

# Conservation Commission – Town of Spencer

## *Minutes*



Conservation Commission Meeting  
Wednesday, March 9, 2016 at 6:45 PM  
Town Hall, McCourt Social Hall

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The Meeting was opened at 6:45 p.m.

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

Commissioners Absent: Dana Reed

Staff present: Margaret Washburn

- Envirothon Team:**
- Q: What are some of the most troublesome invasive species?  
A: Ms. Washburn said the most invasive species are Bittersweet, Japanese Knotweed, Purple Loosestrife, Tartarian Honeysuckle, MultiFlora Rose.
- Q: Are there any current projects going on that are working to help fight or remove some of the invasive species?  
A: Ms. Washburn said someone came in and applied to remove invasive species on Donnelly Road. Mr. Snow said Greater Worcester Land Trust and Mass Audubon are working with Sibley Farm to remove invasive species.
- Q: What are some of the areas that are most known for having a high concentration of invasive species?  
A: Ms. Washburn said disturbed areas. There are invasive species at St. Joseph's Abbey. The majority of the town has a problem with invasive species.
- Q: Would any of the mentioned invasive species be considered as more threatening than others?  
A: Ms. McLaughlin said there is a ton of MultiFlora Rose and those are difficult to get rid of. Ms. Washburn said they all grow fast.
- Q: Do you know of any specific areas in Spencer that are entirely native?  
A: Ms. Washburn said there is a map that shows the natural communities. There is a wetland on Sibley Farm that is entirely native.

- Q: Do the invasive species in Spencer have any actual use and are they beneficial in any way?
- A: Ms. Washburn said yes, lots of them provide food for wildlife.
- Q: Would anyone be willing to submit a letter for the Envirothon Team to verify that their contribution to the Small Farm cleanup had some significance?
- A: Mr. Snow told Ms. McLaughlin to email his wife, Sandy, requesting the letter. She is on the Board of Directors for the Common Ground Land Trust.
- Q: What are some invasive animals in Spencer or around here?
- A: Ms. Washburn said there are swans in Spencer now. There is the Norway rat, European starling, English sparrows, and Snakehead fish. Most of the streams and rivers have no native fish.
- Q: Are the fish having a huge detrimental effect on the lakes and ponds?
- A: Ms. Washburn said they certainly are. They have taken over the ecosystem where the native fish used to be.

**Minutes Approved:**

January 27, 2016 – *A motion to approve the minutes as amended (Haverty/Emerson) passed 6/0.*  
 February 10, 2016 – Table to March 23, 2016  
 February 24, 2016 – Table to March 23, 2016

**7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Steven Turner**

**Property: 5 Meadow Road, Spencer, MA DEP#293-0870**

The hearing has been continued to April 13, 2016.

**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**

The hearing has been continued to March 23, 2016.

**7:16 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**

The hearing has been continued to March 23, 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**

The hearing has been continued to March 23, 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**

The hearing has been continued to March 23, 2016.

**7:18 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Blair Enterprises**

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

Ms. Washburn said she met with Corey Brodeur and Bill Hannigan and they went over all the outstanding issues. Mr. Hannigan said it was extremely helpful to meet with Mr. Brodeur and Ms. Washburn to narrow down the issues that were in question. Mr. Brodeur and Art Allen have completed their reviews. Ms. Washburn said she is satisfied with the plans. Mr. Hannigan submitted checks for fees for storm drain discharges for both 48 Paxton Road and 19 Woodchuck Lane.

Mr. Hannigan said right now there is a purchase agreement for frontage on Donnelly Road. Mr. Hannigan discussed the comments and the issues that have been resolved.

Ms. McLaughlin read the special conditions that Ms. Washburn drafted. The Commission discussed them and made some amendments. Ms. Washburn will send the amended special orders to the Commission for review before the next meeting.

