

**Town of Webster
Conservation Commission
Minutes of the Meeting – June 3, 2019**

REC'D WEBSTER TOWN CLERK
JUL 16 '19 AM 11:51

Attending: Commissioners – Joseph Kunkel, Joseph Wigglesworth, Michelle Sherillo, Fred Bock, Dan Duteau, and Brandon Faneuf – Peer Review Consultant

Staff – Mary Overholt, Conservation Agent, Kelly Gorham, Clerk

Absent: Commissioners – Beau Saad

Meeting called to order: 5:37 p.m.

Location: Selectmen's Meeting Room

Meeting Minutes

Mr. Wigglesworth motion to approve the minutes of the meeting on May 9, 2019. Mr. Duteau second. Vote all in favor.

Notice of Intent

Upper Gore Rd. – lots 52_A1_0 & 53_B_4_0 – Installation of 2 Solar Arrays - *Continued from May 20th* - Matt Parlon from Bluewave Solar, Rich Riccio, P.E. from Field Engineering, Tom Reidy, attorney from Bacon & Wilson, and Reed Allen from BWC Chamberlain Pond, LLC are present. The Planning Board voted to close the public hearing and they have 90 days to render a decision. MEPA and CMP filings are in process. MEPA will be done on June 22 and there is no specific date for CMP yet. Mr. Faneuf received a letter from Representative Joe McKenna and Senator Ryan Fattman dated June 3, 2019 asking to continue until after MEPA and NEHSP is done. Mr. Kunkel states we should also listen to the citizens present. Randy Becker, as concerned citizen, Scott Horsley, the hydrologist hired by the neighbors, and Chad Pepin are present. Mr. Horsley has reviewed the revised plans and goes over a handout he has prepared for the Board. There are 2 headwater streams that flow through the site; one has trout is a cold water fishery. The other discharges into the Lake. The purpose of regulation is to protect habitats and timing of water going in and out of wetlands. There are wetlands on top of the hill and bedrock wells. Water going into the wells needs to be assessed seasonally. In the revised documents there is a calculation which is site wide and not specific to the recharge areas. Clear cutting forested areas changed the thermal impact. There is more solar radiation. Micro climate change can cause the water in the detention ponds to heat up. Hydrologic assessments should be done annually and seasonally. Impacts of the headwaters will be felt in the cold water fisheries. Mr. Faneuf states the Board should take that under advisement. The Board would like to see better information on impact assessment, a hydrologic budget annually and seasonally for each headwater stream tributaries for groundwater recharge and surface runoff, assessment of where water is coming from and going into wells, and to make sure the recharge is maintained. Most of the wells in the area get the recharge from this property. Pre and post testing is recommended.

Mr. Riccio states that the volume in recharge trenches offsets the recharge volumes. The volume calculations for the northern and southern array are from 1 inch to a 25 year storm. There are breaks in the trenches about every 150 feet. Mr. Riccio feels they meet requirements as to recharge. It would be hard to tell where exactly some of the water is coming from. The wells are 400 feet deep in surrounding areas. Ms. Overholt mentions the elevation and adds that some of the wells are below the level of the Lake. Ms.

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Sherillo asks how much of an event would it take for the water to overflow the trenches and sheet downhill? A 2 year event. The trenches will follow the existing grade. Water can be sampled for nutrients and temperature. A preconstruction water quality assessment can be done, as well as during construction, and then a post construction analysis. They can do a study for a full year. The water testing and monitoring would be in the special conditions. Mr. Wigglesworth motion to continue to July 1st. Mr. Bock second. Vote all in favor.

Recess 7:45 – 7:55

0 Colonial Rd. – This project is a proposed single family home – *Continued from May 9, 2019.* Property owners Bryan and Sharon Pelletier and Norman Hill, Civil Engineer are present. Mr. Hill has revised plans and letter with waivers. He states that all proposed construction has been pulled off the hill side and the path and the staircase have been removed. The proposed house is closer than the 25 foot setback. This will set precedent. Two trees will be taken down because they would lean over the house. The house would be 10 feet from the flag and 12 feet from the water. Mr. Hill states that the lot is already disturbed and there is already a 4 wall foundation there. The Pelletiers bought the site in 2017 with intentions to build the house according to the zoning regulations. The Wetland Setback policy was made in 2019. Mrs. Pelletier states that this would create hardship. She also states that the policy has not been adopted into the bylaws of the Town of Webster. The property was purchased based on zoning regulations. Mr. Wigglesworth states that Town Counsel has approved the policy and that the burden of proof is on the applicant to prove or provide an alternative. They have not applied for a variance at this time. Ms. Pelletier asks what would be adverse impact. Cutting trees and stormwater runoff are some examples. Mr. Hill states that the house would have gutters. Mr. Bock notes that the gravel there is not pervious. If it was replaced with a lawn it would benefit. There is also a potential risk of pollution if chemicals are used on the lawn. No chemicals would be accepted as a condition. They do not feel a variance would be granted from the ZBA. Mr. Hill suggests an 18 foot setback. Mr. Bock would like 20 feet. Mr. Duteau would like 20 feet. Mr. Wigglesworth and Ms. Sherillo do not agree with 20 feet. Mr. Hill asks for a 60 day continuance. Mr. Prunier is present, representing the neighbors. He does not want a compromise. He states there has never been a house there and the lot was only taxed on the property, never a house, and that the wetland species would be compromised. Mr. Bock motion to continue to Monday August 12th. Mr. Wigglesworth second. Vote all in favor.

