

TOWN OF WINCHENDON



Approved: 10/10/19

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WINCHENDON TOWN CLERK

Conservation Commission

Telephone (978)-297-5402

Regular Meeting/Public Hearing

August 15th, 2019

Town Hall 4th Floor R&B Room

109 Front Street, Winchendon, MA 01475

Present: Chairman Garrett Davieau, David Whitaker, Tony George
David Koonce, Conservation Agent

Materials: Agenda & Notice of Meeting: August 15th, 2019

- Legal Notice: 86 Ingleside Drive; Assessor's Map 5A-3, Lot 348
- Legal Notice: 5 Fourth Street; Assessor's Map M-7, Lot 47
- Legal Notice: Russell Farm Road; Assessor's Map 13, Lot 234
- Legal Notice: 185 Baldwinville Road; Assessor's Map 13, Lot 4
- Legal Notice: River Street; Assessor's Map 4, Lot 61 and Parcel 109, and Map 4C-4, Lot 2

Meeting Minutes: July 25th, 2019

CALL TO ORDER: Chairman Garrett Davieau called the meeting to order at 7:00PM

APPROVAL OF MINUTES: 7/25/19

David Whitaker made a motion to approve the minutes from 7/25/19, 2nd by Tony George.

VOTE: Unanimously approved.

Patty Driscoll, the recording secretary resigned and will be missed. The board wished her well and thanked her for her years of service.

Tony George made a motion to send her a thank you card, 2nd by David Whitaker.

VOTE: Unanimously approved.

HEARINGS

7:05PM RDA, Request for Determination of Applicability

Project Address: 86 Ingleside Drive; Assessor's Map 5A-3, Lot 348

Applicant: Winchendon Community Park Committee

Representative: John Walker- Environmental Technology, Inc.

Project Description: Improvements to existing trails to enhance public accessibility, including widening, placement of wood chips, geo-mesh fabric with crushed stone, and a wooden boardwalk, replacement of a non-functional stone culvert with a new 12-inch diameter culvert, and vista pruning.

David Whitaker read the Legal Notice.

There were no objections from any board members.

Tony George made a motion to close the hearing, 2nd by David Whitaker.

VOTE- Unanimously approved to close the hearing.

Tony George made a motion for Negative Determination, 2nd by David Whitaker.

VOTE- Unanimously approved a Negative Determination.

7:10PM RDA, Request for Determination of Applicability

Project Address: 5 Fourth Street, Assessor's Map M-7, Lot 47

Applicant: Daniel J. Tenney

Representative: Self

Project Description: Construction of two approximately twenty-foot long block retaining walls.

David Whitaker read the Legal Notice.

Mr. Tenney inherited the house a few years ago. The old retaining walls had fallen and due to being so close to the water, he requested approval to replace the retaining walls. There were no objections from any board members.

David Whitaker made a motion to close the hearing, 2nd by Tony George.

VOTE- Unanimously approved to close the hearing.

David Whitaker made a motion to close the hearing, 2nd by Tony George.

7:15PM RDA, Request for Determination of Applicability

Project Address: Russell Farm Road; Assessor's Map 13, Lot 234

Applicant: Fletcher Trust No. 1

Representative: Mikael Lassila, S.J. Mullaney Engineering, Inc.

Project Description: Confirmation of Wetland Resource Area boundaries.

David Whitaker read the Legal Notice.

David Koonce stated permits were not pulled prior to logging. Due to the clearing done in the winter, the boundaries were not a visible and the logging company cut past the buffer zones. Tony George commented that Anderson, the logging company, should have to restore the violated areas. David Whitaker agreed. Garrett Davieau added that an enforcement order could be issued to formalize the request. The board members agreed. David Koonce recommended the hearing be continued pending a written response to the peer review report.

Tony George made a motion to continue the hearing pending results to September 12th, 2019, 2nd by David Whitaker.

VOTE- Unanimously approved to continue the hearing.

20PM RDA, Request for Determination of Applicability

Project Address: 185 Baldwinville Road; Assessor's Map 13, Lot 4

Applicant: Sunpin Solar Development, LLC.

Representative: Andrew Vardakis on behalf of Stephen Herzog, AMEC Massachusetts, Inc.

Project Description: Construction, operation, and maintenance of a 3.135- megawatt direct current ground-mounted solar photovoltaic system, including access road, perimeter fence, storm water management infrastructure, grading, and landscaping.
David Whitaker read the Legal Notice.

