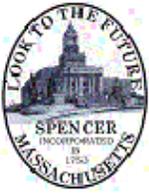


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, March 25, 2015 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

Commissioners Present: Mary McLaughlin, Warren Snow, Margaret Emerson, Dana Reed, James Bouley, Eric Peterson

Staff present: Margaret Washburn

Minutes Approved: February 25, 2015 – *A motion to approve the minutes as amended (Reed/Peterson) passed 6/0.*
March 11, 2015 – Tabled to April 8, 2015

Signed: 10 & 12 Sherman Grove, Order of Conditions

7:15 p.m. Opened the Public Hearing for Notice of Intent for Burncoat Pond Watershed District

Property: Burncoat Pond, Spencer, MA DEP#293-0852

Dominic Meringolo, from Aquatic Control, presented the aquatic plant management plan. The pond is 114 acres. He said the survey showed several non-native species. They evaluated several management techniques and decided that herbicides would be the most effective method of choice. It is their intent to conduct an annual program with monitoring of the plant growth. They do not intend to kill all the plants. They will be thinning the plants in front of residences. The resource areas are shown on the plan. Mr. Meringolo said the surveys will occur from May through June. He said ACT is the licensed pesticide applicator. A DEP Permit will be obtained to apply the pesticides. Ms. McLaughlin read the letter from Mass Audubon. (Mass Audubon letter is attached to these Minutes)

Ms. Washburn read her report to the Commission.

Ms. Washburn asked how many acres of bur reed are in Spencer and how many acres of bur reed they intend to kill. Mr. Meringolo will submit that information. Mr. Meringolo said that only non-natives will be herbicided in two feet of water or less. Water lilies will not be herbicided. Mr. Bob Dirsia said it would be possible to create a map showing the district boundaries based on flood elevations. Mr. Dirsia said he has an overall pond

management plan. Mr. Meringolo said there is an Order of Conditions for the drawdown. Mr. Meringolo said that American Bur reed grows in up to four feet of water.

Mr. Ed Navalski, of 52 Lake Drive, Leicester, said you can't fish there. The weeds are overtaking the pond. Water fowl populations have gone down. The weeds are not helping the wildlife. Mr. Ron Wolanin, property manager for Mass Audubon, asked if milfoil and lily pads would be treated at different times. Mr. Meringolo answered yes. Mr. Wolanin said he is ok with removing the invasives but would not be ok with removing the native nuisance plants. Bur reed is important for ducks, deer, muskrats and otters.

Jack Gagnon, a Spencer resident, said he was appointed to the Burncoat Pond Watershed District by the Town of Spencer. He said that the laws have to be upheld while helping citizens. Mr. Gagnon suggested asking Mass Audubon for money to help buy Burncoat Pond. Mass Audubon said they would not help with the purchase of the pond. The district paid \$850,000 for the pond. Mr. Gagnon said the pond has been treated in the past. Ms. Washburn asked what percent of the acres in Spencer would be treated. Mr. Meringolo offered to treat only invasive species. Mr. Meringolo stated that the target goal for reducing invasive vegetation is 100%. Ms. Washburn asked what methods of monitoring/recording would be used. Mr. Meringolo stated no quantitative results will be reported. No wildlife species will be monitored.

Mr. Meringolo said that glyphosate harms bur reed. Ms. Washburn asked if the plan could be changed to leave native lily pads untreated and not to cut boat lanes through bur reed because they are important for protection of fisheries. Ms. Washburn asked how the proposed work would affect water temperatures. Mr. Peterson said that eutrophication alters water tables. Mr. Glenn Krevosky said that it is important to show where the boundary between the District and Mass Audubon property is.

After much more discussion, the hearing has been continued to April 8, 2015, in order for more information to be submitted to the Commission.

9:10 p.m. Opened the Public Meeting for Request for Determination of Applicability for South Middlesex Non-Profit Housing Corp. (SMOC)

Property: Bixby Road, Spencer, MA

Mr. Rob McNeil presented the plan for off-site sewer improvements. Mr. McNeil said that 100 feet of the proposed sewer pipe replacement is in the BVW buffer zone. He explained that rims will be rebuilt and reset, the lines will be resurfaced and pipes will be sealed. Ms. Washburn said the Commission did a site visit and they had no issues.

A motion to close the meeting (Bouley/Emerson) passed 6/0.

A motion for a Negative Determination (Snow/Reed) passed 6/0.

**9:20 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer
Highway Department
Property: 127 Ash Street, Spencer, MA DEP#293-0851**

At the request of the applicant, the hearing has been continued to April 8, 2015.

Other Business:

Site Visits: The Commission will do site visits on April 7th at 5 p.m.

19 Bixby Road, SMOC: Ms. Washburn said that seven acres of open space will be owned by SMOC. Ownership will not be transferred. Ms. Ginny Scarlet is here tonight to request a letter from the Conservation Commission to Common Ground Land Trust (CGLT) requesting them to help the Commission hold the Conservation Restriction. Ms. Scarlet suggested mentioning in the letter why the Commission needs CGLT to share the responsibility. Ms. Scarlet said we also need a clear understanding as to what is permitted or not permitted on the property. Ms. Scarlet said a baseline survey has to be done when the Conservation Restriction gets handed over. She said SMOC has to do it or they can pay CGLT to do it.

April 8th meeting: Ms. McLaughlin said she may be late. Mr. Snow will chair the meeting in her absence.

115 Charlton Road: Ms. Washburn said she inspected and took photos on March 16th. Violations have occurred. She issued a Notice of Violation and copies were sent to Scott Jordan of EcoTec, Inc., who flagged this site, and Scott VanderSea of CEA, the company who did the oil spill remediation. Ms. Washburn said Riverfront Area, Bank of an intermittent stream, the stream channel and Banks of the “ponded area” were altered. A BVW was altered and filled and the sediment controls were inadequate as well. After the applicant was notified about the problem, the sediment controls were re-installed. Scott Jordan informed Ms. Washburn that he is preparing a proposal for a remediation plan.

New Applications: NOI, 87 Lakeshore Drive

A motion to adjourn the meeting at 9:45 p.m. (Snow/Peterson) passed 6/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 3/25/15 Spencer Conservation Commission meeting:

Agenda for the 3/25/15 meeting

Margaret's report dated 3/25/15

Continuance form for 127 Ash Street (Spencer Highway Department), signed
NOI file for Burncoat Pond (Burncoat Pond Watershed District)

Continuance form for Burncoat Pond (Burncoat Pond Watershed District), signed

Mass Audubon letter dated 3/11/15 re: NOI for Burncoat Pond Management Program

Estimate for third-party review for Burncoat Pond Management Program from Beals &
Thomas, dated 3/12/15

RDA file for Bixby Road (South Middlesex Non-Profit Housing Corp.). including
Negative Determination (signed)

“The Lethal Impact of Roundup on Aquatic and Terrestrial Amphibians” by Rick A.

Relyea from *Ecological Applications*, 15(4), 2005, pp. 1118–1124 by the Ecological
Society of America

“Investigations of Endocrine Disruption in Aquatic Systems Associated with the National
Water Quality Assessment (NAWQA) Program by the United States Geographical
Service

“Effects of Diquat, an aquatic herbicide, on the development of mallard embryos” by
Sewalk CJ¹, Brewer GL, Hoffman DJ., from *Journal of Toxicology and Environmental
Health, Part A*. 2001 Jan 12;62(1):33-45.