Town of Webster
Conservation Commission
Minutes of the Meeting – April 22, 2019

Attending: Commissioners – Joseph Kunkel, Joseph Wigglesworth, Michelle Sherillo, Fred Bock, Dan Duteau

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

Absent: Commissioners – Beau Saad

Meeting called to order: 5:36 p.m. Location: Selectmen’s Meeting Room

Meeting Minutes

Motion to continue the approval of the minutes from the meeting on April 8, 2019 to the next meeting made by Michelle Sherillo. Mr. Wigglesworth second. Vote all in favor.

Discussion

Solitude Lake Management Extension for Order of Conditions 323-720 – Aquatic vegetation removal in Webster Lake – Jason Piader from Webster Lake Association and Josh Perry from Solitude Lake Management are present. The Order of Conditions for DEP #323-720 is expiring soon. A combination of herbicides including Sonar and Diquat was used to control milfoil and fanwort and invasive species. Mr. Wigglesworth asked if a survey of invasives has been done, including pre- and post-treatment for natives and invasives. The Commission has not received a report. This is done twice per year and the Webster Lake Association receives reports. Mr. Perry states he can provide the Commission with reports from the past several years. A biologist will be out to do an assessment soon. Mr. Wigglesworth requests the success and failure rates. Ms. Sherillo asks for an explanation of the process. A biologist surveys, and the vegetation and species in the water are mapped out. The priority area focuses on invasives, to reduce them while preserving a healthy habitat. The biologist will map out and determine what herbicides to use and where. Herbicides are dosed based on the area. This is mapped using GIS software and a fan boat equipped with a GPS. There may be an interim inspection and then a post treatment survey in August or September.

They may want to do hydro raking this year. Mr. Piader states they would perform the work with the Order of Conditions and work with the Commission. Restoration will be done to potential damage to the embankment. Mr. Wigglesworth questions why launch from the embankment and who will take care of if after because bank stabilization is critical and must be repaired right away. They have to work with the Town and heavy machinery.

Ms. Sherillo asks at what point lowering the level of the Lake is coordinated. Mr. Perry states it would not be a drawdown of the water and there could be a possible lowering a couple weeks ahead of time. Mr. Piader adds they do not want turbidity in the water as it negates the effect of the treatment. Ms. Sherillo notes that the Lake feeds Mill Brook and shutting off the flow is bad for that ecosystem. They need to coordinate the open and close of the water flow.
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Mr. Wigglesworth adds there should be a drawdown of at least 4 inches for hydro raking and that hand pulling should be done around the docks as opposed to raking. Mr. Perry states that raking would be in the latter part of the season.

Herbicide should be used in summer, around June, when biomass growth is low. Brea Ardivson, the biologist, will go out in May and will be copied on reports. They will pull up material for samples and identification and provide a scale of growth level. Mr. Wigglesworth requests a report of all invasives and asks about pumping stations. They will comply with state regulations regarding pumping stations and drinking water. Mr. Wigglesworth would like to open a line of communication and recommended that we look at having an aquatic specialist review. Webster Lake Association would have to pay for that. It is a large project and would require a peer review. The Board feels it is appropriate.

Mr. Kunkel recommends that the ideal situation would be to draw the Lake down and close it at the Price Chopper area as this is what feeds Mill Pond, and they clean up all the way to Bigelow Rd. to keep the habitat good for trout. Mr. Piader states there are two dams at the edge of the Lake and they contract LaFramboise Well Drilling to maintain them. Mr. Wigglesworth adds they should let the public know that the Lake will be shallow during the hydro raking phase and it will be part of the conditions. They need to coordinate with the Conservation Commission on this project. Mr. Kunkel mentions fish kill and the seminar that was held. He asks if they measure decomposition on the bottom of the Lake and the primary cause of fish kills. The biologist may have studies that can be included in the reports. Ms. Overholt states that there is an older report in the file from 2010. No audience members are present for this discussion. Mr. Wigglesworth motion to continue to May 9th. Mr. Kunkel seconds. Vote all in favor.

Request for Determination of Applicability

Treasure Island Condominiums – This project is to replace the roof and siding on all the buildings. There are 17 buildings in total. The eave troughs will be replaced with larger ones. The siding is vinyl and no window work will be done. Cutting of materials must be done on the roadside with vacuum saws. Staging will be at the pool house parking lot. They are also replacing the elbows. Mr. Wigglesworth asks if they go into the catch basin system. They are looking at where the runoff is going. They are replacing the elbows to see if that helps reduce erosion. Spikes should be used, not screws to hold them in place. Leaves and muck should be cleaned out.

The Commissioners have questions about the recharge system and cultec. Ms. Sherillo states the Conservation Commission wants to improve stormwater management. The same amount of water is coming off the roof. Mr. Wigglesworth states this is gray water. It is going from the roof to a trough and not through a recharge system to percolate and filter through the ground. An engineer should look at the stormwater management on the property. Buildings that face the Lake should have cultecs.

Mr. Wigglesworth feels this should be an NOI due to the scale of the project. Ms. Overholt asks how many buildings are in the 100 foot buffer zone. There are about 3-4 buildings in the buffer zone. An NOI is usually recommended if there is a lot of earth work to be done. They are replacing what is already there. Mr. Wigglesworth would like to continue until we can research the stormwater management regulations and would like to discuss this with Judy Schmidt from DEP. Mr. Kunkel asks if they have any water and sewer files or an as-built. They do not. This is for repairs. Mr. Kunkel asks if they should allow repairs to start on the buildings outside of the buffer zone. Ms. Overholt states the Commission has no jurisdiction in areas out of the resource so they may start there. Mr. Wigglesworth motion to start work away from the
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resources area and to continue until May 9th. The Commission will have an answer about recharge systems after discussing with DEP. Mr. Duteau second. Vote all in favor.

298 Kildeer Rd. – This project is to replace windows, siding, the fence and walkway. Photos from the site visit on Saturday are reviewed. Brick pavers will be used on the side of the house and front steps to the gate. The wood from the block wall will be replaced with stone veneer. Mr. Kunkel said they discussed a terrace to level off the slope – one or two blocks high. The terrace will help with erosion control. They will use silt fences and straw wattles during the project. They are also replacing windows and the slider. The stockpile will be in the driveway and dirt will be brought down by wheel barrow. The stockpile and erosion controls are added to the plan. Erosion controls should be by the wall to catch anything before it gets to the Lake. Mr. Wigglesworth motion for negative determination. Ms. Sherillo second. Vote all in favor.

194 Kildeer Rd. – This project is the removal of trees. No one is present. The Board has concerns regarding erosion. They will move to the next item on the agenda.

Goat Island – This determination is for the removal of trees. The Commissioners went by boat to the site. Ms. Sherillo reviewed eight trees that are diseased. There is a split pine. One side will be removed for safety reasons. Some trees will be trimmed because they are dangerous. Tree climbers will do the work and the wood will remain on the island to be used as fuel. Stumps are to remain. Mr. Bock motion for negative determination. Mr. Duteau second. Vote all in favor.

Recess – 7:00 – 7:05

Notice of Intent

Upper Gore Rd. – lots 52 A1 0 & 53 B 4 0 – Installation of 2 Solar Arrays - Continued from April 8th
Matt Parlon from Bluewave Solar and Rich Riccio, P.E. from Field Engineering are present.
Mr. Wigglesworth stated that the Commissioners did not receive any new material until Friday afternoon. The Board was not given adequate time to review the materials. Some comments were addressed from the last meeting. The stormwater calculations and stormwater management plan have been updated. No herbicides or hazardous materials will be used. There is also a plan to address removal and replacement of crushed stone. Mr. Riccio explained that all work was removed to 25 feet away from the wetland and the closest fence is over 50 feet away from the wetland. There will be no equipment within 100 feet, no fence within 50 feet and no work within 25 feet. There is an area that has been submitted to NEHSP for a conservation restriction. The protected area is marked on the plan and there will be signs required by National Heritage. The land will be protected in perpetuity. There is mowing and maintenance restrictions.

