

Approved: 01/09/20

TOWN OF WINCHENDON

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Conservation Commission

Telephone (978)-297-5402

Regular Meeting/Public Hearing

December 12th, 2019

Town Hall 2nd Floor Auditorium

109 Front Street, Winchendon, MA 01475

PRESENT: Chairman Kyle Bradley, Vice-Chairman David Whitaker, Tony George
David Koonce, Conservation Agent

MATERIALS: Agenda & Notice of Meeting: December 12th, 2019

CALL TO ORDER: Chairman Kyle Bradley called the meeting to order at 7:00PM

MINUTES: None.

BILLS: None.

NEW BUSINESS: David Koonce addressed the project on 10 Gardner Rd. - Central MA Tree Service has moved their headquarters there. The commission issued an order of conditions back in August, and stated there are two assessors parcels in which the order of conditions were recorded against. The work/buffer zone is only located on one parcel. There is nothing in the order for the other parcel and the owner is applying for a federal grant to help with the operations. The order of conditions disqualifies him for the grant so he requested the Commission issue an amended order of conditions which would pertain only to the second parcel where the work is being done. Second to that, also issue a certificate of compliance to release the other parcel from the order of conditions.

David Whitaker made a motion to issue the amended order of conditions, 2nd by Tony George.

VOTE- Unanimously approved.

David Whitaker made a motion to issue the certificate of compliance, 2nd by Tony George.

VOTE- Unanimously approved.

The Commission discussed changing the future meeting time from 7:00PM to 6:00PM. All approved.

David Whitaker made a motion to change the meetings to 6:00PM, 2nd by Tony George.

VOTE- Unanimously approved.

The Commission introduced and welcomed the newest member, April Mills. She had not been sworn in yet, so was attending the meeting from the audience.

HEARINGS:

7:05PM Request for Determination of Applicability (After-the-fact-filing)

Applicant: John E. Bussiere Jr.

Project Address: 336 W. Monomonac Road; Assessor's Map M-6, Lot 12

Representative: Self

Project Description: Removal of six (6) storm-damaged trees causing a safety hazard due to falling branches in high winds.

The applicant explained that the trees cut down were dead and causing a safety hazard with large branches falling every time it was windy. The trees that were cut were: 1- 36" oak, 2- 24" oak, 2- 13" pine, and 1- 24" poplar.

David Whitaker made a motion to close the hearing, 2nd by Tony George

VOTE- Unanimously approved to close the hearing.

David Whitaker made a motion for Negative Determination, 2nd by Tony George

VOTE- Unanimously approved a Negative Determination.

7:10PM Notice of Intent (3) (cont'd)

Applicant: Barkley Enterprises, LLC

Project Address: Lot 1 Spring Street, Lot 2 and Lot 3 Spring Place; Assessor's Map 5C-3, Lot 180

Applicant: New England Auto & Truck Recycler

Representative: Chris Guida, Fieldstone Land Consultants, PLLC

Project Description: Construction of a proposed new single-family house, with associated installation of utilities, grading, and landscaping, on each of the three lots.

As discussed at the previous meeting, the deck in lot 3 was moved out of the 75ft. buffer zone. Also, DEP had not assigned file numbers at the last meeting but has since assigned them. There was no further discussion from the members.

David Whitaker made a motion to close all 3 hearings, 2nd by Tony George

VOTE- Unanimously approved to close the hearings.

Tony George made a motion to issue all 3 orders of conditions, 2nd by David Whitaker

VOTE- Unanimously approved to issue the 3 orders of conditions.

7:15PM Notice of Intent (cont'd)

Applicant: Sunpin Solar Development, LLC

Project Address: 185 Baldwinville Road; Assessor's Map 13, Lot 4

Representative: Stephen Herzog, AMEC Massachusetts, Inc.

Project Description: Construction, operation, and maintenance of a 3.135- megawatt direct current ground-mounted solar photovoltaic system, including access road, perimeter fence, stormwater management infrastructure, grading, and landscaping.

Since the previous meeting, the design and size of the project has changed significantly. Discussion ensued regarding the redesign and the fact that it would be in between the 50 and 75ft buffer zone. The applicant requested a continuance due to the redesign and comments from Tighe & Bond.

Tony George made a motion to continue the hearing to January 9th, 2020, 2nd by David Whitaker

VOTE- Unanimously approved.

New Business: Violations

- 55 Island Road (deck)
- 579 Brown Street (addition)
- 42 Alger Street (driveway, deck)
- 110 Laurel Street (tree cutting)
- 162 Main Street (sheds, junk storage)

55 Island Rd.- Mr. Koonce sent out the enforcement order via certified mail and it came back as unaccepted. He recommended sending it out via regular mail to see if that would come back as well. The Commission discussed sending out the enforcement order and letter from the building commissioner together via regular and certified mail.

VOTE- Unanimously approved to send the enforcement order and letter from the building commissioner via regular and certified mail.

579 Brown St.- The addition is 55ft. away from the wetlands. They applied for a permit, Mr. Koonce visited and planned on letting the applicant know they would have to meet with the Conservation Commission due to the setbacks. The next weekend, Geoffrey Newton, the building commissioner, visited the site and found the work had already been done without a building permit and approval from the commission. Tony George motioned to issue an enforcement order and letter from the building commissioner, 2nd by David Whitaker.

VOTE- Unanimously approved.

42 Alger St.- Approximately 20-25 years ago, the property required a new septic system and had to be located on the right side of the property where the original driveway was located. The owners filed correctly for the septic system but did not file with the Commission to move the driveway to the left side of the property, closer to the wetlands. Recently, the owners also built a deck on the front of the house without filing with the Commission. Mr. Koonce and Mr. Newton visited the property and required the owner to cease and desist and file with the Commission. The owner did not file and since completed the project.

Tony George motioned to send the owner a letter requesting them to come before the Commission to request an after the fact filing, 2nd by David Whitaker.

VOTE- Unanimously approved.

110 Laurel St.- There was a complaint over the summer in regards to approximately 10 trees cut near a stream. Mr. Koonce visited the property and spoke to someone, not the owner, who explained that the maple trees were cut due to the seed pods falling on the cars stored on the property and the owner felt it was negatively affecting the condition of the cars. The owner planned on having a relatively minor surgery within a few days of Mr. Koonce visiting the property, and was told they would be in contact soon after, but have not since heard from them.

Tony George motioned to send the owner a letter requesting them to come before the Commission to request an after the fact filing, 2nd by David Whitaker.

VOTE- Unanimously approved.

162 Main St.- There are multiple sheds and junk on the property that need to be addressed. The Commission was unsure whether the Board of Health and Zoning Commission need to be included. Mr. Newton would check on the regulations and figure out the next step.

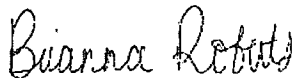
David Whitaker motioned to send the owner a letter requesting them to see Mr. Koonce to discuss the situation and request an after the fact filing, 2nd by Tony George.

VOTE- Unanimously approved.

Mr. Koonce brought up a new item regarding the Millers Run Subdivision. The planning board needed the Conservation Commission to sign off on it to move forward. It would be discussed at the next meeting on January 9th, 2020.


ADJOURNMENT: 8:20PM

Respectfully submitted,



Brianna Roberts, Conservation Commission Recording Secretary

Kyle Bradley, Chairman


David Whitaker, Vice-Chairman
Tony George