



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 June 23, 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, Robert Gendron, Carrie Monty, Vic Pelletier, and Secretary Susan Kalagher

Absent: Agent Matt Marro

Guests: Robert Leger, MaryAnn DiPinto, Brian Marchetti, Jason Mackie, Aaron Resinck, Tim and Sandry Paragona, Joyce and Jody Woodruff

Documents, Plans and other Exhibits

1. Plan – 31 Harrington Road
2. Photos – 5 East Main Street
3. Plan – 41 East Road
4. Plan – 1 Cudack Court
5. Plan – Winters Drive Right-of-Way

The meeting was called to order at 7:04 pm in room 205 of Westminster Town Hall by Dan Bartkus. The meeting was recorded by Dan Bartkus, Robert Gendron, and Carrie Monty.

MAIL

Mail was read and distributed.

**NOI
31 Harrington Road
Leger**

7:05 pm 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 showed a photo of the location of the erosion control. The construction will include a full foundation and he may use the excavated material to extend the driveway. The site plan that Mr. Leger provided was 20+ years old and does not show a recent wetland flagging. The Commission requested that

the Wetlands be flagged and verified by Agent Matt Marro. A vote was called to continue to the next meeting of July 14, 2022. All were in favor. The hearing was closed at 7:15 pm.

**RFD
5 East Main Street
Callahan**

7:15 pm The public meeting requested by Eric Callahan for the purpose of identifying provision of the Wetland Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for 5 East Main Street was opened. MaryAnn DiPinto represented the applicant. Matt Marro, although not present, left a comment that he had reviewed this site several times and is in agreement with Ms. DiPinto's report that the site shows no hydric soils nor any connection of a wetland off of this property and recommended a negative determination. Tim Sheehan made a motion to approve as a negative determination, seconded by Vic Pelletier and the motion was unanimously passed. The public meeting was closed at 7:19 pm.

**RFD
41 East Road
Mackie**

7:20 pm The public meeting requested by Jason Mackie for the construction of an accessory structure within the buffer zone at 41 East Road was opened. Jason Mackie explained that the severe housing crisis of the Lakota reservation in South Dakota led him to research inexpensive housing opportunities and this led him to a novel technique. Mr. Mackie would like to construct an accessory building using this technique. It is not intrusive within the buffer zone, has zero waste, and very little disturbance. Matt Marro recommended that members of the Commission schedule a site inspection. Wattles will be used around the downward slope. Robert Gendron recused. Tim Sheehan made a motion to approve with a second by Carrie Monty. The motion passed and the public meeting was closed at 7:30 pm.

**RFD – Continued
1 Cudak Court
Gelinas**

7:30 pm The public meeting requested by Justin Gelinas for the installation of a 5 ft. crushed stone shoulder and electrical conduit along the existing driveway at 1 Cudak Court was opened. Brian Marchetti of McCarty Engineering present the plan. The property had been previously subdivided into two separate lots and this request is to improve and widen the driveway from 15 ft. to 20 ft. All work will be done from the existing driveway. Conduit will be about 3 ft. deep and minimally invasive. Matt Marro left a recommendation for a negative determination. Tim Sheehan made a motion to approve as a negative determination with a second from Carrie Monty. With no further questions the plan was unanimously approved and the meeting was closed at 7:36 pm.

**RFD – Continued
Winters Drive Right-of-Way
Bujold**

7:36 pm The public meeting requested by Ron Bujold for the installation of a dock off of the right-of-way for Winters Drive was opened. DEP advised the Commission that this would require approval from every land owner and that they would take on the liability. John DeLine of Fitchburg Water Department would not approve as well as others who have rights to that property. After discussion the Commission voted to give a positive determination and request that Mr. Bujold file an NOI along with approval from all who have rights to that property. Tim Sheehan made a motion to approve as a positive determination. Carrie Monty seconded the motion. Robert Gendron and Vic Pelletier recused. The motion carried. The public meeting was closed at 7:49 pm.

Ron Bujold asked why other dock owners were not required to notify Fitchburg Water Department. Dan Bartkus responded that this is the first time the property the dock would be placed on was not owned by the applicant.

MINUTES

The Minutes of June 2, 2022 were not approved. Rob Gendron would like the following change made for the RFD for 36 Kent Road: “DEP didn’t issue enforcement for 36 Kent Road”.

CERTIFICATE OF COMPLIANCE

The Request for a Certificate of Compliance for 49 State Road West was approved upon recommendation by Matt Marro. All were in favor.

ENFORCEMENT

Jeffrey White of 8 Pine Street was issued an Enforcement for the placement of docks within a right-of-way and private property at 28 Shore Avenue. Matt Marro gave him until June 20th to remove the docks and will commence fines of \$100 a day beginning Monday.

ADJOURN

The meeting was adjourned with all in favor at 7:57 pm.

Respectfully submitted,

Dan Bartkus
Chairman
(prepared by Susan Kalagher)