

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday August 22, 2018 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Commissioners Absent: Heidi Olivo

Staff present: Margaret Washburn, Jane Green

Minutes Approved: August 22, 2018

Signed: Order of Conditions, 18 Laurel Lane
 Negative Determination, 20 Laurel Lane
 Order of Conditions, 184 Greenville Street
 Order of Conditions, Lot 2 Marble Road

7:15 p.m. Opened the Continuation of 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 October 10, 2018.

7:17 p.m. Opened the Public Meeting for Request for Determination of Applicability for Michelle Woodward

Property: 31 Lakeview Drive, Spencer, MA

Richard Gobi was not present at 7:17 p.m. but arrived soon afterwards. At 8:01 p.m., the commission discussed the tight tank between the existing house and the road. Ms. McLaughlin read the inspection report. The Board of Health had approved the plans.

A motion to close the public meeting (Snow/Bellemer) 4/0

A motion to issue negative determination (Emerson/Bellemer) 4/0

**7:19 p.m. Opened the Public Hearing for Notice of Intent for the Town of Spencer
DEP#293-0937**

Property: Smithville Road, Spencer MA

Property: 3 Old Meadow Road, Spencer MA

Property: 7 Meadow Road, Spencer MA

Mark Bartlett, Professional Engineer, of Stantec presented the stormwater improvement plan. Stantec is the engineering firm hired by the town. The town obtained funding from Bond Construction to support the 319 Grant. Mr. Bartlett presented an aerial photo of the Smithville Road site first. They will put in a rain garden structure. Mr. Bartlett explained the details of the rain garden. A rain garden filters and treats stormwater. It picks up road run-off and traps sediment before it reaches the wetland. The old drain outlet will be blocked off before water reaches the wetland. Solids will settle out before water reaches the rain garden. There will be river rocks at the base of the inlet to the rain garden which will spread the water out. Water flows into an underdrain after treatment. Bob Fournier (resident) asked, "What's the present sodium in the water now?" Mr. Bartlett said the salt in the water supply is not at a hazard level. Steve Tyler said the Spencer Highway Department uses some calcium chloride now. Mr. Bartlett said there is a semi-confined aquifer here. Mr. Fournier asked, "What's the hydraulic load and how do you calculate what year storm the rain garden is designed for?" Mr. Bartlett said, "Statistically for a 1-inch storm." Ms. McLaughlin read the inspection report.

Mr. Bartlett presented the 3 Old Meadow Road site plans. There will be a pre-construction meeting. All three sites have a Natural Heritage and Endangered Species program for the turtle protection plan. Mr. Bartlett said that part of the turtle restoration plan was to have the straw wattle on the upland side. The fence has to face the critters. Mr. Bartlett said, "Before all the work is done, we have to have a biologist walk it and check it and make sure it's clear." It's similar to the other sites regarding the rain gardens. Ms. McLaughlin read the inspection report.

The next site discussed was 7 Meadow Road. Mr. Bartlett showed the aerial photo of the site. A sediment forebay has been elongated for pre-treatment or before run-off hits the grass swale. The swale already exists but will be re-shaped, planted and stabilized. The water will leave the grass-lined swale to enter an unlined rain garden. Water will be filtered by biofiltration soil. This Best Management Practice (BMP) has enough capacity for more water in the future, if the town does more drainage work on Meadow Road. The work is outside the flood zone. Figure 3 C in the NOI shows the flood zone. There is bordering land subject to flooding (BLSF) labeled as such on the plan. There will be a boulder wall along the edge of the abutting National Grid property. There will be a pressure treated guardrail. Ms. McLaughlin read the inspection report and the special conditions.

A motion to close the public hearing (Snow/Emerson) 4/0

A motion to approve with special conditions (Emerson/Bellemer) 4/0

Other Business:

98 Chickering Road: Bob Fournier and Matt Schold complained about the Highway Departments drainage work. Ms. Washburn read her report. The work was done prior to the paving of Chickering Road. A cross culvert was replaced. The water in the culvert flows from the southeast corner of Greenville Street, under Chickering Road, to discharge at 98 Chickering Road. The water runs down asphalt into a water-quality basin where cattails grow. From there, the water flows through a pipe installed by the Merciers under an O of C, into Stiles Reservoir. Mr. Fournier wanted to know if a catch basin could be installed at 98 Chickering Road. Ms. Washburn sent an email to Steve Tyler and Eben Butler to address the complaints. Mr. Tyler informed Ms. Washburn that in Mr. Mercier's front yard there is a sediment forebay after our pipe and before his. Mr. Mercier said he cleans the sediment out of there every couple of years. The highway department just cleaned it when they replaced the pipe. It was a simple cross culvert replacement. There is no system or catch basins connected to that cross culvert pipe. It is called a cross culvert because it simply takes water from one side of the road to the other. Typically a cross culvert like that will not have a catch basin but some do when the inlet is deep. This inlet is shallow and is not a candidate for a catch basin. Highway will install stone and create a forebay at the inlet of the pipe, which will capture sediment in the same way that a deep sump catch basin would work. Mr. Fournier said the water quality basin is unsafe. It has no fence around it. The commission does not require fences around water quality basins. Mr. Fournier said that 900 feet away from the pipe outlet is a public water supply well. That intersection is the only major source of storm water in the area. There have been 35 car accidents in that area according to police department records. Stan Kulesza (resident) attests that there are many car accidents due to icing on Greenville Street. "There are chemicals from gasoline in the water at the YWCA well." Warren Snow stated, "Mr. Fournier had documented evidence and Mr. Kulesza are presented anecdotal evidence". Facilities should be notified that there are traffic issues there. There was a discussion regarding the road problems. Ms. McLaughlin said this is not a conservation problem. Mr. Fournier and Mr. Kulesza are concerned that there could be chemicals in the water from all of the accidents. Mr. Fournier thinks that the storm drain is illicit. Mr. Tyler said the system is on private property. The town would not put in a stormceptor on private property. Mr. Fournier said the town shouldn't be going on private property. The town had permission from the owner and had an Order of Conditions as well. Ms. Washburn asked Mr. Fournier, "If you had your way and you got what you wanted at the site, what is it that you wish you could have?" Mr. Fournier said, "pre-treatment a vortex manhole catch basin in the place of that." Ms. Washburn asked Mr. Tyler if that would be something the Highway Department would consider. Mr. Tyler said, "The system is on private property and we would not do that." He discussed other areas in town that are a priority. Mr. Fournier asked how we can mitigate the problem. The Commission recommended talking to the Town Administrator or the Highway Department.

1 & 3 Lake Whittemore: Order of Conditions appealed. DEP has requested someone from the commission to attend the site visit at 10:00 a.m., on Thursday, August 30, 2018. Margaret Emerson had agreed to attend.

Chickering Road: Matt Schold complained about sediment problems during the Chickering Road paving. The asphalt had been removed from Chickering Road for paving. A storm occurred and sediment washed into an unprotected drop inlet on the side of a catch basin into Stiles Reservoir. Ms. Washburn and Eben Butler inspected. Mr. Butler explained that the paving was being done by a contractor and that they had sub-contractor installing sediment controls. They put up wattles and met Matt at the site. He seemed satisfied with the work.

24 Oak Lane: Certificate of Compliance,
A motion to issue the certificate of Compliance (Snow/Emerson) 4/0

55 Lakeshore Drive: Enforcement Order, ratify revised EO
A motion to ratify the Enforcement Order (Emerson/Bellemer) 4/0

September 26, 2018 meeting is cancelled. New carpets will be installed in the ODIS office on 9/27.

New Applications: 226 North Spencer Road, RDA
Water Main Looping, NOI

A motion to adjourn the meeting at 9:26 p.m. (Emerson/Bellemer) passed 4/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 8/22/18 Spencer Conservation Commission meeting

Agenda for 8/22/18

Margaret's report dated 8/22/18

Draft minutes from the 8/8/18 meeting

OofC for 18 Laurel Lane (signed)

Negative Determination for 20 Laurel Lane (signed)

OofC for 184 Greenville Street (signed)

OofC for Lot 2 Marble Road (signed)

Certificate of Compliance for 24 Oak Lane (signed)

Continuance form for 460 Main Street (signed)

RDA file for 31 Lakeview Drive, including Negative Determination (signed)

NOI file for the Smithville Road, 3 Old Meadow Road, and 7 Meadow Road NOI for U&F drainage improvements, including OofC (signed)

Appeal filed with MA DEP by Cameron Bishop for OofC's for 1 & 3 Lake Whittemore Drive

Letter from Denise Child, MA DEP, to William Klansek, re: Requests for Superseding Orders of Conditions for 1 & 3 Lake Whittemore Drive

Old NOI file for 98 Chickering Road

Revised Enforcement Order for 55 Lakeshore Drive (ratified)

Inspection form and photographs of Chickering Road taken on 8/14/18, generated by a complaint from Matt Schold

Inspection form and photographs of Chickering Road taken on 8/15/18, generated by a complaint from Bob Fournier

Report dated 8/17/18 from Northeast Ecological Services re: wetlands delineation review
at 20 & 32 McCormick Road

Guidelines from the Spencer Fire department for access roads for solar farms