

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, October 13, 2010 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7:05 p.m.

Commissioners Present: Ernest Grimes (Chairman), Judy Lochner, Mary McLaughlin and Warren Snow

Commissioners Absent: Ram Moennsad

Staff present: Ginny Scarlet

Minutes: September 22, 2010 – *A motion to approve the minutes as amended (McLaughlin/Snow) passed 4/0.*

7:15 p.m. Opened the Public Hearing for Notice of Intent for Cheryl Fallstrom Property: 48 Lambs Grove, Spencer, MA DEP#293-0749

Dennis Brunelle of Brunelle & Sons Landscaping represented Mrs. Falstrom and described the project. The shoreline bank east of the driveway will be replaced with rock rip-rap to prevent erosion. Equivalent shoreline reinforcement was placed west of the driveway under the previous Order of Conditions. A 12x33 foot patio will be constructed at the top of the new bank. The work will be done during drawdown. Hay bale/silt fence will be installed between the work and the water. In addition, an absorbent boom will be installed. A Bobcat will be used for the excavation. In addition, an 18 inch diameter pine tree near the house and shed will be cut down.

Mr. Grimes, Ms. McLaughlin, and Ms. Lochner reported on their 10/3/10 site visit and the Commission members looked at photos taken during that visit.

Mr. Grimes reminded Mr. Brunelle that the absorbent boom must be between the water and hydraulic machinery and the water must be at least 40 feet from the machine. In addition, the stone may not move the bank into the lake (no fill); it must replace the existing bank. Mr. Brunelle said he realized that meant he had to excavate part of the existing bank. Ms. Scarlet asked how far the patio would be from the top of the Bank. Mr. Brunelle said it would be 1 or 2 feet from the top end of the stones.

Mr. Grimes stated that the pine could be cut down but the stump must remain.

A motion to close the public hearing (Snow/McLaughlin) passed 4/0.

A motion to approve the application with standard conditions plus those previously discussed (Lochner/Snow), passed 4/0.

Other Business:

78 Donnelly Road: Ms. Scarlet reported that the silt fence had all been removed as promised when Certificates of Compliance were requested.

5 Dolma Lane: Ms Lochner did an erosion control inspection on 10/7/2010. She handed Ms. Scarlet the field file and commented that the controls were good.

Chickering Road Intersection Improvement and Culvert Replacement, DEP # 293-0745: Ms. Scarlet reported to the Commission on the DEP site meeting about the appeal of the Commission's 8/31/10 Order of Conditions. Her report is attached to these Minutes. Copies of the Response to Comments from Acton Survey and Engineering from Scott Charpentier of Lenhart Engineering were included in the Commission's meeting packets for their information.

Ms. Lochner asked whether the Office of Dam Safety had reviewed the project plans. Ms. Scarlet reported that they had. The letter thanked Mr. McNeil for the chance to review the plans and said that they had "no additional comment on the project."

Depot Trail Repair Project: Ms. Scarlet asked whether the Commission had been in contact with the Snowbirds. Mr. Grimes said that there had been a meeting of Spencer Trailways and that they had contacted Dan Gould. It was decided that it is too late to apply for this year's round of grants. The group will prepare an application for next year (if there's any money available.) Ms. Scarlet promised to forward the emails she had received from Amanda Lewis, the DCR trails grant program administrator. The emails give additional information about the grant process. It is hoped that the Snowbirds will help with the application process.

Discussion followed about what could be done this year. Leaves should be cleaned out of the drainage channels. Ms. Scarlet will find out more about how to use prison crews, the size of the crew, what equipment they could come with, and what the Commission would have to supply. The Commission would have to provide lunch for the crew each day. Commission members will seek donations for lunch (food or money) from local business. The Commission will walk the trail to identify and measure the sections to be cleaned and locations where the leaves could be piled to compost. That information will be used to estimate the needed man-hours.

The Commission agreed that there is little trash on the trail so trash disposal is unlikely to be a problem. Nonetheless, Ms. Scarlet will find out who empties the trash barrels and if there are other ways to dispose of trash picked up during the work.

Community Preservation Workshop: There will be a workshop sponsored by Mass. Audubon and Common Ground on Oct. 21, 2010. Ms. Scarlet will email the flyer to the members of the Commission and asked them to spread the word and come themselves if they can.

Stiles Lake: Ms. Scarlet reported that DEP gave Stiles Water District an extension of their Superseding Order of Conditions permitting the annual lake drawdown. The new expiration date is 11/2/2013.

New Applications:

109 Wilson Street: The Legislative 2 year extension applied so the new NOI is unnecessary. The checks were returned and the NOI withdrawn. The existing Order of Conditions will expire 8/31/2011.

Flexcon (October 27th hearing): The project involves construction of a new building and reconfiguration of a parking lot and its drainage. The Commission has jurisdiction of the stormwater management. The drainage discharges to a wetland on the other (west) side of South Spencer Road. The Commission plans a site visit on Sunday October 24, meeting at Town Hall at 9 a.m. Ms. Scarlet will notify Flexcon and seek permission to enter the property. Ms. Scarlet was asked to find out whether the Planning Board has hired an engineering firm to do a peer review of the project. Ms. Lochner took custody of the field file.

Rustic Lane, Map U17 parcel 22 (November 10th hearing): A Trust owns the property. Ms. Scarlet succeeded in contacting the trustees and the person who hired Richard Monette who stripped the land. Mr. Monette came to the office. The trustee, Mr. Dworman, has filed an RDA. He plans to build a single family home. He maintains that the Trust has no interest (ownership) in the abutting right of way.

Sugden Reservoir water level: The dispute continues between Sugden residents and DCR about releasing water from Moose Hill Reservoir Dam. Ms. Scarlet put the most recent correspondence in the meeting packets. She expressed her personal opinion that the lake association's position is off base.

The leader of a 4H club for 8-10 year olds contacted Ms. Scarlet. The group wants to do a community service project. Ms. Scarlet made several suggestions for them to consider. She will report what develops.

Next meeting, 10/27/10: Mr. Grimes will no be able to attend. Ms. Lochner, Ms. McLaughlin and Mr. Snow expect to be there.

A motion to adjourn the meeting at 8:50 p.m. (Lochner/Snow) passed 4/0.

Respectfully submitted by: Ginny Scarlet, Wetland/Soil Specialist

Lisa Daoust, Clerk
Development & Inspectional Services

List of Documents Used October 13, 2010

- Draft minutes of Sept. 22, 2010
- Notice of Intent for 48 Lambs Grove, DEP# 293-0749, submitted 9/8/10.
- Inspection Reports dated 10/3/10 and by Ernest Grimes re 48 Lambs Grove
- 10/6/2010 erosion control inspection report for 43 Lambs Grove by E. Grimes
- Inspection Report by Ms. Lochner dated 10/7/2010 re 5 Dolma Lane
- Memo to Conservation Commission and File, from Ginny Scarlet, Re appeal site visit with DEP. Chickering Road Intersection Improvement & Culvert Replacement, October 13, 2010.
- Letter to Robert McNeil, Spencer Superintendent of Utilities and Facilities, from Scott Charpentier, P.E. of Lenhart Engineering, dated October 12, 2010. “Response to Comments from Acton Survey & Engineering, Inc. dated July 13, 2010, August 10, 2010, and August 25, 2010.”
- Letter to Robert McNeil, Spencer Superintendent of Utilities and Facilities, from William Salomaa, Director, DCR Office of Dam Safety, September 10, 2010
- Notice of Intent Plan from Flexcon, Inc., Dry Lab Building: Sheet C2.1 Campus Plan, prepared by Beals & Thomas, October 4, 2010.