



# 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

January 26, 2023

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2023 MAR -8 PM 3:58

The meeting was held in room 205 in Westminster Town Hall.

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

**Present:** Chairman Dan Bartkus, Members: Tim Sheehan, Anthony Maressa, Vic Pelletier, and Secretary Susan Kalagher, Agent Matt Marro

**Absent:** Carrie Monty

**Guests:** Brian Marchetti, MaryAnn DiPinto, Bill Russell, Heather Billings, Anne Lutz, John Lutz, Jerry Powers, Chris Mossman, Lee Pelletier, Dominic Meringolo

#### Documents, Plans and Other Exhibits

1. Applicant Rendering – 49 Old Oak Avenue
2. Plan – 10 Kent Road
3. Plan – I-8 Theodore Drive

The meeting was called to order at 7:00 pm in room 205 of Westminster Town Hall by Chairman Dan Bartkus. The meeting was recorded by John Lutz.

**RFD CONTINUED**  
**49 Old Oak Avenue**  
**Williams**

The public meeting requested by Elizabeth Williams for an upgrade to the driveway and parking area that would include a portion of a new retaining wall at 49 Old Oak Avenue was continued again at the request of Ms. Williams. Ms. Williams intends to meet with Matt Marro prior to the next meeting to review her options.

**RFD**  
**10 Kent Road**  
**Russell**

The public meeting requested by William Russell for the removal of trees in the buffer zone at 10 Kent Road was opened. Mr. Russell would like to remove 7 trees from his property; all trees will be chipped and taken away. Matt Marro made a site visit and suggested that it would not be necessary to replant due to the site

having a sufficient canopy and recommended approval as a negative #3. Tim Sheehan made a motion to approve as a negative #3 with a second by Anthony Maressa. The motion passed with Vic Pelletier recusing.

**NOI  
N.E. Sheets LLC  
Lot I-8 Theodore Drive**

The public hearing requested by Tom Bennett of N.E. Sheets for the construction of a 382,500 sq. ft. commercial building with associated site improvements was opened. Brian Marchetti, and Patrick McCarty of McCarty Engineering and Mary Ann DiPinto, wetland scientist, represented the applicant. Brian Marchetti and Mary Ann DiPinto gave the overview of the project that would be filed as limited project. The project was originally designed and permitted to incorporate a rail connection on the south side of the proposed building. An Order of Conditions was approved and issued by the Westminster Conservation Commission on August 30, 2022. CSX reviewed and rejected the rail connection previously depicted as it impeded the abutting Lot I-7 from accepting a rail. DEP had only minor comments that have been addressed. A new NOI will be filed for Lot I-7. Grade changes and culverts for an intermittent stream were discussed along with bank impact and land under water. The entire site will be raised 11 ft. Building construction will be in advance of rail construction. Mary Ann DiPinto discussed issues related to wetlands and replication. Tetra Tech has reviewed the plan. Dr. Lutz read a long list of questions which Mary Ann DiPinto, Brian Marchetti, and Patrick McCarty answered questions that pertained to conservation. Brian Marchetti noted that there were many uniformed questions and questions unrelated to this hearing. It was noted to Dr. Lutz that DEP had reviewed the plan. Heather Billings had question about the culverts and runoff answered by Patrick McCarty. After the lengthy discussion, the plan was unanimously approved with conditions by a motion made by Tim Sheehan and a second by Vic Pelletier.

**CERTIFICATES OF COMPLIANCE**

Matt Marro recommended approval for two Requests for Certificates of Compliance. Both were approved after a motion by Tim Sheehan and second by Vic Pelletier.

1. 61 Old Oak Ave / 336-0947 / Faith Shannon at Barron Law Title & Closing / Anthony Maressa recused.
2. 5 Ellis Road / 336-0975 / Musterfield Farms - hand delivered to Chris Mossman at the meeting

**Solitude Lake Management Annual Report**

Dominic Meringolo, project manager, gave the annual report on behalf of the Wyman Lake Association. They are requesting ProcellaCOR herbicide to manage milfoil and other species. It is a systemic product and the shoreline will be posted with signs warning of temporary water-use restrictions for the day of treatment. It has been approved by the EPA and MA DAR. The other is a copper-based algaecide requested in the event that cyanobacteria bloom conditions develop, warranting treatment. After discussion, the Commission vote in favor of the addition of these two products to the Authorized List of the Wyman Lake Aquatic Management Program. Vic Pelletier abstained.

**MINUTES**

The Minutes of December 8, 2022 were unanimously approved.

**ADJOURN**

The meeting was adjourned with all in favor at 8:19 pm.

Respectfully submitted,

  
Dan Bartkus

Chairman

(prepared by Susan Kalagher)