

**Town of Webster
Conservation Commission
Minutes of the Meeting – August 3, 2020**

A meeting of the Conservation Commission was held on Monday August 3, 2020 via conference call in accordance with Governor Baker's emergency order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A,§20 due to the public health emergency relating to the Coronavirus pandemic.

Attending: Chairman Joseph Wigglesworth, Vice Chairman Michelle Sherillo, Fred Bock, Robin Jewell, Hayden Brown, Daniel Duteau, Wetland Consultant Brandon Faneuf, Ecosystem Solutions Inc., Chuck Eaton, CHA Consulting, Inc.

Staff –Mary Overholt, Conservation Agent, Kelly Gorham, Clerk
Absent – Klarissa Johnson

Meeting called to order: 5:32 p.m.

Chairman Wigglesworth reads the Governor's Orders regarding Open Meeting Law, G.L. c. 30A § 20.

Request for Determination of Applicability

57 Colonial Road – Ray and Gloria Prunier (Applicant/Owners) – Construction of a 12x24x8 composite deck and removal of 2 trees – Mr. Prunier is present for the discussion. The home was designed to have a deck put on it. They will use helical posts and composite trex material. No construction equipment will be used. The grade is small and there are no stairs. This is a second floor deck and the lawn will be left underneath the deck. They will eventually place a patio there, which will be gravel and possibly slate. There are two trees to be removed; the trunks are dead. They can replace them with shrubbery. Mr. Bock states that they should use pervious pavers for the patio. There are no further questions. Mr. Duteau motion for negative determination for 57 Colonial Road. Ms. Jewell second. Vote 5-1 by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – Abstain).

11 Pontiac Ave – Brookside Rehabilitaion and Healthcare Center (Applicant/Owner) – Apply fire-retardant to ramp and place rip rap – Mark Presutti is present to discuss this project. There was a site visit done on Saturday. The egress was washed with the power washer and no soap was used. This is close to the BVW in back. There is a little erosion near the ramp and they are placing rip rap there. There are some invasives on the corner to be removed. There is some erosion on the other side as well and rip rap can be used there as well. 5-6 inch chunk rock should be used. Dr. Jewell motion for negative determination for 11 Pontiac Ave. Mr. Duteau second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

5 Cudworth Road – Cudworth Road LLC (Applicant/Owner) – Replacement of drainage pipes and addition of a catch basin – Gene Sullivan is present to discuss this project. There is wetland area along Rte. 395 and there are 2 pipes there, 15 inch and 6 inch. They propose to replace those with 24 inch pipe. The existing pipes are deteriorated and new pipes will collect the areas more effectively. There will be an outdoor storage area for trailers and they will be bringing in an access roadway. They want to create a loading dock that functions efficiently. There are collection systems on top of the building and a recharge system. The site plan has been submitted to the Planning Board. The Commissioners visited the site on Saturday. Most of the work on the site is outside of the 100 foot buffer zone. There are new downspouts near the pipe, along the side. There was sheet flow toward the wetland and they will connect the

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downspouts to prevent that. There is a lot of debris and some concrete chunks to clean up from the previous tenant. There are no changes proposed in the southern area of the property. They could put in a catch basin and a berm and also a water quality unit. There has been silt in the pipes and some remediation may need to be done. Ms. Overholt will look at the area where the silt is more closely. Mr. Duteau volunteered to visit the site and Mr. Sullivan suggested their wetland scientist can go as well. There is a rain event coming in the next few days and a flock sock should be used as a precaution. Mr. Bock asks if there will be a sump on the drywell. There will be on the Rte. 395 side only. They are excavating for the front parking lot and new driveway to the loading docks now. Mr. Duteau asks about the slope on the north side of the new driveway. It will be under 3:1. There are no further questions from the Board. Glenn Krevosky states that this is fresh sediment that is going into Webster Lake. There is a delta. This is loose sediment from excavation. That could be a violation. Mr. Sullivan states that the property is under new management and their client is trying to fix those issues. The sediment is from the compromised pipes. Mr. Krevosky states the sediment is from the other side and they should use an auger. Dr. Jewell motion for negative determination on 5 Cudworth Road. Mr. Bock second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

Notice of Intent

61, 67-69 Cudworth Road – NU Auto Auction Realty, LLC (Applicant), – Construct 669 space vehicle storage lot Continued from July 20, 2020 – Brandon Faneuf’s peer review was done on July 29th. They will be planting shrubs on the slopes. They will work on additional mitigation during construction. Mr. Faneuf agrees on the water line. The wall at Rte. 395 is at the property line. Weekly reports monitoring the erosion controls can be added. Basins will be built to be used as sediment controls. Invasives will be removed. They will plant native species. Chuck Eaton, Town Engineer from CHA Associates, will have a peer review ready in a few weeks. Michelle Smith, an abutter would like to leave some comments after she can review the peer review comments. She will forward her comments to Ms. Overholt. She has questions for this hearing regarding the wetland delineation. Has the wetland been delineated and proved to be further away from the 100 foot buffer? To the northeast there is ponding after the rain. Further east, flagging up gradient will be off site. Ms. Smith states that they can overlay with the buffer. The other area she questions is wetland flag series B. Mr. Krevosky states that upland of that is shown to be wetland. The parking areas are non-hydric soils. Up gradient from the tree line in the southeast direction has non-hydric soils. They will continue to the meeting on August 31, 2020. Mr. Brown motion for continuance to August 31, 2020. Mr. Bock second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

