

CONSERVATION COMMISSION

MINUTES (Approved 11/9/11)

OCTOBER 26, 2011

PRESENT: J. Wiley, Chairman
A. Goetz, Vice Chairman
B. Dyer, D. Adams, S. Sparks, J. Finnigan

ABSENT: R. Turner

ALSO PRESENT: L. Hershey, Conservation Agent

MEETING OPENED: 7:00

DISCUSSION

TURNERS POND DOCKS

Neighbors and abutters of Turners Pond came to the meeting to discuss the survey that was sent to them requesting information regarding their docks. A discussion took place regarding the purpose of the surveys.

Abutter Phil Joyce, 18 Mill Pond Dr. and Mr. David Tracey, 6 Elmcrest Cir. asked the commission what prompted the request for information in the first place as the docks have been in existence for many years for some of the residents. They also were concerned why just Turners Pond was being targeted and not the other ponds in town.

Mr. Wiley and the commission discussed the fact that this was brought to their attention when it was noticed that a new structure was being constructed on Turners Pond which is Town property. The board has the discretion of making the owner remove the structure, and decided to look further into the existing structures on the ponds. Town Counsel reviewed the deed and advised the commission that there does not appear to be any pre-existing conditions that allow docks to remain. As the Town owns the Pond the commission is looking in to the implementation of a yearly license of residents wishing to keep their docks or construct them.

The abutters discussed other ponds in Town, and the commission explained that other Town-owned ponds will be looked at as well.

Ms. Laura Garrity, 11 Elmcrest Circle spoke about pre-existing docks prior to the Wetlands Protection Act. She also asked about the rumor of a trail being constructed around the pond and the commission assured her this was not going to happen

Mr. Louis Panagotopoulos, 5 Elmcrest Circle spoke about the lack of enforcement in the area in regards to dirt biking, fishing, litter, etc...

A discussion was held regarding the possible use of the Dock fees to go towards enhancement of Turners Pond including weed control. The commission supports this. They also discussed the need for signs prohibiting motorized boats be put back up, as this is a deed restriction

Mr. Mike Corrigan, 4 Elmcrest Cir. Stated his concern with pond level and also asked the commission to consider grandfathering in those who currently have docks. He spoke about working together as a community to enhance the pond.

Mr. Wiley told the audience a Public Hearing will take place with notification to abutters. He stated the commission appreciates any input from the neighbors. A discussion was held regarding the gathering information regarding elevation of water in basements to prevent water issues. Mr. Scott Wolfe of Elm St. stated he needed to call the Administration office to lower the level last winter.

ATLANTIC CT. EXT.

Mr. Viano told the commission he recorded the subdivision plan for Atlantic Ct. Ext. and his Attorneys modified the easement language with suggestions made at the last conservation meeting in September.

Ms. Hershey told the board that she has not heard back from Town Council and Mr. Wiley said the board is still looking for sample deeds to review. Mr. Viano had submitted the easement to the conservation office for review.

OTHER BUSINESS

The Ponds committee came back to the meeting to discuss a draw- down for weed control on Turners Pond. They discussed they are confident the funding will come through in 2012 to begin the process, as they were able to do for Clark's Pond this year.

MACC FALL CONFERENCE

Ms. Hershey told the commission of the MACC Conference she attended in October. One of the topics discussed at the conference was trail access for those with a mobility disability and how access cannot be denied. Nothing specific needs to be done at this time but Ms. Hershey wanted the board to be aware of this

BUTTIMER PROPERTY

Mr. Wiley gave the commission an update on the site visit which took place on October 23, 2011. He stated he is still waiting to hear from the State regarding the grant. The Board discussed sponsoring the purchase of this property and how it would go on the

Spring Town Warrant. The board discussed the possibility of co-sponsoring this along with the recreation dept. as some of the land would be used for ball fields

Mr. Goetz made the motion to prepare an Article to go on the warrant for Spring Town meeting for the purchase of the Buttimer property as co-sponsored with the Recreation Dept.

Ms. Dyer seconded the motion

Vote: 5-0-1 (Mr. Finnigan opposed)

Mr. Wiley discussed a special fund the Conservation Commission has which has accumulated over many years and suggested a portion of these funds be applied towards the purchase of the Buttimer property. He suggested this be used as a matching program with another donor made to the Trust of Public Land. The commission discussed that they would support using 100% of the conservation fund as it has been accumulating for many years and would make a larger impact on the possible purchase with a matching gift.

Mr. Goetz made the motion for the commission to use 100% of available conservation funds to be applied for the purchase of the Buttimer property as part of a matching program for new donors

Ms. Dyer seconded the motion

Vote: 6-0-0

MINUTES

OCTOBER 12, 2011

Ms. Dyer made the motion to accept and approve the Minutes for October 12, 2011

Mr. Adams seconded the motion

Vote: 6-0-0

ENFORCEMENT ORDERS

MILL POND RD. #16

Ms. Hershey stated a shed has been constructed on property at 16 Mill Pond Rd. which is within 100 ft. of Turners Pond. The commission discussed a Notice of Intent should be filed for the next available meeting in December

Mr. Goetz made the motion to ratify an Enforcement order on 16 Mill Pond Rd.

Ms. Dyer seconded the motion

Vote: 6-0-0

Ms. Hershey stated the following Enforcement orders are status quo, including:

Tanglewood Dr. #8

West St. #440

South St. #400

APPEAL

Frontier Dr. Lot 18 – Ms. Hershey stated nothing is new on the appeal

BOARD COMMENTS

Minuteman Truck

The Planning Board asked for comments regarding Minuteman Truck, located on the corner of Pine St. and Route One. The commission has no comment and stated this is not in the jurisdiction of conservation commission

The following correspondence was discussed and available for review:

- AMEC letter – 100 Neponset St. Final Phase Site assessment
- Sewer and Water letter – Fluoride Public meeting 11/14

Ms. Dyer made the motion to adjourn

Mr. Adams seconded the motion

Vote: 6-0-0

Meeting closed 9:30