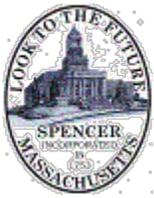


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, June 8, 2011, at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Staff present: Ginny Scarlet

Minutes Approved: May 25, 2011 – *A motion to approve the Minutes as amended (McLaughlin/Moennsad) passed 4/0; 2 abstentions (Ms. Lochner & Mr. Snow because they were not at the 5/25/11 meeting).*

Open Space Plan: Ms. Scarlet explained that the drafting is now in hurry up mode. The Action Plan will be presented to the Board of Selectmen on Monday night with a request for comment after they have had a chance to look it over. Ms. Scarlet put copies of the Action Plan in the Commissioners packets. Ms. Scarlet said she realizes that not all that's in the plan can be done. Progress will go as opportunities arise and funding is available. The plan is a route map so that we know immediately where we're going when an opportunity does come up. It will cut out time spent on dithering. Ms. Scarlet continued that having a plan will make Spencer eligible for grants and possibly foundation funding. Many of the items are no extra cost. Those are preparation or research to back up quick response or direct the next update of the plan. Ms. Scarlet asked the Commission to look over the Action Plan and then it can be discussed at the next meeting.

7:15 p.m. Opened the Public Hearing for Request for Determination of Applicability for Spencer Sewer Commission

Property: Meadow Road, Spencer, MA

Mr. Gregg McVeigh of Wright-Pierce, engineer for the project, and Frank White, Sewer Commission Chair, described the replacement of the pump station project. A test boring must be done to determine what the soils are and what the groundwater level is at the location for replacement of the sewer pump station. The boring has to go down 25 feet because The wet well for the pump containment has to go to 17 feet down.

Most of the sand from the hole will be returned to the hole before the driller leaves the site. The whole job will take approximately three hours. Mr. Grimes suggested silt fence. Mr. Grimes is concerned because if a thunderstorm happens, all the drillings will

go into the wetlands. Mr. McVeigh said the test boring has been scheduled to be done this Friday.

A motion to close the public hearing (Moennsad/Reed) passed 6/0.

A motion for a Negative Determination with the condition that silt fence be installed (Snow/Reed) passed 6/0.

7:31 p.m. Opened the Public Hearing for Request for Determination of Applicability for Richard Barrell

Property: 26 Laurel Lane, Spencer, MA

The project is to replace the retaining wall, do landscaping, and slope stabilization above the water line in the buffer. Mr. Barrell would like to replace the failing retaining wall as soon as possible; the wall is collapsing and the un-retained soil eroding. The wall is above the water line and back five to ten feet. Mr. Barrell would like to eventually do some work right at the water's edge, which will require filing a Notice of Intent with a detailed plan.

The project will be done in stages. The material for replacement of the failing wall will depend on cost; stone preferred but concrete block if necessary. Ms. Lochner asked how the wall will tie into the landscape. Mr. Barrell would like to turn and taper the wall to go to the water's edge. Mr. Barrell agreed that he hasn't really figured it all out. Mr. Grimes suggested ending the footing for the wall 1.5 feet from the normal water line. Mr. Grimes asked if the work will be done by hand or machine. Mr. Barrell said possibly by a machine. Mr. Grimes said a silt fence must be installed between the work and the water. If machines are used, a boom must be installed in the water no less than 40 feet from the machine. If the height of the retaining wall is four feet or over, a building permit must be obtained. Mr. Barrell said the wall will be under four feet.

Mr. Grimes would like Mr. Barrell to look at ways to divert water from going downhill to the boat ramp. Mr. Barrell said he does not get extra water from the road coming down to the boat ramp.

Jodi Balafka, an abutter that lives at 24 Laurel Lane, said her lot elevation is lower than the Barrell's lot. She is worried about where the lot line is and where water will travel. She brought photos showing water flowing along the lot line.. She has no water problems now and doesn't want any. She also expressed concern about damage to plants near the water between the lots. On the side of the Barrell's lot, opposite to the drive/boat ramp, there is a wood wall which she fears will fail if a machine travels that side.

