



Conservation Commission – Town of Spencer

Minutes

Conservation Commission Meeting
Wednesday November 16, 2022 at 6:15 p.m.
Town Hall, McCourt Social Hall

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

IN-PERSON AND REMOTE MEETING

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

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ATTENDING REMOTELY, PLEASE REMAIN ON MUTE AT ALL TIMES,
EXCEPT WHEN SPEAKING!**

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

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

Charlie Bellemer attempted to join remotely but the connection failed.

Staff present: Lauren Vivier & Jane Green

2. Signed: Continuance – 45 Oakland Drive to 12/14/22

3 Public Hearings/Meetings

a. 6:16 p.m. Continued the Public Hearing for the Notice of Intent for Gordon Letour

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

At the request of the applicant, the hearing has been continued to December 14, 2022

b.6:18 Continued the Public Hearing for the Notice of Intent for Cathy Weikel

Property: 18 Laurel Lane, Spencer, MA DEP#293-1045

At the request of the applicant, the hearing has been continued to December 14, 2022

4. Other Business:

- a. **14 Bellevue Drive – Request for CofC** – The request was for a septic system. Ms. Vivier said that the septic area looks good, and the retaining wall and the steps do as well. Ms. McLaughlin said the inspection report mimicked what Ms. Vivier discussed.

A motion to grant the CofC for 14 Bellevue Drive (Emerson/Snow) 4/0 passed.

All in favor: Thibault – yes, Emerson- yes, Snow-yes, McLaughlin-yes

- b. **20 GH Wilson Road – Request for CofC** -The request was for septic system. The tenants left the property a mess. There was debris and trash in the wetlands. The owners worked over the weekend to clean it up. They did a fantastic clean up job.

A motion for the CofC for 20 GH Wilson Road (Emerson/Snow) 4/0 passed.

All in favor: Thibault – yes, Emerson- yes, Snow-yes, McLaughlin-yes

c. **Discussion: SWTP (Spencer Wastewater Treatment Plant) Project Update**

- **Findings** - Ryan Seagull, from Tighe & Bond, said that there was burned debris under the soil. They have been working closely with the town and DEP to move forward with the project. They will perform additional test pits. They need to work with the contractor to figure out disposal options and find out which landfills in the region will take the materials. They will have a RAM plan (properly handling the materials).
- **Snowbirds Snowmobile** – Ms. Vivier said that the Snowmobile area trail accesses some of that land. That area is off limits now because of the expansion. There is a need to find an alternate route for the Snowmobile trail. Ms. Vivier asked that it be done with the least

amount of removal. Jim Laplante, Superintendent of the Sewer Department, would like another site visit and walk through.

Daniel Reeve, President of the Snowbirds, introduced himself. The Snowbirds have been a club in Spencer for fifty years. They are all about outdoor recreation and outdoor usage. The club was part of the development of the Rail Trail. It is not a multi-use club. Matt Graves, Board of Directors for the snowmobile club, has concerns with the culvert erosion that has been washed out for a while. Randy Richards, Board of Directors, said they need five to six feet of width for the trail groomers to physically access the trail. They are trying to stop the snowmobile traffic from traveling on South Spencer Road. It's a safety concern. They need to be able to get to food and gas. They need to have a designated trail in order to remain covered by their million-dollar insurance policy. Frank White, from the Sewer Commission, said that there are two tree stumps that are very dangerous. He recommends removal. Mr. White also said that someone took down a part of the fence. Mr. Laplante said that someone did come along and remove silt fence and part of the chain link fence. They do not believe it is the Snowbirds. It has happened in the past. They have been putting cameras in that area.

The connection to those that were remote stopped working.

- d. **Discussion: Tree removal policy:** Ms. Vivier recommended discussing this at the next meeting when all the members are present.

5. Agent's Update:

- **Open/new violations**
 - a. **Hastings Road** – Ms. Vivier said that contractor has done some work to fix the erosion. The water has stopped, and the erosion controls are effective. They still need to clean out the ditch. U & F is involved because they are the stormwater authority, and they issued the driveway permit.
 - b. **Westland Drive** – Another fine was issued. Ms. Vivier does not believe the dumping is from the property owners because they live elsewhere. She sent letters to five abutting neighbors along with information on why dumping in wetlands is harmful.
 - c. **61 Lake Avenue** -There was an excavator on site and the ground was disturbed. Ms. Vivier issued a Stop Work Order. She sent out a notice with a fine. We have not heard anything.

- d. **94 Pleasant Street** – Ms. Vivier received a phone call about a truck in the wetlands. This is a new issue for Conservation but not the town. This truck had been left on a different part of the property and the building inspector issued several fines for parking construction vehicles in a residential zone.
- e. **63 Lakeshore Drive** – We received an anonymous message that a tree was removed and an excavator was on site. Ms. Vivier went to check it out and there were no trees left on the property. She sent out a violation which requires them to come to the meeting in December.
- f. **66 & 68 Browning Pond Road** – Fines were issued due to digging without a permit. The landscaper is filing for an abbreviated NOI.

6. Other discussion items:

- a. **195 Charlton Road** – The homeowners are looking to expedite the work because the septic is failing. Ms. Vivier said that if the site visit shows it is failing, she suggests administrative approval.
- b. **Interns** – Ms. Vivier has some high school interns working with us this year. She was thinking of having them study the vernal pool across from 10 Meadow Road. Ms. McLaughlin said that spring would be a great time to work on that.
- c. **Expired Permits** – Ms. Vivier said that with many of the old projects, an as-built plan was required in the Order of Conditions. While working on expired permits, we have concluded that this is causing a big hassle for the folks trying to close out an Order of Conditions. A letter from an Engineer stating the work was done according to the plans was another requirement. Ms. Vivier wanted to know if the Commission could make a decision on a case-by-case basis depending on how old the project is, whether an as-built is required or a letter from the Engineer.

7. Minutes 10/26/22

*A motion to approve the minutes as amended (Emerson/Snow) 4/0 passed.
All in favor: Thibault – yes, Emerson- yes, Snow-yes, McLaughlin-yes*

8. New Applications:

- a. **195 Charlton Road – RDA**
- b. **83 Northwest Road – RDA**
- c. **19 Bixby Road – Request for CofC**
- d. **24 Chickering Road – Request for CofC**

9. Continuances:

- a. **45 Oakland Drive – RDA**
- b. **Ash Street – NOI**
- c. **Charlton & Bacon Hill Roads - NOI**

10. Adjournment

*A motion to adjourn the meeting at 7:25 p.m. (Emerson/Snow) passed 4/0.
All in favor: Thibault – yes, Emerson- yes, Snow-yes, McLaughlin-yes*

Respectfully submitted by:


Jane Green, Senior Clerk
Development & Inspectional Services

Documents Reviewed at the 11/16/22 Conservation Commission Meeting

AGENDA – 11/16/22
MINUTES – 10/26/22
CONTINUANCE FORM – 10 MEADOW ROAD
CONTINUANCE FORM – 45 OAKLAND DRIVE
CONTINUANCE FORM – 18 LAUREL LANE
CERTIFICATE OF COMPLIANCE – 14 BELLEVUE DRIVE
CERTIFICATE OF COMPLIANCE – 20 GH WILSON ROAD

