

**Town of Webster
Conservation Commission
Minutes of the Meeting – Nov.6, 2017**

Attending: Commissioners – Joe Kunkel, Frederick Bock, Beau Saad, Michelle Sherillo, and Klarissa Johnson (Associate Member)

Staff – Mary Overholt, Conservation Agent

Absent: Commissioners – Dave Audette

Meeting called to order: 5:33 p.m.

Location: Basement Conference Room

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Minutes

Ms. Sherillo motioned to approve the minutes of the October 12 meeting. Mr. Saad second. Vote all in favor. Mr. Saad motioned to approve the minutes for the Oct. 23 meeting. Ms. Sherillo second. Vote all in favor.

Request for Determination of Applicability

304 Killdeer Rd. – This project was for replacing the roofing. John Hanlon from Tristate Construction was representing the applicant. They will put tarps up below where they work. They will put a dumpster in and cover it at night and remove quickly when the project is done. All of the cutting will be on the road side. Mr. Saad motioned to issue a Negative Determination Applicability for 304 Killdeer Rd. Ms. Sherillo second. Vote all in favor.

91 Gore Rd. – Tim Cullinan was representing Webster Fish and Game. The work is for installing a pavilion and cutting down trees. All of the construction work is outside the buffer zone, except for a few trees. The stumps are to be ground to ground level. Most of the trees that are coming down are outside the buffer zone. Mr. Saad motioned to issue a Negative Determination Applicability for 91 Gore Rd. Mr. Bock second. Vote all in favor.

30 Union Point Rd. – This application is for installing a fence. The Commission made a site visit. The current fence has deteriorated. The applicant would like to remove and replace the fence. They will dispose of any debris daily. The new fence will be cedar. The Commission noted that the debris should be removed daily and no debris should get in the resource. Any concrete should be cleaned in a protected area. Mr. Saad motioned to issue a Negative Determination Applicability for 30 Union Point Rd. Ms. Sherillo second. Vote all in favor.

96 Point Breeze – This project is for a roof top solar installation. Jerry Callahan from RGS energy was representing the applicant. All panels will be on the roof and the piping along side of the house to the ground. A Commission member asked if it is PVC piping. Mr. Callahan indicated that it was. The Commission noted that cutting should be done on the driveway side of the house with a vacuum saw. Ms. Sherillo motioned to issue a Negative Determination Applicability for 96 Point Breeze. Mr. Bock second. Vote all in favor.

Notice of Intent

47 Colonial – Mr. Kunkel opened the public hearing. Mr. Shenette was representing himself. The project is for the construction of retaining walls, patios and expansion of deck. The property is

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established. Pavers go all the way to the wall. The area of pavers is much larger than Mr. Kunkel thought it was. They will be pervious pavers, which may not drain as good as grass. Mr. Bock asked for pervious pavers everywhere. Mr. Kunkel noted that the applicant had said it will be a poured concrete wall on the property line, but the plan indicates fieldstone. What will it be? Mr. Shenette replied that it will be fieldstone. Mr. Kunkel asked if there is there any other poured concrete. Mr. Shenette replied only the footing of the wall. Is the wall is going to be one foot distance from the resource area? Are you staying in the footprint of the existing wall? Mr. Shenette replied yes and indicated that they do not know the size of the existing footing. Mr. Saad asked if they will pull back the water with sandbags? Mr. Shenette said he does not know what the contractor will need. Hopefully he can build when the water is lower. It is sometime four feet out. The concrete should be cleaned out in a protected area. The project will need a turbidity curtain in the water. There were no comments from the public. The work will probably be done next fall. Before the work starts the Commission would like to do a site inspection to inspect the turbidity curtain. Mr. Bock motioned to close the public hearing. Ms. Sherillo second. Vote all in favor. Mr. Saad motioned to issue an Order of Conditions for 47 Colonial with the condition that the Commission will do an inspection of the turbidity curtain. Mr. Kunkel noted that the wall must be three inches above the final grade. Mr. Kunkel asked if an oil sock is included in the standard conditions. It is not. Mr. Kunkel noted that there should be one on the Conditions. Mr. Bock second. Vote all in favor.