Mr. Wigglesworth asked about the project’s end of life. Have they have talked to the land owners about decommissioning and putting the rest of the land into Conservation? As of now the owners plan to pass the land on to heirs, but this can be decided when the time comes. The lease is a 20 year term with 3-5 year extension. The developer has to post a bond. Decommissioning is being discussed with the Planning Board. There are calculations and a fee schedule for the bond and a cost estimate. This is on the note sheet of the new plan set. A termination policy is in the lease. Brian Madden is working with National Heritage. Mr. Wigglesworth motion to continue to Thursday May 9th. Mr. Bock second. Vote all in favor.

0 Colonial Rd. – Proposed single family home - Continued from April 8th. Bryan Hill from Land Planning, Inc. and owners Brian and Sharon Pelletier are present. A planting plan was added with increased detail on
the plant life. Mr. Hill presented request for relief from the wetland policy to the Board for review. They will not be touching the area behind the retaining wall. There will be 10 – 12 feet of untouched area. They would like to plant a vegetated buffer similar to what is there now with a 2-3 foot walkway. Mr. Wigglesworth states that they would have to get a variance to have the house moved closer to the road. The highwater mark was measured, but the Board would like a wetland delineation done as the flags could not be seen on the site visit. They need a hydric soils and vegetation data sheet. Mr. Wigglesworth recommends having a consultant review the wetland delineation.

Mr. and Mrs. Pelletier have worked with the Conservation Commission in the past and believe that this work will improve the neighborhood. The foundation already exists and they are concerned about the Lake. The dwelling is very close to the water and moving it closer to the curb would be better for the Lake as the first 25 feet are the most critical. They are hesitant to bring this to the Zoning Board. It is uncommon to be granted a variance, but there is precedent where variances have been given in that neighborhood.

The plan is addressed. Ms. Sherillo asks for larger plans or electronic copies for easier review. A north arrow, a stockpile and a spill kit need to be marked on the plan. There is a paved area next door and a tree that leans over the house that would be removed. There is another tree that will stay. Ms. Sherillo asks about the driveway and the cultec. The water from the roof will go into the cultec and water from the driveway will go into a catch basin. There is a two car garage under the house and there is a recess to accommodate the curb. Abutters Ray and Gloria Prunier are present in the audience and they agree that the water line is critical and should be delineated by a professional. They do not agree that this project will improve the neighborhood. Mr. Wigglesworth motion to continue to May 9th. Ms. Sherillo second. Vote all in favor.

253 C Thompson Rd. - This project is the demolition and construction of a retaining wall to expand a boat ramp. Mr. Kunkel opened the public hearing. Lesley Wilson from H.S. &T. Group, Inc. is representing the applicant. The issue of the retaining wall was discussed and the owner is agreeable. They may need a small excavator for an old tree stump. They will hand build a stone wall. Mr. Kunkel asked about pouring footing. They will wait and see what is underneath before making a decision on footing. The spill kit is on the plan. Mr. Kunkel addressed what was discussed at the site visit. A coffer dam is not needed. There may be an issue with fieldstone and water as it may be porous. A turbidity curtain will be in the water to catch dirt. They will use an oil boom and a flock sock around the stockpile. They have filed for a Chapter 91 dock permit. The construction sequence is on the plan. Concrete clean out will be in a protected area. Cobblestones or paver stones can be used and they can amend once that is decided. Mr. Wigglesworth motion to close the public hearing. Ms. Sherillo second. Vote all in favor. Mr. Wigglesworth motion to issue the Order of Conditions for 253C Thompson Rd. with standard conditions, including a turbidity curtain, oil boom, flock socks, chapter 91 permit for dock, concrete clean out in a protected area and that they need to file for an amendment before installing pavers. They also need a DEP#. Ms. Sherillo second. Vote all in favor.

