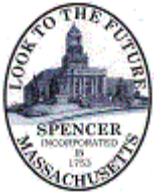


Conservation Commission – Town of Spencer



Minutes

Conservation Commission Meeting
Wednesday, June 13, at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Commissioners Absent: Heidi Olivo

Staff present: Margaret Washburn, Jane Green

Minutes Approved: May 9, 2018
May 23, 2018

Signed: Negative Determination, 55 Lakeshore Drive
Negative Determination, 63 Oakland Drive
Negative Determination with Conditions, 10 Lamoureux Lane
Negative Determination, 37 Laurel Lane

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for MA.Dept. of Conservation and Recreation

Property: 92 McCormick Road, Spencer, MA DEP #293-0922

At the request of the Applicant, the hearing has been continued until June 27, 2018

7:18 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Gerald Cestaro

Property: 18 Laurel Lane, Spencer, MA DEP #293-0923

At the request of the Applicant, the hearing has been continued until June 27, 2018

7:20p.m. Opened the Continuation of Public Meeting for Request for Determination of Applicability for Gerald Cestaro

Property: 20 Laurel Lane, Spencer, MA

At the request of the Applicant, the hearing has been continued until June 27, 2018

7:22p.m. Opened the Continuation of Public Hearing for Notice of Intent for Zero Point Energy Solutions Solar Farm

Property: 17 GH Wilson Road, Spencer, MA DEP #293-0926

Property: East Main Street, Spencer, MA DEP#293-0925

At the request of the Applicant, the meeting has been continued until June 27, 2018

Continuation of Public Hearing for Notice of Intent for Spencer Landfill Solar LLC

Property: 17 South Spencer Road, Spencer, MA DEP #2930929

SW permit

At the request of the Applicant, the hearing has been continued until June 27, 2018

7:25 p.m. Continuation of Public Meeting for Request for Determination of

Applicability for Briane Hartley

Property: 55 Lakeshore Drive, Spencer, MA

Instead of stairs, the applicant is going to build a wall with concrete blocks.

A motion to close the public meeting (Bouley/Emerson) 5/0.

A motion for Negative Determination (Emerson/Bouley) 5/0.

7:30 p.m. Public Meeting for Request for Determination of Applicability for Sean

Haynes

Property: 63 Oakland Drive, Spencer, MA

The applicant wants a walkway from the driveway to the stairs near the house made from stamped concrete.

A motion to close public meeting (Emerson/Bellemer) 5/0.

A motion for Negative Determination (Bouley/Emerson) 5/0.

7:33 p.m. Public Meeting for Request for Determination of Applicability for Thomas

Bonder

Property: 10 Lamoureux Lane, Spencer, MA

Zygmunt Bonder was here to represent his son, Thomas Bonder. Joshua Landscaping will remove a dying hemlock infested with Woolly Adelgid insects. The stump is to remain. The Commission would like a native tree planted to replace the one taken down. Notify the commission prior to planting and indicate species and location of tree to be planted.

The proposed conditions are as follows:

- Applicant to plant one tree on the property for replacement.
- Notify the commission prior to planting and indicate species and location of tree to be planted.

A motion to close public meeting (Emerson/Bouley) 5/0.

A motion for Negative Determination with special conditions. (Emerson/Bellemer) 5/0.

7:37 p.m. Public Meeting for Request for Determination of Applicability for Donna

Flannery

Property: 37 Laurel Lane, Spencer, MA

Tom Flannery wants to use riprap to stabilize the eroding soil.

A motion to close public meeting (Bouley/Emerson) 5/0.

A motion to issue a Negative Determination (Emerson/Bouley) 5/0.

Other Business:

369 Main Street: Scott Morrison said the DOT cleaned out the culvert under Route 9. The water level dropped two feet. Gravel will be pulled out of the wetlands by using hand tools. Fencing and curb-stops will prevent dirt from being plowed into the wetlands. Permanent wetland markers will be placed on fence posts. A report will be provided upon completion of the work.

The proposed conditions are as follows:

- Notify the Commission when the work starts.
- Notify the Commission when the work is done.

A motion to approve the restoration (Emerson/Bellemer) 5/0.

66 GH Wilson Road: Scott Morrison said that Ms. Maloney gave the plan to the logging company. The forester put up blue flags. The logger did the work. More trees were cut down than what was on the approved plans. Attorney Irfan Nasrullah said that the cutting of more trees was an honest mistake. The Commission wants the area to be cleared to be quantified. What was cut was beyond the area shown on the approved plans. The Commission recommended flagging the area. Mr. Morrison suggested submitting a revised pruning protocol and requested that the commission accept it as a minor change. The limit of the vista pruning area will be flagged before each pruning. There will be a site walk with the Conservation Commission, a representative of the Maloney family and the contractor doing the work. Mr. Morrison suggested making a minor change. He will submit this to the commission by June 20, 2018.

5 Jolicoeur Ave: Ms. Washburn received an email from the owners sister, Monica Laprad. They removed debris from the ravine. Tina's husband will take care of the rest when he returns home on June 16th. They will email pictures when that is done.

184 Greenville Street: Ms. Washburn inspected. They have not ceased and desisted from working on the site as required in the Cease and Desist Order and Notice of Violation. Jason Dubois has indicated that the wetland flags are now being located.

48 Paxton Road, 19 Woodchuck Lane and the Holmes Street solar farm: Jeff Walsh of Graves Engineering recommended making the following partial stormwater bond releases:

Release \$10,000.00 for 48 Paxton Road. (\$50,000 - \$10,000 = \$40,000.)

Release \$37,500.00 for 19 Woodchuck Lane (\$50,000 - \$37,500 = \$12,500.)

Do not release any of the surety bonds for Holmes Street.

Motion to make the recommended partial Stormwater Bond release.

A motion to approve partial SW release (Emerson/Bouley) 5/0.

12 Point Eastalee Extension: Anthony Bonaventura requested an Extension.

A motion to issue Extension (Bouley/Emerson) 5/0.

New Applications: 58 Thompson Pond Road- RDA

A motion to adjourn the meeting at 8:50 p.m. (Bouley/Emerson) passed 5/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 6/13/18 Spencer Conservation Commission meeting:

Agenda for 6/13/18
Minutes for the 5/9/18 meeting
Minutes for the 5/23/18 meeting
Margaret's report dated 6/13/18
Peer review 18 Laurel Lane
NOI review 17 GH Wilson Road Solar
NOI review 369 Main Street Solar
Peer review 17 South Spencer Road
Site Sketch South Spencer Landfill
Letter from Division of Fisheries & Wildlife
Notice of Violation 66 GH Wilson Road
Notice of Violation 369 East Main Street
Sketch of 369 Main Street
Continuance form for 92 McCormick Road (signed)
Continuance form 18 Laurel Lane (signed)
Continuance form 20 Laurel Lane (signed)
Continuance form East Main Street (signed)
Continuance form GH Wilson Street (signed)
Continuance form SW Permit 17 South Spencer Road(signed)
RDA file for 55 Lakeshore Drive (signed)
RDA file for 63 Oakland Drive (signed)
RDA file for 10 Lamoureux Lane (signed)
RDA file for 37 Laurel Lane (signed)