

CONSERVATION COMMISSION MINUTES
4th Floor Conference Room
1/25/18

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APR 30 2018

WINCHENDON TOWN CLERK

Present: David Whitaker, Garrett Davieau, Lionel Cloutier, Kyle Bradley and David Koonce

Absent: Tony George

DOCUMENTS & EXHIBITS

138 Glenallen St. - plans	Lincoln Ave. - drawings
Millers Run - plans	Ash St. - drawings
291 Mill Glen Rd. - pictures	Bayberry Cr. - plans
Lincoln Ave. - plans	

CALL TO ORDER

Chairman Garrett Davieau called the meeting to order at 7 p.m.

NEW BUSINESS

David Whitaker made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved the minutes of 11/20/17.

Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved to pay the secretary.

David Whitaker made a motion 2nd, by Lionel Cloutier - **vote** unanimously approved to sign the Certificate of Compliance (345-0502) 46 Willoughby Ave.

Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved to sign the Order of Conditions (345-0622) 35 Beachview Drive.

HEARINGS

7:05 p.m. RDA, 138 Glenallen St., Edward & Linda Bond, Septic System repair/upgrade
Angel Lehtonen, represented the applicant.

The project entails the repair/upgrade to meet Title 5 requirements for an existing subsurface sewage disposal system serving four-bedroom and one-bedroom dwellings.

The septic system will replace a 5-bedroom dwelling that is 100' from the wetlands and 135' from the leach field in the parking area. It is outside of the 100' buffer zone. Construction material will be brought in. Siltation barrier will be used at the edge of the parking lot to keep the material out of the road. Agent Koonce was in agreement. The Board had no issues on the project.

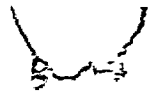
David Whitaker made a motion, 2nd by Kyle Bradley - **vote** unanimously approved a Negative Determination.

7:10 p.m. RDA, 89 Mill Glen Rd., Samantha & Sean Harding, construction of a driveway & installation of a well - Sean Harding represented himself.

The project entails the construction of a driveway and installation of a well to serve a proposed single-family house.

A variance is needed for the driveway. The well is already in place. The trees mark the wetlands on the plans. The well is slightly outside of the buffer zone. Agent Koonce stated the well is close to the property line. The driveway has existed as a car path for centuries. The driveway will move to the property line. He feels this is reasonable. The house and septic system will be outside of the buffer zone. Garrett Davieau encourages the new home owner to get familiar with the town by-laws. Agent Koonce asked to have the buffer zone cleaned up. He will tie a ribbon on Monday showing the wetland boundaries. Agent Koonce recommends a Negative Determination with buffer zone clean up. The house or the septic system is not part of the filing. All board members were in favor. Agent Koonce asked to have the 100' buffer zone staked out on site for the contractors

before work begins. Lionel Cloutier made a motion, 2nd by David Whitaker - **vote** unanimously approved a Negative Determination.



NEW BUSINESS - DISCUSSION

LINCOLN AVE. John Perry, Dynamic Energy, wants to discuss improvements to Lincoln Ave. The road has frontage not maintained. They will pay the labor and materials to bring the road up to standards up to 1400'. The highway department gave specifications to follow. The plans show the culvert be removed and replaced. David Whitaker would like to see the engineer's plan. If it is only a temporary alteration to the wetland Agent Koonce would be ok with an RDA with erosion control. Lionel Cloutier made a motion, 2nd by David Whitaker - **vote** unanimously approved they file an RDA.

ASH ST. SOLAR ARRAY: John Perry, Dynamic Energy is requesting an amendment to the Order of Conditions to do shade maintenance within the 50' no-disturb wetland setback at the proposed Ash St. solar array. They are offering a donation of \$7500 to be used to benefit the town. David Whitaker spoke to the Fire Chief. The Fire Dept. is trying to build funds toward a UTV vehicle. The Town Manager feels there are greater needs in the town. Garrett also supports the UTV vehicle for the Fire Dept. Garrett would like to put together a supply list of the town's needs. Garrett will speak to the Town Manager. Agent Koonce stated if they file for an amended Order of Conditions, they would have to apply for a new public hearing and file for a Notice of Intent. New plans would need to be submitted showing the location of the cutting in the 50' no disturb area. Abutters would need to be notified. In the letter requesting the amendment, they would need to show the offer being made in return for the Commission granting the waiver.

MILLER'S RUN SUBDIVISION

Kathy Van Dyke: Request to complete Millers Run subdivision roads under the expired Order of Conditions. She would like to complete the Millers Run subdivision roads. The Order of Conditions has been expired for years. The Commission would like detailed description of the digging and the sub-grading. The road has had years of growth. There is a need for silt control and draining. Garrett asks for drawing to show what will be done to bring it up to code. An RDA is needed with plans submitted by an engineer. Agent Koonce would review. They are willing to do erosion control.

BAYBERRY CIRCLE

Lionel Cloutier stated the Order of Conditions have expired on Bayberry Circle. Paving needs to be done on Bayberry Circle and Pinewood for a sign off. They still need the Certificate of Compliance. The wetland replication area still needs to be done for the road to be accepted. A new RDA needs to be submitted with plans. The contractor, Charlie Walker showed the Commission his current plans. Eight lots are left to build. Four drawings are ready to go.

JOINT MEETING WITH THE BOARD OF SELECTMEN - Regarding Solar Array set-backs as a gift.

The Town Manager will not recommend to the Board of Selectmen to accept the West St. land gift for a waiver from the town bylaw. Garrett spoke to the applicant and would like to move forward with the donation. He would like to create a habitat for upland area. The Selectman must sign the deed to accept it even if the Conservation Commission would be responsible for the land. The Town Manager doesn't want to take the land off the tax revenue

Garrett would like to ask the Town Manager what other needs the town has. Garrett sees the land donation as positive to the town. This puts the land owner in an unfortunate position if the Board of Selectmen do not approve. He will be out expenses. The Board of Selectmen should give direction. Moving forward we would like to get input from them and other departments. Garrett will contact the Town Manager to explain our position. The Commission will not rescind its decision. Agent Koonce will speak to the applicant to explain the situation. The joint meeting with the Board of Selectmen is set for February 12, 2018.

LINCOLN AVE. - RIVER CROSSING ISSUE

Garrett would like to hear the Board of Selectmen's point of view.

OLD BUSINESS

Update of Violations:

15 KRANTZ RD.

The applicant did not do what the Commission asked. Agent Koonce spoke to John Walker. He suggests the applicant hire him to file an NOI and contribute \$100 per month to the Commission or we would take them to court. Agent Koonce will send a certified letter stating their options. The board does not want to be a collection agency. She needs to file an NOI by 7/1/18. If filing is not done, it will go to court for a citation. Agent Koonce will send the applicant a certified letter explaining what needs to be done.

291 GLENALLEN ST.

Lionel Cloutier showed photos taken on 5/14/16 of the area with the trees and pictures of the area after the trees were removed. Agent Koonce will send a letter with the photos indicating a violation.

David Whitaker stated if a complaint comes in, it needs to be handled immediately. Contact him and he will check it out.

ADJOURNED

Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to adjourn.

The meeting adjourned at 8:48 p.m.

Respectfully submitted,

Patty Driscoll, Secretary

