing for Wyman Lake. A sign was left on the door of room 222 notifying guests of the change in location.

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

### **Mail and Minutes**

Mail was read and distributed

The Minutes of February 13, 2019 were approved.

### **Certificates of Compliance**

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

131 State Road West / Banks / #336-0438 / to be mailed to Chris Mossman  
56 Carter Road / Martin / #336-0910  
58 Carter Road / Martin / #336-0909

Matt Marro asked if there would be any objection to opening the Wyman Pond hearing after the RFD for 53 State Road West. There were no objections.

Matt Marro discussed new storm water regulations from the MACC Conference.

**RFD  
53 State Road West  
Furr**

7:15 pm The legal notice went in the Gardner News on February 27, 2019 and was scheduled for March 7, 2019. Ms. Furr did not submit the RFD prior to the meeting, and this was the only hearing scheduled for that date: the meeting was canceled. The public meeting requested by Jamie Furr for the addition of landscape stones, addition of a green house, and general landscape stones was opened. This was in response to a Notice of Non Compliance sent to her by Matt Marro. Ms. Furr was present and discussed her intention to build a 4-season green house with solar, collect rain water, and install patio blocks and terrace the slope with fruit trees. She does not plan to use footings for the greenhouse and will not require a building permit. Matt Marro recommended a negative determination. The plan was unanimously approved upon motion by Tim Sheehan & Rob Gendron. The public hearing was closed at 7:20 pm.

**NOI ~ Continuation  
Wyman Lake Association  
Aquatic Herbicide Treatment**

7:20 pm. The continuation of the public hearing requested by Thomas Curran and the Wyman Lake Association for aquatic herbicide treatment of Wyman Lake for non-native plant growth with state registered aquatic herbicides and algaecides was opened. John Deline of the Fitchburg Water Department did not have a report of water samples at this time, but did suggest that samples be collected after the chemicals have been applied. Matt Marro confirmed that Mr. Deline was in favor of pre and post chemical testing and reconvening in the fall. The City of Fitchburg continues to seek an alternative approach to the use of chemicals. A small body of water adjacent to the lake was discussed as a possible source of invasive species. Marie Auger commented that DCR has hired Solitude Lake Management to treat Paradise Pond. Gary Smith arrived.

Ms. Normandin stated that she could not hear and Dan Bartkus invited her to sit in the front of the room. Ms. Normandin left the meeting.

Atty. Pusateri submitted a draft letter sent the Westminster Board of Selectmen from the law department of the City of Fitchburg. The goal would be to allow for aquatic vegetative management with zero or minimal use of herbicides and finding alternative treatments: decontamination of watercraft, drawdown plan, vacuum harvesting, and prohibiting use of fertilizers, pesticides and herbicides. Sediment testing was discussed. Dan Bartkus suggested that this would be a multi-pronged approach. Chemicals will be approved, the City of Fitchburg will test wells and soils, and together Fitchburg and Westminster will come up with a plan. Drawdown levels were discussed as well as specific chemicals (Glyphosate) that Mr. Deline objected to. Dominic Meringolo, of Solitude Lake Management stated that Glyphosate has not been used in the past and agreed that it will not be used at this time and that chemicals were always applied in compliance with manufacturer, state, and federal requirements. After lengthy discussion and questions from the audience, Atty. Pusateri confirmed that Fitchburg is not in agreement with the application of chemicals, but will continue to work with the Wyman Lake Association. DEP has not yet issued a number and will contact the City of Fitchburg before one is issued. John Deline will be notified prior to the application. The Commission voted in favor of approval contingent upon DEP's decision to issue a file number upon motion by Tim Sheehan and second by Carrie Monty. Robert Gendron recused himself from voting. The public hearing was closed at 8:15 pm.

RFD  
Lot 3 - 2 Minott Road  
Forest Hill Realty Trust

8:20 pm The public meeting requested by Forest Hill Realty Trust for the construction of a single family home with driveway, well, and on-site septic for Lot 3 Minott Road was opened. Angel May Lehtonen of Northland Engineers represented the applicant and requested a continuance due to the location of DCR land.

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Dan Bartkus  
Chairman  
(prepared by Susan Kalagher)