

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/COMN	MITTEE: Conservation	Commission
DATE: Thu	ursday, July 9, 2020	TIME: 6:00 p.m.
LOCATION:	Conducted by Remote Part	icipation
HOURS PRIOR TO THE ME	EETING. (in accordance with Chapter 303 Acts of 1975)	OCLERK'SOFFICE AND POSTED ON THE MUNICIPAL BULLETIN BOARD AS THE MEETING ROOM IS HANDICAPPED ACCESSIBLE. WITH ADVANCE COMODATIONS FOR PERSONS WITH OTHER DISABILITIES. TO REQUES ERVATION AGENT AT 978-297-5410
To participate i	in the Remote Meeting please follow t	he instructions below:
	Meeting ID: 928 2072 0074	Password: 0275766

Join Zoom Meeting via computer or smartphone with video and audio options https://winchendonk12.zoom.us/j/92820720074?pwd=d3A2emg2ZnVRRUdHK25EYTV1ci9odz09

To join via smartphone using one tap mobile +19294362866,,92820720074# 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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Conservation Commission

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HOURS PRIOR TO THE	S MUST BE FILED AND TIME STAMPED IN THE TOWN CLERK'SOF E MEETING. (in accordance with Chapter 303 Acts of 1975). THE MEETI ATION COMMISSION CAN ARRANGE REASONABLE ACCOMODATION ASSISTANCE, CONTACT THE CONSERVATION AC	ING ROOM IS HANDIC ONS FOR PERSONS W	APPED ACCESSIBLE. WITH ADVANCE
Agenda: 6:00 pm	Call to Order Annual Board Reorganization & membership up	date	

Suggested statement to be made by the Chair 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.

6:05 pm Notice of Intent Hearing (Continuation)

BOARD/COMMITTEE:

• Applicant: Jamison VanDyke

- Project Address: 49 & 69 Kemp Street; Assessor's Map 5Bl, Parcels 37, 38 & 39
- Representative: Paul Grasewicz of Graz Engineering, LLC.
- Description: Each parcel shall be a separate project with construction of a new single family home, well, septic system and associated grading and landscaping.

6:15pm Notice of Intent Hearing (Continuation)

- Applicant: Chris and Lauren McNamara
- Project Address: 85 Beachview Drive; Assessor's Map 10, Parcel 53
- 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.



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ALL MEETING NOTICES MUST BE FILED AND TIME STAMPED IN THE TOWN CLERK'SOFFICE 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

6:20 pm Notice of Intent Hearing

• Applicant: Matthew Kotoski

- Project Address: 195 Beachview Ave, Assessor's Map 12, Parcel 50
- Description: Substantively completed (unpermitted) reconstruction of existing stone wall at water's edge. Creation of IOOOsf patio area and additional retaining wall and addition of walkway to Lake for future dock.

6:30pm Notice of Intent Hearing

- Applicant: Ecos Energy, LLC
- Project Address: Spring Street; Assessor's Map 9, Parcels 97 & 98
- Description: Construction of a 9MW ground mounted solar array including work in wetland buffers and wetland crossings.

6:40pm Notice of Intent Hearing

- Applicant: Tien Phu
- Project Address: 94 Lincoln Ave, Assessor's Map 5B2, Parcel 54
- Description: Restoration of wetland buffer disturbed w/ unpermitted tree removals.

General discussion/guidance to Agent – what information should accompany tree removal applications?

6:55p.m. Request for Determination of Applicability (RDA) Hearing

- Applicant: Wayne Huard
- Project Address: 136 Beachview; Assessor's Map 11, Parcel 15
- Description: Removal of a single large pine tree located on the beach.

7:00p.m. Request for Determination of Applicability (RDA) Hearing

- Cvnthia Kendall
- Project Address: 146 Beachview; Assessor's Map 11, Parcel 15
- Description: Removal of oak and maple trees located on the beach .



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ASSISTANCE, CONTACT THE CONSERVATION AGENT AT 978-297-5410

7:05p.m.

Request for Determination of Applicability (RDA) Hearing

- Michael Casey
- Project Address: 156 Beachview; Assessor's Map 11, Parcel19
- Description: Replacement of railroad tie retaining wall along road with stone wall.
- Certificate of Compliance Request- Happy Hollow Solar Project- 345-0647
- Certificate of Compliance Request-- Steven Curtis- 210 Alger Street- 345-0676
- Discussion of potential violation at 6 Island Road- Cindy Fitch Removal of trees in buffer
- Discussion of potential violation at 376 Beachview April Mills Removal of trees in buffer
- Discussion of potential violation at 386 Beachview Chad Leblanc Removal of trees in buffer
- Endorsement of Enforcement Order- 385 Glenallen Street Richard Jameson Fill of Lake Monomonac using machinery to extend land mass.
- 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

(Please publish in The Gardner News no later than June 4th)

<u>Legal Notice</u> Winchendon Conservation Commission

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold public hearings on Thursday, June 11, 2020 at 6:15 pm to consider the Notices of Intent filed by Jamison VanDyke of Barkley Enterprises on behalf of property owner David Whitaker for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands at 49, 59 & 69 First Street; Assessor's Map 5B1, Lots 37, 38 & 39. The separate project entails construction of a new single family home, well, septic system and associated grading and landscaping. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

The Notice of Intent is available by emailing amanugian@townofwinchendon.com.

June 11, 2020

Via: Via email: AManugian@townofwinchendon.com

Winchendon Conservation Commission 109 Front Street Winchendon, Massachusetts

Reference: 49 & 69 Kemp Street Notice of Intents

Winchendon, MA 01475

Dear Commission Members;

On behalf of the abutters Mr. and Mrs. James and Paula Whitaker and Mr. Joshua Whitaker, I Elizabeth Clark, PE, respectfully submit the following comments on Revised Notice of Intent Applications for 49 and 69 Kemp Street, in Winchendon Massachusetts (the Project). The Project entails the development of two (3) bedroom single family homes, associated driveways, private wells and septic systems.

I received the following materials electronically for the basis of this review from Graz Engineering on June 4, 2020: Septic and NOI Site Plan for 49 Kemp Street dated June 4, 2020 Septic and NOI Site Plan for 69 Kemp dated June 4, 2020 and Wetland Resource Evaluation 49, 59, 69 Kemp Street dated June 1, 2020.

These documents have been reviewed for compliance with Massachusetts Wetlands Protection Act, MGL, Chapter 131, Section 40 and associated Regulations at 310 CMR 10.00 (collectively referred to as the Act) and the Winchendon Wetlands Protection Bylaw (the Bylaw). Accordingly, I offer the following comments:

- 1. The Applicant has submitted documentation that details the delineation of the wetlands. Has the Commission reviewed the delineation in the field to determine if they agree with it?
- 2. The Applicant has acknowledged that the pond on the subject property is a vernal pool. We request that the Commission condition their approval to require that the pond be certified as a vernal pool with the Natural Heritage and Endangered Species Program (NHESP) prior to occupancy permits being issued.
- 3. I reiterate the comment that housing development and redevelopment projects comprised of detached single-family dwellings on four or fewer lots that have a stormwater discharge that may potentially affect a critical area are required to meet the 2008 Massachusetts Department of Environmental Protection Stormwater Standards to the maximum extent practicable. The Stormwater Standards classify vernal pools as critical areas. We request that the Applicant submit documentation showing how the Project meets the standards to the maximum extent.
- 4. The plans depict a flow swale that drains towards Kemp Street. This swale starts at a proposed elevation of 105.7, an approximately 3.7-foot fill compared to existing conditions. The grading shown is incomplete in this area. The plans should accurately show all required work within the buffer zone. Based upon the plans submitted it appears that the raise in grade would require work beyond the 50-foot no disturb zone. Additionally this swale requires excavation of approximately 3.0' in other areas which is also not shown on the plans.
- 5. The swale appears to discharge stormwater runoff to the public right-of-way of Kemp Street. The Applicant should clarify this.
- 6. The flow swale appears to be designed to convey stormwater runoff from both lots. The drawings should delineate the required easements to ensure both future homeowners have the necessary

- rights to ensure the swale is maintained and clear. We request that the Commission condition their approval so that a copy of registered easement is provided prior to the release of a Certificate of Compliance.
- 7. The proposed design has little construction tolerance for the septic system construction. The soil absorption systems are pinned between existing and proposed 100-foot well offsets. We request that the Applicant verify if the wells on the abutting properties have been surveyed located. If the well locations are based upon record information, we request that they be survey located to ensure that the septic systems can be constructed as depicted and still meet the requirements of 310 CMR 15.00 The State Environmental Code.
- 8. The plan for 69 Kemp Street notes that the septic system shall be certified in accordance with the DEP Remedial Use Approval. As this is proposed construction it would not be subject to General Use and not Remedial Use.
- 9. The plans indicate limited erosion and sediment control measures. As the Project will disturb more than 1 acre of land, and segmentation is not permitted, coverage under the EPA's National Pollution Discharge Elimination System (NPDES) Construction General Permit (CGP) is required. We request that the Commission condition their approval to require a copy of the Stormwater Pollution Prevention Plan and documentation that coverage has been obtained under the CGP be submitted prior to construction.
- 10. It is acknowledged that the plans depict not work beyond the silt fence, however as a precaution we request that the Commission condition their approval to prohibit clearing beyond the silt fence as shown on the plans during construction.
- 11. We request that the Commission condition their approval to require a permanent delineation of the 50-foot no-disturb zone, such as a stone border, signage, fencing, ect be installed to deter future owners from further clearing.

Should you have any questions regarding this matter or require additional information, please contact me at (508) 612-1919. We would like to attend the public hearing. Please notify us on how it will occur. Thank-you for your consideration.



cc: Paul F. Grasewicz, PE, PLS GRAZ Engineering, LLCv (via email: paul@grazengineering.com)
James and Paula Whitaker
Joshua Whitaker

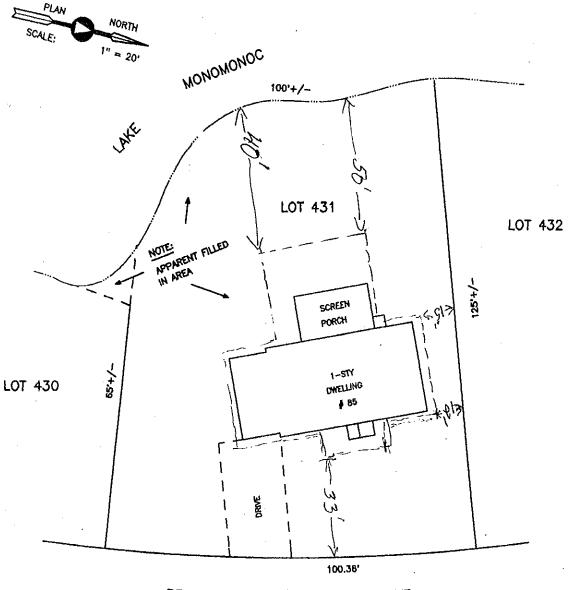
(Please publish in The Gardner News no later than June 4th)

<u>Legal Notice</u> Winchendon Conservation Commission

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold public hearings on Thursday, June 11, 2020 at 6:30 pm to consider the Notice of Intent filed by Chris and Lauren McNamara for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands at 85 Beachview Drive, Assessor's Map 10, Lot 53. The proposed work includes expansion of the existing screened porch lakeside, a new farmer's porch at the front entry and expansion of the roof overhangs. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

The Notice of Intent is available by emailing amanugian@townofwinchendon.com.

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BUDNICK MO 39178

I, <u>C.A. BUONICK</u>
A REGISTERED LAND SURVEYOR, DD
HEREBY CERTIFY THAT THE ABOVE
MORTGAGE INSPECTION PLAN WAS
PREPARED FOR:
FIDELITY CO-OPERATIVE BANK

IN CONNECTION WITH A NEW MORTUAGE AND IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY LINE SURVEY. NO CORNERS WERE SET, IT CANNOT BE USED FOR ESTABLISHING FENCE. LANDSCAPIND, DR BURDING LINES. NO RESPONSIBILITY IS EXTENDED HEREIN FOR ENCROACHMENT, OR TITLE MATTERS THAT MAY SUSSEDIENTLY BE DISCOVERED BY AM INSTRUMENT SURVEY. THE LAND SHOWN HEREON IS BASED ON CLIENT FURNISHED INTORNATION AND MAY BE SUBJECT TO DURTHER DUT-SALES, TAUGHGS, EASEMENTS AND RIGHTS DE WAY.

