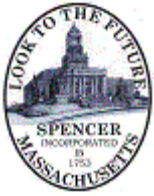


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, January 23, 2019 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin, Warren Snow

Commissioners Absent: Heidi Olivo

Staff present: Jane Green

Staff absent: Margaret Washburn

Minutes Approved: January 9, 2019

Signed: Order of Conditions – 425 East Main Street – 425M Corp.

7:18 p.m. Continuation of the Public Hearing for Notice of Intent for Jeremy Ahearn

Property: 460 Main Street, Spencer, MA DEP#293-0933 SW Permit

At the request of the Applicant, the hearing has been continued until February 13, 2019.

7:20 p.m. Continuation of the Public Hearing for Notice of Intent for Spencer Highway Department

Property: Donnelly Cross Road Bridge over Shaw Brook, Spencer, MA DEP#293-0942 SW Permit

Bree Sullivan from Bayside Engineering, Inc. presented the plans. Ms. Sullivan discussed the replacement of the culvert. Ms. Sullivan did a stream bed analysis and measured the Bank for width. The current thinking for culvert replacement is 1.2 times the Bank for width. The reason is because under normal flow, the culvert will not influence the flow. This will leave it open for critter passage and the resource areas. The Bankfull for width is 15.9 feet. To accommodate that they are going to install a 19 foot span culvert. By putting in a larger culvert it will increase the area. They need to reconstruct the stream inside the culvert. They do have some impacts from the added resource area or temporary BVW impact. Ms. Sullivan has included the specs in the back of the supporting documentation.

Ms. McLaughlin read Ms. Washburn's report and discussed some of the changes that need to be done. Judy Schmitz of MA DEP communicated with Ms. Washburn that the

boulders placed in the BVW amounts to fill in the BVW. The MA DEP recommends that they replicated the BVW elsewhere if they must place boulders in the altered BVW. If they do so, they could meet our bylaw requirement of 1:1.5 ratio of wetlands replacement, and replicate 75 square feet instead of 50 square feet. Mr. Bellemer asked why they were not doing the 1:1.5 ratio. Ms. Sullivan stated that the Boulders are there to protect the structure. Ms. Emerson wanted to know if the wetlands can be replicated elsewhere. Ms. Sullivan said a possible replication could be done. Ms. McLaughlin asked if the NOI form had Tony Bonaventura's map and parcel number. Ms. McLaughlin said that we need documentation regarding the replication area, and a temporary easement between the town and Mr. Bonaventura. At the request of the Applicant, the hearing has been continued until February 13, 2019.

7:51 p.m. Continuation of the Public Hearing for Abbreviated Notice of Resource Area Delineation for Sunpin Solar Development, LLC
Property: 22 Norcross Road, Spencer, MA DEP#293-0948

At the request of the Applicant, the hearing has been continued until February 13, 2019.

7:52 p.m. Continuation of the Public Meeting for the Request for Determination of Applicability for Thomas Bonder
Property: 10 Lamoureux Lane, Spencer, MA

Thomas Bonder and Glen Krevosky were present. Ms. McLaughlin read the report. Mr. Krevosky explained the plans.

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

A motion to issue a negative determination (Snow/Bellemer) passed 3/0

8:00 p.m. Continuation of the Public Hearing for the Notice of Intent for Jeffrey Donahue
Property: 53 Jolicoeur Avenue, Spencer, MA DEP#293-** No file no. has been Issued.**

At the request of the Applicant, the hearing has been continued until February 13, 2019.

