

**Town of Webster
Conservation Commission
Minutes of the Meeting – April 3, 2023**

A meeting of the Conservation Commission was held on April 3, 2023, in person at the Town of Webster Selectman Meeting Room.

Attending: Chairman, Joey Wigglesworth, Vice Chairwoman, Michelle Sherillo;
Members; Hayden Brown, Richard Parent, Fred Bock,

Absent: Member; Dr. Robin Jewell

Staff: Dawn Portman, Conservation Agent
Tracy Coporale, Recording Secretary

Meeting called to order: 5:37pm

Public Meetings – Request for Determination of Applicability (RDA)

13 Loveland Road – Christopher Ouimet (Applicant/Owner) – Construction of a new dock.
Mr. Ouimet is present. Ms. Sherillo reads the public notice. Ms. Portman has done a site visit, she says the file is complete and the photos show the proposed work and feels they can proceed. Showing the plan. Mr. Ouimet is looking to extend the deck. He explains, the back of the house is about 30ft wide with an 8ft overhang with concrete and piers to support the house. They are planning on extending from the back of the house out 12ft x 28ft wide. They have to come in 2ft for set-backs on the south side. They will be out 12ft from the back of house to the water line, which is about 48ft. From the new proposed deck there's about 33ft with three elevation changes down to the water line all separated with 18-inch stone walls. Mr. Wigglesworth states, an emergency order was awarded when the house was purchased due to an enclosed room that was built on a slab and it was undermining the stability of the back of the house. Mr. Ouimet added that they will use piers instead of digging for sonotubes and they will be placed on 6x6 posts. Ms. Sherillo asks, what is under the proposed deck? The new proposed deck is currently grass. They are looking to put 2x4 blue stone pavers with space for permeable water. It will be a sitting area with pavers under the deck. Existing is about 8ft with pavers and it will extend not the full 12ft out. Just under the sitting area. Ms. Sherillo asks for clarification. Mr. Ouimet clarifies, from the end of the house 12ft out will be pavers and stone to hold the soil. Showing drawing. Mr. Brown is questioning the size which was changed on the plans (30ft vs 28ft). Ms. Portman advised that this was changed that day due to zoning. The drawings were resubmitted. Mr. Brown is asking if we have anything that shows the layout of what is under the deck? No, just using the narrative provided. Mr. Wigglesworth asks, what do you plan on putting on the left side under the stairs? Underneath the stairs are existing pillars with three steps and a pad, which will be an entrance into the side door as well as the entrance to the deck. Nothing will change. It's on the opposite side from an area that looks disturbed. The steps will go on this side. He submitted plans for the other side. Mr. Brown asks, is the decking built out 4ft wide at the top to build the stairs to the concrete landing by the chimney? Mr. Ouimet answers, no, there will be steps going up to the side entrance door and no further steps down. Nothing else will be touched on that side. Mr. Wigglesworth is asking again for Mr. Ouimet to confirm the plans of what will go under the deck for stability. It's not stable at this time. He should put up some erosion

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controls. He suggests that he sketch out what will go under the deck and the full scope of the project. Mr. Parent asks, are there gutters? Yes, they were taken down during the construction and will be reattached. Mr. Brown asks, is there a change in elevation in the upper platform above the top stone wall because it looks like the lawn slopes down to the top of the wall, what changes will be done for leveling out the patio and stone that is going under the deck? Yes, they do have a plan 8-10 inches down with a step to take away the grade. The landscape architect will measure that because he isn't sure how far it is going out. Mr. Wigglesworth states, right now we don't know what the final plans are, we also need to know how the downspouts will be installed, suggests talking to a landscape architect to show the completeness of this with a secondary drawing. Also Mr. Ouimet is to ask his contractor to put a straw wattle and a silt fence up on the side where it drops down. He just needs to verify what will be going under the deck. If he has any questions he can reach out to Ms. Portman. Ms. Sherillo Motions to continue 13 Loveland Road to the April 24th meeting. Mr. Brown Second. Motion passed unanimously 5-0 by roll call vote: Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE.

220 Killdeer Road – Nicolas Germain (Applicant/Owner) – Deck removal and Construction of a new deck. Mr. Germain is present. Ms. Sherillo reads the public notice. Ms. Portman did a site visit, everything is accounted for and everything is in line as far as the gutters and cutting area. We can proceed. Showing photos. Mr. Germain, explains it's straight forward. He is taken out a set of stairs on the beach side in the left corner. The deck is going straight across. It will be the same footprint. He is using pressure treated framing and composite decking not sure if he will use techno post or piers. Ms. Sherillo asks, how will they put posts in? Mr. Germain, explains with machinery similar to a jack hammer. The railings will be PVC posts and horizontal wire. The lawn and everything is staying the same. No plans to remove the boards at this time. The one set of stairs will land on the walkway in the middle. Due to the resistance of the sandy ground area they may have to use diamond piers instead of techno posts, they are not sure which posts will stabilize it better. He has a construction sequence. A dumpster will be on site in the front of the house in the driveway. Mr. Wigglesworth suggests to cover the dumpster every night. There's no digging. He should install a silt fence about 1 ft off the wall. Mr. Wigglesworth asks, what will be under the deck? Crushed stone. The downspouts will remain the same. One side drains into a stone flower bed. Mr. Brown asks about cutting material, which will be done in the front of the house and should be cleaned up every day. Mr. Brown Motions for a Negative Determination for 220 Killdeer Road. Mr. Bock Second. Motion passed unanimously 5-0 by roll call vote: Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE.

Public Hearings – Notice of Intent (NOI)

46 West Point Road – DEP#323-1244 Jason Tubo (Applicant) – Repair of existing retaining wall (Continued from 3/13/23) Mr. Dan Berthiaume, Berthiaume Contracting is representing the applicant. Showing the sketch. Mr. Wigglesworth explains, they have the updated plan showing that Mr. Gless, Existing Grade, Inc. pulled the wall in from the flood plain and added storage back to the lake. The stone will be the same. He asks, what other work is being done?

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Mr. Berthiaume is pointing to the plan and explaining how he proposes to repair the retaining wall. The wall is about 12ft high. The sonotubes that were improperly installed on the edge of the wall that carry the deck plus a roof load above it and living space above it moved about 4-inches. They need to repair the wall. He will bring in stone, take the wall down and put in some temporarily supports then jack up the deck and put some proper drainage. Showing photos of where the wall is failing. Mr. Berthiaume explains there are a lot of downspouts because it is a big house. They need to be recharged and he feels they need to be investigated to see where they go. They could be discharging behind the wall. He wants to install a recharger and manage the run-off to make a clean draining process back into the water. Once they take the wall apart they can determine where they go and repair the downspouts for proper drainage. He wants to make sure the roof run-off is redirected. Mr. Gless is putting a plan together for the recharge unit. There's a lot of impervious area. He wants to redo the wall and the area around it. Everything will be done with a crane. They are starting over to make it strong. They will jack up the deck, take the legs and the wall out and put it back together properly. Ms. Sherillo assumes they will get a new plan & narrative? She asks, the walls will be put in how? Mr. Berthiaume explains it will be the same plans. The wall will be a 6ft thick stone wall. He explains, in order to be 12ft high it needs to be that thick. They may go 6ft and then another 6ft instead. He will put a new plan together to show this. They may have to take out some landscape area. Ms. Sherillo suggests to Mr. Berthiaume to watch the amount of permeable area. It's a huge house with a deck and now they want to remove some softscape. The lot is over 40%. Mr. Berthiaume should talk to Ms. Morgan, Planning and Zoning about this lot being over 40%. Mr. Wigglesworth explains in order to close this out and approve the plan we need the exact plan to approve. If Mr. Gless can do the rendering with the recharge unit and also show the percentage of impervious. Mr. Berthiaume will modify the plan and add the recharge system plus the modification of the wall, a rendering of the wall. Also update the construction sequence. The commission needs to know the size of the recharge unit and the percentage of impervious on this lot. If it is over 40% a special zoning permit may be required. They also need a narrative. Mr. Parent asks, what is the state of the wall facing the water? The side of it failed and it has been replaced with an emergency order. Mr. Parent asks, what about the storm water controls associated with that project are they still in the water? Yes. Do we need additional storm water controls for the new project? Mr. Berthiaume explains how they excavated the area out and filled it with stone with a wattle on the back of it. They raised it up and brought it back a foot which allowed the resource area to increase. The blocks were pulled and reset. He has a spill kit on site. Two big rocks were pulled from the water, as requested. Mr. Berthiaume will get new plans for the next meeting. Mr. Brown Motions to continue 46 West Point Road to the April 24th meeting. Mr. Bock Second. Motion passed unanimously 5-0 by roll call vote; Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

62 West Point Road – Todd & Valarie Whitehouse (Applicants/Owners) – Construct a new retaining wall. Mr. Stephen Balcewicz, BC Engineering & Surveying is representing the applicants. Ms. Sherillo reads the public notice. Ms. Portman states, the file is complete, they have the construction narrative, a site visit was done and it is all set to proceed. Mr. Balcewicz gives the board members a sketch for review. He explains, the two sections marked with Xs is an existing dwelling. There's a patio located towards the lake that will remain with the retaining wall holding it up. After the retaining wall, they plan on putting a 10ft pervious paver patio with

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a wall that is 2.5ft high with a 2ft landscaped area with another wall that is 2ft high. They plan on moving a deck that's in the flood plain and moving it up to the wall. He shows the delineated wetland. He shows the buffer zones. The lot is 9,384sf. It has a garage. The silt fence and wattles are on the plan. They provided a riprap apron with a sump to collect the roof drains on the southerly property line. Mr. Wigglesworth states, the old deck is in gray. The deck has been pulled 2ft out of the 480. So the project is no longer in the flood zone. Does the riprap apron need to be so close to the 480? Can it come up a little? Mr. Balcewicz says when they excavate it can be shortened. Mr. Wigglesworth asks, how much storm water does that take? Mr. Balcewicz explains that he thinks it collects from the southerly corner and also the one at the southwesterly corner dumps into it. The opposite corner does not. Where does the storm water from the other side go? Mr. Balcewicz explains they capture three corners the front right, the front left and the rear left standing on the road looking at the house. Plantings will go on the lower wall. Pervious pavers are labeled with details. The 4ftx24ft deck will be made of the same material it will be moved back and repurpose it. Keeping the wall that is holding up the main patio that connects to the house. Mr. Brown asks, so the lower wall is coming out? Yes. There are weeds and raw earth in that area. Ms. Sherillo asks, the front wall with the tree stumps will come out and be replaced and a second wall between the two? So the fieldstone wall will be the front wall towards the water, correct? They are discussing the existing versus the new wall. Ms. Sherillo asks, so there is a new wall going in the same location of the wall where the tree stumps are? No, they are further upland. Mr. Balcewicz is pointing to the sketch on the screen and clarifying the patio that will remain and the walls they are to be taken out. Ms. Sherillo states, so there are two new walls and there is nothing green between the current patio with pervious pavers and the first wall? Nothing green from the house to the green circles between the two walls? Correct. Mr. Balcewicz explains, there are pervious pavers with plantings in between. They are using riprap on the slope with shrubs for drainage. Also at the right rear there's a honeycomb which is an existing landscape area. It is a mess so they want to remove it and replace it and use some stone and shrubs. They have a spill kit on site. He is using a mini-excavator and will access the property by the neighbor's house. He has a signed affidavit from the neighbor. Mr. Wigglesworth asks about keeping the 3" lip for the wall? Yes, however Mr. Balcewicz's opinion is a lip is a tripping hazard but he will be sure it is there. Mr. Parent comments that he never heard an answer to the question asked earlier about the storm water capacity. He asks, how does the sump system works? Pumping into it or out of it, where does it go? Mr. Balcewicz explains, there is a piping network, there's a downspout in the right front corner that runs along the front of the building and collects the left front corner then runs down along the house and collects the left rear corner then discharges where he shows the roof drain on the plan. He proposed a sump, which is a depression about a foot deep that is filled with riprap so the water coming out of the pipe will be slowed down. He shows a riprap swale so the water trickles between the stones and doesn't increase the velocity and ultimately ends up in the lake. Mr. Wigglesworth states, with using a stone apron it is important to make sure the water will collect and perk into the ground and cool off the water enough. The water will cool down before going into the lake. There's no area for a culvert here. Mr. Parent asks why? It is up to the resident. Mr. Balcewicz explains typically you don't put it in the ground where there are retaining walls. There is usually weep holes to relieve the pressure. Mr. Parent comments, you are already outside of the wall, the grade is downgrade of that so you are not loading the wall with storm water. Mr. Brown asks where would he put a culvert below the wall without being in the flood plain? Ms. Sherillo comments, so as it is proposed now it's not loading the walls. So it

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could be a cultec system. There's not enough room for a cultec system. Mr. Wigglesworth is explaining Mr. Balcewicz's the plan of digging down a few feet and covering it up with plantings. Excavating will hit ground water. Ms. Sherillo asks about dimensions? Sheet #2. Mr. Balcewicz explains, they are taking an existing condition and creating a sump to retain some of the water. Showing the plan. So the water will discharge from the end of the pipe, cool and permeate into the ground. It is the best scenario. It's a rain garden without plants and slows the flow of the water. Mr. Balcewicz isn't sure if it's perforated pipe or not. Mr. Brown asks how far back are they off the water? 11ft to the wetland flag. The wooden deck is 1ft or 2ft the corner clips the 480 but it's not enough to do a filing, the water will pool around it and go down, if the water gets to the 480. The high water mark is 478. The flood plain is 480. The existing 4ftx20ft deck on the left corner is right at the high water mark, so they are moving it up out of the high water mark, and the right rear corner of the deck clips the flood plain however, they want to take it and move it up. Ms. Sherillo comments that it looks like a dock. There was approval for a dock, he shows on the plan. Mr. Balcewicz explains the piers of the deck and the photos are unclear as to what was previously there. Showing the photos. Mr. Wigglesworth assumes this is going back on sonotubes. Mr. Brown states, if they put piers they will have to file a Chapter 91. Mr. Brown points to the sketch and explains his comments having the deck in the 480 and being consistent with how this is handled. He asks, is there a way to shift the deck out of the 480? Mr. Balcewicz suggests to only repair it. However, if he does that it won't pass at DEP. Mr. Brown is explaining it's approximately 10ft from the shoreline. Ms. Sherillo has concern about allowing something to be built on the waterline. If Mr. Balcewicz slides it over a little he is out of the 480 mark. Zoning comes into effect when it's an enclosed structure. Ms. Sherillo comments, they are looking at a property that has more hard surface, more heat, more run-off to a 2ft garden and then allowing for another deck. They are raising the temperature of the water and not doing the environment any good. Mr. Balcewicz suggests they are trying to do good things by moving the deck out of the water. Yes, he can move it. He feels they are making it better by taking the roof run-off that has caused erosion and taken out bad situations and putting in good things like landscape. The patio blocks are pervious and directing into the ground. Mr. Wigglesworth adds plus a berm with rock. He sees what Ms. Sherillo is concerned with, it is close. Ms. Sherillo comments, they are looking at this hardscape and a structure that is in the water that leads to a giant dock that was approved. We have to look at the project that is in front of them. Mr. Brown is uneasy to allow the removal and replacing of an existing deck into an already sensitive area. Will the state push back if it goes to the state? Mr. Wigglesworth states, there's no reason to deny a project for 2ft over. Mr. Brown asks, can we condition it to be moved out of the corner and out of the 480 so not to go to Chapter 91? Yes. All it takes is for Mr. Balcewicz to work with the Commission to move the corner out of the 480 and all he would need is a license for the dock and the project needs to be conditioned. Mr. Balcewicz states, it's difficult to move the deck out of the 480 contour, but he can move it to the left about 4ft. Would the Commission be happy with that? He would have to move it 10ft to the left and it would touch it. Mr. Brown asks, can it be shifted backwards? Mr. Wigglesworth asks if there are any comments from DEP? Mr. Balcewicz handed the Commission the sheet and there are no comments from the state upon reviewing the project. The deck is 80sf in the 480 not including the stairs. Mr. Balcewicz says they can move it up 1ft and over 4ft. Mr. Wigglesworth says, they should know how is it fixed to the ground. In the costal communities folks have garages built in flood plains, as long as nothing is dug in the 480 that is what the state cares about. Mr. Balcewicz states, when they move the deck he suggests using the pyramid footings bringing

