

**Town of Webster
Conservation Commission
Minutes of the Meeting – August 26, 2019**

Attending: Commissioners – Joseph Kunkel, Michelle Sherillo, Fred Bock and Dan Duteau
Staff – Mary Overholt, Conservation Agent, Kelly Gorham, Clerk

Absent: Commissioner Joseph Wigglesworth and Associate Commissioner Beau Saad

Meeting called to order: 5:35 p.m.

Location: Selectmens Meeting Room

REC'D WEBSTER TOWN CLERK
SEP 10 '19 PM 1:31
Meeting Minutes

Ms. Sherillo motion to approve the minutes from July 29, 2019. Mr. Duteau second. Vote all in favor.
Ms. Sherillo motion to approve the minutes from August 5, 2019. Mr. Duteau second. Vote all in favor.

Request for Determination of Applicability

113 South Shore Road – This RDA is for the removal of trees and placement of an air conditioning/heating unit. A concrete wall may need to be cut to allow equipment to pass through. Owner and applicant Carol Barrette is present. There is a dying maple tree and an oak to be removed. It overhangs the neighbor's property. Approximately 2 feet of the wall may need to be cut to allow for equipment. Windows will be replaced – 1 facing the Lake and 2 facing the street. HVAC will be installed on a concrete pad. It will be hand dug and located near the house. Stumps will be ground. Mr. Bock motion for negative determination for all items listed at 133 South Shore Road. Mr. Kunkel second. Vote all in favor.

115 South Shore Road – This RDA is to rebuild a shed, remove trees and repair a wall. Owners Russell and Erica Cournoyer Jr. are present. The shed is falling down and there is a cement foundation. In order to get a truck in the back yard, the left side of the lot will have to be filled some because it is too steep. This is part of the application. They would like to remove trees so that the children will have more room to play safely in the yard. Stumps should be ground, not dug out. One pine is large and may be hazardous to the house. They are open to planting more trees on the side of the lot. The trees over the cove provide shade to the water and this will help prevent blue green algae. There is an oak tree that will be trimmed. The trees closest to the water are more critical to the habitat. The applicants originally asked to remove 10 trees during the conversation with the Commission they agreed to remove four trees and trim one and keep the rest. Mr. Bock recommends driveable lawn instead of just fill. It is more durable. The tree roots can be covered with dirt or loam. A silt fence and straw wattles should be put at the edge near the Lake to keep the dirt in place. Erosion controls should be left in until grass is stabilized. Work on the wall could require a Notice of Intent. Ms. Sherillo motion for negative determination for 115 South Shore Road. This includes 4 trees to be removed and replaced with 2 native trees, oak tree branches trimmed, shed repair, filling the slope with erosion controls in place. Mr. Bock seconds and added that Ms. Overholt should be contacted for an erosion control inspection. Vote all in favor.

**Webster Conservation Commission
Meeting Minutes of August 26, 2019**

35 Killdeer Road – Owner Paul Bilodeau is present. Ms. Overholt did the site visit. This project is for the construction of a 3 season room replacing an existing deck. The deck is 75 feet from the wetland and there is an above ground pool in between the work and the wetland. They are using existing footings. Mr. Kunkel motion for negative determination for 35 Killdeer Road with best management practices used. Mr. Bock second. Vote all in favor.

20 Indian Lane – Owner William Zenon is present and submitted additional photos. The trees were leaning towards the neighbor's property. Erosion is not an issue and the site was clean. Mr. Bock motion for negative determination for tree removal on 20 Indian Lane. Mr. Kunkel second. Vote all in favor.

