Town of Webster

Conservation Commission

Minutes of the Meeting – March 25, 2019

Attending: Commissioners – Joseph Kunkel, Joseph Wigglesworth, Michelle Sherillo, Fred Bock, Dan Duteau and Peer Review Consultant Brandon Faneuf

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

Absent: Commissioners – Beau Saad, and Klarissa Johnson

Meeting called to order: 5:42 p.m. Location: Gladys E. Kelly Public Library Meeting Room

Meeting Minutes

Mr. Wigglesworth motion to approve the meeting minutes from February 25, 2019 and March 11, 2019. Mr. Bock abstained. Markers near the Natural Heritage area for Sutton Road Lot #2 should be mentioned in the March 11 minutes. No other comments. Ms. Sherillo second. Vote all in favor.

Request for Determination of Applicability

36 West Point Road – This project is to remove some trees and prune some others. – Owner Andrew Kotin is present. The Commission has photos from the site visit on Saturday, March 23rd. The trees to be removed are marked in orange. One of the trees is dead. Trees near the road are to be pruned as they overhang electrical wires. Mr. Wigglesworth asks about replacing the trees and they do not want to replace with trees. There are many trees and a good canopy so shrubs would be fine. Ms. Sherillo motion to issue negative determination for 36 West Point Road with tree removal, pruning, planting 3 replacement shrubs and stumps to remain. Mr. Wigglesworth second. Vote all in favor.

12 Kenneth Ave. – This project is to build stairs and a landing to the Lake. – Owner Colby Petrillo is present. The Commission has photos from the site visit on Saturday, March 23rd. The positions of the sonotubes and the landing are staked out. There will be aluminum stairs at the ground level. Treads and railings will be trex. The deck is at the same grade as the basement. Shrubs will be cleared by hand for the stairs and the vines will stay. The only ground to be disturbed is where the sonotubes are. There is good sunlight so growth should stay steady. Mr. Wigglesworth motion for negative determination for the stairway down to the shore. Conditions shall include hand cutting and sonotubes to be dug by hand. Materials must be cut on the opposite side from the resource with a vacuum saw. The landing for the aluminum staircase will not be in the water. Ms. Sherillo second. Vote all in favor.

Notice of Intent

Upper Gore Rd. – lots 52_A1_0 & 53_B_4_0 – Installation of 2 Solar Arrays Continued from March 11. Rich Riccio from Field Engineering Co., Inc. is presenting. Dave Gordon, wetland biologist, and Matt Parlon and Reed Allen from Bluewave are also present. Plans have been submitted to the Planning Board and also to Engineer Chuck Eaton for review. Changes to the previous plans have been made because of Natural Heritage and endangered species. The southern array has been moved west of the rail line to previously disturbed areas. The north array has also been shifted west. The number of panels has been reduced to just over 15,000. Fencing has also been reduced to 17 acres. The total acreage is now 23.
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down from approximately 35 acres and there will be 28.7 total acres of disturbance. They have delineated additional wetland resource areas and they are flagged on the revised plan set. Changes have been made to the stream crossing area. Mitigation and restoration is the same as the previous submission. They are reconstructing the culvert under the crossing with a 4 foot wide open bottom culvert. The old box culvert under the railroad will be removed. More detailed plantings are on the plan. They submitted a separate restoration plan and it will be reflected on the final plan set. The main plan has no equipment proposed in the 100 foot buffer to the left of the wetland. Detention basin work is in the 25 foot zone. The stormwater basins on both the top and bottom arrays should drain dry over a period of time. The stream crossing area will be enlarged to 4 feet wide with a proposed .06 grade that will match the existing stream bed. Shrubs and an erosion control mix will be used up the slopes. The slopes on the edge of the road will be riprap and vegetation can be added if needed. They can look at doing a reinforced slope. Mr. Faneuf states that riprap can make it difficult for small animals to cross. The road is dense graded gravel, 18 feet wide with crushed stone trenches. Conservation seed mix is best. Clover is proposed for the array which is beneficial for bees and butterflies and requires less maintenance. No fertilizers will be used. This can be in the special conditions. The clover mix is noted on the plan. Fences will be 6 inches above ground and will be 7 feet high. The 2 lots together are 134 acres. Natural Heritage may have a conservation restriction on the rest of the land to remain undisturbed. The fence is over 50 feet from the wetland and none of the array is in the 100 foot buffer zone. The wetland replication plan is dated 2/14 – they need to add another date to the latest revision and keep one symbol for the clearing line and one for limit of disturbance to be consistent. Imported topsoil should be certified invasives free. Mr. Faneuf says there should be 2 full growing seasons for the check in on the replication plan. The growing season will be 5 months and they should submit a report to the conservation commission after each season. Mr. Wigglesworth states that more water will be flowing faster to areas that are not used to that much water. Will this cause flooding? They took depressions into account to determine extent of lateral flooding and it did not increase to where it would impact the road. There is an edge drain and water will meter itself down to the roadway. They are off setting a portion of the site with the detention area engineered for 200 year storm event. There is a depression in the area before Upper Gore Road. No further questions from the commission.

