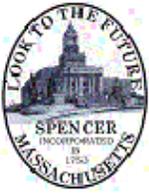


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, December 9, 2015 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

Commissioners Present: Mary McLaughlin, Warren Snow, Dana Reed, Margaret Emerson, John Haverty, James Bouley, Brian Graeff

Staff present: Margaret Washburn

Minutes Approved: October 14, 2015 – *A motion to approve the minutes as amended (Snow/Emerson) passed 7/0.*
November 18, 2015 – tabled to January 13, 2016

Signed: 33 Meadow Road – Ms. Washburn said she inspected and had no issues. *A motion to issue a Certificate of Compliance (Emerson/Bouley) passed 7/0.*

7:17 p.m. Opened the Public Hearing to Amend the Order of Conditions for Susan Sabacinski

Property: 78 Donnelly Road, Spencer, MA DEP#293-0839

Ms. McLaughlin read the Notice of Violation for the record. Art Allen, from EcoTec, and the Sabacinskis were present. Mr. Sabacinski said that they put stones in the Land Under Waterbody (LUWB) so they wouldn't hurt the bank. They used their hands and pry bars to put the stones there. They had made temporary stairs out of stones. They used the stones that were already in the lake. Ms. McLaughlin said they changed the configuration of the bottom of the lake by moving the stones. The Sabacinskis stated they understand that.

Mr. Allen said that moving the rocks is the most serious violation. He says he proposes to dig the stones back in where they are located now. Mr. Allen said he would like to do that now before the snow.

Mr. Sabacinski said he had the trees taken down in March. He said they have not touched anything besides the rocks at the beachfront. Mr. Allen said there was a "disconnect". The trees were tagged for the trail to get to the lake. Mr. Allen understood that these marked trails were only to mark where the trail was going to be. They weren't part of the approved plan. Mr. Allen will come up with a planting plan. Ms. Washburn said any other proposed work they want to do must be shown on the new Notice of Intent plan.

The Commission decided that they can push the rocks, not dig, further into the reservoir if Mr. Allen monitors the work. Ms. McLaughlin said they should do this work now while the water is down and before the freeze. The Request to Amend the Order of Conditions is withdrawn. The rocks in the water will be addressed immediately and a new Notice of Intent will be submitted. Mr. Allen will take photos after the rocks have been moved. Ms. McLaughlin closed the public hearing at 8:07.

Other Business:

Site Visits: Tuesday, December 29th at 9:15 a.m. and on Tuesday, January 12th at 9:45 a.m.

Winter Inspection Policy: The Commission discussed and clarified the Winter Inspection Policy. *A motion to accept the Winter Inspection Policy as amended (Snow/Emerson) passed 7/0.*

Depot Trail: Ms. McLaughlin said the Depot Trail clean-up dates are January 9, 2016 with a rain date of January 10, 2016. The second dates are January 16th with a rain date of January 17th. The hours will be 9 a.m. to 1 p.m. The work will be to clean up woody debris and brush on the trail.

115 Charlton Road culvert: Ms. Washburn said that she issued an Emergency Certificate yesterday to the Highway Department to replace the culvert. She said the culvert was collapsing. Most of the work was completed today. Ms. Washburn took photos.

Small Farm: Natural Heritage submitted a letter regarding the work on the Small Farm. They are all for the proposed work but the work must be done when the turtles are not active.

New Applications: North Spencer Rd., RDA
 45 Chickering Rd., RDA
 68 & 70 Donnelly Rd., RDA

A motion to adjourn the meeting at 8:52 p.m. (Snow/Emerson) passed 7/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 12/9/15 Spencer Conservation Commission meeting:

Agenda for the 12/9/15 meeting

Margaret's report dated 12/9/15

Minutes from the 10/14/15 meeting (approved as amended)

Certificate of Compliance for 33 Meadow Road (signed)

Request to Amend Order of Conditions for 78 Donnelly Road

Notice of Violation and site photographs for 78 Donnelly Road

11/19/15 letter from national Grid re: herbiciding right-of-way corridors

2015 Aquatic Vegetation Management Report from Aquatic Control Technology for Lake Whittemore

2015 Aquatic Vegetation Management Report from Aquatic Control Technology for Thompson Pond

12/1/15 NHESP letter re: 3 Wire Village Road (Common Ground Land Trust)

12/8/15 Emergency Certificate issued to Spencer Highway Department for Charlton Road culvert replacement

Proposed policy statement re: winter inspections, approved as amended