

**Town of Webster
Conservation Commission
Minutes of the Meeting – August 29, 2022**

A meeting of the Conservation Commission was held on August 29, 2022, in person at the Webster Police Station Community Room.

Attending: Chairman, Joey Wigglesworth, Vice Chairwoman, Michelle Sherillo, Dan Duteau, Karen Bartholomew, Hayden Brown, Dr. Robin Jewell, Fred Bock
Richard Parent (Alternate)

Staff: Tracy Coporale, Recording Secretary

Meeting called to order: 5:35pm

Approval of Meeting Minutes

Ms. Sherillo motions to approve meeting minutes of August 1st, 2022. Mr. Brown second. Votes all in favor, by roll call vote.

Ms. Sherillo motions to approve meeting minutes of August 15th, 2022. Mr. Brown second. 6 Votes in favor 1 abstained, by roll call vote. (Mr. Duteau abstained).

Public Meetings - Request for Determination of Applicability (RDAs)

62 West Point Road – Construction of a second story addition to an existing house. Mr. Richard Whitehouse (Applicant) (continued from 8/15/22). Mr. Wayne Orłowski, Contractor, has revised plans for review per the changes requested by the board during the August 15th, meeting. Showing the revised plans, 9 pages. Mr. Orłowski satisfied all requests and questions from the board. Mr. Brown and Ms. Bartholomew looked at the updated locus map. He confirmed that there's still no digging involved, they are using the existing piers.

Dr. Jewell motions for a negative determination for 62 West Point Road. Mr. Duteau second. 6 Votes in favor, 1 abstained by roll call vote. (Mr. Bock abstained.)

Fred Bock joined the meeting at 5:49pm

55 Wakefield Avenue – Repair of a retaining wall. Mr. Robert & Mrs. Nancy French (Applicants) – This property was visited on Saturday. There was nobody in the meeting room to represent this property. They have a Chapter 91.

Ms. Sherillo motions to continue 55 Wakefield Ave to the September 19th meeting. Mr. Brown second. Votes all in favor by roll call vote.

29 Union Point Road – Tree removal, deck repair, patio, walkway. DukeScapes LLC (Applicant) Clarrisa Roeger, representing applicant, submitted a letter from 104 Union Point for using their property to remove 1 tree from the property of 29 Union Point which is causing an issue with the deck. Showing photos of the property and the work areas. There will be a small retaining wall around both trees for protection. Proposing to build a half moon patio with pervious paver block. The Trex deck will be removed from around the tree that is causing havoc on the patio and the tree will be taken out. Suggestions of a planter bed to the left of the house. The work area is about 35ft from the shoreline. Proposing to install a walkway around the house with paver block. Showing a locus map of the property. They propose to access this property through the neighbor's yard with permission. Showing the hand drawn sketch from the contractor, Justin Bois. The board would like to see more details from Justin Bois.

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The board is requesting that they use a straw wattle right next to where the deck will be removed & replaced. Also a silt fence would be recommended just for extra assurance that material doesn't go into the water. They will replant 2 native trees however; the homeowner hasn't decided yet which kind of trees.

Mr. Bock motions for a Negative Determination of Applicability for 29 Union Point Road. Dr. Jewell second. Votes all in favor by roll call vote.

Public Hearings - Notice of Intent - NOI

300 Thompson Road – Construction of a parking facility. (continued from 8/15/22) Three Hundred LLC (Applicant).

Ms. Sherillo motions to continue 300 Thompson Road to the September 19, 2022 meeting. Mr. Brown second. Votes all in favor by roll call vote.

74 Killdeer Road – Construction of an addition to an existing house. Mr. David Christofferson (Applicant) (continued from 8/15/22). There was site visit on Saturday. Showing photos of the property. Mr. Zac Couture HS&T Group, Inc. representing. Mr. Wigglesworth expressed concerns regarding the water coming down the driveway and was pleasantly surprised about a pepper bush thriving on this property. Mr. Christofferson still needs to submit paperwork for his Chapter 91 for the dock license. DEP#323-1238. He is proposing the stone line swale about 2ft wide. They will have plantings. Proposing a 4-inch perforated pipe running into the drywell on each side of the house so 100% of the roof run off is going back into the ground. The plan shows a sewer pump, but it will be left alone, nothing will be done with it. The plans are being reviewed by the board. There's no deep excavation. No basement. They will be following grade as much as possible. There is a limb near the dock to be removed. The second drywell is at the end of the swale. Mr. Wigglesworth suggests adding some crushed stone or hex style grass near the end of the driveway. Also suggesting some plantings between the driveway and the drywell. The underground utilities will not be moved unless there's an issue upon construction. The clearing of any trees to work on the wires will be communicated through National Grid. Erosion controls are good. They are at the 50ft buffer zone from the lake. Mr. Wigglesworth recommends using a 12-inch wattle going from the house out. That is what Mr. Couture proposed. No comments from abutters. Dr. Jewell motions to close the public hearing for 74 Killdeer Road. Mr. Duteau second. Votes all in favor by roll call vote.