4 Old Douglas Road - LKQ Auto Parts (Applicant) — Improving storm water infrastructure - (Continued from July 20, 2020) – Greg Rogowski from ESS Group is representing the applicant and Glenn Krevosky, Chuck Eaton and Brandon Faneuf are also present for this hearing. Katey DeCarli from CHA Consulting Inc. was on the site visit Saturday and submitted comments. An area of concern is the settling basin. There is improvement. Vegetation is growing in. In 2005, ESS worked in that area for restoration. They can do something similar now. There will be a 2’ x 2’ trench drain with a level lip at the top to allow water to settle out, with a 1 foot sump in it. The trench drain is connected to a smaller trench drain run and this will cut down on drainage area over the land. In the past, LKQ closed some of the roof drains and that caused water over the land area. They are now out letting the roof runoff into a container to recycle. There is significant reduction flow over land. There is a 1 foot deep depression covered with crushed stone. LKQ understands they have maintenance responsibilities. They have

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installed floc blocks. Ms. DeCarli suggested a permanent filter sock at 201b and they will incorporate that and also a baffle wall in the detention pond. They also reduce turbidity with a pumping system midway, on the western side of the pond. Mr. Duteau was at the site after the trench drain was installed and stated that there was silt in the wetland area. The trench they have there is not good for type c soils. They are proposing a new open trench with a cavity below the ground covered with a grate. They are trying to create additional infrastructure to allow sediment to be settled out. The 2005 plan was provided as an example of what was previously done. The new plan should be updated with a more detailed plantings list. LKQ stated that there is no dismantling of vehicles outside. Darryl Weston states that no vehicles stored on the property have liquids in them. A primary concern is a more detailed restoration plan. They have not done stormwater test holes. Mr. Wigglesworth states that the area where they are proposing restoration is Town property. They will need permission from the Board of Selectmen.

There will be a lot of maintenance involved. The current owner can keep up with maintenance, but the property may change hands. There may be another way to capture the sediment that may be easier to maintain, such as a catch basin going into a hydro dynamic separator. The trench drain is shallow so there will be resuspension of sediment. A silt fence and wattle shouldn't be permanent. Glenn Krevosky requests a copy of the EPA submittal and Mr. Eaton's review. Dr. Jewell motion to continue to August 17, 2020. Ms. Sherillo second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

17 A Lakeview Road – Russell J. Cournoyer (Applicant/Owner) – Construction of a single family home – Mr. Wigglesworth opens the public hearing. Mr. Cournoyer is present to discuss this project – They would like to remove some trees and shrubs and replace them with new ones. The cement wall at the Lake needs repair. The home is in the middle of the flat lot. This is a private road that is not maintained. There are 21 trees along the border. Mr. Wigglesworth recommends leaving the trees and having an arborist trim them back. The trees are not inhibiting development. There is a stock pile kit on the plan and driveway will be paved. There are gutters on the home. They might need a developer or engineer for the cultec. Ken Perron is the contractor. A silt fence and straw wattle should be placed along both sides of the property. A turbidity curtain should be in the water for the wall. They will need a Chapter 91 permit for a dock. There are some steps to the water line that will need to be repaired. Pavers may be used and the patio should be included on the plan. Ms. Overholt states that they need to keep the impervious area at 40% or lower. The current plan is conceptual and should be engineered. Mr. Wigglesworth recommends BC Engineering. Mr. Bock motion to continue the hearing until they are ready with an engineered plan and impervious calculations. Dr. Jewell second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE). They can contact Ms. Overholt when they are ready for the hearing.

37 Wakefield Ave. – Marilyn and Michael Coons (Applicants/Owners) – Remove rocks and place concrete slab at water's edge. – Mr. Wigglesworth opens the public hearing. Ms. Sherillo recuses herself as she is an abutter. The applicant would like to place concrete slabs at the end of the boat ramp. The previous owner dumped rocks there. It is unsafe to walk on now. They should do the work when the Lake is at its lowest. No machinery should be used in the water. The ramp will be about 10-15 feet wide. They will need to provide more details. Mr. Duteau motion to continue the hearing until the applicant can provide more details. Mr. Bock second. Vote 5-1 by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – Abstain; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

10 Memorial Beach Drive – Town of Webster (Owner), Marshall Gary (Applicant) – Construction of grass ballfield, Pickleball court and playground – Mr. Wigglesworth opened the public hearing.

