

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, March 27, 2019 at 7:00 PM
Town Hall, McCourt Social Hall

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

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin

Commissioners Absent: Warren Snow

Staff present: Margaret Washburn, Jane Green

Staff absent:

Minutes Approved: March 13, 2019

Signed: OofC 7 Sycamore Avenue

7:19 p.m. Continuation of the Public Hearing to Amend the Order of Conditions for CDW Consultants, Inc.

Property: 92 McCormick Road, Spencer, MA DEP#293-0922

At the request of the applicant, the hearing has been continued to April 10, 2019.

7:20 p.m. Opened the Public Hearing for the Notice of Intent for the Town of Spencer

Property: Hastings Road Bridge, Spencer, MA DEP#293-0956 SW Permit

Thaddeus Soule from Beals & Thomas presented the plans. The plan is to remove concrete barriers and put in a new bridge. Turkey Hill Brook is a Cold Water Fishery. Mr. Bellemer wanted to know if the 17-inch pipe that dumps water into the brook is going to remain. Mr. Soule said that the pipe will remain. The headwall is sound. Steven Tyler asked to see the wing walls on the plan. He stated the deep sump catch basin will be an improvement. Mr. Soule explained there will be an oil boom in place, 40-ft downstream of the area where heavy equipment will operate. Ms. Washburn read the special conditions.

A motion to close the public hearing (Emerson/Bellemer) passed 3/0

A motion to approve with special conditions (Bellemer/Emerson) passed 3/0

7:41 p.m. Opened the Public Hearing for the Notice of Intent for William Delude
Property: 10 Blueberry Hill Drive, Spencer, MA DEP#293-0958

Keith Terry of Sherman & Frydryk presented the plan for a proposed garage on the side of the house. Roof runoff will be directed into a proposed rain garden. Mr. Terry would like to have wattles. Ms. Washburn and the Commission prefer hay bales because there will be considerable digging and a steep slope.

A motion to close the public hearing (Emerson/Bellemer) passed 3/0

A motion to approve the plans as presented (Emerson/Bellemer) passed 3/0

7:45 p.m. Opened the Public Meeting for the Request for Determination of
Applicability for Francis White

Property: 25 Kingsbury Road, Spencer, MA

Francis White Jr., Frank White and Ed Pilling were present in regards to the fill that was dumped in the buffer zone without a permit. They were not aware that they did anything wrong. They would like to rectify the problem. Mr. Pilling would like to move rocks up by his house and build a stone wall. The Commission received a complaint. Ms. McLaughlin read the inspection report. The Commission decided on an Enforcement Order to get the specified work done by April 9, 2019. The wetlands need to be delineated and a plan submitted by June 5, 2019.

At the request of the applicant, the hearing has been continued to June 12, 2019.

8:18 p.m. Opened the Public Hearing for the Notice of Intent for Bill Krukowski
Property: Thompson Pond Road near #40, Spencer, MA DEP#293-0955 SW Permit

Lori Benoit from Stantec Engineering presented the plans. The project will improve drainage off of Thompson Pond Road. There is flooding at 40 & 42 Thompson Pond Road. Hot mix asphalt curbing will be installed. A short paved drainage channel will funnel water into a basin. Kathryn Pike wanted to know what riprap was used for and a discussion followed.

A motion to close the public hearing (Emerson/Bellemer) passed 3/0

A motion to accept the plan as presented (Emerson/Bellemer) passed 3/0

8:30 p.m. Opened the Public Hearing for the Notice of Intent for Bill Krukowski
Property: Greenville Street near #166 west Kingsbury Road, Spencer, MA

DEP#293-0957 SW Permit

Lori Benoit presented the plans for this project. An abutter, Richard Dyer has had drainage issues ever since his house was built. Previous town road work caused his driveway to heave up. He stated he wished he could have had a catch basin years ago. Ms Benoit showed Mr. Dyer the plans. Mr. Dyer said that this will be an improvement to the road.

A motion to close the public hearing (Emerson/Bellemer) passed 3/0

A motion to accept the plans as presented (Bellemer/Emerson) passed 3/0

Other Business:

Barry Arsenault re: 9 Point Eastalee: Mr. Arsenault came in to discuss his neighbor Matt Klanseks' land. He said Mr. Klansek wants to put up a barrier wall and to fill in land near the lake. Mr. Arsenault had Glenn Krevosky come out to the property last year. Mr. Krevosky told him there were 55 feet of wetlands. Mr. Arsenault was supposed to receive a report from Mr. Krevosky but he never got one. Mr. Arsenault took pictures of the wetland flowers that Mr. Krevosky pointed out to him. Mr. Arsenault said that Mr. Klansek had moved rocks in the water onto the dock. Ms. Washburn had received a call from Mr. Klansek in regards to a dock he wanted to remove down by the water. Ms. Washburn had told Mr. Klansek to file an RDA.

86 Wilson Street NOV – Joseph Ford: Ms. Washburn received a complaint stating that many trees, stumps and brush were removed in the fall of 2018 without a permit. It caused sediment to wash into a stream that flows under Rustic Lane. Scott Morrison wrote a letter in regards to the stabilization plan. The Commission requires a remediation plan and sketch by June 1, 2019. The work is to be done under an Enforcement Order.

25 Kingsbury Road NOV – Ed Pilling: Ms. Washburn told Mr. Pilling that he received the Notice of Violation because he is the owner of the property where Franny White dumped fill. Mr. Pilling wanted to make a pasture. He would have to file an NOI because new agriculture is not exempt from the Wetlands Protection Act. Mr. Pilling asked the Commission if they saw the culvert on Kingsbury Road. Mr. Pilling said that when the town put the culvert in it washed out soil four feet deep.

Jenese revised Enforcement Order – VOTE to ratify:

A motion to ratify the Jenese Enforcement Order (Bellemer/Emerson) passed 3/0

Robert Perry volunteer form to join The Spencer Conservation Commission: The Commission discussed and agreed to recommend Robert Perry as a new member of the Spencer Conservation Commission.

70 Brooks Pond – Dana Reed: There was discussion regarding a complaint from Mr. Reed regarding brush being dumped at 1 Washburn Drive.

21 Ethier Drive-Request for Extension of OofC: An inspection is scheduled.

New Applications: 68 & 70 Donnelly Road, RDA
19 Jolicoeur Avenue, NOI

A motion to adjourn the meeting at 9:35p.m. (Bellemer/Emerson) passed 3/0

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 3/27/19 Spencer Conservation Commission meeting

Agenda for 3/27/19

Margaret's report dated 3/27/19

Minutes from the 3/13/19 meeting

NOI file for the Hastings Road Bridge, including OofC (signed)

NOI file for Thompson Pond Road near #40, including OofC (signed)

NOI file for Greenville Street near #166 west to Kingsbury Road, including OofC (signed)

Continuance form for the 92 McCormick Road NOI (signed)

NOI file for 10 Blueberry Hill Drive, including OofC (signed)

Revised Enforcement Order for the Jenese property on East Charlton Road (R04-3) (ratified)

Violation file for 86 Wilson Street

Letter dated 3/27/19 from Scott Morrison re: 86 Wilson Street

RDA file for 25 Kingsbury Road

Continuance form for 25 Kingsbury Road (signed)

25 Kingsbury Road complaint file

File submitted by Barry Arsenault on 3/27/19 re: 9 Point Eastalee Drive