0 School St./Malden Dr. Solar Facility – Mr. Kunkel opened the public hearing. Joe Fiori with Nexamp Solar energy company introduced himself. He also built the project on Thompson Rd. This is going to be a community solar project. The power it produces will go to local residents and they will receive discounted electricity. Denise Cameron was also representing the applicant from Woodard and Curran. The parcel is about 10.6 acres. The access will be off of Malden, Rd. The site is now vacant. Most of the site is open meadow and some is wooded. There is a BVW on the south side. There is an existing swale draining to wetland on the town property. There have been flooding concern with the wetland. The ditch was built to help mitigate the flooding. The ditch has vertical sides, and it tends to erode. This is a major concern for the abutters. Nexamp agreed to help the abutters. They will dig it out and they will have to do some tree clearing in order to do this. There are dead trees in the wetland that have been falling on neighboring properties. Nexamp will remove the dead trees. During the site walk questions were asked about the fill that had been placed on the site. They have already done a phase one environmental assessment study in order to identify any hazards that may already be there. There was one REC having to do with the fill that is on the property. Mr. Kunkel noted that there might be asbestos. Ms. Cameron noted that the testing was done and everything came back clean. There are no remaining RECs on the site. The panels will be running east to west and they stand around 8 feet tall. There are six acres of panels, surrounded by chain link fence. There is a vegetative buffer and they will also plant coniferous trees to help with the buffering. The access road will be gravel and 12-18 feet wide. The access road will be graded away from the resource area. There will be more storage for storm water on the site which should help the drainage situation. The topography is staying mostly the same. Most of the grading work will be around building the detention basin and the access rd. There is not a lot of glare coming off the panels. A silt fence will be installed to protect resource areas. Most of the work is out of the buffer zone. For any tree clearing in the buffer zone the stumps will remain. Ms. Overholt asked if there will be any soil stockpiling? Ms. Cameron replied, probably not very much, and this will be to the north. How many trees will be cut (the dead ones). The answer was about 20. They will put in 2 to 1 riprap slope for the ditch. There will be tree cutting for the ditch area. The width of the new swale will be about 15 feet out from the top of the embankment, (so that would be over 30 feet in total). They considered putting a pipe in however it would be a 300 foot run of pipe and would be very hard to maintain. An open swale is easier to maintain and less likely to clog. A resident asked about the trees being removed from the water.

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How will the trees be removed? The engineer does not know how the contractor will do it. The resident continued "Will trees be on my property be removed? If it is on my land and causing a hazard?" Ms Cameron noted, "If they are dead they will be removed." A resident asked when the construction will start. They replied after approvals are received which will mean they probably will not start until the spring time. How long is the construction phase? Around three months. How often is it accessed once it is complete? Maybe only once or twice a year to check things out. Ms. Overholt asked about the invasive species. They do not have plans to remove the Japanese knotweed. Jason at 5 Malden Dr. read a letter he prepared. He said the wetland functions as a vernal pool. They have heard frog calls, wood frogs and seen blue spotted salamanders. He said there is also evidence that solar farms attract aquatic insects, getting confused that the solar panels are water. He is concerned that the solar farm will affect the water quality of the pool. He stated that storm water runoff can be problematic from solar farms. He is concerned about tree removal and the aesthetic consequences. Ms. Cameron noted that the delineation did not determine that this is a vernal pool. The solar is positioned far away from the resource area. This is the proposed tree line showing how it will be near your property. This project should reduce the rate of runoff. The storm water is built to Mass. storm water standards. They are not using concrete pads. Mr. Haddad asked how many homes will this solar array provide power for? Mr. Fiori says approximately 130 homes. Half of the power is eligible to residents and the other half goes to public entities such as towns. It is a solar project and provides clean renewable energy. There were no other comments from the public. Ms. Sherillo was concerned about the potential of a vernal pool. Mr. Kunkel proposed to continue the hearing for natural heritage review and test boring for contaminated material. He would also like to see a feasibility study for a pipe instead of the 2 to 1 slope. If a pipe is discovered from the drain to Batten St. the Commission should be notified. Ms. Cameron noted that Natural Heritage is part of the NOI and the wetland scientist indicated that there were no vernal pools. Mason and Associates indicated that there were no vernal pools. The test pits could be done as part of the Order of Conditions that would help move the process along. The pipe vs. the 2 to 1 slope and details regarding maintenance could be hammered out during that time. Mr. Kunkel noted that a pipe is safer. A pipe will need a head wall and have a grate on the top of the wall. Mr. Saad motioned to continue the hearing to Nov. 20. The applicant should bring information from Natural Heritage about wildlife and test borings. Mr. Bock second. Vote all in favor. Ms. Cameron noted that the Phase 1 is not included in the submission, but it can be shared with the Commission. To reiterate the items the Commission would like are Natural Heritage opinion on vernal pool and wildlife habitat, test borings to look at the fill that is placed in the area. Bates Craver asked how deep should the test borings be. Mr. Kunkel stated that they should be four feet.