Randy Becker, addressing the Commission as a private citizen, had copies of the presentation that he gave to the Planning Board. This can be viewed on the Planning Board webpage or in the office. The homes on Upper Gore Road have wells that may be affected. Mr. Becker also presented a failsafe petition request for a Department of Environmental Affairs review. Included in the petition are additional concerns. An 8 page letter from hydrologist Scott Horsley has also been uploaded to the Planning Board site for viewing. This letter was written on the previous submission. The citizen’s petition would ask for a MEPA review and an EIR. Mr. Wigglesworth motion to continue April 8th meeting for more information. Ms. Sherillo second. Vote all in favor.

130 Killdeer Rd. – This project is for the construction of an addition, a deck and driveway. Mr. Kunkel opened the public hearing. Douglas Porter and Brian Hassett, C. E. are present. They have a building permit and present the plans to the Board. They would like to construct an addition, a new asphalt driveway, a patio and a deck in the back. There is a recharge basin under the driveway and also a catch basin. The home is not being tied into that. The edge of the addition will be used as a retaining wall and they can bring the downspout to the paved surface. Impervious pavers have already been purchased for the patio. The Commission is concerned about runoff. They can spread the pavers out so the water goes into it. The concrete patio on the west side will be repaired. Mr. Kunkel asks about the gable on the addition. The water will be brought to the front. Erosion controls to be placed around the back with extra around the stockpiling area. Mr. Wigglesworth recommends mulch socks instead of straw wattles and
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they can put a silt fence on the side of the house. Materials need to be cut in front of the house with a vacuum saw. A 55 gallon spill kit must remain on site. Sonotubes for the stairs will be hand dug. Ms. Sherillo motion to close the public hearing. Mr. Bock second. Vote all in favor. Ms. Sherillo motion to approve the Notice of Intent for 130 Killdeer Island rd. Mr. Bock second subject to revised plans and DEP number.

0 Colonial Rd. – This project is for a proposed single family home – There is no representative present. Mr. Kunkel opens the public hearing. Abutters and neighbors who are in the audience would like to be heard. The Youngs at 55, Ray and Gloria Prunier at 53, the Cyrs at 56 are present to oppose the work on this site. Ray Prunier is speaking. They have lived on the Lake for many years and have seen many changes. This house would be violating zoning laws and there are environmental issues. Letters and photos have been submitted. The land is swamp and there is an inlet. There is a lot of wildlife in the area such as eagles, heron, geese, duck and turtles that nest there. It is a natural, intact ecosystem. Zoning regulations state that the minimum lot area is 5,000 square feet to build on and this is 3,000. The plans show an existing wall which was built in the 1940s before the project was stopped. Mr. Wigglesworth thanked them for this information and said the Commission will take it into consideration. Mr. Wigglesworth motion to continue 0 Colonial Rd. to April 8th. Ms. Sherillo second. Vote all in favor.

