

**Town of Webster
Conservation Commission
Minutes of the Meeting August 17, 2015**

TOWN CLERK'S OFFICE

Attending: Commissioners – Jeff Dowgiewicz, Al Huefner, Paul Fiske, Joseph Kabala
Engineering Consultant – Rick Canavan, CME
Town – Scott D. Charpentier, P.E.

Absent: Commissioners – Richard Franas, Joseph Kunkel, Marissa McCann

Meeting called to order: 5:30 p.m.

Location: Basement Conference Room

Public Meeting – 21 Loveland Road – RDA

Mr. Charpentier described the proposed roof replacement and described draft conditions. Mr. Kabala motioned to issue a negative determination with conditions that no debris in resource, cover debris container, additional work is subject to review and approval by the Commission, BMPs must be utilized including provisions for outdoor cutting of synthetic material and installation of a debris fence prior to the resource, Mr. Fiske second; vote all in favor.

Public Meeting – 105 South Shore Road – RDA

Mr. Charpentier described the proposed roof, siding, and window replacement and described draft conditions. Mr. Kabala motioned to issue a negative determination with conditions that no debris in resource, cover debris container, additional work is subject to review and approval by the Commission, BMPs must be utilized including provisions for outdoor cutting of synthetic material and installation of a debris fence prior to the resource, Mr. Fiske second; vote all in favor.

Public Meeting – 265 Thompson Road - RDA

Mr. Dowgiewicz described the proposed tree removal and stump grinding. Mr. Fiske motioned to issue a negative determination with conditions that no debris or equipment in resource, cover debris container, additional work is subject to review and approval by the Commission, BMPs must be utilized including removal of all chips and saw dust, Mr. Kabala second; vote all in favor.

Discussion – Sunny Shores Estates

Applicant and representative presented the proposed project changes. The Division of Fish and Wildlife decertified vernal pool #2844 aka Campbell Pond, letter stating such provided. Applicant requesting 8,000 square feet of land be removed from conservation restriction and in exchange 24,000 square feet will be added to conservation restriction along with a request to certify two new vernal pools. Applicant would like to submit an NOI for two new lots deemed buildable if this is allowed. A straw poll of the Commission found the opinion favorable.

Public Hearing (Continued) – 27 Colonial Road - NOI

There was no one present for the project. The project was tabled for approximately 15 minutes. Mr. Kabala motion to continue without discussion to August 31, 2015 at approximately 6:00 PM, Mr. Fiske second, vote all in favor.

Discussion – 17 Bates Point Road - OOC

Applicant representative presented a revised site plan depicting a reduced house footprint, and replacement of one cultic system with two stone infiltration pits. Mr. Kabala motion to accept the revised plan and issue an amended OOC, Mr. Fiske second, vote all in favor.

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Discussion – 137 Gore Road – Enforcement Order

The property owner and representative presented a draft existing conditions plan including partial wetland delineation. Mr. Charpentier requested the field data forms be provided with the filing. Representative described the site soils and hydrology. Commission suggested the full site development be presented in the NOI including resource and buffer restoration. Property owner explained that he did discuss the work with M. Franas prior to clearing the site and was informed that it would be OK and that he discussed tree removal with Mr. Pizzetti and that he had no issues. Mr. Charpentier noted the likely Planning Board filing and suggested an informal review prior to development of final plans.

Public Hearing – 284 Killdeer Road - NOI

The applicant representative presented the project scope and approach. Mr. Charpentier read aloud a letter received from the attorney for an abutter, Mr. and Mrs. Holland, who were also present. They stated their concern is that the location of the southerly property line on the NOI plans is not correct. Mr. Charpentier explained that property line disputes are not the jurisdiction of the Commission and that any action by the Commission on this application will in no way alter any property lines. Mr. Canavan requested a project narrative and pre and post area calculations with infiltration. Mr. Kabala motion to continue the public hearing to August 31, 2015 at approximately 6:20 PM.

Meeting Minutes for Approval

Mr. Kabala motioned to approve minutes from August 3, 2015; Mr. Fiske second; vote all in favor.

Old/New Business

- Mr. Charpentier stated that the Town received two complaints regarding land clearing at 197 Thompson Road. In addition, the land clearing was reported to MassDEP whom contacted the Town late this afternoon. He visited the site with Mr. Dowgiewicz last week and prepared an enforcement order citing the clearing of buffer zone and likely resource area and requiring a restoration plan be submitted to the Commission. Mr. Fiske motion to issue the order, Mr. Huefner second; vote all in favor.
- Mr. Charpentier stated that the Negative Determination of Applicability that was issued at the last meeting for 131 Birch Island Road only partially covered the work proposed and that the Commission must act on the remaining work. He stated that the Commission has jurisdiction over the Wetland Protection Act, Riverfront Act, and the local Wetland bylaw and does not rule on land boundaries. It was suggested to condition the complete negative determination such that rights to perform the work exist. Mr. Fiske so motioned, Mr. Dowgiewicz second; vote all in favor.

Next Meeting Date: August 31, 2015 at 5:30 p.m. – Basement Conference Room

Meeting adjourned 7:08 p.m.

Respectfully submitted,
Scott D. Charpentier, P.E.
Town Engineer/Planner

All correspondence, applications, plans and reports can be viewed at the Engineering Office, 350 Main St, Webster MA.

Conservation Commission Approval: _____


Chairman

Date: _____


8/31/15