Town of Webster
Conservation Commission
Minutes of the Meeting – March 11, 2019

Attending: Commissioners – Joseph Kunkel, Joseph Wigglesworth, Michelle Sherillo, and Dan Duteau.

Staff – Mary Overholt, Conservation Agent, Kelly Gorham, Clerk

Absent: Commissioners – Beau Saad, Fred Bock and Klarissa Johnson

Meeting called to order: 5:36 p.m. Location: Gladys E. Kelly Public Library Meeting Room

Meeting Minutes

Mr. Wigglesworth motion to approve the meeting minutes from February 11, 2019. Ms. Sherillo second. Vote all in favor.

Request for Determination of Applicability

25 Lakeside Ave. – This project is to remove trees. – The Commission did the site visit on Saturday, March 9th but the owner was not present. Trees have already been taken down and there are logs on the site. This should have been done as an Emergency Certification and Mr. Wigglesworth explained that they need to come to the Commission before any future work. There is a stream in the front and a pond in the back. Logs are on the side of the driveway and there are wood chips stockpiled near the water. This is a violation. There are more trees to be removed. One near the garage and a cluster in the back near Sunny Ave. The Commission will look at the trees and assess it. There is fill and other debris in the 100 ft. buffer zone that needs to be removed. They need to contact Ms. Overholt in the spring before removing other trees. Mr. Wigglesworth motion to continue for more information such as what trees will be removed and if they can replace them. The stream flows into the lake and replacement of trees is important for shade to cool the water and maintain water quality. The trees must be marked. Ms. Sherillo second. Vote all in favor.

0 & 195-199 Thompson Rd. – This determination is for the removal of invasives and wetland flag review. – Glenn Krevosky is presenting. They would like to clean up this lot to make it presentable for sale. There is a cattail wetland marsh and a pipe that goes under Rt. 395. A mini-excavator will be used to pop out stumps and keeping the area mowed will eventually kill invasives. There is a tree near the road that will remain. There is a trailer and some other debris that needs to be removed. Mr. Wigglesworth asks if erosion controls are needed and they are not. They could use orange fencing for safety if necessary. No dirt will be removed. They are using a wood chipper to dispose of the invasives. A 55 gallon spill kit will be on the site with the machinery. The wetland flagging will be done on an NOI. Mr. Wigglesworth motion to issue a Negative Determination for 0 & 195-199 Thompson Rd. for the removal of invasives with 2 year oversight, the tree near the road is to remain, no additional soil, and a spill kit on site with the machinery. Ms. Sherillo second. Vote all in favor.

Mr. Krevosky has photos to present to the Board from LKQ taken around 5:15 p.m. The stream flowing out of LKQ is brown with silt and is turbid. The area where it is discharged is on Town owned land. Mr.
Krevosky will take samples and photos to the DEP. The silt may be clay. Mr. Kunkel will visit the site tomorrow.

Notice of Intent

**Upper Gore Rd.** – lots 52_A1_0 & 53_B_4_0 – Installation of 2 Solar Arrays *Continued from February 11.* – This is continued due to lack of quorum. Mr. Wigglesworth motion to continue the hearing to March 25, 2019. Ms. Sherillo second. Vote all in favor.

**88 Point Breeze Rd.** – Demolition and construction of a single family home *Continued from Feb. 25 –* Stephen Balcewicz from BC Engineering & Survey is presenting. There was a question regarding the wetland setback policy and zoning. Town Counsel was consulted. The policy does not infringe on zoning. The Conservation Commission wants the house pushed back 5 feet. This will reduce the parking area in the front of the house. The Commission wants to protect the resource in back. They are trying to find a compromise. There is also a front yard setback. The parking is 19 feet and 23 feet on the proposed plan. It is not all paved; there will be trees and mailboxes. They can park 2 smaller cars now and also need to consider where to move snow in the winter. There are abutting walls and an existing footing. There are also stairs and walks all the way down to the Lake. Cultec chambers are on the plan. They will use landscaping between the walls. The Board advises not to use mulch; they can use ground cover instead. Mulch can be used around shrubs only if there is a border around it to keep it in place. Mr. Wigglesworth says they need to provide a planting plan. The resident would like to keep the lilacs.