Mr. Duteau motions to issue the Order of Conditions for 74 Killdeer Road. Dr. Jewell second. Votes all in favor by roll call vote.

90 Lakeside Avenue – Repair of a retaining wall. Mr. Jan Kopas (Applicant) Mr. Krevosky representing, he explains that it was suggested to Mr. Kopas that due to this retaining wall being 19-20ft off the waterline at 4ft high (2 blocks high), and at 480 contour, they didn't need an engineered plan for permitting the wall. The wall is 34ft off the end of the road. They are losing the slope of the land. The bulkhead opening is now 2-3ft away due to the earth washing away. The proposed wall is above the 480 and it is just to hold up the property. Showing the 2014 wall repair plan. There's no surveyed plan. It's a cut and dry 2ft wall on the property. It's an NOI because it's only 20ft away. There's a detail written as how the wall is to be built. Mr. Krevosky is reading the detailed work, showing on the 7/7/22 application. They are proposing this wall to hold up the slope between their property and the neighbor's property. Just a side wall along the property line. The 480 is the top of the neighbor's property (Colecchi). They will provide a survey before they start working to show that he is above the 480. Ms. Bartholomew would like to see a detail of the 2ft block high wall. It's above the flood plain. The wall will be back filled with 3-inch crushed stone. They discussed how the wall may stop abruptly on each side or it may wrap around a

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bit. It was suggested to check with the building department regarding the fence high rule. Per the board's requests, Mr. Krevosky added notes to the plan; a 2ft on top of 12ft crushed stone and he initialed it. He crossed off the details that don't apply and initialed it. He added the spill kit and dated it. He crossed out the notes on the right side and initialed it. No stock piling. DEP#323-1239. Mr. Krevosky also noted that it's not to scale. Confirmed that the blocks stagger for structure. Ms. Bartholomew reviewed Mr. Krevosky's changes. The board are satisfied with the changes.

No comments from abutters.

Mr. Bock motions to close the public hearing for 90 Lakeside Ave. Dr. Jewell second. Votes all in favor by roll call vote.

Mr. Brown motions to issue an Order of Conditions for 90 Lakeside Ave. Ms. Sherillo second. Votes all in favor by roll call vote.

New Business Discussion Items

21 Point Pleasant Avenue – Certificate of Compliance DEP#323-1157.

25 Point Pleasant Avenue - Certificate of Compliance DEP#323-1156. - Construction of a retaining wall. Mr. Ronald Fields (Applicant). (continued from 8/15/22). The wall looks good. They will work on the Chapter 91 for the dock. Continue 21 Point Pleasant Avenue to the September 19th meeting.

9 Loveland Road – Request for an amendment on a retaining wall. Mr. Stanley Ciesla (Applicant) Showing the construction sequence done by the contractor. The wall had been left out of the original plan. There's an existing footing and they are proposing to put the wall in the same location. The property is already excavated. There's a turbidity curtain in. The flood plain is at 480. They believe the footing is usable. Showing photos on the work area. There's a wattle and silt fence in place. They are proposing to clear the area and add the wall to the existing footing. The wall will be 4ft high and there will be back fill of 4ft. The wall caved towards the property. The board has concerns regarding using the existing footing without the wall being reinforced or tied into a sturdy structure it could fail again. Mr. Ciesla will talk to the contractor regarding the design of the wall and check if it can be fastened to prevent it from failing again. Rampco from Dudley is the contractor. They will bring machinery in to clean up the area and at that time they can determine if the footing can be reused. The board addresses concerns regarding, digging below the 480 where Mr. Ciesla may need a Chapter 91, based on the sequence that was presented to the board. Mr. Brown has concerns of the footing being sturdy enough. How much will the back fill be? Mr. Brown has concern that if they dig 18-inches it goes below the waterline. Mr. Ciesla to check with contractor and confirm how far the digging will go? Mr. Ciesla will recommend that the Rampco representative come to next meeting to answer these questions:

- How to tie the wall into the patio?
- Maybe pull the wall back and put rip rap in front of it?
- How does the board know where the wall will be built? Should have a clear set of drawings that are specific for this project. Need plans with set-backs and measurements.
- Put in stakes is a great idea for off sets.
- Need a rendering of the wall.

Mr. Wigglesworth noticed erosion in the street and he suggested maybe putting a wattle along the top of the property. Continue 9 Loveland Road to the September 19th meeting.

