

REC'D WEBSTER TOWN CLERK
OCT 4 '22 AM 9:24

**Town of Webster
Conservation Commission
Minutes of the Meeting – September 19, 2022**

A meeting of the Conservation Commission was held on September 19, 2022, in person at the Town of Webster Selectman Meeting Room.

Attending: Chairman, Joey Wigglesworth, Hayden Brown, Dr. Robin Jewell, Fred Bock
Richard Parent (Alternate)

Absent: Vice Chairwoman, Michelle Sherillo, Dan Duteau, Karen Bartholomew

Staff: Tracy Coporale, Recording Secretary

Meeting called to order: 5:40pm

Public Meetings - Request for Determination of Applicability (RDAs)

55 Wakefield Avenue – Repair of a retaining wall. Robert & Nancy French (Applicant) (continued from 8/29/22) Mr. Ron Coporale representing the applicants while they are out of the country. Mr. Wigglesworth reads a note from the applicants stating that Mr. Coporale has permission to represent them. Mr. Wigglesworth had a conversation with Mr. Coporale and Mr. and Mrs. French regarding Fransisco Masonry submitting a plan of the work, which is needed. Nothing has been submitted from Fransisco Masonry. Mr. Coporale asks if the application still stands without the additional information. Yes. Mr. Brown motions to continue 55 Wakefield Ave to October 3, 2022 meeting. Mr. Bock second. All in favor by roll call vote.

7 Cedar Drive – Landscaping and walkway. Denys Milan (Applicant). Mr. Brown reads the public notice. Mr. Victor Kolinski, Victory Landscape & Construction, representing the applicant. Showing the hand-drawn plan. There was a site visit completed. There is a construction sequence provided. There are a lot of old shrubs in the front of the house that they are proposing to remove, there's pea stone, dead Junipers, and such. However, the trees are staying. The areas where the shrubs will be taken out will be changed to lawn. Mr. Wigglesworth asks if the homeowner is considering a crushed stone drip channel? Mr. Kolinski states that Mr. Milan would like to use sod. There's a downspout on the right side of the house, they are installing a drainage emitter about 10ft away from the dwelling. The walkway will remain a 4ft x 34 linear foot walkway. There will there be either a single or double granite steps at both doors. Mr. Milan would like to use concrete pavers. Mr. Wigglesworth makes a suggestion when using concrete pavers, to keep a space between them and use a little more crushed stone for drainage. Mr. Milan wants to remove most of the shrubs but is considering new plantings next year. The grading will stay the same. There are stumps that will be removed and the land will be graded to a gradual incline. They will be installing loam which will be loam to compost mix. Mr. Wigglesworth suggests that the contractor use 1 or 2 straw wattles around the work area and then when removing them there will be a raw area so suggests maybe filling it in with some stone along the roadway. They are using sod to stabilize, but will still have a wattle on hand, if needed. Dr. Jewell motions for a Negative Determination for 7 Cedar Drive. Mr. Brown second. Votes all in favor by roll call vote.

68 Lakeside Avenue – Residential dock. Gary Shannon (Applicant). Mr. Brown reads the public notice. Mr. Stephen Balcewicz, BC Engineering & Survey is representing the applicant. Showing the plan. The

**Webster Conservation Commission
Meeting Minutes of September 19, 2022**

dock is in accordance with the WPA. It is connected to the shoreline. The dock has been in existence for a long time. It's under 600 sqft, so they are filing the simplified license. Submittal WWPRE-0195. The plan shows exactly as is with steps. Mr. Shannon has been issued a certificate of compliance, but needs to file for a dock permit. At the shoreline is a dock that extends out 20ft parallel to the shore, there are stairs attached. This plan shows the existing stairs and a vacant lot next door under same ownership. It's one dock for both lots. There's no alterations to the shoreline or land under water.

Mr. Brown motions for a Negative Determination for 68 Lakeside Avenue. Dr. Jewell second. Votes all in favor by roll call vote.

Public Hearings - Notice of Intent - NOI

300 Thompson Road – Construction/expansion of a commercial parking facility. Three Hundred LLC (Applicant). (continued from 8/29/22)

The Conservation Commission hasn't received all the plans. They are waiting for the plans and the wetlands report from Brandon Faneuf.

Mr. Brown motions to continue the NOI for 300 Thompson Road to the October 3, 2022 meeting. Mr. Bock second. Votes all in favor by roll call vote.

Action Items

300 Thompson Road - Certificate of Compliance DEP#323-1004 original commercial parking facility. Three Hundred LLC (Applicant) (continued from 8/29/22) Mr. Rory Duquette, Operations Manager of Lakeview Marine, makes a statement – He tried to get all the information to the Conservation Commission on time. There was a partial order of conditions in the records that wasn't file, which has been corrected and recorded with the Registry of Deeds. Mr. Duquette is addressing some questions with regards to prior meetings. He has meeting minutes and green cards, there were approvals made previously and everything was performed to the orders given to them at the time. They are working on zoning issues, but as far as conservation he feels he has done everything to close out all the concerns that have been addressed. A request for an overlay of the proposed work as an As-built wasn't done. Mr. Balcewicz explains the original documents will be a little different due to him not having the advanced system to overlay the plans. He did a topographic survey as it exists today. He did the plan for this site on a different data system, this data was provided on the grades, the retention pond, the riprap swales, the outlet structure and it matches what it's supposed to be. An overlay may not be required, but it was just suggested to have one provided. However, if an overlay is required and by-passed a waiver is needed. Mr. Balcewicz explains that the grades are a 5% slope and doesn't matter what the elevation is. Even if you overlay it, the location of everything will stay the same. Mr. Brown asks, does the plan reflect the pond as what was proposed and what was As-Built? An As-Built drawing should show the change from what was proposed to what was done and this should be reflected on the single drawing. Mr. Balcewicz states, it's elevation not location, yes the pond is a little larger, so as long as you can see where the old pond was and compare it to the size of the new pond that's all that was built there and the rest is commercial parking. Mr. Brown requests that there's a denotation on the drawing demonstrating the changes in elevation due to the way the elevations and grades were assumed versus the way they are being mapped and state what that difference is, what that delta is. An As-Built drawing should show any difference as to what was proposed and what is done. Mr. Balcewicz will make additions on the As-built to make it clearer, per the board's request. There were 2 changes from the 2014 plans that were approved and the new plan. The shed wasn't there and the driveway was not to that extent. Mr. Duquette makes

**Webster Conservation Commission
Meeting Minutes of September 19, 2022**

mention that the shed wasn't on the original plan and the driveway was done in the spring at the request of the neighbors to cut down on the dust and noise. The driveway was proposed in the planning board meeting, however, they couldn't approve it until it was deemed outside the buffer zones by the conservation. Lakeview wanted to add the driveway previously, but they weren't able to. They did extend the driveway at their expense for the neighbors' benefit. The shed and the extension of the driveway are noted on the As-Built. Showing photos that Mr. Wigglesworth provided from the site visit. He explains that the far corner between the condos and the fence there's a perennial stream. This is shown on Scott Morrison's sketch. The fence is out of the boarder vegetation wetland. The original plans show they would stay out of the BVW and there's no staining on the fence so it is not near the river front. The detention basin is all natural, there are small animals and the area looks good. There is no staining on the second fence either. On the far right it is also natural and looks good. The photos show some broken down crates, they use the wood to prop up boats in the winter, some canopy frames, a drop trailer for storage and all of this is out of the jurisdiction of the Conservation Commission. Mr. Balcewicz asks about reviewing EcoTech reports. Yes, the board has the reports and the sketch from Scott Morrison, which is deceiving. Mr. Duquette submitted additional reports, which are helpful. Mr. Balcewicz comments that the stream was monitored and wetland flags were put in as an intermittent stream. The wetland flags were not moved and are in the same locations from 2014. Mr. Wigglesworth notes that there is a lot of vegetation on the property. They have a permanent spill kit on site. He hasn't seen any spillage anywhere on this site. There is approximately an inch of water in the detention basin, but it currently looks good. The habitat looks good. The commission is still requesting an As-Built. Mr. Brown motions to continue 300 Thompson Road to October 3, 2022 meeting with the As-Built plan for DEP#323-1004. Dr. Jewell second. Votes all in favor by roll call vote.

3 Birchwood Drive – Certificate of Compliance DEP#323-476. Jeffrey & Brian Czechowski, Trustees, (Applicant) There's only 2 conditions on it, which have been satisfied. Everything is stable and looks good. No concerns.

Mr. Bock motions to issue the Certificate of Compliance for 3 Birchwood Drive. Mr. Brown second. Votes all in favor by roll call vote.

18 West Wind Drive – Certificate of Compliance DEP#323-1086. Mark Gardell (Applicant).

Mr. Gardell owns both properties 18 & 20 West Wind Drive. The water/sewer connection was joined for both properties. The water/sewer connection was separated and connected on 18 West Wind Drive only and is no longer on 20 West Wind Drive. Closing out the order for the water /sewer for 18 West Wind Drive.

Mr. Brown motions to issue the Certificate of Compliance for 18 West Wind Drive. Mr. Bock second. Votes all in favor by roll call vote.

18 West Wind Drive – Certificate of Compliance DEP#323-1107. Mark Gardell (Applicant).

Cannot close out yet due to a banking that is falling into the stream. Showing photos of the property. Mr. Brown motions to continue the certificate of compliance for 18 West Wind Drive to the October 3, 2022 meeting. Mr. Bock second. Votes all in favor by roll call vote.

1 Cudworth Road – Certificate of Compliance DEP#323-862. Mr. Perry, Lelanite Corporation

(Applicant). Mr. Wigglesworth visited the property and discussed with Mr. Perry, the violations and what the cleanup entails for the rear detention basin and the back of the property. Showing photos of the property. They added riprap stone. He picked up the debris that was in the back. While cleaning it up Mr. Perry found silt in the back and dug it out, he took out the old box, removed the old tires from the

**Webster Conservation Commission
Meeting Minutes of September 19, 2022**

wooded area. The site is cleaned up and he satisfied all the requirements of the commission. Mr. Wigglesworth will talk to the new tenant Unified Corp about proper disposal and cleaning up the rest of the property and relay that there should not be any disposal of items into the wooded area. An old barrel has also been removed.

Mr. Bock motions to issue the Certificate of Compliance for 1 Cudworth Road. Dr. Jewell second. Votes all in favor by roll call vote.

Point Breeze Marina – Rescind Vote.

Mr. Anthony Gargulinski brought a complaint to the Conservation Commission against Point Breeze Marina, which is wrongfully blocking the right of access to private property; dated August 10, 2022. The Conservation Commission has been advised that this issue is a Chapter 91 situation. The Webster Conservation Commission has no authority on this Chapter 91 situation. They can't get involved in a Chapter 91 dispute. Ms. Chrissy Hopps, of DEP has advised the Conservation Commission that the DEP has been in contact with all parties involved. The Conservation Commission can't issue any type of letter to Point Breeze as was previously suggested. Mr. Gargulinski, doesn't understand and would like more clarification. He states that he has an old email from Ms. Hopps of DEP and correspondence from 2-years ago contacting the Conservation Commission. He has contacted different individuals at the DEP. He reads the email from 2-years ago. The email states that the commission is going through the process. He reads the notes from the website. Mr. Wigglesworth explains that once the state is involved the Conservation Commission has no jurisdiction. Mr. Gargulinski states again that he has contacted Ms. Hopps several times without response. He feels that the Point Breeze Marina is being protected. Mr. Wigglesworth suggests he continue to contact DEP and be as persistent as possible. This board reports to DEP, there isn't anything the board can do. We are not a political agenda. Mr. Gargulinski explains that this has been going on for years. He has been in contact with multiple DEP employees and he isn't getting anywhere.

Mr. Bock motions to rescind the vote on correspondence. Mr. Brown second. Votes all in favor by roll call vote.

Approval of Meeting Minutes

Dr. Jewell motions to approve meeting minutes of August 29, 2022. Mr. Bock second. Votes all in favor by roll call vote.

Tree Policy

Mr. Brown motions to continue reviewing the tree policy to the October 17, 2022 meeting. Dr. Jewell second. Votes all in favor by roll call vote.

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 took some photos and spoke with Mr. Morro. The lot was cut. Lot #1 has storm water issues. No dumpster. There's lots of garbage on the ground. There's water still coming down the driveway. There are supposed to be catch basins, but there are none. There are no cultecs. There will be a meeting set up with the engineering firm, Mr. Morro, Mr. Tetreault and the Conservation soon. They are still working under the stop work order. The wetland in the back has a lot of silt and is full of invasives. There's supposed to be 4 catch basins in the front that are not there.

**Webster Conservation Commission
Meeting Minutes of September 19, 2022**

They left a stock pile in the back that has turned into a hill and needs to be graded. There are pipes in the ground for water drainage, but it's not properly done. Mr. Pizzetti, Highway Department, has noted that the broken pipe on this property carries the water for Granite Street.

56 Worcester Road – This project should be coming to a close. Mr. Krevosky wasn't at the meeting tonight for an update.

Mr. Bock motions to adjourn at 7:18. Mr. Brown second. All in favor.

Documents:

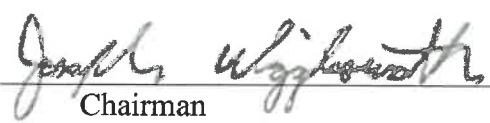
7 Cedar Drive Project Description	Dated 8/22/22	Pages 2
Construction Sequence	Dated 9/18/22	Pages 1
68 Lakeside Ave Plan	Dated 10/11/21	Pages 3
300 Thompson Road Photos from site visit	Dated 9/2022	
1 Cudworth Road Photos from site visit	Dated 9/2022	

Next Meeting Date: October 3, 2022 – Webster Town Hall

Respectfully submitted,

Tracy Coporale
Recording Secretary

Conservation Commission Approval:


Chairman

Date: 10/4/22