The retaining walls will be large pre-engineered walls, like versa lock or redi block, not cement. The steps will be prefab to match the chosen block. Mr. Balcewicz has photos of which trees are staying and being removed. He can provide a list. Invasive management protocol must be in place. Mike Hopkins will oversee the removal of invasives. The Board is satisfied with the house in the proposed location with conditions. The waterfront environment must be protected. The lilacs should be transplanted. The Board needs to meet with the contractor before the work starts to discuss invasive management, the replanting plan and what plants can be saved. No other structures are allowed on the site. The spill kit and fueling are on the note sheet of the plans. The spill kit should be located near the water. Mr. Wigglesworth motion to close the public hearing. Ms. Sherillo second. Vote all in favor. The Conditions will be finalized at the end of the meeting.

**18 Bates Crossing:** – Construction of a single family home and Certificate of Compliance - *Continued from Feb. 25.* - Stephen Balcewicz from BC Engineering & Survey is presenting. There is an existing garage off to the back what will be rehabilitated with siding and a cultec chamber for runoff. Straw wattles and silt fence will be used around the site. The new garage will be smaller. The existing dwelling was removed and needs a Certificate of Compliance. The shed has been removed. They will use a turbidity curtain in the water and also remove debris and put nicer looking rocks in the same elevation as what is there. The hole will be repaired and the fountain in the middle of the pond will be repaired and replaced. This property is near a swamp, a vegetated wetland and the Lake. The 50 and 100 foot buffers are marked on the plan. The proposed propane tank should be contained. Mr. Wigglesworth would like to know if the hole is a culvert and how it will be fixed. Mr. Balcewicz can provide photos. The landscape architect should partner with the Board regarding plantings. Ms. Sherillo asks about markers to make sure there is no future construction after the home is sold. There is a statement on the plan. The marker can be small enough to mow over, such as a small plaque, and should be at the beginning of the path. They added two cultec chambers for each building. The patio and walk will be pervious pavers. The Commissioners are satisfied with the volume and capacity of the cultecs. A spill kit must be located
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near the machinery. Every time the turbidity curtain is moved it needs to be inspected. There is a dock on wheels that will be put back. They need to file for a simple form Chapter 91 dock permit. Ms. Sherillo motion to close the public hearing. Mr. Wigglesworth second. Vote all in favor. Mr. Wigglesworth motion to issue a partial certificate of compliance for 18 Bate Crossing. New work is covered in the new Order of Conditions. Ms. Sherillo second. Vote all in favor.

2R Cross Court – This project is an addition over an existing garage - Mr. Kunkel opened the public hearing. Owners Jim and Sonya Pisarczyk are present. This plan was approved a while ago but they did not have the work done at that time and that Order of Conditions has expired. They would like to expand the second floor over the existing garage. They are in the buffer zone. There are 2 open orders of conditions which need a Certificate of Compliance. Ms. Overholt should do another site visit when there is no snow. There will be no disturbance to the ground. They may just need a silt fence without a straw wattle. There is a culvert chamber and a downspout over the garage. Ms. Overholt will be able to verify if there is a culvert chamber there. There is no mulch and grass won’t grow on the sides of the garage. Best practices and a vacuum saw must be used for cutting wood and siding. Mr. Wigglesworth motion to close the public hearing. Ms. Sherillo second. Vote all in favor. Ms. Sherillo motion to issue an Order of Conditions for 2R Cross Court with best management practices, straw wattles, and culverts. Mr. Wigglesworth second. Vote all in favor.

Recess 7:55

Discussion

Certificate of Compliance for 7 Oscar Rd. – Attorney Jennifer Gavaletz and applicant Robert Judson are present. The house is listed for sale. Ms. Overholt states that the board felt that a Certificate of Compliance cannot be issued because there was no grass growth or stabilization, which was part of the conditions. They would like an agreement to hold back some of the money from the sale until they can do a visit in the spring. Ms. Gavaletz states there is an agreement between Mr. Judson and the buyer. A letter of agreement will be done, not a partial Certificate of Compliance. Ms. Sherillo motions for the order of conditions to remain open until the site is stabilized. Mr. Wigglesworth second. Vote all in favor.