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P.O. BOX 14 CLINTON, MA. 01610 TEL: 800-875-1591 FAX: 978-365-7419 MORTGAGE LOAN PLOT PLANS
LANO SURVEYING AND MAPPING
CIVIL ENGINEERING SERVICES
ENVIRONMENTAL CONSULTING SERVICES

DATE: JULY 29, 2013 CLIENT: REYHOLDS LAW OFFICES CLIENT REF: <u>H/A</u> P.D. # 333613

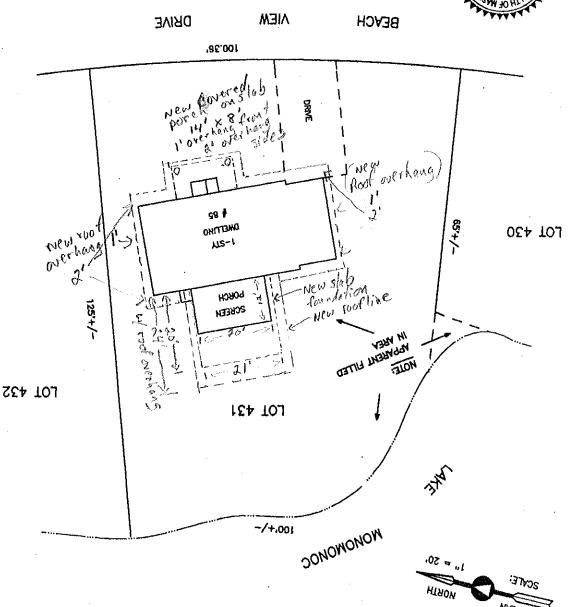
THE LOCATION OF THE DRISHAL OWELLING SHOWN HEREON EITHER WAS IN COMPILARCE WITH THE LOCAL APPLICABLE ZURING BYTAMS IN EFFECT WHEN CONSTRUCTED (WITH RESPECT TO HORIZONTAL DIBERSIONAL REGUIREMENTS ONLY), OR IS EXEMPT FROM VIOLATION EMPORCEMENT ACTION UNDER MASS. BL. TITLE YIL CHAPAGA. SCC. 7. UNLESS OTHERWISE MOTTED OR SHOWN MERGON. IF ANY MPROYMENTS ARE SITUATED WITHIN 1° OF AN APPARENT PROPERTY LINE, AN INSTRUMENT SURYEY IS RECOMMENDED.

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	WINCHENDON MA 01475	
BORROWER:	CHRISTOPHER P. & LAURI	H A. MCNAMARA
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BY:	CS	CS	CAB	
DATE:	27~JUL-13	28-JUL-13	29-Jul-13	F.B. <i>JF</i> PGE. <u>5</u>

PERMISSION OF CARCO CONSULT. ANY OTHER PARTY(S) FOR ANY PURPOSE OR ENGACEMENT, WITHOUT THE WANTER FOR THIS ENGLISEMENT ONLY, IT SHOULD NOT BE REPRODUCED OR BE USED BY RZE DE JHE WYNEO CRENT, LENOER AND LENOERS TITLE INSURANCE COMPANY HOTE: THIS DOCUMENT IS COPYRICHTED AND WAS PREPARED FOR THE EXCLUSINE





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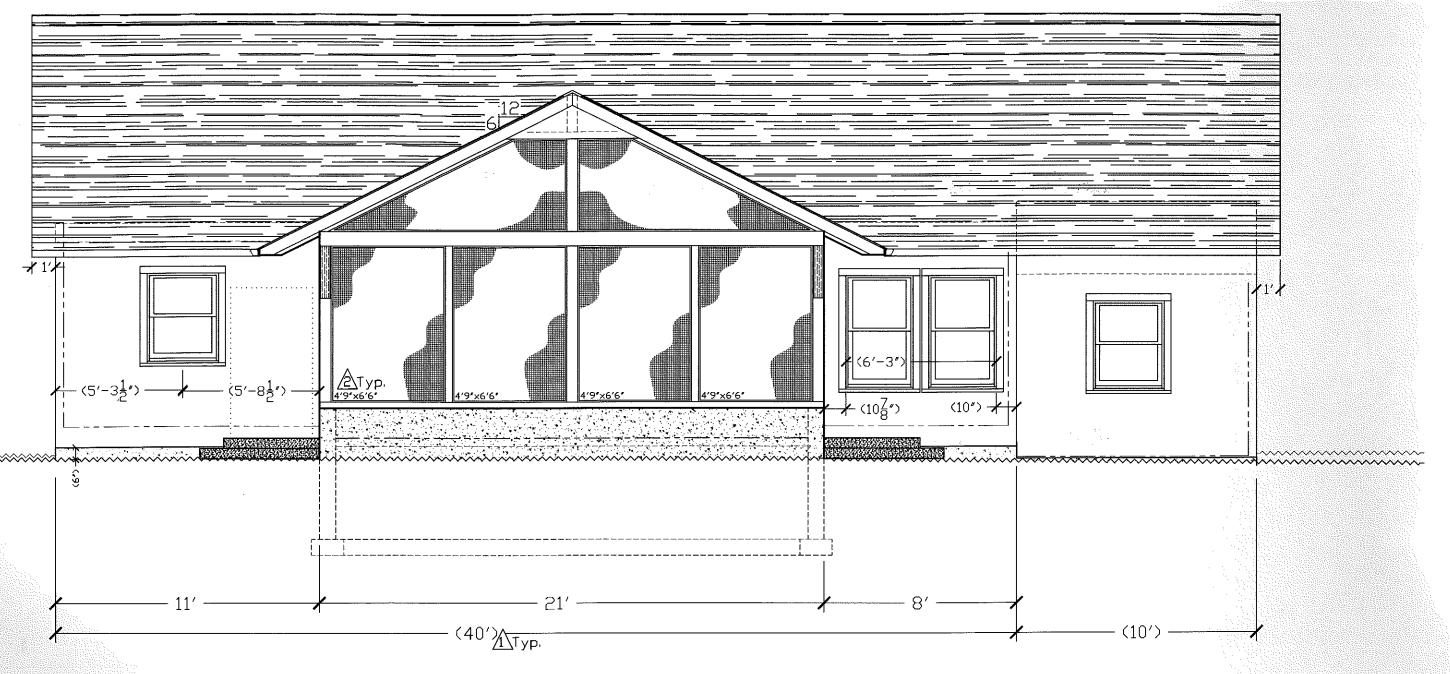
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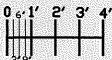
Dimensions in Parentheses (n'-n") Are For Reference Only And May Be Approximate

Final Screen Dimensions May Vary Based On Construction Methods

Sheet	Title
A01	Revised Lakeside Elevation
A02	Revised Roadside Elevation
A03	Revised Left Side Elevation .
A04	Revised Right Side Elevation
A05	Revised Floor Plan Lakeside

Sheet	Title
A06	Revised Floor Plan Roadside
A07	Revised Sections A-A, B-B
A08	Section C-C Lakeside Porch
A09	Section D-D Roadside Porch
A10	Notes





Revised Lakeside Elevation

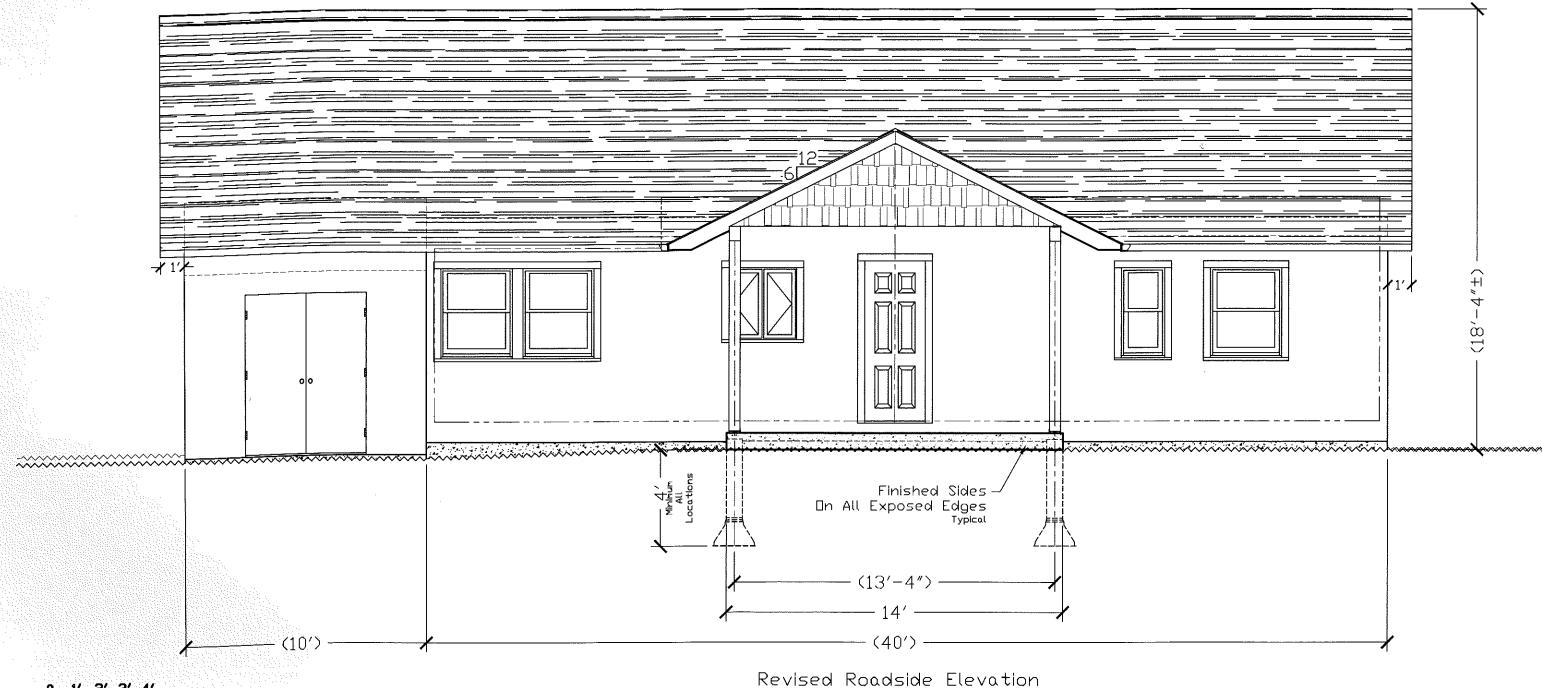
All Building Dimensions Are To The Foundation NOT The Siding

DiCampo Design Services Job No. 200203 Project: McNamara Residence 978-582-7288 dicampos@comcast.net File: McNamara_rev.dwg 85 Beach View DR, Winchendom, MA 01475

Revised Lakeside Elevation

Revision: Scale: 1/4"=1' 05/12/20

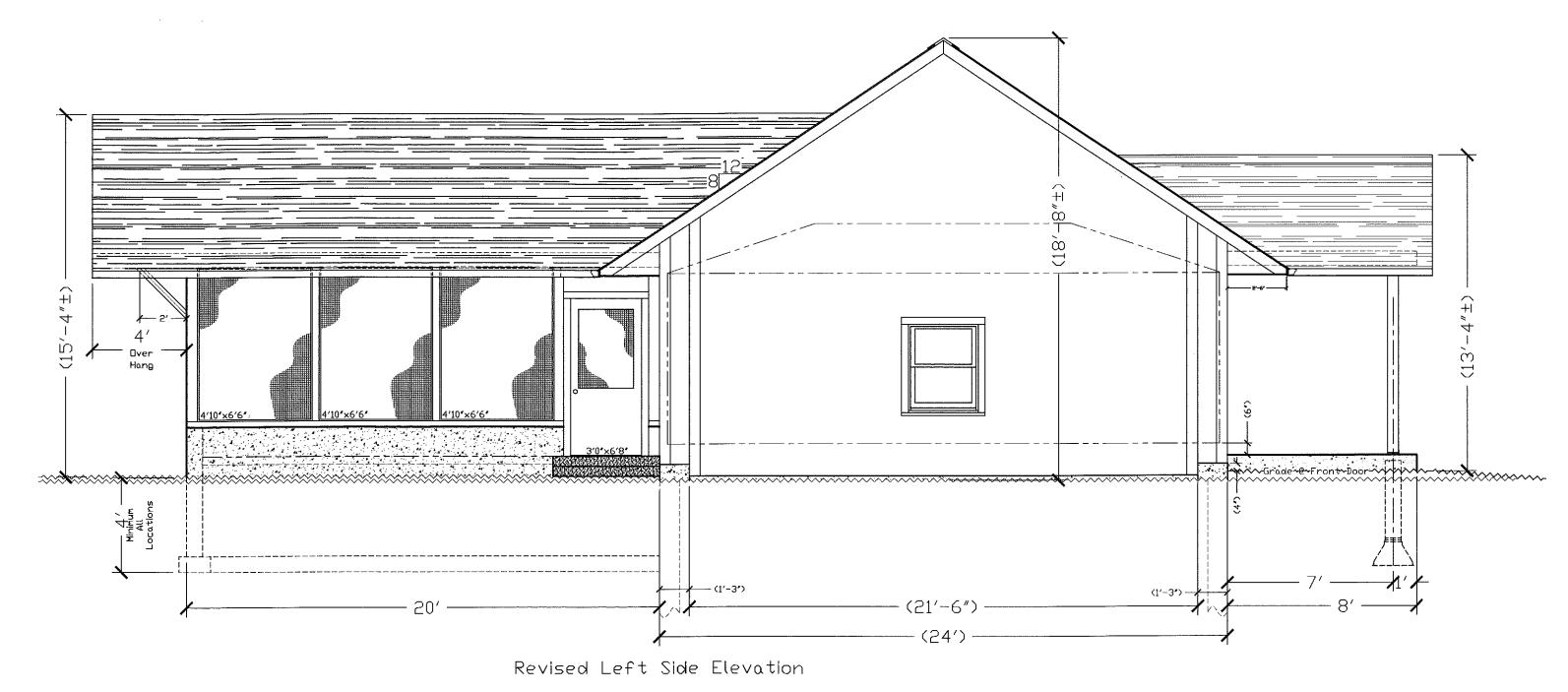
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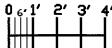


