

TOWN OF WINCHENDON



RECEIVED

AUG - 6 2020 12:18pm

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, August 13, 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: 977 6739 7749

Password: 0343903

Join Zoom Meeting via computer or smartphone with video and audio options

<https://winchendonk12.zoom.us/j/97767397749?pwd=YUdVVmpzMmk3OEJwaVowVDBNZE5nZz09>

To join via smartphone using one tap mobile

+13017158592,,97767397749#,,,,0#,,0343903#

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](http://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](http://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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- |         |  |              |
|---------|--|--------------|
| 6:15 pm | Notice of Intent Hearing<br><ul style="list-style-type: none"><li>• Applicant: Matthew Kotoski</li><li>• Project Address: 195 Beachview Ave, Assessor's Map 12, Parcel 50</li><li>• Description: Substantively completed (unpermitted) reconstruction of existing stone wall at water's edge. Creation of 1,000 sf patio area and additional retaining wall and addition of walkway to Lake for future dock.</li></ul> | DEP 345-0694 |
| 6:20pm  | Notice of Intent Hearing (Continuation)<br><ul style="list-style-type: none"><li>• Applicant: Chris and Lauren McNamara</li><li>• Project Address: 85 Beachview Drive; Assessor's Map 10, Parcel 53</li><li>• Description: Addition of a farmer's porch on the front of the home, expansion of the screened porch lakeside and expansion of the roof overhangs.</li></ul>  | DEP 345-0689 |
| 6:25pm  | Request for Determination of Applicability Hearing (Continuation)<br><ul style="list-style-type: none"><li>• Applicant: Wayne Huard</li><li>• Project Address: 136 Beachview Drive; Assessor's Map 11, Parcel 15</li><li>• Description: Removal of a single tree on the beach.</li></ul>   |              |
| 6:30pm  | Request for Determination of Applicability Hearing<br><ul style="list-style-type: none"><li>• Applicant: Vincent Cass</li><li>• Project Address: 255 Monomonac Road West; Assessor's Map 6, Parcel 37</li><li>• Description: Removal of a single tree in wetland buffer area.</li></ul>  |              |
| 6:35pm  | Notice of Intent Hearing (Continuation)<br><ul style="list-style-type: none"><li>• Applicant: Ecos Energy, LLC</li><li>• Project Address: Spring Street; Assessor's Map 9, Parcels 97 &amp; 98</li><li>• Description: Construction of a 9MW ground mounted solar array including work in wetland buffers and wetland crossings.</li></ul>  | DEP 345-0692 |

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- |        |  |              |
|--------|--|--------------|
| 6:40pm | Notice of Intent Hearing <ul style="list-style-type: none"><li>• Applicant: April Mills</li><li>• Project Address: 376 Beachview Drive; Assessor's Map 15, Parcel 18</li><li>• Description: Plantings and deck on the beach to restore vegetation and control erosion.</li></ul>                   |              |
| 6:45pm | Notice of Intent Hearing (continuation) <ul style="list-style-type: none"><li>• Applicant: Tien Phu</li><li>• Project Address: 94 Lincoln Ave, Assessor's Map 5B2, Parcel 54</li><li>• Description: Restoration of wetland buffer disturbed w/ unpermitted tree removals.</li></ul>                | DEP 345-0693 |
| 6:50pm | Notice of Intent Hearing <ul style="list-style-type: none"><li>• Applicant: Chad LeBlanc</li><li>• Project Address: 386 Beachview Drive; Assessor's Map 15, Parcel 31</li><li>• Description: Plantings and deck on the beach to restore vegetation and control erosion.</li></ul>                  |              |
| 7:00pm | Notice of Intent Hearing <ul style="list-style-type: none"><li>• Applicant: Joanne Moreau</li><li>• Project Address: 106 Lakeview Drive; Assessor's Map 10, Parcel 35</li><li>• Description: Extend existing deck 6' toward water on new footings. New deck to be 59' from water's edge.</li></ul> |              |
| 7:05pm | Notice of Intent Hearing <ul style="list-style-type: none"><li>• Applicant: Earl Haight</li><li>• Project Address: 96 Monomonac Road East; Assessor's Map 8, Parcel 14</li><li>• Description: Trimming and removal of trees in the wetland buffer and reconstruction of hardscaped area.</li></ul> |              |

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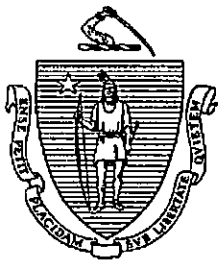
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- 7:10pm Request for Determination of Applicability Hearing
- Applicant: Winchendon Community Park Committee
  - Project Address: 86 Ingleside Drive; Assessor's Map 5A3, Parcel 348
  - Description: Construction of access trail to fishing point in two phases.
- 7:15pm Notice of Intent Hearing
- Applicant: Julie Anne Osborne Representative: Warren Field
  - Project Address: 356 Lakeview Drive; Assessor's Map 15, Parcel 8
  - Description: Paving of driveway, paver walk from deck to beach and shed construction.
- 7:20pm Request for Determination of Applicability Hearing
- Applicant: Fred Calvin Miller
  - Project Address: 165 Fourth Street; Assessor's Map 4, Parcel 3
  - Description: Trimming and removal of trees. Replacement of retaining wall and addition of railing. Replacement of and improvements to steps and walkways.
- Request to Amend Order of Conditions DEP – 345-0651
- Applicant: Tim Sullivan
  - Project Address: 44 West Shore Drive; Assessor's Map 6, Parcel 35
  - Description: Order was issued without regard to utility guy wire, which pushes the driveway and septic into the restricted area. Applicant is requesting a swap and amendment of restricted area. An extension is also being requested.
- Certificate of Compliance Request- 296 Beachview Drive – Avdoulos - 345-0660
  - Certificate of Compliance Request- 682 Spring Street – LaGrassa - 345-0420
  - Ongoing discussion of violation - 385 Glenallen Street – Jameson - Fill of Lake Monomonac
  - Ongoing discussion of violation - sheds & storage in buffer at 16 Monomonac- Phillip White .
  - Ongoing discussion of violation - storage in buffer at 162 Main Street- Phillip Favart .

Adjourn



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

**WHEREAS**, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

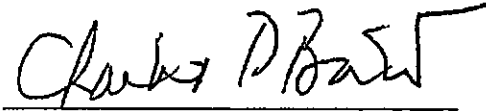
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 8:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in cursive script that reads "Charles D. Baker". The signature is written in black ink and is positioned above a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts