

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, March 9, 2022 at 6:15 PM
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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1. The Meeting was opened at 6:15 p.m.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin,
Robert Perry & Warren Snow (arrived 6:20 p.m.)

Staff present: Lauren Trifone, Jane Green

2. Public Hearing/Meetings

a. 6:17 p.m. Continued the Public Hearing for the Notice of Intent for Robert Dirsas Property: Burncoat Pond, Spencer, MA DEP#293-1030

Dominic Meringolo, from Solitude Lake Management, updated the Commission on the comments received by Natural Heritage. They found an endangered species of pond weed that was not there years ago. Mr. Meringolo discussed the chemicals to be used for the proposed treatment. Ms. Trifone wanted to know if they are going to treat the Leicester portion of the pond. Mr. Meringolo said that the letter from Natural Heritage applies to all portions of the pond. They need to wait to hear back from Natural Heritage about what needs to be done.

At the request of the applicant, the hearing has been continued to April 13, 2022.

b. 6:27 p.m. Continued the public Hearing for the Notice of Intent for William Gribbons

Property: 79 Wilson Avenue, Spencer, MA DEP#293-1032

Jason Dubois, from DC Engineering, said that the DEP number was received. Ms. Trifone went over the special conditions. The Commission agreed to the proposed project.

A motion to close the public hearing (Perry/Emerson) 4/0 passed.

All in favor: Perry-Aye, Bellemer-Aye, Emerson-Aye, McLaughlin-Aye

A motion to approve the Oof C with conditions at 79 Wilson Ave (Perry/ Emerson) 4/0 passed.

All in favor: Emerson-Aye, Perry-Aye, Bellemer-Aye, McLaughlin-Aye.

c. 6:35 Opened the Public Hearing for the Notice of Intent for Theodore Labonte

Property: U15-53 Roys Drive, Spencer, MA DEP#293-1031

Scott Jordan, from Ecotec, said the proposed project is to develop a duplex. He discussed the plans. A portion of the project is in the buffer zone. The bulk of the project will be grading. An abutter, Kathleen Sullivan, asked if there was going to be water diversion. Mr. Jordan said there will be no changes to the run-off. The water will flow westerly towards the wetlands. They are proposing an infiltration trench. Lucinda Puchalski, a resident, wanted to know if the building was going to be on the portion where the fill is. Mr. Jordan said that it is. Mr. Jordan showed the contours on the plans. Ms. Puchalski wanted to know how the duplex was designed. Mr. Labonte explained the plans for the duplex. Ms. Puchalski was concerned about the location of the driveway. There was discussion about this and then the Commission said that U&F handles the driveway permits. Ms. Trifone went over the special conditions.

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

All in favor: Perry-Aye, Bellemer-Aye, Emerson-Aye, McLaughlin-Aye.

A motion to approve with special conditions at U15-53 Roys Drive (Perry/Emerson) 4/0 passed.

All in favor: Perry-Aye, Bellemer-Aye, Emerson-Aye, McLaughlin-Aye.

3. Other Business:

- a. Thompson Pond – Marty Nathan stated that they are requesting an Extension to the Order of Conditions for treatment of the weeds at Thompson Pond. They have been treating the milfoil since 1990. Mr. Nathan said that they received a \$20,000 grant in 2020 and they treated it with ProcellaCor. In 2021, they found no milfoil after treatment. They received another grant for \$16,000 from the Department of Conservation and Recreation. They did not need to do a treatment in 2021. They were able to carry over the grant money into 2022. Once they determine if there is any milfoil, they will treat it along with the other weeds. Thompson Pond is

owned by the state along with the dam/outlook structure. Years ago, the Lake Association did an investigation for a drawdown to treat the weeds. The Office of Dam Safety did not allow them to do a drawdown due to the characteristics of the dam.

Mr. Bellemer recommended that the oxygen level be tested prior to any weed treatment because there has been fish kill in the past. Mr. Meringolo said that they could test the oxygen beforehand. They do have oxygen meters at their company. Mr. Nathan said that they do test for oxygen twice a year.

*A motion to extend the OofC for Thompson Pond (Perry/Snow) 5/0 passed.
All in favor: Perry-Aye, Bellemer-Aye, Snow-Aye, Emerson-Aye, McLaughlin-Aye.*

- b. Rail Trail – Bill Shemeth discussed the Rail Trail project and updated the Commission on the current conditions. The location of the trail is from South Spencer Road to Chestnut Street. They want to put a Kiosk at O’Gara Park, and a walkway to connect the parking lot to the trail. There are some grants that could be used with permission from the Conservation Commission. Mr. Shemeth wanted to know if the Conservation Commission had any concerns. There was a discussion on a part of the trail from Chestnut Street to Elm Street. Mr. Shemeth said that the residents are encroaching on part of the trail for their own property. Ms. Emerson had concern with netting from wattles that are deteriorating from previous projects. The Commission would like to go out and look at the trail. Ms. Trifone wanted to know if there are any current ways of monitoring how many people use the trail. Mr. Shemeth said that there is not, and it would be too expensive. Ms. Trifone said that in Sturbridge they use a tracker that counts the number of people that use the trails.
- c. Briarcliff Lane – The current placement of the well is in a spot with some mature trees. Jason Dubois made a new well design that is further from the wetlands and the trees that need to be removed are less mature.
Mr. Bellemer suggested that when there are changes to plans that they be done in a different color.

A motion to approve the changes to the plans at Briarcliff Lane (Perry/Snow) 5/0 passed.

- d. Hastings Road Bridge – Ms. Trifone said that they are hoping to have the project done by this year, but it may not be until next year.

*A motion to extend the Order of Conditions (Perry/Bellemer) 5/0 passed.
All in favor: Perry-Aye, Bellemer-Aye, Snow-aye, Emerson-Aye, McLaughlin-Aye*

4. Agent’s Update:

- a. Briarcliff/Cranberry Lane – Violation – A neighbor was clearing land that was not their land to get waterfront access. They removed trees and put stairs in the water. Ms. Trifone requested the people file an RDA for cutting the trees and they need to remove the stairs.
- b. Ash Street /Charlton & Bacon Hill Roads - Update. We are supposed to be getting NOI's for both addresses. There was a discussion on BSC's Peer Review costs.
- c. First Congregational United Church – Ms. Trifone is having an event meeting with the coordinator for the town clean-up. Mr. Snow wanted to know if the Land Trust knew about the clean-up. Ms. Trifone asked the Commission if there were any areas that could really use clean up.
- d. Ms. Trifone is sending out wetlands information letters to all of the tree removal companies and landscape companies.

5. New Applications:

- a. RDA – 12 Bond Street
- b. RDA – 10 Lamoureux Lane

6. Minutes – *A motion to approve the 2/23/22 minutes as amended (Snow/Bellemer) 5/0 passed.*

7. A motion to adjourn the meeting at 8:05 p.m. (Perry/Bellemer) passed 5/0.

Respectfully submitted by:



Jane Green, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 3/9/22 Conservation Commission Meeting

Agenda 3/9/22

Minutes 2/23/22

Continuance form - Burncoat Pond

Order of Conditions – 79 Wilson Avenue

Order of Conditions – U15-53 Roys Drive

Extension Order of Conditions – Thompson Pond

Extension Order of Conditions – Hastings Road Bridge