

# Conservation Commission – Town of Spencer

## *Minutes*



Conservation Commission Meeting  
Wednesday, March 23, 2011, at 7:00 PM  
Town Hall, McCourt Social Hall

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The Meeting was opened at 7:06 p.m.

Commissioners Present: Judy Lochner (acting Chairman), Mary McLaughlin, Warren Snow, Dana Reed & Ernest Grimes (arrived at 7:28 p.m.)

Commissioners Absent: Ram Moennsad

Staff present: Ginny Scarlet

**Minutes Approved:** March 9, 2011 – *A motion to approve the Minutes as amended (Snow/McLaughlin) passed 4/0.*

**Signed:** Order of Conditions, Town wide Public Roads – The conditions, which were discussed at the February 23, 2011 meeting, were edited by the Commission for clarity. They then signed the Order.

Certificate of Compliance, 77B Maple St. – Ms. Scarlet inspected and the project was done according to the plan. Ms. Scarlet said the only flaw is that the snow plow guy had been pushing the snow over the bank so now there is sand sitting where it will erode into the wetland. She recommends issuing a Certificate of Compliance. At the site, Ms. Scarlet cautioned the house manager and Spencer Housing Authority that they should change the plowing pattern. *A motion to issue a Certificate of Compliance (Grimes/Snow) passed 5/0.*

### **No Public Hearings**

### **Other Business:**

**65 G.H. Wilson Road:** Ms. Scarlet took pictures. Mr. McNeil saw Artie Williamson excavating along one side of the driveway in the rain causing mud to go into the road through the road drain into Stiles Reservoir. Mr. Williamson was not using any erosion controls. Mr. McNeil called Ms. Scarlet. Ms. Scarlet spoke with Mr. Williamson and he said that the owner slid off the driveway and got stuck in the ditch then she called Mr. Williamson to get her out and dig a trench by the driveway so the water will drain better. Ms. Scarlet said he did the trench without any erosion controls. Ms. Scarlet asked Mr. Williamson to install the erosion controls and he promptly did so. Ms. Scarlet will call

Mr. Williamson and ask if there are plans to stabilize the drainage trench to prevent mud going to Stiles Reservoir via the road drainage. Ms. Scarlet will send letters to the property owner and to Mr. Williamson.

**109 Wilson Avenue:** There is a new owner, Diana O'Brien, the aunt of the previous owner, Charles Wilder. The project to build the house is now restarting. No work is expected across the street during this stage. Ms. Scarlet doesn't know if anyone plans to build the barn later. The wetland behind the barn foundation has been expanding.

Ms. Scarlet said they would like to cut four more trees but leave the saplings. A tree specialist had looked at the trees and told the owners that the trees are diseased. Ms. Scarlet guessed that the tree roots were so damaged during demolition and excavation for the new foundation, that it kills the trees. It can take root damage as much as eight years to kill a tree completely. The consensus of the Commission is that the change is minor but a requirement to save at least seven of the saplings should be added. No formal filing is required for the change to the original Order of Conditions plan.

**Local Wetland Bylaw Regulations:** The current regulations and a new draft were provided to the Conservation Commission. The draft is an update of the previous drafts and has the revised words in bold. The Commission reviewed the regulations and edited them for clarity, then approved the modified draft.

**New Flood Ins. Maps:** New FEMA/FIRM Flood Insurance Report, Flood Profiles and FIRM Maps have come into the office. They will take effect on July 4, 2011. There is one set of hard copy and a copy on a disk. Along with the new maps came a requirement from FEMA to revise the Town zoning to comply with FEMA requirements for the Spencer land uses to be covered by the Flood Insurance program.

**30 Meadow Road:** ZBA special permits are needed to continue use of this non-conforming pre-existing lot. The property is the CRC building. ½ the lot is over municipal well aquifer. So far there are no changes proposed which need wetlands permitting, but there is an outstanding Order of Conditions. Ms. Scarlet will check whether the Order has been complied with or the project abandoned.

**50 Chickering Road:** A complaint came in to the office that Mr. Lenahan was pouring concrete on his property at the bank. Ms. Scarlet did a site visit. She found that he was repairing his retaining wall. Mr. Grimes said that is considered maintenance.

**9 Woodland Lane:** A complaint came in to the office that someone had been placing rocks in the water along the shoreline. Ms. Scarlet will research and let the residents know the Commission will be visiting.

**U&F Superintendent:** Rob McNeil, U&F Superintendent, has given his resignation. Hopefully his replacement will be hired by June 1<sup>st</sup>.

**Site Visits:** The Commission will meet on Sunday, April 10<sup>th</sup> at 9 a.m. at the Town Hall.

**Spencer Pride Day:** Mr. Reed will contact the Congregational Church to find out when they are planning Spencer Pride Day and to ask whether the Commission can join to sponsor a Muzzy Pond clean up.

**Envirothon:** Ms. McLaughlin said the topic this year is wetlands. The students would like to meet with the Commission. They will be put on the agenda for April 13<sup>th</sup>.

New Applications: 33 Browning Pond Road, NOI

*A motion to adjourn the meeting at 9:12 p.m. (McLaughlin/Reed) passed 5/0.*

Respectfully submitted by:

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Lisa Daoust, Clerk  
Development & Inspectional Services

#### DOCUMENTS USED 23 March 2011

Order of Conditions for Town of Spencer Department of Utilities and Facilities, DEP # 293-0754

Draft Findings for Order of Conditions 293-0754

Draft Conditions for Order of Conditions 293-0754

Fax to Ginny Scarlet from Dana George Reed, Re Edits/Comments Hwy Dept. Order of Conditions, March 23, 2011

Marked up draft Conditions for Order of Conditions 293-0754

Inspection Report re 65 GH Wilson Road, from Ginny Scarlet and 13 photographs taken by Ginny Scarlet 3/16/2011.

Draft Spencer Conservation Commission Rules and Regulations, 6/8/2010

Certificate of Compliance for Spencer Housing Authority property 77B Maple Street, DEP # 293-0732

Photograph taken at 77B Maple Street by Ginny Scarlet 3/23/2011.

Graphic Plan, "Sewage Disposal System Upgrade, 109 & 111 Wilson Ave, Spencer, Massachusetts" Prepared by Charles H. Wilder by Graz Engineering August 8, 2006, revised 8/16/2006.