

**Foster Conservation Commission  
Special Meeting Minutes  
Monday March 6, 2006  
Eddy Building 7pm**

The Foster Conservation Commission meeting was called to order at 7:03 pm; in attendance were Mike Wood, Don Manley, Ruth Rogers and Fran Johnson. Judy Helfgott was excused; other members not in attendance were Marilyn Flanders and Ed Creighton. In the audience was Ms. Femino.

**Correspondence:**

None

**Approval of Minutes:**

None

**Old Business**

1. **Review of the Prior Gravel Bank Erosion and Sediment Control Plan** - Fran Johnson started the review process by saying she had contacted the Providence Water Supply Board (PWSB) regarding the plan for the Prior Gravel Bank. She then passed out a letter from the PWSB stating their concerns. Fran mentioned that the plan has many errors and is very vague.

The review process was in question as well as the qualifications needed by the person reviewing the plan.

The Plan doesn't clearly follow all the requirements set forth in the town's Soil Erosion & Sediment Control Ordinance.

There is a manmade pond near the wetlands surrounding Bear Tree Brook on the Northwest corner of the property, which feeds into the Scituate Reservoir. When this pond was created an overflow ditch was made that approaches Bear Tree Brook, which has since breached in two places and is flowing into the wetlands at one end and into the Brook at the other end. There is no buffer there between the wetland areas.

Don Manley asked if Providence Water Supply Board could do anything about it if they are concerned about the effects of this to their property.

Ruth stated that Providence Water, in their letter had suggested that the Prior Plan be reviewed by a professional engineer that specializes in gravel operations.

Mike Wood said that the town has done this in the past in two other areas; an engineer had come in from the Southern Rhode Island Conservation District to inspect the Magiera Gravel Bank and also the Hopkins Gravel Bank.

Fran Johnson mentioned that the Hopkins Gravel operation abuts the Prior Gravel operation and one of the concerns is the timely mitigation of the slopes. This is important because of the abutting property situation. The land that divides the properties isn't very wide.

Rich Blodgett from Providence Water was concerned that the depth of the excavation is down very close to the ground water level.

Fran mentioned that any kind of spill in this area from equipment would directly go into the ground water as a result of this. This would mean that having a pad for the equipment would be critical for this reason.

Ruth Rogers stated that there isn't any mention of having any type of pad for equipment in the town's ordinance. She then went on to say that this may need to be changed to be making the ordinance more stringent. She asked how the town could do this and Don Manley mentioned that it has to follow the State's Erosion and Sediment Control Plan and there were also other methods of control beside installing a pad.

Fran and Ruth went back and forth regarding the issue of the placement of an impervious pad for equipment that had been recommended by the engineer hired by the Town to inspect the Hopkin's Gravel Bank. Ruth was very persistent in pointing out that this wasn't part of the Town's ordinance so you can't make people do this. Fran however said that the whole purpose of the ordinance was to protect the watershed and that this was a recommendation by the engineer that should have been followed.

Mike said that the main concern wasn't the lack of the pad; there were many other factors of concern regarding the ordinance that weren't being followed. He went on to say that there was a pond on the Prior site that is below the water table and contamination to this was a concern.

Don Manley pointed out that the biggest problem to be addressed is that the Building Official should have the training to review the plan, which would require him to take some courses, if not then an engineer should have been hired to review the plan and the site.

Fran mentioned that this plan should never have been approved before the Conservation Commission, Planning Board, Northern Rhode Island Conservation District and the Providence Water Supply Board had reviewed it.

Mike Wood also mentioned that the water for the rock crusher was pumped out of the pond and then back into the pond after the crushing was done. This has to be draining into something, which is probably a wetland area. He noted that in Article 4, Section 1.8.2, of the Town's ordinance, a RI Freshwater Wetland permit is required for any excavation within 50 ft. of a wetland.

Mrs. Feminou, an abutting property owner has concerns regarding the Prior Gravel bank. In the past excavation had taken place too close to her property line and it was stopped. She doesn't want this to happen again now.

Fran mentioned that the buffer between the surrounding property lines and the excavation wasn't being enforced. She also mentioned that in the Prior Plan there is no mention of specific time lines for restoration and inspections.

The cost of having the property inspected was discussed, Mike Wood mentioned that there was an agreement signed between the Northern Rhode Island Conservation District and the Town back in 1991. However, the cost for the inspection should be paid by the applicant.

Fran mentioned that when she had shown page six of the Prior Plan, which is in reference to potential future control, to Rich Blodgett and he just shook his head, it was very vague.

The discussion went on from here with the final outcome being that Mike Wood volunteered to draft a letter to the Building/Zoning official, Robert Fallon regarding their concerns and send it also to the Town Council.

Fran Johnson moved to have Mike Wood draft the letter regarding what the Commission feels needs to be addressed, Don Manley seconded, motion unanimously carried 4-0.

**New Business**

None

**Future Agenda Items**

**Adjournment:** Ruth Rogers moved to adjourn at 7:58 pm, Don Manley seconded, motion carried 4-0, meeting adjourned at 7:58 pm.

Respectfully submitted:

Judith Helfgott  
Secretary Pro-Tem