17 Wakefield Ave. – This project is the construction of a garage and a driveway. Mr. Kunkel opened the public hearing. Glenn Krevosky from EBT Environmental Consultants and Richard Parent are present. There was a site inspection on Saturday. There are cultec calculations of 1 inch in 24 hours. There is a 2 minute perc rate. It is 8 feet above the water table. They are changing the position of the driveway. It will be 20 feet wide and extend to the rear of the garage. There is a crushed stone pad for the boat. Wattles and silt fence will be used. There's a proposed breezeway that would be 6' x 8' and granite steps going to the Lake. They are getting a Chapter 91 license for a temporary dock. There will be steps for the deck, pavers and the upper landing will be trex. There were boulders; it was not ledge. The wattle line is below the granite steps. The driveway is bituminous asphalt. The increase in impervious area is compensated with the roof and cultec. There is also a 600 square foot increase that will be directed back into the ground. Mr. Krevosky adds grass to the plan. They can put a silt sock in the catch basin and put a wattle line along the road so nothing runs into the road and remove it when finished. They will need more sonotubes for the landing and the risers. The removal of invasives is discussed. Additional seed will be added to areas that are not stabilized. A 55 gallon spill kit must be added to the plan. Mr. Wigglesworth motion to close the public hearing. Mr. Bock second. Vote all in favor. Mr. Wigglesworth motion to approve the plan as submitted for 17 Wakefield Ave. Mr. Bock second. Vote all in favor.

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17 South Point Rd. – Amendment to the Order of Conditions – DEP# 323-1032 – Mr. Wigglesworth motion to continue to June 17, 2019. Mr. Bock second. Vote all in favor.

Items are now taken out of order

Discussion

21 Mark Ave. – Certificate of Compliance DEP# 323-1111 – There are ground junipers. The riprap should come a foot out of the water. Bricks or edging should be used along the gravel to keep it from falling into the Lake. The erosion controls can be removed. Certificate of Compliance not issued at this time.

Request for Determination of Applicability

25 Lakeside – This determination is for tree removal – Continued from March 11th. The Commissioners look at photos from the site visits held in March to compare to the site visit Mr. Kunkel did on June 1st. The mulch pile is in the same place. Mr. Gasparik states nothing has been cut or touched. A limb from the big pine across the street fell on their car. Mr. Wigglesworth recommends having the top of the tree trimmed. Mr. Duteau motion to rescind the fine on lack of information on 25 Lakeside Ave. Mr. Wigglesworth second. Vote all in favor. Mr. Wigglesworth motion to allow the removal of the logs. Mr. Duteau second. Vote all in favor. There are piles of gravel that need to be cleaned up. Ms. Overholt will go look at the site. The RDA needs to be updated to show that gravel, loam and seed will be spread and rocks to be removed.

Discussion

Mr. Kunkel would like to remind the members that cell phone photos can be confiscated by the government.

The Commission would like a new camera with GPS location.

42 Birch Island Rd. – Certificate of Compliance DEP# 323-0872 & 323-0873 – Mr. Wigglesworth motion to issue Certificates of Compliance for 42 Birch Island Rd. with the condition that the rain garden is fixed. Mr. Bock second. Vote all in favor.

Mr. Bock motion to adjourn at 10:16. Mr. Duteau second. Vote all in favor

Next Meeting Date: June 17, 2019 - Gladys E. Kelly Public Library Meeting Room

Documents:

Upper Gore Rd. – lots 52_A1_0 & 53_B_4_0 – Installation of 2 Solar Arrays - All materials associated with this application are on file in the office of the Conservation Commission.

0 Colonial Rd. – Correspondence from Land Planning, Inc.; Factors Supporting the Waiver Requests from the 25 Foot No Disturb Zone and the 50 Feet Building Setback Policy; dated May 29, 2019; 2 pages.

17 Wakefield Ave. – Existing and Proposed Site Plans; prepared by Existing Grade, Inc.; dated May 17, 2019; 24"x 36"; 2 sheets

25 Lakeside Ave. – Photos from Site Visit on June 1, 2019.

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Respectfully submitted,
Kelly Gorham
Conservation & Planning Clerk

Conservation Commission Approval:  Date: 7-15-19
Chairman