

Approved: 1 / 11 / 24

# TOWN OF WINCHENDON

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Conservation Commission

Telephone (978)-297-5402

## Regular Meeting/Public Hearing

December 14, 2023

Town Hall 2<sup>nd</sup> Floor Auditorium

109 Front Street, Winchendon, MA 01475

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

**CALL TO ORDER:** Kyle Bradley called the meeting to order at 6:00PM

**ANNOUNCEMENTS:** None.

**PUBLIC COMMENT:** None.

### MINUTES: 11/2/23

L. Cloutier motioned to approve the 11/2/23 minutes as written, 2nd by D. Whitaker  
**Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0**

### NEW HEARINGS: 12/14/23

#### Request for Determination (RDA)

**Applicant:** Town of Winchendon, Patrick Wood, Engineer      Assessor's Map 5A3 Parcel 185

**Project Address:** Map 5A3 Parcel 185

**Description:** The proposed work includes installing a 10' wide paved path located on the existing grass trail associated with the Rail Trail in Winchendon, from Webster St. to Jackson Ave. The path is being developed to improve and connect this section to the existing trail to the south and north. The improvements to this section will promote multi modal use for pedestrians and bikes.

David Whitaker read the public hearing notice and the hearing was opened at 6:05PM.

Tighe and Bond was hired to help the applicant come up with a conceptual design for a shared use path to accommodate all users, pedestrians, bikers, and ADA. They plan on using hot mix asphalt to be more ADA compliant with rails and crosswalks. There is a wetland system in the triangle of Jackson Ave and Webster St.

D. Whitaker motioned for a negative determination, 2nd by M. Blanchard

**Blanchard (Y) Cloutier (A) LaRochelle (A) Whitaker (Y) Bradley (Y) 3-0-2 Abstentions**

Conservation Commission Minutes  
December 14, 2023

**Notice of Intent (NOI)****Applicant:** Tyler Deruosi

Assessor's Map M1, Parcels 1&amp;2

**Project Address:** Map M1, Parcels 1&2**Project Description:** The proposed work includes construction of a single family dwelling and septic system to service it within 100 foot buffer zone of Lake Monomonac.

David Whitaker read the public hearing notice and the hearing was opened.

The applicant explained the house is being built on a peninsula, it is a difficult lot to work with but they did the best they could to shape and place the house in order to comply with the setbacks but it does encroach into the 75 ft zone.

K. Bradley stated his opinion that the blueprint was too large and suggested building up into the 2nd story vs out. The applicant replied due to the lot being a peninsula it was difficult to work with.

D. Whitaker stated they have never allowed building into the 75 ft zone. The applicant will redesign the plans and come back at the next meeting.

L. Cloutier motioned to continue the hearing to January 11, 2024, 2nd by M. Blanchard

**Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0****Request for Determination (RDA)****Applicant:** Robert Farrell

Assessor's Map M3 Parcel 55

**Project Address:** 85 Fourth Street**Description:** The proposed work includes installation of a new Title 5 compliant septic system.

David Whitaker read the public hearing notice and the hearing was opened.

The applicant was not present for the hearing. The members reviewed the plans and did not have any questions or concerns.

M. Blanchard motioned for a negative determination, 2nd by L. Cloutier

**Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0****Request for Determination (RDA)****Applicant:** Eric Martelock

Assessor's Map M9 Parcel 43

**Project Address:** 75 Monomonac Road West**Description:** The proposed work includes installation of a dock on preexisting posts and removal of trees to install gravel path.

David Whitaker read the public hearing notice and the hearing was opened.

M. Marro explained there are dock posts already in the water and the applicant is requesting to place a new dock on the pre existing posts. The applicant also requested to put down a gravel path to park his vehicle on. It would require removal of a few dead trees and 1 living pine tree. M. Blanchard had a

problem with taking down the living tree. The applicant explained its in the process of dying, M. Marro saw there was sap leakage which indicated wood pecker activity, which usually means there are bugs inside and it is decaying. M. Marro explained they could compromise and in lieu of removing that pine tree, the commission could request a replanting of blueberry bushes around the buffer. K. Bradley was not comfortable with allowing the gravel pad in the 50 ft. The applicants explained it is more for the neighbors, when they have company over, they will park there. K. Bradley stated they should not be parking there and recommended putting something up to prevent that. D. Whitaker agreed with M. Blanchard and stated he would feel more comfortable seeing the tree first before allowing the removal. The commission suggested performing a site visit and continuing the hearing.

