

Conservation Commission – Town of Spencer



Minutes

Conservation Commission Meeting
Wednesday, August 12, 2020 at 7:00 PM
Town Hall, McCourt Social Hall

NOTE: THIS IS A REMOTE MEETING AND ALL PRESENTATIONS, QUESTIONS, COMMENTS AND/OR DISCUSSIONS WILL TAKE PLACE VIA TELEPHONE CALL IN. IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE CONSERVATION OFFICE BEFORE THE MEETING.

PERSONS SPEAKING CAN ONLY SPEAK WHEN RECOGNIZED BY THE CHAIR AND THEY MUST CLEARLY STATE THEIR NAME AND ADDRESS FOR THE MINUTES.

IN ORDER TO CALL IN, PLEASE CALL: 1-877-309-2073 AND USE ACCESS CODE: 808-724-093

TO LISTEN TO THE MEETING ONLY GO TO SCATV.ORG

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

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

Commissioners Absent:

Staff present: George Russell, Jane Green

Staff absent:

Minutes Approved: *A motion to approve the minutes of July 8, 2020 (Perry/Bellemer) passed 5/0 with a roll call vote: Perry-yes, Bellemer-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed 5/0.*

Conservation Commission Minutes
August 12, 2020

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SEP 08 2020

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Spencer Town Clerk
Lisa Johnson

*A motion to approve the minutes of July 22, 2020 (Perry/Emerson)
roll call vote: Perry-yes, Bellemer-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed
5/0.*

Signed: 54 School Street – Certificate of Compliance (voted June 24, 2020

7:09 p.m.4.1 Continue the Public Hearing for the Notice of Intent for Colin Derhammer

Property: Charlton & Bacon Hill Roads, Spencer, MA DEP#293-0984

At the request of the applicant, the hearing has been continued to August 26, 2020.

7:10 p.m.4.2 Continued the Public Hearing for the Notice of Intent for Phyllis Brewer

Property: East Charlton Road, Spencer, MA DEP#293-0985

Warren, Charlie and Mary went to inspect the site on July 30, 2020. Ms. McLaughlin read the inspection report. Phyllis Brewer, the applicant, and Scott Jordan from EcoTec, Inc. joined the meeting. Mr. Jordan went over the restoration plan. The plans are to plant Wildflower Conservation seed mix in the buffer zone that had been cleared. In the eastern area, they are proposing to fill a few ruts with wetland plantings. Ms. McLaughlin wanted to know what is going to happen with the logs. Mr. Jordan said they will be removed and the soil stabilized with a wildlife mix. They will remove slash in the eastern area and near East Charlton Road. Mr. Russell recommended approval with stipulations in the Agent's report. Mr. Snow wanted to know if they will use native plants. Mr. Russell said that is the plan.

A motion to close the public hearing (Emerson/Bellemer).

*All in favor: Bellemer-yes, Perry-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed
5/0.*

A motion to accept the NOI with the conditions noted in the Agent's Report (Snow/Perry)

*All in favor: Bellemer-yes, Snow-yes, Bellemer-yes, Emerson-yes, McLaughlin passed
5/0.*

7:18 p.m. 4.3 Continued the Public Hearing for the Notice of Intent for the Town of Spencer Highway Department

Property: Paxton Road over Shaw Brook, Spencer, MA DEP#293-0989

Peter Ellison, a Civil Engineer from TEC, joined the remote meeting. Mr. Russell has not heard back from DEP on concerns that were addressed to the applicant. Mr. Ellison would like to introduce the project. It is a roadway and bridge improvement project. The main purpose is to provide safety improvements along the roadway and the bridge. The bridge rails are rusting out. The plan is to put new bridge rails in place and new guardrails, and repave a portion of the road in proximity to the bridge. TEC hired another

engineering company to perform a hydraulic analysis of Shaw Brook. There is a second bridge that will be removed. There will also be stormwater improvements. There will be 6 catch basins near the road. There is a restoration plan to plant native shrubs and seed mix along the sides of the roadway.

At the request of the applicant, the hearing has been continued to August 26, 2020.

