



# 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 28, 2020

**DUE TO COVID19 TOWN HALL IS CLOSED TO THE PUBLIC, BUT FOR THOSE THAT ARE INTERESTED IN THE CONSERVATION COMMISSION MEETING, THE MEETING WILL BE HELD REMOTELY. YOU MAY JOIN THE ZOOM MEETING 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:** Chairman Dan Bartkus, Vice Chair Gary Smith, Members: Tim Sheehan, Carrie Monty, Robert Gendron, Agent Matt Marro, and Secretary Susan Kalagher

**Absent:** none

**Guests:** Ian Kipsala, Oxana Fartushnaya, Sara Clark, Jeffrey Aveni, Denae Hollenbeck, Wes Flis, Chris Mossman, Michael Cruz, Erik Atkins, Vinnie Tafuri, Danielle Spicer, Josh Hall

### Documents, Plans and other Exhibits

83 Town Farm Road  
10 Hy Road  
Narrow Road Bridge  
Ellis, Old County, State Road West solar project

Dan Bartkus called the Zoom meeting to order at 7:09 p.m. The meeting was recorded by Matt Marro.

**RFD  
83 Town Farm Road  
Clark**

7:09 p.m. The public meeting requested by Sara & Murry Clark for the replacement of a septic system for an existing single family house at 83 Town Farm Road was opened. Matt Marro shared the screen with everyone who was participating remotely so the plan could be viewed by all. The intent is to keep the system in the same general area away from the wetland. The neighbor to the north has granted permission to access the lot through their property. Matt Marro explained that this plan meets the exemption criteria and recommended a negative determination. Dan Bartkus asked if anyone had questions. Robert Gendron commented on the location of the

new system . After a brief discussion the plan a roll call vote was taken and the plan was unanimously approved with all in favor. The public hearing was closed at 7:16 p.m.

**RFD  
10 Hy Road  
Tafuri**

7:16 p.m. The public meeting requested by Vinnie Tafuri for moving a small deck, installing a patio, new stairs and changing decking material at 10 Hy Road was opened. Matt Marro showed the plan on the screen for all to view. Matt Marro explained that he had observed that Mr. Tafuri had proceeded work without filing a RFD and this filing is in response to the violation. The Commission discussed the location where Mr. Tafuri plans to re-locate the existing deck. Mr. Tafuri stated the trees that had been removed were rotted and a replication area was discussed. Rob Gendron and Carrie Monty would like to see the deck moved farther from the water's edge. Dan Bartkus asked to see more specifics on a final plan. Mr. Tafuri stated that the new location was over poison ivy and planned to eradicate it and maintain vegetation with Round-up. There were concerns with the use of Round-up so near the water. Rob recused himself from the vote, but would like to maintain his right as an abutter to comment. Matt Marro will set up a site visit. Gary Smith made a motion to continue to the next meeting and the motion passed on roll call vote (Rob Gendron abstained). The public meeting was closed at 7:29 p.m.

**RFD  
Narrows Road Bridge  
Westminster DPW**

7:29 p.m. The public meeting requested by the Town of Westminster DPW for the Replacement of the Narrows Road Bridge was opened. Danielle Spicer and Erik Atkins of Green International Affiliates, Inc. gave the overview of the project to bring the bridge up to DOT standards after being notified that the bridge was deficient. Matt Marro shared plans and photos for all to see. The bridge was constructed around 1892 and reconstructed in 1955 to widen the roadway. The new plan call for a decrease in impervious area. The stone arch portion of the bridge will be repointed. New steel beams will replace those in poor condition. Drainage, sidewalk, and catch basin were also discussed. Matt Marro concurred with the exemptions for a RFD. No diversion of water has been proposed. Work will be done during a dry period and is proposed above the water surface. Rob Gendron commented that it is a beautiful improvement other than the addition of a permanent stop sign. The plan was unanimously approved and the public meeting was closed at 7:44 p.m.

**AMENDMENT #336-0880  
Ellis Road, Old County Road, State Road West Solar Project  
EDF Renewables Distributed Solutions**

7:44 p.m. The public hearing requested by Wesley Flis on behalf of EDF Renewabled Distributed Solutions, Inc. for minor modification was opened. Wes Flis of Whitman & Bingham Assoc. gave the overview of the changes including the relocation of National Grid and owner poles, elimination of some of the gravel access drives, and a change in the type of fencing. The plan was unanimously approved and the public meeting was closed at 7:50 p.m.

**ENFORCEMENT**

**66 FROG HOLLOW ROAD – Elijah Ketolah / Edgewater Construction**

Matt Marro discussed an Enforcement Order for a wetland crossing at 66 Frog Hollow Road. He noted that work had begun without all permits in place as required in the conditions.

**TOWN FARM ROAD - Larry Brandon**

Matt Marro noted that the forest cutting plan for this property was no longer valid and as of this afternoon Mr. Brandon was working in the wetland. Jeff Aveni, representing Mr. Brandon, was not aware and temporarily left the meeting to contact his client.

Mr. Aveni returned to the meeting after talking with Mr. Brandon and made it clear to him that he was not to do any additional work. Matt Marro had been very clear on multiple occasions that he was not to begin work and recommended a \$600.00 fine along with a Cease & Desist Order issued to Mr. Brandon. The Commission unanimously voted to approve the fine and the Cease & Desist Order. Mr. Aveni asked if the fine would be held in abeyance and Mr. Marro responded that it would not and would be instituted immediately. In his view this was a willful act. Mr. Brandon will need to be on the agenda for the next meeting and bring a plan for the Commission to review.

Matt Marro also recommended that ZOOM meetings continue for June as Town Hall slowly reopens.

**Minutes of April 9, 2020**

These minutes were discussed at the previous meeting where 2 different motions were made and not seconded. Dan Bartkus called for a vote and Gary Smith made a motion to accept the minutes as written with a second by Tim Sheehan. Carrie Monty abstained. The motion carried, with Rob Gendron disapproving.

**Minutes of May 7, 2020**

Gary Smith made a motion to approve the minutes as written. Tim Sheehan seconded the motion. Carrie Monty and Robert Gendron both voted to disapprove. The motion carried.

Carrie Monty noted that the trees the Commission requested Mr. LeBlanc to plant to replace trees that had been removed were dying. Matt Marro gave him a warning to replant the trees and Mr. LeBlanc had one week left on the deadline to do so.

Carrie Monty also asked about a wall being built at 37 Kent Road. Matt Marro will make a site visit in the morning to determine if Mr. Donohue is in violation.

The meeting adjourned at 8:08 p.m.

Respectfully submitted,

Dan Bartkus  
Chairman  
(prepared by Susan Kalagher)