

**Town of Webster  
Conservation Commission  
Minutes of the Meeting – July 18, 2022**

A meeting of the Conservation Commission was held on July 18, 2022 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, Joey Wigglesworth, Vice Chairwoman, Michelle Sherillo,  
Dr. Robin Jewell, Dan Duteau, Karen Bartholomew, Hayden Brown, Fred Bock,  
Richard Parent (Alternate)

**Staff:** Mary Overholt, Conservation Agent  
Tracy Coporale, Recording Secretary

Meeting called to order: 5:34pm

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

**Approval of Meeting Minutes**

Ms. Sherillo motions to approve meeting minutes of July 7, 2022 during the July 21<sup>st</sup> meeting. Dr. Jewell second. Votes all in favor by roll call vote.

**Request for Determination of Applicability (RDAs)**

**300 Thompson Road** — Construction of a parking facility. (Continued from July 7) Three Hundred LLC (Applicant) Continued to August 1<sup>st</sup> meeting. Mr. Brown motions to continue to August 1<sup>st</sup> meeting. Mr. Duteau second. Votes all in favor by roll call vote.

**35 Bates Grove Road** – Addition to an existing single family home – Stephanie Stepka (Applicant) (Continued from July 7<sup>th</sup>) Mr. Zac Couture, H.S. & T Group, Inc., representing applicant, states that they don't have their DEP# yet. Would like to talk about the plans and let the commission ask questions. They are proposing a single family house. They will remodel a portion of the house with an addition to the house. Ms. Overholt showing the plan. A portion of the existing patio and deck will be removed to make room for the kitchen and entryway on the first floor. The back left corner of the house the patio and deck will be removed to make room for the addition. They will replace with a smaller deck and patio below. The impervious area is expanding a little, about 100 sqft. Will have straw wattles with silt fence for erosion controls. They have a stock pile area. Dumpster area. Spill kit location. Proposing to remove a Maple tree in the center. There's no paving in the front of the house and it is remaining as is. The foundation wall will be on the left of the house. There is not much earth work that will be done. Not sure what the deck will be built from (pressure treated or Trex)? Mr. Duteau asks, how close will the new deck be to the water? 26ft off of the waterline. The other side with no deck is roughly 35ft to the waterline. The patio under the deck is impervious. Mr. Wigglesworth suggests to bring down the percentage of the impervious and go with some pervious blocks. Mr. Couture states that since the increase to the impervious was so minor they wanted to go with the same as the existing patio. The current patio is stamped concrete. Mr. Wigglesworth asks, where are the roof drains going? They should be tied into a drywell. Mr. Couture, replies, yes, we can do that towards the front of the property. They can definitely accommodate the new area. Ms. Sherillo asks about the drain pipe at the edge of the property, is this the neighbor's drain? Seems

to be, yes. Dr. Jewell asks for clarity of where the kitchen expansion will be, the patio and the addition to the house. Mr. Couture, answered using the photo of the house. Ms. Sherillo asks, with the new patio what is the grade and where will the water drain? It essentially will be the same as it is now. It will go to the second step approximately. They will use the height of the pavers to level it out. Are there grades? No proposed grades. Ms. Sherillo asks where does the new patio land? 490-495? Mr. Couture, yes, it expands out about 3ft beyond that 490 contour. There's a 2ft drop from the 490 in the deck down to 488 by the stairs and it's within 8ft. It's not steep. It doesn't require major excavation. Ms. Bartholomew states, the plans don't say that the patio is to be removed, it should be clear what is staying and what is going. She also recommends he add grades and the proposed elevations. There's nothing on the plan to make that clear. At a minimum, the plan should tell the top of the foundation or the bottom of the foundation, in order for the board to make a judgement. Mr. Couture says he can put a liter there and give the top of the first floor and where the bottom will be on both corners to make it clearer and also add this into the plan notes as well. Ms. Bartholomew asks Mr. Couture to add to the construction sequence, it's missing staking the limit of work, staking the corners of the addition and staking the corners of the patio and the deck. She also suggests having a detail on the patio, so the board knows is it 4 inches of gravel? or 2 inches of gravel? or 6 inches of pavers? something that shows what it's supposed to look like. Mr. Couture will talk to the Stepkas and see what they want to do for the pavers or patio block pervious or impervious block. Mr. Wigglesworth suggests again to bring down the impervious calculations for this property. Also getting the water into the ground and tie the gutters into a drywell is really important. He would rather see hot roof run-off get into the ground and cool it down rather than run right into the lake. With a high impervious area all the hot water goes into the lake, which drives the temperature up and this isn't good for the lake so it's important to keep this from happening for various reasons. Mr. Stepka joins the conversation and says they are open to suggestions for the patio blocks. Mr. Wigglesworth explains that it's beneficial to use pervious instead of impervious. Ms. Sherillo asks, can you move the erosion controls to protect the Maple? If they are on the house side of the tree it will protect it better. Mr. Couture will put the orange net around the tree. And will remove the "hay bales" from the notes. Their dock should have a Chapter 91. Mr. Wigglesworth explains the exception rule for docks prior to 1984. Mr. Stepka will check if he needs a Chapter 91. If he needs it, he can roll it into the open NOI. Ms. Sherillo motions to continue 35 Bates Grove Road to August 1<sup>st</sup> meeting. Mr. Duteau second. Votes all in favor by roll call vote.

