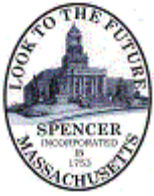


# Conservation Commission – Town of Spencer

## *Minutes*



Conservation Commission Meeting  
Wednesday, September 12, 2018 at 7:00 PM  
Town Hall, McCourt Social Hall

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The Meeting was opened at 7:00 p.m.

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

Commissioners Absent:

Staff present: Jane Green

**Minutes Approved:** August 22, 2018

**Signed:** Lot 2 Marble Road, Revised Order of Conditions

### **7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent For Independence Solar**

#### **Property: 20 & 32 McCormick Road, Spencer MA DEP#293-0936 SW Permit**

George Smith presented the latest plans. Mr. Smith said they revised the driveway. They found a design for the barn swallow structure. Mr. Smith showed the commission the location, on the plans, where the new driveway will be and where the storm drain will be. Paul McManus, from EcoTec, said that they consulted with Audubon and a couple of other people. He revised the NOI regarding the intermittent stream. Revised plans were submitted. They will install a box culvert in the existing channel, when it isn't raining. The intent is for the smaller animals to go through. Ms. McLaughlin mentioned Chief Parsons' concerns regarding the steep slopes and 90 degree angles. The applicants are addressing those concerns.

At the request of the applicant, the hearing has been continued until October 10, 2018.

### **7:40 p.m. Opened the Public Meeting for Request for Determination of Applicability for Rebecca Southwick**

#### **Property: 226 North Spencer Road, Spencer, MA**

Alan Weiss, President of Cold Springs Environmental, presented the project and stated that they do a lot of septic and wetlands work. Ms. McLaughlin stated that any work area that is within 50 feet of resource areas requires a Notice of Intent. Ms. McLaughlin

told Mr. Weiss that there needed to be wetland markers. There needs to be permanent four-foot high monuments at W-1, W-2, and W-3. The monuments shall extend 3 feet below the ground and extend at least 12 inches above the soil surface. They shall indicate the permanent limit of disturbance by displaying metal markers reading "Protected Wetland Boundary". They discussed when they need to submit revised plans for the next meeting.

*A motion to for a positive determination (Emerson/Bellemer) 4/0 Mr. Snow Abstained*

**7:56 p.m. Opened the Public Hearing for Notice of Intent for Spencer Water Company**

**Property: Main Street Looping Project, Spencer, MA SW Permit DEP#293-**

Ms. McLaughlin read the inspection report. Molly Coughlin and Karen Gracey from Tata & Howard presented the plans. Ms Coughlin and Ms. Gracey were here with the Town's Water Department to design the new water main project. Ms. Coughlin said the plans are to improve redundancy, water quality and hydraulics of the water system. There are three streets that go through the buffer zone: Main Street, Greenville Street and Cherry Street. There will be silt fences and mulch socks, no stock piling and no storage of excavated soils on site. Ms. Coughlin pointed out the buffer zone on the plans. Ms. Coughlin said there was a question about the easements.

A resident, Dan Molash, wanted to know how the work was going to impact Greenville Street to Muzzy Pond. Ms. Coughlin stated that there would be a trench for the water line. Mr. Molash wanted to know how long they would be working on that stretch, and how will it impact everyday traffic. Ms. Gracey told him that they will always have access to their driveways and access to ambulances. Mr. Molash wanted to know if the road was going to be re-surfaced or just patched. Ms. Coughlin told him the trench would be repaved. Mr. Molash said that the street is in pretty rough shape. An abutter, Eddie Southland, said that when he bought the house they didn't have water problems. He said that in 1986 when they built the ball field on top of the hill, they started to have water problems. He said everybody on that side of the street has water in their cellars.

*A motion to close the public meeting (Olivo/Snow) 5/0*

*A motion to approve the plans with standard Oof C (Olivo/Snow) 5/0*

**Other Business:**

**66 Chickering Road:** Ms. McLaughlin read Ms. Washburn's report. The commission members looked at the photos and reported that all areas were stable.

*A motion to issue the Certificate of Compliance (Emerson/Snow) 5/0*

**85 Lakeshore Drive:** The commission inspected and said that there was no further enforcement needed. The applicant may remove the wattles.