The Commission discussed as follows:

- The retaining wall end must be no less than 1.5 feet from the water
- silt fence must be installed between the work and the water
- stock piles must be covered
- A boom must be placed in the water if hydraulic equipment is used.

A motion to close the public hearing (Lochner/Moennsad) passed 6/0.

A motion to issue a Negative Determination for replacement of the retaining wall, stairs from the retaining wall level to the water, and replacement of the patio with conditions as discussed (Moennsad/Reed) passed 6/0. For all other work, a Notice of Intent must be filed.

Other Business:

Wetland-Soil Specialist replacement: Interviews were held on June 7th. One candidate was clearly preferred and an offer will be made. If she accepts the offer, she will be starting July 5th.

On call Commission member for when WSS is out of town: The Conservation Commission page on the new website will give the Police Department as the emergency contact for Conservation when Town Hall is closed. The dispatcher will need to know who to contact when the WSS cannot be reached. Usually it's Ernie but if he is away, we should give them who to call. The Commission gave permission to Ms. Scarlet to give their home numbers to dispatch.

127 Wilson Avenue: The owners did pull the chips back away from the wetland and wetland bank. However, it looks as though the abutter is putting stuff into the wetland, so Ms. Scarlet will follow up. That abutter is one of the land owners whose fill affects the wetland behind 109-111 Wilson Avenue, a site which has discussed before. Ms. Scarlet proposed to get the letter out next week but for these folks, since this is a second offense, she will make the deadline to remove fill material shorter. The Commission agreed.

Cell Tower road erosion follow-up: Ms. Scarlet received a call from the company maintenance supervisor but the tornado has since delayed action. The maintenance crews are busy with repairs elsewhere. Ms. Scarlet will pass this project and the contact information on to the next WSS.

75 Jolicoeur Avenue: The project has been modified. More excavation will be needed to make the full foundation, and to do that the house will have to be raised. The footprint of the work area and the scope of the project have not changed. No new conditions are needed. In Ms. Scarlet's opinion, no amendment is needed. The Commission agreed by consensus.

41 Wilson Avenue: This is work without a permit. Ms. Scarlet did a site visit. Observation shows that there has been no impact and the work which involves wetlands jurisdiction is now finished. Work has stopped and an RDA will be filed. Ms. Scarlet did not issue a fine. The Commission concurred that no fine is reasonable.

54 Smithville Road: Ms. Scarlet has an appointment to meet the property owner on June 13th at 6pm.

May 25, 2011 Executive Session Minutes: *A motion to approve the Executive Session Minutes as written (McLaughlin/Moennsad) passed 4/0; 2 abstentions (Ms. Lochner and Mr. Snow were not at that meeting).*

Mr. Snow and Ms. Lochner will be late for the next meeting of June 22nd. Mr. Reed may not be here for the meeting; he will let us know.

New Applications: None

A motion to adjourn the meeting at 8:50 p.m. (Snow/Moennsad) passed 6/0.

Respectfully submitted by:

Lisa Daoust, Clerk
Development & Inspectional Services

LIST OF DOCUMENTS USED
Spencer Conservation Commission
Meeting June 8, 2011

Final annotated agenda, 6/8/2011

Draft Minutes, Conservation Commission Meeting, 5/25/11

Draft Executive Session, Conservation Commission Meeting 5/25/11

Draft Determination of Applicability for 26 Laurel Lane, Spencer, MA for Richard Barrell.

Inspection Report by Ram Moennsad, Judy Lochner, Mary McLaughlin, and Ernie Grimes re 26 Laurel Lane, Spencer, dated 6/6/11.

Inspection Report by Ginny Scarlet, re 26 Laurel Lane, Spencer, dated 6/7/11

Draft Determination of Applicability for Spencer Sewer Commission, re Pump Station on Meadow Road.