

TOWN OF WINCHENDON



Conservation Commission

Telephone (978)-297-5402

Regular Meeting/Public Hearing

May 11, 2023

Town Hall 2nd Floor Auditorium
109 Front Street, Winchendon, MA 01475

PRESENT: Kyle Bradley, Melissa Blanchard, Lionel Cloutier, Glenn LaRochelle, David Whitaker
Matt Marro- Conservation Agent

CALL TO ORDER: K. Bradley called the meeting to order at 6:00PM

MINUTES: 4/13/23

L. Cloutier motioned to approve the 4/13/23 minutes as written, 2nd by D. Whitaker

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

NEW BUSINESS:

COC- West Street Solar

M. Marro went and saw the replications, he stated they did a good job and they have been maintaining the area very well.

D. Whitaker motioned to issue a certificate of compliance, 2nd by L. Cloutier

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

PUBLIC HEARINGS: 6:05PM

Notice of Intent (NOI)

Applicant: 580 River Street, LLC

Assessor's Map 17 Parcels 41 & 42

Project Address: Mabardy Landfill

Project Description: The proposed modification includes altering the site grading and layout of the stormwater management system within the 100 foot buffer zone.

D. Whitaker read the public hearing notice.

M. Marrow explained the applicant has an existing order of conditions on this property that has been long standing. They are looking for an approval for an amendment request to do some alterations to the site layout.

The property has an order of conditions that was issued in November 2019. Condition #29 stated that any revisions to the permanent plans be submitted to the Commission for review. The applicant is

currently pursuing permitting to implement modifications to the facility. In April 2023 a letter was submitted to the Commission that described the proposed modifications and requested an amendment to the order of conditions. It was clarified there were no proposed modifications within the 100 foot buffer zone, that was a misprint in the public hearing notice. All modifications would be within the permitted footprint area which is outside of the buffer zone. The modifications include alternations to the site grading as well as revisions to the stormwater layout.

John Hockman of 7 Hale St. came forward and asked to clarify what exactly they plan on doing to the site as he could not hear them explain in the back of the room. He was concerned, along with other abutters, about water runoff.

Frank Allen of 582 River St. stated he owns 3 lots and would like them to point out on the map where the water runoff would be collected in relation to his property. Since the stripping of the trees in the wetland area, his property now has a stream coming from the pond and he wanted to know if the plans would help direct that flow of water.

Carla Wood of 7 Hale St. came forward and stated her property is flooded out. She has lived there her entire life and it has never been this wet. The Commission came out and stated it was a wet year but she added this year was not and it was still flooded out, enough to have to put a pipe under her driveway and horse pasture. She also added after the blasting, she found cracks in her foundation that were not previously there.

K. Bradley asked for a motion to grant the amended order of conditions. The motion failed.

D. Whitaker recommended providing the contact information for DEP as they oversee the project directly. He asked the applicants to further clarify in more detail what they are proposing to do to the site. They pointed out on the map where the next layer of fill will be going and also the stormwater management swale.

M. Marro explained the reasoning for the amendment and why the applicants were before the commission again. There were changes to the stormwater management policies on a federal level, and in the order of conditions, it stated any changes must be presented before the commission for approval.

G. LaRochelle motioned to accept the amended order of conditions.

D. Whitaker motioned to deny. He felt the residents were not being heard and not having their issues addressed. K. Bradley stated it had to be a legitimate reason not based on emotion. D. Whitaker withdrew his motion.

G. LaRochelle motioned to accept the amended order of conditions, 2nd by L. Cloutier.

Blanchard (N) Cloutier (Y) LaRochelle (Y) Whitaker (N) Bradley (Y) 3-2

Request for Determination of Applicability (RDA)

Applicant: John McQueston

Assessor's Map M3 Parcel 20

Project Address: 136 Second Street

Project Description: The proposed work includes replacement of an existing desk within the 100 foot buffer zone

D. Whitaker read the public hearing notice.

John McQueston was present and is requesting to replace an existing deck, size for size.

Mario Bovier of 125 2nd st. came forward and stated there is no existing deck.

John McQueston apologized for misunderstanding or mishearing the question but it would not be replacing the desk size for size, the request is to add the desk to the existing stairs attached to the home. The plans are for 8 ft long by 24 ft wide, the width of the house. That would make it 57 ft. from the water.

It was proposed to continue the hearing to the next meeting. The applicant is waiting for a DEP # for a different project, and once that is received, they can re-address this proposal/determination, or possibly have the applicant re-file to clarify it is not a replacement, but an addition.

M. Blanchard motioned to continue the hearing to June 8, 2023 at 6:05PM, 2nd by L. Cloutier.

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

Applicant: Katie French Stoddard Realty/Katie French Trust

Assessor's Map 10 Parcel 71

Project Address: Lot 2 Stoddard Road

Project Description: The proposed work includes installation of a driveway through wetlands to upland within the 100 foot buffer zone

D. Whitaker read the public hearing notice.

Valorie Daigle with Northland Engineers and Jason Kilfoyle were present and explained the proposal for a driveway.

L. Cloutier motioned to approve with standard order of conditions, 2nd by M. Blanchard

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

Applicant: Tony Ruschioni

Assessor's Map 9 Parcel 138

Project Address: 59 Gardner Road

Project Description: The proposed work includes replacement of a failed well on the property within the 50 foot buffer zone

This hearing was continued from the last meeting, and requested to continue to the next meeting.

