

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, May 25, 2011
Town Hall, McCourt Social Hall

Commissioners Present: Ernie Grimes (Chairman), Mary McLaughlin, Dana Reed, Ram Moennsad

Commissioners Absent: Judy Lochner, Warren Snow

Staff present: Ginny Scarlet

Minutes Approved: May 11, 2011 - *A motion to approve the minutes as amended (Moennsad/Reed) passed 4/0.*

No Public Hearings

Other Business:

Wetland Funds: *A motion to spend \$10,000 from the Wetland Funds for the Wetland Soil Scientist and Clerical Support for the Conservation Commission (Reed/Moennsad) passed 4/0.*

91 Meadow Road: Ms. Scarlet inspected. She reported there is some progress but the sheds are still there in the inner RFA. Ms. Scarlet recommended modifying the Special Conditions in the Order of Conditions, which she has drafted and included in the Commission packets for review. She modified condition numbers 4 and 12. Condition #4 now says the O'Clairs must check in with the Commission by April 15, 2012. Condition # 12 now says they must finish the work that is within the first 100 feet of the river by April 14, 2013. They must finish the retaining wall more than 100 feet from, but still within 200 feet of, the river by 2015 or abandon those parts of the project. Ms. Scarlet said because the Order of Conditions has been modified, the Commission must vote to accept the changes even though the changes are for clarification. *A motion to accept the changes to Conditions 4 and 12 of the Order of Conditions (Moennsad/McLaughlin) passed 4/0.*

109-111 Wilson Avenue: These two lots have the same owner. They have a shared septic system on a lot across Wilson Avenue behind which is an unfinished barn. Much of the project is yet to be done but the work has been in compliance throughout. The project was slowed by financial and family uncertainty but is now moving forward

steadily. Ms. Scarlet said there is a wetland that has been on the property all along but has expanded toward the barn foundation.

Ms. Scarlet said there may be a plan modification proposed by the contractor, Paul Schold, who has bid to finish the work. His proposal is to construct a retaining wall just inside the hay bales between the wetland and the barn foundation. Ms. Scarlet thinks that's a good idea. It would be a marker of where the wetlands start. Ms. Scarlet recommends granting the Extension. *A motion to grant a 3-year Extension (Reed/McLaughlin) passed 4/0.*

Ms. Scarlet will also write a letter requiring clean-up of the associated wetland to all abutters putting debris into the wetlands.

67 Jolicoeur Avenue: The project was briefly in compliance and then out again by 5/18/11 then in again by 5/24/11. Ms. Scarlet did an inspection on May 18th. She found that the soil piles were there and uncovered; silt was dribbling through the ESC wattles into the lake by the driveway puddle. Ms. Scarlet issued another ticket and there will be a charge for the inspection and all inspections to follow at one-week intervals until they get their act and ESC together. Ms. Scarlet will issue a fine each time she actually witnesses silt going into the lake.

The office and Ms. Scarlet have been getting complaint calls about this project. The locations for the septic tanks are being changed. They are being moved into the right-of-way which was soggy, though not wetland. The abutter to the north, a relative, is afraid the presence of the tank will make the ROW unusable for vehicles. Ms. Scarlet doesn't believe any of this is a wetlands issue and the Commission can't disallow what the Board of Health approves. The contractor, Josiah Rich, has come up with a workable scheme to handle silt removal from groundwater that has to be pumped from the hole dug to install the tanks.

54 Smithville Road: Ms. Scarlet received a complaint. The owners are raising some cattle, pushing brush into a stream and filling stream-side wetland and the edge of the pond. Ms. Scarlet drove by and confirmed that. She tried to contact the owner several times Monday night and then went to the house on Tuesday. There is no answering machine so Ms. Scarlet will send a certified letter tomorrow.

Ms. McLaughlin mentioned that she has a neighbor who will donate rails to fix the parking lot fence at the Depot Trail by South Spencer Road IF it's certain they'd be used there. Ms. Scarlet will inform Eben Butler, Highway Foreman.

Ginny Report: The report will be attached, as written, to these Minutes and is in the Commission's packets (since no one else was present, it was not necessary to read the report aloud).

Site visits: The Commission will do site visits on June 6th at 6 p.m. Commissioners will meet at the Town Hall. Mr. Grimes may not be able to make it.

Mr. Reed will not be able to attend the June 8th meeting.

New Applications: Meadow Road Sewer Pump Station, RDA
26 Laurel Lane, RDA

A motion to adjourn the meeting at 9:10 p.m. (Reed/Moennsad) passed 4/0.

Respectfully submitted by:

Lisa Daoust, Clerk
Development & Inspectional Services

LIST OF DOCUMENTS USED
Conservation Commission Meeting
5/25/2011

- Agenda, Conservation Commission Meeting, May 25, 2011
- Final Agenda, Conservation Commission Meeting, May 25, 2011
- Draft Minutes, Conservation Commission Meeting, May 11, 2011
- Minutes, Conservation Commission Meeting, May 11, 2011
- Graphic Plan: "Sewage Disposal System Upgrade, 109 Wilson Ave., Spencer, MA, prepared for Charles H. Wilder by Graz Engineering, LLC. 8/8/2006 revised 8/16/2006.
- Extension Permit for Order of Conditions, 109 Wilson Avenue, owners: Diana & Ethan O'Brien,
- Memo to File, From Ginny Scarlet, Re Small change in Plan – maybe, dated 5/24/11
- Modified Special Conditions, Order of Conditions, DEP# 293-0743, 91 Meadow Road, April 14, 2011
- Report on file search re 34 Meadow Road, by Ginny Scarlet, dated 5/18/11
- Photograph of 34 Meadow Road, taken by Ginny Scarlet on 5/3/11