



Conservation Commission – Town of Spencer

Minutes

Conservation Commission Meeting
Wednesday September 27, 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.

Commissioners Present: Charlie Bellemer, Margaret Emerson, Mary McLaughlin,
Dennis Shiver, Shannon Housh & Warren Snow

Staff present: Lauren Vivier, Jane Green

2. Sign: No documents to sign

3. Public Hearings/Meetings:

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

Property: 37 Sherman Grove, Spencer, MA

Al Stolarczyk discussed his project with the Commission. He said that the work is to re-do a patio. He said that he removed the fieldstone, railings and timbers that were falling apart. He wants to put in a firepit by pouring concrete. Ms. Emerson wanted to know if Mr. Stolarczyk would consider something permeable instead of concrete. Ms.

McLaughlin said that using concrete will add a lot of impervious surface. There will be a lot more run-off. Mr. Stolarczyk said that there would be woodchips around the firepit and stone under the woodchips. Ms. McLaughlin read the inspection report. Mr. Snow wanted to know the dimensions of the work. The Commission wanted Mr. Stolarczyk to add the dimensions to the plans.

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

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

A motion for a negative determination (Emerson/Bellemer) 6/0 passed.

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

b. 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

The applicant requested a continuance.

At the request of the applicant, the hearing has been continued to 10/11/23.

c. 6:51 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 requested a continuance.

At the request of the applicant, the hearing has been continued to 10/11/23.

d. 6:52 p.m. Continued the Public Hearing for the Notice of Intent and SW Permit for Colin Derhammer

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

Calisto Bertin, President of Bertin Engineering, said that they met at Mr. Hutchins property last week to go over drainage issues. They walked the property and made adjustments. They will make a swale and an infiltration trench below it. In Mr. Hutchins backyard they will continue the swale all the way to the neighbors with a berm to collect water. They also revised the road plan. There is infiltration and the water will bypass Mr. Hutchins property. Ms. Vivier said that the only addition to the conditions is the Stormwater Bond. The Applicant should provide an estimate for the Stormwater components with a 10% or 15% multiplier for inflation. Ms. Vivier recommended as built plan as a condition as well.

A motion to close the public hearing (Snow/Emerson) 6/0 passed.

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

At the request of the Commission, the hearing has continued to 10/11/23.

e. 7:12 p.m. Continued the Public Hearing for the Notice of Intent and SW Permit for Colin Dermhammer

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

Calisto Bertin, President of Bertin Engineering, said that the dam questions were all answered. There were a few updates to the plans, and they were submitted. They met with the Peer Reviewer, Corey Brodeur. Mr. Bertin discussed the key changes. He said there was a maintenance plan for the jellyfish water purification system. The water quality will be checked quarterly. Ms. Vivier went over some of the conditions that Mr. Brodeur recommended.

A motion to close the public hearing (Bellemer/Housh) 6/0 passed.

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

At the request of the Commission, the hearing has continued to 10/11/23.

4. Other Business:

a. 111 Wilson Avenue – Request for CofC (next meeting)

b. 47 Cranberry Meadow – updated plans

Brett Burtt said that he used a red mark up for changes to the updated plans. He discussed the changes to the driveway. He wants to make it a little wider because there has been some washout and trenching. The problem is the driveway is way below the existing grade. It was never done right. Adding the topcoat should help. There is a silt fence on the side of the yard. The Commission said that when the driveway is completed and inspected, they can remove the silt fence. The Burtt's asked about the choice of plantings. The Commission agreed to their ideas as long as the plants are native.

A motion to accept the amended plans (Emerson/Bellemer) 6/0 passed.

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

c. 19 Bixby Road – Request for CofC

Ms. McLaughlin said they put a fence up that shouldn't be there and a dumpster. They were told to remove the fence. The dumpster will get moved. There had been a big rock in the middle of the path to prevent unauthorized vehicles from getting on the trail. The rock is gone. Ms. Vivier said the fire department uses that access to get on the trail if they need to. There was a

discussion on drainage. There was a discussion on the basketball hoop. There were supposed to be plantings, but kids run over the plants when they play basketball. SMOC met the members at the site as well as Glenn Krevosky and the property manager. The detention basin looked good, and grass was growing in it. Ms. Vivier said that we need an as built plan for the drainage, a plan for the trash, a landscaping plan, and a plan for the parking spaces. Ms. McLaughlin read the inspection report.

d. **230 North Spencer Road – Surety Bond request to release.**

Ms. Vivier said that they need to request a Certificate of Compliance before they ask for a bond release.

5. Agent's Update:

a. **Violations & Complaints:**

● **45 Oakland Drive – Retaining wall without permit.**

The Commission went for a site visit. Ms. McLaughlin read the inspection report. The owner needs to get an Attorney for the wall that is falling apart.

● **4 Wildwood Drive**

It looks like the work is moving forward.

b. **Other discussion items:**

● **18 Wilson Street – Proposed Deck**

The Commission said the owner needs to file an RDA.

● **56 Browning Pond Road – Administrative Approval**

Ms. McLaughlin read the inspection report. The trees are dead. There are two beaver dams on the property. There was a discussion on using a Beaver Deceiver. The Commission approved the Administrative Approval.

6. Minutes: 9/13/23

*A motion to approve the 9/13/23 minutes as amended (Emerson/Bellemer) 5/0 passed.
Mr. Snow abstained from the vote.*


7. New Applications: No new applications.

8. Continuances: No continuances.

9. Adjournment:

*A motion to adjourn the meeting at 8:16 p.m. (Bellemere/Emerson) 6/0 passed.
All in favor: Housh-yes, Bellemere-yes, Emerson-yes, Snow-yes, Shiver-yes, McLaughlin-
Yes*

Respectfully submitted by:



Jane Green, Senior Clerk
Development & Inspectional Services

DOCUMENTS REVIEWED AT 9/27/23 CONSERVATION COMMISSION MEETING

AGENDA 9/27/23

MINUTES

37 SHERMAN GROVE – DETERMINATION OF APPLICABILITY

47 CRANBERRY MEADOW ROAD – PLANS DRIVEWAY & PLANTINGS

10 MEADOW ROAD – CONTINUANCE

U27-17 CONTINUANCE

CHARLTON & BACON HILL ROADS – CONTINUANCE

R27-1 ASH STREET – CONTINUANCE

19 BIXBY ROAD – PHOTOS, INSPECTION REPORT

45 OAKLAND DRIVE – INSPECTION REPORT

56 BROWNING POND ROAD – ADMINISTRATIVE APPROVAL

