

Approved 4. 20. 22



# Town of Westminister

11 SOUTH STREET  
MASSACHUSETTS 01473  
FROM THE OFFICE OF THE

## CONSERVATION COMMISSION

Phone: (978) 874-7413 \* Fax: (978) 874-7411

### MINUTES OF MEETING

February 17, 2022

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

2022 JUN -6 PM 2:42  
RECEIVED  
TOWN OF WESTMINSTER

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

**Present:** Chairman Dan Bartkus, Members: Tim Sheehan, Robert Gendron, Carrie Monty, Agent Matt Marro, and Secretary Susan Kalagher

**Absent:** none

**Guests:** Joshua Joslyn, Chris & Tina Gianos, Frank Calandra, Jim Bagley, Norm Ouellett, Deb Ouellett, Jerry Powers

#### Documents, Plans and other Exhibits

1. Plan – 341 S. Ashburnham Road
2. Plan – 84 Knower Road
3. Plan – 111 Shady Avenue
4. Plan – 1 Waterman Lane
5. Plan – 7 Waterman Lane
6. Plan – 1 Ellis Road
7. Plan – 36 Shore Avenue
8. Plan – 3 South Road
9. Plan – 422 South Ashburnham Road
10. Open Meeting Law Complaint filed by Jill Normandin

The meeting was called to order at 7:00 pm in room 205 of Westminister Town Hall by Dan Bartkus. Rob Gendron recorded the meeting.

Dominick Meringol of Solitude Lake Management presented the Annual Report for 2021 Aquatic Vegetation Management of Wyman Lake.

**NOI / Continuation  
341 South Ashburnham Road  
Redkey**

The public hearing was continued as the legal notice was not published.

**NOI / Continuation  
7 Waterman Lane  
Foster / Mallard Realty Trust**

7:10 pm The public hearing requested by Mallard Realty Trust for the construction of a 4 bedroom house partially within the buffer of the wetlands at 7 Waterman Lane was opened. Joshua Joslyn of GRAZ Engineering represented the applicant. The plan was reviewed and erosion control measures were discussed. The plan was unanimously approved after a motion by Tim Sheehan and second by Carrie Monty. The public hearing was closed at 7:22 pm.

**NOI / Continuation  
1 Waterman Lane  
Foster / Mallard Realty Trust**

The public hearing was continued at the request of the engineer.

**NOI / Continuation  
1 Ellis Road  
Nault**

7:22 pm The public hearing for the construction of a new single family house with work within the buffer zone including the construction of a new driveway and installation of sewer, water, drainage, and electrical utilities. The house is outside the buffer zone. Chris Mossman represented the applicants and presented proof of abutter notification and publishing of the legal notice. He gave the overview of the project. The house will be tied in to Town water and Town sewer and erosion control was discussed. The plan was unanimously approved upon motion by Tim Sheehan and second by Carrie Monty. The public hearing was closed at 7:27 pm.

**RFD  
3 South Road – Lakewood Park  
Murphy & Wells**

7:27 pm The public meeting for the construction of a new single family on top of an existing foundation requested by Robert Murphy and Shelly Wells was opened. Chris Mossman represented the applicants and gave the overview of the project. A new well and replacement tight tank will be installed. The plan was reviewed and Mr. Mossman explained tight tank regulations. Access from South Road to the lot to perform the work would be through the buffer zone. The plan was approved upon motion by Tim Sheehan and second by Carrie Monty. Robert Gendron recused. The public meeting was closed at 7:35 pm.

**NOI  
422 South Ashburnham Road  
Gianos**

7:35 pm The public hearing for the construction of a new detached garage at 422 South Ashburnham Road requested by Christopher and Tina Gianos was opened. Chris Mossman represented the applicants and gave the overview of the project and submitted proof of abutter

notification and publishing. The stormwater management system was discussed. Robert Gendron asked if the work could be relocated closer to the home. A continuation was requested and approved and a site visit will be arranged. The hearing was closed at 7:46 pm.

**Certificates of Compliance**

The following Certificates of Compliance were approved and signed:

1. 180 State Road East / Northrop Grumman / #336-0921
2. 180 State Road East / Northrop Grumman / #336-0877

**RFD  
36 Shore Avenue  
Ouellette**

7:47 pm The public meeting for the installation of a retaining wall and dock requested by Norman and Deborah Ouellette was opened and proof the legal notice was published was provided. The intent is to replace an 8 ft. section of the existing railroad tie retaining wall with block and stone. The wooden dock is in poor condition will be replaced with a new metal dock of the same dimension. Abutter, Jerry Powers, commented that this would be a nice improvement. Rob Gendron recused himself from the vote but reserved his right as an abutter to comment and stated that most people have to go through the process of having an engineered plan. Matt Marro recommended a negative determination. With no other questions or comments a motion was made by Tim Sheehan and second by Carrie Monty to approve this plan. Rob Gendron recused. The motion passed. The public meeting was closed at 8:02 pm.

**Executive Session**

8:04 pm Tim Sheehan made a motion to exit into Executive Session for the purpose of approving the Minutes from the Executive Session on December 9, 2021 and to allow Matt Marro and Susan Kalagher to be present. Carrie Monty seconded the motion. The meeting will reconvene.

8:20 pm Executive Session was adjourned and the meeting reconvened.

**Minutes**

The Minutes of December 9, 2021 and January 27, 2022 were discussed. Changes requested by Robert Gendron were reviewed. The changes to the Minutes of December 9, 2021 were agreed upon and changes made by Matt Marro were unanimously approved upon motion by Tim Sheehan and second by Carrie Monty. The Minutes of January 27, 2022 were not voted on.

**Signatures ~ Previously approved**

The following Certificates of Compliance were approved January 27, 2022 upon motion by Tim Sheehan and second by Carrie Monty. This meeting was held in room 205 of Town Hall but attended remotely by Carrie Monty and Robert Gendron. Water quality reports were explained and both Commissioners signed.

1. CofC Bean Porridge Hill Road / #336-0153 / original was issued 9/1999 – this is a duplicate
2. CofC 90 Bean Porridge Hill Road / 336-0213

The following were approved on December 9, 2021. This meeting was held remotely and were awaiting signatures.

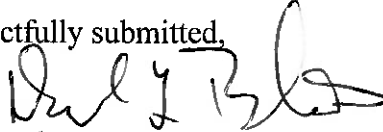
1. RFD / 111 Shady Avenue

2. NOI / Whitney Street Culvert / #336-0970
3. RFD / Worcester Road and Mile Hill Road

**Open Meeting Law Response**

Dan Bartkus recused from the Open Meeting Law complaint filed by Jill Normandin. Tim Sheehan assumed the duty of chairman. After discussion a motion was made and passed to ratify the response from Town Counsel. Dan Bartkus did not vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan Bartkus", written over a horizontal line.

Dan Bartkus  
Chairman

(prepared by Susan Kalagher)