DiCampo Design Services Job No. 200203 Project: McNamara Residence 978-582-7288 dicampos@comcast.net File: McNamara_rev.dwg 85 Beach View DR, Winchendom, MA 01475

Revised Roadside Elevation

Revision: Scale: 1/4"=1' 05/12/20





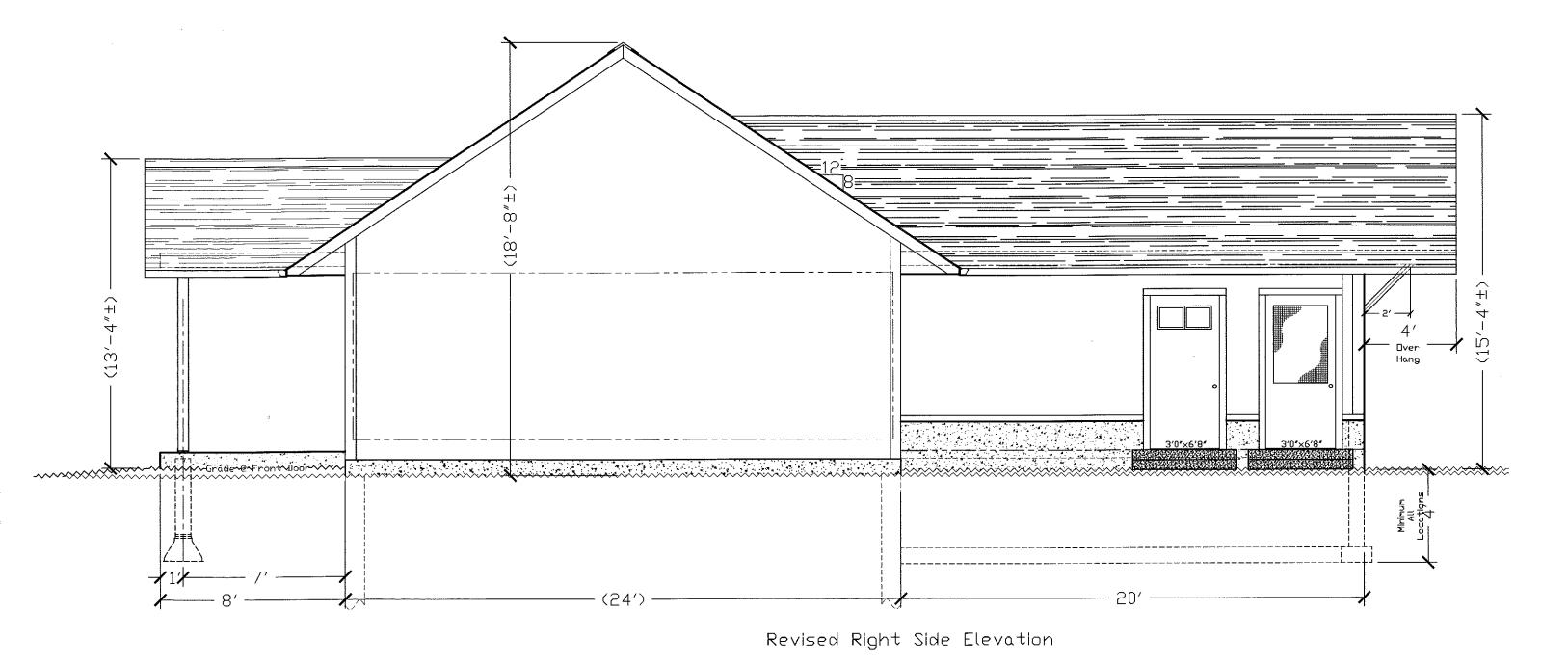
All Building Dimensions Are To The Foundation NOT The Siding

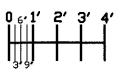
DiCampo Design Services Job No. 200203 Project: McNamara Residence 978-582-7288 dlcampos@comcast.net File: McNamara_rev.dwg 85 Beach View DR, Winchendom, MA 01475

Revised Left Side Elevation

Revision: Scale 1/4"=1' 05/12/20

Sheeti A03



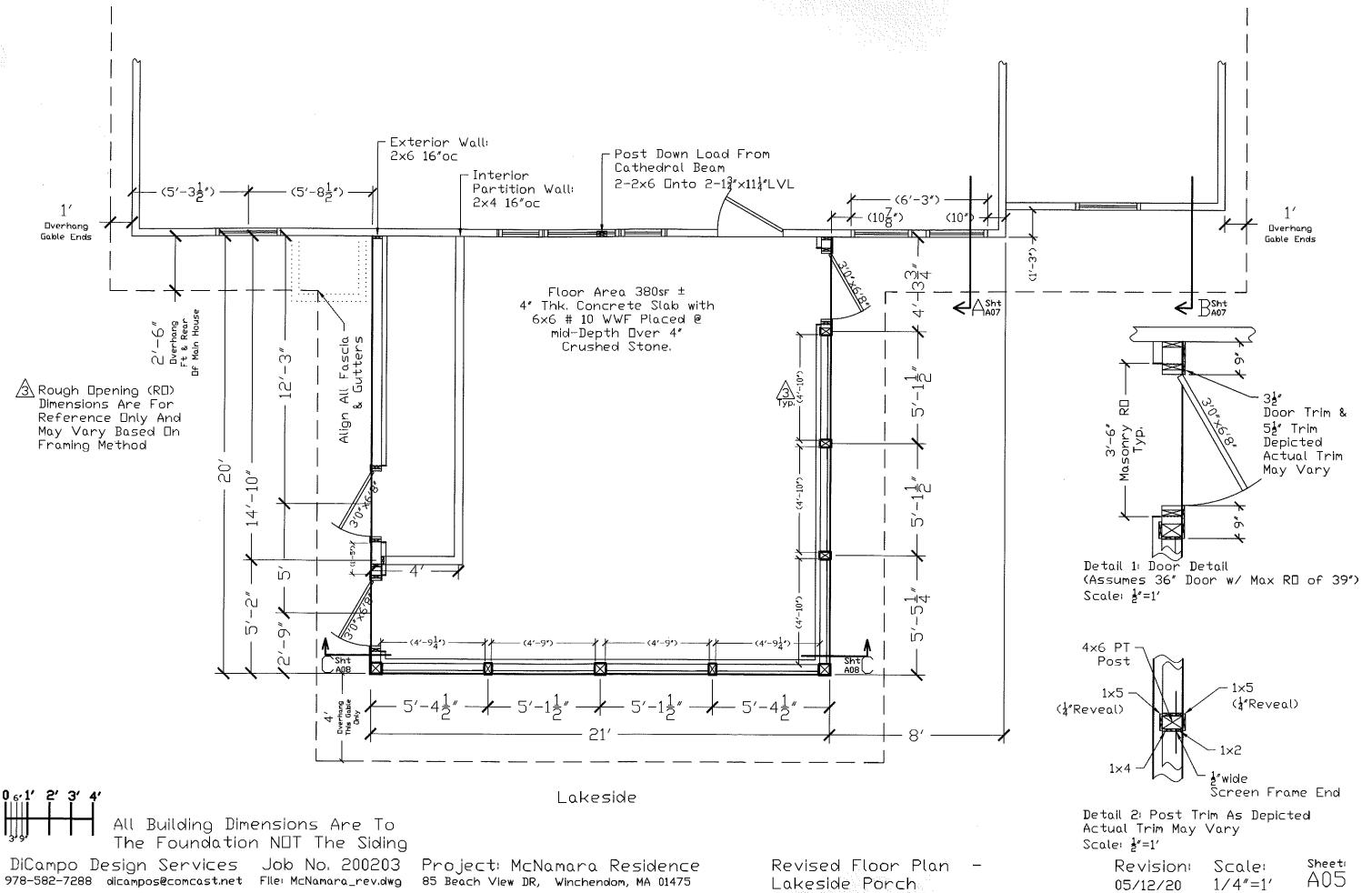


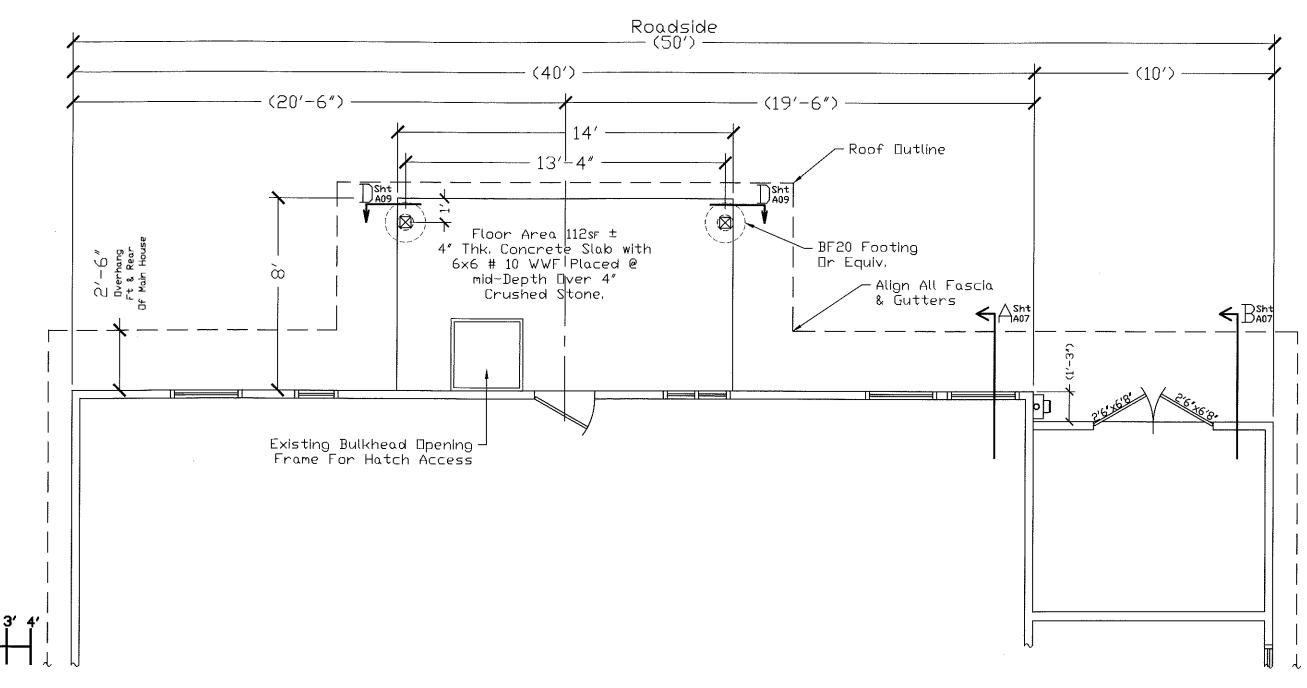
All Building Dimensions Are To The Foundation NOT The Siding

Revised Right Side Elevation

Revision: Scale: 05/12/20 1/4"=1'

Sheet: A04





DiCampo Design Services Job No. 200203 Project: McNamara Residence 978-582-7288 dicampos@comcast.net File: McNamara_rev.dwg 85 Beach View DR, Winchendom, MA 01475

Revised Floor Plan -Roadside Porch

Revision 05/12/20

Scale 1/4"=1'

Sheet A06

Conservation Commission



Telephone (978) 297-5410

109 Front Street Winchendon, Massachusetts 01475-1758

<u>Legal Notice</u> <u>Winchendon Conservation Commission</u>

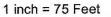
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The Notice of Intent is available by emailing amanugian@townofwinchendon.com.

MASS. Q E MASS.

