



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 22, 2021

The meeting was held in room 205 in Westminster Town Hall or accessed remotely by ZOOM at <https://us02web.zoom.us/j/7370885635> Meeting ID: 737 088 5635 or One tap mobile +19292056099,7370885635# US

To: Selectmen
Board of Health
Building Commissioner
Town Clerk

Present: Vice Chair Gary Smith, Members: Tim Sheehan, Robert Gendron (remote), Carrie Monty (remote), Agent Matt Marro, and Secretary Susan Kalagher

Absent: Dan Bartkus

Guests: Ron Bujold, John Wolkovich, Dan Wolfe, Schott Fitzgerald, Chris Mossman

Guests Joining by ZOOM: Chris Parson, J. Votruba, Mike Ferris, Rob Seberski, Brian Carlson, Leslie Mahoney, Paul Mahoney

Documents, Plans and other Exhibits

1. Plan – Lot 13A White Pine Drive
2. RFD – 21 Lake Drive East
3. RFD – Opposite 19 & 20 Lake Drive East
4. Plan – 17 Wachusett Drive
5. RFD – Messiah Luther Church
6. Plan – 35 North Shore Road
7. Plan – 42 Lake Drive West
8. Plan – Woodside Cemetery

Gary Smith called the Zoom meeting to order at 7:06 pm. The meeting was recorded by Matt Marro and Robert Gendron. Mr. Ferris requested a copy of the recording.

The Conservation Commission meeting scheduled for July 1, 2021 was canceled

**RFDs continued from July 1, 2021
21 Lake Drive East
&
Opposite 19 & 20 Lake Drive East
Wolkovich & Munger**

7:06 pm The public meeting for two Requests for Determination filed by John Wolkovich and Michele Munger was opened. Mr. Wolkovich would like to remove at least 12 Pine trees at 21 Lake Drive East as well as one tree on each side of the neighbor's property. He filed a separate request for tree removal opposite 19 and 20 Lake Drive East to allow for the temporary positioning of a crane to remove the trees from 21 Lake Drive East.. Matt Marro showed the photos on the screen for remote participants to view. Mr. Wolkovich gave the over view of the project. All of the trees on Lot 21 are in the buffer zone. Matt Marro was not convinced that all of the trees needed to be removed and Gary Smith suggested that the Commission make a site visit to determine if any trees could be saved. A date and time was set for the site visit and the public hearings were continued to August 12, 2021.

**RFD continued from July 1, 2021
17 Wachusett Drive
Christ**

7:16 pm The public meeting requested by Theodore Christ for modifying an existing structure and including small additions to the dwelling at 17 Wachusett Drive was opened. Daniel Wolfe of Dave E. Ross Associates gave the overview of the project which will include the removal of a portion of the structure. All work will be greater than 50 ft. from the waterfront with minimal excavation. There will be no work along the shoreline and there is not any issue with the flood plain. Matt Marro has visited the site and recommended a negative determination. Robert Gendron recused himself from the vote, but reserved his rights as an abutter. Repairs on the dock can be allowed. Tim Sheehan made a motion of approve as a negative determination with a second by Carrie Monty. A roll call vote was called for and the motion passed. The public meeting was closed at 7:25 pm.

**RFD continued from July 1, 2021
18 Camp Pineshore
Messiah Lutheran Church**

7:25 pm The public meeting was continued to August 12, 2021. A representative for Camp Pineshore was not present.

**NOI
35 North Shore Road
Pappas & Nurnnikko**

7:27 pm The public hearing requested by Kristy Pappas and Tiia Nurnnikko for the reconstruction of an existing single family house with a second story addition at 35 North Shore Road in Leino Park was opened. Chris Mossman of Trowbridge Engineering represented the applicants and supplied proof of notification of abutters. The existing footprint of the house and deck will be maintained, with the

existing deck being converted to living space with a two story addition supported by a frost wall. Erosion control methods were discussed. Chris Mossman noted that the lot is flat and he doesn't anticipate erosion issues. There will be no tree removal. Tim Sheehan made a motion to approve the plan pending the issuance of a DEP number. Rob Gendron recused himself from the vote. A roll call vote was called for and the motion carried. The public hearing was closed at 7:39 pm.

**NOI
42 Lake Drive West
Pfaff**

7:39 pm The public hearing requested by Margaret Pfaff for the construction of a detached garage, gravel driveway, decks, and associated grading at 42 Lake Drive West was opened. Julian Votruba of New England Environmental Design shared the plan on the computer screen and gave the overview of the project. Sono tubes will be used in this project and heavy equipment will not be brought in. There will not be any work in the flood plain. After discussion, the Commission suggested that a site visit would be beneficial. It was unanimously voted to continue to the next meeting after a motion by Tim Sheehan and second by Carrie Monty. 7:45 pm.

**CONTINUATION NOI
Lot B -13 A White Pine Drive
Carlson / Traditional Concepts**

The Commission unanimously voted to continue to August 12, 2021 upon request by the applicant.

CERTIFICATE OF COMPLIANCE

The following Certificates of Compliance were unanimously approved by roll call vote after recommendation by Matt Marrow:

1. 107 Ellis Road / Haley / DEP #336-0783.
2. Lot W3 Mark Newton Road / Martin / DEP #336-0436

ENFORCEMENTS

1. Hy Road – Matt Marro noticed a sign on a tree “please move forward with dumping” and fill being dumped into the wetland on 2 adjacent and undevelopable lots on Hy Road. After discussion the Commission will begin to fine the owner. The Commission will include this on the site visit. Tim Sheehan made a motion to issue an Enforcement Order with a deadline of the August 1, 2021. Rob Gendron recused himself. A roll call vote was called; the motion carried.
2. 96 Overlook Road – Silt is escaping the lot under construction and causing it to enter the pond and bordering wetland. The property owner was instructed to stabilize all areas of exposed soil with loam and seed. The Enforcement was unanimously approved to ratify by roll call vote.
3. White Pine Drive – Matt Marro made a site visit during a rain event and observed silt escaping erosion protection and traveling downstream to wetland resources. Gary Smith would like stabilization on the up-gradient lots. Matt Marro will arrange a site visit with the Town Engineer and instruct Mr. Carlson that the exposed areas should be stabilized. Brian Carlson would like to do a site walk and stated that he just seeded the area and grass had begun to grow when the rain

event tore it all out. He has now reseeded. Matt noted that this is the third Enforcement Order in 3 years. It was unanimously voted to ratify the Enforcement Order for White Pine Drive.

MEETING MINUTES

The Minutes of June 10, 2021 – Robert Gendron requested the Minutes of June 10, 2021 be amended to omit “Gary Smith tried to discourage derogatory comments made of a personal nature and also those directed toward Whitman & Bingham” from White Pine Drive. He also requested that mention of Mr. Woodruff berating Carrie Monty in the Winters Drive/ Water access discussion should be included.

Carrie Monty requested that Matt Marro include all email in the “cloud” and Matt explained that all email was public record and the documents and plans he shared are from his personal cloud folder.

ENFORCEMENT WINTERS DRIVE RIGHT OF WAY

After a brief discussion, Tim Sheehan made a motion to require Mr. Woodruff to remove the granite posts from the right of way. A roll call vote was called for. Rob Gendron recused himself. All other Commissioners voted to remove the posts. Mr. Woodruff will be given an opportunity to remove the granite posts before fines are levied.

The meeting was adjourned at 8:52 pm.

Respectfully submitted,

Gary Smith
Vice Chairman
(prepared by Susan Kalagher)