**37 Bates Grove Road** – Demolition and construction of a single family home. (Continued from July 7) Christopher and Jennifer Colebourn (Applicant) Mr. Zac Couture, H.S. & T Group, Inc., representing applicants. They are still waiting for a DEP#. They are proposing to remove a single family house. The shed to be removed. The driveway will be removed. There is a wall to be removed. The wall abutting the lake will be removed and rebuilt. Ms. Overholt is showing the current conditions plan. They are reworking the entire site. There are 2 walls towards the rear of the site. The first wall is 3ft high and will shore it up to protect the area. There is an area in between that will be level. Then a 4ft wall to raise the area up. They propose a house and garage and a smaller driveway. Also proposing 2 retaining walls to the right of the house. Mr. Wigglesworth asks the Colebourns; have you thought about doing a riprap at the shoreline instead of the first wall? This saves on cost, it saves the land, and he explains about how riprap stops the erosion better than a wall and this would be less intrusive of the shoreline. Ms. Colebourn asks, would you suggest putting the riprap where the current rocks are? Mr. Wigglesworth explains that currently what they have is called a soft armor so there's no vegetation to the shoreline which gets ripped apart from the wave energy. He recommends 5-8 inches of riprap at water's edge about a foot up onto the lawn area and right across, so it breaks up the energy. A wall will take the hit of wave energy and over time will fall apart. He suggests to replace the upper wall and use riprap 2ft into the water and secure the

shoreline area. Keep that lawn area flat to use. They will have to get a permit if they dig into the shoreline. The wall will be at 482, which is 2ft above the flood zone. The high water mark is at 478.7. So they will be above the flood plain. The second wall will be recessed in. Ms. Bartholomew feels it's a great idea to do riprap. If you're looking for more level yard for the kids, maybe pull the existing upper wall back into the yard and you get more shore frontage level for the kids. You will save on building a wall, plus get usable space above the wall and below the wall. The wall would have to be a little higher and a structural engineer can do plans for a higher wall. Ms. Colebourn will continue to think about these suggestions. Ms. Sherillo states that the details of the plan are difficult to understand, where the water was, where the wall is, how high it was. Mr. Couture can redo the details on the plan. Mr. Wigglesworth reminds Mr. Couture about the 3-6 inch lip for finish grade. There will be a walkout basement. Pervious or impervious patio? Ms. Colebourn mentions that the patio is under a deck. Half of the deck has a roof over it. The whole deck will be waterproof. It's calculated as impervious. Does it matter what kind of product they select if it's covered with a waterproof deck and/or roof? Mr. Wigglesworth explains that if there's a patio the board needs to know whether it's pervious or impervious block or gravel underneath. It will be some type of paver block and not stamped concrete. Ms. Sherillo can't tell where the new deck ends and the house ends versus where it used to be. There's a measurement of the old deck of 32.8 to the water line and 33.2 for the new deck to the water line, slightly further back. Mr. Wigglesworth states that there are no dimensions of the house, how wide, how long is it, how far from the neighbors are they, you have the buffer zones, which is great, what are the grades? Mr. Couture explains that the grades are left out on the layout plan. If they keep layering everything then the plans get too busy. Ms. Bartholomew explains that the plans typically would be bigger and should have more detail because the board needs detail. There's an 11ft drop from the top of concrete to the top of the wall. Mr. Couture explains there's a basement floor elevation at 490. So there's a 10ft foundation wall dropping down within the house itself. So from the back of the patio there's 1 foot above the wall not 11 feet. For some reason the existing contours are not coming through well. We break up the plans in a sequence, such as; this is existing, this is how it newly will be laid out, this is how the grading and utilities are going to work and the erosion controls to follow. It's meant to be followed in a sequence. We break it up to flow better. The more information that is on 1 plan gets too busy and hard to follow. Breaking it up flows better for contractors for grading and dimensions, etc. Ms. Bartholomew would like to see more information on 1 plan. There are 2 proposed retaining walls on the right side of the property. There's a slope and the new house is closer to the road than the older house. So pushing the slope back is being proposed to create usable space to access the water from the right side and to shore up the slope. There are erosion controls around the property. A turbidity curtain in the water. The Colebourns made a planting plan. New trees to be proposed. A vegetable garden. Ms. Sherillo asks are the trees healthy and coming down? Ms. Colebourn explains that they had an arborists look at the trees and in evaluating them and weighing the pros and cons they realized some unhealthy trees will need to come down. She has spent a lot of time investigating which trees are good for the environment and for the lake and feels they are doing a good compromise on the trees. Mr. Couture explains that the way the tree leans into the new house and into the new roof system, it made sense to replace the trees. They are proposing 4 trees to be planted. Mr. Wigglesworth notices Hostas on the property and asks, have you thought about digging them out and replanting them? Ms. Colebourn will bring them to her home in Westborough and bring them back to the Webster house when it's finished. Mr. Wigglesworth asks, where is the driveway run-off going? Mr. Couture explains that it goes towards the street, proposing an infiltration system cultec under the driveway. Mr. Duteau asks, to the right of the garage there's an entryway, will there be a walkway going down the side of the house towards the lake? No paved walkway. Have the docks been there a long time? Will the dock need a Chapter 91. Ms. Colebourn explains that there's an older dock there, but there is now a smaller dock that they need to have licensed. She was hoping to get some guidance on how to do it. Mr. Wigglesworth suggests they

