



Conservation Commission – Town of Spencer

Minutes

Conservation Commission Meeting
Wednesday March 22, 2023 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.

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

You can also dial in using your phone.

United States: +1 (571) 317-3122

Access Code: 454 – 205 - 589

**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. Continuance: 10 Meadow Road signed.

3. Public Hearings/Meetings:

a. 7:15 p.m. Opened the Public Hearing for the Request for Determination of Applicability for Samantha Tomer

Property: 31 Browning Pond Road, Spencer, MA

Steve Valley, from 31 Browning Pond Road, said that they did not know they needed a permit to remove trees. Ms. McLaughlin read the inspection report. Twenty trees were cut down. The Commission would like replacement plantings. The Commission would like the applicant to call by the end of May with a plant list.

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

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

A motion for a negative determination with 17 replacement plantings (Snow/Bellemer) 5/0 passed.

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

b. 6:26 p.m. Opened the Public Hearing for the Abbreviated Notice of Intent for David Schnare

Property: 68 Browning Pond Road, Spencer, MA DEP#293-1050

David Schnare joined remotely and said the landscaper that he hired did not know that they needed a permit for the patio down by the water. Ms. McLaughlin said that the patio was built within the 25-ft no touch zone. Ms. McLaughlin read the inspection report. She said that if they had come before the Commission beforehand, this would have been denied. Ms. Vivier is concerned with the loose stone near the patio. It could end up in the lake. The silt fence needs to come out. The Commission discussed the conditions. They would like a landscaping plan that includes stabilizing the stones near the shore, and to continue the meeting until May 24, 2023 (Charlie Bellemer recused himself).

At the request of the applicant, the meeting has been continued to May 24, 2023.

c. Continue the Public Hearing for the Notice of Intent for Gordon Letour

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

The applicant was not present.

At the request of the applicant, the hearing has been continued to April 12, 2023.

d. Continue the Public Hearing for the Notice of Intent for Gordon Letour

Property: U24-17 Meadow Road, Spencer, MA DEP#293-1052

The applicant was not present.

At the request of the applicant, the hearing has been continued to April 12, 2023.

e. 6:45 p.m. Continue the Public Hearing for the Notice of Intent for Cathy Weikel

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

Richard Chafee and Cathy Weikel attended the hearing. Mr. Chafee proposed a septic system with some tree removal. The applicant would like to replace a retaining wall by the shore. They will use straw wattles. There will be no stockpile. The Commission would like replacement plantings.

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

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

A motion to approve the NOI with conditions noted (Snow/Bellemer) 5/0 passed.

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

f. 6:57 p.m. Continue the Public Hearing for the Notice of Intent and SW Permit for Stephen Meltzer

Property: U17/15 Wilson Street & 11 Rustic Lane, Spencer, MA DEP#293-1051

Steve Meltzer and Kate O'Donnell, from Ecotec, Inc., were present for the hearing. Ms. O'Donnell discussed the updates to the stormwater portion of the plans. The Engineer updated the plans to add roof drains to the house that drain to a drywell. He added information on the plans about crushed stone, on the driveway, that will cover 500 cubic feet. It was also noted that the leach field is a raised system with highly impermeable sand. Ms. Vivier would like a landscaping plan once the work is done. The Commission would like replacement plantings for the trees removed. Brenda Usher, of 21 Castle Lane, wanted to know what trees were coming down. Ms. O'Donnell said only the ones in the buffer zone. Ms. Usher wanted to know if the house plan was done. Ms. Vivier said that the house plan was not done yet, but it is noted on the plan that there will be drains on the roof that will manage the water coming off the roof. Ms. Usher wanted to know where the water goes once it leaves this property. Ms. O'Donnell said that there is a stormwater plan that will take care of the drainage.

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

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

A motion to accept the NOI with conditions noted (Snow/Emerson) 5/0 passed.

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

4. Other Business:

- a. **Tree Removal Policy:** Ms. Vivier discussed the draft policy with the Commission.
- b. **Housing Production Plan Comments:** Ms. Vivier encouraged the Commission to look at the plan and respond.

5. Agent's Update:

- a. **Violations & Complaints:**

1. **93 Meadow Road:** Following up on digging at this address, Ms. Vivier and the Commission said that the digging has to stop. It is still questionable whether the property is his.
 2. **17 Shore Drive:** The proposed home has silt fence that has failed. The drainage ditch is full. The building permit has expired. Ms. Vivier would like the Commission to observe the property during the upcoming wet season. If sediment travels to the water, it will become an issue with Conservation.
 3. **45 Kingsbury:** The new owner needs to submit an RDA for the garage.
 4. **269 Main Street:** The office received an email from Joelyn Durgin about stormwater issues coming from 9 Roy's Drive. Ms. Vivier read the letter. Ms. McLaughlin said that there is nothing the Commission could do. They have been to this address before and walked it with the owner. The land has an agricultural exemption. Ms. Vivier said that she is going to go look at it because she has never done a site walk at the address before, and she wants to follow up with Ms. Durgin.
 5. **54 R Jones Road:** The owner put up a greenhouse which has an agricultural exemption. There are piles of dirt close to the stream. Ms. Vivier sent a letter. They need to cover the dirt.
- b. **Other Discussion items:** The Master Plan Survey is available to take. Ms. Vivier encouraged the Commission to take the survey.

6. Minutes: 3/8/23

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

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

7. New Applications:

- a. 43 Oakland Drive – RDA – After the fact tree removal

8. Continuances:

- a. Charlton & Bacon Hill Roads – 4/26/23
- b. Ash Street – 4/26/23

9. Adjournment:

A motion to close the public hearing at 8:14 p.m. (Bellemer/Emerson) 5/0 passed.

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 3/22/23 CONSERVATION COMMISSION MEETING

AGENDA 3/22/34

MINUTES 3/8/23

DOA – 31 BROWING POND ROAD

CONTINUANCE – 68 BROWNING POND ROAD

CONTINUANCE – 10 MEADOW ROAD

CONTINUANCE – U24-17 MEADOW ROAD

OOC – 18 LAUREL LANE

OOC U17/15 WILSON STREET & 11 RUSTIC LANE

TREE REMOVAL POLICY

