

# Conservation Commission – Town of Spencer

## *Minutes*



Conservation Commission Meeting  
Wednesday, September 22, 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!**

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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:

**Minutes Approved:** *A motion to approve the minutes of September 8, 2021 as amended (Perry/Bellemer) 5/0 passed with a roll call vote: Bellemer-yes, Emerson-yes, Perry-yes, Snow-yes, McLaughlin-yes*

**Signed:** There were no items to sign.

### **4.1 7:07 p.m. Continued the Public Hearing for the Notice of Intent for Christine & Edwin Mullen**

#### **Property: Lot 1 (32) North Spencer Road, Spencer, MA**

Glenn Krevosky, from EBT Environmental Consultants, joined the hearing and discussed the letter requesting a variance for the 25-foot no disturbance zone. Mr. Krevosky

discussed the discrepancy between the two peer reviewers. Zachary Gless, from Existing Grade, Inc. joined the hearing and discussed drainage analysis and the CM values for infiltration rates for ground cover. The values to use are fair, good, or poor. The applicant used a fair rating for ground cover. Mr. Rinaldi, from BSC Group, would like them to switch the rating to good. Mr. Gless said that the impacts of changing the value are quite substantial to the project. It would drastically alter the site. The Commission would like BSC to come to the next meeting to work this out and allow the peer reviewer to make that decision.

*At the request of the applicant, the hearing has been continued to October 13, 2021.*

**4.2 7:20 p.m. Continued the Public Hearing for the Notice of Intent for Gordon Letour**

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

The applicant is going to be late to the hearing.

At 8:11 p.m. Peter Lavoie, from Summit Engineering, joined the hearing to discuss the project. It is a commercial site and the plans are to add a 4000 square-foot addition. They would like to remove 3000 feet of pavement and construct a basin with a swale. There was a BVW identified that Mr. Lavoie was unaware of. BSC recommended a wetland scientist be hired by the applicant to check the BVW.

*At the request of the applicant, the hearing has been continued to October 13, 2021.*

**4.3 7:21 p.m. Continued the Public Hearing for the Notice of Intent for Jeff Hebert**

**Property: 39 Chickering Road, Spencer, MA DEP#293-1018**

The representative Steven Balcewicz, from Land Planning, joined the hearing and discussed the proposed home and driveway. The utilities will be underground. The replication area will have a wetland plant mixture. The Commission looked at the plans in the proposed replication area while Mr. Balcewicz presented the plans. Ms. Trifone wanted to know how many trees were going to be removed. Mr. Balcewicz estimated 20-30 trees will be taken down. They will replace the trees that are removed. The Commission would like the trees that are to be removed be marked with a tape or some identifier. If they use hydraulic equipment they need a spill kit onsite. No equipment will be used south of flags 99-101. A special condition was added to the OOC that requires the Commission to do a site walk of the replication area before anything is removed. They would like the trees to be marked, including which stumps will be removed and which ones will remain to naturally compost.

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

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

*A motion to approve the Order of Conditions with special Conditions (Perry/Snow) 5/0 passed.*

**4.4 7:56 p.m. Continued the Public Hearing for the Notice of Intent for Edward Pendergast**

**Property: 99 Lakeshore Drive, Spencer, MA DEP#293-1020**

Jason Dubois, from DC Engineering, joined the hearing and presented the plans for an addition, new septic, and tree removal for the two properties. Mr. Bellemer wanted to know what size the leach field was. Mr. Pendergast said that it is designed for a 5-bedroom plan. The Commission would like replacement of the 14 trees/plants being removed, and notify the office of what will be planted by October 27, 2021.

*A motion to close the public hearing (Perry/Bellemer) 5/0 passed.*

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

*A motion to approve the Order of Conditions with Conditions noted (Perry/Snow) 5/0 passed.*

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

**4.5 8:25 p.m. Continued the Public Hearing for the Notice of Intent for Tiffany Myers**

**Property: 124 North Spencer Road, Spencer, MA DEP#293-1019**

The applicant addressed the DEP recommendations on the NOI. The Commission recommended wattles instead of hay bales.

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

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

*A motion to approve the Order of Conditions with special conditions (Perry/Snow) 5/0 passed.*

**4.6 8:35 p.m. Opened the Public Hearing for the Notice of Intent for Francis White**

**Property: 69 West Main Street, Spencer, MA DEP#293-1022**

Jean Christy, a Senior Engineer from Tighe & Bond, joined the hearing to present the plans. Ms. Christy presented the plans to upgrade the Wastewater Treatment plant that was constructed in the forties. There will be a new building, underground utilities, new water and gas services. They received a statement from Natural Heritage that the work will not affect the resource area. Jim LaPlante, Superintendent from the Sewer Department, joined remotely. He mentioned that if anyone wants to come down for a tour, they are welcome too. Call ahead to schedule a tour.