26 Union Point – Mr. Kunkel opened the public hearing for replacement of a patio. There is an existing concrete patio abutting Webster Lake. They are planning on replacing it in kind with a new patio. There is an existing breaker. They would like to add concrete riprap to protect the wall so that it is not damaged from wave action. Compensatory flood storage is going to be provided in one section. The calculations include 13 % increase in storage area. There is no increase in impervious area. The downspouts seem to be going into a drywell and not into the lake which was checked during the last storms. The existing storm water is unknown. Debris will be removed daily by the contractor. Mr. Saad asked how far into the resource the riprap will go. At the base about 1 and half feet and decreasing as it goes up the wall. They are putting in 6 inch minus riprap. A Commission member asked "What's going to keep the rocks from falling into the lake?" The applicant noted that maintenance can be done in the spring when the water is low. The neighbor gets a lot of lake weed on his land because of the wave action. Mr. Kunkel noted that the base of the wall is a slanted slope and the rip rap is going to fall into the water. Ernie Benoit of 86 Point Breeze stated that the riprap will stop all of the waves from going back and forth. A Commission member stated that the riprap comes into the lake when the ice comes down and asked if there is a way to put netting over it to prevent this? On Robinson Point the town has put walls in with

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rock held together with bailing wire. This is east of the beach on Robinson's point. Mr. Kunkel suggests looking at it. Mr. Krevosky mentioned to look up gambion. Mr. Saad suggests a little bigger riprap at the bottom. Deeper footings sometimes prevent the trouble with the erosion on the wall. They are omitting the stairs. They will not be constructed. There will be a new footing. They are not concerned about undermining the wall, mostly maintaining the veneer on the face of the wall. (Ms. Johnson left.)

Mr. Kunkel asked if there will be an as built when the project is done. Mr. Kunkel does not like putting the stones in the lake. A Commission member suggested that we could specify that we use the gambion system to maintain it. Stone goes into a basket which is made of galvanized metal and has a lifetime of about 25-50 years. It did stop erosion on the town land. Mr. Bock noted that the life expectancy is 60 years. This land gets a lot of wave action compared to the Memorial Beach area. How would they be placed on a slope? The applicant noted that they are trying to mimic what they recently did at Point Breeze. Mr. Kunkel asked if the Commission was satisfied with the rest of the application. Mr. Kunkel would like to continue this until the next meeting. Mr. Haddad suggested that if they used the big riprap at the bottom it might work. Mr. Kunkel thinks the rocks will still move. Mr. Saad suggests them moving forward with a condition about a solution to the riprap and asked if there is anything that will seal the bottom of the wall from the wave action. The owner has tried epoxy etc. He would like the rip rap to slow down the wave action. Mr. Saad motioned to continue for more information about base of the wall and other solutions to the wave action. Ms. Sherillo second. Vote all in favor.

5 Kingsbury – Certificate of Compliance. Mr. Krevosky was present and explained that all the plants have survived. The replication is at the elevation of the adjacent wetland. There are hydric soils. Some of the bushes were salvaged locally. The area was seeded with a wet meadow seed mix. He salvaged some ferns and brought in some cinnamon ferns. They only had to remove one tree to bring the level down. It was a small replication. Mr. Saad motioned to approve a Certificate of Compliance for 5 Kingsbury. Mr. Bock second. Vote all in favor.

The Commission asked Mr. Krevosky about Japanese knotweed removal. He noted that there is a new treatment but one really good way is to keep mowing it at lawn height.

17 Loveland – Ms. Overholt should contact the owner and ask him to remove the tree.

Ms. Godzik has written the Commission a letter with some questions. The Commission prefers to let the minutes speak for themselves. Mr. Bock motioned to let the minutes speak for themselves. Ms. Sherillo second. Vote all in favor.

A Commission member noted that the dock is out 2 Checkerberry. Mr. Kunkel asked if he pipes are still in. Mr. Saad will check.

37 lake parkway – It was noted that it is looking good. The silt barriers still there.

The Commission would like to ask Mr. LaFramboise to come back and explain what the status is on the Lake level. They need to figure out who owns gate number two. It may need maintenance.

The meeting was adjourned at 7:54 pm.

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Documents

Notice of Intent Plan for 47 Colonial Rd., J.M. Grenier Associates Inc., 9/28/2017


Notice of Intent Existing Conditions 26 Union Point Rd., H.S.&T Group Inc., 11/6/2017

Batten St. Solar PV Project, Woodard & Curran, October 2017

Agents Report Nov. 6

Next Meeting Date: November 20, 2017 Basement Conference Room

Respectfully submitted,
Mary Overholt
Conservation Agent

Conservation Commission Approval:  Date: 11-20-17
Chairman