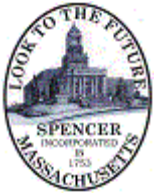


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, September 8, 2021 at 7:00 PM
Town Hall, McCourt Social Hall

If remote, please join the meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/tmiller4/conservation>

**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!**

1.0 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: Lauren Trifone & Jane Green

Staff absent:

2.0 Minutes Approved: *A motion to approve the minutes of August 25, 2021 as amended (Perry/Snow) 5/0 passed with a roll vote: Bellemer-yes, Snow-yes, Emerson-yes, Perry-yes, McLaughlin-yes.*

3.0 Signed:

4.0 Public Hearing/Meetings

4.1 7:04 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, T.J. Recupero, Elio Qorri and Jeremy Chapman, joined the hearing remotely. Mr. Recupero said that they are addressing the response from BSC's peer review comments and going through the process of getting the sub-division approved from the Planning Board.

At the request of the applicant, the hearing has been continued to October 27, 2021.

4.2 7:16 p.m. Continued the Public Hearing for the Notice of Intent for Christine & Edwin Mullen

Property: Lot 1(32) North Spencer Road, Spencer, MA DEP#293-0987

The office received notification that the hearing would be continued.

At the request of the applicant, the hearing has been continued to September 22, 2021.

4.3 7:17 p.m. Continued the Public Hearing for the Notice of Intent for Gordon Letour

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

The office received notification that the hearing would be continued.

At the request of the applicant, the hearing has been continued to September 22, 2021.

4.4 7:19 p.m. Continued the Public Hearing for the Notice of Intent for Jeff Hebert
Property: 39 Chickering Road, Spencer, MA DEP#293-1018

The applicant or representative was not present for the hearing. There was no discussion.

At the request of the applicant, the hearing has been continued to September 22, 2021.

4.5 7:20 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Reverend Robert M. Powers
Property: 34 Lamoureux Lane, Spencer, MA

Father Rob joined the meeting and passed out updated plans. The Commission reviewed the plans. If hydraulics are going to be used within 40' of the water, a boom is required. Mr. Snow wanted to know if the applicant plans to replace any of the vegetation. Father Rob will do what is required by the Commission. Ms. McLaughlin read a letter from a neighbor, Don Bonder, who supports the tree removal. The Commission would like Father Rob to plant 14 native plants on the property and four trees near the water. They would like the list of plants by October 13, 2021.

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

A motion for a negative #3 determination with the condition (Snow/Emerson) 5/0 passed.

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

4.6 7:46 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Anthony Allen

Property: 33 Oakland Drive, Spencer, MA

Anthony Allen joined the meeting. The permit was for an as-built, following a cease & desist notice. The Commission looked at the plans. Ms. Trifone discussed the site visits.

A motion to close the public meeting (Perry/Snow) 5/0 passed.

A motion for a negative #3 determination (Emerson/Perry) 5/0 passed.

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

4.7 7:51p.m. Opened the Public Hearing for the Notice of Intent for Edward Pendergast

Property: 99 Lakeshore Drive, Spencer, MA no DEP# issued.

The office received notification to continue to the next meeting. Ms. McLaughlin wanted to discuss her inspection. The applicant is proposing two addition concepts, but the plans only show one. Both additions need to be included on the plans. Erosion controls need to be on the plans. The Commission wanted to know if there was going to be a stockpile. They wanted to know where the septic was going. Any trees coming down need to be marked on the plans. The Commission would like Ms. Trifone to let the applicant know any changes to the plans must be provided to the Commission seven days prior to the meeting.

At the request of the applicant, the hearing has been continued to September 22, 2021.

4.8 8:06 p.m. Opened the Public Hearing for the Notice of Intent for Tiffany Myers
Property: 124 North Spencer Road, Spencer, MA DEP#293-1019

Tiffany Myers joined the meeting remotely. The plan is to put an inground pool on the property. Ms. McLaughlin read the inspection report. The DEP number was received. There were notes added from DEP about an unnamed riverfront. Ms. Trifone read the recommendation from DEP, which required minor changes be made to the NOI. The Commission would like to continue until the applicant updates the NOI.

