



Town of Wales Conservation Commission

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Meeting Minutes – September 16, 2021

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

Public Present: Taduesz Wysocki Jr., Ethan Pearson, Eric Pearson, Doug and Elizabeth Dickinson (Virtual) and Bob Reidy (Virtual), Neil Jackson (87 McBride), Bill Sweeny (30 Lake George Rd), Bruce Cadieux (Highway Dept.)

6:00 PM Public Meeting opened.

****Agenda item:** Approve Minutes 8/19/21

Motion 091621-01 by Rob H. to approve 8/19/21 minutes, Seconded by Hugh B. No discussion, all in favor.

****Agenda item:** 30 Lake George Rd. – RDA – Public Hearing

Hugh B. opens the public hearing.

The applicant explains his plans to hopefully clear some land to build, which is estimated to be 100 feet from Lake George Rd.

Hugh B. conducted a site visit on 8/24/21. An accurate delineation is necessary to determine if the owner has 90% of continuous upland. **Hugh B.** specifically points out to the applicant what areas are a concern. The applicant was advised that no wetlands flags were found onsite, which the commission requires. There was unpermitted tree clearing that had taken place in the buffer zone on the west side of the lot, this activity would need to be reflected on the revised plans. After the applicant has the proper plans that reflect all wetlands and work already done, the commission will conduct another site visit.

Motion 091621-02 by Hugh B. closes the public hearing, seconded by Norma T., no discussion, all in favor.

The recommendation made by Hugh B. to determine this a “positive” determination, supported by the following sections of the Wetlands Protection act; 2B, 3, 5 AND Zoning by law 6.2. Since there is proposed work within the buffer zone or resource area that could potentially affect wetlands, the commission determines that an NOI is necessary.

The applicant will have the area delineated and file an NOI with DEP and the town.

****Agenda item:** 87 McBride Rd. - RDA

Hugh B. Opens the public hearing for 87 McBride Rd.

Hugh B. addresses woodchips and piles of debris within a resource area that needs to be restored. Since all the work being proposed is within the buffer zone, and the proposed septic is close to a resource area boundary, the commission would feel more comfortable if the size of the leach field was reduced, to better protect those areas of concern. Mr. Jackson will redesign; and the commission will conduct another site visit and review new plans once they are received.

The public hearing for 87McBride Rd. is continued.

****Agenda item:** Highway Department - NOI

The commission determines that the hearing for the Highway Department blanket NOI will be continued as it is waiting for the review and comments of the NHESP (Natural Heritage & Endangered Species Program), once their determination is received then the commission will be able to make a decision with conditions.

The public hearing for the Highway Department is continued.

****Agenda item:** 40 Hollow Rd.- discussion/enforcement order

Hugh B. opens the public hearing for 40 Hollow Rd.

Eric Pearson came before the commission to address the violations listed on the enforcement order on 40 Hollow Rd., explaining that the violations are within 40A. Mr. Pearson does not believe that any of the violations listed on the enforcement order pertain to 40B, he reiterates that the restoration of these violations falls on the responsibility of the owner, and the current owner of 40B was not the owner of the entire property at the time of this order.

The commission understands Mr. Pearson’s concerns and explains that they are currently waiting on the determination of the validity of the FCP with DCR. A restoration plan would need to be created based on the delineation of wetlands for 40B.

The commission advises the owner of 40B that they can file an NOI with a restoration plan for any areas within a buffer zone or any areas where resource areas were altered.

The public hearing for 40 Hollow Rd. is continued.

****Agenda item:** 21 Shore Dr.

Motion 091621-03 by Rob H. to certify the tree cutting form for 21 Shore Dr, seconded by Hugh B. No discussion, all in favor.

****Agenda item:** Hegan St. – Failed stream crossing discussion

The culvert on Hegan St. failed and the Highway Department conducted a temporary fix, this fix will be discussed at the continuation of the public hearing for the Highway Departments blanket NOI.

****Agenda item:** 31 Union Rd. - ZBA

The commission reviewed the ZBA application for 31 Union Rd and discussed the site visit. The commission had no issues with the proposed work.

****Agenda item:** 201 Main St.

The commission discusses the complaint made by the abutter of 201 Main St., along with the findings of their site visit. The owner was able to address the abutters concern and address the commissions concerns of dirt run off near Rt. 19.

****Agenda item:** 25 Shore Dr.

The commission discuss the complaint that the owners of 25 Shore Dr. were pumping their septic onto their property. The Board of Health has taken over this issue, advising the commission that the owner was to have the tank pumped within the week and the Board of Health would be following up with them and the commission.

****Agenda item:** 21 Sizer Dr. - FCP

With a FCP in place the commission does not have jurisdiction over this, but they will continue to monitor the flow off the site.

****Agenda item:** Other Business - Clerk

Motion 091621-04 by Hugh B. to confirm that the Conservation Commission clerk is responsible for all clerical duties, including abutter notices and legal advertising as it pertains to applications, seconded by Norma T., no discussion, all in favor.

****Agenda item: Other Business – Old County Rd.**

The commission discusses the information received from the Conservation Agent in Holland, that some debris was being piled up within a lot that resided on the Wales side of the road. The commission looks at an approved ANR from 2018, showing the lots and culverts along the road. The commission discusses the best approach for addressing the concerns that they have regarding the potential work being done on the road itself along with any developments on the Wales lots. The commission will be contacting the owner to set up a site visit or plan for an informal discussion about future plans with the owner prior to the commission's public hearing on the 30th of September.

****Agenda item: Stafford-Holland Rd- Stability**

The commission discusses reaching out to engineers for an RFP (Request for Proposal). The commission would like recommendation on whether the culvert in place is safe or in danger of failing, and if it is in danger of failing what would be the appropriate steps to rectify things.

****Agenda item: 19 Shore Dr.**

The commission is still awaiting a resolution from the Board of Health regarding the tight tank installation.

****Agenda item: 214 & 216 Union Rd.**

The commission will continue to follow up with the owner to make sure that violations of the enforcement order are being addressed. The owner has been advised to file an NOI for 216 Union Rd and submit a restoration plan for 214 Union Rd. The commission will continue to follow up on this property.

****Agenda item: 7 Cordially Colony - NOI**

The commission opens this public hearing, stating that they cannot formally discuss or make a determination until they receive surveyed plans of the property, showing elevations with all proposed work. Although DEP assigned a file number, the application is considered incomplete and would need to be refiled using the latest forms, and provide information that the commission requested.

Public Hearings Continued to October 21st, 2021:

-33 Barney Rd.

-40 Hollow Rd.

-Highway Department – NOI

-87 McBride – RDA

-7 Cordially Colony - NOI

***40 Sizer Dr./Sunpin Energy Services will hold their continued public hearing on
September 30th, 2021, at 7PM at the Wales Senior Center.***

**Motion 091621-05 by Hugh B. to close the public meeting at 8:37 PM, seconded by
Rob H., no discussion, all in favor.**