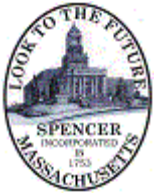


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, April 24, 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: Margaret Washburn, Jane Green
Staff absent:

Minutes Approved: March 27, 2019

Signed:

7:15 p.m. Continuation of the Public Hearing to Request 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 May 8, 2019.

7:18 p.m. Opened the Public Hearing for the Notice of Intent for Spencer Fish & Game Club

Property: 155 Mechanic Street, Spencer, MA DEP#293-0959

At the request of the Applicant, the hearing has been continued to May 8, 2019.

7:20 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Hamadryad LLC

Property: 68 & 70 Donnelly Road, Spencer MA

Jim Hansen discussed the progress with his land. He wants to put in trails and work on permaculture and take out invasive plants.

A motion to issue a negative determination (Snow/Bellemer) 5/0 passed.

7:26 p.m. Opened the Public Hearing for the Notice of Intent for Robert Fallon

Property: 19 Jolicoeur Ave, Spencer, MA DEP#293-0960

Ms. McLaughlin read the report. There was a discussion regarding the tree removal. Mr.

Dubois brought in revised plans that showed the trees that were to be removed. The Commission requires one special condition: Work directly along the shoreline should take place when no heavy precipitation or thunderstorms are forecast, and during a period of low water level or drawdown.

A motion to approve with a negative determination and one special condition (Bellemer/Emerson) 5/0 passed.

7:34 p.m. Opened the Public Meeting for the Request for Determination for David Guertin

Property: 6 Lamoureux Lane, Spencer, MA

Matthew Guertin was present for the meeting. He attended the meeting because his father could not make it. No heavy equipment will be used in the repair of the retaining wall. The Commission requires one special condition: Work directly along the shoreline should take place when no heavy precipitation or thunderstorms are forecast, and during a period of low water level or drawdown.

A motion to close the public meeting (Bellemer/Emerson) 5/0 passed.

A motion to issue a negative determination with a special condition (Bellemer/Emerson) 5/0 passed.

7:36 Opened the Public Hearing for the Notice of Intent for William Klansek

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

Ms. McLaughlin reviewed the inspection. Ms. Washburn read a comment in the L.E.I. report from Corey Brodeur. There was discussion between Jason Dubois and Ms. McLaughlin regarding the bylaw. Mr. Dubois stated that they were not doing a subdivision. The lots were created in 1960. The single lot does not trigger the SW bylaw. The Commission would like a review of the flags. Skunk cabbage was growing outside the flagged wetlands. Skunk cabbage is an indicator of wetlands. The Commission requested three estimates. Ms. Washburn asked if there was going to be an increase in run-off. Mr. Bellemer asked Mr. Dubois if the two houses are going to impact the third lot. Mr. Dubois did not think it would impact where the house is located. David Woodward of 97 Pleasant Street stated that since the houses have been built, every time it rains there is water in his cellar, which was never a problem in the past. Robert Button of 97 Pleasant stated that the wetlands delineation looks dated with soil, vegetation and moisture throughout the lot. He thinks there are serious issues with the delineation. The plans need to show grading. The streams and brooks that are there look like they overflow. The Commission would like the revised plans to show a rain garden, a diagram of where all the drain outlets are and show where the culverts are at the end of the intersection.

At the request of the Applicant, the hearing has been continued to May 22, 2019.

Other Business:

25 Kingsbury Road: Kingsbury Road Enforcement Order. Mr. Snow recused himself from the Vote.

A motion to Ratify the Enforcement Order (Emerson/Bellemer) 4/0 passed.

25 Kingsbury Road: Mr. Snow recused himself from this discussion. Ed Pilling was present to request erosion control. Ms. McLaughlin read the inspection report. Mr. Pilling wants to use big rocks to make a splash pad where the pipe outlets. The work will be seven feet from the road. The Commission thought it was an improvement.

A motion to accept the erosion improvement (Perry/Emerson) 4/0 passed

1 Washburn Drive: Al Starr was sick. The violation will be discussed at the May 8, 2019 Conservation meeting.

86 Wilson Street: Enforcement Order.

A motion to ratify the enforcement order (Emerson/Bellemer) 5/0 passed.

56 Northwest Road: Partial stormwater bond release request.

A motion to release 50% of the \$13,800.00 bond. The partial bond release is \$6,900.00 (Snow/Emerson) 5/0 passed.

106 Clark Road: Ms. Washburn inspected and took photos. There were areas of exposed soils in the buffer zone.

A motion to not issue the CofC (Perry/Emerson) 5/0 passed.

45 Kingsbury Road: Thomas Abraham was present. Since the 1960's, prior owners had been dumping on the land. Mr. Abraham said he was trying to clean up his yard. Ms. McLaughlin read the inspection report. The vegetation was removed from the buffer zone. The tires are clogging up the stream. He wants to remove a pile of rotting timbers off site. The Commission told Mr. Abraham he has permission to remove the pile of rotting timbers. If he wants to do anymore clean-up, notify the Commission.

21 Ethier Drive: Request for Extension.

A motion to grant an Extension (Snow/Bellemer) 5/0 passed.

Lot 2 Marble Road: Jim Hill received a Violation. Ms. Washburn read her report. Work was done without being shown on the approved plans. He diverged from the plans in many ways. Jeremy Croteau was supposed to submit revised plans, which did not happen. Mr. Hill needs to Request to Amend and show everything that is different and what he wants to do. He needs to cease and desist. Mr. Hill needs to attend the June 12, 2019 Conservation meeting.

New Applications: 21 Sherwood Drive, NOI
54 Brooks Pond Road, RDA

A motion to adjourn the meeting at 9:22 p.m. (Bellemer/Perry) 5/0 passed.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 4/24/19 Spencer Conservation Commission meeting

Agenda for 4/24/19

Margaret's report dated 4/24/19

Minutes from the 3/27/19 meeting

Inspection report from 4/8/19 site visit at 25 Kingsbury Road

Continuance form for 92 McCormick Road NOI (signed)

Continuance form for 155 Mechanic Street NOI (signed)

RDA file for 68 & 70 Donnelly Road, including Negative Determination (signed)

NOI file for 19 Jolicoeur Ave., including plans submitted by Jason Dubois on 4/24/19

RDA file for 6 Lamoureux Lane, including Negative Determination (signed)

NOI file for Lot 1 Valley View Drive

Continuance form for Lot 1 Valley View Drive (signed)

Violation file for 45 Kingsbury Road

Certificate of Compliance for 106 Clark Road (signed)

21 Ethier Drive Request for Extension (Extension signed)

Enforcement Order for 25 Kingsbury Road (ratified)\

Enforcement Order for 86 Wilson Street (ratified)

Violation file for Lot 2 Marble Road

Letter dated 3/13/19 from National Grid re: utility pole replacement off Donnelly Cross Road

Graves Engineering report dated 3/26/19 re: 144 Mechanic Street