



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

**7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588
Telephone: (508) 234-0817
FAX: (508) 234-0814**

**Meeting Minutes
July 15, 2020**

NORTHBRIDGE TOWN CLERK
LESLIE R. BROWN

20 OCT 30 AM 9:00

RECEIVED

Remote meeting via Zoom.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A Section 18 and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, meetings of the Northbridge Conservation Commission (NCC) shall be conducted via remote participation to the greatest extent possible. No in-person attendance of members or the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided in the Order.

Justine Carroll, Steve Gniadek, Cindy Campbell, Justin Arbuckle, and Barbara McNamee were present. Rich Chiras was late. No one was absent. Barbara Kinney, Conservation Commission (NCC) Administrative Assistant, and David Pickart, NCC Agent, were also present. There is one (1) open vacancy on the NCC.

Ms. McNamee opened the meeting at 7:00PM by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; and B. McNamee – Yes.

Attendees: Paul Anderson; David Eldredge; Kristen LaBrie, Andrews Survey & Engineering; Josh Skowyra, Shelley Buma, Jim Bailey, and Prasad.

Citizen's Forum

None

(248-678) 342-350 Providence Road (Map 24, Parcel 104)

Proposed building of a four-apartment addition and connection of the existing building and proposed addition to town sewer. The applicant for this project is 342-350 Providence Road, LLC represented by Land Planning, Inc., 214 Worcester Street, Grafton, MA 01536.

Norman Hill, Land Planning, Inc., the engineer was not present. David Eldredge, the applicant, explained that the existing septic system lies primarily under the abutting parcel. This is in a Residential Four (R-4) zoning district and he wants to convert the existing mixed use to all apartments with an addition of four (4) apartments for a total of eight (8) apartments. The development would connect to the town sewer on Providence Lane.

The NCC reviewed the Agent's report that included concerns regarding whether the sewer pressure main can be installed beneath the existing culvert under Providence Lane without disruption of flows and / or removal / replacement of the pipe, etc.; whether the rooftop of the new building and / or parking area drain into the subsurface infiltration unit as it only appears that the existing building is being captured; whether the pop-up emitter functions as the outlet from the subsurface infiltration system; and whether the Department of Public

Works (DPW) Sewer Division has reviewed / approved the plans. The project entails work in the buffer zone (provided the sewer main in Providence Lane can be installed without disrupting the existing culvert) and erosion and sedimentation controls (staked straw wattles and entrenched silt fence) to prevent construction related impacts are needed. Aside from the sewer main installation (for which there appears to be no alternative), the work conforms to the setback requirements contained in the bylaw. The project is considered to be a redevelopment with respect to the Stormwater Management Standards contained in the Wetlands Protection Act (WPA). In addition to reducing the extent of impervious coverage, groundwater recharge will be promoted by routing some runoff into a subsurface infiltration system. For the reasons cited above, the project appears to comply with applicable performance standards contained in the WPA and bylaw. If installation of the sewer main requires removal / replacement of the culvert beneath Providence Lane, additional measures may be needed to ensure that there are no adverse impacts to resource areas. The NCC should likely consider requiring the installation of no disturb bounds at some distance from the onsite Bordering Vegetated Wetland (BVW) to limit further disposal of landscape waste / debris. NCC may want to consider requiring removal of the debris and landscape waste prior to the start of work. It is suggested that the Special Conditions contain the wording for the bounds that are to be installed. D. Eldredge has no issue with installing the bounds. There will be four (4) bounds spaced across the site at 35 feet from the wetland(s) and this will be included in the Special Conditions.

This is a redevelopment project so it does not need to meet all of the (ten) 10 points from stormwater standards. They just need to meet two (2) or three (3) and the rest to the best extent possible. There is negative impact so there is less runoff to the wetlands.

There has not been a filing with the Planning Board yet so there will be no peer review done for them at this time. The NCC will need to decide if a peer review is needed and if they wish to use Graves Engineering who usually does the peer reviews for the Planning Board. The NCC determined that a peer review by Graves Engineering is not needed at this time. D. Eldredge understands that there will be no work in the culvert. C. Ampagoomian (Board of Selectmen [BOS]) provided comments and the NCC reviewed them. C. Campbell wanted to know where the material is going from the excavation and it will be taken offsite.

Motion made by C. Campbell and seconded by J. Carroll. The NCC voted 5-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to close the Public Hearing for 342-350 Providence Road.

Motion made by J. Arbuckle and seconded by C. Campbell. The NCC voted 5-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to accept the plans for 342-350 Providence Road prepared by Land Planning, Inc. dated April 07, 2020 and issue the Order of Conditions with the special conditions that before the start of construction a plan showing the bounds should be provided to the NCC and the debris be removed from the wetlands prior to the start of construction.