look at the website for help with Chapter 91. Also recommends they look at aerials to prove that their dock has been there since 1984. Ms. Sherillo recommends not to wait to look for the historical dock information. Due to guidelines the dock has to be off the land in one spot, but you can create a T shape or a different shape as long as you follow the guidelines. They cannot have two docks. Mr. Couture to review the construction sequence, missing walls.

Mr. Duteau motions to continue 37 Bates Grove Road to Aug 1<sup>st</sup> meeting. Ms. Sherillo second. Votes all in favor by roll call vote.

**49 Arkwright Road and 30 Worcester Road** – Mr. Krevosky called Ms. Overholt and explained that Mr. Pizzetti has been trying to improve the work on Pontiac Ave. Mr. Krevosky took some pictures and had some concerns of the work that was done. Mr. Pizzetti is supposed to fix it. Mr. Krevosky feels a site visit is needed. The wash out going into the creek was cleaned up. Mr. Krevosky isn't happy. The DPW can't take machinery into the wetland. This warrants a site visit.

Mr. Duteau motions to continue 49 Arkwright Road and 30 Worcester Road to August 1<sup>st</sup> meeting. Mr. Bock second. Votes all in favor by roll call vote.

**92 Lakeside Ave** – Repair and replace failed retaining wall. Christopher and Lisa Campbell (Applicants). Mr. Duteau reads to public notice. The board members visited the site, but homeowners were not there. Mr. Campbell is present. Mr. Stephen Balcewicz, BC Engineering & Survey, representing. Ms. Overholt is showing the site plan. This plan shows the 25, 50 & 100 foot buffer zones. They call for the existing wall height and the proposed wall elevations. Also showing the dock and the jet ski port. They are doing the entire retaining wall and a Chapter 91 permit and a license for the dock. The patio will be replaced with new pavers. They are replacing with a reinforced concrete wall. He shows a boom in the water, sand bags cofferdam details and dewatering. Mr. Wigglesworth asks Mr. Campbell, do you have a contractor lined up? Yes, Todd Perry Landscaping. Do you know if they are familiar with cofferdams and dewatering and work on the lake? Mr. Campbell isn't sure. Mr. Wigglesworth asks, what kind of patio block? Same style patio blocks. Mr. Campbell says they will break up the wall by hand and removed from the site. Ms. Sherillo asks, when you say poured concrete walls, would that be the footing too? Yes. Mr. Wigglesworth reminds him that you can't burry concrete so all has to be removed. A turbidity curtain should be used. The flood elevations are on the plan and the high water mark is as well. 480 is the flood elevation. The flood plain comes right to the wall. Ms. Bartholomew asks what goes behind the new retaining wall and the patio that is pulled out? Gravel. Mr. Balcewicz explains, removing an existing wall, pouring a straight wall across, then backfill with gravel and put sand under the patio blocks. And put the patio back in the same location. Mr. Wigglesworth recommends a riprap due to this being a concrete wall with a lot of wave energy. Mr. Balcewicz says they can't because they would be filling in the flood plain. They are putting the wall back exactly in the same location, same elevation. Mr. Duteau mentions that the concrete retaining wall's side view shows the front at an angle. Is it a sharp angle? The greater the angle the different effect the waves have on it. Mr. Balcewicz says typically retaining walls are battered back. It's tapered. It's thicker at base than it is at the top. Mr. Wigglesworth asks Mr. Balcewicz if he contacted Chapter 91 yet? Mr. Balcewicz paid the fee for the wall and once approved then he can go to Chapter 91. If the high water mark touches the wall then you have to apply for a permit. It's in a flood plain so you have to get a permit. Mr. Balcewicz to contact Mia at DEP for a permit and add to the narrative of work.

