

TOWN OF WINCHENDON



WINCHENDON TOWN CLERK
RCUD JAN 26 2021 PM 1:45

Conservation Commission Regular Meeting/Public Hearing Minutes

December 17, 2020 remotely at www.zoom.com

Meeting ID: 983 6658 9426 Passcode: 9657249

Members Present: Dave Whitaker, Ken Wante, Kyle Bradley

Others Present: Alison Manugian (Conservation Agent),

Meeting called to order by Chair Kyle Bradley at 7:05pm

Announcements

- A Manugian reminded all that there is a vacancy on the Conservation Commission and that the ZBA is seeking two alternates. Interested parties can reach out to her for more information.
- The meeting last Thursday (12/10/2020) didn't take place due to technical difficulties. Each hearing and the agenda in general was continued from then to the meeting today.

Minutes K. Wante made a motion to approve the draft minutes of November 12, 2020. D. Whitaker seconded the motion and all approved via roll call.

The public hearing for NOI # 345-0706 at 336 Lakeview Drive was posted for 7:05pm. As the applicant wasn't present other items will be moved up on the agenda, with this to be handled prior to adjourning.

Notice of Intent Hearing DEP 345-0713 was opened by the Chair after D. Whitaker read the notice.

Applicant: Kenneth LaBrack Project Address: 125 Island Road; Assessor's Map 1, Parcel 5

A Manugian outlined that there is a single tree on the beach that the applicant would like to remove.

Applicant, Ken LaBrack explained that this tree has been rocking in the stronger winds off the Lake from the north. He perceives this to be a danger to the home and the new windows.

D. Whitaker reviewed the site and spoke with the applicant on site. The applicant indicated to D. Whitaker that the tree will be cut and lifted up by crane leaving no significant impact to the wetland. The cutting and grinding will happen on the other side of the house and the applicant intends to leave the tree stump.

Consensus that there are no significant concerns about the project. Ken LaBrack indicated he would like to proceed soon to be able to share the crane rental with his neighbor.

D. Whitaker motioned to close the hearing. K. Wante seconded the motion and all approved via roll call.

K. Wante motioned to issue the Order of Conditions with typical conditions; allowing for erosion controls (silt fence, waddles or sock) around the tree. D. Whitaker seconded the motion and all voted aye via roll call vote.

Request for Determination of Applicability public hearing was opened by the Chair after D. Whitaker read the notice.

Applicant: Christian Dellogono Project Address: 140 Main St; Assessor's Map 4D4, Parcels 44

Chris Stoddard, Engineer for the applicant, outlined the project. A septic replacement with proposed work further from the water than the system's current location.

TOWN OF WINCHENDON

Conservation Commission Minutes – November 12, 2020

Board members had no concerns and appreciated the location being further from the wetland.

D. Whitaker motioned to close the hearing. K. Wante seconded the motion and all approved via roll call.

D. Whitaker motioned to issue a negative determination requesting erosion controls; K. Wante seconded the motion and all voted aye via roll call vote.

Notice of Intent Hearing DEP 345-0712 opened by the Chair after D. Whitaker read the notice.

Applicant: Diane Coulter

Project Address: 55 Island Road; Assessor's Map 2, Parcels 8

A Manugian summarized that the site has an existing very steep divide between the driveway and adjacent area. The applicant proposes to replace this with a retaining wall and steps.

D. Coulter indicated that this was previously a retaining wall of railroad ties. She believes that the work will be done by hand but isn't sure if there is excavation planned or fill. The exact location of the proposed wall, at the current top of slope or bottom, isn't clear.

Commissioners had several questions that the applicant wasn't sure of.

- What is the intent for the existing tree stumps in the area?
- Will the older rotting railroad ties be removed?
- How will the foundation of the wall be constructed?
- What equipment, if any, will be used?

K. Wante motioned to continue the hearing until 6:15pm on January 14th 2021 to allow for more answers.

D. Whitaker seconded the motion and all approved via roll call vote.

Certificate of Compliance Requests

- 94 Mill Glen - Sean Pepper (Order of Conditions DEP 345-0466)
This is an older project from 2005 that was never formally closed out. The agent reported no concerns.
D. Whitaker made a motion to grant the certificate of compliance. K. Wante seconded the motion and all voted aye via roll call vote.
- 52 West Shore Drive - Scott Bullen (Order of Conditions DEP 345-0705)
This project was a very recent restoration of a previously existing beach area. The work has been done and looks good. The site was very clean throughout the process.
D. Whitaker made a motion to grant the certificate of compliance. K. Wante seconded the motion and all voted aye via roll call vote.
- 49A Washington Avenue - Dan Paramenter (Order of Conditions DEP 345-0700)
This application isn't complete, the signed stamped confirmation of work done per plans and permission hasn't been received yet. The applicant is working to find an engineer to review as the design engineer is out of state for the next several months. The Certificate of Compliance needs to be issued before the applicant can move forward for an ANR endorsement by the Planning Board.
As this isn't a hearing no formal continuation is needed; the request will be on the next agenda.

Enforcement Orders

- Update 365 Glenallen Street - Richard Jameson has signed the final restoration agreement and the work will be completed by Spring. The Court hearing date for January will likely be delayed until after the completion deadline.

TOWN OF WINCHENDON
Conservation Commission Minutes – November 12, 2020

- **6 Island Road - Cindy Fitch**
 - A Manugian outlined that there have been a couple of issues here in the last few months. The enforcement order currently under discussion was prompted by filling between the home and road in an attempt to reduce runoff into the basement.
 - K. Bradley explained to the homeowner that virtually the entire parcel is within 100' of the wetlands and hence Conservation Commission approval is required for any work.
 - The owner apologized that she didn't understand that and now does. Her son did this work in error.
 - K. Bradley prompted that this is the second or third round of errors of concern to the commission.
 - Ryan McCauley, abutter at 16 Island Road, spoke of his concerns. He feels that given her professional as a real estate agent she has more knowledge than she is using. He is concerned about the ongoing repeated egregious nature of her actions – removing trees last year on holidays without permission, wood chips and debris, the location of and possible damage to the septic. He is concerned that these violations began with the previous owner and these all need to be remedied.
 - A Manugian responded that the enforcement order under discussion for Commission approval will act as a cease and desist for the site until a Notice of Intent application is received and an Order of Conditions is issued by the Conservation Commission.

D. Whitaker motioned to endorse the agent issued Enforcement Order. K. Wante seconded the motion and all voted aye via roll call vote.

7:05pm Notice of Intent Hearing Continuation DEP 345-0706 tabled previously in the meeting

Applicant: Greg Neumaier

Project Address: 336 Lakeview Dr; Assessor's Map 12, Parcel 24

A Manugian summarized that the applicant has sent in the proposed drywell structure included in the meeting packet.

K. Bradley asked the applicant if they plan to install themselves or have a professional do this step? He also asked about timing.

G. Neumaier clarified that this work – walkways, drywell and grade changes – will take place at the end of the overall renovations project. His intent is to have his current contractor, or a site contractor do the installation.

Consensus of brief commission discussion was that the unit is a good choice and should drain to as far away from the lake as possible.

D. Whitaker motioned to close the hearing. K. Wante seconded the motion and all voted aye via roll call.

D. Whitaker motioned to issue the Order of Conditions with standard conditions. K. Wante seconded the motion and all voted aye via roll call.

D. Whitaker motioned to adjourn the meeting. K. Wante seconded the motion and all voted aye via roll call.

The Chair adjourned the meeting at 7:56pm