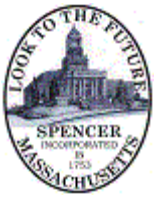


# Conservation Commission – Town of Spencer

## *Minutes*



Conservation Commission Meeting  
Wednesday, June 26, 2019 at 7:00 PM  
Town Hall, McCourt Social Hall

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The Meeting was opened at 7 p.m.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin  
(arrived at 8:45 p.m.) Robert Perry, Warren Snow

Commissioners Absent:

Staff present: Jane Green

Staff absent:

**Minutes Approved:** June 12, 2019

**Signed:**

**7:15 p.m. Continuation of the Public Hearing for the Notice of Intent for William Klansek**

**Property: Lot 1 Valley View Drive, Spencer, MA DEP#293-0961**

Jason Dubois presented the plan. The Conservation Commission had required a third party delineation which was done by Chuck Caron. Mr. Dubois changed the bioretention area and added a culvert pipe that the Commission requested. The Commission reviewed the peer review letter.

*A motion to close the public hearing (Snow/Perry) 4/0.*

*A motion to approve the plans (Perry/Snow) 4/0.*

**7:27 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Steven Messier**

**Property: 59 Valley Street, Spencer, MA**

Steven explained the project to the Commission. The plan is to enlarge the deck which is close to the wetlands. He will use techno-post footings so the soil will not be disturbed. The existing footings will be cut to ground level. There will be a concrete pad at the end of the stairs. Mr. Snow wanted to know where the concrete pad was on the sketch. It will be away from the wetlands. Ms. Emerson read the inspection report.

*A motion to close the public meeting (Perry/Snow) 4/0.*

*A motion to issue a negative determination (Bellemer/Snow) 4/0.*

**7:32 p.m. Opened the Public Hearing for the Request to Amend the Order of Conditions for James Hill**

**Property: Lot 2 Marble Road, Spencer, MA DEP#293-0935**

Jason Dubois went over the changes to the plans to amend the Order of Conditions. Mr. Dubois said there were changes in grading because there was a change to the actual type of house. They ended up putting three feet of fill including boulders, because Mr. Hill couldn't go any further with erosion controls. The utility pole was within the limits of disturbance. National Grid decides where to put all poles. Ms. Washburn wanted a pipe under the driveway. There was a discussion about the berm. Mr. Snow had said that it looked like the wetlands were being drained. Mr. Perry stated that the Commission is there to stop drainage of a wetland. Ms. Emerson read the Enforcement Order. The Town needs to address the berm.

*A motion to close the public hearing (Perry/Bellemer) 4/0.*

*A motion to accept the amended plans (Bellemer/Snow) 4/0.*

**7:55 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Matthew Pitney**

**Property: 19 Lakeshore Drive, Spencer, MA**

Michael Krochmalny, the applicant's father-in-law, presented the plan. He explained the plans to take down a tree, build a deck, and add a patio. Ms. Emerson wanted to know how they were going to contain the fill when they do the patio. They will use Techno-Block. There will be some tree trimming at the top of the land. Mr. Bellemer suggested that they make sure the trees are on their property. Ms. Emerson read the description of the work. Ms. Emerson wanted to know where the silt fence and hay bales were going to go. Mr. Krochmalny said they will be between the tree and the fire pit.

*A motion to close the public hearing (Bellemer/Snow) 4/0.*

*A motion to issue a negative determination (Bellemer/Snow) 4/0.*

**Other Business:**

**Spencer Landfill Solar:** Emily Byrne was present to discuss the progress with the solar farm. They had to get a permit through the DEP for the solar project. They needed to get a third party oversight. Ms. Byrne wanted to know if they could use the third party oversight instead of the CESSWI (Certified Erosion, Sediment, and Stormwater Inspector) which would be redundant. The Commission agreed to this as long as it will meet the Order of Condition requirements. They are looking to start construction soon.

*A motion to accept the third party inspections in place of the original CESSWI (Bellemer/Emerson) 4/0.*

**Bixby Trail:** Grant Buchanan wanted to update the Commission on what his plan is to rectify Bixby Trail. The trail goes straight downhill. He wants to put in two switchbacks. He made the decision to go with “Sunshine Landscaping” in Leicester. Mr. Buchanan has an authorized proposal already prepared. He would like to have the landscaper stake out the proposed portion of the trail, and have the Conservation Commission come and check it out. Mr. Buchanan has a copy of the proposal to give to the Commission. Mr. Buchanan will have a survey marked up by the landscaper and then it will be staked out. He will drop the survey off at the Con Com office when it is ready. There is a surety bond for Bixby Trail. He hopes to have this ready by the end of July.

**East Charlton Road:** James Jenese Enforcement Order. Mr. Jenese has continued to cut trees. The Commission discussed what to do about this and decided to wait for the new Conservation (George Russell) agent’s expertise.

**Washburn Terrace:** Culvert replacement on a private road. Mr. Bellemer said that Bill Krukowski gave Al Starr a quote on how much it would be to correct the problem. The cost was somewhere around \$40,000-\$60,000. If they do not fix it, then it will continue to wash out to the lake. Ms. Emerson said the only solution is to replace the culverts. The Association needs to hire someone and submit a plan to get this rectified. It is a community problem.

**43 Point Eastalee:** Violation. There was a deck down near the lake. The building inspector gave them a Violation notice for working without a permit. The Conservation Commission recommends filing an RDA or NOI. The Commission recommends that the Conservation Agent send a letter.

**48 Paxton Road:** The Commission needs to inspect.

**62 Borkum Road:** Ms. Emerson read the inspection report. There is trash in the wetlands that needs to be removed. The Commission would like Mr. Russell to call or send a letter.

**64 Borkum Road:** No issues.

**30 Shore Drive:** Request for Certificate of Compliance. Mr. Bellemer went to the site and discussed his inspection. There was a septic system done in 2005. There was no evidence of a break out.

*A motion to issue the Certificate of Compliance (Bellemer/Perry) 5/0.*

**Lot 2 Valley View Drive:** The Commission needs to do an inspection.

**Lot 3 Valley View Drive:** The Commission needs to do an inspection.

**86 Wilson Street:** The Commission needs to do an inspection.

New Applications: 135 Wilson Ave, NOI  
9 Point Eastalee Drive, NOI  
30 Roys Drive, RDA

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

Respectfully submitted by:

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Jane Green, Senior Clerk  
Development & Inspectional Services

Documents reviewed at 6/26/19 Spencer Conservation Commission Meeting

Agenda for 6/26/19

Minutes for 6/12/19

Letter dated 6/13/19 from Caron Environmental Wetland Delineation

Letter from Solitude Lake Management dated 6/17/19 herbicide treatment for Thompson Pond

NOI file Lot 1 Valley View Drive

Request for Determination of Applicability for 59 Valley Street

Request to Amend the OofC for Lot 2 Marble Road

Request for Determination of Applicability for 19 Lakeshore Drive

Request for CofC for 30 Shore Drive

Request for CofC Lot 2 Valley View

Request for CofC Lot 3 Valley View

Proposal/letter from Grant Buchanan Bixby Trail