

**Town of Webster  
Conservation Commission  
Minutes of the Meeting – February 27, 2020**

**Attending:** Chairman Joseph Wigglesworth, Vice Chairman Michelle Sherillo, Klarissa Johnson, Dan Duteau, Robin Jewell, and Fred Bock

Brandon Faneuf – Ecosystem Solutions, Inc., Jay Talerman – Town Counsel

Staff –Mary Overholt, Conservation Agent, Clerk Kelly Gorham

Meeting called to order: 5:31 p.m.

Location: Selectmen’s Meeting Room  
Webster Town Hall

**Mr. Wigglesworth stated the time of the meeting for the Wetland Setback policy.**

**Ms. Overholt explains the meeting advertising and room capacity concerns to the audience.**

**Meeting Minutes**

Mr. Duteau motion to approve the meeting minutes from January 23, 2020. Ms. Jewell second. Ms. Sherillo abstained. Vote 5-1.

**Notice of Intent**

**74 South Shore Rd.** – This project is the construction of a garage. Chairman Wigglesworth opens the public hearing. Margaret Washburn of Washburn Wetland Consulting LLC and John Federico, of Guerriere & Halnon, Inc. are representing the owners/applicants Paul and Janet LeBlanc. There was a site visit done on February 22, 2020. The project site is well staked and trees marked. The runoff from the garage and the roof pitch are discussed. Mr. Federico has architectural drawings and revised plans. The roof will be pitching to the side of the property and they will use a rain barrel. They also spoke with the contractor regarding pitch and runoff. They are proposing using a mini excavator for the wall. There will be a boom 7.5 - 8 feet. The reverse canopy is 3.5 feet wide. They can add fill on top until it is level and use a small loam bucket to fill in the existing ground. There will be no disturbance outside of 1 foot of the building area. 2 controls will be used. They are also adding rebar in the 3 foot portion and going up wall for extra strength. Structural fill will be used in the building footprint. There is a spill kit, stock pile, and erosion controls on the plan. The area flagged is shown as the tree line on the plan. Plantings are also on the plan. Ms. Washburn discusses the plantings. There will be shrubs and ground cover will help wildlife habitat. There are invasives on the edge of delineation; honeysuckle, multiflora rose, bittersweet. Ms. Washburn can mark them. There are no other alternatives due to zoning setbacks. The previous owner dumped fill on the site and it has been used for parking. The applicant feels that a garage will help prevent dumping. There were no comments from the public. Ms. Sherillo motion to close the public hearing. Mr. Duteau second. Mr. Duteau motion to issue the standard residential order of conditions for 74 South Shore Road including best management practices and a condition to remove the invasives. Ms. Sherillo second. Vote all in favor.

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**Request for Determination of Applicability**

**0 Killdeer Road** – Applicant Jay Spahl is present. This determination is for the removal of trees. Some of the trees to be removed have rot and decay and they would like to make the area safe for children. There are a total of 8 trees to be removed. There are 4 on the left side of the property and 4 on the right side, and 2 of those trees are near the shoreline. Mr. Wigglesworth asks about the stumps. They will leave the stumps of the 2 trees near the shore as it would cause disturbance to remove them. Ms. Overholt visited the site and there were no issues. Photos from the site visit are reviewed. The Board asks for 5-6 trees and several shrubs to be planted. Yellow birch is recommended and 3 trees should be planted near the shore. Ms. Sherillo motion for negative determination of applicability for 0 Killdeer Road. Ms. Johnson second. Vote all in favor.

At this time the decision is made to postpone the Wetland Setback Policy meeting due to the capacity of the Selectmen's Meeting Room. The time and place chosen is March 16 at the Public Library. Ms. Johnson motion to postpone the meeting to March 16, 2020. Ms. Sherillo second. Vote all in favor.

**18 Reid Smith Cove Road** – The applicant is not present. The order of conditions for the house expired but there are some items that are not yet complete. Ms. Overholt asked them to file for the remainder of the project. Photos from the site are reviewed. Part of the driveway needs to be paved and some landscaping stones need to be repaired. Most of the work to be done is 80 feet from the Lake and Ms. Overholt feels erosion controls are not necessary. No further concerns from the Board. Ms. Sherillo motion for negative determination of applicability for 18 Reid Smith Cove Road with the use of straw wattles. Ms. Johnson second. Vote all in favor.