195 Beachview

Winchendon, MA





0 75 150 225

June 22, 2020



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Conservation Commission



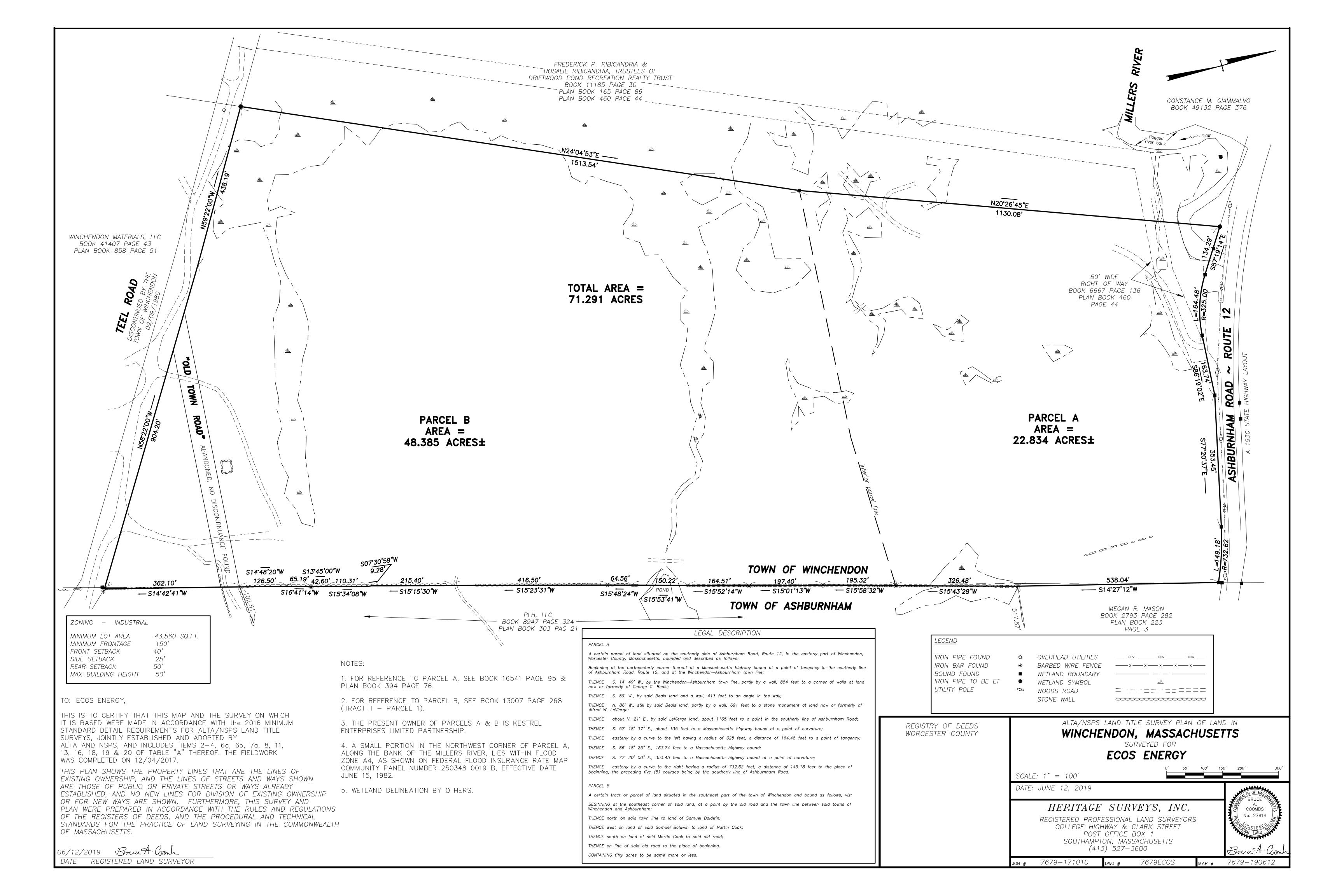
Telephone (978) 297-5410

109 Front Street Winchendon, Massachusetts 01475-1758

<u>Legal Notice</u> Winchendon Conservation Commission

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold a public hearing on Thursday, July 9, 2020 at 6:30 pm to consider the Notice of Intent filed by Rodney Galton of Ecos Energy, LLC for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands on Spring Street, Assessor's Map 9 Parcels 97 & 98. The proposed work includes construction of a 9 MW ground mounted solar array installation including work in wetland buffers and wetland crossings. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

The Notice of Intent is available by emailing amanugian@townofwinchendon.com.



LEGEND:

 EXISTING PROPERTY LINE PROPOSED FENCE PROPOSED GRAVEL ACCESS ROAD PROPOSED SINGLE AXIS TRACKER (24 MODULE STRING)

× WF-L##

100' BVW BUFFFR WETLAND DELINEATION LINE WETLAND DELINEATION FLAGGING

*WETLAND DELINEATED BY NEW ENGLAND ENVIRONEMENTAL DEIGN, LLC ON 10/22/18

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BASIN OUTLET

PROJECT INFORMATION:

EXISTING ZONING : INDUSTRIAL PROPOSED USE : SOLAR ENERGY COLLECTION SYSTEM

- SPECIFIC SITE NOTES:

 1. NO LIGHTING PROPOSED WITH THE PROJECT

 2. NO AUDIBLE NOISE GREATER THAN THE SITES EXISTING AMBIENT NOISE LEVEL SHALL BE DETECTABLE AT OR BEYOND THE PROPERTY LINE OF THE PROJECT
- PROJECT

 S. EMERGENCY VEHICULAR & SITE ACCESS TO BE PROVIDED TO ALL LOCAL RESPONDERS (POLICE, FIRE, ETC...)

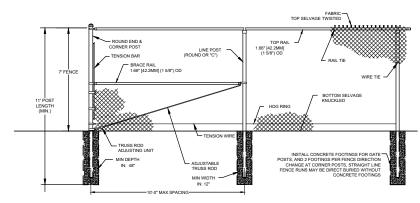
PROJECT AREAS & IMPACTS:

TOTAL SITE AREA:
PARCEL 9-0-97 22.8 ACRES
PARCEL 9-0-98 48.4 ACRES
TOTAL 71.2 ACRES

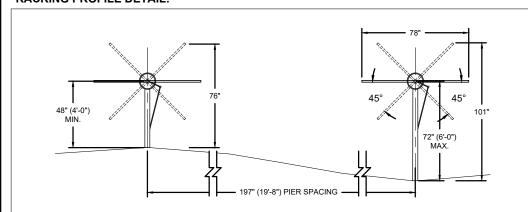
TOTAL ARRAY FOOTPRINT (FENCE LIMITS) = 58.7 ACRES

TOTAL PROPOSED IMPERVIOUS: GRAVEL ACCESS ROAD, STRUCTURAL POSTS & EQUIPMENT PADS SITE TOTAL = 1.55 ACRES

PERIMETER FENCE DETAIL:



RACKING PROFILE DETAIL:



TEST PIT LOGS:

0"-5" A SL 10yr 3/2 5"-30" B SL 10yr 5/6 30"-76" C SL 2.5y 5/3 Redox @ 48"

Testing location #2 0"-72" Very dense fill. Dark Grey in color Redox @ 24" Weeping @60"

Testing location #3 0"-12" Fill 12"-80" C S & G 10yr 5/6

Testing location #4 0"-8" A SL 10yr 3/2 8"-32" B SL 10yr 5/6 32"-80" C SL 2.5y 5/3 Redox @ 48"

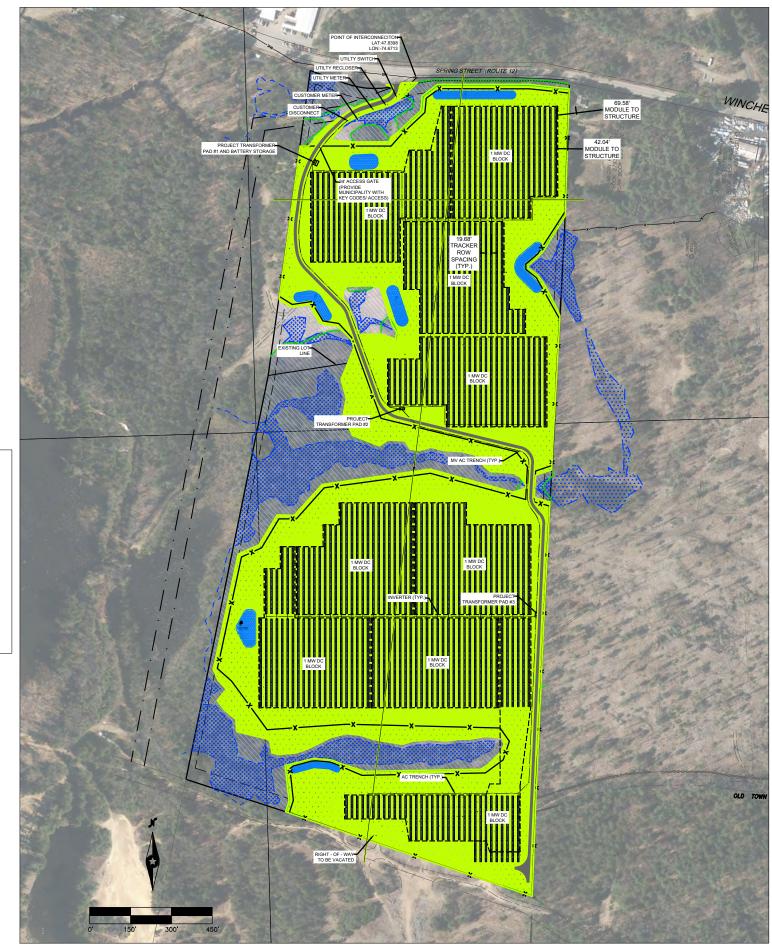
Testing location #5 0"-8" A SL 10yr 3/2 8"-30" B SL 10yr 5/6 30"-84" C SL 2.5y 5/3

Testing location #6 0"-12" A SL 10yr 3/2 12"-30" B SL 2.5y 5/3 30"-84" C S & G 10vr 5/6 30"-84" C S & G 10y Redox @24" Weeping @36" Testing location #7 0"-6" A SL 10yr 3/2 6"-30" B SL 10yr 3/6 30"-78" C S & G 10yr 5/6 Redox @ 40"

Testing location #8 0"-4" A SL 10yr 3/2 4"-12" Gleyed layer 12"-100" C S 10yr 5/4 Redox @ 24" Weeping @84"

Testing location #9 0"-2" A SL 10yr 3/2 2"-100" C S 10yr 3/6 Redox @ 96"

Testing location #10 0"-12" A SL Greyed 12"-70" C1 S 10yr 5/6 70"-102" C2 S 10yr 3/6 Redox @ 80"



ENERGY 222 SOUTH 9TH STREET SUITE 1600 MINNEAPOLIS, MN 55402

REVISION LOG: 4/8/2020 - CC SUBMISSION

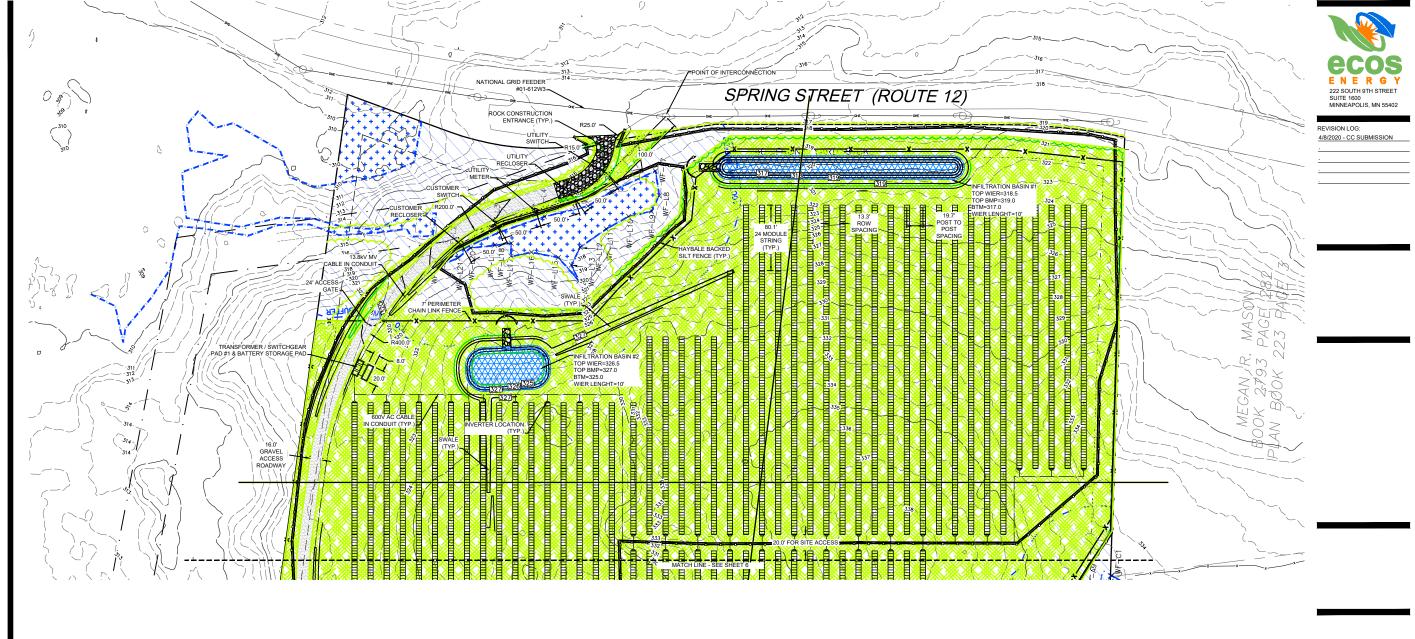
SOLAR WINCHENDON S
PARCEL # 9-0-96
SPRING STREET
WINCHENDON, MASSACHUSET
WORCESTER COUNTY

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OVERALL



LEGEND:

 EXISTING PROPERTY LINE - PROPOSED FENCE PROPOSED GRAVEL ACCESS ROAD PROPOSED SINGLE AXIS TRACKER (24 MODULE STRING) PROPOSED 13.8 kVA AC DISTRIBUTION ------ ULV ------ PROPOSED 600V AC ARRAY DISTRUBUTION - ------ PROPOSED OVERHEAD ELECTRIC 658 EXISTING CONTOUR PROPOSED CONTOUR

× WF-L##

100' BVW BUFFER WETLAND DELINEATION LINE
WETLAND DELINEATION FLAGGING *WETLAND DELINEATED BY NEW ENGLAND

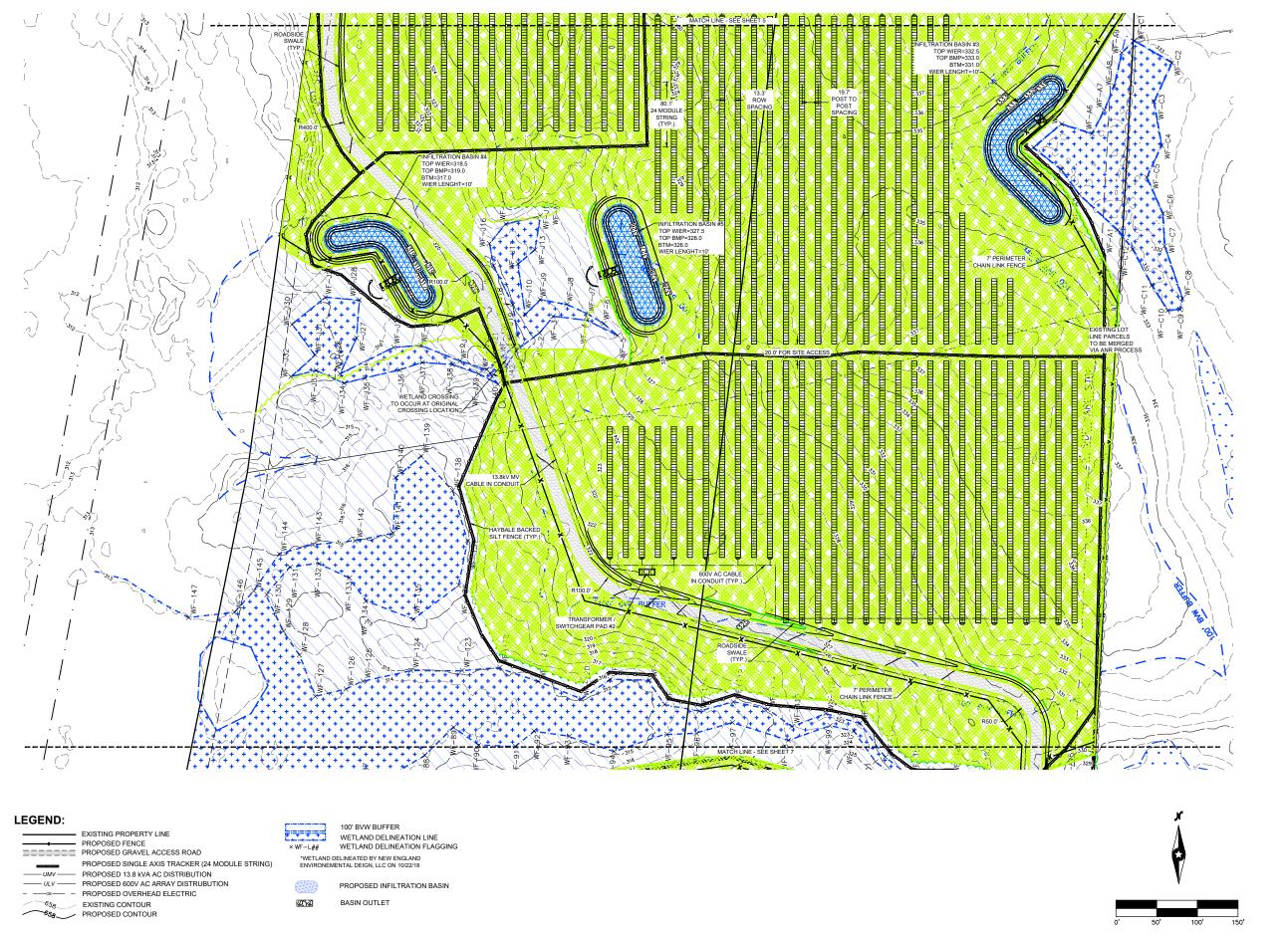


PROPOSED INFILTRATION BASIN



BASIN OUTLET

WINCHENDON SOLAR
PARCEL #9-0-36 spend & 90-36
SPRING STREET
WINCHENDON, MASSACHUSETTS 01430
WORCESTER COUNTY
GRADING AND
EROSIONCONTROL NORTH

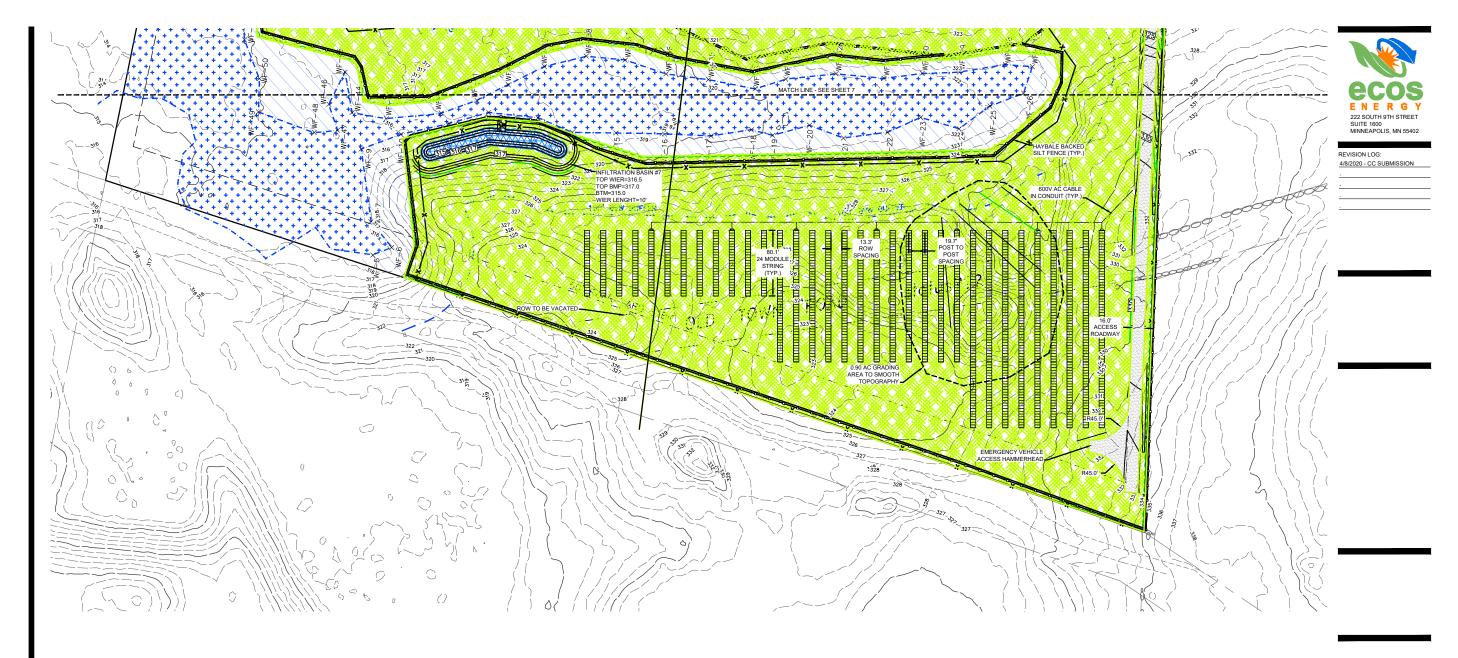


ECOS ENERGY 222 SOUTH 9TH STREET SUITE 1600 MINNEAPOLIS, MN 55402

REVISION LOG: 4/8/2020 - CC SUBMISSION

WINCHENDON SOLAR
PARCEL #9-0-96
SPRING STREET
WINCHENDON, MASSACHUSETTS 01430
WORCESTER COUNTY
GRADING AND
EROSIONCONTROL NORTH 2





LEGEND:

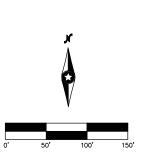
- EXISTING PROPERTY LINE PROPOSED FENCE
PROPOSED GRAVEL ACCESS ROAD PROPOSED SINGLE AXIS TRACKER (24 MODULE STRING) — UMV — PROPOSED 13.8 KVA AC DISTRIBUTION
— ULV — PROPOSED 600V AC ARRAY DISTRUBUTION - ------ - PROPOSED OVERHEAD ELECTRIC 658 EXISTING CONTOUR PROPOSED CONTOUR

100' BVW BUFFER WETLAND DELINEATION LINE
WETLAND DELINEATION FLAGGING *WETLAND DELINEATED BY NEW ENGLAND ENVIRONEMENTAL DEIGN, LLC ON 10/22/18

PROPOSED INFILTRATION BASIN



BASIN OUTLET



WINCHENDON SOLAR
PARCEL #9-0-34 & 9-0-36
SPRING STREET
WINCHENDON, MASSACHUSETTS 01430
WORCESTER COUNTY
GRADING AND
EROSIONCONTROL SOUTH



Winchendon Solar Project Summary 9.0 MW (AC) Solar Photovoltaic Facility

Impact Statement

Applicant: Winchendon Solar, LLC

Ecos Energy, LLC

Location: Worcester County, Spencer, MA

Date Prepared: May 12, 2020



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I. PROJECT APPLICANT:

Winchendon Solar, LLC ("WS") is a wholly owned subsidiary of Allco Finance Limited (Allco), a renewable energy financing company. Ecos Energy, LLC (Ecos), a Minnesota-based renewable energy development and services company, which specializes in developing and operating distributed generation solar energy projects throughout the U.S. is the developer of the project. Throughout this summary, Ecos and WS may be used interchangeably, but for clarification purposes, WS is the applicant and owner of the proposed solar project and Ecos is the developer.

II. PROJECT DESCRIPTION:

WS is proposing to construct and operate a 9.0 megawatt (MW) alternating current (AC) solar photovoltaic (PV) generating facility ("Solar Facility") on a portion of Parcel 9-0-97 and 9-0-98. The solar project array footprint (fence limits) is 58 acres of the 72 acre parcel. Interconnection between the electrical grid and the solar facility will be an overheard connection approximate 2 miles west of the site along Route 12.

IV. SUBJECT PROPERTY:

The property consists of perimeter woodlands and the majority of the site historically being used for a gravel operation. Wetlands on site were field delineated by New England Environmental Inc. The layout for the proposed Solar Facility has been sited to fit within the existing topography, distance the facilities from adjacent properties, avoid impacts to the surrounding wetlands and the 100' buffers of the delineated wetlands. The design has no permanent impacts to existing Bordering Vegetated Wetlands.

The project has been designed per the Massachusetts Department of Environmental Protection's ("DEP") Stormwater Management Standards. Discharges from the site have been directed to permanent stormwater BMPs and overall site discharges have been



reduced below pre-development conditions. Detailed information about the sites existing and proposed hydraulic properties can be reviewed in the attached hydrology report.

Maintenance and fire access to the project shall utilize the existing curb cut form Spring Street. The existing access road will be utilized where practicable and will be realigned as necessary to accommodate the array field. The solar facility access driveway will enter the site at the northwest corner of project site and gradually climb the hill. The solar facility will have a 18' wide aggregate driveway. The grade of the roadway is no greater than 5%.

Adjacent parcels to the solar facility in the south, east and west directions are undeveloped deciduous woodlands. The property to the north is an auto recycling facility. The closest residence to the project is 300' east of the facility in the Town of Ashburnham. The facility is naturally screened by the surrounding woodlands.

V. SOLAR FACILITY:

The solar facility will produce 9.0 MW of AC power. The modules will be installed on a tracker system that will follow the sun. The rows will be spaced approximately 19.7' apart spaced in the east-west direction across the site. The pier height keeps all modules approximately 24" above grade. Minimal earthwork is necessary within the array fields as the site grades vary from 2% - 4% in most areas.

The facility will be enclosed by a 7.0' high chain link fence with a 0.5' wildlife gap. for an overall fence height of 7.5' feet. The site's main access point will have a swinging or rolling tube gate.



