

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, May 13, 2015 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Commissioners Absent: Warren Snow

Staff present: Margaret Washburn

Minutes Approved: March 25, 2015 – *A motion to approve the minutes as amended (Reed/Emerson) passed 5/0.*
April 8, 2015 – *A motion to approve the minutes as amended (Bouley/Peterson) passed 5/0.*

Signed: 35 Point Eastalee Drive, Order of Conditions
40 South Spencer Road, Re-sign Order of Conditions

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Burncoat Pond Watershed District
Property: Burncoat Pond, Spencer, MA DEP#293-0852

Ms. Washburn said a boat tour took place on April 29th. It appeared that there are almost no marshes around the cove in Spencer. The DEP wetlands map in the NOI showed extensive possible marshes. Ms. Washburn said that Dominic Meringolo said he would have a five acre test plot done where the milfoil and bur reed are growing. Mr. Reed asked how many acres of the pond are in Spencer. Mr. Ron Wolanin, from MA Audubon said there are 31 acres of land in Spencer and 91 acres in Leicester. The pond is 186 acres. Ms. Karen Comeau asked what the intent is of the third party review. Ms. Washburn said the reason she feels strongly about having an expert's opinion is because bur reed is important for wildlife habitat and fisheries and they don't want the bur reed wiped out. She said this pond is not being singled out from other ponds; the Commission just wants to do the right thing by the wildlife habitat. Mr. Reed challenged Ms. Washburn's reply and added that this project is being more critically regulated compared to other needed treatment projects on other water bodies in Spencer.

The hearing has been continued to July 8, 2015.

Other Business:

Lot 1 & 3 GH Wilson Road: *A motion to grant the Extensions based on the Commission's site visits (Peterson/Emerson) passed 5/0.*

44 Buteau Road: Ms. Washburn said that Jason Dubois told her that the conditions are too wet at the work area to do the required remediation without making a terrible mess. The former deadline was June 30th; the new deadline suggested by Mr. Dubois is August 5th. *A motion to ratify the Enforcement Order (Reed/Bouley) passed 5/0.*

115 Charlton Road: Ms. Washburn said the contractors disturbed the bank of the perennial and intermittent streams, ripped up a bunch of BVW and piled it up with a bunch of rip rap, and pushed dirt across the road near a wetland. Ms. Washburn said this project is being handled as an Enforcement Order now so that Ms. Schoof does not have to file another NOI. The Enforcement Order also references the remediation plan prepared by EcoTec, which they will present at the next meeting. *A motion to ratify the Enforcement Order (Emerson/Peterson) passed 5/0.*

15 Debbie Drive: Ms. Washburn did an inspection and had no issues at this time. *A motion to issue a Certificate of Compliance (Bouley/Emerson) passed 5/0.*

0 Woodbine Terrace: Ms. Washburn said she met with Lee Curtis, CESSWI, and Liam O'Brien, from BSC Group, at the site on April 28th. They discussed what needs to be done. Ms. Washburn took photos. Ms. Washburn said according to the last email she had from Lee Curtis, Sara Petrozzi was supposed to have had a version of a remediation plan by May 6th. Nothing has been submitted.

Barclay Road: Ms. Washburn said she inspected and took photos with Steven Tyler on April 27th and with Steve, Margaret, Dana and Warren on April 28th. Work had to start sooner than expected due to the contractor who is re-surfacing Barclay Road in Paxton. The main culvert was replaced at the same elevation. A double-throated culvert was being replaced about 30 feet from Route 31. The water in a newly excavated forebay between this culvert and Route 31 (with eggs and larvae of wood frogs and/or spotted salamanders) was full of sediment and about to be lined with 6 to 12 inch riprap. No sediment was moving in water under Route 31.

Sunset-Holmes subdivision: Ms. Washburn said the original contractor did not follow the plans for the wetland crossing when he did the work in the wetland alteration area. The plan showed graded slopes beside the existing wetlands crossing. He installed retaining walls. Steven Tyler has stated that he wants the walls removed and the areas graded as originally shown on the plans. Jim Laney has agreed to do the work. Ms. Washburn inspected and took photos on May 5th. Steven Tyler stated that the town won't accept the road unless the issue with the retaining walls is rectified.

Site Visits: The Commission will do site visits on May 20th at 5 p.m.

Mr. Peterson announced that he will not be on the Commission anymore because he is moving out of town. This is his last meeting. He will write a letter of resignation and give it to the Town Clerk. The Commission wished him well.

May 27th Meeting: The Commission will not have a quorum for this meeting. The hearings that are on the agenda for this meeting have been moved to June 10, 2015.

New Applications: 97 Meadow Road, NOI
 54 South Spencer Road, RDA
 74 Donnelly Road, RDA
 22 Bellevue Drive, RDA
 5 Lake Whittemore Drive, RDA

A motion to adjourn the meeting at 8:30 p.m. (Bouley/Emerson) passed 5/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 5/13/15 Spencer Conservation Commission meeting:

Agenda for the 5/13/15 meeting

Margaret's report dated 5/13/15

Minutes from the 3/25/15 and 4/8/15 CC meetings

Continuance form for Burncoat Pond Watershed District vegetation management (signed)

Order of Conditions for 35 Point Eastalee Drive (signed)

Order of Conditions for 40 South Spencer Road (re-signed)

Three-year extensions for Lots 1 and 3 GH Wilson Road (signed)

Enforcement Order for 44 Buteau Road, ratified and signed

Enforcement Order for 115 Charlton Road, ratified and signed

Certificate of Compliance for 15 Debbie Drive (signed)

Photographs taken across the street from 129 Wilson Ave. by Margaret Washburn on 4/15/14