

TOWN OF WINCHENDON



Approved: 9 / 10 / 2020
via roll call
vote in meeting
held on zoom.

Conservation Commission

Telephone (978)-297-5410

Regular Meeting/Public Hearing Minutes

August 13, 2020

Via Zoom conference call

Meeting ID: 977 6739 7749 Password: 0343903

RECEIVED

OCT 5 2020

WINCHENDON TOWN CLERK

PRESENT: Chairman Kyle Bradley, Vice-Chairman David Whitaker, Melissa Blanchard
Alison Manugian (Conservation Agent), members of the public & applicants

MATERIALS: Agenda & Notice of Meeting: August 13, 2020
Informational Packet presented to Commissioners for review in advance

CALL TO ORDER: Chairman Kyle Bradley called the meeting to order at 6:00PM

MINUTES: Minutes of July 9, 2020 and July 23, 2020 were presented for review, discussion and approval.
D. Whitaker motioned to approve both sets of minutes as presented; M. Blanchard seconded the motion and all voted aye via roll call.

ANNOUNCEMENTS: National Grid continues with trimming per their submitted plans

BUSINESS:

Notice of Intent Hearing

No DEP number

- Lot 2 – Mill Glen Road; Assessor's Map 10, Parcel 66
 - Applicant: Matthew Olson Representative: Mark Popham
- Proposed project is a single family home with associated work within wetland buffer.

As no DEP number has been assigned the hearing can not be closed or a decision rendered.

D. Whitaker motioned to continue the hearing to 6:05pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing (Continuation)

DEP 345-0686 & 345-0688

- Applicant: Jamison VanDyke Representative: Paul Grasewicz of Graz Engineering
- Project Address: 49 & 69 Kemp Street; Assessor's Map 5B1, Parcels 37, 38 & 39

Each parcel shall be a separate project with construction of a new single family home, well, septic system and associated grading and landscaping.

It appears that there is no quorum of members possible to act on these hearings moving forward.
Agent will seek clarification of process with DEP.

D. Whitaker motioned to continue the hearing to 6:10pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Certificate of Compliance Request- 296 Beachview Drive – Avdoulos - 345-0660

Agent reported that the project has been completed in accordance with the order and that the site looks good.

D. Whitaker motioned to issue the Certificate of Compliance for this project; M. Blanchard seconded the motion and all voted aye via roll call.

Certificate of Compliance Request- 682 Spring Street – LaGrassa - 345-0420

Agent reported that the project looks good and the site is in good condition; although the plan to accompany the issued order is missing. The applicant's attorney is requesting the certificate to proceed with the proposed marijuana retail location that has received Planning Board approval.

D. Whitaker motioned to issue the Certificate of Compliance for this project; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing

DEP 345-0694

- Applicant: Matthew Kotoski

- Project Address: 195 Beachview Ave, Assessor's Map 12, Parcel 50

Work is underway for (unpermitted) reconstruction of existing stone wall at water's edge.

Creation of 1,000 sf patio area and additional retaining wall and addition of walkway to Lake for future dock. All work is within the buffer to the lake.

Applicant presented the project and sketch. The project will reduce hills and hence slow runoff and reduce erosion. The waterside wall is completed and erosion controls are in place.

Consensus of Commission comments is that there are no concerns with the work planned.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue Order of Conditions requiring erosion controls and standard conditions; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing (Continuation)

DEP 345-0689

- Applicant: Chris and Lauren McNamara

- Project Address: 85 Beachview Drive; Assessor's Map 10, Parcel 53

Project includes addition of a farmer's porch on the front of the home, expansion of the screened porch lakeside and expansion of the roof overhangs.

The applicants appeared with their Attorney to request a continuance allowing for completion of engineering work to set the proposed addition 50' or more off of the mean high water line.

D. Whitaker motioned to continue the hearing to 6:15pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Request for Determination of Applicability Hearing

- Applicant: Vincent Cass
- Project Address: 255 Monomonac Road West; Assessor's Map 6, Parcel 37
- Description: Removal of a single tree in wetland buffer area.

The applicant presented that the tree is across the road from the beach and more than 50' from the wetland.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue a Negative Determination, allowing project to continue as outlined without further submissions; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing (Continuation)

DEP 345-0692

- Applicant: Ecos Energy, LLC
- Project Address: Spring Street; Assessor's Map 9, Parcels 97 & 98
- Description: Construction of a 9MW ground mounted solar array including work in wetland buffers and wetland crossings.

