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**Town of Webster
Conservation Commission
Minutes of the Meeting – February 29, 2016**

Attending: Commissioners – Richard Franas, Paul Fiske, Jeff Dowgiewicz, Al Huefner, and Joseph Kunkle

Staff – Meagen P. Donoghue, Town Planner, Rick Canavan, PhD, CME Associates

Absent: Commissioners – Beau Saad and Joseph Kabalah

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

Location: Basement Conference Room

Meeting Minutes for Approval

Mr. Dowgiewicz motioned to approve minutes from January 11, 2016; Mr. Fiske second; vote all in favor.

Public Hearing Continued– 35 Konkel Road (North and South) - NOI

The applicant's representative requested to continue public hearing to a date unknown and asked for an informal discussion about the current situation with the land at Campbell Pond. The representative indicated that Campbell Pond had been decertified and is looking to reorganize 30,000 s.f. of conservation, by taking away 10,000 s.f.; leaving 20,000 s.f. He said he spoke with Lieutenant Governor Karen Polito's staff who stated that permission from the Conservation Commission and Board of Selectmen is needed to move forward for State legislation.

Mr. Kunkle asked about the acreage amount. The representative clarified by stating that the applicant is giving back 30,000 s.f. but taking 10,000 s.f. of conservation restricted land. He indicated that the conservation restriction was set up in June 2006 because the spotted turtle and marble salamanders were in danger. He stated that the conservation restricted land would increase by 20,000 s.f. and a new Conservation Plan would be created.

Mr. Canavan asked the representative that in order to write a positive letter to the Board of Selectmen, the representative needed to provide a succinct description of the steps already taken and the steps ahead. The representative agreed. Mr. Canavan also asked about any legal documentation needed. The representative stated that 35 Konkel is recorded land.

Mr. Fiske motioned to support a letter approving the plan for the Board of Selectmen, contingent upon the representative providing a succinct description of the steps taken and what is ahead. Mr. Huefner second, vote all in favor.

Public Meeting – 33 Loveland Road – RDA & Enforcement Order

The applicant's representative discussed the project, consisting of the construction of a shed. He indicated that he would be using all pre-cut materials and asphalt shingles, so there would be no debris in the resource area. He did note that a silt fence had already been put up. He also indicated that the structure would be less than 120 s.f., thus not needing a building permit. The representative asked if it was OK to clean out the swamp area.

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Mr. Franas said it was OK to clean out the swamp area, but the approval of the RDA did not mean the approval of any tree removal—just the completion of the proposed shed.

Mr. Fiske 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, PMP's must be utilized including provisions for outdoor cutting of synthetic material, debris fence to be installed 20 feet from the house on north and east sides. Mr. Huefner second, vote all in favor.

Mr. Fiske motioned to rescind the Enforcement Order at 33 Loveland Road. Mr. Huefner second; vote all in favor.

Public Meeting – 96 Lakeside Avenue – RDA

The applicant was not present for the meeting or at the site visit. Mr. Franas indicated that wires were going through the tree to a utility pole, but nothing seemed to be a problem. He asked why the applicant was proposing the project. Ms. Donoghue indicated that she did inform the applicant of both the site visit and meeting times. Mr. Franas asked to continue the meeting to gather more information and to discuss all of the options for the tree. Mr. Huefner made a motion to continue the meet for 96 Lakeside Avenue to March 14, 2016. Mr. Fisk second; vote all in favor.

Discussion – 22 Bates Point Road -- COC

The applicant's representative discussed tearing down the existing structure and constructing a new building within the same footprint. He noted that the plans given to the Commission prior to the meeting were missing a catch basin in the front of the building, and he brought in a new set of plans for the Commission illustrating this. The representative noted that the drywells would not delay the COC, and stated the impervious ground was increased due to the changes. Mr. Franas asked the representative to require an As-built, but nothing was missing. Mr. Fiske made a motion to approve the COC. Mr. Dowgiewicz second; vote: Mr. Kunkel abstain, the rest all in favor.

Discussion -- 311 Thompson Road – Emergency Order

Mr. Franas said upon inspection, two (2) trees were damaged and had fallen on a shed and had to be removed. Mr. Huefner motioned to ratify the Emergency Order for 311 Thompson Road. Mr. Fiske second; vote: Mr. Dowgiewicz abstain, the rest all in favor.

Discussion – 29 Beacon Road – Emergency Order

Mr. Dowgiewicz said upon inspection a diseased tree had fallen ten (10) feet from the water and had to be removed. Mr. Fiske motioned to ratify the Emergency Order for 29 Beacon Road. Mr. Dowgiewicz second; vote all in favor.

Discussion – Culvert on Killdeer Island Road

Mr. Franas said that the culvert was washed out and created a ditch. He stated he spoke to Kenny Pizzetti of the DPW who agreed to put rip-rap in place to prevent water from running through which was also creating a brown plume into the lake. Mr. Pizzetti thought coming in from the wetland would be a homeowner's issue, but was out on February 29, 2016 working on the site.

Discussion – Tracy Court – Office of Community Development

Ms. Donoghue addressed the Commission with communication from the Office of Community Development with upcoming work on Tracy Court.

