

Approved 9 / 9 / 21

## TOWN OF WINCHENDON

Signatures:



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### Conservation Commission Regular Meeting/Public Hearing Minutes August 12<sup>th</sup> 2021 in Town Hall Auditorium

Members Present: Melissa Blanchard, Ken Wante, Lionel Cloutier  
Members Absent: Kyle Bradley, David Whitaker

Others Present: Justin Sultzbach (Town Manager), Tracy Murphy (Directory of Planning & Development), Alison Manugian (Conservation Agent), Jacqueline Beers, Gary Beers, Suresh Bhatia, Rick Lucier, Ryan McCauley, Val Daigle, David Breau, Nicole Parmenter, Dan Parmenter, David LaPointe, Julia Patton

Meeting called to order by Lionel Cloutier at 6:05pm.

Not announcements or public comment

#### Notice of Intent Hearing

DEP Pending

- Applicant: Brian Davis      • Address: 37 Happy Hollow Road; Assessor's Map 13, Parcel 266
- Description: Proposed work includes construction of a home and septic with grading in the buffer zone.
  - L. Cloutier read the public hearing notice and opened the public hearing.
  - V. Daigle of Northland Engineering spoke to the project –
    - a two trench septic system with no stone – the units are set on site materials
    - all materials to be stored outside the 100' buffer
    - excess materials used to backfill over the system prior to loam and seeding.
  - M. Blanchard indicated she had no concerns
  - K. Wante asked if the area to be seeded is down grade of the work site, toward the wetland
  - V. Daigle responded that seeding will only take place on disturbed areas which will be minimized
  - K. Wante asked about the system elevations and how the system will not contaminate the wetland
  - V. Daigle explained that the biomat develops in the first month which then cleans the leachate as it percolates through the system. The biomat remains functional for about 30 years typically.
  - A. Manugian reminded everyone present that with three members present any decision needs to be unanimous.
  - M. Blanchard motioned to continue to September 9th at 6:05 as there is no DEP number yet assigned.
  - K. Wante seconded and all three members present voted aye.

#### Notice of Intent Hearing Continuation

DEP 345-0725

- Applicant: Cindy Fitch      • Address: 6 Island Road; Assessor's Map 6, Parcel 9
- Description: The proposed work includes addition to the existing home and related site work.

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M. Blanchard motioned to continue the hearing to September 9<sup>th</sup> at 6:10pm to allow for newspaper notice. K. Wante seconded the motion and all three members voted aye.

Notice of Intent Hearing Continuation

DEP 345-0731

- Applicant: Town of Winchendon • Address: 86 Ingleside Dr; Assessor's Map 5A3, Parcel 348
- Description: Site alterations and construction of parking and amphitheater in the Community Park
- D. LaPointe of Beals & Thomas & J. Patton of Abacus were present to discuss the project
- D. LaPointe summarized that the current parking lot and drainage design have been updated. The parking lot will be a traditional paved system, directing runoff to catchbasins. The runoff will then flow through pre-treatment and into a detention area southwest of the parking lot. The wetland boundaries have been reviewed by an independent party and preliminary field locations have been captured using GPS. The areas are generally consistent with those previously shown with addition of smaller areas that are isolated. Two of the isolated areas conflict with the sidewalk so designs will be adjusted. The biologist looked for and identified two areas that are possible vernal pools, which can't be reviewed or confirmed this time of year. These are located far from the project elements. Full stormwater calculations will be submitted upon completion.
- J. Sultzbach, Town Manager, commented that this is a Town project and the Town is committed to moving this forward. The need for permitting and review is understood and the questions to date are improving the project. He's happy to answer any questions that commissioners have.
- K. Wante indicated he has no questions.
- M. Blanchard agreed and commented that the need for regular paving is disappointing.
- D. LaPointe indicated that drainage basin will work in conjunction with the pollinator garden and allows an opportunity to remove an area of invasive buckthorn.
- L. Cloutier opened the floor to comments and questions from the public.
- R. Lucier of 236 Maple Street indicated a desire to review the updated plans, which are not yet available. He believes there are indeed vernal pools and a tributary wetland that is not currently flagged on-site. He would like the hearing continued.
- J. Sultzbach indicated that the areas of potential vernal pool are not near to the project work.
- R. Lucier indicated that Conservation should not consider a decision until after Planning Board does so
- L. Cloutier indicated that Planning often feels they should wait for Conservation to decide and that there's no set process or order for approvals
- J. Sultzbach indicated that this project has been in the works for several years as a widely supported community project. He encouraged community members to come forward with questions at any point. If the Commission has outstanding questions or concerns an approval with conditions could be considered.
- R. Lucier indicated disappointment that no one has reached out to him. He has been at all of the meetings and is able to assist. He felt unable to offer public comment on July 8<sup>th</sup> as such was not specifically requested.
- K. Wante motioned to close the hearing. M. Blanchard seconded and all three members voted aye.
- Lionel – this has been moving carefully forward and there has been tremendous work and improvement in this project since inception.

