

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

A meeting of the Conservation Commission was held on Monday April 27, 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, Dan Duteau, Fred Bock, Hayden Brown

Absent: Robin Jewell, Klarissa Johnson

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

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

Meeting Minutes

Ms. Sherillo motion to approve the meeting minutes from March 23, 2020. Mr. Bock second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE.)

Ms. Sherillo motion to approve the minutes from April 13, 2020. Mr. Bock second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE.)

Discussion

The Discussion items were taken out of order.

Webster Lake Association Permit – Ms. Jewell and Mr. Bock recuse themselves. Vote will be held at another meeting, not tonight. The permit has not yet expired due to the Covid-19 emergency extension from the Governor. It will expire 45 days after the emergency is lifted. Mr. Wigglesworth recommends that the permit be extended to October 1, 2020. Jason Piader is present to represent the WLA. He states that reports and maps from last summer have been submitted to the Board and there has been no change in data since then. He explained that in the spring recommendations are made and a treatment map is created. Then there will be a fall assessment. There is a small hydro raking project also. There were 7 conditions discussed with the working group. Work will be completed by October. Mr. Wigglesworth states this filing would be as a limited project. Mr. Piader would like to look at all the options, not just filing as a limited project. Doug Willardson, Town Administrator, suggests that a flyer can be sent out with another scheduled town mailing for just a few cents each to lower abutter notification costs. It would go to the entire Town and not just Webster Lake residents. Would mailing receipts still be required? The notification must be in compliance. Mr. Wigglesworth would like to have a site visit to see what is happening with the project. This will be discussed again at the next meeting on May 4th.

Goya Road – Unpermitted Work – The Building Commissioner issued a stop work order. Mr. Wigglesworth drove by the site and noticed a lot of tree clearing and also earth moving. This is located next to the Auto Auction site.

**Webster Conservation Commission
Meeting Minutes of April 27, 2020**

Wetland Bylaw Update – Brandon Faneuf reviews the Bylaw with the Board. This is a draft version and will be edited and revised before it is presented at Town Meeting in June. Mr. Faneuf shared the Bylaw document on screen. It includes the 8 interests of the Massachusetts Wetland Protection Act and includes 5 more:

- erosion and sedimentation control
- water quality
- rare species habitat including rare plant and animal species
- agriculture
- aesthetics

The AURA (Adjacent Upland Resource Area) has been added. This stands for Adjacent Upland Resource Area. Randy Becker asked how many properties will be affected near Webster Lake? Some exemptions were discussed. Maintenance and repair to an existing, not expanding, footprint would be exempt. Agricultural use and emergencies are exempt. Under state regulations there is a 100 ft. protection area which only extends to other wetland resource areas, it does not go into the upland buffer zone. A 200 foot protection area applies to the banks of perennial rivers and streams and will include the Millbrook Raceway. Ms. Overholt noted to add great ponds to that list.

Mr. Faneuf reads and reviews the Definitions section. Definitions must be exact and specific for legal purposes. The Commissioners add some edits and comments. The term aesthetics is subjective and would require a majority vote.

Applications must have a written project description and narrative, including a statement of impact which describes the entire scope of the project and how it complies with the Bylaw. The property owner is the applicant. If necessary an ANRAD should be done before an NOI and before any subdivision of land. This is for larger projects with more than 600 feet of wetland line. An RDA can also be used to determine wetland boundaries.

Applicants are required to provide revised plans, reports or other information at least 5 business days before a hearing. The Commission has the ability to continue a hearing for information not submitted in a timely manner.

1:1 replication areas are to be constructed at a 2:1 ratio to ensure at least a 1:1 success rate. The timing for replication is one full growing season (at least 5 months).

A permit expires in 3 years unless it was specifically issued to 5 years. This would be a special circumstance. Permits can only be extended one time. After that, a new NOI must be filed.

The Commission can require a bond for large projects.

Upon transfer of land, any violations are tied to the land – not the owner.

Mr. Wigglesworth mentions that the Lake is a special area. It should be looked at differently than the rest of Webster. There is a high population density. A one-size-fits-all rubric may not apply to the Lake.

**Webster Conservation Commission
Meeting Minutes of April 27, 2020**

The Bylaw states why it is important to protect the Bordering Vegetated Protection Zone (BVPZ). The Board discusses the BVPZ. This is the vegetation growing along the wetland resource area. The Commission may require replanting the BVPZ. There is a table in the Bylaw. Ms. Overholt and Ms. Sherillo state that the BVPZ regulations should include any wetland area, not just the Lake. It includes decks and existing detached structures. The Commission feels that this should also apply to any addition increasing the house size by 25%. In critical areas with protection habitats the BVPZ is double. There is a table for steep slope adjustment also. Native plants must be used for plantings/replication.

A plan is required for the BVPZ. This won't cut off access to the Lake. The path shouldn't be more than 6 feet wide and this allows for a view corridor. The view corridor cannot be more than 25% of the frontage on the water.

Herbicides or clear cutting will be prohibited and there will be no fertilizer use in the BVPZ.

This draft is a working document and will need to be finalized before it is presented at Town Meeting. Mr. Faneuf will send copies to the Agent and Board members. Mr. Duteau has submitted more comments to Ms. Overholt. This will be discussed again at the next meeting.

Mr. Bock motion to adjourn the meeting at 9:43 p.m. Ms. Sherillo second. Vote all in favor by roll call (Mr. Wigglesworth – AYE; Ms. Sherillo – AYE; Mr. Duteau – AYE; Mr. Bock – AYE; Mr. Brown – AYE.)

Next Meeting Date: May 4, 2020 – Location to be determined.

Respectfully submitted,
Kelly Gorham
Clerk for the Conservation Agent

Conservation Commission Approval:


Chairman



Date:

