

**Town of Webster  
Conservation Commission  
Minutes of the Meeting – July 15, 2019**

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

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

**Absent:** Associate Commissioner Beau Saad

Meeting called to order: 5:41 p.m.

Location: Gladys E. Kelly Public Library  
Meeting Room

**Meeting Minutes**

Mr. Wigglesworth motion to approve the minutes from May 20, 2019. Mr. Duteau second. Vote all in favor.

Mr. Wigglesworth motion to approve the minutes from June 3, 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 July 1 2019.* – Tom Reidy, attorney from Bacon & Wilson, Rich Riccio, P.E. from Field Engineering, Matt Parlon and Brian Hunt from Bluewave Solar are present. The ENF from June 21, 2019 is referenced and available in the Conservation office for viewing. DCR is recommending 14 more acres for Conservation Restriction. Changes to the access road are discussed. There is grading on shoulders and the limits of the work area could reduce an acre. They are working with Natural Heritage and have been through the ENF process with more certification to be done.

Tree removal could warm the headwaters, so ambient temperatures can be taken prior to and after construction with a monitoring station. The reading can be taken on the stream within next 2 months as construction won't be started yet.

The letter from Natural Heritage is discussed. There is a restoration planting plan for forest between arrays in letter. Other items mentioned are facilitation of habitats and revegetating with native species as soon as possible. They are maintaining 500 feet of no touch to the habitats. There was a MEPA site visit conducted on June 4, 2019. It is recommended that Bluewave pay for the maintenance of the CR. This is a phased project. Mr. Hunt explained they would phase according to need with no barren ground. Mr. Faneuf stated that it would be + or – 5 acres at a time. They would start with one clearing and then move to next. They will clear acre portions, hydro seed and hay, and then come in with the posts. Stump grinding will be done on site.

Neighbors ask if they can speak. Greg Gentile of 49 Blueberry Hill asks the Board to look into further the adverse effect on water runoff and wildlife before making a final decision. Mr. Riccio states that the facility has been designed to go above and beyond. It is designed to put as much runoff back into area and catch basins. The Order of Conditions and EPA stormwater management have to be followed. There will be



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inspections after major rain events. Planning board suggested someone else review at their expense. Action logs and the corrected action logs can be forwarded to the Board. Vehicle parking during construction will be in the Order of Conditions. Straw bales should be used, not hay.

A subdivision would be more invasive on that property. Mr. Bock stated that with a subdivision, more wells will be put in and the fracking is worse. There is a decommissioning and removal fund to remove panels from the area. A large subdivision would add impervious area and many more wells. Mr. Wigglesworth states that to have the Board permit and regulate this project in house gives commission more control here in the in the Town than DEP. Mr. Bock would like the Order of Conditions edited to make data available for a research study.

Mr. Wigglesworth motion to close the public hearing. Mr. Bock second. Vote all in favor. Mr. Wigglesworth motion to approve the Upper Gore Solar Arrays with Conditions to be determined at a later time. Mr. Bock second. Vote all in favor. The Conservation Restriction, monitoring, construction sequence, a scientist to oversee replication area, reports and corrective action logs are to be included in the conditions.

**143 South Shore Road** – This project is for tree removal and retaining wall repair. Mr. Kunkel opened the public hearing. Owners Nancy and Bill Corey are present. There is a large oak tree pushing on the retaining wall and they would like to remove it to prevent further damage. They will need to repair the damage the tree caused to the wall. The wall will be repointed and 3 inches above the grade. No machinery will be used, everything will be done by hand. The Commission recommends planting 2 trees, such as dogwood or birch, to replace the 1 large oak. Near the water is best, as the shade from the trees will help prevent blue green algae. They can take a map of the lot to a nursery for recommendations on type of tree and location to plant. A turbidity curtain should be in the water. No spill kit is needed. The cement should not be mixed near the water. No erosion controls are needed as they are not disturbing the ground. Mr. Bock motion to close the public hearing. Mr. Bock motion to approve the standard residential order of conditions with turbidity curtain, tree replaced 2-1 and the stump to remain. Mr. Wigglesworth second. Vote all in favor. A DEP# is required prior to the start of construction, and a preconstruction meeting. There is a minimum of 10 days from the hearing to start work.

