

# Conservation Commission – Town of Spencer



## *Minutes*

Conservation Commission Meeting  
Wednesday, February 8, 2017 at 7:00 PM  
Town Hall, McCourt Social Hall

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The Meeting was opened at 7 p.m.

Commissioners Present: Mary McLaughlin, Margaret Emerson, Brian Graeff, James Bouley

Commissioners Absent: Warren Snow, John Haverty

Staff present: Margaret Washburn

**Minutes Approved:** January 25, 2017 – *A motion to approve the minutes as amended (Emerson/Bouley) passed 4/0.*

**Signed:** 63 Wilson Avenue, Order of Conditions

**7:15 p.m. Opened the Public Hearing for Notice of Intent for Jim Hansen**  
**Property: 68 & 70 Donnelly Road, Spencer, MA DEP#293-0898**

At the request of the applicant, the hearing has been continued to February 22, 2017.

### **Other Business:**

**Lot 4, Sherry Lane:** Ms. Washburn said that Jesse Kady removed all the shrubs and trees from a substantial area of the buffer zone beyond the sediment controls (limit of disturbance). She issued a Notice of Violation requiring Mr. Kady to attend tonight's meeting. Mr. Kady said he had calculated the placement of the sediment controls wrong and in actuality they are 12 feet further from the wetlands than where they are supposed to be. Mr. Kady said he will re-install sediment control barriers as per the approved plan and will call for an inspection.

**8 Debbie Drive:** Ms. Washburn said this is for a partial Certificate of Compliance, from the old Order of Conditions dating back to the Laureldale Woods subdivision. Ms. Washburn inspected and there were no conservation issues. *A motion to issue the partial Certificate of Compliance (Bouley/Emerson) passed 4/0.*

**Wilson Avenue drainage work:** Ms. Washburn said that Ed Bergin showed her a site sketch of the work he was proposing to do. Ms. Washburn said the intent is to create a ditch on the side of the road to catch water that runs down the hill and washes out the road. Mr. Bergin told Ms. Washburn that the property owners on either side of the road own to the middle of Wilson Avenue. Any work that is done will be done on other property owners' land. Mr. Bergin said the trench is three-feet deep and two-feet wide. Ms. Washburn said Highway Foreman Eben Butler expressed concern regarding the potential work on other property owners' land and regarding property corner markers. Any pins that would be disturbed would have to be replaced by a Registered Land Surveyor. Mr. Butler recommended getting written permission from all land owners where work would take place. Ms. Washburn said although the work in the sketch may be outside the buffer zone, the project has the potential to impact Stiles Reservoir and as such, the Commission can deem the project jurisdictional, and require a filing. Ms. Washburn said she has concerns about the proposed work increasing the rate and amount of water reaching the Reservoir. She believes a stormwater permit and engineering calculations may be appropriate. The Commission told Mr. Bergin he would need written permission from the property owners involved. Ms. Washburn will let Mr. Bergin know who owns the two lots where the trench would go.

**New Conservation Commission member:** Kaitlin Desmarais would like to join the Commission. Ms. Washburn explained the process of becoming a member. *A motion to allow Kaitlin Desmarais to become a member (Emerson/Bouley) passed 4/0.*

**144 Mechanic Street:** Ms. Washburn said at the January 25, 2017 meeting, Steve Broyer requested that the Commission release \$85,000.00 of the stormwater bond. Graves Engineering reviewed the request and found it reasonable. *A motion to release \$85,000.00 from the stormwater bond (Emerson/Bouley) passed 4/0.*

**Cranberry Meadow Lake:** Ms. Washburn said she received a Request for Certificate of Compliance for the expired Order of Conditions from 1989 for the herbiciding of Cranberry Meadow Lake. A new Notice of Intent will be filed. Ms. Washburn contacted Judy Schmitz, from DEP, in regards to inspecting the lake for the Request for Certificate of Compliance.

New Applications:     None

*A motion to adjourn the meeting at 8:00 p.m. (Graeff/Emerson) passed 4/0.*

Respectfully submitted by:

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Lisa Daoust, Senior Clerk  
Development & Inspectional Services

Documents reviewed at the 2/8/17 Spencer Conservation Commission meeting:

Agenda for the 2/8/17 meeting  
Margaret's report dated 2/8/17  
Minutes from the 1/25/17 CC meeting  
Continuation form for the 68 & 70 Donnelly Road NOI (signed)  
Order of Conditions for 63 Wilson Avenue (signed)  
Request for Certificate of Compliance, site photographs and inspection report for 8 Debbie Drive  
Partial Certificate of Compliance for 8 Debbie Drive (signed)  
E-mail message, dated 2/8/17, from Solitude Lake Management re: Request for CoC for Cranberry Meadow Lake herbiciding  
Request for CoC for Cranberry Meadow Lake herbiciding from Solitude Lake Management  
Sketch submitted by Ed Bergin for proposed drainage work on Wilson Avenue  
GIS maps and Steven Tyler's e-mailed comments regarding the sketch submitted by Ed Bergin for proposed drainage work on Wilson Avenue  
Notice of Violation and site photographs for Lot 4 Sherry Lane  
Volunteer form and resume from Kaitlin Desmarais  
Peer review report from Lenard Engineering, dated 1/27/17, for 68 & 70 Donnelly Road NOI