

CONSERVATION COMMISSION MINUTES
4TH Floor Conference Room
8/16/18

FEB 20 2019

WINCHENDON TOWN CLERK

Present: Garrett Davieau, Lionel Cloutier, David Whitaker, Tony George and David Koonce

Absent: Kyle Bradley

DOCUMENTS & EXHIBITS

236 Monomanac Dr. - plans

64 Pinewood Dr. - plans

Ash St. - plans

135 Gardner Rd. - plans

CALL TO ORDER

Chairman Garrett Davieau called the meeting to order at 7 p.m.

NEW BUSINESS

David Whitaker made a motion, 2nd by Lionel Cloutier, - **vote** unanimously approved to pay the secretary.

David Whitaker made a motion, 2nd by Tony George, - **vote** unanimously approved to accept the minutes of 7/19/18.

David Whitaker made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to accept the minutes of 7/5/18.

The Commission re-signed the Certificate of Compliance previously approved for 14 Joslyn. Rd.

HEARING

7:05 p.m. (RDA) Request for Determination of Applicability, 53 Belmont Ave., Dean Lepkowski, Construction of a detached garage.

Mr. Lepkowski represented himself.

The plans show the construction of a 26' x 26' (676 square feet) detached garage. It also shows a shed 8' wide on sonotubes with a gravel floor. The Board recommends a deed restriction. Agent Koonce stated no gasoline products could be stored in the shed. Crushed stone should line the trench under the sloped roof on the wetland side of the shed. Double staked hay bales should be used for erosion control. He also recommends recording the deed restriction. Lionel made a motion, 2nd by Tony George - **vote** unanimously approved with a deed restriction and erosion control. Agent Koonce will inspect.

7:10 p.m. (NOI), Request for Determination of Applicability, 296 Beachview Dr., Construction of (2) Retaining Walls: (1) 40' long retaining wall along the shoreline, and a 2nd retaining wall elevated between the road and the shoreline, deck and walkway.
Peter & Susan Avdoulos represented themselves.

The project entails the construction of a forty (40) foot long retaining wall along the shoreline, and a second elevated retaining wall between the road and shoreline, deck and walkway. Mr. Avdoulos wants to build a retaining wall to stabilize the bank and make it more usable. Under the local by law 75' set back and 50' no disturb. Agent Koonce thought it might be grandfathered. The State Regulations would allow 10% as long as a wildlife study was done. Tony George wondered how much footage is needed for the study. Agent Koonce needs guidance from DEP on the wildlife study. Mr. Avdoulos asked if the board had any other concerns. Agent Koonce stated the plans need to be improved. They need to show the low point of the upper and lower wall. DEP will respond on the plans. Since the drawdown is coming, Agent Koonce said a preliminary assessment could be done. David Whitaker made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to continue the meeting to September 20, 2018.

7:15 p.m.

(NOI) Notice of Intent, 135 Gardner Rd., Borrego Solar Systems, Installation of a Ground-Mounted Solar Energy Generating Facility
David Albrecht, Borrego Solar Systems represented the applicant.

The project entails the installation of a 5,580.0 kW ground-mounted solar energy generating facility. The Commission requested no tree clearing any closer than 50' to any wetland. Some of the system is in the buffer zone, but the solar racking is outside of the no build zone. Trees and stumps will be removed in the honey cone area, inside the buffer zone. Agent Koonce had questions on the diversion of the swales in the eastern section. He feels the plans need to be revised. Agent Koonce requested the 50' no disturb and the 75' buffer zone be marked prior to the start of the project. The Commission may hire a monitor at the applicant's expense. The Commissions' comments were all in favor. David Whitaker made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to close the hearing. David Whitaker made a motion, 2nd by Tony George - **vote** unanimously approved a Favorable Order of Conditions.

OLD BUSINESS

Update: 15 Krantz Rd. Violation

The Chairman Davieau asked the board for comments. Tony George stated she has not complied with the clean-up requests. Lionel stated, he would like to try to work with her. David Whitaker stated that a complaint needs to be acted on in a timely fashion- it has gone on too long. Agent Koonce spoke to the logger. He does not feel he is responsible. Garrett feels the property has been branded. An Enforcement Order is recommended. Agent Koonce will draft an Enforcement Order and have it recorded at the Registry. Town Council stated it was important that the Commission has a paper trail of their efforts to work with the applicant. Garrett Davieau wants to have a discussion at some point with the Selectman about regulations for loggers.