Meeting break at 7:45

Meeting restarted at 7:53

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Old Business Discussion Items

Goddard Street – Lots 1 and 2; Violation DEP#323-1197. Construction of two single family houses. Elijah Ketola (Applicant)

Mr. Wigglesworth and Mr. Duteau spoke with Mr. Matt Morro, representing the Applicant. A punchlist was provided for Mr. Morro to review and complete the work as noted to satisfy the Conservation Commission. Ms. Rita Flagg is the RE agent and has been advised that if the land doesn't get into compliance there will be no permit to build. They will follow up with this conversation soon.

18 Westwind Drive – Certificate of Compliance DEP# 323-1107. Construction of a single family house. Mr. Mark Gardell (Applicant). They can't give a certificate of compliance yet. Waiting for the information for the embankment. 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 September 19th meeting.

1 Cudworth Road – Certificate of Compliance DEP#323-862. Construct an attached building and freestanding building with grading. Lelanite Corporation (Applicant). Mr. Wigglesworth met with Mr. Perry from Lelanite to discuss the issues. Mr. Perry is only responsible for the back portion of the property and one detention basin. Unified Corp. are the new owners and have to take care of the remaining issues on the property. This property is in bad shape due to the changes that were made upon the sale of the property. Mr. Wigglesworth has spoken with the new owner and advised them to fix these issues within a 2-week period. He suggested they use juke netting and remove the pieces of wood that are in the woods along the property. Put some riprap to help erosion. They can issue a Certificate of Compliance to Lelanite for the back area. Unified doesn't have permission to do anything on the property.

18 Oakwood Drive – Certificate of Compliance DEP#323-1123. Septic system and driveway. Oakwood Drive LLC (Applicant). Continue to the September 19th meeting.

56 Worcester Road – Mr. Glenn Krevosky, representing and explains how the property is coming along with changes showing restoration notes and layout1 plan. The rock armored swale is loomed, it's all grass now. They pulled the swale back and used the piled loom. It's a 1 to 1 slope. They took it out of the wetlands. They didn't touch the wetlands on the National Grid property. Mr. Perella from National Grid gave permission for this work to be done. However, the paperwork was not in Lindstrom's name it was addressed with Mr. Krevosky's name. Mr. Krevosky explains that there's a layer of silt which was off the erosion pile at the bottom. They will use an excavator to remove it and National Grid will give permission for the restoration plan. Showing the buffer zone. They will remove the 1 to 5 inches of silt and get to black soil and seed it and take out the sediment and will not disturb the brush in the buffer zone. The slope is stable now. They have Red Maples there. The silt will be removed when plantings are in. National Grid is looking for a blessing from the Conservation Commission for this restoration work to be done before Mr. Krevosky goes onto the property. He would like to take out the sediment before it rains more. Mr. Wigglesworth will put together a letter from the Conservation Commission to submit to National Grid to explain that Mr. Krevosky and crew have the town's blessing to continue working on this property so that National Grid will give permission to work on their property. Ms. Sherillo motions to have Mr. Wigglesworth issue a letter of support to approve Mr. Krevosky's project of the wetlands restoration project. Dr. Jewell second. 6 Votes in favor, 1 abstained by roll call vote. (Mr. Brown abstained).

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Mr. Anthony Gargulinski asked, at the end of the meeting, to speak with the Conservation Commission regarding an issue with the Point Breeze Marina blocking access to his property at 13 South Point. The Point Breeze Marina has expanded their docks and are blocking access to the cove. Mr. Gargulinski sent a package 2-years ago to the commission addressing his concerns. Mr. Gargulinski has had many conversations with the owner of Point Breeze with no results. There's no Chapter 91 for the docks at Point Breeze. The marina is unlicensed. It's a DEP situation, however the marina connects to the town. The commission needs to be sure the docks are or are not licensed. As a board it needs to discussed what the next steps will be. Perhaps the board needs to give a deadline to WEF Properties LLC, owners of Point Breeze. According the GIS 114 Point Breeze Rd is owned by WEF Properties LLC. The docks have been there for over 70 years. The docks seem to blocking property that doesn't belong to them. The Conservation Commission will research as to who to send this business corresponding to. Then draft a letter regarding the marina docks inquiring about a license, filings, and identify what license they are to produce and or to apply for? Violation of zoning. Get the ball rolling with the letter to advise them about applying for a license and reconfigure the docks.

Dr. Jewell motions to adjourn at 8:48. Mr. Duteau second. All in favor.

Documents:

62 West Point Road Photos & Revised Plan	Dated 7/26/22	Pages 6
29 Union Point Road Photos	Dated 8/2/22	Pages 3
90 Lakeside Ave Wall repair plan & sketch plan	Dated 7/7/22	Pages 2
9 Loveland Road Request for a minor modification Construction sequence	Dated 8/16/22	Pages 9
56 Worcester Road Restoration Notes	Dated 5/3/22	Pages 1

Next Meeting Date: September 19, 2022 – Webster Town Hall

Respectfully submitted,

Tracy Coporale
Recording Secretary

Conservation Commission Approval: _____


Chairman

Date: _____