2 Checkerberry Island – No one is present. They should be fined if the trees are cut. A visit can be done to check the erosion controls and the junk on the property.

12 Kenneth Ave. – The applicant, Colby Petrillo, is present and would like to discuss changes to his plans. He is on the agenda for the March 25th meeting. The stairs will be aluminum and the length of the stairs is unknown as they are building as they go. There is a small dock on the jetty and they are not putting it in right now. A Chapter 91 permit will be required for the dock. Mr. Wigglesworth would like to have a site visit done to determine the high water mark. Aluminum won’t be an issue in the water, but it should be aquatic aluminum. Mr. Wigglesworth explains that it is better to have a soft, natural embankment rather than a wall because of wave energy. A wall would require a Notice of Intent.

Sutton Rd. Lot #2 – The conditions are discussed. Invasive species need to be removed. Trees that are staying must be marked. Best management practices are to be used for erosion controls and straw wattles. The back of the lot should be protected. A small culvert is needed because the roadway dips and riprap should be placed around it to slow the water flow.
Mr. Wigglesworth motion to issue the order of conditions for Sutton Rd. Lot #2 as discussed. Ms. Sherillo second. Vote all in favor.
88 Point Breeze Rd. – The conditions are discussed. This project needs an invasive management protocol. There is to be no use of pesticides or lawn care products. Mulch socks should be used. There are to be no structures on top of the culverts. They need to provide a planting plan with native species and trees to be saved must be marked. An oil boom and turbidity curtain must be deployed and a spill kit location marked on the plan. 3 inch caliper trees are to be planted. The wall has to be 3-6 inches below the finished grade. Ms. Sherillo motion to issue the order of conditions for 88 Point Breeze Rd. as discussed. Mr. Wigglesworth second. Vote all in favor.

18 Bates Crossing – The conditions are discussed. They need restricted area markings and 4 – 10 wetland flag markings for the turbidity curtain. They can reuse the turbidity curtain. They will need to put in a culvert for the hole. This will require excavation and should be added as an amendment. A perpetual deed restriction should be placed on the wetland area. A 3 inch replacement tree should be planted for the maple. A Chapter 91 permit is required for the dock. They need a replanting plan. The spill kit should be relocated. There should be a lip around the generator to catch waste. Ms. Sherillo motion to approve the conditions for 18 Bates Crossing as discussed. Mr. Wigglesworth second. Vote all in favor.

Webster Lake asked for an extension for weed management. They will have to go through the state. The Lake would need to be lowered by 3 inches to successfully help manage invasives and there is not enough water flowing into the Lake to raise the water level back up. Fishermen have found junk on the bottom of the Lake with fish finders. They may need to dredge, which causes turbidity and takes the oxygen out of the water. The Commission would like reports regarding successes and failures. Ms. Overholt will send an email with a list of information needed.

14 Bates Crossing disputed the fine for not having a spill kit on the property at all times. The fine stands.

Reorganization of the Commission – Organization will remain as is.

Plowing and salting is discussed. Several sites have been plowing and salting near and into wetlands.

Mr. Wigglesworth will call Brandon Faneuf regarding bylaws.

Ms. Sherillo motion to adjourn. Mr. Wigglesworth second.

Meeting adjourned at 9:32 p.m.

Next Meeting Date: March 25, 2019 Gladys E. Kelly Public Library Meeting Room

Documents

25 Lakeside Ave., Photos from Site Visit, March 9, 2019

Existing Conditions Plan for 195-199 Thompson Road Webster, MA 01570; dated Jan. 30, 2019 and revised Feb. 21, 2019

Site Improvement Plan 88 Point Breeze Road Webster, MA 01570; prepared by B.C. Engineering Survey Inc.; Jan.10, 2019
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Site Improvement Plan 18 Bates Crossing Webster, MA 01570; prepared by B.C. Engineering Survey Inc.; Feb. 4, 2019

Proposed 2nd Story Addition Plan 2R Cross Court; received Feb. 28, 2019

Respectfully submitted,
Kelly Gorham
Conservation & Planning Clerk

Conservation Commission Approval: [Signature] Date: 3-25-19
Chairman