(248-XXX) Osterman Commerce Park, Commerce Dr. (Phase 3, Building 4) (Map 28, Parcel(s) 6, 7, 72, 73, 74)

Proposed construction of a 5,000 square foot, single story retail building with associated parking, utility, & drainage infrastructure within the buffer zone of BVW. The applicant for

this project is VE Properties IX, LLC represented by Allen Engineering & Associates, Inc. (AEA) , 1 Charlesview Rd, Hopedale, MA 01747.

Motion made by J. Arbuckle and seconded by J. Carroll. The NCC voted 5-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to continue the Public Hearing of Osterman Commerce Park, Commerce Drive (Phase 3, Building 4) per the applicant's request to August 05, 2020 at 7:05PM.

(248-XXX) Douglas Road (Adjacent to 279 Douglas Road) (Map 3, Parcel(s) 117 & 118)

Proposed grading, paving, drainage and erosion control to create a contractor yard within a wetland buffer zone with associated wetland filling and wetland enhancement. The applicant for this project is TJJ Development Corp., LLC represented by Andrews Survey & Engineering (ASE), 104 Mendon Street, Uxbridge, MA 01569.

The DEP file number, some fees and the certified mailing cards need to be received.

**Note: R. Chiras joined the meeting during this Public Hearing.*

Kristen LaBrie, ASE, explained that there are four (4) lots owned by the same owner and the lots to be discussed are the two (2) lots closest to Berkowitz Trucking building. Future development will be on the two (2) other properties. This site will be a contractor yard with storage such as gravel, salt, mulch, etc. and markers will be added to the revised plans. The access for future development needs to be that wide to accommodate storage units and still leave access around them for large trucks, per K. LaBrie.

The wetlands on the property have formed in the fly ash and are significantly degraded. Beals Associates did an analysis and concluded there are no riverine characteristics so it is a pond and not a river with riverfront area. The Riverfront area analysis from Beals Associates was reviewed. Comments are needed from the Department of Environmental Protection (DEP). In the past, DEP interceded in a project across the street saying Meadow Pond has riverine characteristics. However, DEP has not been able to locate the data.

The drainage will be to the infiltration basin with low flow drains. There will be two (2) fillings on the site. The wetland enhancement plans will be a 2:1 ratio. The pipe that connects to wetland #2 is flowing in the wrong direction. It is tipped and will need to be fixed so that the flow will be in the right direction and may need to be replaced. The enhancement will be in the same location and not a replication in another area. There will be +/- 2,268 square feet of change just in those two (2) areas. The enhancement will be +5,000 square feet. S. Gniadek wanted to know if the pipe will be replaced or just the flow will be reversed. The updated plans will show the replication area and the pipe connecting the two (2) wetlands will be removed. D. Pickart is fully in support of the enhancement area because it is particularly degraded. It is a large black hole with ash at the surface with no real vegetation. The few plants that are there are highly stressed but it does hold water when it rains. If no replication is needed, a waiver will need to be requested and if replication is needed, a plan and cross-section depicting proposed grades should be included. Replication connecting the two (2) wetlands could be done. D. Pickart stated that may be a good idea but he will need to see the plan first. K. LaBrie said they will do the replication and leave the enhancement area. D. Pickart stated that manufactured topsoil will be required because the soil already there is fly ash and / or invasive species

seed. D. Pickart said that species for rain gardens should be looked at as the proposed species are not in the DEP handbook for rain gardens. K. LaBrie explained that the proposed species are high pollinators and the replication does not need a water quality permit.

If work needs to be done within the 35 foot no-disturb, then a waiver will need to be requested and they will need to justify why before any waiver is approved. Also the bounds along the wetland(s) will need to be marked on the plan. D. Pickart recommends a formal site visit. K. LaBrie mentioned that a Special Permit will be required from the Planning Board and they have not submitted the application yet.

The NCC is amenable to having Graves Engineering review the stormwater and this report can also be provided to the Planning Board when they have the application before them. D. Pickart will contact Graves to get them under contract. The applicant will then need to provide us a check based on the estimate to set up an escrow account.

Shelley Buma, 40 Heritage Drive, representing the Citizen's for the Preservation of Northbridge (CPN) explained that in the past under DEP # 248-280 (1998) the decision was that the Mumford was a river in that area and again in 2008 under a Request for Determination of Applicability (RDA) it was considered a river. She also said that she heard that the site was going to be a contractor yard with trucking service and storage units. A warehouse is allowed by right and a contractor yard would need a Special Permit from the Planning Board. The storage will be covered but they do not think it will be a building. She also wanted the NCC to keep in mind that the owner owns nine (9) contiguous parcels with a lot of activity going on there. Parcel 118 has access from Douglas Road and also connects to Parcel 119. December 2012 the applicant received an Order of Conditions (OOC) and December 3, 2018 was granted an extension for DEP #248-591. That OOC called for four (4) rip rap basins on Parcels 122 and 123 however, the OOC expired 18 months ago and the basins were never constructed. They are in violation of runoff to the Mumford River. It is CPN's opinion that Berkowitz is operating in violation of the WPA and the Rivers Protection Act (RPA). They are requesting that the NCC take action until this is rectified and issue a cease & desist with fines. D. Pickart will look into this but the last request may not be able to be addressed. S. Buma has concerns with the applicant to comply.

