



# **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 July 21, 2022**

**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, Agent Matt Marro, and Secretary Susan Kalagher

**Absent:** Carrie Monty, Vic Pelletier

**Guests:** Rene Paine, Keith Paine, Carol Urban, Maureen Tarr, Tim Tarr, Lee Pelletier, Mike Kunce, Bob Leger, Scott Thibodeau, Joyce and Jody Woodruff

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

1. Plan – 31 Harrington Road
2. 8 Winters Drive
3. Rock Maple Lane
4. 3 Shore Avenue
5. Plan – Round Meadow Dam
6. Plan – Landfill
7. 27 Laurie Lane
8. 54 Gatehouse Road

The meeting was called to order at 7:00 pm in room 205 of Westminster Town Hall by Dan Bartkus. The meeting was not recorded.

Welcome our new Commissioner, Anthony Maressa.

### **CERTIFICATES OF COMPLIANCE**

The Commission voted in favor of approval of the following duplicate Certificates of Compliance that were requested to replace two that were lost:

32 Honeybee Lane / #336-0753 / approved 4/28/2022

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A quorum was not present to call for a vote for the Certificate of Compliance for 28 White Pine Drive / #336-336-0907. It will be addressed at the next meeting.

**MINUTES:**

The Minutes from June 2, 2022 and June 23, 2022 were not voted. A quorum was not present to call for the vote.

**NOI / CONTINUATION  
31 Harrington Road  
Leger**

7:05 pm The continuation of the public hearing requested by Robert Leger for an addition to an existing house for a 3-car garage with a great room above at 31 Harrington Road was opened. Mr. Leger flagged the wetlands as requested and they were verified by Agent Matt Marro. After review, the plan was unanimously approved upon motion by Tim Sheehan and second by Anthony Maressa. The public hearing was closed at 7:10 pm.

**NOI  
8 Winters Drive  
Woodruff**

7:10 pm The public hearing requested by Jody Woodruff for an existing dock on his property and 2 granite posts placed in the right-of-way was opened. Matt Marro advised Mr. Woodruff that he will have to apply for a chapter 91 Waterways permit for the dock. DEP has confirmed that all abutters with rights to the right-of-way must agree with any changes and be willing to assume liability. The granite posts were discussed. Mr. Woodruff explained that only one granite post was in the right-of-way with the other on the neighbor's property. Because the intention of the granite posts is to obstruct access to the shoreline Mr. Woodruff will need signed permission from everyone with deeded rights to the right-of-way. Mr. Woodruff may require a surveyor to relocate the posts. Mr. Woodruff contends that this is not a Conservation matter. The public hearing was continued by motion from Tim Sheehan and second by Anthony Maressa to give Mr. Woodruff an opportunity to prove that he owns the right-of-way. The public hearing was closed at 7:30 pm.

**RFD  
6 Rock Maple Lane  
Tarr**

7:30 pm The public meeting requested by Timothy and Maureen Tarr for the installation of a new shed at 6 Rock Maple Lane was not opened. There was not a quorum of Commissioners present that could vote on this and the public meeting was continued to August 4, 2022

**RFD  
3 Shore Avenue  
Porrier**

7:31 pm. The public meeting requested by Andrew Porrier for the addition of beach sand to an existing beach was opened. The Commission will need a plan and more information. The public meeting will be continued to August 4, 2022 to give Mr. Porrier time to provide the requested information. The public meeting was closed at 7:33 pm.

**NOI**  
**Round Meadow Pond Dam**  
**Francis / Whitman River Dam Inc.**

7:33 pm. The public hearing requested by Robert Francis and Whitman River Dam Inc. for the repair of the existing Round Meadow Pond Dam for Dam Safety purposes. Chuck Caron gave the overview of the project. The proposed work includes demolition of a toe drain and removal of woody vegetation. The majority of work is proposed within currently disturbed areas. Work will be done in phases and will begin in the fall and be complete before snowfall. After review, the Commission unanimously voted to approve after a motion by Tim Sheehan and second by Anthony Maressa. The public hearing was closed at 7:42 pm.

**NOI**  
**Resource Control Inc.**  
**101 Fitchburg Road**  
**Section 3 Phase 5 Expansion of Landfill**

7:42 pm. The public hearing requested by Resource Control Inc. for the expansion of the Landfill was opened. Chris Dohner and Mike Kunse of Civil & Environmental Consultants gave the overview of the project. They discussed storm water controls, baseliner construction, site preparation, semiannual sampling of water running into Flag Brook among many other topics. Dan Bartkus requested the Commission to be apprised of the results of the water testing. They don't believe that there are any barriers to bedrock and aren't anticipating any blasting. Mrs. Berkio who owned land abutting the landfill had questions regarding blasting. In the event that blasting was needed, a plan would be certified from the State and Fire Department. Approval from DEP would be required, DCR, City of Fitchburg, and all abutters would be notified. DEP has not yet issued a number. After a lengthy review and discussion The Commission voted to continue to August 4<sup>th</sup>. The public hearing was closed at 8:25 pm.

**NOI**  
**27 Laurie Lane**  
**Pelletier**

8:25 pm The public hearing requested by Nicholas Pelletier for placing rip rap along the shoreline to Wyman Pond to prevent erosion was opened. Lee Pelletier represented his son. Ariel photos showing a plume from erosion along the water line was viewed. A motion to approve was made by Tim Sheehan with a second by Anthony Maressa. The project was unanimously approved and the public hearing was closed at 8:31 pm.

**NOI**  
**54 Gatehouse Road**  
**Lessard/Zebly**

The Notice of Intent requested by Lessard & Zebly was approved November 12, 2020 and held up by DEP due to the COVID pandemic. The Order of Conditions could not be sent until a number had been assigned. DEP issued a number (336-0980) recently and Commissioners signed the Order of Conditions.

**ADJOURN**

The meeting was adjourned with all in favor at 8:32 pm.

Respectfully submitted,

Dan Bartkus

Chairman

(prepared by Susan Kalagher)