**4 Clark Road:** Mr. Bell said that he was invited to the meeting because he violated wetlands. He said he was falsely accused. He said he called to see if the commission had a picture, to see if they could identify him. He brought pictures. He said he has his own storage area for his yard debris. He felt as though he had been falsely accused of doing something without any evidence. The commission said there was no further enforcement needed.

**87 South Spencer Road:** The commission looked at the file and plans for 87 South Spencer Road. The land is coming out of Chapter 61A Forestry. The maps show a stream and a wetland or pond on the property. The entire property is in the Aquifer Protection Zone.

*A motion to advise the Board of Selectmen to exercise the right of first refusal.  
(Snow/Bellemer) 5/0*

**102 Chickering Road:** Matt Schold was present. Ms. McLaughlin read Ms. Washburn's inspection report. Warren Snow and Margaret Emerson met Mr. Schold at the site. It had been loamed and seeded but no growth yet. Mr. Schold said he was looking for a partial sign-off for occupancy, and knew that they still needed to get a final sign off once the grass has grown and it had been mowed three times. Ms. McLaughlin told him the wetland markers need to go in. Mr. Schold wanted to know what to use to attach the marker.

*A motion to issue a partial certification (Olivo/Snow) 5/0*

**93 & 97 Hastings Road:** Ms. McLaughlin read the report for the restoration report required in the Enforcement Order.

**1 & 3 Lake Whittemore:** Margaret Emerson went to the meeting with Denise Child from the MA DEP. Jason Dubois was there along with some of the abutters. Ms. Emerson said that Ms. Child explained wildlife habitat and how they do not protect every bit of wildlife. Ms. Emerson said that she thought it helped everyone understand, the decision making process.

**60 Paxton Road:** Eric Hevy attended the meeting. He was not on the agenda but wanted to stop by. He is the Supervisor of Buildings and Grounds for the school district and wanted to work on the catch basins. He reached out to get some quotes; the quotes were coming back at over \$10,000. They have a budget and it wasn't feasible to do the work. Then he reached out to the Highway Department, and talked to Eben Butler. Mr. Hevy asked Mr. Butler if there was any way they could work something out. Mr. Butler said he would look at it. He wasn't going to guarantee him anything, but he didn't say no. Mr. Snow had said that it had been more than 10 years. Removing woody vegetation from detention basins has never been done. Mr. Hevy said he wants to knock vegetation down and maintain it. His next step is to go to the Worcester County Sheriffs' office. He wants

to see if they will allow a crew to come out to help knock it down, because they do community service work. He said he is trying to think outside the box. Ms. McLaughlin asked him if he had the equipment to do it. Mr. Hevy said he did not have heavy equipment, but once it gets knocked down they can maintain it. Mr. Snow said that everybody has promised to do that work. Mr. Hevy said that he understands what the Commission does. He was a former Selectman in another town. He is committed to getting it done.

**19 Bixby Road:** Jan Parke said that the trail connection to Depot Trail is really heavy with poison ivy. She wants to ask the town to make a formal request for 2 sprays a year. The commission will discuss this again.

New Applications:    369 Main Street - ERJC Holdings  
                                 NOI for drainage improvements  
                                 115 Smithville Road - Paul Goodrich. NOI for new house.  
                                 27 Sherman Grove – Robert Zukowski NOI replace retaining wall.

*A motion to adjourn the meeting at 9:30 p.m. (Snow/Olivo) passed 5/0.*

Respectfully submitted by:

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Jane Green, Senior Clerk  
Development & Inspectional Services

Documents reviewed at the 9/12/18 Spencer Conservation Commission Meeting

Agenda for 9/12/18

Margaret's report dated 9/5/18

Draft minutes from 8/22/18

Revised O of C for Lot 2 Marble Road

Letter from Graves Engineering re: 20 & 32 McCormick Road (Bell)

Letter from Attorney Roger Banks re: 87 South Spencer Road (Ormsbee)

Inspection report for Enforcement Order 93 & 97 Hastings (Glen Krevosky)

Plans from George Smith re: 20 & 32 McCormick Road

Inspection report with photos from Main Street Looping Project

Inspection report with photos from 4 Clark Road

File and Map for 87 South Spencer Road

Inspection report with photos from 102 Chickering Road (Matt Schold)

NOI filed for drainage improvements 369 Main Street (ERJC Holdings)

NOI file for new house 115 Smithville Road (Paul Goodrich)

NOI file to replace retaining wall for 27 Sherman Grove (Robert Zukowski)