Recess

Discussion

5 Bates Grove Rd. – They are requesting an extension to the order of conditions which expired on 2/29/16. They submitted the request 10 days after expiration. Mr. Bock motion to extend the order of conditions for 5 Bates Grove Road. Mr. Wigglesworth second. Vote all in favor.

6 Peter St. – This is in the riverfront area. They will need an amendment and to come before the Board. A culvert chamber or rain garden is needed. Shrubs should replace the trees and best management practices used. Mr. Wigglesworth motion to have them submit a thorough amendment. Mr. Duteau second. Vote all in favor. They have until June to amend.

Juniper Lane Solar conditions are discussed and finalized.

Mr. Faneuf recommends discussing a letter of endorsement for the failsafe with Town Counsel to see if the commission can give endorsement for a citizen’s petition.

25 Lakeside Ave. tree cutting – They have cut down 2 more trees. A stock pile is in front of the logs from the previous site visit. Nothing more was to be cut before the spring. The Commission will issue a fine of $100.00/tree and if the fine is not paid it will be recorded at the Registry of Deeds. Mr. Bock suggests notes and observations should go in the file. There will be subsequent fines if more trees are cut.

24 Oakwood Drive – A partial release will be issued for this lot only. There is still an Order of Conditions for the road. Mr. Wigglesworth motion to issue the partial Certificate of Compliance with the condition that the planning board is paid outstanding funds for peer review. Ms. Sherillo second. Vote all in favor.

61-69 Cudworth Rd. still needs to file a Notice of Intent with the Conservation Commission.
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LKQ – An email from Glenn Krevosky was received regarding silt in the stream. The Board has been out to LKQ to look at the site a few times. They would like to walk the perimeter. Mr. Bock mentions there is a detention basin there and also strips of riprap to direct the water. The water in the basin is now higher than the riprap due to excessive rain. There are also storm drains on Route 16 dumping into it. They would have to check the stream near the office building. Ms. Overholt can set up a meeting with LKQ for permission to walk around outside the junkyard.

17 Wakefield Ave. – The lawn is not stabilized. There is an erosion path to the lake with erosion trails. The house is sold. Mr. Bock states that they need a 3 inch barrier or lip on the path to the Lake. The eroded areas need to be repaired.

33 Wakefield Ave. – The Site is clear and clean. They should continue to keep the erosion controls in place and check for mud under the straw waffles. Letter to be sent.

Ms. Overholt will remind the Town Administrator about conservation land. The vernal pools there should be certified.

Meeting adjourned at 9:30 p.m.

Next Meeting Date: April 8, 2019 Gladys E. Kelly Public Library Meeting Room

Documents

36 West Point Rd., Photos from Site Visit, March 23, 2019

12 Kenneth Ave., Photos from Site Visit, March 23, 2019

Resource Area Plan 130 Killdeer Road Webster MA 01570, prepared by Guerriere & Hanlon, Inc.; dated Feb. 27, 2019 and revised through March 26, 2019

Upper Gore Rd. Solar.; Wetland Restoration Plan BWC Chamberlain Pond, LLC.

Stream Crossing Plan; prepared by Field Engineering Co., Inc.; dated June 27, 2018 and revised through Feb. 14, 2019

Report and Correspondence re: Proposed Solar Array, BWC Chamberlain Pond LLC; prepared by Scott Horsley; dated Nov. 14, 2018 and submitted to the Planning Board March 18, 2019

Presentation prepared by Randy Becker; March 19, 2019

Fail Safe Petition Request written by Chad Pepin 63 Blueberry Hill Webster MA; March 20, 2019

0 Colonial Rd.; Photos from abutters
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Respectfully submitted,
Kelly Gorham
Conservation & Planning Clerk

Conservation Commission Approval: ____________________________ Date: 4-8-19
Chairman