Andrew Vardakis stated AMEC Massachusetts, Inc. recently changed their name to Wood Environment and Infrastructure Solutions, Inc. Emily Gardiner, environmental scientist, was also present to assist with the project. The property had been historically logged and the plan utilizes the same access entrance. The storm water plan had been changed since meeting with the Planning Board and David Koonce commented it would have to be reviewed again by the Planning Board. The limit of permit and clearing also needed to be addressed. Garrett Davieau was not in support of the waiver regarding the buffer zones. Tony George and David Whitaker agreed and added they would be in support for trimming outside of 50 ft. and building outside of 75 ft. Two abutters at 192 Baldwinville Rd were present. They asked about the setback from Baldwinville Rd. Andrew Vardakis responded that it is a 40 ft. setback and with the fence, road, etc., it would be almost 100 ft. from Baldwinville road.
David Whittaker made a motion to continue the hearing to September 12th, 2019, 2nd by Tony George.
VOTE- Unanimously approved to continue the hearing.

5-MINUTE RECESS

7:30PM RDA, Request for Determination of Applicability

Project Address: River Street; Assessor's Map 4, Lot 61 and Parcel 109, and Map 4C-4, Lot 2

Applicant: 580 River Street, LLC

Representative: Dwight Dunk, Epsilon Associates, Inc. & Bruce Haskell, Langdon Environmental, LLC.

Project Description: Capping the former Mabardy Landfill pursuant to Massachusetts Solid Waste Regulation 310 CMR 19.000.

David Whitaker read the Legal Notice.

An abutter came forward, Robert Lundin of 596 River St. He asked what materials would be used to cap the former landfill. Bruce Haskell responded it would consist of historic fill, street sweepings/catch basin cleanings, and it is all tested and approved. The total amount of fill being brought in is 400,000 cubic yards. The project was approved for 40 trucks daily. Gus Costa of 605 River St. came forward and stated the road is in rough shape and is concerned about the amount of traffic the project will bring in. Garrett Davieau suggested having a conversation with the DPW. A notice is on the deed to restrict building in the future. Solar could be accepted but no residential development or commercial building.
David Whitaker made a motion to continue the hearing to September 12th, 2019, 2nd by Tony George.
VOTE- Unanimously approved to continue the hearing.

OLD BUSINESS: Update on violation at 55 Island Road.

A permit was not pulled to construct a deck. There are saplings that had been cut under the deck and the board had concern with the maintenance of the saplings growing up into the deck. Garrett Davieau expressed his concern that due to no permits being pulled, it puts the board in a tough position. He recommended the lower deck be removed, as it is not fair to the other property owners who go through the correct permitting process. David Whitaker agreed with the Chair. Tony George expressed his concern and was torn over making the owner remove the structure.

David Whitaker made a motion to request removal of the structure built, 2nd by Tony George who expressed his frustration and made the board aware he would not approve any other projects that have violated the wetlands act.

VOTE- Unanimously approved.

NEW BUSINESS: 44 Westshore Dr.

The property is new and recently put under contract. The plan showed a 4 ft. walkway down to the lake and turned into 15-20 ft. of cleared vegetation. David Koonce suggested planting native bushes to outline the approved 4 ft. walkway and let the vegetation grow back on both sides. The potential/future homeowner will write up a statement outlining the conditions and would be approved by David Koonce.

Tony George made a motion for approval on the terms of David Koonce's approval, 2nd by David Whitaker

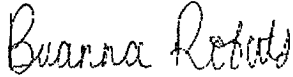
VOTE- Unanimously approved.

ADJOURNMENT

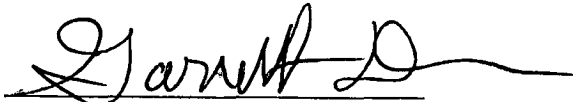
Tony George made a motion to adjourn, 2nd by David Whitaker.

VOTE- Unanimously approved to adjourn.

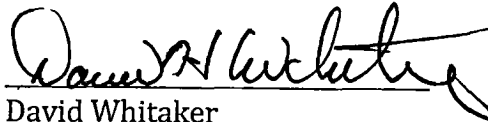
Respectfully submitted,



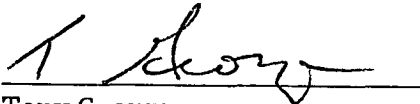
Brianna Roberts, Conservation Commission Recording Secretary



Garrett Davieau, Chairman



David Whitaker



Tony George