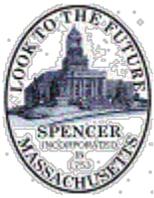


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, March 10, 2010 at 7:00 PM
Richard Sugden Library

The Meeting was opened at 7 p.m.

Commissioners Present: Ernie Grimes (Chairman), Chris Plant, Warren Snow

Commissioners Absent: Judy Lochner (arrived 7:15), Mary McLaughlin

Staff present: Ginny Scarlet

Minutes Approved: March 1, 2010 – *A motion to approve the minutes as amended (Plant/Snow) passed 3/0.*

Signed: Thompson Pond, Order of Conditions
31 Point Eastalee Drive, Order of Conditions

7:15 p.m. Opened the Continuation of Public Hearing for Request for Determination of Applicability for William Goodhue

Property: Jameson Lane, Spencer, MA

Scott Jordan of EcoTech represented the applicant. At the March 7, 2010 site visit, wetland flags on Parcel A-1 were revised by the Conservation Commission (Mr. Grimes, Ms. Lochner and Ms. McLaughlin). The Commission members reported no wetland on Parcel A. Mr. Jordan brought in the revised plans showing what was agreed at the site visit.

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

A motion for a Positive Determination confirming the revised delineation on Parcel A- 1 and that there is no wetland on Parcel A (Snow/Plant) passed 3/0

7:24 p.m. Opened the Public Hearing for Notice of Intent for Donald O'Clair

Property: 91 Meadow Road, Spencer, MA DEP# 293-0743

Mr. David Sadowski, P.E., prepared a plan of the property. The Notice of Intent was sent to NHESP and DEP. NHESP review letter says the project “will not adversely affect the habitat”. Mr. O'Clair wants to complete the retaining wall, enlarge the shed and finish enlarging the southwest deck.

Ms. Scarlet passed out photos of the site taken March 10, 2010. Mr. Grimes noted that there were bare soils from the house/garage toward the river as far as the north shed. Mr. Grimes said the hay bale and silt fence line must be moved lower so the area can be loomed and seeded.

The whole lot is in Riverfront Area (RFA). There's Bordering Vegetated Wetland (BVW) and Bank by the river and 100-year flood plain up to elevation 640' i.e. to just below the retaining wall. Ms. Scarlet discussed the RFA regulations. RFA regulations dictate minimum impact and/or an economically feasible alternative. Ms. Scarlet noted that the Natural Heritage letter declares no impact on rare species habitat but the other Wetland Protection Act presumed public interests have not been rebutted.

After much discussion, it was suggested that Mr. O'Clair complete the retaining wall, get rid of the small shed to the south, demolish the shed to the north and replace it with a larger shed built under the enlarged deck currently being constructed. That may require moving some of the deck supports. The area below the retaining wall should be re-vegetated. The area between the retaining wall and the top of the BVW to upland Bank may be mowed. The fire pit must be removed from the BVW and can be re-established in the mowed area. The wetland and its bank should be left entirely natural. When the north shed is demolished, its current location will be dug out to provide compensatory flood storage for fill at the retaining wall. That will eliminate structures in the flood plain, return most of the first 100 feet of RFA to vegetated condition and allow the BVW to recover.

Mr. Grimes mentioned he realizes an Order of Conditions is good for three years, however; he does not want this work to take three years to be completed. Ms. Scarlet suggested that deadlines for the work to be completed be put in the Order.

It was agreed by Mr. O'Clair and Mr. Sadowski to coordinate with the Building Inspector to determine whether it is possible to obtain the building permits needed to match the Order of Conditions. Revised plans showing the proposed work will to be submitted to the Commission. Mr. Sadowski, Ms. Scarlet and the Building Inspector, Bill Klansek, will either meet on March 18th or March 22nd.

At the request of the applicant, the hearing has been continued to March 24, 2010 for preparation of a plan of the work.

Other Business:

Behind Witco: Mr. Grimes asked if anyone knew why there is a crane behind Witco and what is going on there. The Commission and Ms. Scarlet said they have no idea. Ms. Scarlet has not heard anything. She will find out.

Chickering Road: Ms. Scarlet gave permission for the Highway Department to cut pavement on Chickering Road over the stone culvert draining pond at the mouth of the stream that drains Alder Meadow and Watson Mill Pond through Malone property south

of the intersection of Chickering Road and GH Wilson Road. The culvert is thought to have collapsed. The Highway Department needs to assess the situation to design a fix. Permission was given provided no material goes overboard into either the little pond or Stiles Reservoir.

New Applications: None

A motion to adjourn the meeting at 8:30 p.m. (Plant/Snow) passed 3/0.

Respectfully submitted by:

Lisa Daoust, Clerk
Development & Inspectional Services