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them back and setting them in place. Mr. Wigglesworth explains once you start building on the 480 or into the 480 the state sees it as filler and they start getting picky. Mr. Balcewicz explains, it's only the columns in the flood plains. Yes, if the water gets to the 480 it is only covering a column. Mr. Brown states his concern about modifying the 480 and it also stems from the precedents they have been working to, which is identify, set and maintain consistently and this 480 situation concerns him. Mr. Wigglesworth has the same concern, but if Mr. Balcewicz can move the wall back 1ft and over 5ft, and do an analysis where the pilings would be as long as they are out of the 480 he would feel comfortable permitting it. Ms. Sherillo would like to look at the construction sequence it doesn't include building the walls or the deck. He should include this information on the construction sequence. Mr. Balcewicz needs to show the wall sequence and how the foundation base will be fixed. Also he should find out if anything will be installed under the deck, how it is stabilized. Mr. Balcewicz will (standing on the road looking at the deck):

- Move the deck 5ft to the left out of the 480
- Move it up to the wall 1ft.
- Use the existing block or show details of a footing
- And note how it will be stabilized, riprap under the deck.

Ms. Sherillo asks, are there dimensions for the riprap lip? Is the riprap down by the water? There is existing riprap. Plus there is riprap or stone around the plantings.

Mr. Brown Motions to continue 62 West Point Road to the April 24th meeting. Mr. Bock Second. Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

75 Bates Point Road – Charles & Kimberly Nikopoulos (Applicants/Owner) – Construction of a new single-family house with attached garage and seasonal dock.

Mr. Balcewicz, BC Engineering & Surveying is representing the applicants. Ms. Sherillo reads the public notice. Has a DEP#323-1247. Mr. Balcewicz is reading comments from DEP. Ms. Portman has reviewed this project, a site visit has been done, all the paperwork is in place. It's okay to proceed. Mr. Balcewicz says DEP didn't receive a copy of the dock details. When they say land under water, they may be talking about the land falling into the water and creating some bare spots. The wetland has been delineated. They show the existing waterline as of May 8, 2021. They are planning to pick up rocks that had fallen out of the riprap, no additional material is being used. The lot is an existing A-frame dwelling. The lot area is 8398sf, with stone and hard packed gravel driveway which is 1309sf. The proposed driveway is 710sf. They plan on using turfstone pavers. The existing dwelling is 965sf the proposed dwelling is 2,737, however the existing dwelling doesn't have a garage. They have a construction entrance. A spill kit. They are razing the existing house. They have a variance from ZBA that allows them to line up the concrete patio to the existing concrete patio and the house extends towards the road. They are removing a portion of the walkway from the rear of the concrete patio to the stairs to the resource area. They plan on removing 14ft and it will be all lawn. They have railroad ties and brick in between going down to the patio and the same material being used for access to the water they will be removed and replaced with pervious pavers. They have two birch trees that appear to be dying and would like to remove them. Then transplant a new tree in the same location. As far as storm water, there are no gutters proposed, the plan shows a 1x1 trench with

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stone on the right front over to the left side and extends to the left of the dwelling using filter fabric for recharging the ground water. The closest point of the proposed patio is 37.3ft and the existing patio is a concrete slab and they will put it back with impervious material. Ms. Sherillo asks, are you replacing the brick patio that is almost in the water? It's too close. It's only 5ft. It's existing and it is being replaced. It doesn't fall under the new construction rule. Mr. Wigglesworth suggests asking the owners to come back a little? Mr. Balcewicz comments, if he has an existing patio in rough shape it should be allowed to replace it, in kind. No bigger. It is out of the 480 mark. Mr. Wigglesworth asks what year of FEMA flood layer he is using? They are discussing the flood area using the GIS. Mr. Wigglesworth understands this is close and it's previously disturbed and doesn't see any reason not to allow this patio. Mr. Brown asks, the current riprap wall is staying? Yes. Is it grown in with shrubs? Yes. It will be cleaned up. They will redo the patio that is there and rebuild it into the landscape. Mr. Nikopoulos explains, they have railroad ties and bricks that are irregular and hazardous. All they want to do is remove it and put in granite with steps going upward to hold it. And use non-slip material with gaps for water to move through it. The wall with riprap is staying the same. They don't want walls. A few rocks that are in the water will be taken out and put back. He loves the vegetation and is keeping it that way. The steps are a hazardous. Mr. Brown suggests to add dimensions of the existing work to replace the pavers. Also would like to see it in a couple areas. Otherwise, it can be open to interpretation. Mr. Bock suggests to add the square footage. Ms. Sherillo asks, will you be starting at the water and working your way towards the house? She would like to see the erosion controls move as work commences. Mr. Balcewicz suggests to leave them in place until all the work is done. Ms. Sherillo explains that that leaves areas that aren't protected. Put erosion control at 489 once the work is done by the water area. Mr. Brown asks about bringing in a bob-cat. Mr. Balcewicz explains the work will be done both by hand and using the bob-cat to pick up and dispose of the material in the dump truck. Mr. Brown suggests to put the erosion control at the shoreline and again at the 480 as the work begins. They are discussing the erosion controls as the work is happening. Mr. Bock suggests an orange construction fence on the top to show the area of work. They have a spill kit. A stock pile is on the plan. Looking at the construction sequence. Ms. Sherillo is uncomfortable with a rough grade site and the paver patio. They are putting in sod. Mr. Balcewicz explains, the existing grades and proposed grades are in solid width elliptical elevations. There's not much fill on the site it's a slow slope. The architect designed the house according to the site on the engineering plans. Mr. Brown asks for the patio dimension.