The applicant is working with the peer review team to ensure that their concerns are addressed. Applicant suggested a site visit to review the project and wetland delineations with peer review.

D. Whitaker motioned to continue the hearing to 6:20pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing

DEP 345-0695

- Applicant: April Mills
- Project Address: 376 Beachview Drive; Assessor's Map 15, Parcel 18
- Description: Plantings and deck on the beach to restore vegetation and control erosion to address existing erosion and impacts of tree removals.

Applicant outlined concerns and how the proposed changes will improve the site. The existing stumps will be ground in place. Rip rap will be placed near the waterline with a deck over top. Sand will be backfilled behind the deck to lock in place the supports and create a safe transition. The intent is to mitigate the issues with the least impact. Native plants are proposed on the right side – ferns and butterfly bush were proposed. Commission discussion suggested that daylilies would be appropriate and that mountain laurel would be better than butterfly bush if the ferns don't control runoff.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue Order of Conditions requiring erosion controls and standard conditions; M. Blanchard seconded the motion and all voted aye via roll call.

- Applicant: Tien Phu
- Project Address: 94 Lincoln Ave, Assessor's Map 5B2, Parcel 54
- Description: Restoration of wetland buffer disturbed w/ unpermitted tree removals.

Applicant was present to answer questions, of which there were none. Issuance of a DEP number allows for closure of hearing and decision.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue Order of Conditions requiring erosion controls and standard conditions; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing

- Applicant: Chad LeBlanc
- Project Address: 386 Beachview Drive; Assessor's Map 15, Parcel 31
- Description: After the fact permission to remove trees and place plantings on the beach to restore vegetation and control erosion.

No DEP number

As no DEP number has been assigned the hearing can not be closed or a decision rendered.

D. Whitaker motioned to continue the hearing to 6:25pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Request for Determination of Applicability Hearing (Continuation)

- Applicant: Wayne Huard
- Project Address: 136 Beachview Drive; Assessor's Map 11, Parcel 15
- Description: Removal of a single tree on the beach. An arborist's opinion was requested to ensure that a healthy tree is not being removed. No opinion has been provided.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue a Positive Determination (requiring a NOI to move forward); M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing

No DEP number

- Applicant: Joanne Moreau
- Project Address: 106 Lakeview Drive; Assessor's Map 10, Parcel 35
- Description: Extend existing deck 6' toward water on new footings. New deck to be 59' from water's edge.

As no DEP number has been assigned the hearing can not be closed or a decision rendered. The proposed project sketch should be pulled over from the Building Permit application packet.

D. Whitaker motioned to continue the hearing to 6:30pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing

- Applicant: Earl Haight No DEP number
- Project Address: 96 Monomonac Road East; Assessor's Map 8, Parcel 14
- Description: Trimming and removal of trees in the wetland buffer and reconstruction of hardscaped area.

Applicant outlined the trees and trimming to be altered and the area of reconstructed walls/patio.

As no DEP number has been assigned the hearing can not be closed or a decision rendered. The proposed project sketch should be pulled over from the Building Permit application packet.

D. Whitaker motioned to continue the hearing to 6:35pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Request for Determination of Applicability Hearing

- Applicant: Winchendon Community Park Committee
- Project Address: 86 Ingleside Drive; Assessor's Map 5A3, Parcel 348
- Description: Construction of access trail to fishing point in two phases.

Applicant presented an overview of the proposed access trails which will make the approach to the lake fishing point more gradual and safer for all users. The existing trail area will be restored to a vegetated state. No disturbance beyond topsoil is intended and all work will be done by hand as much as possible.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue a Negative Determination, allowing project to continue as outlined without further submissions; M. Blanchard seconded the motion and all voted aye via roll call.

Notice of Intent Hearing

- Applicant: Julie Anne Osborne Representative: Warren Field
- Project Address: 356 Lakeview Drive; Assessor's Map 15, Parcel 8
- Description: Paving of driveway, paver walk from deck to beach and shed construction.

The applicant's representative explained the project and areas of work. The shed will be a wood floored structure on blocks. The area directly behind the proposed shed has an underground propane tank. The paved driveway isn't a significant increase in impervious nature as the existing is highly compacted gravel and earth. The consensus of the Commission is that the shed placement is the only concern, a request was made to relocate the proposed shed to be at least 50' off of the water.

