

TOWN OF WINCHENDON



WINCHENDON TOWN CLERK *U.*
RCUD MAY 10 2021 PM 12:31

UPDATED NOTICE OF MEETING & PUBLIC HEARINGS

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. Note that votes may be taken on any of the agenda items.

BOARD/COMMITTEE: Conservation Commission

DATE: Thursday, May 13, 2021 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: 891 5038 1529

Passcode: 7171809

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

<https://winchendonk12.zoom.us/j/89150381529?pwd=cUFtNW4rV01mZWNLWEphQ1V4MFIVUT09>

or go to www.zoom.com and login with the information above

To call in dial (929) 436-2866 and follow prompts to enter 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.

Agenda:

Call to Order

Minutes 4/8/2021

Announcements

Melissa Blanchard has completed the Fundamentals Certificate courses for MACC

- | | | |
|--------|---|--------------|
| 6:05pm | Notice of Intent Public Hearing Continuation | DEP 345-0717 |
| | <ul style="list-style-type: none">• Applicant: Chris and Tracey Brennan of CTB Enterprises dba Rooterman• Project Address: Gardner Road Assessor's Map 9, Parcels 17• Description: work includes grading, stormwater management, paved driveway and parking lot 50'-100' from the wetland with a new commercial building. | |
| 6:10pm | Notice of Intent Hearing | DEP 345-0725 |
| | <ul style="list-style-type: none">• Applicant: Cindy Fitch• Project Address: 6 Island Road; Assessor's Map 6, Parcels 9• Description: The proposed work includes addition to the existing home and installation of new septic system and well and previous unpermitted fill and tree removal. | |
| 6:15pm | Notice of Intent Hearing | DEP |
| | <ul style="list-style-type: none">• Applicant: Christopher Hart• Project Address: 436 Maple Street; Assessor's Map 3D1, Parcels 22• Description: The applicant is seeking after the fact permission to place a shed in the riverfront area. He would also like permission to install a fence along the road and to grind stumps. The entire property is within the riverfront area. | |

- 6:20pm Request for Determination of Applicability Public Hearing
- Applicant: Keith Morris – Pan Am Railways
 - Project Address: Railway Rights of Way throughout Winchendon
 - Description: The applicant is seeking verification of the previously affirmed delineation. Any area within 10' of a resource area will be passed over for herbicide applications.
- 6:25pm Request for Determination of Applicability Public Hearing
- Applicant: David Anderson
 - Project Address: 5 Monomonac Road East
 - Description: The applicant is seeking permission to remove a large pine near the lake that has repeatedly dropped limbs damaging the neighbor's property.
- 6:30pm Request for Determination of Applicability Public Hearing
- Applicant: Carlton Grady
 - Project Address: 25 Beachview Drive
 - Description: The applicant is seeking permission to remove a 2 large pines near the lake.
- 6:35pm Notice of Intent Hearing DEP
- Applicant: Tim & Janice Hebert
 - Project Address: 287 Ash Street; Assessor's Map 9, Parcels 315
 - Description: The applicants would like to remove trees near the brook. They feel that the trees are a risk in storms and a security concern.
- 6:40pm Notice of Intent Hearing DEP 345-0722
- Applicant: Jeremiah & Leah Stancombe
 - Project Address: 93 Mill Glen; Assessor's Map 11, Parcels 211
 - Description: The applicants would like to build a new home within 100' of wetlands.
- 6:45pm Notice of Intent Hearing DEP 345-0726
- Applicant: Edward Roberts
 - Project Address: West Street; Assessor's Map 1, Parcels 103
 - Description: The applicants would like to build a new home within 100' of wetlands.
- 6:50pm Notice of Intent Hearing DEP
- Applicant: Bonnie & Steven Stone
 - Project Address: Hale Street; Assessor's Map 8, Parcels 19
 - Description: The applicants would like to build a new single family home within 100' of wetlands and construct a driveway crossing the wetland.
- 6:55pm Notice of Intent Hearing DEP
- Applicant: Lickety Splitz
 - Project Address: 231 Main Street; Assessor's Map 7A4, Parcels 8
 - Description: Construction of a new septic system and related grading and site work.

Other Business:

West Solar 1 – Site Visit summary & discussion of remaining bouldered area

Certificate of Compliance Requests

37 Happy Hollow Road	345-0542	&	345-0553
49A Washington Ave Extension			345-7000

Enforcement Orders

385 Glenallen Street	Richard Jameson
6 Island Road	Cindy Fitch
566 Lakeview Drive	Matthew Perenzin



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.

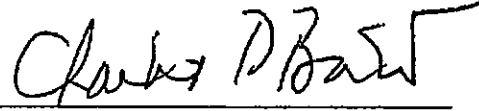
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in black ink, reading "Charles D. Baker". The signature is written in a cursive style with a horizontal line underneath it.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts