

Date Approved

05/17/18
RECEIVED

**TOWN OF WINCHENDON
CONSERVATION COMMISSION MINUTES
4th Floor Conference Room
4/19/18**

OCT - 4 2018

WINCHENDON TOWN CLERK

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

Absent:

DOCUMENTS & EXHIBITS

85 Beachview Dr. - plans	Pinewood Dr. - plans
116 Island Rd. - plans	Lincoln Ave. - plans
26 Belmont Ave - plans	89 Mill Glen Rd. - plans
Bayberry Circle - 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 2/22/18

Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved the minutes of 3/15/18.

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

HEARING

**7:05 p.m. (RDA) Request for Determination of Applicability, 85 Beachview Dr., Lauren McNamara
Warren Field, Delfi Excavating, Inc. represented the applicant.**

The project entails the re-grading to divert storm water runoff to prevent flooding of the property's basement and septic system. Mr. Field stated there is a hill on both sides of the property causing the water to run into the garage. He is proposing to redirect the water flow. Chairman Davieau thought it may be a safety issue with the runoff going into the road. He asked comments from the board. Tony George wanted to know where the water would be diverted. Mr. Field will direct the water to each side of the property. He will use silt fence for erosion control and plant grass. Agent Koonce recommends a Negative Determination. He asks to be notified when erosion control is complete. Kyle Bradley made motion, 2nd by David Whitaker - **vote** unanimously approved a Negative Determination.

**7:15 p.m. (RDA) Request for Determination of Applicability, 116 Island Rd., Ken Wante
The applicant, Ken Wante represented himself.**

The project entails the seasonal placement and removal of a floating dock 4' x 10'. There is no anchor on the dock since it is seasonal. No trees need to be removed. Agent Koonce stated seasonal docks need a permit from the town harbor master, who is the police chief. This is not in the Commission's jurisdiction. Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved a Negative Determination.

**7:20 p.m. (RDA) Request for Determination of Applicability, 26 Belmont Ave., S. Mark Price
John Walker represented the applicant.**

The project entails the removal of silt and stones from the bottom of the stream channel, followed by restoration of the stream banks' stone lining. The work also includes clearing the blockage from an existing foundation drain

from heavy rain and wants to repair or replace the drain pipe discharging into the stream. Mr. Walker stated that the applicant was getting flooding into his basement from heavy rain and wants to repair or replace the drain pipe in the stream. If necessary use a snake to check for blockage in the pipe. Garrett asked for comments from the board. Tony George recommends clearing out the brook. Kyle Bradley asked about the use of a sump pump. Mr. Price stated his sump pump could not keep up with the water. Agent Koonce recommends a Negative Determination. Kyle Bradley made a motion, 2nd by Tony George - **vote** unanimously approved a Negative Determination.

7:30 p.m. (RDA) Request for Determination of Applicability, Bayberry Circle, Kathleen VanDyke
Paul Grasewicz, GRAZ Engineering represented the applicant along with applicant Kathleen
VanDyke and contractor Charlie Walker

David Whitaker read the hearing notice. The project entails the completion of construction of Bayberry Circle from the current end of pavement to the intersection of Brown St. The work includes regrading and adding a gravel base to the road surface/sidewalk area, followed by binder and top course pavement. The sidewalk construction and the water main are complete. The drainage is installed. Agent Koonce recommends a Negative Determination. The works needs to comply with the Order of Conditions that has expired and inspected. Tony George asked about the expired Order of Conditions. Agent Koonce stated it can continue as long as they stick to the original plans. The order expired 2008. Paul Grasewicz stated there was a possible extension in 2012. Garrett Davieau had concerns about the time line of the project. Kathy VanDyke explained that her husband passed away during the 2nd extension. She is trying to get it done in 2 years. David Whitaker asked why we can't issue new orders. Agent Koonce stated she just needs to comply with the Order of Conditions. This is a very short section of road that she would like the town to accept. Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved a Negative Determination.

7:40 p.m. (RDA) Request for Determination of Applicability, 156 Bayberry Circle, 15, 34, 45, 64, 74 and 75
Pinewood Dr., Kathleen VanDyke
Paul Grasewicz, GRAZ Engineering represented the applicant along with applicant Kathleen
VanDyke and contractor Charlie Walker

Lot 24 was included in original filling, but is not included tonight.

The lot on Bayberry Circle added boulders to the 50' no-disturb zone. The area around the house was disturbed. Agent Koonce wants erosion control and boulders marking 8' apart. Tony George made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved a Negative Determination for **156 Bayberry Circle**.

Lot 15 - 15 Pinewood Dr.

They are proposing a wall around the leach field with erosion control to protect the wetland. Since they will be encroaching into the 50' no disturb zone, they are asking for a ground waiver. Garrett Davieau asked for comments from the board. Garrett wants to continue the hearing, Lionel Cloutier does not like going into the 50' no disturb zone, David Whitaker would like to move the stone wall, Kyle Bradley agreed with the board's comments. Agent Koonce told Paul Grasewicz that a Notice of Intent would be needed in the buffer zone. He also asked if he could rotate the house toward the road to get out of the buffer zone. David Whitaker made a motion, 2nd by Tony George - **vote** unanimously approved to continue the hearing.

Lot 18 - 45 Pinewood Dr.

Agent Koonce stated the lot is in the buffer zone and it is steeply sloped uphill. Paul Grasewicz stated the work will start at the bottom of the slope. Agent Koonce recommends a Positive Determination to keep the work being done in the correct area. The steep grade is enough protection. Erosion control was not proposed. Charlie Walker states all lots were originally approved but the set-backs were change. Garrett Davieau commented that a home is not grandfathered until a foundation is in the ground. Garrett asked for comments from the board. David Whitaker and Kyle Bradley are ok with it. David Whitaker made a motion, 2nd by Kyle Bradley - **vote** unanimously approved a deed restriction for lot 18.