Mr. Balcewicz will provide:

- dimension length, width and square footage of the existing patio and the proposed patio will be the same.
- orange construction fence at the 489 contour
- will show the tree being removed and tree being planted, not sure what kind yet.
- will show the landscaping around the house.

They are discussing the trees and Mr. Nikopoulos should review natives and they are giving him suggestions.

Ms. Sherillo Motions to continue 75 Bates Point Road to the April 24th meeting for minor changes. Mr. Brown Second. Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

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5 minute break 7:58

Resume 8:02

Action Items

33 Wawela Park Road (f/k/a 35 Wawela Park Road) – HS&T Group, Inc. (Applicant) Robert Wilson Trustee, Wilson Family Trust (Owner) - Request for Certificate of Compliance DEP#323-1152. Demolish existing garage and construct a new single-family house, driveway, retaining walls and dock. (Continued from 2/27/23)

Mr. Doug Lebel, Lebel Builders has asked for a continuance to the April 24th meeting.

Mr. Bock Motion to continue 33 Wawela Park Road to April 24th meeting. Ms. Sherillo Second.

Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE,

Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

67 Colonial Road – David Arnold (Owner) - Request for an Extension of an Enforcement Order DEP#323-1194 –. (Continued from 2/27/23).

Mr. Steve Poole from Lakeview Engineering is present and representing Owner. Ms. Portman advises the Commission that this file is extensive and not sure where they want to begin. She has not been advised that Mr. Poole, Civil Engineer, would be joining the meeting in order to help Mr. Arnold with outstanding issues. Mr. Wigglesworth explains to Mr. Poole that there is a structure built in a wetland environment and Mr. Arnold needs a wetlands scientist to evaluate it. Mr. Poole will ask EcoTech to get involved. He would like to meet with Ms. Portman, to discuss these outstanding issues, as he doesn't know much about the history of this project. Mr. Wigglesworth is explaining that Mr. Arnold knows that a wetland scientist needs to be involved. This has been discussed with the state and the state has reviewed this project and they say he needs a wetland scientist to be involved. Mr. Wigglesworth introduced himself and Ms. Portman to Mr. Poole and they will be discussing this project and straighten things out.

Draft Meeting Minutes approval February 27, 2023 and March 13, 2023

Mr. Brown Motions to continue to April 24th meeting. Mr. Bock Second.

Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE,

Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

Old Business

0 Goddard Street, Lots 1 and 2 (also known as 25A and 25B Goddard Street); – DEP #323-1197 Elijah Ketola (Applicant); Violation - Construction of two single-family houses. (Continued from 3/13/23) Mr. Morro has requested a continuance.

~~**5 Checkerberry Island (a/k/a 2 Checkerberry Island) - Wojciech Piwowarczk (Owner) – Mr. Stephen Balcewicz, BC Engineering & Survey representing the Owner. Discussion of an As-Built Plan (Continued from 3/13/23).**~~

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Mr. Wigglesworth and Ms. Portman have met with Mr. Balcewicz on the site and he knows what he needs to do. Mr. Wigglesworth explains the project, showing photos, there is an area that needs to be put back to sod. It is stable. The concrete pad needs to be on there. He suggests to add ground juniper to keep it all intact. Keep naturalized. The sod is great. He will take out all the silt fence and wattles. Everything looks good. The neighbor on the left is dumping Christmas trees and brush again on this property. Letters have been sent to them. Mr. Wigglesworth is suggesting an enforcement order be placed due to dumping in the swamp. Ms. Sherillo Motions to continue 5 Checkerberry to the 2nd meeting in May. Mr. Brown Second. Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