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- K. Wante motioned to approve the Order of Conditions with the standard conditions and the addition of a requirement for updated construction plans prior to issuance of a building permit and a requirement for site inspection of erosion controls prior to the start of construction. M. Blanchard seconded the motion and all three members voted aye.

Notice of Intent Hearing

DEP 345-0733

- Applicant: Jamison VanDyke      • Address: 449 Glenallen Street; Assessor's Map 3A1, Parcel 11
- Description: Demolition and construction of a new single family home, proposed garage, septic system and well, drainage infiltration system and related site work and grading.
  - P. Grasewicz and J. VanDyke were present to outline the project and answer questions.
  - P. Grasewicz distributed updated plans and outlined the site and building locations. The house has been reduced in size from the last discussions and shifted back further from the water (23.2' from the southwest corner to the lake and 27.3' from the water to the northeast corner). The garage is proposed near the roadway.
  - L. Cloutier outlined that the problem is that the structure is within 50' of the water
  - P. Grasewicz outlined that the proposed structure is an improvement over the existing situation and that the proposal meets all zoning requirements.
  - L. Cloutier asked if a separate permit could be obtained to allow this within 50' of the water
  - A Manugian clarified that permission to do this would come from the Conservation Commission in their Order of Conditions if the Commission supported allowing this.
  - K. Wante asked about the existing proposed footprints – the existing home is 36'x34' with jogs and the new home is 40'x38' not including the fireplace. The indication at the site walk was to building within the approximate existing rectangle footprint.
  - L. Cloutier asked for clarification of the septic design and intent
  - P. Grasewicz indicated that the tanks will need to be relocated but that the number of bedrooms is not changing so the field works
  - J. VanDyke indicated he would like to raise the structure to avoid rot and build on a 4' frost wall
  - K. Wante asked if the project is now two stories, which was confirmed, and asked if the size can be reduced.
  - J. VanDyke responded that he reviewed many plans and the extra feet allows him to use the structure more effectively, he has removed the lakeside deck/porch in exchange
  - M. Blanchard is struggling with the 50' buffer and that expansion beyond the existing size. Moving it back slightly doesn't offset the expansion. The proposed structure is about twice that of the existing structure and any expansion within the 50' buffer is a problem.
  - J. VanDyke pointed out that this was approved several years ago.
  - M. Blanchard indicated that her concern is disturbance and that even a replacement in the existing footprint is a compromise within the 50' buffer. She doesn't see backing down on this.
  - J. VanDyke requested a continuance.
  - M. Blanchard motioned to continue to September 9<sup>th</sup> at 6:15pm. K. Wante seconded and all voted aye.

Request for Determination of Applicability

- Applicant: Louise Dubois      • Project Address: 36 Second Street; Assessor's Map 7, Parcel 6

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- Description: Removal of a hazardous tree near Lake Monomonac
  - A Manugian read the hearing notice and the hearing was opened.
  - L. Cloutier and M. Blanchard have been out to review the site
  - L. Cloutier opined that the old tree has been struck by lightning and is a danger over the beach
  - M. Blanchard agreed and K. Wante found their statements persuasive.
  - M. Blanchard motioned to issue a Negative Determination, allowing work to proceed. K. Wante seconded the motion and all voted aye.

Notice of Intent Hearing

DEP 345-0736

- Applicant: Joyce Klauzinski      • Address: 16 Hale Street; Assessor's Map 4C4, Parcels 57
- Description: Construction of a greenhouse and related site work.
  - A Manugian read the hearing notice and let everyone know that the notice did not run in the Gardner News so there can be no discussion tonight.
  - K. Wante motioned to continue. M. Blanchard seconded the motion and all members voted aye.

Notice of Intent Hearing

DEP 345-0740

- Applicant: DPW Town of Winchendon
- Project Address: Webster Street;      Assessor's Map 5A3, Parcels 185
- Description: Installation of new drainage culvert to replace swale damaged by ATV traffic, debris and soil removal from related upstream drainage swales.
  - L. Cloutier stated that he lives on Webster Street and has no conflict on this project.
  - L. Cloutier summarized the project to date – a clean out of upstream debris and rerouting of an existing drainage swale through new culverts in the same location
  - L. Cloutier noted that the area is not shown as wetland and that the flooding will continue until this work is done
  - M. Blanchard indicated that she would like to see the existing granite slabs retained by the Town for use on a future project
  - K. Wante likes that idea and agrees that the work is needed
  - K. Wante motioned to close the public hearing. M. Blanchard seconded and all voted aye.
  - A Manugian suggested a condition to have the DPW Director submit a highlighted plan of areas to be worked up and that a site visit be conducted prior to construction.
  - M. Blanchard motioned to approve with the conditions outlined by A. Manugian. K. Wante seconded the motion and all present voted aye.

