

Approved: 12/5/24

TOWN OF WINCHENDON

WINCHENDON TOWN CLERK
RCUD MAR 24 2025 AM 9:34



Conservation Commission

Telephone (978)-297-5402

Regular Meeting/Public Hearing

November 14, 2024

Town Hall 2nd Floor Auditorium
109 Front Street, Winchendon, MA 01475

PRESENT: Chair- David Whitaker, Vice-Chair Lionel Cloutier, Melissa Blanchard, Mike Kearns, Matthew Marro- Conservation Agent

ABSENT: Glenn LaRochelle

CALL TO ORDER: 6:00PM- Chair David Whitaker called the meeting to order, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: None.

PUBLIC COMMENT: None.

MINUTES: October 11, 2024

Melissa Blanchard motioned to approve the October 11, 2024 minutes, 2nd by Mike Kearns

Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

HEARINGS:

Request for Determination of Applicability (RDA)

Applicant: Robert Zuffante

Assessor's Map 6 Parcel 36

- Project address: 42 West Shore

- Description: The proposed work includes removal of two (2) tree stumps within 60 feet of Sunset Lake

Melissa Blanchard read the public hearing notice. The hearing was opened. Matt Marro stated for the record the legal ad had been corrected, it was originally published for the October meeting but his filing was not complete at the time.

Mr. Zuffante was in the middle of selling his house. It was a retroactive determination for the removal of 2 stumps approximately 62 ft away from the edge of wet, from trees that were cut. The applicant has removed the stumps and submitted photos for the record. There was no erosion event, everything was well done and smoothed out. The determination is to memorialize it for the record. Matt Marro recommended a negative determination #3, for work in the buffer zone but won't impact a wetland.

M. Blanchard motioned for a negative determination #3, 2nd by L. Cloutier
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Request for Determination of Applicability (RDA)

Applicant: ATA Construction

Assessor's Map 12 Parcel 52

- Project address: 176 Beachview Drive
- Description: The proposed work includes razing and rebuilding house, installation of a new driveway

Melissa Blanchard read the public hearing notice. The hearing was opened. Matt Marro stated this was for a request for determination for approximately a 30 ft driveway (350 sq. ft.) at the edge of the buffer zone. It goes no closer than 70 ft. The house is currently under construction and entirely out of the buffer zone.

L. Cloutier motioned for a negative determination #3, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Notice of Intent (NOI) **Continued from 4/11/24, DEP # 345-0792**

Applicant: Steven Powell

Assessor's Map 9 Parcel 93&99

- Project address: Teel Road Map 9, Parcel 93&99
- Description: The proposed work includes clearing and grading for the purposes of an earth removal operation in addition, an existing damaged culvert will be replaced with a proposed bridge within the 100 buffer zone.

L. Cloutier motioned to continue the hearing to December 5, 2024, 2nd by M. Blanchard
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Notice of Intent (NOI) **NO DEP#**

Applicant: Tammy Sue Fanelli

Assessor's Map M7 Parcel 24

- Project address: 6 Beachview Drive
- Description: The proposed work includes demolish of an existing 2 bedroom house and construct a new 2 bedroom single family home within the 100 foot buffer zone.

Melissa Blanchard read the public hearing notice. The hearing was opened. Julian Votruba with New England Environmental Design was present representing the applicant Tammy Sue Fanelli.

There was an existing house, driveway, dock, well, and septic. The septic passes Title 5 requirements and the well is still functioning. The proposed plans were presented to the Commission. They plan on putting silt fence hay bales all the way around the property. The DEP # was received in the meantime and they had a few comments which have been addressed. In regards to the flood zone, on this lake there is no defined elevation of the flood zone. In those cases, the mean high water mark that is visible is used. The slab is about 6/7 ft above that mark. All disturbed areas will be loamed and seeded.

Matt Marro suggested walking the site to take a look at the other existing structures on the property. If they were removed, the commission could consider taking that square footage into account with the

proposed plans for the new house. Due to the home being in the 50 ft buffer zone, the commission typically only allows work within the existing foot print. The proposed plans go outside of that, but in consideration of the removal of the other structures on the lot, they may be able to account for the extra footage with the addition of restoration of the shoreline. That would be a public benefit compared to the existing property which is in need of repair/removal.

Cheryl Digeronimo of 5 Beachview Drive came forward and had questions in regards to the driveway/right of way on her street. The Commission discusses wetland issues, so they recommended she speak with the planning board or building commissioner.

Cindy Carvill came forward and advised the Commission to perform a site walk to take a look at the actual water levels vs what is shown on the GIS map. Julian responded that his plans were based off of the actual survey.

David Whitaker suggested performing a site walk and continuing the hearing. They planned to meet on Saturday November 23rd at 9AM.

L. Cloutier motioned to continue the hearing to December 5, 2024, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Notice of Intent (NOI) NO DEP#

Applicant: McCartney Engineering, Inc.

Assessor's Map 1 Parcel 237

- Project address: 703 School Street
- Description: The proposed work includes conversion of an existing structure on the property into a retail processing marijuana facility within the 100 foot buffer zone.

L. Cloutier motioned to continue the hearing to December 5, 2024, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Notice of Intent (NOI) NO DEP#

Applicant: John Lossman

Assessor's Map 6 Parcel 91

- Project address: 215 N. Ashburnham Road
- Description: The proposed work includes replacement of a culvert for a driveway crossing within the 100 foot buffer zone.

L. Cloutier motioned to continue the hearing to December 5, 2024, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Notice of Intent (NOI) NO DEP#

Applicant: Haley Ward, Inc.

Assessor's Map 5A2 Parcel 90

- Project address: Pearl Street
- Description: The proposed work includes construction of a single family dwelling on a vacant lot within the 100 foot buffer zone.

L. Cloutier motioned to continue the hearing to December 5, 2024, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

UPDATES/NEW BUSINESS: Map M6, Parcel 53 Violation

Michelle Blanchette was present on behalf of the property owner Jacob Shiavo. 2 years ago, the commission started violation notices which went to ticketing, in regards to an excavator in the lake. On advice of the town council they have rescinded the ticketing. Upon research, they discovered there was a conservation restriction on the property recorded on the deed, that through Jacob's work has now been violated. The Commission needs plans for the restoration. The item will be put on the December 5th meeting agenda.

CERTIFICATES OF COMPLIANCE:

- 46 Baldwinville State Road
- 375 Hitchcock, Map 8, Parcel 245
- 34 West Shore Drive
- 614 School Street

L. Cloutier motioned to combine and issue all 4 properties certificates of compliance, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

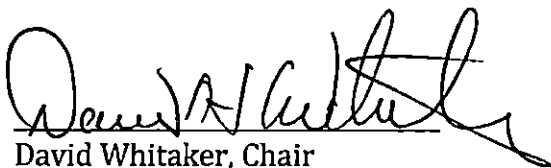
ADJOURN: 6:49PM

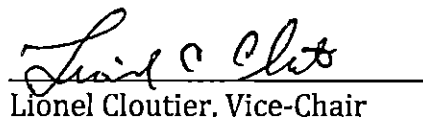
L. Cloutier motioned to adjourn, 2nd by M. Kearns
Blanchard (Y) Cloutier (Y) Kearns (Y) Whitaker (Y) 4-0

Respectfully submitted,

Brianna Lindahl

Brianna Lindahl, Conservation Commission Recording Secretary


David Whitaker, Chair


Lionel Cloutier, Vice-Chair


Melissa Blanchard


Mike Kearns


Glenn LaRochelle