

Approved: _____

**TOWN OF WINCHENDON
CONSERVATION COMMISSION MINUTES
JOINT MEETING WITH BOARD OF SELECTMEN
MONDAY, DECEMBER 28, 2015
Town Hall, 2nd Floor Auditorium
109 Front Street, Winchendon, Mass.**



Conservation Commission Members Present:

Garret Davieau, Chairman
Lionel Cloutier, Vice Chairman
David Whitaker
Kyle Bradley
Tony George

Absent: David Koonce, Conservation Commission Agent

Board of Selectmen Present:

Michael Barbaro, Chairman
Barbara Anderson, Vice-Chair
Amy Salter
Austin Cyganiewicz
Audrey LaBrie

Keith R. Hickey, Town Manager
Linda Daigle, Executive Assistant
Tracy Murphy, Director of Development

List of Documents Presented at Meeting:

- Shady Glen Terrace Draft Quitclaim Deed and Acceptance from Conservation Commission, Approval from Board of Selectmen (filed)

Conservation Commission Joint Meeting: Quitclaim Deed – Shady Glen Terrace

Chairman Davieau called the Joint Meeting to order at 6:45 p.m. BOS Chairman Barbaro asked the Conservation Commission what they are seeking tonight. Mr. Davieau said this meeting was kind of sprung on them last minute and coming tonight fairly fresh. He understands this piece of property known as Shady Glen Terrace, Lot 38, Map 17 is a piece of property being gifted to the Town. Conservation Commission member Dave Whitaker explained. Shady Glenn Terrace is located on Mill Glen Circle up behind the Mylec building and what people refer to as Mill Pond or White's Mill Pond. It will give us legal access to that pond with possibly a boat launch, ice fishing and could be an asset for sportsmen for the Town of Winchendon. Selectwoman LaBrie asked who determined that the Conservation Commission would be the holder of this property. Mr. Hickey said his understanding when this piece of property was first discussed with the Town, it was a number of staff members and it was determined with its location and its ability to be preserved and utilized for passive recreation, it made sense to have the Conservation Commission accept this on behalf of the Town. Mr. Davieau added that the Conservation Commission holds several parcels and with this parcel they are interested in some sort of way for the public to utilize the water with maybe a kayak launch. He feels that would be a decent use for the property and the Commission is interested in taking care of it.

Mr. Hickey explained the property is the one highlighted on the second page of the enclosed maps, it is just over a third of an acre in size and does provide lake access. Dr. and Mrs. Valeri are looking to donate this property to the town. A question was asked if the property next to this property that is owned by the Town would be transferred over to the Conservation Commission. Tracy Murphy, Director of Development, came forward and explained that the Town owns the next four pieces of surrounding property. This actually fills a gap of property that we already own. The Conservation Commission does not have oversight of those properties and would have to go to Town Meeting for a vote. Mr. Hickey asked if the Board would like to continue the discussion with the Conservation Commission on whether it makes sense for those other properties to be transferred to the Conservation Commission. If so, it would then go to Town Meeting for their vote to manage those properties. Mr. Cyganiewicz asked what happens to the property under the Conservation Commission, does the Town still own it and who makes decisions. Mr. Hickey replied the Town owns

it but believed it is the Conservation Commission having the decision making ability to what happens to the property but there may be some deed restrictions. Ms. Anderson clarified that when this was brought to a vote at Town Meeting, it was stated we would like to use it for public access to the lake. If that's the terms brought before the Town and the Conservation Commission decided not the best idea, would that have to go back before Town Meeting. Mr. Davieau said the property would be under their purview but they wouldn't do something the Town wasn't aware of or supports what their plans might be. Mr. Whitaker mentioned sometimes the donor has some direction when they donate, using for an example a Conservation Restriction. Mr. Hickey added that this deed is restricted to Conservation Restriction under Mass General Law. Mr. Cyganiewicz asked if it would be allowed then the recreation purposes discussed tonight. Ms. Murphy said in regards to access to Lake Monomonoc that isn't through the physical lot. The deed gives the property owner access through two separate lots on Lake Monomonoc and where some of the confusion might be with the two maps this evening. The map with the two parcels highlighted is actually on Lake Monomonoc that would not be affected by this preservation of this particular lot. We don't actually own those two properties but we own access through them. Part of Conservation is recreation and as a passive use it runs consistent with what the Conservation Commission does. Mr. Davieau added in terms of the bylaw provision if there is a perceived positive for the overall public, then we can waive some of their rules or regulations if it is going to serve the common good of the people of Winchendon. In this case he believes putting in a boat launch or some sort of way the public could enjoy the water would be a reason for this waiver. Mr. Bradley added one of the reasons land is donated to the Conservation Commission is because land isn't going to be developed or a building put on it. Ms. Murphy added when she was initially contacted by the landowner's attorney, he had suggested it be gifted to Winchendon Redevelopment Authority (WRA) but after discussion with the Acting Town Manager, it was determined that the character doesn't lend itself to the mission of the WRA. It is not a developable piece of property; it has habitat up there, its wetlands and doesn't fit the mission of the WRA. The donor gave us the discretion for this donation. Mr. Cloutier mentioned that he and Mr. George walked the property today and said the property is all wetlands. They want to protect the wetlands, could cut back some branches for access but would like to leave it just the way it is.

Mr. Whitaker moved to accept the Quitclaim Deed as presented; Mr. Bradley seconded. By vote of all aye, the motion carried unanimously.

Ms. LaBrie moved the Board of Selectmen support the Conservation Commission in this endeavor; Ms. Salter seconded. By vote of all aye, the motion carried unanimously.

Mr. Hickey mentioned the letter of donation to thank and acknowledge the donation to the owners.

LaBrie moved the Board send the donors a thank you letter; Ms. Salter seconded. By a vote of all aye, the motion carried unanimously. The documents were passed around to be executed and notarized.

Ms. LaBrie said she would love for the Conservation Commission to come back and see what their thoughts are for the property. Mr. Barbaro asked also that they look at the combined properties there and see what use there could be for them. Maybe they could back in February with an update.

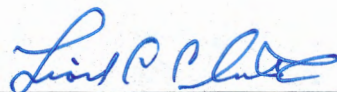
Mr. Whitaker moved to adjourn the Conservation Commission meeting; Mr. Bradley seconded. By a vote of all aye, the Joint Meeting adjourned at 7:07 p.m.

Respectfully submitted by,
Linda Daigle, Executive Assistant

Garrett Davieau, Chairman

David Whitaker

Tony George



Lionel Cloutier, Vice-Chair



Kyle Bradley