

TOWN OF WINCHENDON



WINCHENDON TOWN CLERK
RCUD JAN 26 2021 PM1:4

Conservation Commission Regular Meeting/Public Hearing Minutes

November 12, 2020 remotely at www.zoom.com
Meeting ID: 967 7763 4723 Passcode: 9738368

Members Present: Dave Whitaker, Ken Wante, Melissa Blanchard, Kyle Bradley (arrived 6:13)

Others Present: Alison Manugian (Conservation Agent), Trevor Fletcher, Kameel Nasr, Rodney Galton,

6:08pm Meeting called to order by Acting Chair D. Whitaker.

Announcements None

Notice of Intent Hearing

DEP 345-0708

- Applicant: George Mizhir (All American Builders) Rep: Trevor Fletcher
- Project Address: 614 School Street; Assessor's Map 1, Parcel 247
- Description: Construction of a new single family home with well, septic system and associated grading and landscaping.

Acting Chair D. Whitaker read the legal hearing notice and the hearing was opened.

Trevor Fletcher presented the project and answered questions. Soil testing was done last year for this site and the presented layout is the only viable option. All work is outside of the 50' buffer and the entire site will be outlined with silt fence.

A Manugian, K. Wante & M. Blanchard indicated no concerns with the proposed project.

K. Wante motioned to close the hearing and issue an order of conditions with the Commission's standard conditions. M. Blanchard seconded the motion and all present (Whitaker, Wante & Blanchard) voted aye via roll call vote. K. Bradley abstained as he wasn't present for the opening of the hearing.

Notice of Intent Hearing

DEP 345-0711

- Applicant: Fred Calvin Miller
- Project Address: 165 Fourth Street; Assessor's Map 4, Parcel 3
- Description: Replacement of a retaining wall and addition of railing, replacement of existing stairs of brick/wood construction, removal of large oak tree, improvements to steps and walkways and reconstruction of existing seawall. DEP review highlights that a Chapter 91 Waterways License may be required.

D. Whitaker read the legal hearing notice and the hearing was opened by K. Bradley

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FC Miller presented the project – the project was permitted in 2013 but wasn't started. The intent is to reconstruct the existing seawall replacing the existing steps with 3' wide stairs. The walkway from the new stairs will be replaced and widened. The existing leaning 3' stone retaining wall will be replaced.

Commission members highlighted the need for silt fence and haybales installed between the project and the water with work to be done while the lake level is down and there is a sand area exposed.

FC Miller responded to inquiry regarding the DEP mention of possible Ch 91 waterways permitting; the requirement for such a permit is for work to be done below the high water line of a great pond, as averaged over a 1 year period. Given the annual season drawdown the high water level is below the intended work. Hence no Ch91 permit is required.

D. Whitaker moved to close the public hearing and K. Wante seconded the motion. All voted aye motioned to approved the September 10, 2020 minutes as presented via roll call.

K. Wante motioned to grant the Order of Conditions with standard conditions and requirement for erosion controls. D. Whitaker seconded this motion and all members voted aye via roll call vote.

Notice of Intent Hearing

DEP 345-0710

- Applicant: Kameel Nasr
- Project Address: 566 Lakeview Drive; Assessor's Map 9, Parcels 14 & 101
- Description: Replacement of the existing septic tank and D-Box and related site work.

D. Whitaker read the legal hearing notice and the hearing was opened by K. Bradley

Kameel Nasr outlined the project – replacement of the septic tank and distribution box where they are currently located. The Board of Health has approved the project and there are no concerns with the well location or water quality.

Commission members indicated no concerns and applicability of standard conditions.

D. Whitaker moved to close the public hearing and M. Blanchard seconded the motion. All voted aye via roll call.

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

Certificate of Compliance Request- 406 Lakeview - Mark Tambling

Mark Tambling provided a summary of the project – removal of fill and restoration of wetlands across Lakeview from their residence. John Walker inspected the project and certified completion of work per plans. Six new trees have been planted along the 50' buffer line to create permanent divide.

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M. Blanchard motioned to grant the Order of Conditions with standard conditions and requirement for erosion controls. K. Wante seconded this motion and K. Wante, M. Blanchard, K. Bradley voted aye via roll call vote; D. Whitaker wasn't present due to technical difficulties.

Enforcement Orders

385 Glenallen – Richard Jameson

A Manugian updated the Commission that the owner and his attorney have a plan for restoration and have been in regular contact. Consensus of the Commission after brief discussion was that the Agent can resolve this and update the Commission.

436 Maple – Christopher Hart

A Manugian explained that a shed has been built on this parcel within 50' of the river at the rear of the property. A Manugian is seeking guidance on issuance of an enforcement order – requiring application via the notice of intent process or removal of the shed. Discussion yielded consensus that removal would be detrimental to the wetland and that the entire property is within the riverfront zone, making placement difficult. Concern was expressed to understand, and possibly restrict, what is stored in the shed.

Discussion of likely request for Amended Order of Conditions allowing for changes to the fencing proposed for the ECOS Solar project on Spring Street.

Rodney Galton of Ecos Energy provided an overview of the changes and reasoning. The intent is to shift the proposed fencing to the property line as much as feasible for liability and safety reasons. This has been suggested by the Environmental Police and supported by the Winchendon Police given the heavy ATV traffic, and recent fatality, in this area. The fence will be the same as was initially proposed – 7' high chain link with a 6" gap at the bottom for wildlife movement. With the property line enclosed the interior fencing won't be necessary and the area within the site will be more open to wildlife.

D. Whitaker indicated his full support for the change in fencing; stating that the atvs do far more damage than the fence installation ever could. Other Commission members indicated support for the change as well.

Ecos Energy will need to make a formal submission and present the change in an advertised public hearing.

Discussion of septic system and well repairs at existing residences.

State regulations have an exemption for minor activities including "conversion of lawn to uses accessory to residential structures" which are done in compliance with other regulations. A Manugian asked that the Commission consider a finding that repairs to existing septic systems and wells be included within this exemption. Commission members had a brief discussion of this topic and all agreed that this makes sense.

D. Whitaker motioned that repairs to existing septic systems and wells be included in this exemption. M. Blanchard seconded the motion and all voted aye via roll call vote.

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Minutes were included in the meeting packet in draft form for review, discussion and approval.

M. Blanchard motioned to approve the September 10, 2020 minutes as presented. D. Whitaker seconded the motion and all voted aye via roll call vote.

D. Whitaker motioned to approve the October 8, 2020 minutes as presented. M. Blanchard seconded the motion and all voted aye via roll call vote.

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

Chair adjourned the meeting at 7:06pm