

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, July 25, 2012 at 7:00 PM
Town Hall, Conference Room A

The Meeting was opened at 7:12 p.m.

Commissioners Present: Ernie Grimes, Mary McLaughlin, Dana Reed, Warren Snow

Commissioners Absent: Ram Moensad

Staff present: Margaret Washburn

Minutes Approved:

June 13, 2012 – *A motion to approve the Minutes as amended (Snow/McLaughlin) passed 4/0.*

July 11, 2012 – *A motion to approve the Minutes as amended (Reed/Snow) passed 4/0.*

Signed:

116 Charlton Road, Certificates of Compliance, DEP#293-0744 & 293-0703 – The Commission did a site visit. The projects were completed according to the as-built submitted. *A motion to issue the Certificates of Compliance (McLaughlin/Reed) passed 4/0.*

8:30 p.m. Opened the Public Hearing for Request for Determination of Applicability for Warren Monette

Property: 49 Paxton Road, Spencer, MA

Mr. Grimes said Mr. Monette is not present nor is anyone else present to speak for him. The Commission has viewed this property and seen filling of the wetlands. A Notice of Intent must be filed and Mr. Monette must hire a wetland specialist to have the wetlands delineated and shown on a plan. He must file an NOI for the September 12th meeting.

A motion to close the public hearing (Snow/Reed) passed 4/0.

A motion for a Positive Determination (Snow/Reed) passed 3/0. Ms. McLaughlin abstained.

Other Business:

175 Paxton Road: Ms. Washburn issued an Enforcement Order on July 18, 2012 stating that Mr. Cutler must have the wetlands delineated and file a Notice of Intent for a wetlands restoration plan by August 1, 2012. *A motion to ratify the Enforcement Order (Snow/Reed) passed 4/0.*

Flexcon – South Spencer Road: A request for Certificate of Compliance was submitted on July 25, 2012. The Commission needs to inspect. Mr. Grimes said he spoke with Scott Letendre from Arsenault Landscaping about how they removed the hay bales and silt fence then seeded the lawn. Mr. Grimes told Scott the correct way is to seed the lawn then once the grass is established, the hay bales and silt fence can be removed. Ms. Washburn read the letter from Beals and Thomas that stated a 10 foot wide gravel path was added behind the building. This required the slope, extending from the back of the building, to be steepened and changed from a 3:1 to a 2:1 slope. The Commission will do a site visit July 31, 2012 at 6 p.m.

Site Visits:

On July 31, 2012, the Commission will inspect the following properties:

Flexcon
131 Greenville Street
Lot 1, Greenville Street
96 Wilson Avenue

On August 7, 2012, the Commission will inspect the following properties:

17 Laurel Lane
130 Wilson Street
5 Hastings Road
43 Oakland Drive
57 Oakland Drive

North Spencer Road: Ms. Washburn has noticed a lot of fill on the top of a very steep slope. Ms. Washburn suspects that the town has been dumping the dirt there from the construction on Pleasant Street. She took photographs.

St. Joseph's Abbey: On July 17th, Ms. Washburn attended a tech review meeting for the proposed 100-acre solar farm.

45 Point Eastalee Drive: Ms. McLaughlin, Mr. Moennsad, Mr. Reed and Ms. Washburn inspected on July 17th in response to a complaint. Sand had recently been delivered and partially spread at the edge of Sugden Reservoir. Ms. Washburn took photos and issued a NOV on July 18th telling the owners they need to file an RDA by August 1st and come to the August 22nd meeting.

70 Browning Pond Road: On July 17th, Ms. Washburn issued a NOV telling Mr. Toupin that he had to file an RDA by August 1st and that he had to attend the August 22nd

Conservation Commission meeting. Ms. Washburn said she didn't realize it was NHESP mapped habitat when she had issued the NOV. Mr. Toupin should probably have been issued an EO telling him to hire a specialist to figure out a restoration plan to remove the sand since it is all in the Priority Habitat of Rare Species. NHESP was contacted on July 24th and will CC the Commission all communications with Mr. Toupin. The Commission asked Ms. Washburn to send Mr. Toupin an EO. Mr. Grimes said to state in the EO because of the Endangered Species, a wetlands specialist must be hired.

Richland Avenue: At Mr. Snow's request, Ms. Washburn took photos of the detention basin and emergency overflow. They had not been mowed or maintained. Ms. Washburn issued an EO on July 18th. Jim Sielis called Ms. Washburn and came in to the office on July 23rd to say he would have the brush hogging done immediately and call Ms. Washburn for another inspection ASAP. Ms. Washburn gave Mr. Sielis the request for Certificate of Compliance form since Mass Audubon is trying to purchase a large portion of the property, and they want it unencumbered. The detention basin is apparently not to be included in the land purchased by Mass Audubon. Since Mr. Sielis is a commercial pilot scheduled to fly on July 25th, he cannot attend the Commission meeting that night. Ms. Washburn inspected on July 25th. The detention basin and overflow have been brush hogged.