Lot 21 - 75 Pinewood Dr.

It is all outside of the buffer zone. Lionel Cloutier made a motion, 2nd by Tony George - **vote** unanimously approved a Negative Determination.

Lot 22 - 74 Pinewood Dr.

The house is outside of the 100' zone. Kyle Bradley made a motion, 2nd by Tony George - **vote** unanimously approved a Negative Determination.

Lot 23 - 64 Pinewood Dr.

Half the house is in the 100' buffer zone and the septic is in the corner of the lot not showing on the plans. Agent Koonce stated this is a different situation and recommends a Positive Determination. The back of the house is in the 50' no-disturb zone. Lionel Cloutier stated a storm drain is in the wetlands in the back and was never approved. Paul Grazewicz states it was all uplands. Tony George stated the drainage from the ditch does not flow back toward the wetlands. The pipe was buried and was never approved by the planning board. Charlie Walker stated there was an easement for the drainage. All water goes into that swale. Paul Grazewicz stated the easement is on lot 24. Garrett Davieau wants approval by other boards. He wants assurance that it will be taken care of before the lot is developed. Agent Koonce recommends a Positive Determination to show the location of the buried pipe and that the Planning Board has approved the pipe. All remaining lots need drainage pipes. Lionel Cloutier, made a motion, 2nd by David Whitaker - **vote** unanimously approved a Positive Determination. Agent Koonce asked Paul Grasewicz for a new plan for lot 24 before he issues an Order of Conditions to show the location of the pipe.

Lot 26 - 34 Pinewood Dr.

The septic is outside of the 50' zone. There are isolated wetlands. Agent Koonce stated there are some encroachments in the 50' no disturb zone. David Whitaker would like to see it outside of the 50' zone. Paul Grasewicz suggests putting in boulders. Tony George had some concerns about working outside of the 50' zone. Agent Koonce recommends a Positive Determination. Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to continue the hearing.

Tony George made a motion - 2nd by David Whitaker - **vote** unanimously approved an amendment to have further discussion on the hearing. All were in favor for a Positive Determination.

7:50 p.m. Request for Amendment to the Order of Conditions 345-0652, Lincoln Ave., Winchendon Lincoln Avenue Solar 2 LLC - John Perry represented the applicant.

David Whitaker read the hearing notice. The applicant is requesting an amendment to the filling of an additional 600 square feet of Isolated Vegetated Wetlands for the installation of solar panels, with proposed compensatory wetland replacement of 750 square feet. Agent Koonce wants to state that the filling in of isolated wetlands does not bind the Commission for any future hearings. Tony George made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to close the hearing. Tony George made a motion, 2nd by David Whitaker - **vote** unanimously approved to amend the Order of Conditions.

8:00 p.m. NOI (cont'd), 89 Mill Glen Rd., (lot 210) new single family house, Samantha & Sean Harding Applicant Samantha & Sean Harding represented himself.

The project entails the construction of a new single-family house, associated septic system, grading and landscaping. The house is 75' from the approved driveway. The board does not see an issue. 50'-75' must be delineated on the side with permanent markers showing. Tree tags could be used with split rail fence. The Order of Conditions will show the requests. David Whitaker made a motion, 2nd by Tony George - **vote** unanimously approved to close the hearing. Kyle Bradley made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved the Order of Conditions. Abutter notification cards were passed in.

8:10 p.m. **Request for Determination of Applicability, 32 South Royalston Rd., Peter Girouard**
RDA has been withdrawn.

Tony George made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved the withdrawal of 32 South Royalston Rd.

8:15 p.m. **NOI (cont.d), 135 Gardner Rd., (Route 140), Borrego Solar Systems, Inc., Installation of a**
5,580 0. kW ground-mounted solar energy generating facility

Tony George made a motion, 2nd by Lionel Cloutier - **vote** unanimously approved to continue the hearing to May 17, 2018. Tony George commented that both consultants need to agree before it is put on the agenda.

NEW BUSINESS

36 West Shore Dr. (Sunset Lake) Steve Drury

Work is being done within 100' of water. A landscaping retaining wall is being built. Agent Koonce recommends an after the fact filing fee with plans and a surcharge consistent with what the Commission has allowed. No trees have been taken down. Agent Koonce will determine the fee from the set schedule. He will send him a Request for Determination of Applicability Form to fill out for the hearing. The Commission felt it would do more damage to take the retaining wall down since it is almost done. Agent Koonce asked about erosion control. He can continue as long as there are no problems with erosion control.

ADJOURNMENT

Kyle Bradley made a motion, 2nd by David Whitaker - **vote** unanimously approved to adjourn.
The meeting adjourned at 9:25 p.m.

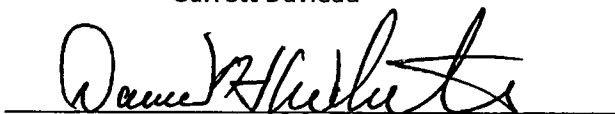
Lionel Cloutier reminds everyone that Saturday is Earth Day. Meet at the Library. Clean up is from 8-2 p.m.

Respectfully submitted,

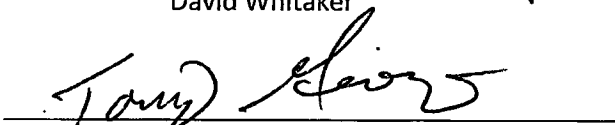
Patty Driscoll, Secretary


Garrett Davieau


Lionel Cloutier


David Whitaker


Kyle Bradley


Tony George