Notice of Intent

31 Hall Road – Mr. Kunkel opened the public hearing. This project is to replace the patio and stone paver sidewalk. The Commissioners visited the site and Ms. Overholt had notes. There will be no change to the slope and they will keep the stone gravel down to the water. The walkway will be leveled out. There will be terracing like steps. Ms. Sherillo is concerned about the gutters. The plan is to take the water and put it into the stone and bring across the walkway to disperse before it goes into the stone area. The gravel does not get into the water. An updated plan was submitted including erosion controls. He will resend it to DEP as well. A silt fence and straw wattles are needed. They can stake it down. Boundary lines and a north arrow should be on the plan. A spill kit is needed on site so it must be marked on the plan. Spill kit must be accessible and not locked in a trailer. Ms. Sherillo states that water flows faster across impervious pavers. Mr. Bock suggests pervious pavers. There are gutters on the house. Water will have to go through crushed stone to get to the Lake. Additional pervious pavers changes the flow of water. The sidewalk area will be pitched away. They can do a surface drain to catch the water and redirect it. A perforated pipe can be used where the slope is so water slowly disperses. The plan should be updated to include that. Ms. Sherillo motion to continue the public hearing to September 9, 2019 for an updated plan. Mr. Bock second. Vote all in favor.

124 Killdeer Ave. – The owner is present but the builder had to step out. Items will be taken out of order.

190 Lower Gore Road – They have requested a continuance to September 9, 2019.

0 Colonial Road – Owners Bryan and Sharon Pelletier are present. Updated plans are submitted. The walk is included on the revised plan. More plantings are included. The dock dimensions are 5' x 12'. There are stepping stones down to the water's edge. The owners applied for a setback variance and are on the agenda for the ZBA meeting on September 11. They will have to appeal to the DEP. The dock will need a Chapter 91 permit at a later time. The house is still 12.2 feet from the water. Ms. Overholt states that Town Counsel recommends denying the plan rather than conditioning it at this time. The Board wanted the house 20 feet from the water, which contradicts zoning. Audience member Gloria Prunier would like to speak. The neighbors sent letters. She states that the lot is 3,000 square feet and the bylaw requires 5,000. There is no green space for wildlife and the lot is not feasible for a house. Mr. Kunkel motion to close the public hearing. Mr. Duteau second. Vote all in favor.

Mr. Duteau motion to deny the Notice of Intent. Mr. Bock seconded. Vote all in favor. The Board needs to write up the reasoning for the denial and they have 21 days to issue a decision.

13 Pavilion Ave. – Updated plans were presented. John Federico is present from Guerriere & Halnon, Inc., representing the owner, Thomas Gorski. Changes to the plan include adding a turbidity barrier and the spill kit is updated to 55 gallons and is located outside the 100 foot buffer. A stock pile has been added. The

**Webster Conservation Commission
Meeting Minutes of August 26, 2019**

dimensions for the deck were added. The deck is 13 feet away and at the closest point is 10 feet from the water. A cultec was added. All drains tie into the cultec and the dimensions were provided to Ms. Overholt. Mr. Duteau asks about the property lines. The no disturb buffer goes off of the Lake, not the property line. 480 is the highwater mark. 1 inch in 24 hours is infiltrated, which is a higher rate than required. The shore was lost because of the wave action over time. Ms. Overholt states that the deck is the main issue. Ms. Sherillo advised there is a policy and that the deck does not have to be 10 feet from the water. Mr. Bock cannot vote as he was not present at the last meeting. Mr. Duteau motion that the plan does not meet the requirements for the setback policy. Ms. Sherillo second. Mr. Bock abstains. Vote all in favor.

Glenn Krevosky remarked that the policy has no weight on the lot and they have shown on the plan that work in the buffer will not affect the resource. They will comply with the bylaw and policy is not regulation. Mr. Krevosky spoke with DEP and they said the DEP looks at the state laws and not at the Town level, to be consistent. Mr. Duteau states that a 25 ft. setback is common in most towns. Ms. Overholt states that the Town of Webster is in the process of improving regulations.

Recess from 7:22 – 7:30

34 Westwind Drive – Request for Certificate of Compliance DEP #323-1117 – The owners would like to sell the house. Some changes have been made due to a change of contractors during the project. The pool, walkways, steps and patio were not put in. There is a fine gravel beach area is there that was not on the plan. Rip rap was used and pavers were next to the water. Ms. Overholt states that there are cultecs and the driveway would not be tied in because the proposed driveway was crushed stone. It drains to the street and the driveway is out of the 100 ft. buffer zone. Ms. Overholt advises that if the new owners want to make changes they need to come to the Commission. The Commission noted that they would like to see an extra level of pavers along the shore between the fine gravel and the water before the COC is given to the applicant.

