



Town of Wales Conservation Commission

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Meeting Minutes – August 19, 2021

Present: Norma Thompson (**Norma T.**) – *Chair/Clerk*, Hugh Brower (**Hugh B.**) – *Board Member*, Robert Herbert (**Rob H.**) – *Board Member*,

Public Present: Taduesz Wysocki Jr., Ethan Pearson, Eric Pearson, Doug and Elizabeth Dickinson (Virtual) and Darlene Yiznisky (Virtual)

6:07 PM Public Meeting opened.

****Agenda item:** Approve Minutes 7/15/21

Motion 081921-01 by Rob H. to approve 7/15/21 minutes with edits, Seconded by Hugh B. No discussion, all in favor.

****Agenda item:** 30 Lake George Rd. – informal discussion

The commission has concerns that the property may not meet the minimum 90% upland. The commission would like to see plans to include delineated wetlands. The commission feels that a variance through ZBA may be the next course of action, but the building inspector would need to confirm.

****Agenda item:** 19 Shore Dr.-Tight tank installations, coordination with BOH siting

The commission feels that there are issues with it being a resource area, the commission is waiting on the Board of Health's recommendations.

****Agenda item:** 40 Hollow Rd-discussion/enforcement action

The commission opens the public hearing. Eric Pearson addresses the enforcement order placed on his property of 40 B Hollow Rd. The commission breaks down the sequence of events leading up to the enforcement order. Mr. Pearson expresses his frustrations with the enforcement order being applied to his side of the property when he feels conservations issues were directed towards the top half of the property (40A). The commission explains that the enforcement order was placed on the property when

it was one (1) lot, although they since split the property after the fact, it makes things moving forward very complicated. Appealing this order is done through Superior Court.

****Agenda item:** 23 Ainsworth Hill-report logging/sawmill operation

The commission explains that they had received complaints about the logging activity, the commission does not feel that this is a conservation issue as it does not pertain to wetlands. If residents have issues with road damage, they need to formally complain to the Board of Selectman secretary and/or Highway Department.

****Agenda item:** 50 Stafford-Holland Rd-FCP

The site visit with the State and the property owner of 50 Stafford-Holland Rd was very informative. The commission saw no issues with the plan put in place.

****Agenda item:** Stafford-Holland Rd. -stability

The emergency road work was approved by the commission under the condition that the Highway Department have a licensed engineer evaluate for improved stability work to be conducted. Resident, Ted Wyscocki brought it to the commission's attention that with the recent rainfall, the water level was at street level accompanied with whirlpools. The commission will issue a violation notice with the Board of Selectman and request to be placed on the Board of Selectman's next agenda for September 13th to discuss the stability of the culvert. In addition, the commission will do additional research into state and federal grants that can be used for the emergency replacement of major road crossings.

****Agenda item:** 21 Haynes Hill Rd-possible structure being built

The commission was not made aware of the construction at 21 Haynes Hill Rd. and the work is not within the buffer zone but going forward the commission would be appreciative that all building applications on the lake or near streams be forwarded to them for review, so they can make proper determinations.

****Agenda item:** General discussion of dock permits and the role of the Conservation Commission in having applicants submit after-the-fact filings for pre-existing docks

Hugh B. clarifies the process for obtaining dock permits as it was discussed with DEP. A dock permit application needs to be submitted to DEP in addition to an NOI with conservation because building a dock is altering a resource area.

****Agenda item:** Vote to authorize the clerk to sign bill vouchers

Motion 081921-02 by Hugh B. to authorize the clerk to sign bill vouchers after verbal approval from the chair, Seconded by Norma T. No discussion, all in favor.

****Agenda item:** 74 Union Rd – follow up about work being done on shoreline

The owner had ensured that work was being done, from what the commission could see, there was no signs of work being done.

****Agenda item:** 22 Hollow Road – Tree cutting

Owner never returned phone call for permission to access site, the work looks to be completed.

****Agenda item:** 214 & 216 Union Rd- update on actions taken on enforcement order

Owner was unable to attend the meeting to discuss potential work being done, the commission will follow up with the property owner and discuss an addendum to the Enforcement Order. The next step would be to request a letter to be sent by the Town Attorney to Mr. Faber on the actions required in this matter.

****Agenda item:** Lake George -follow up

The commission had concerns of debris piled up from residents that hydro raked. Those piles were left on the bank and the commission was pleased that they were disposed of, preventing run off back into the lake.

****Agenda item:** 40 Hollow Rd-Enforcement Order

Motion 081921-03 by Hugh B. to ratify the enforcement order of July 19, 2021 for 40 Hollow Rd, Seconded by Norma T. No discussion, all in favor.

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

Hugh B. has seen no evidence of work/clean up being done. The commission has concerns about the hazardous spill in driveway. The Board of Health will continue to monitor the runoff, along with DEP. If the commission sees signs of deterioration, then the commission will take the necessary steps to address.

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

The highway department had not filed the NOI with DEP, and until DEP assigns a file number to this NOI then the commission cannot officially act on it. The commission did informally discuss tentative special conditions for the NOI to include issues with stability of Stafford-Holland Rd.

****Other Business:**

-The commission discussed flooding on Henry Road along with stream crossings that have been overwhelmed by recent flooding at Wales Brookside Village.

-The commission would like to create a “best practice” pamphlet for residence that live on Lake George. The commission feels that this is a necessary step to promote safe practices around the lake.

Motion 081921-04 by Rob H. to accept the new filing fees and tree cutting form wording, Seconded by Hugh B. All in favor, no discussion.

Public Hearings Continued to September 16th, 2021:

-33 Barney Rd.

-40 Hollow Rd.

-40 Sizer Dr/ Sunpin Energy Services

-Highway Department - NOI

Executive Session:

Hugh B. makes a motion to enter Executive Session in accordance with M.G.L. Ch.30A, Section 21 A, subsections:

-3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares

-5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints

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

The commission will discuss strategy with respect to litigation.

-33 Barney Rd.

-40 Hollow Rd.

The commission will not reconvene in open session afterwards.