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Carole Marchand and Ben Gary are present to discuss the project. There is a small paved area. Opposite the beach house is a playground. The plans are reviewed. They are going to grade the gravel and not change the direction of the flow. There will be 6 inches of compacted loam and a mix of field grass and wildflowers will be used in some areas. A new play structure for children 5 years old and under is also proposed. There will be a walking path. The Pickleball area was flagged. The plan was presented to the Board of Selectmen and the DPW. Construction will begin in the fall and finish in April of 2021. A dog park is also proposed. Treated bark will be used in some areas and it is safe for wheelchairs. No pesticides are allowed on the grass ball field. Trees may be added around the perimeter of the ball field for shade. Some excavation will be done. Erosion controls and straw wattles should be used. A 55 gallon spill kit must be onsite. A silt fence and wattles must be used when work is being done around the beach. Some trees will need to be removed from the site near the soccer field. The Commissioners request a replanting plan.

Mr. Eaton has comments regarding the water treatment plant. The rip rap should be extended out and wood chips can be used on the gravel areas to stabilize. There is runoff from the parking lot into the wetland. The engineering comments are reviewed. The soccer field is in a swale that discharges to the wetland. They would like to see how the water will run around the soccer field so it does not impact the Lake. The water should discharge into the wetland first before going into the Lake. Grass will grow and help catch the silt. The conditions for this project include no fertilizers, trees toward the playground, straw wattles and silt fence in work areas, and a 55 gallon spill kit. There was an error on the Notice of Intent that mentioned a replication area; they are not working in the wetland. They are waiting for a DEP number. A new plan with plantings and the rerouted swale is needed. Mr. Bock motion for continuance to the next meeting on August 17, 2020. Mr. Brown second. Ms. Sherillo was not available for this vote. Vote Vote 5-1 by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – No Vote; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

Discussion

Water Treatment Plant – Mr. Bock states that they should use 10 minus rip rap. There is currently small stone at the discharge area. A U shape with larger stones is recommended. Mr. Eaton states that the pipes are for backflush and there is a holding tank for that water. It only flows once or twice per year, but was flowing when Mr. Eaton visited the site and also when Ms. Overholt visited the site on a separate occasion. Mr. Bock was on the Commission when this project was approved and this was not mentioned then. Mr. Eaton asked for the rip rap pad to be extended. The pipe extends to the woods and there is a channel forming. The Commissioners will look at the site. This item will be discussed further at the next meeting on August 17, 2020.

Mr. Bock sent a video of Loveland Road, which is played at this meeting. There are raised flower beds on the right side and there is fill at the shed. Mr. Wigglesworth states those are unpermitted structures and Mr. Bock states it is also a stormwater violation as the structures can alter the stormwater flow. DEP can get involved with stormwater violations.

Audience members are present to discuss the docks at Black Point Road. Jaqueline and Pam Lloyd, 22 Black Point Road, and Melissa Loeber from 28 Black Point Road. Last year the Commission asked for some old docks to be removed, and the Lloyds had someone help to safely remove the old docks. They state that the neighbors purchased a large boat and it got stuck in the cove. The boat is currently parked there. They state that the neighbor has since had the boat fixed. The Lloyds would like this boat removed as it is a liability. They feel threatened by the boat owners. Mr. Bock advises they should seek a

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restraining order if the neighbors are coming onto their property. Ms. Sherillo asks if the boat is impeding navigation. Ms. Loeber states it is impeding on the left side. Ms. Loeber is in the process of applying for a Chapter 91 license for their dock. Ms. Sherillo states the Harbormaster can get involved. The boat has ruined a beaver dam. The Lloyds feel threatened and Mr. Bock recommends the elder abuse hotline 800-922-2275. Mr. Wigglesworth and Ms. Sherillo would like to meet with the Lloyds to discuss the situation.

Agent Report - Ms. Overholt states there were a few Administrative Approvals done and she visited a few sites.

Ms. Overholt is on vacation next week.

Ms. Sherillo motion to adjourn at 9:33 p.m. Mr. Brown second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Dr. Jewell – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE).

Documents:

61, 67-69 Cudworth Road – Site Plan of Land, prepared by Bertin Engineering, Inc., revised through July 14, 2020, 24”x36”, 6 sheets.

4 Old Douglas Road - LKQ Auto Parts – Stormwater Improvements Plan, prepared by ESS Group, revised through September 18, 2020, 24”x36”, 2 sheets.

17 A Lakeview Road – Certified Plot Plan, prepared by New England Land Survey, Inc., dated June 24, 2020, 8 ½” x 11”, 1 page.

37 Wakefield Ave. – Hand Drawn Plan, received July 22, 2020, 8 ½” x 11”, 1 page.

10 Memorial Beach Drive – Ballfield Site Plan, prepared by Marshall Gary LLC., revised through August 18, 2020, 24”x36”, 4 sheets.

All documents associated with these files can be found in the Office of the Conservation Department.

Next Meeting Date: July 20, 2020 – Location to be determined.

Respectfully submitted,

Kelly Gorham
Clerk for the Conservation Agent

Conservation Commission Approval: _____ Date: _____
Chairman