

Town of Webster
Conservation Commission
Minutes of the Meeting – August 22, 2016

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SEP 22 2016

TOWN CLERK'S OFFICE

Attending: Commissioners – Al Huefner, Joseph Kunkel, Frederick Bock, Paul Fiske
Staff – Mary Overholt, Conservation Agent

Absent: Commissioners – David Audette, Richard Franas, Beau Saad

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

Location: Basement Conference Room

Mr. Huefner noted that he would be acting as Chairman since Chairman Franas was not present.

Minutes

Mr. Fiske motioned to approve the minutes from Aug. 8. Mr. Bock second; vote 3 in favor with Mr. Kunkel abstaining.

Request for Determination of Applicability

7 Pearl St.

Mr Huefner indicated the house was well away from the water and did not see any issues with the solar panels.

Mr. Fiske motioned to issue a negative Determination of Applicability for 7 Pearl. Mr. Bock second; vote all in favor.

80 Bates Point Rd.

Mr Huefner explained the project involved removing one tree near the water, which will require a crane. They need to make sure nothing gets into the resource area.

Mr. Fiske motioned to issue a negative Determination Applicability with the standard conditions at 80 Bates Point Rd.. Mr. Bock second; vote all in favor.

2 Ridgewood Dr.

Tom Flynn explained that the roof needs to be replaced. The siding will be replaced with vinyl. Mr. Fiske asked if the will be new plywood on the roof. Mr. Flynn replied “No, the roof is not leaking”. Mr. Huefner explained conditions that would need to be met. They would need to cut with a vacuum saw to keep sawdust out of resource area and also have a covered dumpster

Mr. Fiske motioned to issue a negative Determination Applicability with the standard conditions at 80 Bates Point Rd.. Mr. Bock second; vote all in favor.

69 Colonial Rd.

Mr. Huefner explained that they met with the applicant on the site visit. The project involves replacing a retaining wall. Because of the scope of the project this project requires a NOI. The applicant will hire an engineer.

Mr. Fiske motioned to issue a **positive** Determination Applicability at 69 Colonial Rd.. Mr. Bock second; vote all in favor.

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115 South Shore Rd.

Mike Birkbeck explained that an old porch, which is in poor condition will be replaced with a deck. The old footings can't be used. He will use diamond pier and the footings will be driven in with jack hammer. The posts are currently set on concrete. Mr. Huefner stated that the project is well back from resource area and very level so that they will not need a silt fence. They will need to cover dumpsters at night so the wind will not blow out debris.

Mr. Fiske motioned to issue a negative Determination Applicability with the standard conditions at 115 South Shore Rd.. Mr. Bock second; vote all in favor.

113 South Shore Rd.

This project is for windows and siding. The house sits well back from the water. There is no need for a silt fence. Dumpsters will need to be covered.

Mr. Fiske motioned to issue a negative Determination Applicability with the standard conditions at 113 South Shore Rd.. Mr. Bock second; vote all in favor.

14 Black Point Rd.

Mr. Huefner indicated that this project is for the installation of a shed. It is at least 50 feet from the water.

Mr. Fiske motioned to issue a negative Determination Applicability with the standard conditions 14 Black Point Rd. Mr. Bock second; vote all in favor.

Enforcement Order

137 Gore Rd.

Mr. Huefner explained that the Commission visited the site Saturday to look at wetland flags. There was a lot of brush growing up, making it difficult to find the flags. They could find a few flags. All the flags are not identified on the original plan.

Justin handed out the most recent plan. Mr. Bock indicated that they saw at least 3 blue flags and 4 orange, but they could not match the flags to those on the plan. The Commission asked Justin if he can clear brush out so the markers are more visible. Mr. Huefner indicated that although they were not easy to find he does believe the markers are there. Mr. Kunkel stated that there must be a swale for the water to runoff. Currently when it rains the water is going into the parking lot. Justin dug ditch on the side. Mr. Huefner, indicated it is important for there to be a path for the brook. Mr. Kunkel added that water should be clean before it goes into the catch basin. There are six hay bales down lower in the channel.

Mr. Huefner stated that the Commission needs to receive a plan for the actual trenching. The Enforcement Order is to restore the brook back to its original state as close as possible so that the water has a proper channel. Vegetation will grow in in the area where he has to trench. Justin indicated that the original trench was three feet wide but the new trench will be about four feet. Mr. Fiske says he thinks this is heading in the right direction. Mr. Huefner stated he should go ahead and restore the intermittent stream and come back with and plan showing the restoration.

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Certificate of Compliance

15 Abbey Rd.

Mr Huefner stated that the house was built in 2005 and there are no erosion issues and it will be fine to issue a COC.

Mr. Fiske motioned to approve the Certificate of Compliance for 15 Abbey Rd. Mr. Bock second; vote: all in favor.

25 Skyview Ln.

Mr Huefner stated that the house is outside the buffer zone and there are no signs of erosion. A COC should be issued.

Mr. Fiske motioned to approve the Certificate of Compliance for 25 Skyview Ln.. Mr. Bock second; vote: all in favor.