**Notice of Intent**

**21 and 25 Point Pleasant Ave.** – This project is a retaining wall repair. Chairman Wigglesworth opens the public hearing. Glenn Krevosky from EBT Environmental Consultants, Inc. is representing the owners. He has an updated plan for the Board. There was a house at 21 Point Pleasant Ave. that was removed in 2016. No trees will be removed. Two 55 gallon spill kits were added to the plans. Japanese barberry will be replaced with hybrid rose or azaleas. There is a small beach area and the wall will be built higher than the sand to prevent erosion. Sandbags will be used 2 feet off of the existing wall. A mini excavator will be on 25 Point Pleasant. There are dewatering pits on the plan. They will use a trench and a silt fence. The wall will be in the same position and the same height as the existing wall and will be made of concrete. There is a Mass DOT detail on the plan. Crushed stone will be used behind the wall to prevent frost from pushing it in. Mr. Krevosky spoke with DPW regarding the swale. It is on Town property. Cleaning the sand out of the swale can be in the order of conditions. Most of the water is directed to the west side of the road. Mr. Wigglesworth would like the finished grade behind the wall to be 3 inches below the wall. Work would be done in late summer because a dry area is better for the work. These projects are separate because there are 2 different deeds. Ms. Sherillo asks about the hole near the stairs. They will use filter fabric behind the wall to prevent that. There was a pipe there and a pump for a sprinkler system and removal can be in the order of conditions. A Certificate of Compliance was needed for the removal of the house at 25 Point Pleasant Ave. Ms. Johnson motion to close the public hearing. Mr. Duteau second. Vote all in favor. Ms. Sherillo motion to issue the standard residential Order of Conditions for 21 Point Pleasant Ave., with the conditions that a Chapter 91 permit is filed, runoff over the stairs is addressed, invasives are removed, and the swale is cleaned out. Ms. Johnson second. Vote all in favor. Ms. Johnson motion issue the standard residential Order of Conditions for 25 Point Pleasant Ave. Ms. Jewell second. Vote all in favor.

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**Chairman Wigglesworth makes another announcement that the Wetland Setback Policy meeting has been postponed to March 16, 2020 at 5:30 p.m.**

**Loveland Road Lot #2** – This hearing is for an Amendment and Extension to the Order of Conditions DEP #323-0993. Chairman Wigglesworth opened the public hearing. Stephen Balcewicz from B.C. Engineering Inc. is representing the owner, Stanley Ciesla. The revised plans are reviewed. They will plant 4 trees and 6 shrubs. There will be a straw wattles with a silt fence and boom in the water. There is a culvert proposed near the existing bituminous to catch water from the roof. Will they use a retaining wall or keep it natural? It will be natural to the water. There is a wall where the patio is that may be replaced. Part of the garage is an inch and a half in the street. The corner of the garage will be removed so it is on the property. They will seek a variance and will come back for an amendment if no variance is granted. They will bring the patio back 5 feet. More sand should be used under the pavers in the back. 6 inches of soil, fabric and then sand. Mr. Duteau motion to close the public hearing. Mr. Bock second. Vote all in favor. Ms. Johnson motion to issue the amendment and extension to the Order of Conditions DEP #323-0993. Mr. Duteau second. Motion passed 5-1.

**30 Worcester Road** – This project is a proposed parking area. Chairman Wigglesworth opened the public hearing. Stephen Balcewicz is representing Curaleaf. Currently, half of the building is occupied and they will be opening the other half. This project has been before the Planning Board twice. The plan is reviewed. There is a channel that flows between there and Price Chopper to the south. There are 2 wetland flags there. The buffer zones are marked on the plan. They plan to remove 2840 square feet of pavement and are proposing to pave an additional 100 square feet. There will be an area with 7 parking spaces. They will stripe the existing pavement on the west side. There will be a timber curb stop. Erosion controls will be along the wall. There is also a catch basin there. There will be an area with a lawn. 10 trees and 6 shrubs will be planted and the species are on the plan detail sheet. The catch basins will be cleaned and an eviro-hood will be installed. Mr. Balcewicz found 6 catch basins. They will also put in a check dam. A stormwater checklist was done. There are 46 parking spaces proposed that will not be paved. There is a paved strip that will be used as a walkway. An existing driveway will be widened to 20 feet per the Webster Fire Department to accommodate 2-way traffic. Ms. Sherillo asks about the concrete blocks that are there now. Mr. Balcewicz advised his client that they should remain. There is an area on the plan for snow from plowing and the sheet flow from that will flow into the catch basin. There is an elicited discharge checklist and a stormwater management letter. Ms. Overholt asked for a maintenance report to the Commission. Mr. Wigglesworth states that invasives should be cleared up on the bank. Mr. Balcewicz replied that the bank is on Price Chopper's property. There are no comments from the audience. Ms. Sherillo motion to close the public hearing. Mr. Duteau second. Vote all in favor. Mr. Bock motion to issue the Order of Conditions with the condition that they will report to the Commission twice a year, in the spring and in the fall. Ms. Johnson second. Vote all in favor.

**17 Loveland Road** – Mr. Wigglesworth opened the public hearing. Owner Joseph Seraphin is present. The garage needs to be rebuilt due to fire damage. The 5 bay garage was damaged. The plan calls for a garage, apartment and basement. There will be a stairwell and a lift, and a workshop in the back. It will be pitched from east to west. The plan was revised for the Planning Board because they asked for larger water recharging. The building is 130 feet from the Lake. Ms. Overholt states that the house is in a Lake Watershed Protection District so it is mandatory. Mr. Wigglesworth states that he is in the buffer zone. The Planning Board requested that he remove some of the existing pavement. Removing pavement will help the water go into the ground. There is only a small portion of the property that would be under the jurisdiction of the Conservation Commission. Mr. Bock suggests drivable lawn. Ms. Overholt asks the

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applicant to draw the erosion controls on the plan. The stockpile and spill kit also need to be added to the plan. The stockpile needs to be covered and surrounded by straw wattles. The final plan can be submitted to the Conservation Commission and the Planning Board. There is no input from the public. Mr. Duteau motion to close the public hearing. Ms. Sherillo second. Vote all in favor. Mr. Duteau motion to issue the standard residential Order of Conditions with the provision that updated plans are provided. Ms. Sherillo second. Vote all in favor.

Recess from 7:28 p.m. to 7:37 p.m.

**Discussion**

241 Thompson Road – Extension to the Order of Conditions DEP #323-1058 - Owner Steve Leighton requests an extension to finish a retaining wall and deck. He would like to replace the deck with composite material, a patio and enclosed porch. The concrete retaining wall was replaced with versa block. There is sand behind the wall. Mr. Wigglesworth reminds him that 3 inches is required for the finished grade for wall. There are 3 inches there currently. All cutting of inorganic material is to be done away from resource with a vacuum saw. The straw wattles and silt fence were taken out, there is no need to put them back in. Nothing has changed on the plan. Ms. Overholt stated that this is an older Order of Conditions and an as-built is not required on this order of conditions. Ms. Johnson motion to extend the Order of Conditions for 241 Thompson Road DEP #323-1058. Mr. Bock second. Vote 5-1. Mr. Duteau was not present to vote. The DEP sign should be facing the street and should stay up for the remainder of the project.

Twisted Piston – Justin Desmarais is present with consultant Brandon Faneuf from Ecosystem Solutions Inc. There is a site plan created for this and Mass. DEP wants a Notice of Intent filed to give control to the Conservation Commission. He would like to get something in for the March meetings. A Notice of Intent will be filed shortly. Mr. Wigglesworth states they have been plowing there and snow carries contaminates. There was a complete restoration plan done prior to 2015 with replanting, management of invasives and a maintenance schedule. They would like to take the boulders back down the back slope and stack them against the embankment to retain it. The stream channel is flowing and has a path. They can plant seed where it is bare. The clear cut area has been growing on its own. They can plant conservation mix on the sides of the channel. Mr. Faneuf stated that the garage was in the flow path. The stream was rerouted. Brandon walked all the way to the source of the stream and it just starts flowing suddenly. The original channel was dug back in 1962 and was moved in 1968. A perforated pipe with crushed stone was added. DEP did not want the pipe to be so close to the streams. Brandon says it is clean water. They will cut pipe back and let the water filter through the stone and plant conservation seed mix in the spring.

LKQ – The EPA contacted Ms. Overholt and they have submitted material. There should be site visit on Monday.

16 Oakwood Drive – A partial Certificate of Compliance can be issued. DEP #323-632 has a Certificate of Compliance, but does not include this lot. The house lot needs to be released so it can be sold. Photos are reviewed. They should use straw or jute cloth to stabilize. Ms. Sherillo motion to issue a partial Certificate of Compliance for DEP #323-632. Ms. Johnson second. Vote all in favor. Mr. Bock motion to issue a partial Certificate of Compliance for DEP #323-1044. Ms. Sherillo second. Vote all in favor.

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The Board would like to educate public and hold office hours in March. They will start on March 30 and then April 13<sup>th</sup>. The Board cannot have quorum so less than 4 members can be present at a time. No current projects will be discussed. This will be held in the Irene Martel room. Notice will be on the Conservation Department website and shared with Lake forums on social media.

The MACC conference is this weekend. The Commissioners are encouraged to attend.  
Agent report – An Administrative Approval was done for two trees and 284 Killdeer Road moved piles. There should be a track mat used. The Reid Smith Cove area looked good. Siding and windows were done at 1 West Point Road.

Wetland boundary markers are discussed.

The MACC handbook is \$15.00 per year and the Commission members should be using it. It is a good resource.

Ms. Sherillo stated there is property on Sutton Road with a blank DEP number and knotweed. There is rare species in the yard and it requires a marker to protected habitat.

Mr. Wigglesworth mentions donations for a memorial for Joe Kunkel.

Ms. Johnson motion to adjourn at 8:30 p.m. Ms. Sherillo second. Vote all in favor.

**Next Meeting Date: March 9, 2020** – Police Station Community Room

**Documents:**

**74 South Shore Road** – Plan of Land, Guerriere & Halnon, Inc., January 15, 2020, 24” x 36”, 1 sheet.

**21 & 25 Point Pleasant Ave.** – Site Plan, H.S. & T. Group, Inc., December 30, 2019, 24” x 36”, 1 sheet.

**Loveland Road Lot #2** – Site Improvement Plan, B.C. Engineering and Survey, Inc., revised January 28, 2020, 24” x 36”, 3 sheets.

**30 Worcester Road** – Facility Parking Plan, B.C. Engineering and Survey, Inc., January 31, 2020, 24” x 36”, 3 sheets.

**17 Loveland Road** – Proposed Site Plan, Bertin Engineering, January 28, 2020, 24” x 36”, 1 sheet.

Respectfully submitted,  
Kelly Gorham  
Clerk for the Conservation Agent

Conservation Commission Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman