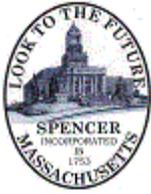


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, August 28, 2013 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7:02 p.m.

Commissioners Present: Mary McLaughlin, Dana Reed, Margaret Emerson

Commissioners Absent: Warren Snow

Staff present: Margaret Washburn

Minutes Approved: July 10, 2013 – *A motion to approve the minutes as amended (Emerson/Reed) passed 3/0.*
July 31, 2013 – Table to September 11, 2013
August 14, 2013 – Table to September 11, 2013

Signed: Continuance form – 26 Laurel Lane
4 Wilson Street, Negative Determination
45 Lake Avenue, Order of Conditions
33 Meadow Road, Order of Conditions

7:20 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Cliff Leinonen

Property: 9.5 R. Jones Road, R27/4-4 & 9 R. Jones Road, R27/4-5, Spencer, MA DEP#293-801 & 293-802

Ms. Washburn said that the Assessor has assigned street numbers to these two addresses. Mr. Leinonen said he did not have time to do plans. He will continue the hearing at the end. Mr. Leinonen said he would like to talk about the Commission's comments from the last hearing and how he plans on addressing them.

- He said the flags will all have new marks.
- The engineer will do a legend.
- The engineer wants to keep a 1" = 40' scale to keep everything on one sheet. Ms. McLaughlin asked how to differentiate what's existing and what's proposed. Mr. Leinonen said the key will help. All the dashes will show existing conditions and the straight lines are proposed conditions. Ms. McLaughlin said there is too much crammed into a little space on the plan. It would be very difficult for the

- Commission to read the plan on a site visit. She said the plan is just not readable. Mr. Leinonen does not completely agree but he will speak with his engineer.
- Mr. Leinonen said he will mark the trees in the field that will be taken down. He will have an exact number of how many trees will be cut for the next meeting.
 - There is a stock piling area shown on the plan. Ms. Washburn asked to have that area shaded and shown on the legend.
 - Mr. Leinonen will put his choice of seeding mix on the plan.
 - The plan will be changed to read “double-staked hay bales”.
 - Ms. Washburn said the plan should read “loamed and seeded in the swales”.
 - Ms. Washburn said the plan must read “4-inches of topsoil will be spread on all exposed areas. All exposed areas will be seeded with an NRCS approved conservation mix”.
 - A detail of the depth of the swale needs to be shown on the plan.

At the request of the applicant, the hearing has been continued to September 11, 2013.

8:05 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Steve Turner

Property: 5 Meadow Road, Spencer, MA DEP#293-806

At the request of the applicant, the hearing has been continued to September 11, 2013.

8:10 p.m. Opened the Public Meeting for Request for Determination of Applicability for Wilfred Breault

Property: 25 Paxton Road, Spencer, MA

Mr. Breault said the project is to replace the damaged leachfield. Mr. Reed read the inspection report from August 23, 2013. There were no issues.

A motion to close the public meeting (Reed/Emerson) passed 3/0.

A motion for a Negative Determination (Reed/Emerson) passed 3/0.

8:17 p.m. Opened the Public Hearing for Notice of Intent for Dale Hovagimian

Property: 25 GH Wilson Road, Spencer, MA DEP#293-800

Scott Morrison, from EcoTec, presented the project. He said they are proposing to construct a 32’x30’ garage with additional pavement to tie into the garage for additional parking. Hay bales and silt fence will be installed. There is a 29’ offset from the wetland resource area for the erosion control barrier. There is an additional 15’ beyond the erosion control barrier to construct the garage. Minimal grading will be contained inside the erosion controls. Four oak trees and a pine tree will need to be removed. Mr. Morrison said he has contacted Utilities and Facilities regarding the driveway permit.

A motion to close the public hearing (Reed/Emerson) passed 3/0.

A motion to accept the plan with standard conditions (Emerson/Reed) passed 3/0.

**8:26 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer
Highway Department**

Property: Clark Road, Spencer, MA DEP#293-803

Mr. Steven Tyler said the culvert has rotted out and needs to be replaced. He said the stream is shown as intermittent on the USGS topographic map. Wattles will be installed. The project should be done in one or two days. The road will have to be closed. Mr. Tyler said corrugated metal pipes are no longer used. An HDPE pipe will be installed and they are longer lasting.

A motion to close the public hearing (Reed/Emerson) passed 3/0.

A motion to accept the plan with standard conditions (Reed/Emerson) passed 3/0.

**8:30 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer
Highway Department**

Property: Tom Casey Road, Spencer, MA DEP#293-804

Mr. Tyler said the stone culvert has eroded and stones have collapsed into the pipe. The road could open up at any time. There is also obstruction of drainage. The culvert will be replaced before the winter season. Wattles will be installed. The project should be done within a day or two and will be done in dry conditions. The pipe to be installed will be an HDPE pipe and will be equal in area to the size of the stone culvert. The headwalls will be re-built with stone. The slopes will be vegetated. Mr. Tyler said they will disturb as little of the slopes as possible.

A motion to close the public hearing (Emerson/Reed) passed 3/0.

A motion to accept the plan with standard conditions (Emerson/Reed) passed 3/0.

**8:35 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer
Highway Department**

Property: 218 & 219 Greenville Street, Spencer, MA DEP#293-809

Mr. Tyler said that the Vincent property on the east side has a depression. When the ground is frozen the water overtops the depression and comes into Greenville Street and causes an ice issue. A pipe will be installed to take the drainage across the street. He said previous attempts to fix the ice issue were made, but ledge was a problem. If ledge is hit, they will use a shallow pipe structure. If there is no ledge, they will install a catch basin with a throated inlet, which is less likely to clog. Mr. Tyler said easements are in place from both owners. The owners did not sign the Notice of Intent form; therefore, the hearing has been continued to September 11, 2013.

**8:44 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer
Highway Department**

Property: Thompson Pond Road Bridge, Spencer, MA DEP#293-808

Mr. Tyler said the structure needs to be repaired. The repairs are listed in the divers inspection report, which is two years old. Mass DOT had recommended repairing embankments on both sides of the bridge. Mr. Tyler said the town did some work approximately two years ago. Mass DOT divers offered to fill the voids in the vertical underwater walls. They will dive under water and fill the voids using a gun that shoots

shock-crete. The shock-crete will harden under the water. Mr. Tyler will coordinate with DCR to lower the lake approximately six inches. Mr. Tyler said he met with the Thompson Pond Lake Association. They told Mr. Tyler that they would like the work to take place in October so recreation can continue. Mr. Tyler said he was ok with that. He still has to schedule with Mass DOT and DCR. Once the project starts, it should be done within half a day.

A motion to close the public hearing (Emerson/Reed) passed 3/0.

A motion to accept the plan with standard conditions (Emerson/Reed) passed 3/0.

8:50 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer

Highway Department

Property: Lincoln Street, Spencer, MA DEP#293-805

Mr. Tyler said the project is for drainage improvement. A larger pipe will be installed to alleviate flooding. The pipe will also be extended. They will muck out the drainage swale that extends approximately 40' past the pipe outlet. The project should take about a week to complete. The stone headwall will be rebuilt. Wattles and silt fence will be installed and the area will be loamed and seeded.

Mr. Tyler said there is an issue. He said he gave the abutters list to the Engineer, Sherman & Frydryk, and they only sent notices to some of the abutters. The abutters who were not notified are now in the process of being notified. Ms. Washburn said a new Affidavit of Service needs to be submitted.

Ms. Washburn said the limit of the Bordering Land Subject to Flooding should be established by a PE and shown on the plan. Also, the owner's signatures are required on the Notice of Intent form. Mr. Tyler said that the plans are being revised now and will be submitted.

At the request of the applicant, the hearing has been continued to September 11, 2013.

Other Business:

Sugden Dam: The Certificate of Compliance has been tabled until September 11, 2013 because Ms. McLaughlin is a member of the lake association and cannot vote.

Aquatic Control Technology: Ms. Washburn said Aquatic Control wants to use different herbicides than what were listed in the Order of Conditions for Brooks Pond weed control. Mr. Reed spoke with Phil Nadeau, from DEP, who said Aquatic Control needs to file for an amendment to the Order of Conditions.

1 Dolma Lane: Ms. Washburn said she inspected today and took photos. She had no issues with this site. *A motion to issue the Certificate of Compliance (Reed/Emerson) passed 3/0.*

Sugden Reservoir boat launch road: Ms. Washburn said she received a complaint from Tom Flannery on 8/26/13. She inspected and took photos on 8/26/13, with Dana Reed. A pile of some white chemical was dumped near the entrance off Donnelly Cross Road. Mr. Flannery suspects it is lime. Mr. Flannery said the pile has appeared in the same spot for the last three years. He contacted US Fish & Wildlife to ask the Fisheries department if they were liming the pond. They said they no longer lime ponds. Lee Jarvis says he thinks the farmer up the road spreads it on the nearby dam in Leicester. Mr. Jarvis advised Ms. Washburn to contact the Leicester Water District, which she did. Mr. Hammond of the Leicester Water District knows nothing about it. Ms. Washburn will contact DEP regarding this.

Open Meeting Law: Ms. Emerson gave Ms. Washburn a section of the Open Meeting Law, page 3, Section #1, which states that members can do inspections as long as they do not deliberate. It is one of the five exceptions to the definition of a meeting under the Open Meeting Law.

Site Visits: The Commission will do site visits on Tuesday, September 10, 2013. Meet at town hall at 3:30 p.m.

New Applications: 91 Wilson Ave., RDA, Connor
104 McCormick Rd., NOI, Convery

A motion to adjourn the meeting at 9:30 p.m. (Emerson/Reed) passed 3/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 8/28/13 Spencer Conservation Commission meeting:

Agenda for the 8/28/13 meeting

Minutes from the 7/10/13 Spencer Conservation Commission meeting (approved as amended)

Margaret's report dated 8/28/13

Order of Conditions for 33 Meadow Road (signed)

Order of Conditions for 45 Lake Avenue (signed)

Continuance Request for Charlie's Diner – 5 Meadow Road (signed)

Continuance Request for 26 Laurel Lane (signed)

RDA file and Negative Determination for 4 Wilson Street (signed)

RDA file and Negative Determination for 25 Paxton Road (signed)

Site plans for 9 R. Jones Road and 9.5 R. Jones Road

Continuance request for 9 R. Jones Road and 9.5 R. Jones Road (signed)

Certificate of Compliance for 1 Dolma Lane (signed)

NOI file for 25 G.H. Wilson Road

NOI file for Lincoln Street culvert replacement

Continuance Request for Lincoln Street culvert replacement (signed)

NOI file for Thompson Pond Road bridge repairs

NOI file for 218 & 219 Greenville Street new culvert construction

NOI file for T. Casey Road culvert replacement

NOI file for Clark Road culvert replacement

Photographs and site inspection report for Sugden Reservoir boat launch road