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Public Hearing – 58 Union Point – Amended COC

The applicant's representative explained the previous scope of work and outline the new project which included adding a new deck, patio, extending the hold height of the retaining wall, and removing scrub vegetation. Mr. Franas asked for a planting plan. The representative indicated he could provide one at a later date. Mr. Fiske asked if pavers were to be used for the patio. The representative stated that they would be pervious pavers so water can go through. He also noted that the deck would be at ground level and the steps leading down to the water would be made of pervious pavers as well. The representative indicated that the wall holding steps were not shown on the plan.

Mr. Huefner asked why the plans showed a wall on both sides. The representative stated that steps will go down steep then the rest of the wall will be in place. Mr. Canavan noted by adding more wall than before, it would take away from the conservation aspects. He said there are ways to accomplish what the representative is doing without using so much new wall. The representative followed up with saying he could move the patio or not add more wall because it is four (4) feet from the resource area. The representative added that his client wanted to match the existing wall's height and materials.

Mr. Dowgiewicz made a motion to deny the amendment to the original OOC. Mr. Fiske second: vote: Mr. Dowgiewicz and Mr. Fisk: yes; Mr. Huefner and Mr. Kunkle: no. Therefore, the Commission did not accept the amendments as proposed and will continue to the March 14, 2016 meeting. The representative indicated that he will talk with the homeowner about the wall and relocation away from the resource area.

Public Hearing – 5 Bates Grove Road – NOI

The applicant's representative provided the scope of work including extending an existing deck by 17 feet, creating platforms and replacing stairs. The project also included a separate deck extending out 25 feet with long posts, and the retaining wall will be replaced. Mr. Huefner asked that the sonnet tubes not be too long to eliminate erosion. Mr. Franas asked if the pavement would be taken out. And asked that BMPs, EMS controls and non-bios cut elsewhere. Mr. Huefner made a motion to close the public hearing. Mr. Fiske second, Vote: all in favor. Mr. Huefner motioned to approve the Notice of Intent with special conditions. Mr. Fiske second; vote all in favor.

Public Hearing – 33 Point Pleasant Rod – NOI

The applicant's representative provided the scope of work including the demolition of an existing structure and cantilevered deck, and the construction of a single family house. Mr. Franas asked the percentage of impervious land before and after. The representative noted that before it was at 42% and after it was at 51%. Mr. Franas and Mr. Huefner both indicated the numbers are higher than what the Commission looks for. The representative indicated that culverts would be used underneath the driveway. Other questions from the Commission included:

- Would pervious pavers be used?
- What is the recharge of the roof? Asphalt could be used if recharge was adjusted and bring down the range in the front part of the driveway.
- Would the dumpster be covered?
- Would the composite materials be used for the construction of the deck?

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The representative noted that he would create new plans addressing the questions above and provide 2 copies for the Conservation Commission. The representative requested to continue the hearing to the March 14, 2016 meeting, in which everything would be addressed.

Public Hearing – 135 South Shore Road -- NOI

The applicant's representative indicated the plan called for demolishing the existing home and constructing a new single family house. He noted the plans were to maintain 12% lot coverage and the proposed house will be a smaller building than the previous structure. He addressed the comments provided by Mr. Canavan including the dumpster, gravel, and driveway, and stated the project would not go beyond the tree line. Mr. Canavan asked to add an additional one (1) inch cultic, maintain the tree line and look to begin his right of way. Mr. Dowgiewicz made a motion to close the public hearing. Mr. Fiske Second; vote all in favor. Mr. Fiske motioned to approve the Notice of Intent for 135 South Shore Road with special conditions with the addition of a double cultic chamber. Mr. Dowgiewicz second; vote all in favor.

Public Hearing – Inactive Southbridge Secondary Rail Line Bridge W-12-021 – NOI

The MassDOT representative stated the project was to fill in a culvert to protect an unprotected drop off for future use of the ROW as a rail trail. Discussion of comments from Mr. Canavan submitted on the application lead to the applicant revising the application to both note that work would occur within the floodplain of the French River and that the project was occurring as a 'limited project'. The applicant presented the proposed fill volumes in floodplain and the Commissioners agreed that compensatory storage would not be required. The representative said that all normal conditions applied and environmental monitors were not needed. He also noted that the project was subject to National Heritage approval. Mr. Dowgiewicz made a motion to close the public hearing. Mr. Fiske made a motion to approve the Notice of Intent for the Inactive Southbridge Secondary Rail Line Bridge W-12-021. Mr. Huefner second. Vote all in favor.

Other Business.

Ms. Donoghue requested a vote to have her sign off and pay the bills for the Commission. Mr. Fiske made a motion to allow Ms. Donoghue to sign off and pay the bills for the Conservation Commission. Mr. Dowgiewicz second. Vote all in favor.

Ms. Donoghue also noted that a new Conservation Agent would be hired soon as the advertisement was to go into the paper that week.

Mr. Kunkle asked about Klebart Avenue. Ms. Donoghue indicated that a meeting with the engineers and Kenny Pizzetti had occurred, but was unaware of the progress made on the project.

Next Meeting Date: March 14, 2016 at 5:30 p.m. – Basement Conference Room

Meeting adjourned 7:45 p.m.

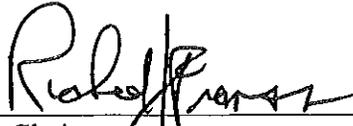
All correspondence, applications, plans and reports can be viewed at the Engineering Office, 350 Main St, Webster MA 01570

Respectfully submitted,
Meagen P. Donoghue, MRP

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Town Planner

Conservation Commission Approval: _____


Chairman

Date: _____

3/26/16