

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, February 14, 2024, at 6:15 p.m.
Town Hall, McCourt Social Hall

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

<http://meet.goto.com/spencerODIS/conservation>

IN-PERSON AND REMOTE MEETING

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

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

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

Commissioners Present: Charlie Bellemer, Margaret Emerson (Acting Chair), Shannon Housh & Warren Snow (remote)

Commissioners Absent: Mary McLaughlin & Dennis Shiver

Staff present: Lauren Vivier, Jane Green (remote)

2. Sign: 230 North Spencer Road – Enforcement Order – signed
The members signed the Enforcement Order.

3. Public Hearings/Meetings:

**6:16 p.m. Opened the Public Hearing for the Notice of Intent for Robert Lowell
Property: 92 McCormick Road, Spencer, MA DEP#293-1068**

The project was discussed at the last meeting regarding the clean-up of soils at the

former shotgun range at Camp Marshall. The DEP number was issued. Ms. Vivier discussed the special conditions. Ms. Emerson suggested the restoration should be inspected three times a year rather than two times because of the unpredictability of the weather.

A motion to close the public hearing (Bellemer/Housh) 4/0 passed.

All in favor: Bellemer-yes, Housh-yes, Snow-yes, Emerson-yes

A motion to waive the 25-ft requirement (Bellemer/Housh) 4/0 passed.

All in favor: Bellemer-yes, Housh-yes, Snow-yes, Emerson-yes

A motion to approve the Order of Conditions (Bellemer/House) 4/0 passed.

All in favor: Bellemer-yes, Housh-yes, Snow-yes, Emerson-yes

4. Other Business:

a. 53 Highland Street: Request for Certificate of Compliance. Ms. Vivier went for the site visit. She said the area where the millings were placed looked stable. The Commission looked at the photos. The Commission agreed to approve the CofC.

A motion to approve the Certificate of Compliance (Bellemer/Housh) 5/0 passed.

All in favor: Bellemer-yes, Housh-yes, Snow-yes, Emerson-yes

b. 16 Stiles Avenue: Request for Certificate of Compliance. Ms. Vivier said the project was for the demolition of a house and a rebuild. The house was done according to the plans. The Commission looked at the pictures. Ms. Vivier pointed out the area where the sand was put down. The Commission discussed the issue with the sand. Ms. Emerson suggested the Commission do an inspection. Ms. Vivier is going to recommend stabilization at the top of the stairs.

c. 31 Kittredge Road: Request for partial Certificate of Compliance. Ms. Vivier said that this was part of a housing development from the 1990's. The parcel was part of the development, but it wasn't developed. The land is wooded and the majority of it is wetlands that are untouched. Ms. Vivier recommended the partial CofC. The Commission agreed to approving the partial CofC.

A motion to issue a partial CofC at 31 Kittredge Rd (Bellemer/Housh) 4/0 passed.

All in favor Bellemer-yes, Housh-yes, Snow-yes, Emerson-yes

d. Discussion: Winter Weather Policy: Ms. Vivier said that Mr. Snow wanted this on the agenda. Mr. Snow said that we should have a policy about the weather. Ms. Vivier said that we go by the weather policy that the Town Hall follows. Ms. Vivier said

the meetings are still hybrid and if someone does not want to drive, they can join remotely. Mr. Snow said that he was fine with the current protocol.

e. Discussion: 310 CMR 10.00: Wetlands Protection Act Amendment: Ms. Emerson agreed to most of the changes to the amendment, but she doesn't like using the data from the 1990's. Ms. Vivier wondered if it has something to do with the software. There was a discussion on the weather and the changes over time. Mr. Snow said that the state of Massachusetts has 150 years of data on climate. The last trend he looked at was a steady trend that stated the weather will be hotter and wetter. Mr. Snow said that most of the lakes in Massachusetts are artificial. He recommends different rules for manmade bodies of water versus natural bodies of water.

5. Agent's Update:

- **Violations & Complaints: 230 North Spencer Road:** Ms. Vivier said that the owner requested a release of the bond. The owner's wife called and wanted to know what needed to be done. She was going to let her husband know. The owner never called the office. Ms. Vivier issued a NOV and followed with the Enforcement Order.

Camp Marshall Bridge: Ms. Vivier spoke with the Snowbirds Vice President. He received a notice from DCR a few years ago, which stated that they cannot use the trail anymore, because of the contamination on the site. She reached out to Camp Marshall, who owns the land. Camp Marshall never received a notice from DCR. The Commission will recommend to the camp to remove the bridge, because it is a safety matter.

- **Other discussion items:**

MACC Reminder: Ms. Vivier reminded the Commission about the upcoming Conference.

E-permitting- Ms. Vivier wanted the Commission to know that we are moving towards e-permitting.

Policies & Procedures: Ms. Vivier told the Commission that she is working on the Conservation policies and procedures. She wants to reorganize the contents to make it flow. Ms. Housh recommended reviewing it in sections.

6. Citizen Input:

7. Minutes: 1/24/24

*A motion to approve the 1/24/24 minutes as amended (Bellemer/Housh) 4/0 passed.
All in favor: Bellemer-yes, Housh-yes, Snow-yes, Emerson-yes*

8. New Applications:

- a. NOI – Wire Village – Baseball field
- b. NOI – 8 Wilson Street – Single-family home
- c. Request for CofC -21 Ethier Drive -293-0789
- d. Request for CofC – 21 Ethier Drive – 293-0877

9. Continuances:

- a. **76 Thompson Pond** -2/28/24
- b. **10 Meadow Road** – waiting on DEP Commissioner variance 4/24/24.
- c. **U24-17 Meadow Road** – waiting on DEP Commissioner variance 4/24/24.

10. Adjournment:

A motion to adjourn the meeting at 7:24 p.m. (Bellemer/Emerson) passed 4/0.

Respectfully submitted by:



Jane Green, Senior Clerk
Development & Inspectional Services

Documents Reviewed at 2/14/24 Conservation Commission Meeting

Agenda 2/14/24

Minutes 1/24/24

Order of Conditions – 92 McCormick Road

Certificate of Compliance -53 Highland

Partial Certificate of Compliance – 31 Kittredge Road

Winter Weather Policy

310 CMR 10.00 Wetlands Protection Act Amendment

230 North Spencer Road – Enforcement Order