New Business

290 Thompson Road – Cease and Desist Letter – Sanat Patel Trustee (Owner) – Encroached/filled in a wetland area. Mr. Glen Krevosky, EBT Environmental Consultants asked for a continuance to the April 24th meeting. Ms. Sherillo Motions to continue 290 Thompson Road to the April 24th meeting. Mr. Brown Second. Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

90B Sutton Road – Stop Work Order – Jack Courville (Owner) – Filling in wetlands. The Owner has left the meeting. Mr. Wigglesworth explains, that he drove by 90 Sutton Rd, where there are wetlands and a protected habitat. This is an ecologically sensitive area. He noticed some clearing in between 90A and 90C. Showing photos. The hillside is a protect habitat. It is disturbing as to what has happened. Mr. Courville purchased the property and didn't know there were wetlands and a protected habitat. He wasn't aware of the vernal pool. The lot is mostly a protected habitat. The only area he has that is buildable is in the far right corner up the hill. He would have to cross the wetlands, cross a species area, cross a protected vernal pool and into another protected habitat to get to it. He stopped Mr. Courville and advised him that he needs to file with the Conservation Commission. He needs to fix the wetlands area. He can file for a proper permit, NOI, but he would have to contact National Heritage and he isn't sure how this would go due to the vernal pool. This lot would need fill and replicate the area on the hill, which would be a priority habitat area. He could damage the habitat if he builds. Mr. Courville continued to do work to test for ledge. A second stop work order has been given. An enforcement order is needed. The state needs to be involved. The wetland area should be repaired. No ATVs are to be used on this property. The properties around this lot are also close to the wetlands. Mr. Courville needs a wetlands scientist that has a certified wildlife background and needs to do some plantings. The development next door could have moved the wetlands. Ms. Sherillo Motions to issue an Enforcement Order on 90B Sutton Road. Mr. Parent Second. Motions passed unanimously 5-0 by roll call vote. Mr. Bock – AYE, Ms. Sherillo – AYE, Mr. Brown – AYE, Mr. Parent - AYE, Mr. Wigglesworth – AYE

**Webster Conservation Commission
Meeting Minutes of April 3, 2023**

Discussion of the May Meeting Schedule

Due to not having quorum on the Thursday meetings already scheduled, they need to change the Thursday meetings:

Meetings have been changed to Tuesdays, May 9th and May 23rd. Ms. Portman will update the Commission. Backup dates May 15th & May 22nd

Staff Report

Ms. Portman is advising the Commission that she has invited Mass DEP to attend the April 24th meeting. Two DEP members will be remote. Mia McDonald will be here in person. The purpose of this meeting is for them to give clarification on the jurisdiction for the Conservation Commission regarding Chapter 91. Ms. Portman has had some questions from applicants and feels this information would be good for herself and the commission as well as the public who would like to view the meetings. The video will be useful for applicants in the future. Mia McDonald, DEP is very informative. The Commission will be able to ask questions. If there are no questions, Chrissy Hopps, DEP will give an overview as to what Ms. Portman should be advising the applicants to be sure she is giving accurate information. It will be good to have clarity. Mr. Wigglesworth is explaining, dock configuration will be discussed, Chapter 91 issues will be discussed. Clarifying and refining the details for Chapter 91 permits is important. Every community is different. Answering questions; What should the Board be looking at? What avenue should an unlicensed dock go? Mr. Parent asks why not invite the Webster Lake Association, or maybe put together a presentation? Ms. Sherillo explains her view. Ms. Portman could ask Greg Robert to see if the meeting could be live. Mr. Parent is suggesting to use this as a resource as there will be the experts here educating? Mr. Wigglesworth wants to focus on educating this Commission and maybe doing additional training on Chapter 91 in the future is a possibility. There are towns that issue licenses instead of the state.

Next Meeting Date: April 24, 2023 – Police Station

Adjournment: Mr. Bock Motions to adjourn at 9:02pm: Ms. Sherillo Second. All in favor.

Respectfully submitted,

Tracy Coporale
Recording Secretary

Conservation Commission Approval: _____


Recording Secretary

Date: _____