*At the request of the applicant, the hearing has been continued to October 13, 2021.*

**4.7 8:55 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Thomas Little**

**Property: 66 Browning Pond Road, Spencer, MA**

Mr. Bellemer is an abutter, so he recused himself from the meeting. Mr. Little joined the meeting and discussed the proposed trees he would like to take down. They are hanging over his father-in-law's house. The Commission would like replacement trees. He will notify the office about what type of plants will be planted as replacements by October 27, 2021.

*A motion to close the public meeting (Perry/Snow) 4/0 passed.*

*All in favor: Bellemer-yes, Snow-yes, Perry-yes, Emerson-yes, McLaughlin-yes.  
A motion for a negative #3 determination (Snow/Perry) 4/0 passed.*

**4.8 9:00 p.m. Opened the Public Hearing for the Notice of Intent for Keith & Jennifer Gilchrist**

**Property: 75 Bacon Hill Road, Spencer, MA DEP#293-1021**

Glenn Krevosky from, EBT Environmental Consultants, joined the hearing and discussed the tree removal. The Commission would like the applicant to plant trees/bushes to replace the ones being taken down. Notify the office by October 27, 2021 with the list of plants/trees. Ms. McLaughlin read inspection report.

*A motion to close the public hearing (Perry/Bellemer) 5/0 passed.*

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

*A motion to approve the Order of Conditions with special conditions (Snow/Perry) 5/0 passed.*

**5.0 Other Business**

**5.1 23 Lake Avenue** -Request for Certificate of Compliance. The work was never done.

*A motion to grant the Certificate of Compliance (Bellemer/Emerson) 5/0 passed.*

**5.2 28 East Charlton Road** – There was no time to do a site visit. This will be addressed at the October 13, 2021 meeting.

**6.0 Agent's Update**

**6.1 Violations & Complaints-** Westland Drive – The office has not heard back from the Westland Drive owners. The office has been receiving the certified mail slips with “Covid” written them.

9 Wilson – Ms. Trifone sent a letter telling the owners to file for work that was already done. The office received the permit application today.

31 Browning Pond Road – Enforcement Order for a driveway that was done. The owner needs to file an NOI. We have not heard back from the owner.

58 Thompson Pond Road – Ms. Trifone discussed the storage container. They will continue observing the site periodically.

18 Lake Ave – There are issues with stormwater. Ms. Trifone is going to let U&F know about the issues.

115 Charlton Road – Culvert -pipe appeared to be damaged. There was a question whether this was a town Culvert or state-owned culvert.

34 Lamoureux Lane – The tree company wants to use a crane. The Commission requires a boom if using a crane.

**6.2 Request for Approval of Site visit Permission**-Ms. Trifone would like the Commission to look at the newly written form and give their input.

**6.3 Other discussion items**- Article 32 – Bylaw discussion to put the 25-ft no touch zone back in the bylaw. It was taken out because it needed to be re-written. It was just a clarification. Ms. McLaughlin met with Town Council to amend the wording. Town Council did not put the amended wording regarding the 25-ft touch zone back in the article when they reworded “forestland” and “basal area”. It was on the Agenda at the Town Meeting in the Spring 2021. The Board of Selectman told Ms. McLaughlin it would have to wait until the Fall of 2021.

E-permitting – Ms. Trifone said that the quotes that Mr. Russell had researched were too expensive. She is going to research this some more.

Map/Plotter – Ms. Trifone is consulting with various companies for purchase.

Anonymous Complaints – Ms. Trifone would like to have a space on the Town’s website for folks to complain anonymously.

Continuance – Ms. Trifone suggested refiling legal notices for the hearings that continue for months and months.

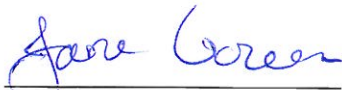
*A motion to buy our Conservation Agent a laptop (Perry/Bellemer) 4/0 passed.*

**7.0 New Applications:**

- 7.1 24 Briarcliff Lane – NOI
- 7.2 36 Westland Drive – RDA
- 7.3 32-47 Laurel Lane – RDA
- 7.4 45 Lambs Grove - RDA

*A motion to adjourn the meeting at 10:00 p.m. (Perry/Bellemer) 5/0 passed.*

Respectfully submitted by:



Jane Green, Senior Clerk  
Development & Inspectional Services

**Documents reviewed at the 9/22/21 Conservation Commission Meeting**

Agenda 9/22/21

Minutes 9/8/21

Continuance form Lot 1 (32) North Spencer Road

Plans 39 Chickering Road

Order of Conditions 39 Chickering Road

Order of Conditions 99 Lakeshore Drive

Continuance form 10 Meadow Road

Order of Conditions 124 North Spencer Road

Continuance form 69 West Main Street

Determination of Applicability 66 Browning Pond Road

Order of Conditions 75 Bacon Hill Road

Certificate of Compliance 23 Lake Avenue

Article 32