8:05 Opened the Public Hearing for the Notice of Intent for Robert McDonald
Property: 51 Lambs Grove, Spencer, MA DEP#293-0949

Mark Farrell presented the plans. Mr. Bellemer wanted to know if they are going to re-do the foundation and do a lot of heavy digging. Mr. Farrell said there would be some excavation. Ms. McLaughlin read Ms. Washburn's report. Mr. Farrell discussed the meaning of Bank. Mr. Snow looked at the Wetland Regulations for the meaning of the Bank. There was a discussion regarding the area of the deck over the water. Ms. Emerson wanted to know where they are going to put the erosion controls. Mr. Farrell said they will put them under the deck. There was discussion on Bank impact. Mr. Farrell said that there is no impact. Ms. McLaughlin wanted to know if what is holding up the deck is staying there. Mr. Farrell said there will be new Sonotubes but not on the Bank, they will be underneath. Ms. McLaughlin stated, that if you will be putting in new Sonotubes, there is a disturbance. Mr. Farrell said that the regulations state that you are allowed to

disturb up to 50 feet of the Bank. Mr. Farrell then suggested screwed in footings 2 feet from the lake to insure there will be no disturbance to the Bank. Mr. Farrell said they are trying to work in the least disruptive way and not disturb the lake. Ms. Emerson had suggested a larger scale on the plans where the deck is because it would be easier to read. The commission suggested that Mr. Farrell discuss this with Ms. Washburn on the phone. At the request of the Applicant, the hearing has been continued to February 13, 2019.

Other Business: MACC-Annual Environmental Conference 2019

Solar Bylaw Committee: Matt Defosse, Tanya McAuley and Jonathan Viner were present to discuss their ideas and concerns with the solar farms. Mr. Bellemer wanted to know if there were any solar farms that were decommissioned in Massachusetts. There does not appear to be any decommissioned solar farms that anyone knows of.

Mr. Bellemer suggested finding out what the panels are made of. The crystalline silicon panels are the old generation of solar panels, which have the least amount of pollution versus the new panels. Mr. Bellemer suggested using taller panels that optimize the least amount of land. He suggested a representative go around and inspect the solar facilities periodically to make sure the solar companies do what they said they would do. Ms. McAuley suggested that the solar farms install the panels during the non growing season.

There was discussion about solar panels in parking lots. Mr. Snow asked if they knew where the wealthier towns are installing solar panels. In the cities they are on the side of highways. The committee is going to New Braintree to meet with like-minded people to discuss this topic. Mr. Snow asked the committee if they have a plan of where they want to go and how long it's going to take them. They do not have a plan. Mr. Bellemer talked about advertising in many ways to get the word out. He discussed how no one ever talks about the negative effects of the solar farms. Mr. Snow suggested the Town planning cycle should be at least 100 years. Ms. McAuley discussed places to get the word out such as the high school or the library. Mr. Bellemer suggested getting the word out at a local university. At WPI in order to graduate a student has to do two projects. We may find students that have done projects on Solar that we could learn from.

Jonathan Viner discussed the forestry plans and the five year period. There was discussion about the bylaw and tree cutting and clearing. Mr. Viner talked about an added fee from National Grid in regards to the solar bylaw fee. Mr. Viner wanted to know what the status of Woodchuck, Paxton and Holmes in regards to the Stormwater bonds. Mr. Viner visited the Woodchuck site in September and raised concerns because the site was improperly graded. He recommended the Stormwater bond not be released. The erosion is going to happen again and again. He brought up a point in regards to a third party reviewer and that they should be responsible if there are problems on a site. He had wanted to meet with Graves but it never happened. Mr. Viner made the same observation at Holmes Street. Mr. Viner wanted to let the commission know that at the last Planning Board meeting he asked if Conservation could be the Stormwater Authority.

New Applications: Thompson Pond, Ext of Oof C
19 Wilson Avenue, NOI
Hastings Road, NOI
51 Browning Pond Circle, RDA

A motion to adjourn the meeting at 10:00 p.m. (Snow/Bellemer) passed 3/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 1/23/19 Spencer Conservation Commission Meeting:

Agenda for the 1/23/19 meeting
Margaret's report dated 1/23/19
Minutes from the 1/9/19 meeting
MACC Annual Environmental Conference Application
Minutes of Town of Wales dated 8/1/18
O of C for 425 East Main Street (signed)
Continuation form for 460 Main Street (signed)
Continuation form for Donnelly Crossroad Bridge over Shaw Brook
RDA for 10 Lamoureux Lane (signed)
Continuation form for 53 Jolicoeur Ave (signed)
Continuation form for 51 Lambs Grove (signed)
Solar Bylaw Committee Carbon information sheet