



TOWN OF NORTHBRIDGE

CONSERVATION COMMISSION

**7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588
Telephone: (508) 234-0817
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Meeting Minutes September 22, 2010

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

Mr. Mills opened the meeting at 7:26PM.

Citizen's Forum

Dan Gammon was present in response to a cease and desist letter that he received from the Conservation Commission. He stated that he is just trimming branches and went a few feet onto the abutting property and that is why they lodged a complaint. He has also removed a wagon wheel. He stated that he is leveling the area and putting in a drain because he has water problems in the cellar. Mr. Mills explained to Mr. Gammon that it was reported that he was using a backhoe and Mr. Mills further explained to Mr. Gammon that any work within the Conservation Commission's jurisdiction requires a permit. If there is no permit, then Mr. Gammon could be in violation of the Wetland's Protection Act. Mr. Gammon stated that no one is going onto his property to inspect anything and he left.

The Conservation Commission continued the discussion on how to proceed from here. Mr. Bradley will check google earth from last spring to now and see if any changes can be seen. There are several choices that the Conservation Commission could do for the next step such as impose an enforcement order and fines, call DEP for their help, or issue a search warrant. The Conservation Commission is not sure of the exact process of issuing a search warrant, since they have not had to use this option, however, will need evidence first. The police would accompany the Conservation members to visit the site. The Conservation Commission will continue to monitor this for now and see what google earth shows before deciding how to proceed.

(NCCP201001) 305 Goldthwaite Road (Map 7, Parcel 82)

Proposed improvements and upgrades to an existing church building and parking lot within 100 feet of a wetland. The applicant is Fairlawn Christian Reformed

Church represented by Yerka Engineering, LLC, 128 West Hartford Avenue, Uxbridge, MA 01569.

Motion made by Mr. Chagnon and seconded by Mr. Bradley. The Conservation Commission voted 3-0 to continue the Public Hearing to October 13, 2010 at 7:10PM with no discussion because the Conservation Commission has not received anything yet from Yerka Engineering.

(248-573) The Camelot (Map 16, Parcel 28)

Proposed construction of a roadway, infrastructure and associated amenities for a 65 lot residential subdivision located off Hill Street and Hillcrest Road. The applicant is J & F Marinella Development Corporation represented by Heritage Design Group, 1 Main Street, Whitinsville, MA 01588.

The Conservation Commission has received a request to continue the Public Hearing from Heritage Design Group because Heritage Design received an Email from the Town Planner stating that the Planning Board approved the plan as a whole so Heritage Design would need to come before the Planning Board for a new approval if they modify the plan. The applicant decided to proceed with the original submittal so Tunison Smith is in the process of reviewing the final phase.

The Conservation Commission suggested requesting an exception to use sloped curbing in certain areas, especially where there are wetlands on both sides of the roadway. Ms. Kinney will pull the Rocky Ridge file to see what the wording was for that project for the next meeting.

Motion made by Mr. Bradley and seconded by Mr. Mills. The Conservation Commission voted 3-0 to continue the Public Hearing to October 13, 2010 at 7:20PM.

Documents used: Email from Heritage Design Group dated 9/22/10.

Minutes

July 14, 2010

There was no quorum to approve these minutes.

August 11, 2010

There was no quorum to approve these minutes.

Old / New Business

(248-266) Hills at Whitinsville Open Space – Discussion

This was continued to the next meeting with no discussion.

(248-574) Sutton St. Sewer Repair – Final Plans Acceptance

Motion made by Mr. Chagnon and seconded by Mr. Bradley. The Conservation Commission voted 3-0 to accept the plans entitled "Town of Northbridge, MA Sutton Street Sewer Replacement Sewer Layout" dated September 2010.

Other

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

Mr. Chagnon reported that he could not see anything from the road regarding the *porta potty* along Swan's Pond. Mr. Mills checked the regulations and could not see anything pertaining to specifically restricting a porta potty. No further action is required by the Conservation Commission.

The Conservation Commission signed the Certificate of Compliance for *Lot 8 Union Place*.

The Conservation Commission reviewed the current *talent bank forms* and Ms. Kinney will send an Email to them to contact the Conservation Office if they are still interested in serving on the Conservation Commission because there are two vacancies available.

Executive Session

MGL Chapter 39, S 23B #3 – Litigation

Arcade Realty Trust vs. Northbridge Conservation Commission

Upon roll call vote, the Conservation Commission entered into Executive Session at 8:00PM and will not return to the regular session.

Respectfully submitted,

Barbara A. Kinney
Conservation Administrative Assistant