

**Town of Webster
Conservation Commission
Minutes of the Meeting – August 15, 2022**

A meeting of the Conservation Commission was held on August 15, 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, Dan Duteau, Karen Bartholomew, Hayden Brown, Fred Bock, Richard Parent (Alternate)

Absent: Dr. Robin Jewell

Staff: Tracy Coporale, Recording Secretary

Meeting called to order: 5:36pm

Approval of Meeting Minutes

Mr. Duteau motions to approve meeting minutes of July 21, 2022. Mr. Wigglesworth second. 4 Votes in favor, 2 abstained by roll call vote. (Ms. Sherillo abstained, Mr. Brown abstained)

Mr. Brown motions to move the approval of the August 1st meeting minutes to August 29, 2022, Mr. Bock second. Votes all in favor by roll call vote.

Update on the tree policy submitted by Mr. Duteau, Ms. Sherillo motions to move to the end of the meeting. Mr. Duteau second. Votes all in favor by roll call vote.

Mr. Wigglesworth talks about the timeline of submitting materials, such as plans, applications, etc, for ongoing projects and new projects, showing the timeline on the screen.

Mr. Brown motions to approve this timeline. Mr. Bock second. All in favor by roll call vote.

Ms. Kristin Valeri, 298 Thompson Road, Webster, asks permission to record the meeting.

Public Meetings - Request for Determination of Applicability (RDAs)

62 West Point Road – Construction of a second story addition. Mr. Richard Whitehouse (Applicant) (continued from 8/1/22). Mr. Wayne Orłowski, Contractor. Has plans for review. It's a cape house, they are adding a second floor. No excavation. No tree removal. They will maintain the existing rain water. The board asks questions about the storm water, where the porch is added, and the roof plan. They are not extending the roof, it remains existing. Everything stays the same. The board is asking questions about the walkway being permeable. They ask Mr. Orłowski to show on the plans the existing floor and suggest he make notes regarding the location of the second floor. He should also add the 50ft & 100ft buffer zones to the plan. He should note on the plans where the spill kit is located and where he is storing materials. The garage will be used as a covered storage. The order of conditions will make mention that all materials be cut closer to the garage and as far away from water as possible. The rainwater will increase, due to the second floor roof and he should consider adding 4-5inches of crushed stone to allow water to get back into the ground. Mr. Orłowski also should add a construction sequence. He will forward another set of plans to the office.

Mr. Brown motions to continue 62 West Point Road to the August 29th meeting. Mr. Bock second. Votes all in favor by roll call vote.

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Public Hearings - Notice of Intent - NOI

300 Thompson Road – Construction of a parking facility. (continued from 8/1/22) Three Hundred LLC (Applicant).

Mr. Bock motions to continue 300 Thompson Road to the August 29th meeting. Mr. Brown 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 8/1/22) DEP#323-1236. Mr. Zac Couture HS&T Group, Inc, is representing the applicant. He is showing the updated set of plans. They are proposing a new addition, patio and deck. As the board requested from the last meeting, he added the drywell to the plan, he noted the elevations, he provided the pervious patio information, he updated the construction sequence, and added the straw waddles. He also changed the format as suggested, to make the plan easily read and understood. They didn't change the deck to impervious. It's a water tight composite decking. It will allow the rain water to flow down into the ground. The board is asking how the second floor deck is to be built? Will there be digging with equipment? Yes, the sonotubes will be dug with equipment. They have erosion controls to put in place. They will put erosion controls around the tree to make sure it is protected. No public comments.

Mr. Brown motions to close the public hearing for 35 Bates Grove Road. Mr. Bock second. Votes all in favor by roll call vote.

Mr. Brown motions to issue an Order of Conditions with updated plans provided. Mr. Duteau second. Votes all in favor by roll call vote.

