

TOWN OF WINCHENDON



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WINCHENDON TOWN CLERK

UPDATED NOTICE OF MEETING & PUBLIC HEARING

Pursuant to the provisions of Chapter 39, Section 23B of the General Laws, as amended, notice is hereby given that a meeting of the following board, committee, or commission will be held on the date and time specified below. Said meeting will be open to the public and press.

BOARD/COMMITTEE: **Conservation Commission**

DATE: **Thursday, May 14th, 2020** TIME: **6:00 p.m.**

LOCATION: **Conducted by Remote Participation**

ALL MEETING NOTICES MUST BE FILED AND TIME STAMPED IN THE TOWN CLERK'S OFFICE AND POSTED ON THE MUNICIPAL BULLETIN BOARD 48 HOURS PRIOR TO THE MEETING. (in accordance with Chapter 303 Acts of 1975). THE MEETING ROOM IS HANDICAPPED ACCESSIBLE. WITH ADVANCE NOTICE THE CONSERVATION COMMISSION CAN ARRANGE REASONABLE ACCOMODATIONS FOR PERSONS WITH OTHER DISABILITIES. TO REQUEST ASSISTANCE, CONTACT THE CONSERVATION AGENT AT 978-297-5410

To participate in the Remote Meeting please follow the instructions below:

Meeting ID: 883 589 019

Password: 008281

Join Zoom Meeting via computer or smartphone with video and audio options
<https://zoom.us/j/883589019?pwd=K3ZEai83cGtVnZ0VHo4U0txVXRRUT09>

To join via smartphone using one tap mobile
+19294362866,,883589019# US (New York)

To call in and participate in audio via any telephone
Dial +1 929 436 2866 and follow prompts for Meeting ID and Password above

Documents regarding agenda items are available on the Town website – www.townofwinchendon.com

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Town of Winchendon Conservation Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at www.townofwinchendon.com. For this meeting, members of the public who wish to observe the meeting may do so via zoom using the information provided above. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

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Agenda

6:00 p.m. Open Meeting

Suggested statement to be made by the Chair of a public body at the start of any public meeting conducted "virtually": Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of Winchendon Conservation Commission is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to observe or participate in this meeting while in progress may do so using the zoom instructions above.

Suggested statement to be made by the Chair of the public body at the start of any public hearing conducted "virtually":

Note that for public hearings, the applicant and the public must be provided a means to participate in the virtual meeting in real time. Thus, the statement made at the start of public hearings would be slightly different than for public meetings: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Town of Winchendon Conservation Commission is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can observe and participate in this meeting while in progress using the zoom information provided above. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by requesting to speak during the zoom based public hearing or using the chat function in zoom during the public hearing.

Commission Meeting Agenda on following pages.....

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6:10 p.m. Notice of Intent Hearing Continued

- Applicant: Karen & Travis Drudi
- Project Address: 75 First Street; Assessor's Map 2, Parcel 14
- Representative: John Deline – Deline Engineering
- Project Description: Demolition and Construction of single family residence and stone wall.

6:30 p.m. Request for Determination of Applicability (RDA) Hearing

- Applicant: Chad LeBlanc
- Project Address: 386 Beachview; Assessor's Map 15, Parcel 17
- Project Description: Construction of new retaining walls and gravel/paver area and related grading within the wetland buffer.

6:40 p.m. Request for Determination of Applicability (RDA) Hearing

- Applicant: April Mills
- Project Address: 376 Beachview; Assessor's Map 15, Parcel 18
- Project Description: Removal of 6 unhealthy trees less than 12"Ø within the wetland buffer.

6:50 p.m. Request for Determination of Applicability (RDA) Hearing

- Applicant: Deborah Grise
- Project Address: 56 West Shore Drive; Assessor's Map 6, Parcel 25
- Representative: Paul Grasewicz of Graz Engineering, LLC.
- Project Description: Demolition and Construction of new septic system and related grading.

- Agent request for Commission Approval of Issued Enforcement Order to Piu Tien of 94 Lincoln Ave for removal of large oaks near brook without application for permission(s).
- Agent request for Commission Approval of Issued Enforcement Order to Melissa Hagermeyer - ZBH Realty Trust regarding 386 High St. for alterations within a wetland and buffer without permission(s).
- Discussion of storage in buffer at 162 Main Street owned by Phillip Favart.

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- Discussion of remedy to violations in buffer at 16 Monomonac owned by Phillip White.
- Discussion of general site approach and expectations on residential parcel adjacent to 324 West St. with Marie Sorensen of Sorensen Partners.
- Certificate of Compliance Request for old (2005) work – Kenneth Flanagan – 19 Brooks Rd
- Discussion of tree removal processes and many recent citizen complaints. A new Environmental Concern Form has been created and posted to help coordinate these complaints.
- Discussion around procurement of Commission Member signatures and COVID-19 alternative.
- Notice of Pan-Am Herbicide Application Intent
- Executive Session pursuant to G.L. c. 30A, Section 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body. Litigation involving Mill Farm Initiative's appeal of the Conservation Commission's denial of an Order of Conditions under the Winchendon Wetland Protection Bylaw, and the Chair so declares that having a discussion in open session would have a detrimental effect on the Town's litigating position.
 - Recommended motion by Chair -- "I move to enter Executive Session pursuant to the provisions of Section 21(a)(3) of the Open Meeting Law to discuss strategy with respect to the litigation entitled (Brandywine Farms, Inc., et al. v. Town of Winchendon Conservation Commission, et al., Worcester Superior Court Docket No. 1985CV00933) involving the Mill Farm Initiative's appeal of the Commission's denial of an Order of Conditions under the Winchendon Wetland Protection Bylaw for a dam decommissioning project on the property at 155 Mill Circle Road. I declare that discussion in Open Session may have a detrimental effect on the Conservation Commission's litigating position. The meeting will not to re-convene in Open Session."

Adjourn