7:26 p.m. 4.4 Opened the Public Hearing for the Notice of Intent for Edwin Jr. & Christine Mullens

Lot 3 North Spencer Road, Spencer, MA DEP#293-0986

Mr. Russell said that this project is being sent out for Peer Review due to the extensive wetlands delineation and the proximity of priority habitat.

At the request of the applicant, the hearing has been continued to August 26, 2020.

A motion for Lot 1 and Lot 3 to be continued (Perry/Bellemer)

All in favor: Perry-yes, Bellemer-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed 5/0.

7:30 p.m. 4.5 Opened the Public Hearing for the Notice of Intent for Edwin Jr. & Christine Mullens

Lot 1 North Spencer Road, Spencer, MA DEP#293-0987

Mr. Russell said that this project is being sent out for Peer Review due to the extensive wetlands delineation and the proximity of priority habitat.

At the request of the applicant, the hearing has been continued to August 26, 2020.

7:32 p.m. 4.6 Opened the Public Hearing for the Notice of Intent for Michael Tavilla Property: 91 Clark Road, Spencer, MA DEP#293-0992

Scott Morrison from EcoTec Inc. represented the applicant. Mr. Morrison joined the meeting and presented the plan. The applicant is looking to replace two walkways, stairs, and two retaining walls. They will use hydraulic equipment only if needed. Mr. Bellemer wanted to know where Stiles Reservoir is in relation to the two stonewalls.

Mr. Russell recommends approval with stipulations in Agent's report and the stipulation # 54 only be used if hydraulic equipment is used.

A motion to close the public hearing (Perry/Bellemer)

All in favor: Bellemer-yes, Perry-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed 5/0.

5.0 Other Business:

5.1 95 Wilson Avenue – CofC: Mr. Russell reported that all is ready for the release to be granted.

A motion to issue the CofC (Perry/Bellemer)

All in favor: Bellemer-yes, Perry-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed 5/0.

5.2 97 Wilson Avenue – CofC: Mr. Russell reported that all is ready for the certificate to be granted.

A motion to release the CofC (Perry/Bellemer)

All in favor: Perry-yes, Bellemer-yes, Snow-yes, Emerson-yes, McLaughlin-yes passed 5/0.

5.3 214 North Spencer Road – Request for Extension: Mr. Russell said they did not hear back from the owner. He recommends continuing until the next meeting. The Commission decided to discuss this at the next meeting.

6.0 Agent's Report: Mr. Russell wanted to let the Commission know that they have a new single source peer reviewer/project inspector and CESSWI on an as needed basis. The town has retained BSC Group for these services and they are already working on the peer review for items 4.3 & 4.4.

Agent's report is appended to and made part of the minutes.

7.0 Schedule Site Visits Mr. Russell recommended the Commission go inspect the 22 Norcross site.

8.0 New Applications: RDA – Sherwood Drive
NOI – 17 Sherman Grove
Amend OofC – 32 McCormick Road
NOI – 47 Jolicoeur Avenue
NOI – 22 Norcross Road
NOI – 101 Wilson Avenue

9.0 A motion to adjourn the meeting at 7:40 p.m. (Perry/Bellemer) passed 5/0.
All in favor: Bellemer-yes, Perry-yes, Snow-yes, Emerson-yes, McLaughlin-yes

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents Reviewed at 8/12/20 Conservation Commission Meeting

Agent's Report 8/12/20

Minutes 7/8/20

Minutes 7/22/20

54 School Street – CofC

Charlton & Bacon Hill Roads – Continuance form

East Charlton Road – Order of Conditions permit

Paxton Road over Shaw Brook – Continuance form

Lot 1 North Spencer Road – Continuance form

Lot 3 North Spencer Road – Continuance form

91 Clark Road – Order of Conditions permit

95 Wilson Ave – Certificate of Compliance permit

97 Wilson Ave – Certificate of Compliance permit

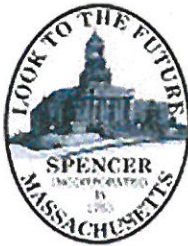
Commission members packets

Town of Spencer, Massachusetts

Office of Development & Inspectional Services

Planning Board
Zoning Board of Appeals
Conservation
Board of Health

Town Planner
Inspector of Buildings
Health Agent
Wetland/Soil Specialist



Memorial Town Hall
157 Main Street
Spencer, MA 01562

Tel: 508-885-7500 ext.
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If you're going through hell, keep going.
Winston Churchill

