

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, February 24, 2016 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, John Haverty, James Bouley

Commissioners Absent: Warren Snow, Brian Graeff

Staff present: Margaret Washburn

Minutes Approved: January 13, 2016 – *A motion to approve the minutes as amended (Bouley/Emerson) passed 5/0.*
January 27, 2016 – tabled to March 9, 2016
February 10, 2016 – table to March 9, 2016

Signed: Continuation form for Lots 1-4, North Spencer Road
Continuation form for 48 Paxton Road & 19 Woodchuck Lane
Storm water Bond Policy

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Caruso Construction

Property: Lot 1, North Spencer Road, Spencer, MA DEP#293-0873

At the request of the applicant, the hearing has been continued to March 9, 2016.

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Caruso Construction

Property: Lot 2, North Spencer Road, Spencer, MA DEP#293-0865

At the request of the applicant, the hearing has been continued to March 9, 2016.

7:16 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Caruso Construction

Property: Lot 3, North Spencer Road, Spencer, MA DEP#293-0866

At the request of the applicant, the hearing has been continued to March 9, 2016.

7:16 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Caruso Construction

Property: Lot 4, North Spencer Road, Spencer, MA DEP#293-0867

At the request of the applicant, the hearing has been continued to March 9, 2016.

7:16 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Blair Enterprises

Property: 48 Paxton Road, Spencer, MA DEP#293-0871

At the request of the applicant, the hearing has been continued to March 9, 2016.

7:17 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Daniel Lemener

Property: 19 Woodchuck Lane, Spencer, MA DEP#293-0872

At the request of the applicant, the hearing has been continued to March 9, 2016.

7:19 p.m. Opened the Public Meeting for Request for Determination of Applicability for Snowbirds Snowmobile Club

Property: South Spencer Road, Spencer, MA

Ms. McLaughlin said the Commission did a site visit on February 21st. Brad Rand said the trail will be eight feet wide. He said the existing trail is 20 years old. The grooming equipment grooms the snow with a box that is four feet wide by eight feet long. Mr. Rand said the Snowbirds would be happy to put in a gate to block the trail off. Ms. Washburn suggested a six-inch pipe gate. She told Mr. Rand to touch base with Steve Tyler about the issue so they don't buy two gates for the same spot. Ms. Washburn commented that Mr. Tyler is in favor of this project.

Mr. Rand said they can't legally travel on the trail until there is at least six inches of packed, condensed snow on the ground. Ms. McLaughlin asked when the trees are cut, are they pulled out or just cut down. Mr. Rand said they are not pulled out. They are cut level. Ms. McLaughlin commented that there is a stream that will have to be crossed. Ms. Washburn had Mr. Rand draw a proposed bridge over the unmapped intermittent stream on the U.S.G.S Topographic Map in the RDA application. The bridge is six-feet wide by sixteen-feet long.

A motion to close the public meeting (Bouley/Reed) passed 5/0.

A motion for a Negative Determination (Emerson/Bouley) passed 5/0.

Other Business:

21 Ethier Drive: Ms. Washburn said that Peter Millette requested a three-year extension. *A motion to grant the three-year extension (Reed/Haverty) passed 5/0.*

Mr. Millette is also requesting to amend his Order of Conditions. He would like to add a small bathroom addition and two sheds to his current Order of Conditions. The two sheds will be set on level pea stone foundations. The bathroom addition will be five feet by six feet and the kitchen will be ten feet. Ms. Washburn asked how close the addition is to the lake. Mr. Millette said it is 12 feet on one side and 13 feet from the other side. Ms.

Emerson asked what kind of foundation will be under the new addition. Mr. Millette said it will be on pedestals. Ms. Washburn said the purpose of the project has changed. She said the current Order of Conditions doesn't address the new buildings or the addition. This work will require new inspections. Mr. Reed and Mr. Haverty said they don't think a new Notice of Intent needs to be filed. Ms. McLaughlin, Ms. Emerson and Mr. Bouley said they think a new Notice of Intent needs to be filed. Mr. Millette must file a new Notice of Intent for the work he is proposing. The Commission mentioned that any trees that are coming down must be shown on the plan.

32 Paxton Road: Mr. Jeff Berthiaume would like to install a pool on his property. He asked the Commission what the proper process is. The Commission said he would need to file a Request for Determination of Applicability. Ms. Washburn gave Mr. Berthiaume the form.

Herbiciding on Browning Pond: Ms. Washburn said the Boy Scouts have hired Solitude Lake Management (SLM), formerly known as Aquatic Control Technology, to file a Notice of Intent in Oakham to herbicide all 85± acres of Browning Pond. That hearing has already opened and closed. Ms. Washburn said she called the Oakham Town Clerk to ask when the hearing was scheduled. He/she never returned her call. DEP and NHESP recommend that SLM file a NOI in Spencer.

Bond Construction: Ms. Washburn said Karen from Bond Construction has filed an RDA to fill in a manmade basin that was created back in the 70's. The basin is right on the edge of a wetland. Ms. Washburn said Bond is being sued by the Cleanwater Action. They are saying that Bond violated Federal EPA Regulations. Bond now has to donate to some kind of watershed coalition. Karen wants to donate about \$30,000.00 to the Spencer Conservation Commission for something the Commission wants to use it for, such as clean water grant match funding. Ms. Washburn will talk to Steve Tyler and see if there are any clean water grants.

Site Visits: The Commission will do site visits on Wednesday, March 2, 2016 at 4 p.m.

Mr. Reed said he will not be at the March 9th meeting.

New Applications: 98 North Spencer Road, RDA, Bond Gravel

A motion to adjourn the meeting at 8:40 p.m. (Reed/Emerson) passed 5/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 2/24/16 Spencer Conservation Commission meeting:

Agenda for the 2/24/16 meeting

Margaret's report dated 2/24/16

Minutes from the 1/13/16 meeting (approved as amended)

Continuance form for Lots 1-4 North Spencer Road (signed)

Continuance form for 48 Paxton Road and 19 Woodchuck Lane (signed)

21 Ethier Drive Extension Form for OofC (signed)

NOI file for 21 Ethier Drive

Request to amend OofC for 21 Ethier Drive (rejected)

Spencer Conservation Commission Stormwater Bond Policy Statement (signed)

RDA file for 98 North Spencer Road