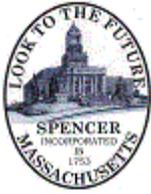


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, January 22, 2014 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

Commissioners Present: Dana Reed, Margaret Emerson, Warren Snow, Mary McLaughlin (arrived late, 8:36 p.m.)

Commissioners Absent: Brian Roode

Staff present: Margaret Washburn

Minutes Approved: January 8, 2014 – *A motion to approve the minutes as amended (Reed/Snow) passed 3/0.*

Signed: 60 Smithville Road, Order of Conditions
158 Greenville Street, Order of Conditions

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for James Sweeney & Lois Mullins

Property: 22 Point Eastalee Drive, Spencer, MA DEP#293-0817

Mr. Glenn Krevosky said he had submitted revised plans. He explained the revised plans to the Commission. He said the dam is 124 feet wide. Mr. Krevosky said the shoreline was not disturbed while Mr. Sweeney was building the wall. There are no septic issues where the wall was placed. Mr. Krevosky discussed the dam elevations and said there is no USGS elevation given for the Sugden Reservoir dam. Ms. Washburn asked if any more work will be done on the stairs. Mr. Sweeney said the stairs are done. A set of stairs will be removed off the deck. A new set of stairs will be built facing the water. The bulkhead will be removed and there will be a walk-out basement. Mr. Sweeney will also install gravel for the driveway. The current erosion controls will remain in place. Mr. Sweeney said grass has already started growing.

A motion to close the public hearing (Reed/Snow) passed 3/0.

A motion to accept plan as submitted (Reed/Snow) passed 3/0, Order of Conditions to be issued.

7:48 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Doug Cutler

Property: 10 Sherman Grove, Spencer, MA DEP#293-0819

At the request of the applicant, the hearing has been continued to February 12, 2014.

7:49 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Doug Cutler

Property: 12 Sherman Grove, Spencer, MA DEP#293-0820

At the request of the applicant, the hearing has been continued to February 12, 2014.

7:50 p.m. Opened the Public Meeting for Request for Determination of Applicability for Francis Daige

Property: 89 Jolicoeur Avenue, Spencer, MA

Mr. Daige said he would like to cut down some trees that are within 100 feet of the water. He said a lot of the trees are hanging over his roof. He currently needs a new roof. No stumps will be pulled. The removal of the trees will be done by a professional. The Commission did a site visit on 1/14/14; they had no issues.

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

A motion for a Negative Determination (Snow/Reed) passed 3/0.

Other Business:

Extension for Town of Spencer: Steve Tyler requested a three-year extension for the town-wide Order of Conditions for the highway department to do routine road maintenance. The Order was legislatively extended for two years. Ms. Washburn has no issues with granting the extension. *A motion to issue the three-year Extension passed 3/0.*

Depot Trail: Dick O'Brien said the contractor, Walker Korby, will be late. Bill Shemeth described Walker Korby's proposed work. Mr. O'Brien said the tree work can be put off as it is not a primary necessity. Mr. Shemeth agreed. Mr. Ernie Grimes said the drainage/grading should be done first and leave the trees until the end if there is money left over. Volunteers can do the rest. Mr. O'Brien said the Commission may ultimately hire someone else, someone local. Trucking fees would be less. He said the drainage and resurfacing should be done first in the areas where the erosion is the worst.

Mr. Shemeth asked when will a long-term maintenance plan/schedule be done and submitted. Mr. O'Brien said the development of a maintenance plan will cost approximately \$500.00. Mr. Shemeth said he wants the maintenance plan to justify the money that was requested and also to have the maintenance plan be put into the Open Space Plan. Ms. Washburn said there will have to be a filing for this work and asked who will do that. Mr. O'Brien said, since this is a culvert repair, he is hoping an RDA will cover the work. Ms. Judy Lochner said she would fill out the RDA form for the Parks and Recreation Committee. She will forward the RDA to Mr. Shemeth. Mr. O'Brien said that on March 2, 2014, the decision will be made about the grant.

Mr. O'Brien said if the Commission submits five or six letters of support, that would be great. Mr. Shemeth said he will need the figures for Phase Three to give to the town's capital planning. Ms. Washburn said some of the money allocated for Phase Three should be used towards handicap accessibility and connecting the trail to O'Gara Park. Mr. Reed said the money should also be used for gates and locks to keep ATV's off the trail.