Discussion

15 South Point – Minor modification to DEP 323-1103 – Installation of a temporary shed. There is a silt fence there that needs to be fixed. The owners can take it down only if the area is stable. Mr. Wigglesworth questions the stability of the embankment. There are hosta and other plants holding up the embankment. Photos from the site visit are reviewed. They would like to put a 10’ x 12’ removable shed on the property for storage; it is marked on the plan. The property has changed hands and there is a plan for a house. The new owners may not build anything there. Jim LeDuc and Lori Sanzi are the new owners. The order of
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conditions can be updated with the new owners’ information when it is amended. The Commissioners can go out and check the embankment and the wattle can be moved if the area is stable. No fertilizers are allowed. They are also considering a large grill and would need to come back to the Board for that. They also need to file for a Chapter 91 permit simple form.

Certificates of compliance for DEP 323-0872 0 Birch Island Rd. and for DEP 323-0873 42 Birch Island Rd. - There is an issue with a shed that is on the property now that was not on the plan. The property was sold without a certificate of compliance. Photos from the site visit are reviewed. The deck there now is larger than on the plan and there is some erosion. The finish around the catch basin needs to be addressed. There should be rough gravel or pavers instead of grass. The pipe in back should be clear and they should use gutters or a rain garden for the shed. Under the shed should be gravel or pea stone. The grade is not 1-3 inches below the wall. Certificate of compliance is not issued.

Other Business

Extension for 114 Point Breeze not issued at this time. The Commissioners or Agent will go out to the site.

Nipmuc Waterski Club – The Commissioners left a phone number and note to contact the Conservation office. Ms. Sherillo will try to contact them through Facebook. They need to file an RDA for spreading gravel in the driveway. The fee could be waived since it is a non-profit organization.

LQK – Mr. Bock and Mr. Duteau visited the site. The detention basin is the main problem. Waterfalls behind the wetland flow into the stream that feeds Brown Brook. The stream runs parallel to the Grand Trunk. High water level is flushing water out of the detention basin. Soil in the area is fine and silty. The Commission would like a letter from LQK about their plans to remedy the turbidity.

150 Killdeer Rd - The Agent needs to contact the owner. They are storing boats in the wetland.

27 Union Point – A fine should be issued as there is still storage in the wetland. They are not responding.

KLT – Needs to be called before the Board. There should be a flock sock preventing silt from getting into Millbrook.

Harrington Hospital has a site visit in June.

Mr. Wigglesworth would be able to help with site visits on Mondays or Sundays to help out since there are many projects right now.

Mr. Wigglesworth motion to continue 194 Killdeer Rd. to May 9th. Mr. Kunkel seconds.

Mr. Wigglesworth motion to adjourn 9:55 p.m. Ms. Sherillo seconds. Vote all in favor.

Next Meeting Date: May 9, 2019 Selectmen’s Meeting Room – Town Hall

Documents:

Photos from Site Visit; 298 Killdeer Rd.; April 20, 2019
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Email Correspondence from Jesse Leddick, Division of Fisheries & Wildlife to Matt Parlon; April 18, 2019; 2 pages.
Comments from Field Engineering Co., Inc.; Revised Plans and Additional Information BWC Chamberlain Pond, LLC DEP File No. CE 323-1109; April 19, 2019; 2 pages.

Stormwater Management System Report Addendum 1; prepared by Field Engineering Co., Inc. April 15, 2019; 103 pages.

Plan Set; Proposed Solar Array BWC Chamberlain Pond, LLC; revised through April 15, 2019, 24"x36"; 14 pages.

Site Plan for Proposed House 0 Colonial Road; prepared by Land Planning, Inc.; February 8, 2019; 24"x36", 1 page.

Notice of Intent Site Plan 253C Thompson Road; prepared by H.S. & T. Group, Inc., March 28, 2019; 24"x36", 1 page.

Respectfully submitted,
Kelly Gorham
Conservation & Planning Clerk

Conservation Commission Approval: [Signature] Date: 5-20-19

Chairman