



TOWN OF NORTHBRIDGE

CONSERVATION COMMISSION

**7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588
Telephone: (508) 234-0817
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Meeting Minutes March 10, 2010

Wyatt Mills, Cheryl Peckham, Roger Jewell, Bill Freer and Gina Calitri were present. Terry Bradley and Andrew Chagnon were absent. Barbara Kinney, Administrative Assistant, was also present.

Mr. Mills opened the meeting at 7:02PM.

Citizen's Forum

Don Gammon from *89 Benson Road* was present. Mr. Mills explained to the other members that he visited this address after the Building Inspector went to the site and noticed violation(s). Trees have been taken down in the resource area. Mr. Mills took pictures and provided them to the members.

Mr. Mills explained the Conservation Commission's role under the state regulations to the property owner. He then explained the definition of what a wetland is. The owner said that there are more wetlands there now than what was there 20 years ago. Mr. Mills stated that what is there is what matters and not what was there 20 years ago.

Mr. Gammon noted that there is black top back there that is now overgrown. Mr. Gammon then explained that he just bought the house and is just trying to clean up the property. Mr. Mills stated that the shack is in the buffer zone and was constructed without permitting from the Conservation Commission.

Mr. Jewell stated that the Conservation Commission wants to work with the owner with what needs to be done to remediate the damage to the wetland(s) and provide guidance on how to proceed. Ms. Peckham suggested that the Conservation Commission set up a site visit and was wondering why the trees were cut down. Mr. Gammon stated that kids already cut down the trees and were trail riding. The Conservation Commission scheduled the site visit for March 17, 2010 at 5:30PM.

(248-571) Lot 31, Fir Hill Lane (Hemlock Estates) (Map 19, Parcel 385)

Proposed construction of a single-family dwelling with associated grading and utilities. The applicant is J & F Marinella represented by Heritage Design Group, 1 Main Street, Whitinsville, MA 01588.

Motion made by Mr. Jewell and seconded by Ms. Peckham. The Conservation Commission voted 5-0 to continue the Public Hearing to March 24, 2010 at 7:20PM.

(248-572) Lot 2 Benson Road (Map 23, Parcel 139)

Proposed construction of a single-family dwelling, driveway, sewer and storm drain system, water line extension, underground electric, cable and telephone, earth cuts and fills. The applicant is Judith Brooks represented by Northwest Engineering Services, LLC, 184 Indian Trail, Glocester, RI 02814.

Bill Drexel presented the Conservation Commission with the latest plans that will presented to the Zoning Board of Appeals on Thursday, March 11, 2010.

Motion made by Mr. Jewell and seconded by Ms. Peckham. The Conservation Commission voted 5-0 to continue the Public Hearing to March 24, 2010 at 7:10PM.

(13-RDA-2009) Burdon Pond Dam (Map 8, Lot 10)

Proposed construction of a four foot wide walkway transversing the water control gate of Burdon Pond. Each end of the walkway will be supported by concrete footings and the exposed portions will be encased in stone to be architecturally consistent with the stone work there. The applicant is Burdon Pond Realty Trust, 248 Purgatory Road, Whitinsville, MA 01588.

Rob Knapik gave a summary of what Howard and Andrea Fease propose to construct and presented pictures of the modification to the bridge. The bridge has been moved farther back from the control gate and the footings will be higher on the bank. The bridge will now have a slight arch to it and will be about 36 feet long. This bridge is for access to the outlet control structure.

The span will be constructed on the adjacent lot (also owned by Fease) and then put into place using block and tackle per Mr. Fease. Mr. Fease stated that rocks will be replaced along the bank to prevent further erosion. The footings will be hand dug with erosion controls around them. Mr. and Mrs. Fease are looking to start construction in late April 2010.

Motion made by Ms. Peckham and seconded by Mr. Jewell. The Conservation Commission voted 5-0 to issue a negative determination with the following condition(s): All work must be by hand; no machinery allowed; and erosion controls are to be used around the footings during construction.

Minutes**February 24, 2010**

Motion made by Ms. Peckham and seconded by Mr. Jewell. The Conservation Commission voted 4-0-1 (Ms. Calitri abstained) to accept the minutes of February 24, 2010.

Other

The Conservation Commission received phone call from someone in the Center Street neighborhood concerned with some digging with a backhoe that is going on and discoloring the brook at *11 Center Street*. Ms. Peckham paid a visit to 11 Center Street and discovered that they have replaced a pipe in the brook. The concrete pipe was 45 years old and had deteriorated. The owners' dirt driveway and basement were being flooded. By the time Ms. Peckham got there, they had already buried the 20 feet of new black tube and she noticed that the brook was already running clear. She explained to the owners that they need to come before the Conservation Commission before they do any type work within a waterway and the

buffer zone of that waterway. Ms. Peckham took some pictures and asked the owners to button up the sides a little better. She will return to inspect once the work has been completed.

Mr. Jewell provided some information regarding the *Church Street Landfill*. The developer that is capping the landfill is also the owner of the land.

The Conservation Commission received a telephone call from a resident at *Adams Circle*. Someone is cutting trees in the area. Ms. Calitri contacted the resident and took a look at the site as well. She could not tell from the road if the trees are being cut down or if they are just cutting up trees that are already down. Ms. Kinney will pull the plans for Presidential Estates, find out who owns the property and possibly get an aerial view of the area for a future meeting.

The Certificate of Compliance for (248-545) *Border Street Updates Phase I* was never recorded and the original has been misplaced. The Conservation Commission will reissue the Certificate of Compliance so it can be recorded at the Registry of Deeds.

The Conservation Commission received a telephone call from a resident stating that demolition work at *Meadow Pond* is putting debris into the water. Ms. Kinney contacted Randy Swigor at the Whitinsville Water Company and Mr. Freer of the Conservation Commission. Mr. Freer visited the site and took pictures showing that there is no debris located in the water.

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

Executive Session

MGL Chapter 39, S 23B #3 – Litigation

Executive Session has been postponed to the next meeting so Mr. Mills can get clarification from Town Counsel on the contents of the document received before the Conservation Commission discusses it.

Motion made by Mr. Jewell and seconded by Ms. Peckham. The Conservation Commission voted 5-0 to *adjourn* the Conservation Commission meeting at 8:20PM.

Respectfully submitted,

Barbara A. Kinney
Conservation Administrative Assistant