### **Discussion**

Commissioner Sherillo leaves the meeting.

136 Killdeer Road - Trees were cut without Commission approval. They were 3 houses in the neighborhood that had trees removed by Stately Tree Service. The Determination was on an agenda, but the trees were taken down before the meeting; it was a filing after the fact. The owner stated that the tree was okay'd to come down during a site visit. There are photos in the file, but no plan to review. The owner will be contacted with the findings after the Board reviews the file and photos.

25 Lakeside Ave. – The fine was rescinded but the RDA was not finalized. The owner spoke with Ms. Overholt about it. They will regrade and seed; that will be added to the determination. Mr. Bock motion to approve the determination. Mr. Wigglesworth second. Vote all in favor.

The extension for 17 South Point Road is signed. It was approved at the previous meeting.

The Determination for 51 Bates Point Road was signed. It was not signed in the correct section.



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122 Gore Rd. – Ms. Overholt went out to look at the site. They are parking vehicles but it is more than 100 feet away from the wetland on the GIS map.

Mr. Wigglesworth asks about Gore Road and taking over the property behind 0 Wakefield. Ms. Overholt will write a letter to the selectmen.

Mr. Bock would like the Commission to draft a tree replacement policy.

Ms. Overholt advised the Board that someone would like to donate a small lot to the town. It is a wetland area.

There was a tree removed at 30 Union Point. The Board of Health and Building Department requested it because the neighbor complained it is a hazard. This should have been an emergency order. Mr. Wigglesworth motion to rescind the fine. Mr. Bock second. Vote all in favor.

33 Loveland Rd. will come in to discuss the tree that was not cleaned up. There is also a shed that has no permit from Conservation. The shed and planter boxes need to be permitted or removed. They own some land across the street, but the shed is not on their property so the land owner needs to sign the permit request.

The Town Administrator would like to get the Conservation bylaw on the October Town Meeting. Mr. Kunkel motion to create a bylaw working group. Mr. Bock second. Vote all in favor. Mr. Kunkel motion for Mr. Wigglesworth and Ms. Sherillo to be on the bylaw working group. Mr. Duteau second. Vote all in favor.

Mr. Bock has a form to fill out to allow the data from the Upper Gore Rd. Solar project to be included in a study. This will provide useful data for future projects. Mr. Wigglesworth motion to sign on with the study. Mr. Kunkel second. Vote all in favor. Mr. Bock abstained from voting. He will be the point person.

Ms. Overholt will send out the bylaw to the Commissioners for review. Mr. Faneuf would like to present it at the Town Meeting. There is a tree cutting and replacement piece in it.

The Board would like a letter sent to the Zoning Board regarding updating the setback.

Ms. Overholt mentions that the Town Administrator would like to have a set schedule for meetings and that the meetings will be recorded eventually. They will have to be held in the Selectmens Meeting Room for recording.

Mr. Wigglesworth stated that there is a dock and a delivery of slab stones at the Nipmuc ski club. The Board will need to be involved

There is a boat next to the pumping station. Ms. Overholt has sent a letter to them while back.

Mr. Bock motion to adjourn at 7:55. Mr. Wigglesworth second. Vote all in favor

**Next Meeting Date: July 29, 2019 – Board of Selectman Meeting Room**

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**Documents:**

**Upper Gore Rd. – lots 52\_A1\_0 & 53\_B\_4\_0** - Installation of 2 Solar Arrays – All materials associated with this project are on file in the Conservation Office.

**143 South Shore Rd.** – Locus Map with location of wall and tree, 8 ½” x 11”; 1 page.

Respectfully submitted,  
Kelly Gorham  
Conservation & Planning Clerk

Conservation Commission Approval: \_\_\_\_\_

  
Chairman

Date: 8-5-19

REC'D WEBSTER TOWN CLERK  
AUG 6 19 AM 9:39