As no DEP number has been assigned the hearing can not be closed or a decision rendered.

D. Whitaker motioned to continue the hearing to 6:40pm on September 10, 2020; M. Blanchard seconded the motion and all voted aye via roll call.

Request for Determination of Applicability Hearing

- Applicant: Fred Calvin Miller
- Project Address: 165 Fourth Street; Assessor's Map 4, Parcel 3
- Description: Trimming and removal of trees. Replacement of retaining wall and addition of railing. Replacement of and improvements to steps and walkways.

The applicant reviewed the photos and intended elements of the project as presented. The existing concrete stairs currently beneath the deck will remain. The pathway from the driveway down to the lake will be straightened out and reconstructed. The existing failed retaining wall on this side will be reconstructed. The shallow stairs to the home and patio adjacent to the lake will be reconstructed where the landscape timbers are failing, creating safety concerns. The tree slated for removal leans over the house and the insurance company has repeatedly requested its removal. The removal and replacement of the shoreline retaining wall and widening of the incorporated stairs needs to be done as the wall is failing and the stairs are too narrow for safe use.

D. Whitaker motioned to close the public hearing; M. Blanchard seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue a Positive Determination (requiring a NOI to move forward); M. Blanchard seconded the motion and all voted aye via roll call.

Request to Amend Order of Conditions

DEP – 345-0651

- Applicant: Tim Sullivan
- Project Address: 44 West Shore Drive; Assessor's Map 6, Parcel 35
- Description: Order was issued without regard to utility guy wire, which pushes the driveway and septic into the restricted area.

Applicant is requested a swap and amendment of restricted area. This would incorporate new vegetated roadside area into the restriction and allow for shifting of the septic and driveway to accommodate the guy wire. An extension is also being requested with anticipated application for certificate of compliance in Spring of 2021.

D. Whitaker motioned to amend the existing Order of Conditions altering only the restricted area in this section of the project and time extension; M. Blanchard seconded the motion and all voted aye via roll call.

Ongoing discussion of violation - 385 Glenallen Street – Jameson - Fill of Lake Monomonac

Agent reports conversation with the violator's attorney. They are seeking quotes for restoration of the filled area.

Ongoing discussion of violation - sheds & storage in buffer at 16 Monomonac- Phillip White.

The owner was present to answer questions about the locations and usage of the many structures on his property within the 100' jurisdiction of the Commission. The structures near the beach serve as a BBQ area, a wood storage shed, boat storage and a movable wishing well for a future project. The owner has moved the boats, mowers and car trailer. The temporary garage has been relocated further from the water and will be removed temporarily. The camper present onsite isn't currently registered, but does run and could be registered. The remaining car trailer is registered and used. K. Bradley indicated comfort with the sheds, but that the storage within should be for tools and two stroke motors only. D. Whitaker asked what the property use is regarding boats. The owner indicated that no repair work is

done, only occasional cosmetic boat work. Consensus of the Commission is that the current status/condition is acceptable. Agent will draft a letter indicating this and the concerns will be considered remedied and closed.

Ongoing discussion of violation - storage in buffer at 162 Main Street- Phillip Favart.

Agent reported significant clean up since the original violation notice in February. Consensus of the Commission is that the work makes the difficult property as clean as is realistic. This item will be removed and considered remedied and closed.

Discussion of violation - storage in buffer at 162 Main Street owned by Phillip Favart.

Photos were reviewed and the Conservation Agent outlined the property location entirely within the 100' wetland buffer. It appears that some clean up work has been completed. K. Bradley will review the site on June 13 and report to the Commission on July 9th. A review of options, including action by the Board of Health was requested.

Discussion of violation – sheds & storage in buffer at 16 Monomonac owned by Phillip White.

The sheds and storage on this parcel remain of concern and need to be remedied. It may be that an enforcement order is necessary to move this forward. K. Bradley will review this site on June 13th and report to the Commission on July 9th as well.

Agent indicated that inability of M. Mimnaugh to attend meetings is limiting the ability of the commission to do their work. Consensus of the members present was to approach the Select Board about removal and appointment of a more participatory member.

A motion to adjourn the meeting was made by D. Whitaker and seconded by M. Blanchard. All voted aye via roll call at 7:54pm.

Respectfully submitted,



Alison Manugian – Conservation Agent

Kyle Bradley, Chairman

David Whitaker, Vice-Chairman

Melissa Blanchard

Michael Mimnaugh