

# Conservation Commission – Town of Spencer

## *Minutes*



Conservation Commission Meeting  
Wednesday, May 12, 2010 at 7:00 PM  
Town Hall, McCourt Social Hall

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The Meeting was opened at 7 p.m.

Commissioners Present: Ernie Grimes (Chairman), Judy Lochner, Ram Moennsad, Mary McLaughlin, Warren Snow

Staff present: Ginny Scarlet

**Minutes Approved:** April 28, 2010 – *A motion to approve the Minutes as amended (Snow/Moennsad) passed 4/0. Ms. Lochner abstained.*

**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 request of the applicant, the hearing has been continued to May 26, 2010. Mr. Grimes announced this will be the last continuance allowed for Mr. Leinonen.*

**Other Business:**

**Conservation Regulations:** The Commission reviewed and commented on Ms. Scarlet's preliminary draft. Ms. Scarlet will take the suggestions made and produce a second updated draft for review at the May 26<sup>th</sup> meeting.

**Lake Street Extension:** Ms. Scarlet researched the deeds to establish ownership of the road. She obtained permission from the property owners at the drainage outlet end into Lake Whittemore to enter their land to photograph the impact (fill) on the lake. Ms. Scarlet suggested that she send the road owners a letter that's a polite notice of violation citing the State Laws that prohibit the town from doing road repairs on private roads. She will also invite them to come to the June 23<sup>rd</sup> Conservation meeting to talk about how they intend to come into compliance with the WPA. Ms. Scarlet will meet with the Town Administrator about this once she has the pictures and explain why this is important to the Town. The Commission could proceed without the Administrators blessing but without his backup, it will be hard to pursue enforcement. Ms. Scarlet will also check with DEP to see if they'll buy in if we start the project and do the leg work. Ms. Scarlet will report back to the Commission at the May 26<sup>th</sup> meeting.

**Depot Trail:** The Parks and Recreation Commission has not responded to Ms. Scarlet's request to discuss the trail. Mr. Rob McNeil has said that the Highway Department will not work on the trail until there's a budget and person hours for those tasks. The Commission brainstormed about possibilities. They want to work with Parks and Recreation. It was suggested to invite the Parks and Recreation Commission to a Conservation Commission meeting to discuss what help is needed. Ms. Scarlet will search the Conservation and Recreation files for documentation that the Parks and Recreation Commission is in charge of the trail. Ms. Scarlet will ask Laura Torti to search the Town Admin files.

To get some work done by volunteers while there is no budget available, Ms. McLaughlin suggested using the Congregational Church or the High School Earth day volunteers to do some of the maintenance. Ms. Scarlet will also find out from Lee Jarvis the process for getting prisoners for community service. Mr. Moennsad suggested putting up a sign at the trail where trail users would see it asking for volunteer workers. Mr. Grimes and Ms. Lochner remarked that the kiosk key had been taken from the Conservation Commission. They believe that the Recreation Commission has it. If the key can be obtained, perhaps a sign could be put in the kiosk.

Mr. Grimes reported that the drainage ditches have filled up with leaves and need to be cleaned. That should be done annually. Washouts need to be filled and resurfaced. The trail surface needs to be made handicapped accessible again. The large stone beaver pond culvert must be monitored and cleared if blocked up. The new overflow pipes are not large enough to replace that culvert; they only deal temporarily with storm overflow.

**Open Space Plan:** Ms. Scarlet asked if the Commission knows of any land in town that they are responsible for managing. Ms. Lochner said she does not believe the Commission manages anything.

Ms. Scarlet asked what authority the Commission has to allow tree cutting/forest management on the land by the railroad on Cranberry Meadow Road. Mr. Grimes said he believes that land is Conservation land but does not know what authority they have.

Ms. Scarlet has spoken to Human Resources about getting an intern from a college to do research on deeds. It may be possible.

Ms. Scarlet asked what Commission/Committee manages Warren Park. Mr. Grimes said that the Highway Department currently mows the grass there. Ms. Lochner said that the Conservation Commission used to mow there. Mr. Grimes added that Malcolm Speicher was the one that used to mow there while he was on the Commission.

**Trapping Complaint:** Ms. Scarlet said she received a complaint on May 12<sup>th</sup> from a Mr. Jeff Johnson. Mr. Johnson said while he was out for a walk last night (5/11/10), by the 4' culvert under R. Jones Road at the Cliff Leinonen property he found a live otter held in a leg hold trap thrashing around. There was an empty second trap across the stream. Neither trap had identification markings. Both were on the Leinonen land side of the road. A grate had been placed over the culvert and sticks etc. were piled by the road as

though the culvert had been cleared. Mr. Johnson called the Spencer police dispatcher, who called the Animal Control Officer. The latter dismissed the matter as beaver trapping and took no action. Mr. Johnson was leery of the angry otter so he had left it there in the trap.

Ms. Scarlet said on Monday, May 10<sup>th</sup>, the BOH did issue a beaver trapping permit to the Highway Department and the Highway Department has hired Malcolm Speicher to do the trapping. When contacted by Ms. Scarlet, Mr. Speicher said that he hasn't started trapping because Highway hasn't yet delivered the permit to him. Mr. Speicher did do the culvert clearing at the request of Eben, Highway Foreman. Mr. Speicher will investigate who the trapper is.

Ms. Scarlet looked at the site this afternoon before reaching Mr. Speicher. She reports the debris pile was small. She didn't think that work would have required a breach permit from the Conservation Commission. It was clearly maintaining the status quo. There were no traps to be found. There were fresh beaver cuttings up against the grating. She did not see the beaver.

**Camp Marshall:** Ms. Scarlet reported that she inspected the wetlands at Camp Marshall and all the brush and manure has been pulled out of the wetlands. She said it is quite clear now. Ms. Scarlet is going to write a letter thanking them for responding to the Conservation Commission's request to remove the brush from the wetlands.

**160 Greenville Street:** Mr. Moennsad went to inspect the property. He met with Mr. Labelle and asked if he had done any more work. Mr. Labelle said he had stopped doing any kind of work because Ms. Scarlet told him to stop and that he could not continue without getting a permit from the Commission. Ms. Lochner asked what made Mr. Labelle decide to do all this work. Ms. Scarlet said he wanted to just clean up his yard because its condition seemed to be attracting roadside trash dumping.

**Availability:**

Mr. Snow is not available for any meetings in July or the 2<sup>nd</sup> meeting in August.

Mr. Grimes is not available for the 1<sup>st</sup> meeting in August.

Ms. McLaughlin is not available for the 7/28 meeting and might miss the 7/14 meeting.

Mr. Moennsad is not available for the 7/28 or the 8/11 meetings.

There will be no quorum for the July 28<sup>th</sup> meeting; therefore, there will be no meeting.

New Applications: None

*A motion to adjourn the meeting at 9:00 p.m. (Snow/McLaughlin) passed 5/0.*

Respectfully submitted by:

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Lisa Daoust, Clerk  
Development & Inspectional Services