37 Bates Grove Road – Demolition and construction of a single family home. Christopher and Jennifer Colebourn (Applicant) (continued from 8/1/22). Mr. Zac Couture HS&T, Group, Inc. representing. As requested from the last meeting, he changed the format of the plan so it's easily read and understood. He noted the tree to be removed. He noted the planting locations on the plan, adding 4 new trees and notes the planting plan prepared by Ms. Colebourn. He noted that the rear wall is coming back to keep it from the flood plain. He added the elevations and flood plain. Mr. Couture has satisfied DEP's comments. Once they get the order of conditions they will file a Chapter 91 for the dock within 30 days. He is also showing the wall to be installed to shore up the grass area. They will have a turbidity curtain installed along the water's edge. The roof run off is going to a cultec. The deck is water tight. They will use a smaller drywell the run off area is 456sqft. The board suggests that Mr. Couture modify the covered deck and explain what will be flowing into the cultec system, also showing the roof drain tie-ins. He has satisfied all the other comments from the board. Mr. Couture needs to also make notes that the second wall will not be built. The existing wall to be replaced with techno blocks. DEPs comments have been satisfied. No public comment. Mr. Brown motions to close the public hearing for 37 Bates Grove Road, Mr. Bock second. Votes all in favor by roll call vote.

There's a question about issuing an order of conditions before getting the updated plans, which a couple board members were uncomfortable with doing. After discussion, Mr. Couture initialized all the changes per the board's comments on the plan in front of them, then added a revision date in order to submit the updated plans to the board during this meeting.

Mr. Bock motions to issue the Order of Conditions with updated plan per board's comments. Mr. Brown second. Votes all in favor by roll call vote.

242 Killdeer Road – Replacement of a lakeside retaining wall. Alfred Castro (Applicant) (continued from 8/1/22). Mr. Castro explains that the stone wall is to be removed and replaced with a block wall. They added this to the plans, also added the drywells, the high water mark, and a detailed construction sequence, prepared by the contractor, Lakeside Masonry & Remodeling. Mr. Castro filed a Chapter 91 for the dock

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with DEP, before going forward he needs to provide information to the conservation commission for review and approval. He mentioned that he will be removing a portion of the dock, replacing the wall and reinstalling the dock. He will need to submit dock measurements to the board, as well. During the last meeting the board suggested he add steps or something else to the side of his house to help with the erosion, so they asked what he did on the side of his house and what is currently there. He doesn't want it as a walkway. He wants to plant some ferns and maybe some other vegetation and let it grow. It was suggested to use moss seeds where there isn't a walkway. Also his lawn will be reseeded and stabilized. No public comments

Mr. Bock motions to close the public hearing for 242 Killdeer Road, Mr. Duteau second. Votes all in favor by roll call vote.

Mr. Brown motions to issue the Order of Conditions for 242 Killdeer Road. Ms. Sherillo second. Votes all in favor by roll call vote.

New Business Discussion Items

47 Colonial Road – Certificate of Compliance DEP#323-1082 – Construction of a retaining wall.

Mr. Glen Krevosky, representing. Showing photos of the pervious patio with weed control material under the fence. The wall construction looks good and they are satisfied. He had engineered plans done.

Ms. Sherillo motions to issue the Certificate of Compliance for 47 Colonial Road. Mr. Bock second. Votes all in favor by roll call vote.

21 Point Pleasant Avenue – Certificate of Compliance DEP#323-1156. Construction of a retaining wall. Has more work to do to satisfy the commission. They will work on the Chapter 91 for the dock. Continue 21 Point Pleasant Avenue to the August 29th meeting.

25 Point Pleasant Avenue – Certificate of Compliance DEP#323-1157. Construction of a retaining wall. As-Builts were done. They will work on the Chapter 91 for the dock. The catch basin was cleaned to satisfy the board. Ms. Sherillo asks Mr. Krevosky about an open amendment for this property. Mr. Krevosky will check on it. Continue 25 Point Pleasant Avenue to the August 29th meeting.

