

CONSERVATION COMMISSION

MINUTES

(Approved 8/14/13)

JULY 10, 2013

Present: J. Wiley, Chairman

A. Goetz, V. Chairman

J. Finnigan, R. Turner, D. Adams, B. Dyer (7:15)

Absent: S. Sparks,

Also Present: L. Hershey, Conservation Agent

MEETING OPENED: 7:00

CERTIFICATE OF COMPLIANCE

KEVINS WAY #7

DEP# 315-986

Mr. Goetz made the motion to approve and issue a Certificate of Compliance with conditions

Mr. Adams seconded the motion

Vote: 5-0-0

GRANITE ST. #33

DEP# 315-564

Ms. Hershey stated this Certificate request is for an Order of Conditions which has expired.

Mr. Rick Merrikin came to the meeting to discuss and present an as-built plan to the commission.

After discussion, the commission discussed issuing the Certificate of Compliance with special conditions, including the relocation of the fence outside of the wetlands.

Mr. Goetz made the motion to approve and issue a Certificate of Compliance with ongoing conditions 11,12,13,14,15,17,18 and 19

Mr. Adams seconded the motion

Vote: 5-0-1 (Ms. Dyer abstained)

PUBLIC HEARING

WALPOLE COUNTRY CLUB POND TREATMENT

AMENDMENT

DEP# 315-839

Opened: 7:25

Mr. Wiley read the advertisement from the Walpole Times

The applicant notified the office that he forgot to notify the abutters for this Public Hearing and has requested a continuance until the next meeting in August

Mr. Goetz made the motion to continue the Public Hearing until August 14, 2013 at 7:05 p.m

Mr. Adams seconded the motion

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

CONT. PUBLIC HEARING

MAIN ST. #1901 (ALLIED RECYCLING)

DEP# 315-1025

Opened: 7:35

Mr. Wiley read the advertisement into the record for this Continued Public Hearing.

Mr. Wiley read a letter into the record that was received in the office via email on July 9, 2013. Coneco Engineers are requesting a continuance until the next conservation meeting which will be held on August 14, 2013.

Mr. Goetz made the motion to continue the Public Hearing until August 14, 2013 at 7:45

Mr. Adams seconded the motion

Vote: 6-0-0

GENERAL BUSINESS

DISCUSSION

TURNER POND

Mr. Philip Dubois, abutter was present during the discussion regarding Turner Pond.

The board continued a previous discussion from their last meeting regarding the request by the Ponds Committee to allow trolling motors on Turner Pond. Ms. Hershey stated she has heard back from Town Council, and gave the board members a copy of the email received on 7/10/13 with their input.

After discussion and review of Town Council's comments, the commission concluded they are not in favor of any power driven boats on Turner Pond.

Mr. Goetz made the motion to uphold the conservation commission regulation that motorized driven boats are not allowed on ponds which are under the jurisdiction of the conservation commission; this includes Turner Pond.

Mr. Adams seconded the motion

Vote: 5-0-1 (Mr. Turner abstained)

TRAILS FUND

Ms. Hershey discussed looking into allocating funds for surveying the easement at 12 Sexton Farm Rd. trail

WETLANDS FILING ACCOUNT

Ms. Hershey stated the office is in need of a new laptop computer to be used at regular conservation commission meetings, as the Board Secretary has had to use a floater computer for the past several months. We are requesting to expend funds up to \$1,000 from the Wetlands Filing fund for this purchase

Mr. Goetz made the motion to expend funds from the Wetlands account for the purchase of a new laptop

Mr. Turner seconded the motion

Vote: 6-0-0

RE-ORGANIZATION OF THE BOARD

Ms. Dyer made the motion for Jack Wiley to remain as Chairman of the Conservation Commission

Mr. Adams seconded the motion

Vote: 5-0-1 (Mr. Wiley abstained)

Mr. Adams made the motion for Albert Goetz to remain as Vice Chairman of the conservation commission

Ms. Dyer seconded the motion

Vote: 5-0-1 (Mr. Goetz abstained)

SUNNYROCK FARM

The Board of Selectmen is requesting comments from Departments in regards to the first refusal under sec 61A of the Sunnyrock Farm property. The owner is required to notify the Board of Selectmen they are planning to sell. After discussion the board has voted:

Mr. Goetz made the motion he is in favor of recommending the selectmen look into purchasing the property for conservation and recreation purposes to be financed as debt exclusion

Ms. Dyer seconded the motion

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

BOARD COMMENTS

Zoning Board of Appeals – 1900 Main St. (Zion Property)

Ms. Hershey stated this hearing before the ZBA is in regards to the applicant requesting a permit to obtain a license for selling cars. She has gone on-site and spoken with the owner and person who will be leasing the property. The parking area which they are planning on paving has quite a bit of water accumulating in it and the owner has agreed to put haybales up. After discussion,

the commission's comments to the ZBA are that work will be done in the buffer zone so the owner needs to file with the conservation commission.

ENFORCEMENT ORDERS

Plimptonville Crossing – Ms. Hershey stated she is keeping an eye on the site and there are no issues at this time

South St. #400 – Ms. Hershey stated there is nothing to report at this time

West St. parking area – Ms. Hershey stated she is working with the owners on this

Industrial Rd. – Ms. Hershey stated that per the instruction of the commission she sent a letter to the owner and wrote fines of \$300 per day beginning on June 20, 2013, and delivered it by hand. An email was received following this by Mr. DiSangro who claimed he was waiting for additional information from the Town Engineer's office in order to complete the work required prior to filing his Notice of Intent. Mr. DiSangro has 21 days to either pay the fine or contest it. Since the letter was sent out, Mr. DiSangro has filed a complete Notice of Intent and is on the August agenda. The commission discussed modifying the \$1800 fine and split it in half if Mr. DiSangro agrees to give up his right to take this to court. A letter will be sent and phone call to Mr. DiSangro to see if this is something he will agree with as he has fulfilled the request of the commission and filed a Notice of intent.

Mr. Finnigan made the motion to reduce the fine to \$900 as long as Mr. DiSangro puts in writing he will give up his right to go to court

Mr. Adams seconded the motion

Vote: 6-0-0

CORRESPONDENCE

The following correspondence was discussed and available for the commission to review:

- **Lucas Environmental, LLC – Monitoring report Northridge Farm**
- **Podgurski Corp. – Plimptonville report**

Mr. Adams made the motion to adjourn

Ms. Dyer seconded the motion

Vote: 6-0-0

Meeting closed: 10:00