TO: Conservation Commission

FM: George Russell, AICP
Conservation Agent

RE: Agent's Report

DATE: 8/12/20

4.0 PUBLIC HEARINGS:

Item 4.1. Continued NOI Bacon Hill & Charlton Rd.: The application has still not been accepted by the Planning Board since it does not meet the zoning regulations. It is my opinion that the plans will change, and the hearing should be continued. Bear in mind that this permit was filed in early February and we have not even taken any testimony and we are starting to approach the timeline shown by the solar array application on Ash St.

In your packet is the final (so far) peer review report and as you can see, there is still a lot left to be done.

It is my understanding from the Town Planner that the Planning Board application is going to be withdrawn and resubmitted in a few months to deal with the unresolved issues. In light of this, I would strongly recommend that Commission consider allowing the applicant to withdraw the application, or if that does not happen, denying it at the next meeting for lack of information.

Item 4.2. E. Charlton Road NOI: This item was continued to allow the Commission to be able to review the plans "in person"; this was especially important given the history of the site. However, given that the "opening" of the town hall is not forthcoming, I believe it is time for the application to go forward and be acted upon by the Commission.

I have reviewed the plans and inspected the site and I would recommend that if the permit is approved, the following stipulations be attached: 20-24, 27-30, 32-41, 44, 46, 47, & 49-56.

We have mailed you the narrative of this project. It is recommended that you visit the site prior to the meeting.

Item 4.3. The Town of Spencer Highway Department, NOI: This permit is for a bridge rehab project on Paxton Road over Shaw Brook. This project is also designed to improve drainage. We have the NOI number. The hearing was continued since no one was present to address the project at the last meeting. I have notified the applicant to call in for this meeting. When approved, I would recommend the following stipulations: 20, 23, 24, 27-30, 34, 35, 37-41, 44, & 49-54.

Item 4.4. North Spencer Road, NOI MA DEP#293-0986: This application, as well as item 4.4 are out for peer review given the extensive delineation and proximity to an estimated priority habitat. In light of this, I recommend both hearings be opened and continued until the peer review is complete.

It should be noted that this lot, and the one below, do not yet exist since no ANR approval has been submitted to the Planning Board.

Item 4.5. North Spencer Road, Spencer MA DEP#293-0987: See above item.

Item 4.6. 91 Clark Road NOI: I have reviewed the plans, conducted a site visit and talked to the owner. This project is to replace retaining walls holding up the front yard and create a walkway to the rear deck. I would recommend approval with the following stipulations: 20,23, 24, 27-30, 34, 38-41, 44, 46, 47, & 51-54, 54 only if necessary, as stated in the application.

5.0 OTHER BUSINESS:

Item 5.1. 97 Wilson Ave, COC: All is ready for the certificate to be granted.

Item 5.2. 95 Wilson Ave. COC: All is ready for the request to be granted.

Item 5.3. 214 Old N. Spencer Road Ext: This permit would have expired on 6/17/20 if not for the stay based on COVID-19. As per the Commission's request, I have reached out to the applicant, and the applicant's engineer who e-mailed me to find out what the status of the request was, to determine why the septic work has not been done.

I have not heard back as of this writing. If we do not hear from either the applicant or the engineer by the next meeting, I would recommend the request be denied.

NOTE; THE LAST REPORT DID NOT HAVE ITEM 5.2 AS INDICATED IN THIS REPORT. THE PACKET MATERIAL YOU RECEIVED MARKED ITEM 5.2 IS NOW ITEM 5.3.

6.0 AGENT REPORTS:

We officially have a new single source peer reviewer/project inspector and CESSWI on an as needed basis. The town has retained BSC Group for these services and they are already working as they are doing the peer review for items 4.3 & 4.4 above.