Mr. Duteau motions to continue 92 Lakeside Ave to August 1<sup>st</sup> meeting. Mr. Brown second. Votes all in favor by roll call vote.

**Discussion Items: New Business**

**15 Wakefield Ave** – Minor modification #323-1220 Chapter 91, dock permit for dock and deck.

The board needs to check the dock to see if it satisfies Chapter 91. Mr. Quinn has his profile. The opinion of the board is Mr. Balcewicz should submit the paperwork on the 8.5x11 just as he would submit for the Chapter 91. The deck goes over the water. This was a built deck without permission. Mr. Rick Quinn says the dock has been there since 1970s. They changed the dock to a floating dock. So it's not grandfathered anymore. If you change the width or length, it's a new dock. The jet ski docks are not in the water yet. The straight dock isn't the same size as the historical dock. It's a foot wider. So it's not the same historical piece. There's a dimension missing from the stairs to the dock, it should be included. The ramp from the slab to the dock has to be in the plan. Mr. Balcewicz is speaking, the reason why we are here is to get approval to go get a Chapter 91. Ms. Sherillo says that the board needs the actual documents as submitted to Chapter 91 on 8.5x11 all the dimension profile and secondly, this is a new dock now so you can't be 11.5 feet off the property line. The smaller plan has to go to the state. Mr. Balcewicz will shrink the plans before sending it to the state. The commission explains that they would like to see the plans as they will be sent to the state. Mr. Quinn has to wait until August 1<sup>st</sup> until he can do anything. He asks about how he should be bringing the dock to land. Mr. Bock suggests that running the dock to the concrete will be minor. If you move the dock you now have environmental impact. Ms. Sherillo says he is still 11 feet from the neighbors. Mr. Bock asks, do you have historical pictures? Mr. Quinn to email to Ms. Overholt.

**18 Westwind** – Certificate of Compliance #323-1107 – Construction of a single family house.

Has 2 outstanding issues. Mr. Wigglesworth thought there was something in the order of conditions to protect the stream and he has lawn up to the stream. Order of conditions are to plant native species along the stream 6ft apart. Didn't happen.

**1 Cudworth Road** – Certificate of Compliance #323-862 – Building addition, sediment control and riprap. They hired an engineer. They are not cleaning up. They are only cleaning up to complete the sale of the building.

**18 Oakwood Drive** – Certificate of Compliance #323-1123 – Construction of a single family home with septic system and driveway. Needs work. Ms. Overholt met the homeowner. She mentioned that it got sold without a holdback and needs Peter Amorello to do what it needs. They need an As-built plan, need some invasive removed. It was sold prematurely.

**Goddard Street** - still working in violation. Issuance of fines was approved. Fines are levied every day. Ms. Overholt to have a conversation with the realtor to advise her of what is going on. Mr. Bock suggests that the commission have the town counsel or a constable deliver this letter.

**56 Worcester Road** – Enforcement Order for work right up next to a wetland. He seeded it. Ms. Overholt to visit site. Mr. Glenn Krevosky is working on some vegetation planting in the wetland area. Also putting some boulders on the top.

**24 Point Pleasant** – sump pump pipe relocation project. Ms. Bartholomew mentions that she saw some work being done, but not sure what was being done.

Mr. Bock 8:38 adjourn Mr. Duteau second. All in favor.

**Discussions:**

**Documents:**

35 Bates Grove Road Site Plan NOI Revised Photos site visit	Dated 7/15/22 Dated 7/5/22	Pages 2
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37 Bates Grove Road Site Plan NOI Revised Landscaping Plan	Dated 7/15/22	Pages 3 Pages 3
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92 Lakeside Ave Site Plan Photos of the old wall	Dated 6/22/22	Pages 3
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15 Wakefield Ave  
Photos

**Next Meeting Date: July 21, 2022** – Location to be determined.

Respectfully submitted,

Tracy Coporale  
Recording Secretary

Conservation Commission Approval:

  
Chairman

Date:

