



Town of Wales Conservation Commission

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Meeting Minutes – December 16, 2021

Present: Robert Herbert (**Rob H.**) – *Chair*, Norma Thompson (**Norma T.**) – *Commission Member-Virtual*, Hugh Brower (**Hugh B.**) – *Commission Member-Virtual*, Sarah Ryan (**Sarah R.**) – *Clerk* -

Public Present: Diane Jaworski-21 Shore Dr. (Virtual), Elizabeth Dickinson- (Virtual) , Carolyn Gross – *Utility Pole Work (Virtual)*, **In Person:** Andre Cormier – *Old County Rd.*, Mark Farrell – *Old County Rd.*

Robert H. opens the public meeting at 6:06 PM.

****Agenda item:** Minutes to be approved, 11/18/21 & 12/7/21

Motion 121621-01 by Hugh B. to approve 11/18/21 minutes with edits, Seconded by Rob H., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

Motion 121621-02 by Hugh B. to approve 12/7/21 minutes with edits, Seconded by Norma T., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

New Business:

**** Agenda item:** 9 Shore Dr. – vote/ratify emergency tree cutting approval

Hugh B. makes a motion 121621-03 vote to ratify emergency tree cutting approval for 9 Shore Dr., Seconded by Norma T., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

****Agenda item: Haynes Hill Rd. – FCP**

The commission would like to conduct a site walk on state land surrounding this property due to their concerns of stream crossing. Rob H. will be contacting DCR regarding the temporary stream crossings, asking that they be removed before the project is signed off as complete. The commission would ideally like to do a site walk on the property (with permission) to view streams draining into Hollow Brook from the West of those properties.

****Agenda item: 51 Stafford-Holland Rd – site visit request- Lynn Greene**

The commission discusses observations/discussion from the site visit conducted on 12/10/21. The commission agrees that this clean up has no impact to the resource area, they just ask that no equipment being used for the clean-up be within the resource area, stumps are to be left and suggests any cut wood should remain for minimal disturbance, rather than dragging it out.

Hugh B. makes a motion 121621-04 to approve the tree cutting with standard conditions, Seconded by Robert H., no discussion, all in favor.

<u>Roll Call Vote:</u> Hugh Brower	(Y)
Robert Herbert	(Y)
Norma Thompson	(Y)

****Agenda item: Sunpin Energy – Peer review budget update**

The commission discuss the peer review fees and the remaining funds. The commission is waiting for feedback from an email that was sent to the applicant to address the comments from the public. The commission will be in contact with Lucas Environmental to discuss the remaining funds and what services will be conducted.

****Agenda item: 29 Union Rd. – follow up/certificate of compliance**

Hugh B. conducted a site visit from the road after the completion of the work. No problems were seen, and the work appeared to be completed satisfactorily. The applicant can request a certificate of compliance, which the commission will then sign and issue.

****Agenda item: 51 Union Rd. – complaint follow up**

Photos and maps were sent to the commission alleging that a pipe was being used to dump sewage into the lake and construction debris have been dumped on shoreline. When Hugh B. visited the site, he did not see a pipe and there was no evidence that sewage was being disposed of. The commission will follow up to see if the Board of Health was able to investigate this further.

****Agenda item: 40 Haynes Hill Rd. -FCP – follow up**

The commission will again be following up with DCR, regarding the stream crossings be removed before being signed off on as complete.

****Agenda item: 214&216 Union Rd. -update on site visit/enforcement order**

The commission met with neighbor who is interested in purchasing the properties. The neighbor was given all pertinent information regarding the property and the enforcement order placed on the property. The concern for development is that 90% of continuous upland required by the towns zoning bylaw may be an issue with vernal pool and stream at the front of the lot.

The commission will issue a final reminder letter that the clean up and restoration of the property needs to take place, otherwise the commission may need bring the matter before town counsel.

****Agenda item: Highway Department – Culvert repairs**

Overall, the commission is very pleased with the improvements the Union Rd. and Stafford-Holland Rd. The commission will continue to monitor water levels on the upland area.

****Agenda item: 21 Shore Dr. – NOI**

The commission opens the public hearing at 6:37 PM. The commission discusses the replacement of existing septic tight tank, regarding site plan buoyancy analysis and the exception to the WPA for Title 5 septic work. The commission imposes conditions to include:

- must notify commission prior to the start of work
- stockpiles can not be within flood zone (at rear of house) and must be covered
- must check/clean E&S controls after major storms or daily while work is taking place.
- additional controls may be required by the commission, work is to be done while the lake is in a drawn – down state
- equipment is not allowed on the edge of the shore, must be kept within the limit of work-erosion barrier line
- after project completion applicants must put down erosion matting or blankets over the disturbed area and reseed it with a fast-growing mix
- maintain erosion controls until the vegetation in the disturbed area reestablishes itself

Hugh B. makes a motion 121621-05 to close the public hearing for 21 Shore Dr. Septic replacement (DEP file # WE 314-0170), Seconded by Robert H., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

Hugh B. makes a motion 121621-06 to approve 21 Shore Dr. Septic replacement (DEP file # WE 314-0170) with DEP conditions and special conditions specified by the commission, Seconded by Robert H., no discussion, all in favor.

Roll Call Vote: Hugh Brower (Y)
Robert Herbert (Y)
Norma Thompson (Y)

****Agenda item: Stafford-Holland Rd/Old County Rd. – Utility work-NOI**

The commission opens the public hearing at 6:46 PM. Carolyn Gross from BSC Group Inc. presents to the commission facts and plans for the overall project. Installation of three (3) poles withing Riverfront Area and the 100-ft Buffer Zone to BVW, loess than 10 ft. from BVW. The installation of three (3) poles within the 100 ft. -Buffer Zone that require eight (8) tree removals. All poles will be installed 10 ft. of the edge of the roadway. Ms. Gross states that the work taking place with National Grid is best management practices.

The commission did not see any issues with the proposed work or tree cutting, with the exception of Pole 16-50. Due to the proximity of the pole to the stream bank, this is a concern to the commission. Due to instability of the streambank on that side and the possibility of additional stabilization work by Wales Highway Dept., the commission requested that the applicants place the pole a minimum of 25' from bank.

Ms. Gross will advise the commission if this condition cannot be met for engineering reason in which case the commission will amend the Order of Conditions to allow placement in the original proposed location.

Hugh B. makes a motion 121621-07 to close the public hearing at 6:57 PM. for Stafford-Holland/Old County Rd. Utility work (DEP file # WE 314-0173), Seconded by Norma T., no discussion, all in favor.

Roll Call Vote: Hugh Brower (Y)
Robert Herbert (Y)
Norma Thompson (Y)

Hugh B. makes a motion 121621-08 to approve the application Stafford-Holland/Old County Rd. Utility work (DEP file # WE 314-0173) with condition that pole placement 25' away from stream bank, Seconded by Norma T., no discussion, all in favor.

Roll Call Vote: Hugh Brower (Y)
Robert Herbert (Y)
Norma Thompson (Y)

**** Agenda item: 21 (22) Old County Rd. (Lot 11) – NOI**

The commission opens the public hearing at 7:01 PM. Mark Farrell from Green Hill Engineering explains the application submitted with plans. Mr. Farrell explains that the septic and well has been pushed to the upland side, keeping the work outside of the 100 ft. buffer. Grading and stumping within the buffer zone is minimal and straw waddles will be put in place prior to construction.

The commission discusses the placement of the leach field, moving it further outside the buffer zone. The applicant agrees that this can take place, but will involve some tree cutting, leaving minimal grading within the buffer zone.

The commission was not able to locate property boundaries at the last site visit, leaving it difficult for the commission to know where the limits of work are on each lot. The commission discusses the violation notice that was sent to the applicant regarding work being conducted in the adjacent buffer zone.

Mr. Farrell will be submitting updated plans to show accurate wetland delineation, staked corners of boundaries lines and DEP data sheets that are stamped and signed.

Hugh B. makes a motion 121621-09 to continue the Public Hearing for 21 (22) Old County Rd. (Lot 11) (DEP file # WE 314-0171), Seconded by Norma T., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

****Agenda item: 23 (24) Old County Rd. (Lot 12) – NOI**

The commission opens the public hearing at 7:23 PM. Mark Farrell from Green Hill Engineering explains the application submitted with plans. Mr. Farrell shows that the house, septic and well are entirely outside of the buffer zone. Stumping and regrading within the buffer zone will occur but no significant grade changes are proposed. The septic has been oversized for longevity purposes. The applicant mentions that they would like to deed lot 13 to this property, giving this lot an increase in dry upland.

Again, the commission requests that the site plans be updated with the information from that survey and show all resource areas on or adjacent to those lots, along with actual cleared areas currently existing at the time of the survey. Site plans must be signed and stamped, showing elevation contours on the lots and must include the wetland delineation data sheets. The applicants must also state that each lot conforms to Wales Zoning Bylaws 6.2 regarding the minimum required continuous area to be considered buildable. Accurate wetland delineations, conducted by surveyor.

The commission schedules a site visit to take place on Monday December 20,2021 at 1 PM.

The commission reminds the applicants that no work is to be done on the cul-de-sac or any of the other lots without first filing an NOI with the commission.

Hugh B. makes a motion 121621-10 to continue the Public Hearing for 23 (24) Old County Rd. (Lot 12) (DEP file # WE 314-0172), Seconded by Norma T., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

Both NOI's (Lot 11 and Lot 12) will hold the continued hearing on December 31st at 1PM.

****Agenda item:** Highway Department – NOI

The commission is waiting on response from NHESP on MESA review, this will be continued to our January meeting.

Hugh B. makes a motion 121621-11 to continue the Public Hearing for Highway Department -NOI (DEP file # WE 314-0166), Seconded by Norma T., no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

****Agenda item:** 87 McBride – RDA continuation

The applicant has submitted a new filing of an NOI along with revisions to the plans for replacement/repair of septic. The hearing for this NOI application will be December 31, 2021 at 1PM.

****Agenda item:** 33 Barney Rd. – follow up enforcement order

The commission discusses that some cleanup continues the property, which include relocation of manure piles onto upland areas. There is still a lot of trash on the road, the commission is considering issues a final letter to the owner. If no significant action is taken, the town will consider taking this issue before town counsel.

Hugh B. makes a motion 121621-12 to adjourn the meeting at 7:54 PM, Seconded by Norma T. no discussion, all in favor.

<u>Roll Call Vote:</u>	Hugh Brower	(Y)
	Robert Herbert	(Y)
	Norma Thompson	(Y)

