



# 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 11, 2017

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

**Present:** Chairman Dan Bartkus, Vice-Chair Gary Smith, Members: Tim Sheehan, Robert Gendron, and Carrie Monty, Secretary Susan Kalagher, Agent Bob Maki

**Absent:** none

**Guests:** Chris MacKenzie, John Aalto, Kristie Aubuchon, Brittany Aubuchon, Kayla Kress, Robert Mason, Mike Hayward, Allen Tshudy, Karl Lucander, Lisa Grenier, Dan Grenier, Sara Aalto, Allison Streeter, Gary Streeter, Jennifer Lowald, Sandra Thibodeau

### **Documents & Plans and other Exhibits**

1. Plan –Davis Road
2. Plan – 12 Wintturi Road
3. Plan – Westhub Realty Trust cluster subdivision revised April 27, 2017

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

### **Appointment – Matt Pearson / Forest Management, Muddy Pond**

Matt Pearson discussed efforts by the Commission to generate revenue around Muddy Pond and the forest management plan. The early successional forest habitat management for songbirds was discussed. The Commission would like to move forward with this project and voted to allow Matt Pearson to begin the process for the Special Town Meeting.

**NOI  
Davis Road  
Smith**

*Gary Smith recused himself from voting on the public hearings for Davis Road and left the meeting.*

7:10 p.m. The public hearing filed by Ryan Smith of R. Smith Construction, LLC for work within the 100 ft. buffer zone for the construction of a new residential driveway with related

utilities and associated site grading on Davis Road was opened. Chris MacKenzie of Whitman & Bingham represented Mr. Smith. Bob Maki explained the request to those present and the jurisdiction of the Conservation Commission. Chris MacKenzie gave the overview of the project - a 12 ft. wide gravel driveway. Bob Maki found the wetland flagging to be accurate and mitigation properly shown on the plan and had no questions. He emphasized that the hearing pertains only to this section of the driveway. John Aalto discussed concerns with a standard form letter provided by the state. An abutter's list was obtained from the Assessor's office and certified letters were sent out. Chris MacKenzie provided proof of the notification of the abutters. One of the abutters was deceased and his records show that two attempts had been made to deliver to that address. It is the responsibility of the heirs to notify the Assessor's Office to provide the change of name and provide a new mailing address. The Assessor did not have that information. Jennifer Howald, an Environmental Analyst with DCR was present and showed that the driveway is completely out the primary and secondary zone of the watershed. Carl Lucander had questions about the Ware River Watershed /Wachusett Reservoir Watershed map. Ms. Howald explained the jurisdiction of DCR. Bob Mason, Jr. discussed issues with the notification process and again it was stated the surviving family member had not changed the name or provided an address. The Commission found that the NOI was in compliance with the Wetlands Protection Act and voted to approve it with conditions. The hearing was closed at 7:35 p.m.

*Gary Smith returned to the meeting.*

**RFD  
12 Wintturi Road  
Richinick**

7:35 p.m. The public meeting filed by Mary & Paul Richinick for work within the buffer zone for sono tube installation to support a deck at 12 Wintturi Road was opened. Mr. & Mrs. Richinick were present and discussed their intention to add a three-season sunroom to an existing deck requiring sono tubes be replaced to meet building code. The replacement sono tubes will be hand dug. Mitigation was discussed. The project was unanimously approved with conditions with all in favor.

**Emergency Certificate:**

Bob Maki issued an Emergency Certificate for 28 Cross Road on April 4, 2017 to allow the Town to allow demolition and removal of a trailer and garage in danger of collapsing.

**Minutes, Mail:**

The Minutes of March 2, 2017 were unanimously approved:  
Mail was read and distributed.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Dan Bartkus  
Chairman  
(prepared by Susan Kalagher)