In addition to the racking equipment and modules, several electrical components will be installed throughout array field. Most of these components will be installed on driven posts and include the following items:

- Electrical Sting inverters (DC to AC)
- Electrical combiner boxes and disconnect switches
- Security cameras and equipment
- Remote monitoring equipment

The facility will have a centralized equipment pad for the projects main transformer(s), switchgear, electrical monitoring and communication. The exact location of the pads is dependent on the projects final electrical design. There will be no on site inhabited structures, therefore no sewer services, septic systems or water wells will be required for the facility.

The majority of wiring within the array will be installed above ground, linking the solar modules together in series and will be mechanically fastened to the back of the racking rows. Wire will transition from the racking to direct buried cable or PVC conduit to the project's inverters throughout locations in the array. Wire from the inverters will run to the projects central panelboards and equipment pad(s) with the project's main trenches parallel to the roadway alignment, this aids in minimizing earth disturbances for the project. The underground wires and conduits will be buried approximately 4' deep and the trench width will vary depending on the number of wires or conduits installed. Medium voltage distribution form the projects main transformer will be installed underground and travel north. Interconnection will be installed above ground within Spring Street public way.



VI. CONSTRUCTION:

Construction will be completed in a multiple phases and is expected to take approximately 9 months from building permit issuance. Construction is expected to require a peak workforce of approximately 30 management, supervisory, and craft workers. Work will be completed based on one shift per day during local working hour requirements. The average number of workers on site is anticipated to be approximately 20, this workforce is expected to draw upon the existing labor pool in Worcester County. Parking, temporary office trailers, and equipment lay down areas will be located within the facility perimeters. Deliveries to the site during construction will average 3 to 5 trips a day, with total material deliver for the facility ranging between 250 trucks. Minimal traffic will be generated by the mobilization and de-mobilization of workers or equipment. Typical equipment mobilization for the construction of the facility will include earthwork vehicles including scrapers, graders, water wagons, and compactors. Equipment used in constructing the solar facility, will require post drivers, skid loaders, forklifts and trenching equipment.

Initial construction activities will consist of establishing site erosion control measures. Once the perimeter controls are in for the specific phase then tree cutting and stumping can commence. Installation of the basins will be installed once the trees have been removed. Installation of the foundation piers, racking, and trenching for electrical facility will begin after the basins have been installed. Conduits and trenches excavated during construction are typically backfilled within 24-48 hours. Modules and facility wiring will follow, including the construction of the equipment pads.

Equipment will be placed in service once testing and commissioning of all major components meets the interconnection requirements of National Grids electrical distribution system. The testing and commissioning phase of the project has approximately a 2 week duration, with minimal workers on site.



VII. OPERATIONS

The Solar Facility will operate 24 hours per day, 7 days per week. Operation of the facility will be managed, monitored, and controlled by the facility staff and through remote monitoring and a local response team. When fully developed, maintenance of the Solar Facility is not expected to require any full-time employees. A control system will also allow unmanned operation of the Solar Facility.

PV facilities have very few moving parts and have limited maintenance requirements. Periodic scheduled and unscheduled maintenance during the life of the project will include, but not be limited to, module washing, inverter maintenance and replacement and repair of equipment, checking electrical performance parameters for remote monitoring, responding to any problems detected by remote monitoring, conducting weed abatement and dust control activities and maintaining driveways.

Water will be used for cleaning PV panels and controlling dust during construction, but no water will be used by the facilities to produce electricity. Water for both module cleaning and dust will be brought in from off site. Approximately 5,000 gallons are expected to be used annually to clean the solar modules.

Site security will be provided by monitoring cameras, electronic security systems, and typical gate locking methods. There will be no need for increased routine patrol by county law enforcement, though occasional responses by law enforcement are anticipated in the event security systems are triggered. The Solar Facility will not have any perimeter lighting, although there may be some down lighting around the transformers and central pad from the installed equipment.



No permanent fire protection system is proposed for the facility because PV panels are constructed of glass and their support structures are constructed of steel, neither of which is subject to combustion. All oil-filled transformers will be located outdoors with proper setback from adjacent structures. Areas where PV panels, other electrical equipment, and site infrastructure are placed will be maintained free of vegetation. The site access driveway will serve for emergency egress and fire department access.

There will be negligible impacts on the existing area roadway system during operation. Typical operation is estimated to add less than 2 vehicles per week to surrounding streets. Most trips will consist of a few employees preforming equipment maintenance and replacement, module washing and groundcover control.

Conservation Commission



Telephone (978) 297-5410

109 Front Street Winchendon, Massachusetts 01475-1758

<u>Legal Notice</u> <u>Winchendon Conservation Commission</u>

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold a public hearing on Thursday, July 9, 2020 at 6:40 pm to consider the Notice of Intent filed by Tien Phu for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands on Lincoln Ave., Assessor's Map 5B2 Parcel 54. The proposed work includes reconstruction of the area near the onsite brook where trees were cleared. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

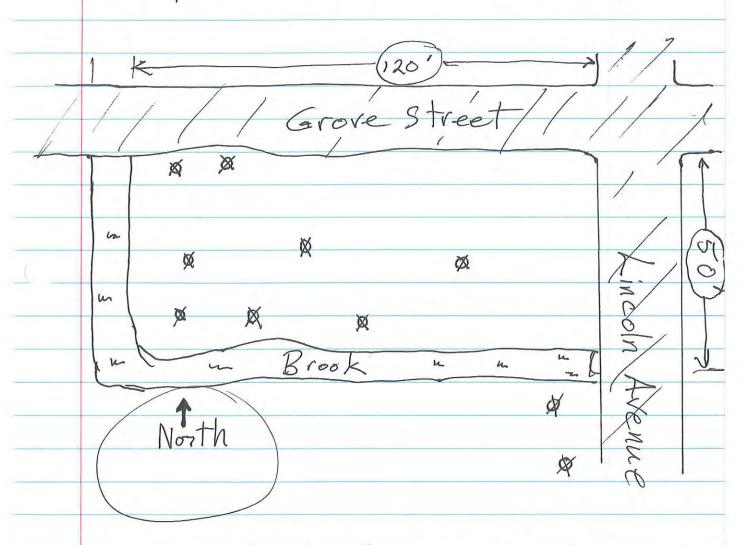
The Notice of Intent is available by emailing amanugian@townofwinchendon.com.

To Whom it may concern. Here is the plan for restoration of the wetland area that has been disturbed. 1) The area affected had Large trees removed and to remedy this I plan on Replanting and maintaining Trees native to the area. There will be Maples, Beech, Birch and Conifers 10 Trees Total that are 3 years or older. Planted near stumps. of the cut trees. (Dispearsed.) There will, be no machinesy Involved dursing planting. Long tesm Care for these trees will be monitored and contined. 2) The fire Pit will be Relocated outside of the Buffer zone.

3) The cut wood will be Removed. - Tien Phu

5/31/20

- Site Plan sketch for the restoration of affected Wetland Located on: Map 5B2-0-54 Grove Street.



De planted.

- Tien Phe

TOWN OF WINCHENDON

Conservation Commission



Telephone (978) 297-5410

109 Front Street Winchendon, Massachusetts 01475-1758

<u>Legal Notice</u> <u>Winchendon Conservation Commission</u>

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold a public hearing on Thursday, July 9, 2020 at 6:55 pm to consider the Request for Determination of Applicability filed by Wayne Huard for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands at 136 Beachview Dr., Assessor's Map 11 Parcel 15. The proposed work includes removal of a single large pine tree located on the beach. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

The Request for Determination of Applicability application is available by emailing amanugian@townofwinchendon.com.





TOWN OF WINCHENDON

Conservation Commission



Telephone (978) 297-5410

109 Front Street Winchendon, Massachusetts 01475-1758

<u>Legal Notice</u> <u>Winchendon Conservation Commission</u>

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold a public hearing on Thursday, July 9, 2020 at 7:00 pm to consider the Request for Determination of Applicability filed by Cynthia Kendall for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands at 146 Beachview Dr., Assessor's Map 11 Parcel 15. The proposed work includes removal of maple and oak trees located on the beach. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

The Request for Determination of Applicability application is available by emailing amanugian@townofwinchendon.com.









TOWN OF WINCHENDON

Conservation Commission



Telephone (978) 297-5410

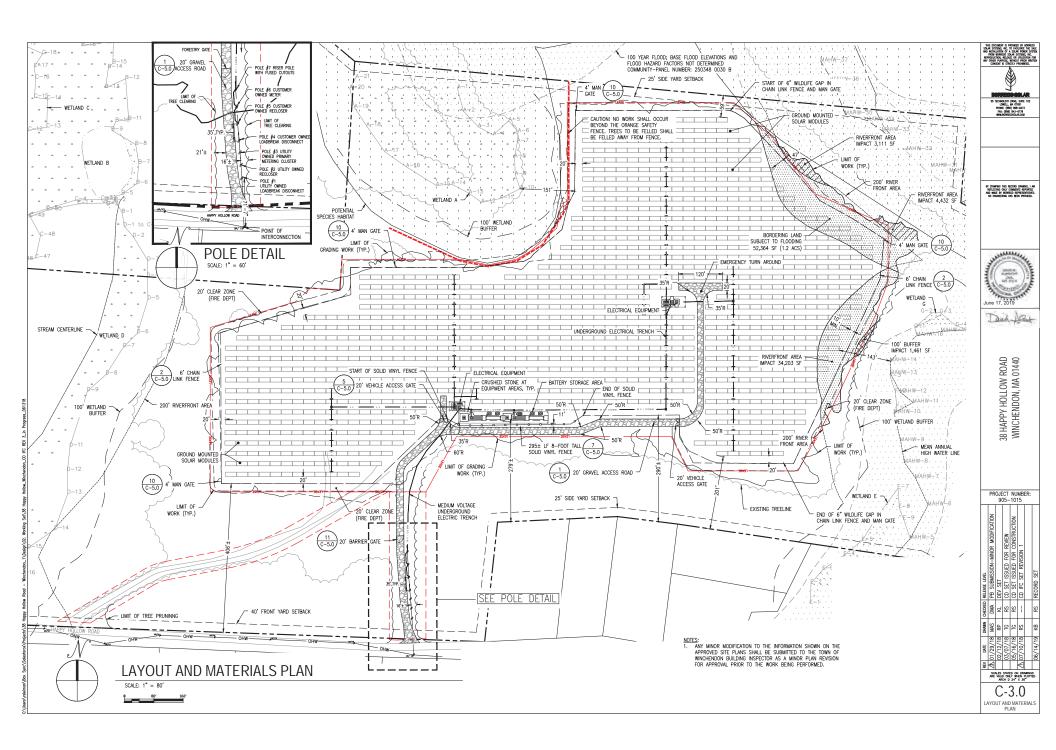
109 Front Street Winchendon, Massachusetts 01475-1758

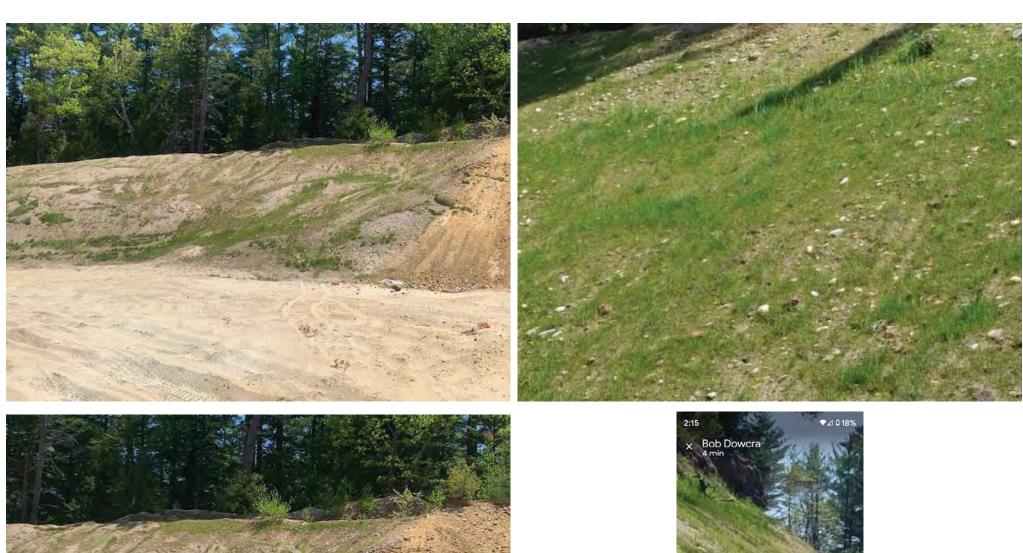
<u>Legal Notice</u> Winchendon Conservation Commission

Pursuant to the provisions of M.G.L. Chapter 131, Section 40, and the Town of Winchendon Wetlands Protection Bylaw, the Winchendon Conservation Commission will hold a public hearing on Thursday, July 9, 2020 at 7:05 pm to consider the Request for Determination of Applicability filed by Michael Casey for proposed work within the 100-foot Buffer Zone to Bordering Vegetated Wetlands at 156 Beachview Dr., Assessor's Map 11 Parcel 19. The proposed work includes reconstruction of an existing wooden retaining wall with a stone wall on the lakeside edge of the roadway. The hearing will be held remotely via www.zoom.com or if it is safe to do so, in the 2nd Floor Auditorium of the Winchendon Town Hall, 109 Front Street.

