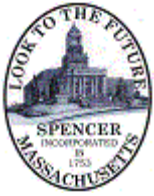


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, July 27, 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

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

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

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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.

2. There were no items to sign.

Commissioners Present: Charlie Bellemer, Margaret Emerson (Chair) & Warren Snow

Commissioners Absent: Mary McLaughlin

Staff present: Lauren Trifone,

Staff absent: Jane Green

3. Public Hearing/Meetings

**a.6:15 p.m. Continued the Public Meeting for the Request for Determination of
Applicability for Thomas Pelletier**

Property: 52 Browning Pond Circle, Spencer, MA

Ms. Trifone said that the applicant requested continuance.

At the request from the applicant, the hearing has been continued to August 24, 2022.

b. 6:17 & 6:45 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Hamadryad LLC

Property: 68 & 70 Donnelly Road, Spencer, MA

Jim Hansen told the Commission he wanted to continue creating and maintaining the trails. They planted blueberries, apples and blackberries. They made a deck down by the lake. There is a map of all the trails in the application packet. Mr. Hansen said it is hard making trails through mountain laurel with hand tools.

A motion to close the public meeting (Snow/Bellemer) 3/0 passed.

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

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

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

c. 6:19 p.m. Opened the Public Meeting for the Request for Determination of Applicability for Merrilee Sprague Allen

Property: 41 Oakland Drive, Spencer, MA

Ms. Sprague Allen would like to take down some trees. She showed the pictures of the dead trees to the Commission. Ms. Emerson read the inspection report. The Commission would like replacement plantings. Ms. Sprague Allen wants to replace the retaining wall eventually. There was a discussion as to where the plantings should go. It was decided that Ms. Sprague Allen would have up to 3 years to plant the replacements, so that she can get the retaining wall done first.

A motion to close the public meeting (Snow/Bellemer) 3/0 passed.

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

A motion to for a negative determination with plantings in 3 years (Snow/Bellemer) 3/0 passed.

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

d. 6:50 p.m. Continued the Public Hearing for the Notice of Intent for Gordon Letour

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

Ms. Trifone received notification that the hearing was going to be continued. The applicant would like BSC to do a site walk with them possibly next week.

At the request of the applicant, the hearing has been continued to August 24, 2022.

e. 6:52 p.m. Continued the Public Hearing for the Notice of Intent for Steven Turner
Property: Meadow Road, Spencer, MA SW PERMIT DEP#293-1036

Ms. Trifone received a request to continue the hearing. We have received the peer review response.

At the request of the applicant, the hearing has been continued to August 10, 2022.

f. 6:52 p.m. Continued the Public Hearing for the Notice of Intent for Colin Derhammer

Property: R27-1 Ash Street, Spencer, MA DEP#293-1037

Ms. Trifone said that we have received the signed peer review proposal. We have not received the checks yet. Elio Qorri, a representative from Bertin Engineering, joined the hearing. A resident, Jack Gagnon, asked if Bertin Engineering called the Office of Dam Safety. Mr. Qorri said that for the Subdivision they are not proposing any work near the dam. Mr. Gagnon wanted an explanation of what a Subdivision is. Mr. Qorri said that it is a 2 lot Sub-division. Mr. Gagnon wanted to know if the property has been perced. It was perced for the road. A resident, Bob Phaneuf, said he was at the meetings before when the plan was for one house on 10 acres. Ms. Trifone said the plans have changed. Mr. Snow said that this is a Planning Board discussion. There was a discussion about the Solar plan. Ms. Trifone said that was denied by Conservation. There was concern that the stormwater will end up across the street. Mr. Qorri said that the entire Subdivision has a proposed slotted drain at the bottom of the roadway with many deep sump catch basins. A resident, Gary Woodbury, wanted to know what the towns pipes are capable of handling and how much is going onto town property. Ms. Trifone said we do not have that calculation. That is up to the applicant to figure this out.

At the request of the applicant, the hearing will be continued to September 28, 2022.

4. Other Business:

- a. **59 Wilson Ave** – Request for CofC. Ms. Trifone said the request was for a retaining wall. The owner expressed concern with drainage on Wilson Ave. Ms. Emerson read the inspection report.

*A motion to issue the Certificate of Compliance (Snow/Bellemer) 3/0 passed.
All in favor: Snow=yes, Bellemer=yes, Emerson=yes*

- b. **124 North Spencer Road-** Request for CofC. Ms. Trifone said that the request was for a pool. She showed the photos to the Commission. Everything was growing back in.

*A motion to issue the Certificate of Compliance at 124 N. Spencer Rd (Bellemer/Snow) 3/0 passed.
All in favor: Snow=yes, Bellemer=yes, Emerson=yes*

- c. **219 North Spencer Road-** This was for a Request for CofC. Ms. Trifone said that this was for a house. Ms. Emerson read the inspection report.

A motion to issue the Certificate of Compliance (Snow/Bellemer) 3/0 passed.

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

- d. **75 Bacon Hill Road-** Ms. Trifone said that this Request for CofC was for tree removal, expansion of the backyard and for pavers and gravel. Ms. Emerson read the inspection report.

A motion to issue the Certificate of Compliance (Snow/Bellelmer) 3/0 passed.

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

- e. **Meadow Road (DEP#293-0888)-** Request for a 3-year extension for the turtle wall and the new building (that does not exist yet).

A motion to grant the request for the 3-year extension (Snow/Bellemer) 3/0 passed.

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

- f. **5 Meadow Road (DEP#293-0870)** -Request for a 3-year extension for the addition and stormwater.

A motion to grant the 3-year extension to Charlie's (Bellemer/Snow) 3/0 passed.

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

5. Agent's Update:

- a. **Briarcliff:** Ms. Trifone followed up on a complaint on Briarcliff that was to do with the new building we had approved for the Reils. One of the conditions was that they cannot control the flow of stormwater. It looked like a dirt berm was put in. We need to monitor that. The road work has been completed.
- b. **Lakeshore Drive** – A neighbor has been removing trees. There are drainage issues. Ms. Trifone will be looking into this further.
- c. **16 Shore Drive** – This was recently sold. The new owner put in the fence with a concrete base. They need to apply for a permit for the after-the-fact work. Ms. Trifone will be issuing a violation for putting up the fence.
- d. **17 Shore Drive** – The silt fence is caving in. Ms. Trifone will be notifying the owner.
- e. **Westland Drive** – It looks like the neighbors are dumping their yard clippings on the property.
- f. **37 Point Eastalee** - Jay Dubois will be working with the applicant.
- g. **34 Shore Drive** - A tree fell on the property. There is another one at risk of falling. An emergency certification was done. They need to submit an after-the-fact RDA.
- h. **Browning Pond-** They completed the road project. It looks great.

6. General Board Discussion- The Commission would like to wait for Mary McLaughlin to be part of the discussion.

7. Minutes: 6/22/22 & 7/13/22

*A motion to approve the 6/22/22 minutes as amended (Bellemer/Snow) 3/0 passed.
All in favor: Snow-yes, Bellemer-yes, Emerson-yes.*

*A motion to approve the 7/13/22 minutes as amended (Snow/Bellemer) 3/0 passed.
All in favor: Snow-yes, Bellemer-yes, Emerson-yes.*

8. New Applications:

- a. **75 Jolicoeur Ave – RDA – Tree**
- b. **130 East Charlton Road – RDA – Deck**
- c. **Charlton & Bacon Hill Roads – NOI – Subdivision**
- d. **92 McCormick – CofC**
- e. **1 Lake Avenue – NOI – Retaining Wall**

10. Adjournment:

A motion to adjourn the meeting at 8:17 p.m. (Snow/Bellemer) passed 3/0.

Respectfully submitted by:

Jane Green, Senior Clerk
Development & Inspectional Services

Documents Reviewed at the July 27, 2022 Conservation Commission Meeting

Agenda 7/27/22

Minutes 6/22/22

Minutes 7/13/22

Continuance form – 52 Browning Pond Circle

DOA – 68/70 Donnelly Road

DOA – 41 Oakland Drive

Continuance form – 10 Meadow Road

Continuance Form – Meadow Road

Continuance Form – R27-1 Ash Street

CofC – 59 Wilson Avenue

CofC - 124 North Spencer Road

CofC - 219 North Spencer Road

CofC - 75 Bacon Hill Road

Ext of OofC – Meadow Road 293-0888

Ext. of OofC – 5 Meadow Road 293-0870