



Conservation Commission – Town of Spencer

Minutes

Conservation Commission Meeting
Wednesday June 28, 2023 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.

2. There were no documents to sign.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin (remote), Dennis Shiver, Shannon Thibault & Warren Snow

Staff present: Lauren Vivier (remote), Jane Green

3. Public Hearings/Meetings:

a. 6:17 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Sam & Maryna Alkhamees Property: 33 Browning Pond Road, Spencer, MA

Mr. Alkhamees (remote) proposes to expand the front yard. Ms. Emerson read the inspection report. There were no plans. They need to plant something to keep the dirt that they spread from going into the swamp. The Commission would like them to put up a silt fence and straw wattles. The Commission would like to see a plan by 7/5/23. The

Commission told the applicant that our website has directions on how to put in erosion controls.

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

b. 6:28 p.m. Opened the Public Meeting for the Request for Determination of Applicability for John & Julie Bowler
Property: 53 Lake Avenue, Spencer, MA

Mr. Bowler (remote) said that they are proposing parking improvements. The area is 75 feet by 16 feet. The plan is to dig 10" of existing material and replace it with recycled asphalt. Ms. Emerson read the inspection report. The Commission looked at the pictures. The Commission agreed to the plans.

A motion to close the public meeting (Snow/Bellemer) passed 6/0 passed.

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

A motion for a negative #3 determination (Bellemer/Snow) passed 6/0 passed.

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

c. 6:35 p.m. Continued the Public Meeting for the Request for Determination of Applicability for Thomas Pelletier
Property: 52 Browning Pond Circle, Spencer, MA

Charlie Bellemer recused himself. The applicant did not attend.

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

d. 6:37 p.m. Continued the Public Meeting for the Request for Determination of Applicability for Cody Berman
Property: 43 Point Eastalee, Spencer, MA

Nicholas Sluckis, the representative for Cody Berman, said that they would like to remove two eastern white pine trees. He said they are known for being very brittle. They would like to remove the trees to avoid injury in the future. Ms. Emerson read the inspection report.

The Commission said the trees look healthy. If an arborist determines that they are not healthy, they have permission to take them down. Otherwise, they need to remain. Mr. Sluckis said that they do not have an arborist on the team. The Commission would like a letter from a certified arborist if the trees are not healthy. The applicant agreed to continue the meeting. If the trees are healthy, the applicant does not need to come back but should give the letter to the Commission.

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

e. 6:45 p.m. Continued the Public Hearing for the Notice of Intent for Gordon

Letour

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

The applicant notified the office that they needed to continue.

At the request of the applicant, the hearing has been continued to August 9, 2023.

f. 6:45 p.m. Continued the Public Hearing for the Notice of Intent for Gordon

Letour

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

The applicant notified the office that they needed to continue.

At the request of the applicant, the hearing has been continued to August 9, 2023.

4. Other Business:

- a. **7 Debbie Drive – Request for CofC** – Ms. Emerson read the inspection report. The Commission wanted the applicant to apply for an RDA for the shed and play area, which they did. The Commission agreed to the CofC for the bio-fence.

A motion to issue the Certificate of Compliance excluding the shed and play area (McLaughlin/Bellemer) 6/0 passed.

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

- b. **74 Wire Village Road – Request for CofC** – Ms. Emerson read the inspection report. Erosion controls must be removed.

A motion to issue the Certificate of Compliance (McLaughlin/Snow) 6/0 passed.

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

- c. **51 Lake Avenue – Request for CofC**- Ms. Emerson read the inspection report. Ms. Vivier recommended approval.

A motion to approve the CofC for 51 Lake Ave (Bellemer/Snow) 6/0 passed.

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

- d. **11 Delude Ave – Tree Removal Administrative Approval-** Ms. Vivier said that the Administrative Approval was issued for a large branch that fell on the neighbor's shed. She told them they need to plant a shade bearing tree. They have 30 days, from the signed Administrative approval form, to get the work done.
- e. **Discussion: Reorganization of the Conservation Commission-** Ms. Vivier went over the member renewals for the Commissioners. She said that she reviewed the bylaw and was surprised there was no vice chair for Concom. The policy and procedures can be updated in the fall. The Commission discussed the Chair and would like Mary to stay as Chair for the Conservation Commission.

A roll call for Mary McLaughlin for chair: Thibault – yes, Bellemer-yes, Snow-yes, Shiver-yes, Emerson-yes, McLaughlin-yes.

- f. **Discussion: Agent Leave –** Ms. Vivier said that when she is out on leave, she suggests that the Commission set up site inspections at the meetings. She will be available by email. Ms. McLaughlin wanted to know if the members could get mileage reimbursement when Ms. Vivier is out.

5. Agent's Update:

a. Violations & Complaints:

- Westland Drive – They also put a camera on the property, a chain up and a for sale sign.
- 76 Chickering Road – There is an unpermitted shed that will receive a Notice of Violation.

b. Other discussion items:

- USDA – they are trying to increase funding for farmland preservation. They are working with many municipalities on this funding. It will be discussed at the next meeting.
- Hastings Road- Mr. Bellemer said that mud is halfway across the road. The Commission discussed this, and Ms. Vivier said that the contractor is working off of the approved Engineered plans. There was a question about the possibility of redesigning the plans.

6. Minutes: 6/14/23

A motion to approve the 6/14/23 minutes as amended (Bellemer/Snow) 6/0 passed.

7. New Applications:

- a. **7 Debbie Drive – RDA – After the fact shed & play area.**
- b. **28 Westland Drive – Request for CofC**

8. Continuances:

- a. **R27-1 Ash Street – NOI 8/9/23**
- b. **Charlton & Bacon Hill Roads – NOI 8/9/23**

9. Adjournment:

*A motion to adjourn the meeting at 7:51 p.m. (Bellemere/Thibault) 6/0 passed.
All in favor: Thibault-yes, Bellemere- yes, Snow-yes, Shiver-yes, McLaughlin-yes,
Emerson-yes*

Respectfully submitted by:



Jane Green, Senior Clerk
Development & Inspectional Services

DOCUMENTS REVIEWED AT 6/28/23 CONSERVATION COMMISSION MEETING

AGENDA 6/28/23

MINUTES 6/14/28

CONTINUANCE – 33 BROWNING POND ROAD

DOA – 52 LAKE AVENUE

CONTINUANCE – 52 BROWNING POND CIRCLE

CONTINUANCE – 43 POINT EASTALEE

CONTINUANCE – 10 MEADOW ROAD

CONTINUANCE – U24-17 MEADOW ROAD

COFC – 7 DEBBIE DRIVE

COFC - 74 WIRE VILLAGE ROAD

COFC – 51 LAKE AVENUE