L. Cloutier motioned to continue the hearing to June 8, 2023 at 6:10PM, 2nd by G. LaRochelle

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

Applicant: ZP Battery Device, LLC

Assessor's Map 5A2 Parcels 25 & 26

Project Address: 0 Murdock Avenue

Project Description: The proposed work includes construction of a solar energy storage system within the 100 foot buffer zone

D. Whitaker read the public hearing notice.

The hearing will be postponed to the next meeting on June 8, 2023 due to not having a DEP # yet.

L. Cloutier motioned to continue the hearing to June 8, 2023 at 6:15PM, 2nd by G. LaRochelle

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

Applicant: ZP Battery Device, LLC

Assessor's Map 2D2 Parcels 11, 12, 27

Project Address: 256 Murdock Avenue, School Street, & Off School Street

Project Description: The proposed work includes replacement of a failed well on the property within the 50 foot buffer zone

D. Whitaker read the public hearing notice.

The hearing will be postponed to the next meeting on June 8, 2023 due to not having a DEP # yet.

G. LaRochelle motioned to continue the hearing to June 8, 2023 at 6:20PM, 2nd by D. Whitaker

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

CONTINUED HEARINGS:

Notice of Intent (NOI)

DEP#345-0762

Applicant: Robert Matewsky

Assessor's Map 7 Parcel 4

Project Address: 16 Second Street

Project Description: Razing and Rebuilding the existing 3 bedroom home, installation of a new drilled well and water/electric line

The applicant was not present, the hearing will be continued to the next meeting.

D. Whitaker motioned to continue the hearing to June 8, 2023 at 6:25PM, 2nd by G. LaRochelle

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

DEP#345-0768

Applicant: Erin Hague

Assessor's Map 8 Parcel 4

Project Address: 96 Monomonac Road East

Project Description: Reconstruction of the existing wall at the shoreline, approx. 95 foot section of wall within the 50 foot buffer zone

Adam Haight and Earl Haight came before the commission. DEP wanted the applicant to complete a wildlife habitat evaluation. It was completed by MaryAnn DiPinto of Three Oaks Environmental, LLC. MaryAnn DiPinto and Erin Hague were present via zoom. M. Marro stated he reviewed the evaluation and was satisfied with it.

M. Blanchard motioned to approve with the standard order of conditions with MaryAnn DiPinto's recommendations for replanting added in, 2nd by L. Cloutier.

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

DEP#345-0771

Applicant: Traci Doiron

Assessor's Map 7A4 Parcel 57

Project Address: 12 Baldwinville State Road

Project Description: The proposed work includes construction of a septic system within the 100 buffer zone

Trevor Fletcher with Graz Engineering was present. He explained it is an existing 3 bedroom home with a failed septic system/Title V. The property had limited room to install a septic system but they were able to locate an area outside of the 50 ft buffer zone, but is within the 100 ft zone. They already have Board of Health approval.

L. Cloutier motioned to approve with standard order of conditions, 2nd by G. LaRochelle.

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

Applicant: John McQueston

Assessor's Map M3 Parcel 20

Project Address: 146 Second Street

Project Description: The proposed work includes construction of a 36x36 garage building within the 100 buffer zone

There was still no DEP number. The hearing will have to be continued.

L. Cloutier motioned to continue the hearing to June 8, 2023 at 6:25PM, 2nd by G. LaRochelle.

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

Notice of Intent (NOI)

DEP#345-0767

Applicant: Christopher Amenta

Assessor's Map M7A4 Parcel 62

Project Address: 0 Baldwinville State Road

Project Description: The proposed work includes construction of a 12x20 foot retaining wall not at water's edge, but within the 50 foot buffer zone

It was requested at the last meeting to adjust the property plans to try and move the house outside of the buffer zone.

At the request of the Commission, they were able to reconfigure the size and shape of the dwelling to relocate the property outside of the 50 ft buffer zone.

L. Cloutier motioned to approve with standard order of conditions, 2nd by G. LaRochelle.

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

NEW BUSINESS:

Notice of Noncompliance- 315 Monomonac Road West

There was no one present for 315 Monomonac Road West. M. Marro recommended they elevate the enforcement to DEP as they have sent notices and have received no response from the property owner.

G. LaRochelle motioned to elevate the enforcement order to DEP and charge an additional \$300 fine, 2nd by L. Cloutier.

Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

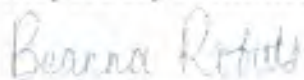
ADJOURN:

D. Whitaker motioned to adjourn, 2nd by L. Cloutier.

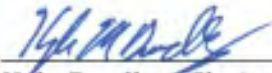
Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0

ADJOURNMENT: 7:54PM

Respectfully submitted,



Brianna Roberts, Conservation Commission Recording Secretary

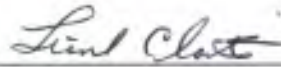


Kyle Bradley, Chairman

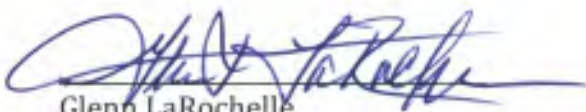


Melissa Blanchard

David Whitaker, Vice-Chairman



Lionel Cloutier



Glenn LaRochelle