

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, January 27, 2010 at 7:00 PM
Richard Sugden Library

The Meeting was opened at 7:02 p.m.

Commissioners Present: Ernie Grimes (Chairman), Judy Lochner, Mary McLaughlin, Chris Plant, Warren Snow

Commissioners Absent: Bonnie Nieves

Staff present: Ginny Scarlet

Minutes Approved: January 13, 2010 – *A motion to approve the minutes as amended (McLaughlin/Snow) passed 5/0.*

Signed: 37 & 39 Oakland Drive, Order of Conditions
Cranberry Lake, 3 year Extension
Sullivan Street, 2 Enforcement Orders

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Resource Area Delineation for Clifford Leinonen

Property: 0 R. Jones Road, Spencer, MA DEP#293-0738

At the applicants' request, the hearing has been continued to February 10, 2010.

7:16 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Robert Norris

Property: 6 Cranberry Lane, Spencer, MA DEP#293-0739

The Commission did a site visit on January 16, 2010. The hay bales and silt fence are in place. The Commission saw erosion at only one location on the bank. There was ice on the lake and at the shoreline. Mr. Norris said the eroded location was undercut long before the trees were cut. Mr. Grimes objected to approving the Notice of Intent for just tree cutting. He understands that the trees were cut to allow the sun to reach the house.

Ms. Lochner suggested continuing the hearing until Mr. Norris can submit a landscape plan. Ms. Scarlet mentioned if Mr. Norris can not submit a plan soon, then an Enforcement Order could require the shore stabilization and maintenance of the erosion controls until the yard is stable. Mr. Norris said he is waiting to take over ownership and the mortgage. Once he gets those he will apply for a home improvement loan. Mr.

Norris is not sure how soon he can come in with a landscape plan. The Commission came to the agreement to continue the hearing to the April 28th meeting. By then Mr. Norris will know what he can do. If he can not submit the plan by that time, the Commission may issue an Enforcement Order to stabilize the shoreline. *At the request of the applicant, the hearing has been continued to April 28, 2010.*

7:30 p.m. Opened the Public Hearing for Request for Determination of Applicability for Christa Flynn

Property: 99 Maple Street, Spencer, MA

Mr. Farrell was unable to attend. He had sent a letter asking the Commission to consider the project based on the paperwork and Ms. Scarlet's site visit and photos. Mr. Farrell said in the letter if there were any unanswered questions, to please continue the hearing.

The Commission studied the plans, site report and photos. There were no questions.

A motion to close the public hearing (Snow/Plant) passed 5/0.

A motion to issue a Negative Determination with standard conditions (McLaughlin/Snow) passed 5/0, Determination to be issued.

Other Business:

Sullivan Street: Ms. Scarlet and Glenn Krevosky were onsite on January 26th. Mr. Jardus had not blocked the outlet as he had promised. Mr. Krevosky did block it on January 26th. Ms. Scarlet and Mr. Krevosky looked at the rock swale. Mr. Krevosky removed rocks down to the soil in three places. In each place they found glacial till with no sign of fabric. The swale can and is eroding underneath and should be rebuilt entirely. The drafted Enforcement Order must be modified. Mr. Jardus and Mr. Kady will have to reconstruct the swale. Ms. Scarlet said she will send each of them a letter inviting them to come to the February 10th meeting for a chance to defend themselves as to why the swale was not constructed properly and why the fabric was not put down before the rock as Mr. Jardus said it was.

Spencer Abbey Dam: Ms. Scarlet said the Seven Mile River has been flowing over the PortaDam and through the work site after the rain storm since some time on Monday night, January 25th. The river east of the Route 31 bridge is silty. One pump was running at 4pm Monday night with no one on site. Both pumps were running at 8:45am Tuesday morning and the site supervisor was there with one worker. Both pumps were still running at 3:30pm and no one was on site Tuesday afternoon.

Ms. Scarlet emailed NHESP, DEP, the Tighe & Bond Environmental Monitor and the contractor, New England Infrastructure, Inc. asking what the plan is from here. Right after Ms. Scarlet sent the email, Phil Nadeau from DEP called her. Mr. Nadeau met Ms. Scarlet at the site today at 3pm. The Commission decided to do a site visit at the Abbey dam on February 1st at 4pm whether or not the contractor can give a guided tour.

135 West Main Street: A new Notice of Intent is in the works to build a small machine shop. Parking and drainage will intrude into RFA and there are NHESP rare species there. Glenn Krevosky is the Environmental Consultant for the project. After squeezing the project back away from the RFA as much as possible, he proposes to do compensating improvement in the RFA/habitat up the river. A possible site is town land by Meadow Road where Muzzy Brook runs into the river. A lot of junk has been dumped there. He asked informally whether the Conservation Commission would consider the idea. Mr. Krevosky provided photos of Meadow Road town property to the Commission. The consensus was that the Conservation Commission is open to considering a proposal of that sort.

eDEP Workshop: DEP expects the Conservation Commission members to log on. Ms. Scarlet has done a first Order of Conditions using 37-39 Oakland Drive. Commission members can get a username and password to log in. The system allows “sharing” so Ms. Scarlet could set up each Commissioner so they can see the documents she has drafted. Ms. Scarlet hopes to train Lisa to use the system too once DEP works out the bugs.

Site Visits: Site visits will be done on January 31, 2010 at 9am. Commissioners are to meet at the Town Hall.

New Applications: 31 Point Eastalee Dr., NOI
 Thompson Pond, NOI
 Jameson Lane, RDA

A motion to adjourn the meeting at 9:00 p.m. (Lochner/Plant) passed 5/0.

Respectfully submitted by:

Lisa Daoust, Clerk
Development & Inspectional Services