At the request of the applicant, the hearing has been continued to September 22, 2021.

5.0 Other Business:

5.1 20 & 32 McCormick Road- The applicant's representative Scott Morrison from EcoTec, joined the meeting. Mr. Morrison provided the latest copies from Graves Engineering's inspection. Ms. McLaughlin read the inspection report.

A motion to grant the Certificate of Compliance (Snow/Perry) 5/0 passed.

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

5.2 Article 32- The Commission wanted to expand and change some of the wording to Article 32. Ms. McLaughlin had worked on changing the wording of Article 32 with Town Council. They hope that this change can happen at the fall town meeting.

5.3 24 Oak Lane- Ms. McLaughlin read the inspection report. Ms. Trifone said that she told the owners to re-seed where the wattles are located. The previous owner asked for the Certificate of Compliance.

*A motion to approve the Certificate of Compliance (Snow/Perry) 5/0 passed.
All in favor:*

5.4 21 Rustic Lane-Ms. McLaughlin read the inspection report. Ms. Trifone does not recommend approval yet. The grass has not been mowed three times. The Commission agreed to continue to the October 13, 2021 meeting.

All in favor to continue to September 22, 2021: Emerson-yes, Perry-yes, Snow-yes, Bellemer-yes, McLaughlin-yes.

5.5 63 GH Wilson 293-0572- The work was never done.

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

5.6 63 GH Wilson 293-0574- The work was never done.

A motion to grant the Certificate of Compliance (Perry/Snow) 5/0 passed.

5.7 9 Wilson Ave – Ms. McLaughlin wanted to know what is happening with the Emergency Order Mr. Russell issued for the retaining wall repair, which required an RDA. The office has not received the application. Ms. Trifone will follow up with the owner.

5.8 Open Meeting- Ms. McLaughlin wanted to know what is happening with the “Open Meeting” training. There are no dates yet. The Commission discussed inspections and the Open Meeting Law and have questions for the Interim Town Administrator. Ms. Trifone will let the Town Administrator know that the Commission is requesting his presence at the next meeting.

5.9 North Spencer Road- Mr. Bellemer said there was a shed on the property. If it is under 200 square feet and is not in the wetlands, a permit is not required.

6.0 Agent's Update:

6.1 Muzzy Pond- Ms. Trifone said that the Muzzy Pond project got delayed because of the rain. The work does not include picking up trash. It would be great if some volunteers could pick up the trash.

6.2 Sudgen Reservoir- The office received notification that the Lake Association would be applying treatment for the lilies.

6.3 32 North Spencer Road- We received the Peer Review today.

6.4 10 Meadow- Ms. Trifone signed the change order for Gillian Davies from BSC to do another Peer Review.

6.5 Permission to go on properties- Ms. Trifone wanted approval for the signed permission form allowing the Commission and Agents to go on properties. It would be included in the application packets. She consulted with Town Council. The Commission thought it was a good idea but would make minor revisions.

7.0 New Applications: 69 West Main Street – NOI
66 Browning Pond Rd – RDA
75 Bacon Hill Road – NOI

A motion to adjourn the meeting at 9:02 p.m. (Bellemer/Perry) passed 5/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 9/8/21 Conservation Commission Meeting

Agenda 9/8/21

Minutes 8/25/21

Continuance form Charlton & Bacon Hill Roads

Continuance form Lot 1 (32) North Spencer Road

Continuance form 10 Meadow Road

Continuance form 39 Chickering Road

Continuance form 124 North Spencer Road

34 Lamoureux Lane plans

34 Lamoureux Lane letter from Don Bonder

34 Lamoureux Lane DOA signed

33 Oakland Drive DOA signed

20 & 32 McCormick Road CofC signed

63 GH Wilson Lot 1 CofC signed

63 GH Wilson Lot 3 CofC signed

Article 32

24 Oak Lane CofC signed