NEW BUSINESS

Discussion - Dan Tenney: Proposed work at 5 Fourth Street

Mr. Tenney wants to install a 10' new foundation and re-build a 5' retaining wall on each side of his house. The old wall was crumbling. Agent Koonce stated it needed to be in the same footprint and only replace the retaining wall that was there. He will make a site visit to determine if he needs to file a (NOI), Notice of Intent. Lionel Cloutier stated that there could be a problem if the public access is blocked at the lake.

Discussion - Victor Amenta: Requesting a waiver to setback requirements for a new single family house construction on Baldwinville State Rd.

Victor Amenta and John Walker were present.

Mr. Amenta wants to build a single family house on a pre-existing lot on Baldwinville State Rd. The 75' set back limits the space to build a house. He is asking the Commission for a 62' wetland setback to allow him to build his house. Agent Koonce stated that Mr. Amenta wants to sell the lot and tell the buyer that the regulations are relaxed. Chairman Davieau asked for the Board's comments. David Whitaker said yes, Lionel Cloutier is OK with it, Tony George is OK with it. He would like to work with the owner. The Commission will work with whoever buys the lot. The Board agreed to relax the 75' no build zone to a 62' set back.

Presentation - Dave Romanowski, Ingleside Utilization Committee: Proposed Site Enhancements

The Committee has acquired 2 grants. They want to establish trails on the property to attract people. They approached North Quabbin Trail Association to help them establish the trails. They do feel maintaining the existing trails are most important. Agent Koonce asked Dave Romanowski to prepare a trail map for the Commission. They would like the Commission to walk the property, ask questions so they can see what their options are. Chairman Davieau suggested the Commission going out in pairs in the next couple of weeks for a site walk. They could possibly have an informal meeting on site and a future joint meeting with the Utilization Committee inviting the public to attend to focus on certain areas. On the map they will circle areas of interest to check out. The Commission fully supports the project.

Vote on whether to recommend First Right of Refusal on the following parcels:

Parcels 64 & 65 Lincoln Ave; Parcel 12, Rear Robbins Rd; Parcel 15, Rear Lincoln Ave.

(Conversion of Chapter 61 Forest Land)

Parcel 29 & 17, Hall Rd. (Conversion of Chapter 61B Recreational Land)

Agent Koonce got an e-mail from Linda Daigle, Town Administrator's Office to put on the agenda. It is on the Selectmen's agenda for their next meeting for a vote for Solar Array. Tony George states that it does not meet DEP Regulations. He recommends postponing to the next meeting with a 48 hour notice. Garrett Davieau does not want to act on this matter this evening. He asks the board for comments. Tony George says that the state says it would have to be an emergency. Garrett wants to have a special meeting next week. Agent Koonce says there is not enough time to publish the meeting. He asks if he would give Linda Daigle a call on Monday. All agree this is a gray area. They would like to have a special meeting for this decision.

John & Holly Cahill, 800 Spring St., New Auto & Truck Recycling; Wetland issues

Agent Koonce stated that silty water is flowing in the street under Route 12 getting into the wetlands. Mass Highway called Agent Koonce 3-4 weeks ago after a heavy rain, that water was running over the road at the culvert area under Route 12. Since it was an emergency, DPW dug out the culvert. A (NOI) Notice of Intent Storm Water Management Compliance of Operation needs to be filed. Petroleum fumes were coming off the site. It made the team very ill. DOT saw the culvert was full. The source was from the culvert. Mr. Myer, Environmental Engineer stated that nothing was coming from the road. Agent Koonce saw sediment in the area in front of the fence. The water from Route 12 flows into the parking to the drainage ditch. DEP stated the drain has not been maintained. Environmental Engineer, Mark Arigoni stated the 18" wide culvert is undersized. Commission Tony George had questions about tarring over the gravel. No permit was obtained. Debris is pushed into the trees. Mark Arigoni recommends starting with a baseline. Mapping is needed to determine where the water is draining. Agent Koonce stated there are two issues. On a site visit he saw very large dirt piles left over from the gravel operation. They are spread out up to the wetlands causing eroding sedimentation. A site visit is needed before issuing an Enforcement Order. Garrett will stop by on Monday evening. Agent Koonce and Tony George will also do a site visit. Garrett Davieau wants clarity on what is going on. Agent Koonce will draft a list of the violations. Recent paving was done without permission from the Commission. Agent Koonce will add to the (NOI) Notice of Intent.


ADJOURNMENT


David Whitaker made a motion, 2nd by Tony George - **vote** unanimously approved to adjourn.

The meeting adjourned at 9:30 p.m.

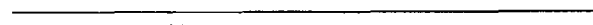
Respectfully Submitted,

Patty Driscoll, Secretary


Garrett Davieau


Lionel Cloutier


David Whitaker


Tony George