



Conservation Commission – Town of Spencer

Minutes

Conservation Commission Meeting
Wednesday March 8, 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

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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

Staff absent: Jane Green

2. Public Hearings/Meetings

a. 6:15 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Alan Stanwick

Property: 59 Wilson Avenue, Spencer, MA

Mr. Stanwick would like to take down a tree that is in bad shape and another one that

needs trimming. Ms. McLaughlin read the inspection report. The Commission looked at the pictures. During the discussion, Mr. Stanwick decided he would like to take down the second tree. He added it to the plans. The Commission requested replacement plantings.

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

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

A motion for a negative determination (Bellemer/Emerson) 5/0 passed.

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

b. 6:25 p.m. Opened the Public Hearing for the Notice of Intent for Gordon Letour Property: U24-17 Meadow Road no DEP# issued.

Glenn Krevosky, from EBT Environmental Consultants, Inc., said that they received The Natural Heritage program letter regarding the management of rare species. The Peer Reviewer, BSC, gave a \$4000 estimate to do the review. Natural Heritage would like debris to be removed when the turtles are in the water, which is from April to June. Mr. Krevosky explained the work and how it will be removed. The work area will be seeded and wetland plants will be used. Mr. Krevosky has made a lot of improvements. The members were given the Wood Turtle Protection Plan.

At the request of the applicant, the hearing has been continued to March 22, 2023.

c. 6:35 p.m. Opened the Public Hearing for the Notice of Intent and SW Permit for Stephen Meltzer

Property: U17-15 Wilson Street & 11 Rustic Lane, Spencer, MA no DEP# issued.

Mr. Meltzer and Kate O'Donnell from Ecotec, Inc., presented the plans for a single-family home. Ms. O'Donnell discussed the work in the buffer zone. Ms. McLaughlin read the inspection report. Ms. Vivier brought up the DEP comments. Ms. O'Donnell addressed the comments. Mr. Meltzer said that they may be able to mitigate the stormwater that has been coming down the lane. It is outside the buffer zone. The Commission looked at the plans.

Mark Gallant, of 22 Castle Lane wanted to know if they had the old plans of what used to be there. Julie Gallant, a resident, is concerned with the drain water and that their property could get washed out. Ms. O'Donnell said that it would have to be maintained. Mr. Gallant said that the water table is above the ground. Mr. Gallant is concerned with the water problems on the road. There was a discussion about private roads. Ms. Vivier reminded everyone that this is a stormwater permit. The Commission wants the stormwater plan on the Engineering plans. The Commission wants to know how the water is going to be managed so sediment doesn't go into the lake.

At the request of the applicant, the hearing has been continued to March 22, 2023.

d. 7:20 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

Ms. Vivier said that she received the Peer review comments for the wetlands &

stormwater review. The peer reviewers were going to join the meeting. Matt Burne, a Senior Ecologist from BSC, reviewed the wetlands comments. Mr. Burne is concerned that all of the wetlands are not reviewed. He thinks all of it should be reviewed. He suggested doing an ANRAD for the entire site. There are potential vernal pools on the site. They should be valued. Mr. Snow said we need a response from the applicant. Ms. Vivier said that the replication area and fill need to be addressed by the applicant. Mr. Burne said that there are a lot of problems with the replication area that is proposed. Calisto Bertin said they are moving the replication area and reducing the fill. Mr. Bertin said that there is a 5-page document with all the wetlands delineated. Mr. Bertin said there are three potential vernal pools outside the work area. This document has not been submitted yet. T.J. Recupero, Attorney for Bertin Engineering, discussed wetland delineation. The same information to file an ANRAD would be in a Notice of Intent. Corey Brodeur, with Haley Ward, discussed the comments from the Stormwater peer review.

At the request of the applicant, the hearing has been continued to April 26, 2023.

e. 8:00 p.m. Continued the Public Hearing for the Notice of Intent and SW Permit for Colin Derhammer

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

Ms. Vivier said that the Peer review comments just came in this afternoon. Adrienne Lennon, Senior Ecologist and project manager for BSC, went over the comments. Mr. Woodbury called in to the meeting. He is having an environmental check done on his home. The water runs onto his property where his well is located. He is very concerned with what could be in the water. Dominic Rinaldi, of BSC, Senior Civil Engineer, has been working on this project since 2020. The infiltration system still seems to be in or on ledge which can infiltrate into rock. The Commission reiterated to the applicant to address the comments from BSC in order to move forward.

At the request of the applicant, the hearing has been continued to April 26, 2023.

f. 8:22 p.m. Continued the Public Hearing for the Notice of Intent for Jeffrey Bridges

with the Town of Spencer

Property: Meadow Road (Rehabilitation Rt 9 to 31), Spencer, MA DEP#293-1049

Eric Olson and Amanda Bazinet, from VHB, joined the hearing. Ms. Bazinet discussed how they handle a DOT (Department of Transportation) job for turtle protection. Ms. Bazinet handed out copies of the barrier fencing plans for the Commission to look at. She said that DOT will review the plans and may make comments. Ms. Vivier went over the standard conditions. Matt Defosse, a resident, wanted to know if there will be a barrier on the west side to prevent turtles from going onto the roads. Ms. Bazinet said there would be barriers in that location. The Commission agreed to the project.

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

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

*A motion to approve the project with the conditions (Snow/Emerson) 5/0 passed.
All in favor: Thibault-yes, Bellmer-yes, Emerson-yes, Snow-yes, McLaughlin-yes*

3. Other Business:

a. 17 Condon Drive – Request for CofC

Ms. Vivier said that this was for a septic that was constructed from 2009. Ms. Vivier and Ms. McLaughlin did the site visit. They did not see any issues. The Commission agreed to approve the CofC.

*A motion to issue the CofC (Bellemer/Emerson) 4/0 passed (Mr. Snow abstained).
All in favor: Thibault-yes, Bellmer-yes, Emerson-yes, McLaughlin-yes*

b. 63 Browning Pond Road – Request for CofC

Ms. Vivier said that this was for a demolition of a small shed. Ms. Vivier and Ms. McLaughlin did not see any issues. The Commission agreed to approve the CofC.

*A motion to approve the CofC (Bellemer/Emerson) 5/0 passed.
All in favor: Thibault-yes, Bellmer-yes, Emerson-yes, Snow-yes, McLaughlin-yes*

c. 11 Bond Street – Request for CofC

Ms. McLaughlin read the inspection report for the septic. Ms. Vivier recommended approval.

*A motion to approve the CofC (Bellemer/Emerson) 5/0 passed.
All in favor: Thibault-yes, Bellmer-yes, Emerson-yes, Snow-yes, McLaughlin-yes*

d. 17 Laurel Lane – Request for CofC

Ms. Vivier said that the dirt pile needs to be taken care of and once that is done, the Commission will agree to the CofC.

e. Tree Removal Policy

Ms. Vivier would like some more time to update the policy. Ms. Emerson attended some of the workshops at MACC (Massachusetts Association of Conservation Commissions). There was some valuable information she would like to share with the Commission on trees. This will be discussed at the next meeting.

4. Agent's Update:

a. Violations & Complaints:

The new applications are from violations that were found.

5. General Board Discussion:

a. Ethics class

Ms. Vivier emailed the link for the Ethics class to the members. Some people were having issues getting in. If there were problems, let the office know.

b. Parks & Rec. Meeting

Ms. Vivier went to the meeting and said it was very informative. The concensus was that cameras are a great way to monitor the trails.

6. New Applications:

a. 68 Browning Pond Road – ANOI – Stone paver patio

b. 31 Browning Pond Road – RDA – Tree removal

7. Minutes: 2/22/23

A motion to accept the 2/22/23 minutes as amended (Bellemer/Emerson) 5/0 passed.

8. Continuances:

a. 10 Meadow Road

b. 18 Laurel Lane

9. Adjournment:

A motion to adjourn the public hearing at 9:05 p.m. (Bellemer/Emerson) 5/0 passed.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

DOCUMENTS REVIEWED AT 3/8/23 CONSERVATION COMMISSION MEETING

AGENDA – 3/8/23

MINUTES - 2/22/23

DOA – 59 WILSON AVE

CONTINUANCE – U24-17 MEADOW ROAD

CONTINUANCE – 717-15 WILSON STREET & 11 RUSTIC LANE

CONTINUANCE – R27-1 ASH STREET

CONTINUANCE – CHARLTON & BACON HILL ROADS

ORDER OF CONDITIONS – MEADOW RD REHABILITATION RT 9-31

CERTIFICATE OF COMPLIANCE – 17 CONDON DRIVE

CERTIFICATE OF COMPLIANCE – 63 BROWNING POND ROAD

CERTIFICATE OF COMPLIANCE – 11 BOND STREET

TREE REMOVAL POLICY

WOOD TURTLE PROTECTION PLAN