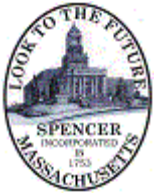


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, October 10, 2018 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Commissioners Absent: Charlie Bellemer

Staff present: Margaret Washburn, Jane Green

Minutes Approved: September 12, 2018

Signed: 9&10 Wilson Ave, Certificate of Compliance
27 Holmes Street, Certificate of Compliance
18 Lamoureux Lane, Certificate of Compliance

7:17 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, James Schwartz, Rebecca Baptista, and Paul McManus were present. Ms. Washburn read her report. Paul McManus of EcoTec had submitted revised NOI forms and a Revised Stream Bank Restoration protocol that are both approvable. Ms. Washburn asked that the protocol be shown on the plans for the contractor. A stormwater bond estimate had been submitted and reviewed by Graves Engineering.

Paul McManus discussed the plan to have a driveway over an intermittent stream. Ms. Washburn hasn't had time to review the plans that came in yesterday. Rebecca Baptista said that they have lessened the impact by an eighth. James Schwartz stated there is an incentive program called SMART (Solar Massachusetts Renewable Target) that they want to join.

Ms. Baptista reviewed the 20 McCormick Road phasing plans. The soil excavated from road construction will be used to make the berm for the basin. When each phase is completed they will request an inspection.

They have eliminated some of the panels because they couldn't meet the grades for fire department access. All the electrical work will go from south to north on the array. They will put up four rows at a time with mulch tubes. Each sub-phase will finish with seeding to keep the sediment from going down the hill.

Ms. Baptista discussed 32 McCormick Road's phasing plan. Phase 1 will begin by staking everywhere and marking the limits and install hay bales. During Phase 2 the gravel entrance will be constructed. They will clear trees and remove stumps. Phase 3 will be clearing of all the sites. There will be cutting, grubbing, stump and grading. Phase 4 & 5 will consist of building the basins. They will shape the basin with the stockpiled material. They will hydro-seed and stabilize. Phase 6 and 7 will consist of installing the panels. They will stabilize and ask for an inspection when they complete each section. Phase 8 will include general site clean-up, stabilization and restoration. They eliminated an entire acre of arrays because of the grading.

Ms. McCauley wanted to know if their wells are going to be affected by the solar farm. Ms Washburn said that solar farms rarely cause water table changes. The main challenge has always been sediment and erosion control. Ms McCauley is concerned that the run-off will go through the stream and end up on her land. She is concerned with mosquitoes. Ms. Washburn stated that once runoff leaves the array it's going through 150 ft of woods. Because it is wooded, the trees and the roots and all the vegetation in the woods will slow the water down. Run-off will recharge into the ground in the woods. Ms. McCauley wanted to know if the barn swallow structures have a gutter. They do not. They are 6ft by 6 ft with a predator guard on each leg. She wants to know how far from her house the transformer is from her house and how much noise it makes. It is 700 ft away. James Schwartz said they have a new inverter that doesn't make a high pitched noise. Lee George, a resident, wanted to know when the project is going to begin, what are the hours going to be, and how long will the project take. Mr. Smith told them from 7:30-4:00 p.m. and it will take 6-8 months of construction. Jan Parke wanted to know if there will be any kind of visual buffer in front of the poles. There are no plans to put a visual buffer in front of the poles. It was agreed to continue the hearing until October 24, 2018.

**8:32 p.m. Continuation of Public Hearing for Notice of Intent for Jeremy Ahern
Property: 460 Main Street, Spencer, MA DEP#293-0933 SW Permit**

At the request of the Applicant, the hearing has been continued to January, 2019.

**8:33 p.m. Opened the Public Hearing for Notice of Intent for Paul Goodrich
Property: 115 Smithville Road, Spencer, MA DEP#293-0938**

Scott Morrison from EcoTec presented. There are plans for demolition of the house on the property. The new plans required three changes from the commission. An existing paved driveway will be made larger. Secondly, The Commission would like permanent wetland markers at some flags, where the multi-flora rose was already cut close to the wetland. The third change is a construction sequence.