*A motion to close the public hearing (Snow/Bouley) passed 5/0. Mr. Graeff abstained.  
A motion to accept plan as submitted with conditions as discussed and amended (Snow/Haverty) passed 5/0. Mr. Graeff abstained.*

**9:10 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Daniel Lemenager**

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

Corey Brodeur and Art Allen have completed their reviews. Ms. Washburn said she is satisfied with the plans. Mr. Bill Hannigan discussed the comments and the issues that have been revised. The amended Conditions pertaining to 48 Paxton Road will be used for 19 Woodchuck Lane as well, with the exception of condition number 26 which pertains to the vernal pool.

*A motion to close the public hearing (Haverty/Emerson) passed 5/0. Mr. Graeff abstained.*

*A motion to accept plan as submitted with conditions as discussed and amended (Haverty/Bouley) passed 5/0. Mr. Graeff abstained.*

**9:25 p.m. Opened the Public Meeting for Request for Determination of Applicability for Bond Construction, Corp.**

**Property: 98 North Spencer Road, Spencer, MA**

Ms. Karen Hubacz-Kiley, Chief Operating Officer at Bond Construction, said there is a settling basin that is no longer used. It was utilized to receive wash water for sand and gravel products. There was a catch basin that caught the water and directed it to the settling basin. The basin was created in 1972. Updates and modifications have been made to the plant. The water now goes into a different settling basin and is pumped into the three main siltation ponds. Ms. Hubacz-Kiley would like to restore the area back to its original condition before the basin was created. Mr. Snow asked if the property is in the Natural Heritage Endangered Species Program (NHESP) habitat. Ms. Washburn said it is and Ms. Hubacz-Kiley has to send this filing to NHESP. Ms. McLaughlin read the inspection report. The Commission had a question whether the fill used will sustain vegetation and how much loam will be applied. The berm adjacent to the settling basin will be removed. They are going to fill in the berm with clean tailings. When the berm is removed it will lower the water so if any water is to spill it won't go towards the wetland. They will put organic material there and put the berm back up. Mr. Graeff suggested plantings in the area rather than leaving the area open for invasive species to come in. Ms. Hubacz-Kiley said she would transplant plants from the wetlands. *At the request of the applicant the public meeting has been continued to April 13, 2016.*

**Other Business:**

**32 Paxton Road:** Ms. Washburn said she previously issued an Enforcement Order for cut trees near a wetland. Now the owner wants to install a pool. Ms. Washburn told the owner to hold off on the pool until the wetland is flagged. *A motion to ratify the Enforcement Order (Snow/Emerson) passed 6/0.*

**45 Chickering Road:** Ms. Washburn said the owner dumped fill near the wetlands and Ms. Washburn issued an Enforcement Order. *A motion to ratify the Enforcement Order (Haverty/Bouley) passed 6/0.*

**Site Visits:** The Commission will do a site visit to Holmes Street on Friday, March 18<sup>th</sup> at 3 p.m. No site visit has been scheduled for Browning Pond yet. The site visit for 144 Mechanic Street has been postponed.

**78 Donnelly Road:** Ms. Washburn said they have not filed a Notice of Intent and she suggested issuing an Enforcement Order. The Commission agreed. She will issue the Enforcement Order.

New Applications:    144 Mechanic Street, NOI  
                                  Browning Pond, NOI  
                                  Holmes Street, NOI

*A motion to adjourn the meeting at 10:15 p.m. (Bouley/Emerson) passed 6/0.*

Respectfully submitted by:

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Lisa Daoust, Senior Clerk  
Development & Inspectional Services

Documents reviewed at the 3/9/16 Spencer Conservation Commission meeting:

Agenda for the 3/9/16 meeting  
Margaret's report dated 3/9/16  
Minutes from the 1/27/16 meeting (approved as amended)  
Continuance form for Lots 1-4 North Spencer Road (signed)  
Continuance form for 5 Meadow Road (signed)  
RDA file for 98 North Spencer Road  
Continuance form for 98 North Spencer Road (signed)  
Enforcement Order for 32 Paxton Road (ratified)  
Enforcement Order for 45 Chickering Road (ratified)  
NOI file for 19 Woodchuck Lane  
Draft Special Order of Conditions for 19 Woodchuck Lane  
NOI file for 48 Paxton Road  
Draft Special Order of Conditions for 48 Paxton Road