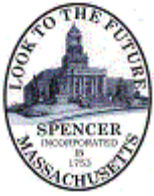


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, June 12, 2019 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Commissioners Absent:

Staff present: Jane Green

Staff absent:

Minutes Approved: May 22, 2019

Signed: 21 Sherwood Drive, Order of Conditions

7:17 p.m. Opened the Public Hearing for the Request for Determination of Applicability for Francis White

Property: 25 Kingsbury Road, Spencer, MA

Warren Snow recused himself because he is neighbors with the landowner. Daniel Leahy of D.F.L. Enterprises was present to represent Francis White. Mr. Leahy discussed the fill that was placed on the property. Mr. Leahy had previously talked with Ed Piling, the owner of the land, who wants to reclaim some of the farmland and pasture that existed previously. Mr. Leahy showed his plan to the Commission. The work was done in the buffer zone. They used hay bales and silt fence and covered it with mulched hay and they ceased all work. Mr. Leahy wanted to know if he had to fill out an NOI if this is to do with agriculture. The Commission decided to use an Enforcement Order to get the work done. If the farmer wants to reclaim the farmland, he will need to file an NOI.

A vote to allow an Enforcement Order. A motion to allow stabilization of the site using an excavator to remove fill followed by seeding and stabilize. Before the hay bales and silt fence can be removed, there needs to be an inspection. Once it is stabilized, call the ODIS office at 508-885-7500 ext 180.

A motion to approve the Enforcement Order. (Perry/Bellemer)4/0 passed.

7:40 p.m. Opened the Public Hearing the Request to Amend the Order of Conditions for Robert & Judith Maloney & Ecotec, Inc.

Property: 66 G. H. Wilson Road, Spencer, MA DEP#293-0912

Scott Morrison from EcoTec, Inc. reviewed the site visit he had done in the spring. He added more vista pruning to be included in the plan for the next 30-40 years. Ms. McLaughlin read the inspection report. The Commission agreed to the plans.

A motion to close the public hearing (Snow/Perry) 5/0 passed.

A motion to Amend the Order of Conditions (Snow/Perry) 5/0 passed.

Other Business:

Open Space Petition: Wilson Dobson has been working on the Citizen's Petition for a few weeks. Solar farms are taking up a lot of open space and farmland. He wants to do something to protect our land. The idea would be to use some of the tax revenue that comes in from the solar farms for Conservation and open space protection. Ms. Emerson said that we need to verify all the Conservation accounts. The Commission likes the concept. Mr. Dobson wants to make sure the wording is legal in the Petition. Mr. Dobson went to various professionals to ask for advice. The Commission discussed checking with MACC. Mr. Perry suggested checking with other towns to see what they have done.

53 East Charlton: Andrew Sweet was present regarding the Notice of Violation issued to him. Ms. McLaughlin read the inspection report and showed the photos of fill being pushed into the wetlands. Mr. Sweet said there were no stumps there. Mr. Sweet said that when the school was built, his father gave the contractor permission to dump on his land. Mr. Sweet said that the town wants an easement to put a pipe under Marble Rd. He cannot allow that to happen if there is a problem with his property. Ms. McLaughlin talked about getting the wetlands flagged and putting up wetland markers. Mr. Sweet said the water comes over the road and into the swale. It use to wash out his driveway. The Commission discussed talking to Bill Krukowski from the highway department. Mr. Perry offered to do a site visit with Mr. Krukowski and Mr. Sweet. Mr. Sweet wants to do whatever it takes to get it right. The Commission recommended a wetland scientist to go out and get the wetlands delineated.

Lot 2 Marble Road: Enforcement Order. James Hill needs to be at the next meeting. He should be fined. There was a discussion as to how much to fine him. The Commission needs to look into this further. There was discussion about the Berm. It needs to be put back. We need to contact Bill Krukowski from the highway department and ask him to put the berm back. The Commission should require Mr. Hill to give us a plan that represents what he already did that wasn't on the approved plans.

New Applications: 59 Valley Street, RDA
19 Lakeshore Drive, RDA
Lot 2 Marble Road, Amend Order of Conditions

A motion to adjourn the meeting at 9:07 p.m. (Perry/Bellemer) passed 5/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at 6/12/19 Spencer Conservation Commission Meeting

Agenda for 6/12/19

Margaret's report dated 6/12/19

Minutes from 5/22/19

21 Drive Sherwood Drive OofC signed

66 GH Wilson Amended Oof C signed

Open Space Petition

National Grid Notification of Pole Replacement

Vernal Pool Assessment-Caron Engineering-Spencer Landfill Solar Project