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

A motion to approve the plans with special conditions (Snow/Olivo) 4/0

8:47 p.m. Opened the Public Hearing for Notice of Intent for Esmeralda Reynolds
Property: 369 East Main Street, Spencer, MA DEP#293-0940

Scott Morrison from EcoTec presented the revised plans. The riprap dissipation channel has been added. They are still proposing the fence and curb stops. No more road grindings have been proposed. The existing gravel will be graded. Ms. Emerson had a concern about the snow removal with the snowplows. Mr. Morrison said that they have designated snow areas. They have the wetland fenced off with a split rail fence. The commission would like them to re-install sediment controls and rip rap outside the wetlands. They would like five 6 foot T posts with permanent wetland markers. At the request of the Applicant, the hearing has been continued to October 24, 2018.

9:10 p.m. Opened the Public Hearing for Notice of Intent for Robert Zukowski
Property: 27 Sherman Grove, Spencer, MA DEP#293-0939

The retaining wall has dilapidated and gone into Sugden Reservoir. Glenn Krevosky talked to the President of the Sugden Lake Association. There will be a boom. All disturbed areas shall be stabilized with grass or straw mulch. The flood zone runs along the shoreline. There will be crushed stone under the large rocks. Ms. McLaughlin read the inspection report. As soon as the wall is completed, it will be stabilized with grass and netting or straw mulch. They will ensure the area will remain stable, by grading and seeding. A staked 8-inch wattle shall be installed at the top of the armored wall.

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

A motion to approve the plans with the special conditions (Olivo/Snow) 4/0

9:22 p.m. Opened the Public Meeting for the Request for Determination of
Applicability for John Miczek

Property: 8 North Spencer Road, Spencer, MA

John Miczek is working on an irrigation system improvement for Breezy Garden. He has been farming there since 1982. They have been pumping water out of the river since 1984. They grow about 60 acres of fruit and vegetable crops. In 2016 when there was an extreme drought. Worcester County was declared a disaster area. Mr. Miczek is going to be using Drip tubes, as well as overhead irrigation. Mr. Miczek showed everyone the Drip Tape. It is placed close to the plant and the water goes right to the root. It works well for small crops. Large crops like corn and beans need overhead irrigation. The plan calls for a Traveler, which has big wheels and a gear box programmed to walk across the field. It can water five acres in half a day. It is much better than the labor intensive heavy aluminum pipe that he is using now. Ms. Washburn was in touch with the Natural Heritage and Endangered Species because John is working in Endangered Species Habitat. John has claimed Agriculture exemption.

At the request of the commission, the hearing has been continued to October 24, 2018.

9:38 p.m. Opened the Public Meeting for the Request for Determination of
Applicability for Thomas J. Costagiola
Property: 9 Woodland Lane, Spencer, MA

Ms. McLaughlin read the inspection report. They are planning on removing 14 trees and pruning 3 trees. The commission has a special condition. They would like Mr. Costagiola to call the commission for a boom inspection prior to tree removal.

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

A motion for a determination with special condition (Emerson/Snow) 4/0

9:49 p.m. Opened the Public Hearing for Notice of Intent for Rebecca Southwick
Property: 226 North Spencer Road, Spencer, MA DEP#293-0941

Alan Weiss presented the septic repair. The commission has two special conditions. They want permanent wetland markers at flags 1, 2 and 3. And they would like them to call five business days prior to construction, for an inspection of sediment controls.

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

A motion to approve the plans with conditions (4/0)

9:53: p.m. Opened the Public Hearing for Notice of Intent for Glen & Cheryl Pike
Property: 137 Wilson Avenue, Spencer, MA DEP#293-0943

Jason Dubois presented the plan to replace the wall along the Stiles Reservoir. They are going to add another set of stairs along with the existing stairs. Ms. McLaughlin read the inspection report. There was a discussion regarding Bordering Land Subject to Flooding (BLSF). If the grade is raised due to the height of the wall going up, then it requires compensatory flood storage. This needs to be quantified on the NOI plan. Ms. Emerson would like them to replace the trees they take down. This is what the commission requests when trees are removed.