10 Cooney Road: Ms. Washburn has called Mr. Dahrooge twice to remind him that he told the Commission he would file an RDA and a sketch based on Richard Gobi's original site plan. Mr. Dahrooge says he has been too busy. Ms. Washburn told him he needs to do it by August 1st for the August 22nd meeting. Mr. Dahrooge stopped by this week to ask how to get the original plan.

New England Automotive Gateway: Ms. Washburn said on July 19th, she received two copies of as-built plans and a letter requesting a Certificate of Compliance. They did not submit a Request for Certificate of Compliance form. Ms. Washburn said she emailed their engineer, Dan Feeney of Beals & Thomas, a Request of Certificate of Compliance form and told him that for page two on the form, we need a written statement from an engineer stating how the project deviates from the plans used in the Order.

2.5 Buteau Road: Ms. Washburn inspected on July 25th. The silt fence needs to be tightened. Mr. St. Germain will call to have Ms. Washburn re-inspect. The Order of Conditions was recorded on July 25th. Ms. Washburn said Mr. St. Germain piled pea stone in the buffer zone so she told him he cannot do that and to spread it outside the buffer zone. In area B, the fill is unstable and the silt fence doesn't extend as far as it is shown on the plan.

109 Wilson Avenue: Ms. Washburn said the hay bales and silt fence are still in place and the grass has been mowed. The O'Briens need to submit a Request for Certificate of Compliance form, which Ms. Washburn sent to their contractor this week. There is a driveway next to the leach field that was not shown on the site plan.

129 Wilson Avenue: Ms. Washburn inspected today and took photos. A NOI was supposed to have been filed for work between the house and Stiles Reservoir by now. Mr. Thompson contacted Ms. Washburn to say the consultant they hired is holding them up. Although the stream is mapped as a perennial, there was no water in the stream under the road today. Ms. Washburn said when she drove by today she noticed lots of exposed soil next to the stream. She met with Karen Paquette. They have stockpiled old timbers from the retaining wall near the stream and apparently spread yards of fill that was removed from between the house and Stiles Reservoir (for the pending retaining wall work) next to the stream. Ms. Washburn said she plans to issue an EO telling them to have the wetlands on that side of the stream delineated and to file a NOI for a restoration plan. Mr. Grimes told Ms. Washburn to issue a Cease and Desist to install hay bales and silt fence immediately.

William Casey Estates: Ms. Washburn inspected today and she reported it's the same as it was during the previous inspection.

115 Wilson Street: A pre-construction meeting has been scheduled in the ODIS Office for July 31st at 2 p.m. The inspection of limits of clearing has been scheduled for August 1st at 9:30 a.m. Ms. Washburn informed the Commission that Roy Smith will not be the Erosion Control Monitor, as they were told at the hearing. They will now be using their general contractor, John Smith. When Ms. Washburn gets John Smith's credentials, she will forward them to the Commission.

New Applications: 96 Wilson Avenue, NOI
 17 Laurel Lane, NOI
 131 Greenville Street, RDA
 130 Wilson Street, RDA
 5 Hastings Road, RDA
 43 Oakland Drive, NOI
 57 Oakland Drive, NOI

A motion to adjourn the meeting at 9:00 p.m. (Reed/Snow) passed 4/0.

Respectfully submitted by:

Lisa Daoust, Clerk
Development & Inspectional Services

Documents reviewed at the 7/25/12 Spencer Conservation Commission meeting:

Agenda for the 7/25/12 meeting.

Margaret's report dated 7/25/12.

Minutes from the 6/13/12 and 7/11/12 Spencer Conservation Commission meetings.

Two Certificates of Compliance for 116 Charlton Road (DEP # 293-0744 & 293-0703).

Site inspection form dated 7/17/12 for 116 Charlton Road.

RDA File and Positive Determination for 49 Paxton Road.

Enforcement Order for 175 Paxton Road.

Photographs of William Casey Estates gravel pit dated 7/25/12.

Photographs taken next to the stream at 129 Wilson Avenue on 7/25/12.

Photographs taken at 2.5 Buteau Road on 7/25/12.

Photographs and site inspection report for fill dumped beside North Spencer Road.

Photographs dated taken at 70 Browning Pond Road on 7/3/12.

E-mail from Brian Murkland re: request for extension of Order of Conditions for Lot 1, Greenville Street.

Letter from Lycott Environmental dated 7/23/12 re: management of Brooks Pond.