



# Conservation Commission – Town of Spencer

## *Minutes*

Conservation Commission Meeting  
Wednesday, January 11, 2023 at 6:15 p.m.  
Town Hall, McCourt Social Hall

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IN-PERSON AND REMOTE MEETING

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**PLEASE MUTE CELL PHONES AND ELECTRONIC DEVICES. IF  
ATTENDING REMOTELY, PLEASE REMAIN ON MUTE AT ALL TIMES,  
EXCEPT WHEN SPEAKING!**

**1.**The Meeting was opened at 6:15 p.m.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin,  
Shannon Thibault & Warren Snow

Staff present: Lauren Vivier, Jane Green

**2.**Signed: 18 Laurel Lane - Continuance

**3. Public Hearing/Meetings**

**6:19 p.m. Continued the Public Meeting for the Request for Determination of  
Applicability for John Kennedy**

**Property: Lot A East Charlton Road, Spencer, MA**

Ms. Vivier said from going to the site three times they were able to identify the proposed work location. There was a question as to where the buffer zone area was located. Ms. Vivier told Jason Dubois, of DC Engineering, that he should consult with the owner about filing for an NOI or Anrad because the inspection indicated the work may be within the buffer. Ms. Vivier suggested withdrawing the application and filing the appropriate one. Mr. Bellemer wanted to know if the driveway was marked. It was not marked.

*At request of the applicant, the hearing has been continued to January 25, 2023.*

**6:20 p.m. Continued the Public Hearing for the Notice of Intent for Gordon Letour**

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

Ms. Vivier said that we just received updated plans today. She has not reviewed them.

*At the request of the applicant, the hearing has been continued to January 25, 2023.*

**6:22 p.m. Continued the Public Hearing for the Notice of Intent for Colin**

**Derhammer**

**Property: Charlton & Bacon Hill Roads, Spencer, MA DEP#293-1040**

TJ Recuperero, Attorney for Bertin Engineering, said that they are waiting for an update from BSC Group. Ms. Vivier said that BSC will be scheduling their review within the next two weeks, and then there will be comments 2-3 weeks after that.

{During the discussion for Ash Street, Gary Woodbury, a resident, suggested going out to Charlton & Bacon Hill Roads on Friday. A rainstorm was predicted. The Commission scheduled a visit for Friday}.

*At the request of the applicant, the hearing will be continued to March 8, 2023.*

**6:26 p.m. Continued the Public Hearing for the Notice of Intent and SW Permit for**

**Colin Derhammer**

**Property: R27-1 Ash Street, Spencer, MA DEP#293-1037**

TJ Recuperero, Attorney for Bertin Engineering, was present. Calisto Bertin, from Bertin Engineering said that one of the comments about the detention basin in the 25' buffer was changed on the plans, and they moved the basin out of the buffer. Once the comments are received from BSC Group, Mr. Bertin said he would submit the updated plans. Ms. Vivier said that the centerline for the road was not staked out. There was a cleared cart road. She wanted to know if there was any possibility, they could use the cart road. Ms. Vivier wanted to know how they are going to get to the replication area. It is 900-ft away. Mr. Bertin said that there are some cart paths beyond the dam that could be used. He will look into figuring out how to get to the replication area. Ms. Vivier said that privacy should be considered for the home behind 131 Ash Street, as well as the wildlife in the heavily wooded area. The only flags that were reviewed were the ones for this project specifically.

*At the request of the applicant, the hearing has been continued to March 8, 2023.*

#### **4. Other Business:**

- a. **6 Bellevue Drive** - Request for CofC. Ms. McLaughlin read the inspection report.

*A motion to issue the CofC (Snow/Emerson) 5/0 passed.*

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

- b. **43 Lambs Grove** – Request for CofC. Ms. McLaughlin read the inspection report.

