



## **TOWN OF NORTHBRIDGE CONSERVATION COMMISSION**

**7 MAIN STREET  
WHITINSVILLE, MASSACHUSETTS 01588.  
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### **Meeting Minutes December 14, 2016**

Barbara McNamee, Joy Anderson, Justin Arbuckle, Gerry Ouillette, Cindy Campbell and Rich Chiras were present. David Pickart, Conservation Agent, and Barbara Kinney, Administrative Assistant were also present.

Ms. Anderson opened the meeting at 7:01PM.

#### **Citizen's Forum None**

#### **(08-RDA-2016) 48 Susanne Drive (Map 21A, Parcel 44)**

Proposed construction of a garage 34.5 feet from the property line in a pre-disturbed lawn that abuts a wetland. The applicant is Dan Billington, 48 Susanne Drive, Whitinsville, MA 01588.

The owner, Dan Billington was present and explained that he is proposing construction of a garage with a crushed blue stone driveway. The area is lawn now and it gently slopes towards the wetland. The rear of the garage will be +/-34 feet from the wetland. There will be a little bit of earthwork and the garage will be on a slab. Erosion controls are needed around the limit of disturbance. Straw wattles can be used.

Motion made by Mr. Ouillette and seconded by Ms. Campbell. The Conservation Commission (NCC) voted 6-0 to issue a negative determination with the condition that erosion controls be installed at the limit of disturbance.

#### **Old / New Business**

##### **Jayce Knapik – Eagle Scout Project (Mumford River Walk)**

Jayce Knapik was present and explained that he is doing a project to become an Eagle Scout. He would like to do his project on the Mumford River Walk (Riverwalk) and gave a brief presentation to the NCC. To become an Eagle Scout, the scout needs to lead, develop a plan and execute the plan. He proposes renovation of the Riverwalk. Some repair and repositioning of signs / placards are needed. Visible trash will be removed. Vegetation will be trimmed as necessary. A long term maintenance plan will be developed. The observation blind will be repositioned. One sign will be moved out of the wetland onto stable ground. The blind is on sonotubes and is listing downhill.

Mr. Knapik's timeline is to have the paperwork prepared so that it can be sent to the Boy Scout council for approval by the end of the year. Work on the Riverwalk would take place in February / March 2017 with a completion date of April 10, 2017. This is the day he turns 18 and ages out of Boy Scouts so it must be completed by then. Ms. Kinney

gave him the Town Planner's (Gary Bechtholdt) business card and asked him to contact him regarding the Riverwalk. The Town Planner is working on a grant for this project to enhance / expand the Riverwalk. They should be able to develop a cohesive vision for the Riverwalk and this may provide some additional funds to execute some of the targeted items. Ms. Anderson will sign the sponsorship paperwork. Mr. Knapik will contact the office when he has the necessary paperwork for Ms. Anderson to sign.

(248-625) 342 Cooper Road – Possible violation(s)

The report has not been received from the engineer yet. This item of business is tabled to the next meeting.

*Mr. Pickart left the meeting around 8 pm. He was present for the discussion on Church Street / Providence Road under enforcement actions since it was taken out of order.*

Riverdale Mills Earth Removal – Response / Permit for working near wetlands

The NCC reviewed the letter dated November 30, 2016 from Andrews Engineering (ASE) and a Notice of Intent (NOI) will be submitted by year end.

(248-470) Hemlock Estates – Response needed

No response has been received. The NCC will send another letter with a cc: to ASE stating that the information must be received by the end of February 2017 or the NCC will issue a cease / desist for Hemlock Estates.

(248-604) Lot 37 Roosevelt Drive – Order of Conditions (OOC) Extension Request

Motion made by Mr. Ouillette and seconded by Mr. Arbuckle. The NCC voted 6-0 to issue an extension for one year.

(248-606) Lot 70 Roosevelt Drive – OOC Extension Request

Motion made by Mr. Ouillette and seconded by Mr. Arbuckle. The NCC voted 6-0 to issue an extension for one year.

(248-607) Lot 71 Roosevelt Drive – OOC Extension Request

Motion made by Mr. Ouillette and seconded by Mr. Chiras. The NCC voted 6-0 to issue an extension for one year.

**Enforcement Actions**

Church Street / Providence Road – Enforcement Action Update

Attorney David Sacco was present and submitted a letter from him dated December 13, 2016 with an attachment letter from B & C Associates. Mr. Sacco then gave a brief history of what has taken place to-date. B & C Associates has been hired by Mr. McCarthy to do the remediation plan.

Edward Renaud (one of the property owners) hired Malley Construction to clean the drainage pipe. Mr. Pickart will need to confirm that this has been done.