39 Bates Cove Rd.

Mr. Huefner noted that the house looks good. However there is significant erosion and washout into the Webster Lake. Water is overflowing out of undersized downspouts. The homeowner is going to get the builder to change the down spouts. But Mr. Huefner indicated that it might not solve all of the problems. There is a very steep bank going down to the shore, which does not look stable. It seems like there is always some level of erosion. Mr Huefner also indicated that he feels the steep bank is a safety issue especially for children, although that is out of the purview of this Commission. Another issue was the Cultecs. Water is backing out of entrance to the Cultec. They are required to hold one inch in an hour. Mr. Huefner suggested that we have an engineer look at the situation because the erosion is going to continue. The straw wattles are still there and are badly washed out. A possible suggestion to deal with the top of the bank erosion and safety issue would be to plant two foot tall shrubs. Mr. Huefner also indicated that there is evidence of erosion at the lower end of driveway. One suggestion for dealing with the erosion would be to pea stone in the driveway. However the biggest concern is the embankment, runoff from roof and erosion because the embankment is so steep. The embankment is original however the builder put a little fill in. There are pictures of the site on the camera.

It was also noted that the Cultecs might be undersized. The commission discussed that the downspouts drain into Cultecs on the lake side of the house however on the other side of the house they do not. In summary it looks like this property is fighting a water problem, there was evidence that the back lawn had recently been replaced. Mr. Huefner recommended that we table the request for a COC until we get more information.

Fiske motioned to table 39 Bates Rd. for more information; specifically until CME could recommend options for stabilizing the steep bank and for the contractor to provide information of the size of the Cultecs. Mr. Bock second. All in favor.

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Discussion

Oakwood Dr.

Mr. Para explained the history of this property. The original subdivision was approved in 1992. In 2007 they did some work on the road. The east side of the road runs down to the wetland area. The current proposal is to put a cul de sac in on the end of the drainage. Mr. Huefner asked if the cul de sac will reach into buffer zone. Mr. Para explained that there is already a Fire hydrant in cul de sac, which means the location cannot be moved. Originally the road length was 867 feet but now they are only building 320 feet, which is about 40% of the original road length so it is possible that the stormwater retention basin could be resized accordingly. Chuck Eaton indicated at planning board meeting last week that they should build basin as originally designed, since that was the minimum requirement in 2003. The Project is in watershed protection area for the lake. The proposal is to add the circle try to leave basin as it is. All water coming off a paved road must be treated, so Mr. Szeredy was going to put it in a grass swale outside of the basin. Mr. Huefner asked if they plan to provide calculations. Mr. Para replied no, because Mr. Eaton was not interested in that. Mr. Para stated that they are looking to finish the road. Mr. Huefner says that this will take a new NOI for the completion of circle, finishing swale and drain pipe. Mr. Para asks if the 2002 wetlands flags would be adequate. Mr. Huefner stated that he did not think the flags would have to be changed. The road will be 28 ft. wide instead of 32 ft. and they will need to remove all of the pavement. The current pavement will be ground in place. The 500 ft. of sidewalk will be eliminated. Mr. Huefner indicated that he does not see issues with these things and does not think there will be constraints.

NOI vs. RDA

Mr. Huefner asked "When is an NOI required?". This issue came up because someone who wants to put a new foundation in which will require him to raise up his cabin. What if he uses auger to bore the holes for the sono tubes? When we require an NOI we need to be consistent as to how we apply these rules. Mr. Bock suggests we sit down and write up criteria for NOIs. Mr. Huefner stated that this has seemed arbitrary to him. Mr. Kunkel says Ms. Overholt should call MACC to ask questions about what is required for NOI and RDA,. An NOI is a lot of work, it is extra cost and hassle. Maybe we can see if someone from MACC would come and talk about it. That would be getting some professional advice. Mr. Huefner, suggested that the Commission make a list of items that they would want to discuss with them.

For the raising the house tell the applicant it requires NOI and that he should submit plans.

Point Breeze

Mr. Kunkel visited The Point Breeze wall replication. He thinks they are going to put the wall and the sidewalk in and then leave. They left the footing, as was suggested, but they put the riprap in the lake, which the Commission did not want.

Mr. Kunkel suggested that the Commission go look at it and put it on next agenda for discussion. Mr. Huefner understands the desire to make it look neat and that the site looked good, the curtain was installed properly. The property under discussion is 134 Point Breeze rd. or the Point Breeze Resort. AJ is the owner. Ms. Overholt asked if there is a time issue. Mr. Huefner asked Ms. Overholt to send AJ a letter saying it was observed that the riprap is in the way and need to be removed before the contractor leaves. The riprap is essentially filling in a resource area and was not approved by the board, nor discussed.

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Mr. Kunkel asked where the computer is. It is helpful to be able to look at the permits when the Commission does site visits that way they can check to see if construction that they observe is permitted. Mr Kunkel would like to be able to look at the spreadsheet and see a description of what it is. Mr. Franas has the laptop.

The meeting was adjourned at 7:30 pm.

Next Meeting Date: Sept 12, 2016 Basement Conference Room

Respectfully submitted,
Mary Overholt
Conservation Agent

All correspondence, applications, plans and reports can be viewed at the Office of Planning & Economic Development, 350 Main St, Webster MA 01570

Conservation Commission Approval: _____


Chairman

Date: _____

9/12/16

Sign In Sheet for:

Conservation Commission Meeting

August 22, 2016 at 5:30 p.m./Basement Conference Room

Printed Name

Signature

MIKE BIRKBECK ROSARIO CONST
Tom Flynn Bradford A
Justin Daniels

Michael E. Smith
A. Smith
A. Smith