TOWN OF SPENCER

Office of Development & Inspectional Services

Planning Board
Zoning Board of Appeals
Conservation Commission
Board of Health

Town Planner
Inspector of Buildings
Health Agent
Wetland/Soil Specialist

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Spencer Conservation Commission Policy
Effective December 9, 2015

Town of Spencer Policy Regarding Winter Inspections

The edge of each Resource Area relevant to the project will require staking or flagging.

All flagging shall be maintained until all work activities are complete.

It is the policy of the Spencer Conservation Commission to retain the right to refrain from making any final boundary determination of vegetated wetlands when winter environmental conditions prevent a thorough review.

Winter environmental conditions may prevent an adequate field review of the wetland resource boundaries during the period beginning on November 1 and ending May 15 of the following year.

This policy is based on the fact that the boundaries of bordering vegetated wetland are partially based on the line within which 50% or more of the vegetative community consisting of the wetland species identified in 310 CMR 10.00 and that between November 1 and May 15 wetland vegetation may not be present, detectable or identifiable in winter or early spring.

This policy is also based on the fact that the boundaries of bordering vegetated wetland are partially based on the line where indicators of hydrology and hydric soils are present. When ice and/or snow conditions are present, indicators of hydrology and hydric soils may not be detectable or identifiable in winter or early spring.

The Spencer Conservation Commission reserves the right to require that the site be flagged or reflagged by the Applicant after May 15 if the delineation was performed during winter conditions.
If the applicant does not agree to a meeting or hearing continuance in order to complete an adequate field review of the wetland resource boundaries affecting a particular application, the Spencer Conservation Commission shall close the hearing and make a determination based on the information available.

This policy is intended to be consistent with the Massachusetts DEP's "Winter Delineations" guidance as set forth in the Mass DEP manual: "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (1995), on page 49 thereof.

Mary McLaughlin