

Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, October 26, 2016 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

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

Staff absent: Margaret Washburn

Minutes Approved: October 12, 2016 – *A motion to approve the minutes as amended (Reed/Snow) passed 7/0.*

Signed: 91 Clark Road, Order of Conditions
103 Clark Road, Order of Conditions
9 & 10 Wilson Avenue, Order of Conditions
5 Meadow Road, Order of Conditions

7:15 p.m. Opened the Continuation of Public Hearings for Notices of Intent for Caruso Construction

Property: Lot 1-4, North Spencer Road, Spencer, MA DEP#293-0873, 293-0865, 293-0866, 293-0867

The project was presented to the Commission. The Commission told Mr. Caruso that wetland markers must be put up behind the house on Lot 4.

A motion to close the public hearing passed 7/0.

A motion to accept the plans as submitted with conditions as discussed passed 7/0.

7:40 p.m. Re-Opened the Continuation of Public Hearing for Notice of Intent for Mark Andrews

Property: Meadow Road, Spencer, MA DEP#293-0888

The hearing was re-opened and continued to November 16, 2016.

7:45 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Charbel Najem, Capstone Realty

Property: 9 Debbie Drive, Spencer, MA DEP#293-0890

The project and plan was presented to the Commission. The Commission reviewed the plan.

A motion to close the public hearing passed 7/0.

A motion to accept the plans as submitted with standard conditions passed 7/0.

8:00 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Charbel Najem, Capstone Realty

Property: 13 Debbie Drive, Spencer, MA DEP#293-0891

The project and plan was presented to the Commission. The Commission reviewed the plan.

A motion to close the public hearing passed 7/0.

A motion to accept the plans as submitted with standard conditions passed 7/0.

8:30 p.m. Opened the Public Meeting for Request for Determination of Applicability for Yvette Dyson

Property: 23 Thompson Pond Road, Spencer, MA

Ms. Dyson presented the project to the Commission. The Commission reviewed the plan.

A motion to close the public meeting passed 7/0.

A motion for a Negative Determination passed 7/0.

8:45 p.m. Opened the Public Meeting for Request for Determination of Applicability for Brian Kennen

Property: 7 Debbie Drive, Spencer, MA

Mr. Kennen presented the project to the Commission. The Commission reviewed the plan.

A motion to close the public meeting passed 7/0.

A motion for a Negative Determination passed 7/0.

9:00 p.m. Opened the Public Meeting for Request for Determination of Applicability for Alan Berman

Property: 39 Point Eastalee Drive, Spencer, MA

Mr. Berman presented the project to the Commission. The Commission reviewed the plan.

A motion to close the public meeting passed 7/0.

A motion for a Negative Determination passed 7/0.

9:15 p.m. Opened the Public Hearing for Notice of Intent for William Klansek

Property: Lot 4, Sherry Lane, Spencer, MA DEP#293-0893

At the request of the applicant, the hearing has been continued to November 16, 2016.

9:21 p.m. Public Hearing for an Abbreviated Notice of Resource Area Delineation for Karen Hubacz-Kiley

Property: 93 & 97 Hastings Road, Spencer, MA

The hearing has been rescheduled to November 16, 2016.

Other Business:

25 Thompson Pond Road: Ms. McLaughlin said the Commission did a site visit to 23 Thompson Pond Road. They noticed that the hay bales and silt fence were dilapidated and there was clear cut beyond the permanent markers. Ms. McLaughlin said the markers are there to let you know you cannot cut beyond the markers. The owners told the Commission that they did not do the cutting. The previous owner had done the cutting and Ms. Washburn previously inspected and a Certificate of Compliance was issued. The owners will remove the hay bales and silt fence.

69 Wilson Avenue: Ms. Emerson said Maryann Packard called her yesterday and Ms. Emerson asked her to take pictures. Ms. Packard told Ms. Emerson that Mr. Annunziata showed up with a backhoe and dug further back into the hill. Ms. Emerson showed the Commission the photos. The plan doesn't say anything about removing fill and Mr. Annunziata has removed truckloads of fill. Ms. McLaughlin read the Enforcement Order. The Commission said that none of the provisions in the Enforcement Order have been complied with as of yet. The deadline on the Enforcement Order is October 31, 2016. Mr. Graeff will speak with Lee Jarvis on Monday and discuss further action. Mr. Graeff will inspect on Tuesday to see if Mr. Annunziata has complied with the Enforcement Order.

40 South Spencer Road: The Commission inspected due to a complaint. There are piles of manure within the Aquifer Protection Zone. Ms. McLaughlin took pictures and showed the Commission. Ms. McLaughlin said that Steven Tyler is the Aquifer Protection Zone enforcer. The Order of Conditions states that the manure is to be contained and hauled away. The Commission will contact Lisa and have her contact Steve Tyler with the information.

Site Inspections: The Commission will do site inspections on November 9, 2016 at 3:30.

New Applications: 24 Oak Lane, NOI

A motion to adjourn the meeting at 9:45 p.m. (Reed/Haverty) passed 7/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services