At the request of the Applicant, the hearing has been continued until October 24, 2018.

Other Business:

19 Bixby Road: There was discussion in the last meeting about the poison ivy on the trail connection to Depot Trail from Jan Parke. Paula Orcutt, from Common Ground Land Trust, is the monitor for that land. Ms. Orcutt went down recently and the poison ivy was dying back. When it starts to grow again, this topic should be re-addressed next spring.

55 Lakeshore Drive: Bank Restoration. A plan and restoration protocol was submitted. Scott Morrison was present to review the plan. The stones that were placed on the Bank will be taken out, while keeping the bank stabilized. There will be silt fence along the shoreline. Heavy equipment will be used and a boom will be installed. The goal is to have the work done by November 19, 2018. The commission approved the plan.

9 Debbie Drive: Ms. Washburn went out to do the inspection. Ms. Washburn met the owner who said the backyard gets flooded when it rains. There was a stormwater plan that didn't seem to be working. The water was going down the driveway and flooding the backyard. Ms. Washburn met with the developer and discussed how the swale is not working. She recommended that Mr. Najeem needs to go back and fix the swale.

A motion to issue No Certificate of Compliance. (Emerson/Snow) 4/0

65 Oakland Drive: Pamela Price asked Ms. Washburn if they could wait to plant the trees in the spring. She will have them planted at the end of May 2019.

A motion to approve request for the delayed plantings. (Emerson/Snow) 4/0

Holmes Street Solar Farm: A report from Graves that stated they need to install a grate type catch basin with a pipe in it. Graves needs to review it and send us a report on it.

Lots 2 & 3 Valley View Drive: The commission received a complaint about sediment running into a catch basin. The sediment controls behind the houses were buried in sediment. There was no anti-tracking pad on either lot, as shown on the plans. The commission would like sediment controls along the driveway. They would like to schedule a site visit once that is done.

64 Borkum Road: Ms. McLaughlin read the inspection report. There was a complaint that manure had being scraped into the stream. Pamela Simonis said that the horse manure has always been placed at the edge of her property, not in the stream. The commission will schedule a site visit.

Conservation Agent: The commission would like to ask the Selectmen for extra hours for Margaret Washburn through the end of 2018.

New Applications: Donnelly Cross Road, NOI
91 Wilson Ave, RDA

A motion to adjourn the meeting at 11:08 p.m. (Olivo/Snow) passed 4/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 10/10/18 Spencer Conservation Commission meeting

Agenda for 10/10/18

Margaret's report dated 10/10

Draft minutes from the 9/12/18 meeting

CofC for 9 & 10 Wilson Avenue (signed)

NOI file for 20 & 32 McCormick Road

Continuance form for 20 & 32 McCormick Road (signed)

Continuance form for 460 Main Street (signed)

NOI file for 115 Smithville Road

Continuance form for 115 Smithville Road (signed)

NOI file for 369 Main Street

Continuance form for 369 Main Street (signed)

NOI file for 27 Sherman Grove

RDA file for 8 North Spencer Road

Continuance form for 8 North Spencer Road (signed)

RDA file for 9 Woodland Lane, including Negative Determination (signed)

NOI file for 226 North Spencer Road

OofC for 226 North Spencer Road (signed)

NOI file for 137 Wilson Avenue

Continuance form for 137 Wilson Avenue (signed)

Restoration Plan for 55 Lakeshore Drive (approved)

Request for CofC for 9 Debbie Drive

Certificate of Compliance for 9 Debbie Drive (vote was made not to sign)

Tree planting sketch for 65 Oakland Drive (approved)

Emailed correspondence from Ken Lacourse re: drainage work proposed at Holmes Street solar farm

Violation file for Lots 2 & 3 Valley View Drive

CofC for 27 Holmes Street (signed)

CofC for 18 Lamoureux Lane (signed)

Violation file for 64 Borkum Road