300 Thompson Road – Certificate of Compliance DEP#323-1004. Commercial parking facility.

Mr. Wigglesworth spoke with Mr. Duquette, Lakeview Marine and he didn't have a problem with the board issuing a certificate of compliance tonight if the board feels it's sufficient to do so. Mr. Balcewicz sent the As-Builts. There are 3 points of changes in a letter sent to the Conservation Commission from Mr. Duquette. Showing the letter from Mr. Duquette. Mr. Wigglesworth talks about the items listed in this letter. There were plantings of arborvitaes that were done. There's a storage container that has equipment in it. There are blue tarps covering retail items. Mr. Wigglesworth explains that he wanted to compare the old facility with the new facility. How it all looks? Are the areas clean? Upon his observations he noticed that the clearing of trees and bushes didn't go beyond where the fence line was. He didn't find that the fencing was in a bad condition. Down towards the stream, the pollinators were left alone. There were lots of wildlife in the area. As he walked the lot he didn't see any signs of fluid leaks. The northern area had more activity in the area than usual. He looked at the property lines and felt there was a lot of vegetation there. He found the grounds to be in good condition. It's a working lot, but it's not overly used. He reviewed Ecotech's report and the other items that were older comments and doesn't find anything of concern. The site is stable and for anyone to suggest to making it unstable is unrealistic. The board is discussing the plan from 2014 and the current As-Built, which should be laid over the 2014 As-Built plan. Attorney, George Kiritsy is speaking on behalf of the abutters. He explains that they don't have the NOI. The order of conditions is from 2014. The Duquettes are treating this area like an intermittent stream. The

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southern block is in the riverfront area and it is a resource. They worked in the 200ft buffer zone. DEP's comments are that in 2014 this project was rushed and pushed through and Mr. Kiritsy feels this is happening again. The order of conditions from 2014 are not valid and nobody has a copy of an order of conditions or NOI. He feels that the applicant was just asking for a blessing in order to move forward. The order of conditions was never filed with the registry. Did we have the original order of conditions or an NOI? He is asking, on behalf of the abutters, for the Conservation Commission not issue a certificate of compliance until they can get to the bottom of what happened in 2014. DEP raised issues to the commission and nothing was taken care of or even looked into in 2014. There were no notices sent to the abutters. Are there any original documents? Why was this not filed until 2022? The board will look into this and try to figure out what was done and how to move forward correctly. The board should obtain an As-Built. The approved plan was from the planning board. Mr. Wigglesworth will speak with Mr. Duquette. Maybe he should join the next meeting and answer some questions for the abutters. Continue 300 Thompson Road to the September 19th meeting.

Old Business Discussion Items

Goddard Street – Lots 1 and 2; Violation.

Mr. Wigglesworth and Mr. Duteau spoke with Matt Morro and provided a punch list for Matt to review and work from. They will follow up with this conversation soon.

18 Westwind Drive – Certificate of Compliance DEP# 323-1107. Construction of a single family house. They can't give a certificate of compliance yet. The embankment along an intermittent stream is failing. They need to rebuild the wall and fix the slope. It's a failed hillside. Continue 18 Westwind Drive to August 29th meeting.

15 Wakefield Rd – Minor Modification DEP 323-1220. Mr. Quinn has the plan submitted from Mr. Balcewicz. He added the square footage of the existing dock. He added the side views. The board is discussing the "seasonal dock" concept and explaining the next steps to Mr. Quinn. Mr. Balcewicz has satisfied all that the commission has asked him to submit. Mr. Brown motions to issue a Minor Modification for the dock. Ms. Sherillo second. Votes all in favor by roll call vote.

1 Cudworth Road – Certificate of Compliance DEP# 323-862. Building addition, sediment control and riprap. Mr. Wigglesworth visited the site. He spoke to the Engineer at the site, who doesn't understand why this work was done this way. They removed all of the vegetation around the building and there are areas with lots of erosion. This property is unstable. There is an intermittent stream that needs to be cleaned out and remove the debris. Mr. Wigglesworth suggested they use some juke netting to fix the property in order to stop as much erosion as they can. Will not issue a certificate of compliance.

56 Worcester Road – Enforcement Order for work right up next to a wetland. Mr. Krevosky is going to use the existing plans and make sure the erosion gully flows towards 395. National Grid doesn't want any additional water to flow towards Rt 12. Need to direct water back the way it used to go. The demo work will show water. Continue discussions during the August 29th meeting.

Mr. Brown motions to move Tree Policy discussion to the September 19th meeting. Ms. Sherillo second. Votes all in favor by roll call vote.

Mr. Bock motions to adjourn at 9:29. Mr. Duteau second. All in favor.

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Documents:

47 Colonial Road Photos of the patio & wall	Dated 8/13/22	Pages 8
300 Thompson Road Letter	Dated 8/11/22	Pages 1

Next Meeting Date: August 29, 2022 – Police Station Community Room

Respectfully submitted,

Tracy Coporale
Recording Secretary

Conservation Commission Approval: Joseph W. Wigglesworth Date: _____
Chairman