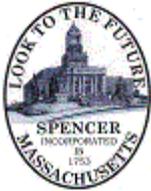


Conservation Commission – Town of Spencer

Minutes

DRAFT



Conservation Commission Meeting
Wednesday, June 24, 2015 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7:14 p.m.

Commissioners Present: Mary McLaughlin, Warren Snow, Margaret Emerson, James Bouley, John Haverty, Dana Reed

Minutes Approved:

May 13, 2015 – *A motion to approve the minutes as amended (Snow/Bouley) passed 5/0. Mr. Haverty abstained.*

June 10, 2015 – Tabled to July 8, 2015

Signed:

144 Mechanic Street, Continuance form
178 Northwest Road, Order of Conditions
63 Oakland Drive, Order of Conditions
103 Clark Road, Order of Conditions

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Kevin Sherry

Property: 97 Meadow Road, Spencer, MA DEP#293-0855

Chuck Carron submitted a Tree Removal Mitigation Sequence electronically on June 15th. Seven tree saplings are to be planted, all rated Facultative Upland. Ms. Washburn recommended the following conditions:

- Seven saplings of species rated as Facultative Upland by the United States Fish and Wildlife Service shall be planted by 10/30/15 as per the “Tree Removal Mitigation Sequence” prepared by Caron Environmental.
- Monitoring reports describing the survival of the seven planted saplings, including photographs, shall be prepared by a wetland specialist and submitted to the Spencer Conservation Commission by 11/1/15, 10/1/16 and 10/1/17.
- Saplings that do not survive during any given growing season shall be replaced by 10/1 of the same year.

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

A motion to accept plan as amended with conditions as discussed (Reed/Emerson) passed 6/0, Order of Conditions to be issued.

7:25 p.m. Opened the Public Meeting for Request for Determination of Applicability for Travis Soulor

Property: 35 Northwest Road, Spencer, MA

Ms. Washburn had inspected and took photos on June 16th. At least five large trees, some more than two feet across at the stump, were cut within 25 feet of the intermittent stream that flows between the house and Northwest Road. Ms. Washburn issued a Notice of Violation on June 16th. This work could easily have triggered the requirement of filing a NOI because the trees were so close to a stream. The fill needs to be pulled back using hand tools. There also needs to be some minimum replanting of trees to shade the stream required.

Mr. Soulor said branches from trees on his property have been falling. He had contacted a tree company to come and trim the tree branches but they had suggested just cutting down the five trees. Mr. Soulor was not aware he needed to file with the Conservation Commission. Mr. Soulor said he was not aware of the stream, he was under the assumption it was a drainage ditch because the town cleans it every year. Mr. Soulor asked where the Commission wants the trees planted. The Commission advised him to plant them where the other trees were removed. He does not have to replace all five trees, but the Commission would like him to replace three trees. The Commission would like the trees planted by November 1, 2015. Mr. Soulor asked for permission to grind the remaining stumps. The Commission granted permission.

A motion to close the public meeting (Bouley/Reed) passed 6/0.

A motion for a Negative Determination with conditions as discussed (Emerson/Snow) passed 6/0.

7:47 p.m. Opened the Public Hearing for Notice of Intent for Victoria Provost

Property: 80 Donnelly Road, Spencer, MA DEP#293-0839

Jason Dubois presented the project. The new septic is larger than the current septic so it is going to be installed in a different place. Trees will be cleared. Erosion controls will be installed. Mr. Dubois asked if they would allow silt fence and straw wattles instead of the hay bales. The Commission had no issues with the wattles being used.

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

A motion to accept the plan as presented (Snow/Bouley) passed 6/0, Order of Conditions to be issued.

Other Business:

19 Bixby Road, Conservation Restriction: Ms. Washburn reviewed the CR and had no issues. Ms. McLaughlin said she had a concern with Part A on page 2. Mr. Reed said that further down on page 2 it clarifies Ms. McLaughlin's concern. The Commission had no other issues.

Woodbine Terrace: Ms. Emerson said they went to Court. Ms. Emerson showed the Commission another document that was signed. She said Julian Votruba said in court that he would be submitting another plan by next Wednesday and will sit down with Ms. Washburn with the plan.

Site Visits: The Commission will do a site visits on July 7th at 2:30 p.m. at Woodbine Terrace and Point Eastalee Drive.

New Applications: Point Eastalee Dr., NOI
 117 Wilson Ave., RDA
 76 Chickering Rd., RDA

A motion to adjourn the meeting at 8:32 p.m. (Emerson/Reed) passed 6/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 6/24/15 Spencer Conservation Commission meeting:

Agenda for the 6/24/15 meeting
Margaret's report dated 6/24/15
Minutes from the 5/13/15 CC meeting
Order of Conditions for 178 Northwest Road (signed)
Order of Conditions for 103 Clark Road (signed)
Order of Conditions for 62 Oakland Drive (signed)
Draft Conservation Restriction for 19 Bixby Road
Continuance form for 144 Mechanic Street (signed)
NOI file for 80 Donnelly Road
RDA file for 35 Northwest Road, including Negative determination (signed)
NOI file for 97 Meadow Road