Exhibit 1 of Mr. Sacco's letter is the preliminary letter / report of B & C Associates.

Mr. Sacco is asking the NCC to release the enforcement order so Mr. McCarthy can remove 20 cords of cut timber off the property. Several NCC members want to see the full report before anything is removed from the site.

Mr. Pickart suggested that a scope of work be submitted documenting where the materials are that are to be removed, how the materials will be removed including any equipment to be used and the timeline of the material removal. Mr. Pickart went on to explain that this site is exempt from the Wetlands Protection Act (WPA) but still needs approval under the Town Bylaw, the Department of Environmental Protection (DEP) for Water Quality and the Army Corps of Engineers. Mr. Pickart then suggested that the client possibly post a bond to cover the preparation of the remediation plan. Ms. Kinney will need to research if that is something the NCC can request legally.

The NCC then discussed their letter of October 31, 2016 and what the progress is on the items 1 through 4. Item 1 has been started, Item 2 is not done, Item 3 is not done and Item 4 has been completed.

Mr. Sacco wanted to know if the remediation plan was done in short order, could the NCC allow Mr. McCarthy onsite to remove the timber / stone.

The NCC voted to send a letter to Mr. McCarthy requiring the scope of work for the removal of timber / stone be submitted to the NCC before any authorization to remove the timber / stone is given.

Motion was made by Ms. Campbell, seconded by Ms. McNamee and the NCC voted 6-0 to send the letter stated above.

#### (248-639) Lot 35 Joseph Circle – Cease & Desist Letter

The NCC discussed the lack of response and will send another letter with a cc: to ASE explaining that they are still waiting for the restoration plan and it must be received by the end of the year or on January 2, 2017 they will issue a cease and desist.

#### 1737 Quaker Street – Cease and Desist Letter

The NCC will send another letter stating that they will give the owner until the January 11, 2017 meeting to come in and discuss the cease and desist letter or they will begin fining the owner.

### **Minutes**

#### April 27, 2016

Motion made by Mr. Ouillette and seconded by Ms. Campbell. The NCC voted 4-0-2 (Mr. Arbuckle and Ms. McNamee abstained) to approve the April 27, 2016 minutes as written.

#### May 25, 2016

Motion made Mr. Arbuckle and seconded by Mr. Ouillette. The NCC voted 5-0-1 (Ms. McNamee abstained) to approve the minutes of May 25, 2016 as written.

#### June 8, 2016

Motion made by Mr. Arbuckle and seconded by Mr. Ouillette. The NCC voted 5-0-1 (Ms. McNamee abstained) to approve the minutes of June 8, 2016 as written.

June 22, 2016

Motion made by Mr. Arbuckle and seconded by Ms. Anderson. The NCC voted 4-0-2 (Mr. Chiras and Ms. McNamee abstained) to approve the minutes of June 22, 2016 as written.

August 24, 2016 (Executive Session)

Motion made by Mr. Ouillette and seconded by Mr. Chiras. The NCC voted 5-0-1 (Ms. McNamee abstained) to approve the Executive Session minutes of August 24, 2016 as written but not release them.

October 12, 2016

Motion made by Mr. Arbuckle and seconded by Mr. Ouillette. The NCC voted 5-0-1 (Ms. Anderson abstained) to approve the minutes of October 12, 2016 as written.

October 26, 2016

Motion made by Mr. Chiras and seconded by Ms. McNamee. The NCC voted 5-0-1 (Mr. Ouillette abstained) to approve the minutes of October 26, 2016 as written.

November 9, 2016

Motion made by Ms. McNamee and seconded by Mr. Chiras. The NCC voted 3-0-3 (Ms. Campbell, Mr. Ouillette and Mr. Arbuckle abstained) to approve the minutes of November 9, 2016 as written.

**Executive Session**

None

**Other**

The NCC members present performed administrative tasks (signed Orders, etc.) that were needed.

Motion made and seconded. The NCC voted 6-0 to cancel the meeting on December 28, 2016.

Motion made by Mr. Chiras and seconded by Ms. Campbell. The NCC voted 6-0 to approve the 2017 NCC meeting schedule.

Motion made by Mr. Arbuckle and seconded by Ms. Campbell. The NCC voted 6-0 to adjourn the meeting on or about 9:30PM.

Respectfully submitted,

DATE APPROVED:



Barbara A. Kinney  
Conservation Administrative Assistant



December 14, 2016

## CONSERVATION MAIL LIST

[illegible]

**ADDITIONAL DOCUMENTS USED AT MEETING**

LETTER DATED 12/13/16 FROM DAVID SACCO

Mumford River Walk Restoration & Management Plan