Notice of Intent Hearing

DEP pending

- Applicant: David Breau
- Project Address: 65 Fourth Street;      Assessor's Map 3, Parcels 60
- Description: Completion of foundation in progress and replacement of seawall not yet begun.
  - A Manugian read the public hearing notice and remarked that there's no DEP number yet
  - Foundation work is underway and continues per safety concern from the Building Commissioner
  - The intent is to replace the existing stone wall, reusing existing stones. Applicant is happy to install erosion controls and plans the work during the annual drawdown of the lake.
  - M. Blanchard asked if the work will be done by hand or by machine

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- D. Breau indicated it will be done by hand as there's no machine access
- L. Cloutier asked if trees were cut down
- D. Breau responded that they were, but that was the previous owner.
- M. Blanchard asked if there wall is on the water's edge
- D. Breau responded that it is, but during drawdown there is about 4' of beach exposed
- Members indicated intent to approve work to be done by hand during drawdown.
- M. Blanchard motioned to continue to Sept. 9 at 6:25pm. K. Wante seconded and all voted aye

Notice of Intent Hearing

DEP 345-0741

- Applicant: Philip Brady
- Project Address: 1205 Alger; Assessor's Map 10A4, Parcels 36
- Description: Construction of new deck in the buffer zone.
  - L. Cloutier summarized and M. Blanchard read the hearing notice and the hearing was opened
  - P. Brady is present to answer questions and describe the project
  - The intent is to replace the existing rotted rear deck with a new deck extending to the side door of the home. The wetland area is significantly down grade of the work area.
  - General discussion that the project is fine as it's outside of the 50' buffer
  - M. Blanchard motioned to close the hearing. K. Wante seconded and all voted aye.
  - M. Blanchard motioned to grant an Order of Conditions with standard conditions. K. Wante seconded and all voted aye.

Notice of Intent Hearing Continuation

DEP 345-0584

- Applicant: Dan Parmenter
- Project Address: 49 Washington Avenue; Assessor's Map 5A3, Parcels 360
- Description: Construction of two family home and related site work within wetland buffer.
  - D. Parmenter is present to discuss this ongoing project of multiple steps.
  - A Manugian reminded the Commission of the prior completed Order for the driveway construction. Since that work was done the Planning Board has endorsed an ANR and created the lot upon which the applicant seeks permission to build a two family home.
  - D. Parmenter outlined that the erosion controls are in place and that the work was done per the original permissions and plans.
  - M. Blanchard motioned to close the public hearing. K. Wante seconded and all voted aye.
  - K. Wante motioned to issue an Order of Conditions with standard conditions. M. Blanchard seconded the motion and all voted in favor.

Extension request for Solitude Lake Management to Order of Conditions

- An existing Order has been in place (and extended) for many years. The Order allows for weed removal and management in conjunction with conditions and DEP regulations. There have been no issues with the applicant or the project/work.
- K. Wante motioned to extend for 3 years. M. Blanchard seconded and all voted aye.

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Discussion of possible Agent permissions to act on tree trimming/removal was held for next month's meeting pending a full board in attendance.

Enforcements:

35 Beachview Drive – Jacqueline Beers

- A Manugian offered an overview that the driveway was paved without inclusion on the Order of Conditions or other permission.
- J. Beers outlined that the driveway was gravel previously and that the existing vegetation has been retained. They catch a lot of runoff that comes down Beachview Drive onto their parcel. An area to the right of the driveway (facing the house) puddles during storms.
- L. Cloutier expressed concerns about the paving and the runoff that he feels impacts the neighbor
- J. Beers stated that they didn't alter the runoff patterns with this work and that the abutter had moisture/runoff issues previously
- Discussion ensued as to the impact of the paving between L. Cloutier and J. Beers. It isn't clear from the photo and discussion where the water flows to or what a remedy may be.
- A Manugian offered to view the site with the DPW Director to assess concerns and possible actions to reduce any new impacts.

566 Lakeview Drive – Matthew Perezin

- A Manugian updated the Commission that the unpermitted tree removal at 566 Lakeview remains open. The owner has not responded. It appears that the tree was removed properly
- Commission asked A Manugian to work with the owner and come up with a restoration plan

M. Blanchard motioned to accept the July minutes as presented. K. Wante seconded the motion and all voted aye.

K. Wante motioned to adjourn. M. Blanchard seconded and all voted aye.

Acting Chair L. Cloutier adjourned the meeting at 8:07pm