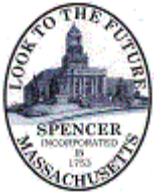


Conservation Commission – Town of Spencer



Minutes

DRAFT

Conservation Commission Meeting
Wednesday, March 24, 2021 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.

Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/install/454205589>

IN ORDER TO CALL IN, PLEASE CALL: 1-571-317-3122 AND USE ACCESS CODE: 454-205-589

TO LISTEN TO THE MEETING ONLY GO TO SCATV.ORG

PLEASE MUTE PHONES & TV'S AT ALL TIMES EXCEPT WHEN SPEAKING!

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

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

Commissioners Absent:

Staff present: George Russell, Jane Green
Staff absent:

2.0 Minutes Approved: *A motion to approve the minutes of March 10, 2021 as amended (Emerson/Perry) passed 4/0 with a roll call vote: Bellemer-yes, Perry-yes, Emerson-yes, McLaughlin-yes, Bellemer-yes.*

3.0 Signed: Agent Responsibility Policy

4.0 Public Hearing/Meetings

4.1 7:05 p.m. Continued the Public Hearing for the Notice of Intent for Bertin Engineering

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

The applicant's representatives Steve Pikul and T.J. Recupero joined the hearing. Mr. Russell said that they have received confirmation that the plans being reviewed by Planning Board, ConCom and BSC are not the same. BSC has scheduled a site walk with the applicant to complete the delineation review. Mr. Pikul said that the plans are the most current for all boards. Mr. Perry asked Mr. Pikul if the plans were the same plans as the ones he saw at the site walk. Mr. Pikul said they were the same plans. Mr. Russell looked at the plans and discovered the dates were current. There was discrepancy in where the dates were put on the plans.

At the request of the applicant, the hearing has been continued to April 14, 2021.

4.2 7:25 p.m. Continued the Public Hearing for the Notice of Intent for Christine & Edwin Mullen

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

At the request of the applicant, the hearing has been continued to April 28, 2021.

4.3 7:33 p.m. Continued the Public Hearing for the Notice of Intent for Gordon Letour

Property: 10 Meadow Road, Spencer, MA DEP#293-1007

Mr. Russell said that we have received the Peer Review funds and have signed the contract and have authorized Peer Review to begin.

At the request of the applicant, the hearing has been continued to April 28, 2021.

4.4 7:34 p.m. Continued the Public Hearing for the Notice of Intent for Richard Leveille

Property: Hastings Road, Map 43, Parcel 16.1, Spencer, MA DEP#293-1008

Mr. Russell said we have not received the drainage report.

Mark Elbag said that he sent the stormwater report and updated plans via email. There was discussion about whether the plans were submitted to BSC as well. They have not submitted to BSC.

At the request of the applicant, the hearing has been continued to April 14, 2021.

4.5 7:39 p.m. Opened the Public Hearing for the Request to Amend the Order of Conditions for Louis Mattei

Property: 96 Pleasant Street, Spencer, MA DEP#293-0961

Louis Mattei joined the meeting. Mr. Mattei had a few questions due to the spring thaw. He said the snow plow came through and tore up the edge of his driveway. He wants to put pavers down. Mr. Russell said that if there is going to be changes to the plans, they need to update the plans and continue the meeting. Mr. Russell suggested putting grass seed down. There was discussion about the location of the shed and firepit on the plans. The Commission recommended a scale and dimensions on the plans.

At the request of the applicant, the hearing has been continued to April 14, 2021.

4.6 7:50 Opened the Public Hearing for the Notice of Intent for John Kennedy

Property: 48 East Charlton Road, Spencer, MA DEP#293-1010

Jason Dubois joined the hearing. Mr. Dubois discussed the project. Mr. Russell said that we have received comments from DEP concerning the possibility of a vernal pool. The applicant has retained EcoTec. Mr. Russell said that a forest cutting plan was approved in 2020 for this lot. Under sec.16.4 of the wetlands by-law, any tree cutting on the lot is prohibited for 5 years from the termination of the FCP, which will be in 2024 or 2025. Mr. Russell said that until the issues are resolved, and the revised plans are submitted, the application should not go forward. Mr. Dubois said that the trees that they want to cut are not in the wetlands. He feels the by-law is flawed. The Town Attorney has ruled that the first sentence of sec. 16.4 is valid. There was a discussion about rewording that section of the by-law at a Town Meeting. Mr. Russell recommended that the applicant work out the technical issues for the next meeting.

At the request of the applicant, the hearing has been continued to April 14, 2021.

5.0 Other Business:

5.1 150 Ash Street – Request for Certificate of Compliance

Mr. Russell said that all is ready for the release to be granted.

*A motion to grant the Certificate of Compliance for 150 Ash Street (Emerson/Perry) 5/0.
All in favor: Emerson-yes, Perry-yes, Snow-yes, Bellemer-yes, McLaughlin-yes*

Agent's Report:

The Commission discussed ways to get the word out to residents who live on lakes, about how sand on the beach can impact bodies of water. They talked about using social media,

mailing out letters, adding to the town website, adding it to the tax bill and putting it in the New Leader.

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

New Applications: Maple Street/Muzzy Dam - NOI

A motion to adjourn the meeting at 8:46 p.m. (Perry/Bellemer) passed 5/0.

All in favor: Bellemer-yes, Emerson-yes, Snow-yes, Perry-yes, McLaughlin-yes.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at 3/24/21 Conservation Commission Meeting

Agent's Report 3/24/21

Minutes 3/10/21

Agenda 3/24/21

Conservation Commission Packets

Continuance form Charlton Bacon Hill Roads

Continuance form Lot 1 North Spencer Road

Continuance form 10 Meadow Road

Continuance form Hastings Road

Continuance form 96 Pleasant Street

Continuance 48 East Charlton Road

Certificate of Compliance 150 Ash Street

Agent Responsibility Policy to sign