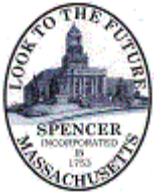


Conservation Commission – Town of Spencer



Minutes

Conservation Commission Meeting
Wednesday, May 22, 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, Robert Perry,

Commissioners Absent: Warren Snow

Staff present: Margaret Washburn, Jane Green
Staff absent:

Minutes Approved: May 8, 2019

Signed: 92 McCormick Road, Amended Order of Conditions
155 Mechanic Street, Order of Conditions

7:38 p.m. Opened the Public Hearing for the Notice of Intent for David Cataldo
Property: 21 Sherwood Drive, Spencer, MA DEP#293-0962 SW Permit

Jay Finlay, P.E. from Finlay Engineering presented the plans. He is constructing a leach field in the buffer zone. The house is under construction. Mr. Finlay explained the project. Mr. Cataldo, the applicant, prepared a Surety Bond in the amount of \$8,520.00. that was hand delivered by Mr. Finlay.

A motion to close the public hearing (Bellemer/Emerson) 4/0 passed

A motion to approve the plans with special conditions (Emerson/Bellemer) 4/0 passed

A motion to approve the Certificate of Compliance (Perry/Bellemer) 4/0

7:47 p.m. Opened the Public Meeting for the Request for Determination of
Applicability for Carol McCarthy
Property: 48 Paxton Road, Spencer, MA

Ms. McCarthy explained the project. They are going to repair the drainage system and add a French drain. Water has been seeping into the foundation. Ms. Washburn suggested two special conditions.

The proposed conditions are as follows:

- Call 508-885-7500 ext 180 five days prior to starting work for a sediment control inspection.
- Sediment controls are to remain in place until the grass in the swale is well established and has been mowed two or three times. Call our office before removing sediment controls.

A motion to close the public meeting (Bellemer/Perry) 4/0 passed

A motion to issue a negative determination with special conditions (Bellemer/Perry) 4/0 passed

7:51 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Mark Campbell

Property: 10 Bellevue Drive, Spencer, MA

Chris Monette was at the meeting to represent his dad, Warren Monette, who could not attend tonight's meeting. The excavation will go along the side of the house. They are going to take precautions to make sure no sediment washes into Lake Whittemore by putting down straw wattles. They are going to put in a 4-foot granite step that will be installed without heavy equipment. Ms. McLaughlin reviewed the inspection photos and the sketch with the Commission.

A motion to close the public meeting (Perry/Bellemer) 4/0 passed

A motion to issue a negative determination (Emerson/Perry) 4/0 passed

7:57 p.m. Continuation of the Public Meeting for the Request for Determination of Applicability for Bradley Porter

Property: 54 Brooks Pond Road, Spencer, MA

Bradley Porter was present. Ms. McLaughlin told Ms. Washburn that the Commission wanted input from a wetland specialist to make the decision. There was skunk cabbage growing in a few places. They noticed that fill had been dumped. Mr. Porter said that the fill was there when the house was built. There was discussion regarding sediment controls.

A motion to close the public meeting (Perry/Emerson) 4/0

A motion to issue a negative determination (Emerson/Perry) 4/0

Other Business:

19 Bixby Road trail connection: Grant Buchanan works with SMOC(South Middlesex Opportunity Council) and represents the owner of 19 Bixby Road. He discussed how they want to fix the trail connector. He thinks that it was designed improperly. There are steep areas and drainage problems. There is money escrowed for the work. He is going to get three local contractor landscape designers to meet him at the site. The

Common Ground Land Trust (CGLT) is welcome to go to the site as well. Mr. Bellemer wanted to know who Mr. Buchanan was going to consult with for the trail design. Mr. Bellemer suggested Ed Faron who does lots of work on the Mid-State trail. Jan Parke from CGLC suggested Sunshine Landscape in Cherry Valley. Ms. Washburn suggested Dick O'Brien from Trails Unlimited.

1 Washburn Drive: Albert Starr was present. Ms. Washburn discussed the inspection. The stream is very flashy when it rains and sediment washes down that stream. Sediment is coming upstream over Mr. Starr's driveway. It comes from the streambed. Ms. Washburn said it is not from Mr. Starr's land. Bill Krukowski, from the Highway Department has been asked to repair the culvert upstream on this private road. Mr. Starr said that after the berm was put in more water flowed into his driveway. A lengthy discussion took place. Mr. Bellemer suggested putting a berm at the top of the driveway so it heads to the dam. Mr. Bellemer said that the neighbors need to be involved. The Commission looked at the pictures and the map and discussed it with Mr. Starr. Ms. Washburn asked how many houses are on Washburn Drive. There are approximately six houses on Washburn Drive. Ms. Washburn said that 4 out of 6 residents need to agree. The town looks at it like a shared driveway and you have the right to maintain the shared driveway. Mr. Bellemer said that Mr. Starr needs to make sure that he stays away from the town's right-of-way. The Commission decided to do another site walk.

William Casey Road: Bill Krukowski from the Spencer Highway Department was present regarding a complaint from Phil Stoddard that the road was washing out. Ms. Washburn read the report. Mr. Krukowski said that Dave Bercume built the house that discharged water into the road that created the wash out. Mr. Krukowski discussed the issues and his plans. Ms. Washburn recommended that Dave Bercume hand remove sediment with shovels and rakes because he is responsible for the problem. The Commission would like the work to be done by July 1, 2019.

218 & 219 Greenville Street: Bill Krukowski requested an Extension.

A motion to Extend the Order of Condition (Perry/Bellemer) 4/0

Lot 2 Marble Road: Mr. Hill has not stopped work. Eben Butler was ordered to replace the berm. There was discussion amongst the Commission.

1 Lake Whittemore Drive: There was a complaint that there was herbicide spraying. The Commission did not witness any herbicide spraying.

53 East Charlton Road: Andrew Sweet was sent a Notice of Violation for building near wetlands. The Commission decided that Mr. Sweet should attend the June 12, 2019. Conservation meeting.

No Disturb/No Build Zones Policy Statement: Table to June 12, 2019.

19 Woodchuck Lane: The Commission is going to wait for the heavy rain to stop to see

If it is holding. At this time, they are not ready to issue a Certificate of Compliance.

New Applications:

A motion to adjourn the meeting at 9:07 p.m. (Emerson/Perry) passed 4/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 5/22/19 Spencer Conservation Commission Meeting

Agenda for the 5/22/19

Margaret's report dated 5/22/19

Minutes from the 5/8/19

21 Sherwood Drive Peer Review comments from Lenard Engineering 4/26/19 and 5/16/19

Map of 1 Lake Whittemore

21 Sherwood Drive NOI file

48 Paxton Road RDA file

10 Bellevue Drive RDA file

54 Brooks Pond Road RDA file

92 McCormick Road Amended OofC signed

155 Mechanic Street Oof C signed