



Town of Wales Conservation Commission

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Meeting Minutes – October 21, 2021

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

Public Present: Ted Wysocki, Elizabeth Dickinson (Virtual), Thomas and Carol Dearborn (29 Union Rd.), Dorothy and Frank LaRosa (7 Cordially Colony), Eric and Ethan Pearson (40 B Hollow Rd.), Trevor Wentworth

Norma T. opens the public meeting at 6:02 PM

****Agenda item:** Approve Minutes 9/16/21, 9/24/21, 9/30/21

Motion 102121-01 by Rob H. to approve 9/16/21 meeting minutes, 2nd by Hugh B., no discussion, all in favor.

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

Motion 102121-02 by Hugh B. to approve 9/24/21 meeting minutes, 2nd by Rob H., no discussion, all in favor.

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

Motion 102121-03 by Hugh B. to approve 9/30/21 meeting minutes, 2nd by Rob H., no discussion, all in favor.

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

Elizabeth Dickinson informed the commission that minutes were posted to the website from January 2021 that were watermarked "DRAFT". **Sarah R.** will investigate this.

Motion 102121-04 by Norma T. to nominate Rob. H as the Chair of the Conservation Commission, Hugh B. seconded that motion, no discussion, all in favor.

****Agenda item: 40 Haynes Hill Rd. – FCP**

The commission reviews and discusses the Forest Cutting Plan for 40 Haynes Hill Rd. The commission has concerns about the landing, where the equipment would be entering/exiting the property. The board will be reaching out to DCR to follow up on their concerns and potentially visit the site if permission to access is granted.

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

The commission is waiting to receive revisions to the plans for this filing, this public hearing is continued to our next regular meeting.

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

Hugh B. has not received a response from the owners. Logs close to the stream on the property have been observed, the commission will continue to reach out about the restoration plan for the enforcement order.

****Agenda item: 7 Cordially Colony – NOI continuation**

The commission opens the public hearing at 6:17 PM. The commission advises Mr. LaRosa that they have been awaiting the amendments to his NOI filing. There were several issues with the previous filing that need to be corrected, along with surveyed plans that show wetland delineation and the proposed structure. **Sarah R.** showed Mr. LaRosa exactly what areas of the NOI that needed to be omitted and changed. The commission continues this public hearing to the next regular meeting.

****Agenda item: 29 Union Rd. – Abbreviated Notice of Intent**

The commission opens the public hearing at 6:23 PM. The commission discusses the abbreviated NOI submitted by Thomas Dearborn. The commission conducted a site visit on September 23rd and 27th, the commission feels that due to the slope, runoff would be going toward the pond with minimal disturbance.

Motion 102121-05 by Hugh B. to close the public hearing for 29 Union Rd., Seconded by Rob H. no discussion, all in favor.

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

Motion 102121-06 by Hugh B. to approve the abbreviate NOI with standard conditions, using hay bails prior to construction, Seconded by Norma T., no discussion, all in favor.

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

The commission advises the applicant that they will receive a signed copy of the order of conditions and after completion of the work they are to notify the commission for re-inspection.

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

The commission continues the public hearing to the next regular meeting next month, the commission has not been able to follow up with work being done on site.

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

The commission opens the public hearing at 6:29 PM. Eric Pearson submits the amended signed Forest Cutting Plan, signed on 9/27/21, which was never submitted to the commission from DCR. Eric Pearson is asking the commission to rescind the enforcement order as it pertains to 40 B Hollow Rd. Since the enforcement order was placed on the property of 40 Hollow Rd. prior to the parcel being split into two lots, makes this situation complicated. Prior to this meeting the commission has attempted to contact DCR, regarding the validity of the signed FCP, with no response. Although the commission understands that the Pearson's would like to rectify the issues with their side of the property, so they can move forward with preparing the parcel for building, the commission has a process when it comes to enforcements orders. The commission has advised the Pearson's multiple times that to move forward with any project, an NOI or restoration plan must be filed with the commission. The Pearson's are free to submit whatever paperwork filing with the commission that they choose, but without the wetlands being delineated, resource areas marked and a proper site visit, it would be difficult for the commission to make any determination on 40 B Hollow Rd. The commission suggest filling a WPA Form 4A – Abbreviated Notice of Resource Area Delineation, this procedure is a way for applicants to confirm the delineation of Bordering Vegetated Wetlands, other resource areas may also be requested provided the other resource area boundaries are identified. **Sarah R.** emails Ethan Pearson a copy of the instructions for the WPA Form 4A along with a Permission to Access Site form. The commission continues this public hearing to the next months regular meeting.

****Agenda item:** Stafford-Holland Rd.-stability/Highway Department NOI

The commission continues the public hearing for the Highway Department NOI, the commission will present order of conditions for this blanket NOI at next month's meeting.

****Agenda item:**21 Sizer Dr. – FCP follow up

The commission will follow up before next month's meeting regarding the Forest Cutting Plan for 21 Sizer Dr.

****Agenda item:**25 Shore Dr. discussion of follow up

This project is still awaiting a determination from the Board of Health. The commission will follow up with the Board of Health once an agreement has been made with owners on how to rectify the issue.

Other Business:

-Trevor Wentworth consults with the commission regarding 2 pieces of property on Haynes Hill Rd. that he is interested in buying with the intent to build a single-family home. Mr. Wentworth suspects that the land has wetlands, the commission looks over GIS maps of the property, but the commission feels its hard to give Mr. Wentworth advice when the wetlands are not delineated, the commission suggests getting permission to have the wetlands delineated and filing an RDA with the commission if Mr. Wentworth feels this property is worth doing the research on.

-The commission briefly discusses Sizer Dr. regarding the newly submitted second review letter from Lucas Environmental. The commission had not reviewed the letter yet, but they discuss services going forward.

-The commission briefly mentions Old County Rd., that they would like to conduct another site visit to see if any additional work has been conducted on site.

****Agenda item:**Discussion of Order of Condition Procedures

The commission discusses the procedures in place for Order of Conditions, which are valid for 3 years unless an extension has been requested. When Order of Conditions are signed and issued by the commission, the applicant must then complete and submit Section G of the OOC to the Registry of Deeds and then return that form to the commission for proof. The applicant must also post a sign on the project site, to include the DEP filing number. Once work is complete, the commission must be notified, then the commission will conduct a site visit and issue a Certificate of Compliance. A copy of OOC can be obtained by the public, by visiting the town offices to review or by formally requesting a copy through the Freedom of Information Act.

Motion 102121-07 by Hugh B. to adjourn the meeting, seconded by Norma T., no discussion, all in favor.

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

