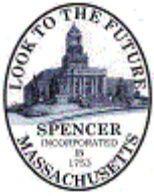


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, May 12, 2021 at 7:00 PM
Town Hall, McCourt Social Hall

NOTE: THIS IS A REMOTE MEETING AND ALL PRESENTATIONS, QUESTIONS, COMMENTS AND/OR DISCUSSIONS WILL TAKE PLACE VIA TELEPHONE CALL IN. IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE CONSERVATION OFFICE BEFORE THE MEETING.

PERSONS SPEAKING CAN ONLY SPEAK WHEN RECOGNIZED BY THE CHAIR AND THEY MUST CLEARLY STATE THEIR NAME AND ADDRESS FOR THE MINUTES.

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

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

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

TO LISTEN TO THE MEETING ONLY GO TO SCATV.ORG

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

1.0 Open Meeting: The Meeting was opened at 7:00 p.m.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Robert Perry & Warren Snow

Commissioners Absent: Mary McLaughlin
Warren Snow was the Chair for the meeting.

Staff present: Jane Green
Staff absent:

2.0 7:02 p.m. Minutes Approved: *A motion to approve the minutes of April 28, 2021 as amended (Perry/Emerson) 4/0 passed with a roll call vote: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.*

3.0 Signed: There were no items to be signed.

4.0 Public Hearing/Meetings

4.1 7:05 p.m. Continued the Public Hearing for the Notice of Intent for Bertin Engineering

Property: Charlton & Bacon Hill Roads, Spencer, MA DEP#293-0984

The applicant's representative joined the hearing. They received the Peer Review comments. They are reviewing the comments with their environmental consultant. Ms. Emerson said that she read the comments and there are a lot of concerns.

At the request of the applicant, the hearing has been continued to May 26, 2021.

4.2 7:10 p.m. Continued the Public Hearing for the Notice of Intent for Christine & Edwin Mullen

Property: Lot 1 North Spencer Road, Spencer, MA DEP#293-0987

The applicant requested continuance.

At the request of the applicant, the hearing has been continued to May 26, 2021.

4.3 7:14 p.m. Continued the Public Hearing for the Notice of Intent for Richard Leveille

Property: Hastings Road, Map 43, Parcel 16/1 Spencer, MA DEP#293-1008

Richard Leveille joined the hearing. There was a discussion about the address. Ms. Emerson said that DEP had comments about the site. Mr. Snow read the comments. "If previous erosion events from this property have resulted in permanent impacts to the wetlands resource areas associated with Turkey Hill Brook, the applicant should contract with a wetland specialist to evaluate these impacts, and submit a restoration plan to the Spencer Conservation Commission and MassDEP. If restoration work will be covered under this NOI modifications may be required to Sections A and B of the NOI, and additional abutter notification may be required. Installation of temporary erosion controls across the driveway is recommended during precipitation events and at the end of each work day." Mr. Perry went out to the site. He discussed his observations. The applicant does not have the report from the Wetland Specialist yet.

At the request of the applicant, the hearing has been continued to May 26, 2021.

4.4 7:25 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 May 26, 2021.

**4.5 7:26 p.m. Continued the Public Hearing for the Notice of Intent for Robert Perry
Property: 21 Castle Lane, Spencer, MA DEP#293-1012**

Mr. Perry recused himself. Mr. Perry said that he provided all of the proper documentation to the DEP. The check was processed but he had not received the DEP number. Mr. Perry discussed the proposed garage plan. Mr. Bellemer wanted to know about the foundation. Mr. Perry said it was going to be 4-ft permanent foundation with a cross wall and a 4-inch slab inside. There was a discussion on the most recent plans.

A motion to close the public hearing (Bellemer/Emerson) 3/0 passed.

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

A motion to approve with special conditions (Emerson/Bellemer) 3/0 passed.

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

**4.6 7:42 p.m. Opened the Public Meeting for the Request for Determination of
Applicability for Ligia Albino**

Property: 19 Gold Nugget Road, Spencer, MA

Ligia Albino joined the meeting. Ms. Emerson read the inspection report. The proposed plan is to install an above ground pool. Mr. Bellemer discussed the location.

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

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

A motion for a negative #3 determination (Emerson/Bellemer).

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

**4.7 7:48 p.m. Opened the Public Meeting for the Request for Determination of
Applicability for Meaghan Lovejoy**

Property: 31 Old Farm Road, Spencer, MA

Scott Morrison joined the meeting. The proposed work is to build a deck with stairs. Mr. Bellemer asked that there be straw wattles if they use equipment. Mr. Snow wanted to know where the wetlands were. They are close to the property line. Mr. Bellemer wanted to know the grade. Ms. McLaughlin said it was very flat. Mr. Morrison said it was about 2 to 3 feet.

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

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

A motion for a negative #3 with erosion controls around the work (Emerson/Perry) 4/0 passed.

All in favor: Emerson-yes, Bellemer-yes, Perry-yes, Snow-yes.

**4.8 7:58 p.m. Opened the Public Meeting for the Request of Determination of
Applicability for Lana Tulathimutte**

Property: 76 Wilson Street, Spencer, MA

Lana Tulathimutte joined the meeting. The work is to cut down 2 maple trees and a birch

tree. The members looked at the plans. They discussed using hydraulics. Mr. Bellemer told the applicant that when a tree is removed the Commission would like another one planted.

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

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

A motion for a negative #3 determination and use hydraulic equipment if within 40 feet.

A stipulation that the stump remain and plant a tree (Bellemer/Perry) 4/0 passed.

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

4.9 8:08 p.m. Opened the Public Meeting for the Request for Determination of

Applicability for James Woods

Property: 70 Hastings Road, Spencer, MA

Jason Dubois from DC Engineering joined the meeting. The applicant would like to square off the backyard. The Commission members looked at the plans. Erosion controls will be used.

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

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

A motion for a negative # 3 determination (Emerson/Perry) 4/0 passed.

All in favor: Perry-yes, Emerson-yes, Bellemer-yes, Snow-yes.

5.0 Other Business:

5.1 Lot 1 Marble Road – Request for CofC

Scott Morrison joined the meeting. The approved project was never constructed, the site remains on undeveloped forest. The applicant is seeking a Certificate of Compliance to clear the title to the property. The Commission went to the site and said it looked good.

A motion to issue the Certificate of Compliance (Perry/Bellemer) 4/0 passed.

5.2 32 McCormick Road – Building Permit

No discussion needed.

5.3 4 Woodbine Terrace – Camper

James Fitzgerald joined the meeting. There is a person who has been living in a camper with no electricity or water. Mr. Fitzgerald has notified the Board of Health and the Building Inspector. There is a tax lien on the property. Mr. Snow wanted to know how far the camper is from the water. Mr. Fitzgerald said it was about 50-60 feet. Ms. Emerson said that ConCom went to Court over this property. There was a remediation plan which was never done. Mr. Fitzgerald said the original Conservation plan is nowhere near what they said it was going to be. The Commission would like to look at the original Order of Conditions.

6.0 Report form Chair: Mr. Snow said that he went to the site visit at 103 Clark Road. He did not see suds.

New Applications: 45 Kingsbury Road – RDA
170 Greenville Road - RDA

A motion to adjourn the meeting at 8:35 p.m. (Bellemar/Perry) passed 4/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents Reviewed at May 12, 2021 Conservation Commission Meeting

Agenda 5/12/21

Minutes 4/28/21

Continuance form Charlton & Bacon Hill Roads

Continuance form Lot 1 North Spencer Road

Continuance form 10 Meadow Road

21 Castle Lane Order of Conditions

19 Gold Nugget Road RDA

31 Old Farm Road RDA

76 Wilson Street RDA

70 Hastings Road RDA

Lot 1 Marble Road - CofC