The Request for Determination of Applicability application is available by emailing amanugian@townofwinchendon.com.

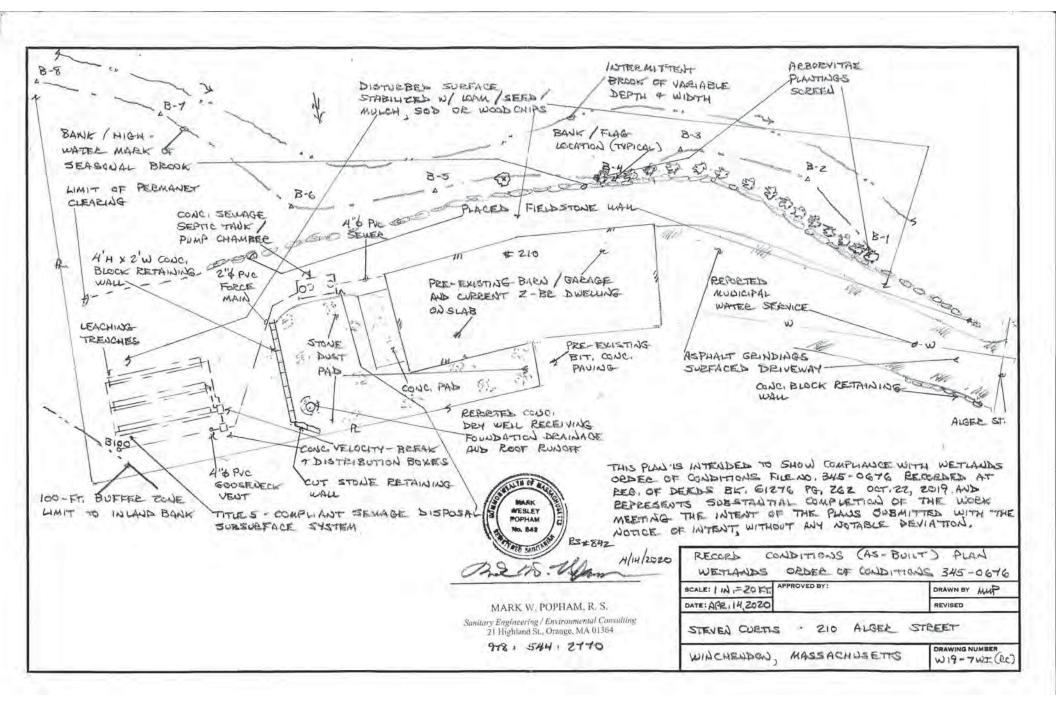












Conditions of original permission



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
345-0676
MassDEP File #
eDEP Transaction #
Winchendon (345)
City/Town

B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area 2 in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, 1. please enter the additional amount here. 2.

	a. number of new stream crossings	b. number of replacement stream crossings
24.	Stream Crossing(s):	
	a. square feet of BVW	b. square feet of salt marsh
23.	Restoration/Enhancement *:	

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

- Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
- 2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
- 3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
- 4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
- 5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
- 6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
- 7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: 345-0676

MassDEP File #

eDEP Transaction # Winchendon (345) City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

- This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
- 9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
- 10. A sign shall be displayed at the site not less then two square feet or more than three square feet in size bearing the words,

"Massachusetts Department	of Environmental	Protection" [or	, "MassDEP"
"File Number	345-676	"	

- 11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
- 12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
- 13. The work shall conform to the plans and special conditions referenced in this order.
- 14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
- 15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
- 16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.

wpaform5.doc • rev. 6/16/2015 Page 6 of 12



Massachusetts Department of Environmental ProtectionBureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: 345-0676

MassDEP File #

eDEP Transaction # Winchendon (345) City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- 17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
- 18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
- 19. The work associated with this Order (the "Project")
 (1) ☐ is subject to the Massachusetts Stormwater Standards
 (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;

iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: 345-0676 MassDEP File #

eDEP Transaction #

Winchendon (345) City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement) for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:
 - i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and
 - ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP: 345-0676

MassDEP File #

eDEP Transaction # Winchendon (345) City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - Allow members and agents of the MassDEP and the Commission to enter and
 inspect the site to evaluate and ensure that the responsible party is in compliance
 with the requirements for each BMP established in the O&M Plan approved by the
 issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- Access for maintenance, repair, and/or replacement of BMPs shall not be withheld.
 Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See Additional Conditions #20 – #53 on pages 10A – 10E.							

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.

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Applicant: Steven Curtis (the "Applicant")

Project Address: 210 Alger Street (Map 8A-1, Lot 52; the "Property")

DEP File #345-0676

<u>Summary</u>: This filing requests Conservation Commission approval for work in the 100-foot Buffer Zone to Bank (Intermittent Stream) for the construction of a new subsurface sewage disposal system to serve a proposed two-bedroom single-family house to be converted from an existing barn/garage. The project also entails connecting to the existing municipal water service on Alger Street, and restoration plantings for approximately fifteen (15) trees cut previously in the 100-foot Buffer Zone without the Conservation Commission's approval.

This Order of Conditions (aka this "Order") is approved pursuant to the provisions of the Massachusetts Wetlands Protection Act, 310 CMR 10.00, and the Town of Winchendon Wetlands Protection Bylaw, subject to the following Additional Conditions #20 – #53:

Additional Conditions - General

- 20. All proposed work shall be performed in accordance with the Notice of Intent filed August 26, 2019 and accompanying plans (the "Plans"): 'WETLANDS NOI SITE PLAN / PLAN OF PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM' (2 Sheets), final revision date August 20, 2019, signed and stamped by Mark Wesley Popham, RS; and sketch of proposed restoration plantings prepared by Ryan and Steven Curtis dated October 8, 2019, shown on copy of survey plan 'MAP of the SURVEY' prepared by Paul A. Montero, PLS, dated January 16, 2019.
- 21. The Winchendon Conservation Commission (aka the "Commission"), Conservation Agent (aka the "Agent"), Building Inspector, consultants acting as agents of the Commission, and the Department of Environmental Protection reserve the right to enter and inspect the Property at all reasonable times, until the issuance of the Certificate of Compliance, to evaluate compliance with this Order of Conditions, the Wetlands Protection Act, 310 CMR 10.00, and the Town of Winchendon Wetlands Protection Bylaw; may obtain any information, measurements, photographs, observations, and/or materials, and/or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the project if the Commission, agent or DEP determines that any of the work is not in compliance with this Order; in that case, work shall not resume until the Commission is satisfied that the work will comply, and has so notified the Applicant in writing.
- 22. Prior to the issuance of the Certificate of Compliance, this Order of Conditions shall apply to any successor in control or successor in interest to the Property described in the Notice of Intent and accompanying plans; prior to the issuance of the Certificate of Compliance, this Order shall be referred to in all deeds to succeeding owners in all or any portion of the Property. (Perpetual Conditions shall continue beyond the issuance of the Certificate of Compliance; see Conditions #23 and #48 #53 below.) The Conservation Commission shall be notified in writing of all pending transfers of title in all or any portion of the Property; the Applicant and all succeeding owners shall submit a draft deed to the Agent for review prior to closing on the transfer.
- 23. Conditions #48 #53 below shall continue in force beyond the Certificate of Compliance in perpetuity and shall be referred to in all future deeds to the Property. The Conservation Commission shall be notified in writing of all pending transfers of title in all or any portion of the Property; the Applicant and all succeeding owners shall submit a draft deed to the Agent for review prior to closing on the transfer (see Condition #22 above).
- 24. Upon completion of this project, the Applicant shall submit the following to the Conservation Commission in order to receive the Certificate of Compliance:
 - 1. DEP WPA Form 8A Request for Certificate of Compliance.

Applicant: Steven Curtis (the "Applicant")

Project Address: 210 Alger Street (Map 8A-1, Lot 52; the "Property")

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2. a. A written statement from the Applicant certifying that the work has been conducted as shown on the plan(s) and documents referenced above, and as conditioned by the Commission.

- b. A written statement from a registered professional engineer of the Commonwealth certifying that the work has been conducted as shown on the plan(s) and documents referenced above, and as conditioned by the Commission.
- 3. An "As-Built" plan prepared for the public record, signed and stamped by a registered professional engineer or land surveyor of the Commonwealth. In addition to all new construction, the "As-Built" plan shall show the edge of flagged wetlands, the boundary of the 100-foot Buffer Zone, and the limit of permanent clearing.

Design and Pre-Construction Requirements

- 25. If there are any changes to the plans as submitted, the Applicant shall have the responsibility to submit revised plans showing all changes to the Conservation Commission for review. This includes changes required by the Commission and/or other Town and/or State agencies as well as those introduced by the Applicant. After reviewing the revised plans, the Commission will make a determination as to whether the changes require an Amendment to this Order of Conditions or the filing of a new Notice of Intent. No work may start before the Commission has completed its review and notified the Applicant in writing of its determination.
- 26. No work shall commence on this project until the expiration of the 10-day appeal period, no requests for appeals having been filed with the Department of Environmental Protection, and a copy of the first page of the recorded Order of Conditions, bearing the time-stamped Registry of Deeds Book and Page Numbers, has been submitted to the Conservation Commission.

Staking of Restoration Planting Locations, Installation of Erosion/Siltation/Sedimentation Controls

- 27. The restoration plantings shall consist of at least fifteen (15) arborvitae six to eight feet (6'-8') in height spaced no greater than six feet (6') apart on center as shown on the Plans. Prior to the start of any other site work (e.g. earth disturbance, clearing of vegetation, etc.), the location of each of the arborvitae shall be marked on site with a five-foot (5') high stake spray-painted bright orange and labeled with orange ribbon.
- After installation of the stakes in Condition #27 above, but before the start of any further site work (including tree plantings), erosion/siltation/sedimentation barrier(s), consisting of silt fence entrenched a depth of six inches (6"), shall be installed in the location(s) shown on SHEET 1 of the Plans. Vegetation and soil may be removed/disturbed as necessary to facilitate placement of the erosion/siltation/sedimentation barrier(s). After the installation of the erosion/siltation/sedimentation barrier(s), but prior to the start of any further work on the project, the Applicant and/or Applicant's contractor shall notify the Conservation Agent to conduct a site inspection. Work on the project shall be permitted to commence and proceed only with the Agent's authorization pursuant to the site inspection.

Additional Pre-Construction Requirements

29. The Applicant shall inform the Conservation Agent in writing of the name, mailing address, e-mail address, business and home telephone numbers of the project supervisor who will be responsible for

Applicant: Steven Curtis (the "Applicant")

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ensuring on-site compliance with this Order of Conditions. The Applicant shall also provide the names and contact information for all contractors and subcontractors.

Construction Management

30. A complete copy of this Order of Conditions, including its drawings, Special Conditions, and any amendments, shall be maintained at the work site whenever work is being performed. The Applicant shall have the responsibility to ensure that all on-site contractors, subcontractors and other personnel are fully aware of the terms and conditions of this Order and that no activity other than that authorized by this Order is permitted in areas under the jurisdiction of the Conservation Commission. A complete copy of this Order and the project plans shall be given to every contractor and subcontractor performing the work defined and described herein.

Limit of Work

31. The limit of work shall be the erosion/siltation/sedimentation barrier (see Condition #28 above.) Workers on site shall be informed that **no activity** is permitted on the wetland side of the erosion/siltation/sedimentation barrier at any time, including, but not limited to, the use of machinery, storage of machinery or materials, stockpiling of soil or construction materials, and littering.

Erosion/Siltation/Sedimentation Controls

- 32. All erosion/siltation/sedimentation barriers shall be properly placed, secured, and inspected at the close of each work day, and, if possible, before heavy rainstorms. Any accumulation of soils/silt/sediment against the erosion/siltation/sedimentation barriers shall be removed if the depth reaches six (6) inches. Any barriers that have deteriorated or been damaged by construction accidents shall be immediately replaced or repaired as necessary. Any breakout of sediment due to a failure of the barriers caused by an unforeseen heavy rain event, or any other uncontrollable emergency, shall be immediately reported to the Conservation Agent.
- 33. All erosion/siltation/sedimentation barriers shall remain in place and be maintained in proper working order through regular cleaning, repair, and/or replacement, as necessary, during and after construction until all disturbed areas under the jurisdiction of this Order of Conditions have been permanently stabilized, inspected, and approved by the Conservation Agent. All erosion/siltation/sedimentation barriers shall be removed prior to the issuance of the Certificate of Compliance (see Conditions #46 and #47 below.)
- 34. An adequate stockpile of erosion/siltation/sedimentation control materials shall be kept on site at all times for emergency or routine replacement and shall include materials to repair silt fences, hay bales, stone rip-rap filter dikes, or any other devices to be used during construction.
- 35. The Conservation Commission reserves the right to modify erosion/siltation/sedimentation controls based on experience at this site, or to otherwise impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site.
- 36. Site grading and construction shall be scheduled to avoid periods of high surface water. Once begun, grading and construction shall move uninterrupted to completion to avoid erosion and siltation of wetlands.