Ms. Washburn asked Mr. O'Brien when the Commission needs to select a contractor. Mr. O'Brien said to wait to hear from Amanda Lewis. She will let the Commission know if the grant has been awarded and will let them know when they can sign the contract. Then he said the Commission can put the project out to bid and look into hiring the contractor.

Mr. Shemeth said the \$2,000 that Mr. O'Brien will be paid will come out of the \$10,000 that Mr. Shemeth received. Mr. O'Brien said the grant is \$50,000 and the town puts in 20% of the \$50,000 which is \$10,000.

Mr. O'Brien said the Parks and Recreation Department will sign the grant and they will become the fiscal agent of the grant. Parks and Recreation has to wait until October to pay Mr. O'Brien for writing the grant. Mr. O'Brien said that the Conservation Commission has to decide whether an RDA or an NOI is required. The consensus of the Commission was that an RDA is sufficient.

Ms. Washburn asked if the work submitted covers protecting the gas line. Mr. Walker Korby said it covers the steel plate over the gas line. Mr. O'Brien said he doesn't know yet if the work will require the steel plate over the gas line. Mr. O'Brien said when the contract is awarded, Parks and Recreation should send a letter to Tennessee Gas stating there will be work done requiring tri-axel trucks and asking what requirements they have.

Mr. Steve Tyler said he supports the project. He would be happy to write a letter of support. Mr. Tyler asked if anything will tie into the Transfer Station. Mr. O'Brien said there is no formal conceptual plan for that. Mr. O'Brien said the work in Phase One will start around spring of 2015. He also said the Transfer Station could be a trail head. This could be a study that could be put into Phase Three. Mr. Tyler suggested an apron be considered for a future phase. He said the parking lot is lower than the edge of the road and the road is breaking up.

40 South Spencer Road: Mr. Mark Farrell, from Green Hill Engineering, said he has been retained to file an NOI for site work requiring a stormwater permit. Mr. Farrell said the Rondeaus are looking to clear the whole back area to make a pasture for horses. Mr. Farrell said the lot is fairly flat. He will have to bring in some earth and a berm.

Ms. Washburn said she sent the Rondeaus a \$100 fine on January 8th because they did not comply with the terms of the Enforcement Order. Mr. Jarvis recommended requiring NOI forms and fees be submitted by January 29th, with site plans due by February 26th. If the Rondeaus do not file by January 29th, the Commission could take them to housing

court. Ms. Washburn also said a review by a third party will be required in regards to the Stormwater Permit.

40 Point Eastalee Drive: Ms. Washburn said she was supposed to meet with Mr. Dansereau last night but the meeting has been postponed due to the snow storm.

MACC Annual Meeting: Ms. Washburn sent an email to Adam Gaudette asking if the Commission may use the filing fee account funds to pay for the annual meeting.

Volunteers for Commission: Ms. Washburn will ask Angela Knapton to come to the February 12th or February 26th Conservation Commission Meeting.

44 Buteau Road: Ms. Washburn said Jason Dubois contacted her today and said he did some delineations at this address and it does look like Mr. Kuchinski did alter some resource areas.

New Applications: None

A motion to adjourn the meeting at 9:35 p.m. (McLaughlin/Reed) passed 4/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 1/22/14 Spencer Conservation Commission meeting:

Agenda for the 1/22/14 meeting
Minutes from the 1/8/14 Spencer Conservation Commission meeting (approved as amended)
Margaret's report dated 1/22/14
Continuance form for 10 and 12 Sherman Grove (signed)
Order of Conditions for 60 Smithville Road (signed)
Order of Conditions for 158 Greenville Street (signed)
NOI file for 22 Point Eastalee Drive
RDA for 89 Jolicoeur Avenue, including Negative Determination (signed)
Order of Conditions for DEP file no. 293-0754 - Spencer Highway Department General Routine Maintenance (voted to issue a three-year extension)
Two volunteer forms forwarded by Spencer Board of Selectmen
Letter from Spencer Trailways in support of Depot Trail grant application
EPA Remediation general Permit Application for 115 Charlton Road oil spill clean-up
MACC annual conference announcement
Unsealed, empty envelope mailed by Kristian Rondeau on 1/16/14