*A motion to issue the CofC (Emerson/Bellemer) 5/0 passed.*

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

- c. **26 Laurel Lane** – Request for CofC. Ms. McLaughlin read the inspection report. The work was never done. There was a platform in the wetlands that never had a permit. The Commission would like to hold off on the CofC until a permit is filed for the platform.

- d. **24 Chickering Road** – Request for CofC. Ms. McLaughlin read the inspection report.

*A motion to issue the CofC (Bellemer/Emerson) 5/0 passed.*

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

- e. **19 Wilson Avenue** – Request for CofC. Ms. McLaughlin read the inspection report. There were no concerns. The work reflects the plan.

*A motion to issue the CofC (Bellemer/Emerson) 5/0 passed.*

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

#### **5. Agent's Update:**

- **Open/new violations:**
  - a. **31 Browning Pond** – The owner received a fine for the excavation taken down. Ms. Vivier has not heard back from them.

- b. **66 & 68 Browning Pond** – The landscaper sent the fine to the owners and they paid the fine.
- c. **63 Lakeshore Drive** – There were four trees removed without a permit. Ms. Vivier found out the property sold in October. The new owner needs to submit an RDA. Ms. Vivier told the owner that if they want anything else done, add it to the RDA.
- d. **Westland Drive** – Ms. Vivier has not heard anything from the owner. There does not appear to be new dumping. The fines are outstanding in the amount of \$195.00.

## **6. General Board Discussion:**

- a. **MACC** – Ms. Vivier said that MACC is offering a lot of new classes. She encouraged the members to check them out.
- b. **Replication** – Ms. Vivier suggested to the Commission to look at the DEP Replication guidelines. There have been a lot of projects in Spencer with replication work.
- c. **Master Plan Advisory Committee** – The Committee is looking for volunteers to update the towns' master plan.
- d. **45 Kingsbury Road** – Ms Vivier sent a violation for the new structure.
- e. **Depot Trail** – There was a discussion about improving the trail and how to keep the ATV's out of the trails. The use of cameras was mentioned and putting down logs to block them was another suggestion as well. Jan Parke, from Common Ground Last Trust, said that in a neighboring town, they are going to put remote cameras in all the town parks. The cameras will be tied to the police department.
- f. **Tree Removal Policy** – Ms. Vivier made changes to the policy from the previous discussion with the Commission. There was talk of hiring a professional arborist for their expertise when needed. There was a suggestion to have the tree warden in town look at the policy for his input.

## **7.Minutes:** 12/14/22

*A motion to approve the minutes as amended (Emerson/Bellemer) 5/0 passed.*

## **8. New Applications:**

- a. 26 Point Eastalee – RDA – Tree removal
- b. 59 Lake Avenue – RDA – Level ground for shed.
- c. 6 Overlook Drive – NOI – Patio, rebuild wall.
- d. Woodside Road – NOI – Gravel driveway
- e. Meadow Road – NOI – Roadway improvements

## **9. Continuances:**

- a. 18 Laurel Lane – NOI – 1/25/23

**10. Adjournment:**

*A motion to adjourn the meeting at 7:44 p.m. (Emerson/Bellemer) passed 5/0.  
All in favor: Thibault- yes, Bellemer-yes, Snow-yes, Emerson-yes, McLaughlin-yes*

Respectfully submitted by:



Jane Green, Senior Clerk  
Development & Inspectional Services

**Documents reviewed at 1/11/23 Conservation Commission Meeting:**

Agenda 1/11/23

Minutes 12/14/22

Continuance form – 18 Laurel Lane

Continuance form – Lot A East Charlton Road

Continuance form – 10 Meadow Road

Continuance form – Charlton & Bacon Hill Roads

Continuance form – R27-1 Ash Street

Certificate of Compliance – 6 Bellevue Drive

Certificate of Compliance – 43 Lambs Grove

Certificate of Compliance – 24 Chickering Road

Certificate of Compliance – 19 Wilson Ave

Tree Removal Policy