124 Killdeer Road – This project is for patio reconstruction and removal of a tree. Mr. Kunkel opened the public hearing. The builder would like to use blocks and decking on top of the patio. The builder has plans but had to leave the meeting. The Board cannot vote until the plan is received. They can't ok the tree removal because it is on the same NOI as the patio. The owner would like to add more items to the NOI. The plan needs to contain the erosion controls, stockpile area, spill kit and a north arrow. A Chapter 91 permit is also needed. This hearing is continued to September 9, 2019.

Discussion

33 Beacon Road – Request for Minor Modification DEP# 323-1101 – The owners, Tom and Kathy Holder are present to discuss changes. They would like to increase the size of the driveway from 24' x 24' to 24' x 40'. The cultec on the plan was approved but not installed. They would like to use a rain barrel. There is one gutter and a rain garden with stone and plants. The driveway pitches to the road but another rain garden would help. There is a link to rain garden information on the Conservation website. The rain garden should be 1' x 3' deep and run the length of the driveway on the north side. Ms. Sherillo motion to approve the minor modification. Mr. Bock second. Vote all in favor.

28 Laurelwood Road – Request for Certificate of Compliance DEP# 323-1059 – There are piles of pavers on the property but they will be installed in back of the house, away from the Lake. Ms. Sherillo motion to issue the Certificate of Compliance. Mr. Bock second. Vote all in favor.

**Webster Conservation Commission
Meeting Minutes of August 26, 2019**

3 Wakefield Ave. – An Emergency Certificate is ratified and signed by the Chairman. A tree fell and had to be removed.

231 Killdeer (possible address, or nearby) – There was dredging to make room for a boat. The Agent doesn't have permission to walk the property. There was a large amount of material removed. Mr. Bock will try to get a view from out on the Lake.

The Conservation Department received a call regarding a Lake sweeper that is moving muck and debris around onto neighboring property. This is not necessary illegal, but they should obtain a permit.

Ms. Sherillo will write up notes from the Commission's walk down Loveland Road. Mr. Bock states that the road is a series of easements. Most of the mulch was cleaned up from 33 Loveland Road.

Twisted Piston should have submitted an NOI by August 15, 2019 and they have missed that deadline. Ms. Overholt will contact DEP.

LKQ – There are new owners. Ms. Overholt will contact them. Mr. Bock adds that they may be putting in oil filtration.

8 Pebble Beach – There is sand on the beach. Ms. Overholt does not have permission to be on the property since there is no Conservation filing.

A tree was removed on 57 Wakefield Ave. Ms. Overholt will send a letter asking them to file after the fact.

108 Thompson Road – The mulch was dug back and should be fixed. One section is grass and was dug out. There is runoff from the back which is still very wet. More rip rap was installed to fix the drainage. Grass was replanted and may need to be reviewed in the spring. They will put more rip rap in the retention pond.

Mr. Duteau motion to adjourn at 8:47 p.m. Mr. Kunkel second. Vote all in favor.

Next Meeting Date: September, 2019 – Selectmens Meeting Room

Documents:

20 Indian Lane – Photos submitted by William Zenon, submitted at the meeting 8/26/2019, color, 9 pages.

31 Hall Road – Project Description and Plan #2 – Revised and submitted at the meeting 8/26/2019, 5 pages.

Notice of Intent Site Plan 13 Bates Grove Road, prepared by H.S. & T. Group, Inc.; July 23, 2019; 24" x 36"; 3 sheets.

0 Colonial Road – All materials associated with this application are available for viewing the Conservation Department.

**Webster Conservation Commission
Meeting Minutes of August 26, 2019**

13 Pavilion Ave. – Notice of Intent Site Plan 13 Pavilion Avenue, prepared by Guerriere & Halnon, Inc.; revised August 20, 2019; 24 "x 36"; 1 sheet.

Respectfully submitted,
Kelly Gorham
Conservation & Planning Clerk

Conservation Commission Approval:


Chairman

Date:

9-9-19