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Use and Storage of Motorized Vehicles/Machinery

37. Motorized vehicles or any other motorized machinery involved in the work shall be kept at least 50 feet away from the edge of wetlands (i.e. outside the 50-foot Buffer Zone) when not actually engaged in that work, including overnight and weekend storage.

- 38. No maintenance or refueling of motorized vehicles shall take place in wetlands or 50-foot Buffer Zone including, but not limited to, fueling, lubricating, fluid replacement, maintenance, and washing. If a spill occurs, contaminated soils shall be removed according to guidelines established by the Department of Environmental Protection, Bureau of Waste Site Cleanup. The remedial activities may be conducted in accordance with the provisions of an Immediate Response Action (IRA) or Remedial Abatement Measure (RAM) under the Massachusetts Contingency Plan. The Conservation Commission shall be provided written notice for approval of any remedial activities that are needed within the 100-foot Buffer Zone or Wetland Resource Area(s). Any damage to any Wetland Resource Area(s) and/or 100-foot Buffer Zone caused as a direct result of this project shall be the responsibility of the Applicant to repair, restore and/or replace.
- 39. Vehicles and equipment for fuel storage and refueling operations shall be parked in an upland area outside the 50-foot Buffer Zone.

Additional Construction Management Conditions

- 40. Groundwater encountered during excavation shall be directed (i.e. pumped) away from wetlands.
- 41. Unless re-used, excavated soil shall be removed from the 100-foot Buffer Zone on a day-to-day basis. All excess excavated soil and imported fill shall be removed from the 100-foot Buffer Zone upon the completion of construction.
- 42. During construction, all solid and chemical waste shall be transported from the site and disposed of in compliance with Federal, State and local requirements for waste disposal.
- 43. During construction, all excavations, embankments, stockpiles, haul roads, plant sites and all other work areas within and without the project boundaries shall be maintained free from dust which might cause a hazard or nuisance to others. Dust control shall be performed as the work proceeds or whenever a dust nuisance occurs.
- 44. No trash dumpsters shall be permitted within the 50-foot Buffer Zone during construction.
- 45. All construction refuse and debris, including tree stumps, shall be permanently removed from, i.e. **not buried in**, the 100-foot Buffer Zone.

Stabilization

46. If not sodded, all embankments and disturbed areas within the 100-foot Buffer Zone and 200-foot Riverfront Area shall be loamed, fertilized and seeded upon completion of construction and/or grading. A minimum of 4-inches of topsoil shall form the seedbed. Seed shall consist of a mixture of species that will result in a vigorous and durable growth of grasses. Only organic fertilizers with low nitrogen and phosphorous content shall be used. Loamed and seeded areas shall be mulched with hay, straw or chopped stalk mulch applied at a rate of 2½ tons per acre, and covered with erosion control blanketing, netting or other suitable material in order to provide an adequate surface protection until seed

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germination. Erosion control netting with biodegradable stitching is highly preferred. All disturbed areas shall be graded, loamed and seeded prior to November 1 of each year. No disturbed areas or stockpiled material shall be left unprotected during the winter season.

47. After erosion/siltation/sedimentation barriers are removed as permitted by the Conservation Agent, areas disturbed by the barriers shall be restored to match adjacent conditions.

Perpetual Conditions

The following Perpetual Conditions #48 - #53 shall remain in force permanently and will be recorded as such on the Certificate of Compliance:

- 48. The Conservation Agent shall be informed prior to any proposed further alterations within wetlands, 100-foot Buffer Zone, or 200-foot Riverfront Area to determine whether the work requires approval of the Conservation Commission.
- 49. No stormwater runoff from any impervious surfaces shall flow directly into wetlands. There shall be no erosion of the 100-foot Buffer Zone due to stormwater runoff from any impervious surfaces. (Sheet flow over a vegetated 100-foot Buffer Zone is permitted, if it causes no erosion.)
- 50. No non-organic fertilizers shall be used in wetlands or 100-foot Buffer Zone.
- 51. Except in cases of threats to human health and safety, and/or as may be permitted by an Invasive Vegetation Management Plan approved in advance by the Conservation Commission, no non-organic herbicides shall be used in wetlands or 100-foot Buffer Zone. Except in cases of threats to human health and safety (stinging insects, for example), no non-organic pesticides shall be used in lawn care, or for any other exterior purpose on a regular basis, in wetlands or 100-foot Buffer Zone.
- 52. There shall be no outside storage of chemicals, oil, fuel, fertilizers or other potentially hazardous materials in wetlands or 100-foot Buffer Zone.
- No leaves, lawn clippings, or other residuals from groundskeeping operations, no Christmas trees, no pet waste, or refuse of any kind, shall be dumped in wetlands or 100-foot Buffer Zone. It is the property owner's responsibility to so inform all lawn care providers.

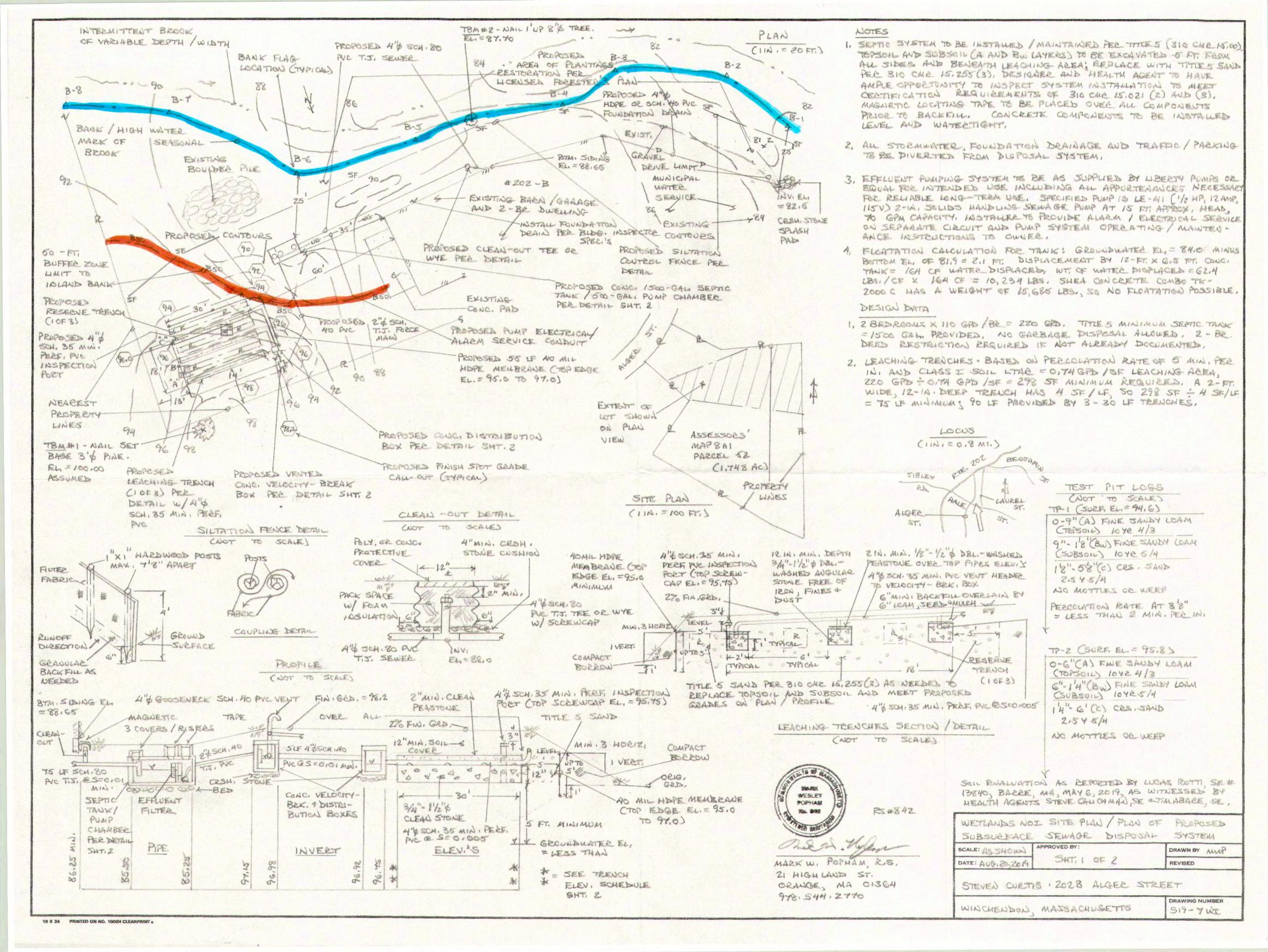
Wetlands Notice of Intent Form 3: Steven Curtis, Alger St., Winchendon, MA:

D. 3. Wetland Resource Delineation

The NOI project representative established flagging of an inland bank associated with an unnamed intermittent brook in the vicinity of the proposed area of site work involved in converting an existing barn / garage to a single family home in May 2019, concurrent with topographic survey during a period of seasonal high groundwater / streamflow conditions. The intermittent brook is of indeterminate depth and width and its bank closest to the work was determined as the first notable change in topography / apparent highest possible water mark. No bordering vegetated wetland was observed in the area of proposed work.

Project Narrative

The proposed work involves the restoration of vegetative plantings as required by the Winchendon Conservation Commission to replace prior removal of mature trees, construction of a foundation drain, provision of municipal water service and installation of a Title 5-compliant subsurface sewage disposal system concurrent with conversion of an existing barn / garage to a 2-bedroom dwelling. The great majority of the previously developed site is located within the 100-ft. buffer zone associated with the inland bank of the intermittent brook. In compliance with Title 5 (310 CMR 15.00), the proposed septic tank will be located minimum 25 ft. from the bank and the leaching area minimum 50 ft. from the bank. Septic system components proposed are to be located at least 65 ft. from the delineated wetland, in compliance with the Title 5-required setback of 50 ft. The proposed replacement of previously removed trees is to be as directed by a licensed forester and as approved by the Conservation Commission. No disturbance of any wetland resource is involved with the proposed work. Siltation control fencing is proposed to be installed around the area of proposed work prior to construction and will be maintained until final vegetative stabilization of the work area is achieved.





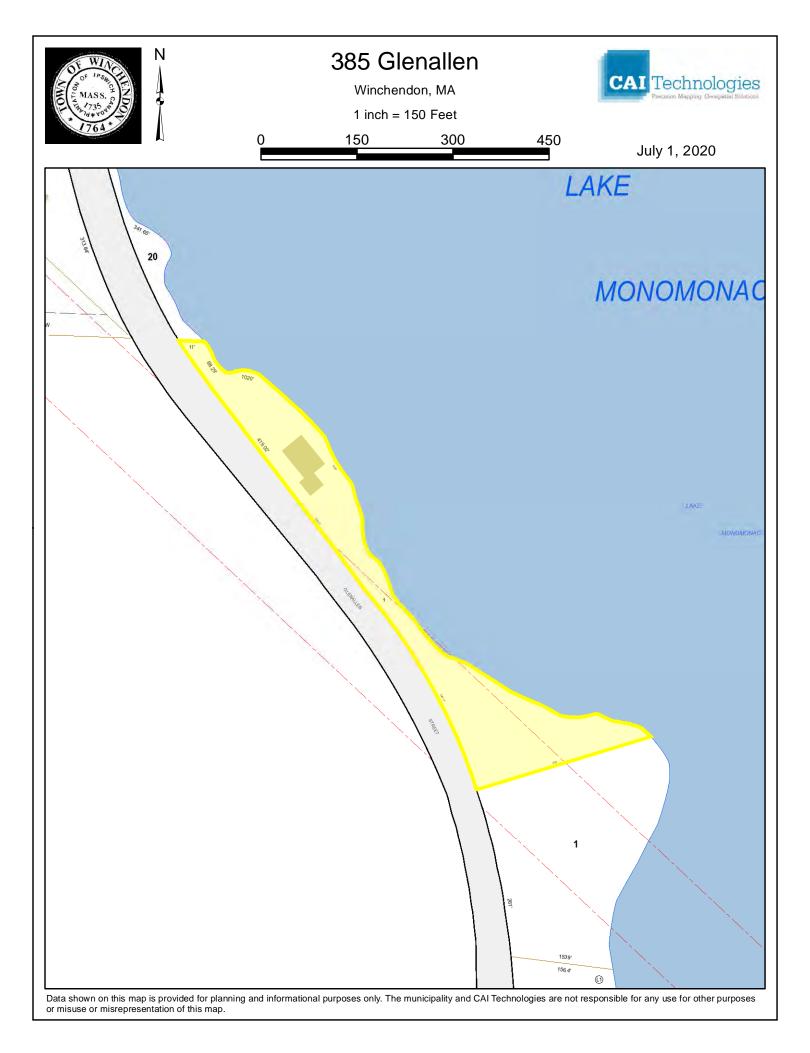
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16 Monomonac Rd - East



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