G. LaRochelle motioned to continue the hearing to January 11, 2024, 2nd by D. Whitaker  
**Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0**

#### **CONTINUED HEARINGS:**

**Notice of Intent (NOI)** Continued from 5/11/23

Assessor's Map 5A2 Parcels 25 & 26

**Applicant:** ZP Battery Device, LLC

**Project Address:** 0 Murdock Avenue

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

Chris Anderson with Hannigan Engineering and Andrea Kendall with LEC Environmental were present. C. Anderson explained they have went through the peer review with Tighe and Bond and addressed all their concerns. They are currently working with the Planning Board in regards to their specific components on the project. D. Whitaker explained at the last meeting, there were concerns regarding the fire hazard. After discussion with the fire chief, they were reassured it has less fire hazard than a single dwelling home. It has its own fire suppression system that would be contained. The encroachment into the 50 ft buffer zone was a small section of a concrete pad and the fence on Site A. The Commission would like more clarification on the encroachment into the buffer zone as they typically do not allow that, but since it was noted it was pre-disturbed, they would like more clarification on the plans before approving.

Site B is located outside of the 50 ft. buffer zone. C. Anderson clarified Site A and Site B are 2 separate projects, the only connection is the ownership and that they are both located on Murdock Ave.

L. Cloutier motioned to approve Site B (0 Murdock Ave.) with the standard order of conditions and any other conditions agreed to by the Commission, 2nd by D. Whitaker

**Blanchard (N) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 4-1**

D. Whitaker motioned to continue the hearing on Site A (256 Murdock Ave.) to January 11, 2024, 2nd by L. Cloutier.

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

#### **NEW BUSINESS:**

##### **Enforcement Order- 36 Beachview Drive**

Kelly Conrad- owner of the property, and Zach Hagemeyer- Owner of Grandscape Complete Outdoor Services were present. A wall was being constructed, when discovered, the owner voluntarily stopped the

work and they are now working together to file the proper NOI. Kelly explained this was her dad's property and he recently passed away. During the heavy rain in the spring, the preexisting wall collapsed and was exposing barbed wire, rebar, railroad ties and now on the neighbors property. They were simply trying to remove those harmful materials from the water and bring the wall back up. The Commission reviewed the pictures and footage from the home owner to see what it looked like prior and during the rainfall. The members considered following through with the enforcement order vs NOI to avoid having a specific meeting just for this matter, as waiting until their next meeting on January 11th could cause significant delays in construction due to the freezing weather.

I. Cloutier motioned to ratify the enforcement order, 2nd by G. LaRochelle.

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

#### **Discussion- MPIC LU 5.1**

K. Bradley stated there were a few points on the Master Plan that fell under the Conservation Commissions jurisdiction. He wanted to bring it to the members attention to be aware of as he felt they should not be in the Commissions jurisdiction.

**Certificate of Compliance-** Order of Conditions issued in 2020 on Hale St. Lots 2-5. Lot 4 is complete and needs a release.

M. Blanchard motioned to approve the Certificate of Compliance on Lot 4 Hale St, 2nd by L. Cloutier

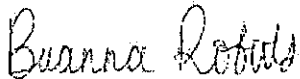
**Blanchard (Y) Cloutier (Y) LaRochelle (Y) Whitaker (Y) Bradley (Y) 5-0**

#### **RECESS to enter into Executive Session**

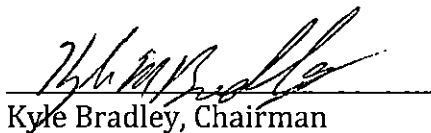
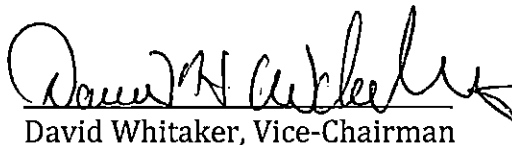
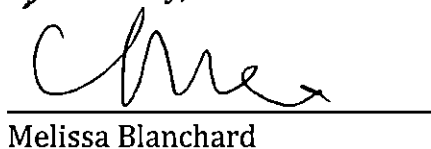
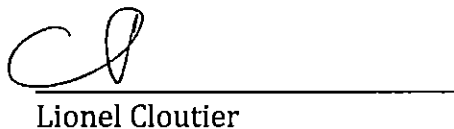
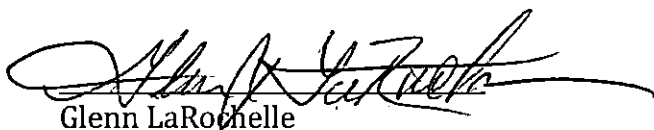
D. Whitaker motioned to enter into Executive Session, 2nd by L. Cloutier

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

Respectfully submitted,



Brianna Roberts, Conservation Commission Recording Secretary

  
Kyle Bradley, Chairman  
David Whitaker, Vice-Chairman  
Melissa Blanchard  
Lionel Cloutier  
Glenn LaRochelle