Motion made by J. Arbuckle and seconded by R. Chiras. The NCC voted 6-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; R. Chiras – Yes; and B. McNamee – Yes to continue the Public Hearing to August 05, 2020 at 7:15PM.

A site visit has been scheduled for July 25, 2020. The time will be confirmed and the notice posted. It is up to the owner whether abutters / residents can attend. Old clothes that you do not care about are recommended.

An Environmental Notification Form (ENF) will be filed with the Massachusetts Environmental Policy Act (MEPA) Office regarding tonnage. The virtual meeting will be on Monday, July 20, 2020 and D. Pickart is unable to attend but will review the submittal. D. Pickart can draft a letter if the NCC wants him to. However, the ENF addressed tonnage and has nothing to do with the wetland resource areas.

Old / New Business

(248-667) 489 Hill Street – Request for Certificate of Compliance
Report from Agent has been received. The NCC has no concerns.

Motion made by J. Carroll and seconded by J. Arbuckle. The NCC voted 5-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to issue the COC.

Stone Hill Condos & Syncarpha Northbridge I & II Solar – Discussion

D. Pickart updated the NCC that he met with representatives from Stone Hill Condos and Syncarpha Solar and the peer review engineer (Graves Engineering) for the Town. They had a productive discussion and Graves Engineering will review the solar project and he is already familiar with the Stone Hill Condos project. Stone Hill Condos will need to construct their stormwater basins and Syncarpha Solar will need to clean out their swales and basins. Graves Engineering will also take a closer look to see if the swales / basins can be widened, deepened, lengthened, etc. to hold more water to prevent the problem from happening again. The swale has lots of silt in there now. Syncarpha Solar will be cleaning them out on Friday, July 17, 2020 and will be re-grading the swale. Stone Hill Condos stated that they are constructing their basins but they are not stabilized yet.

Paul Anderson, abutter, noticed the same thing and thanked everyone and he appreciates that the projects are being looked at. He also wanted to know if an as-built plan will be done as water leaks into this yard because the trench is higher on one side than the other. He is looking for guidance / assistance to ensure that his concerns are addressed. D. Pickart does not think this swale is the final product but only what was needed to be done immediately to address the situation.

Lovey's Garden Marketplace – Discussion of Sent Letter

Gary Vecchione was not present to speak to the NCC. This will be tabled to the next meeting. The NCC will request his presence and will provide him the link to the meeting.

Linwood Mill Dam – Discussion

D. Pickart explained that a resident called regarding the invasive plants that have clogged the rocks of the dam due to the recent storm. He has not been to the site yet. J. Arbuckle will take a look as he knows how to get around back to see the dam.

Reorganization – Reorganize Chair, Vice Chair, and Clerk

Motion made by J. Arbuckle and seconded by C. Campbell. The NCC voted 5-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to elect B. McNamee as Chair.

Motion made by J. Arbuckle and seconded by R. Chiras. The NCC voted 6-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; R. Chiras – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to elect J. Carroll as Vice Chair.

Motion made by C. Campbell and seconded by R. Chiras. The NCC voted 6-0 by roll call vote of J. Carroll – Yes; C. Campbell – Yes; S. Gniadek – Yes; R. Chiras – Yes; J. Arbuckle – Yes; and B. McNamee – Yes to elect J. Arbuckle as Clerk.

Other

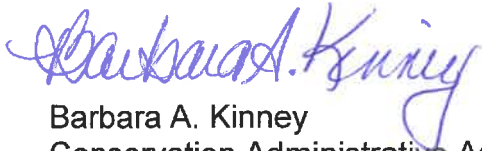
The NCC members present performed administrative tasks (signed Orders, etc.) that were needed.

Adjournment

Motion made by C. Campbell and seconded by R. Chiras. The NCC voted 6-0 to adjourn the meeting about 8:15PM by roll call vote J. Carroll – Yes; S. Gniadek – Yes; C. Campbell – Yes; R. Chiras – Yes; J. Arbuckle – Yes; and B. McNamee – Yes.

Respectfully submitted,

DATE APPROVED:



Barbara A. Kinney
Conservation Administrative Assistant



July 15, 2020

CONSERVATION MAIL LIST

FROM	DATE	SUBJECT
Land Planning, Inc.	06/22/2020	NOI – 342-350 Providence Road
Charlie Ampagoomian	07/13/2020	Email 342-350 Providence Road Questions and My Answers
Andrews Engineering	07/13/2020	NOI 0 Douglas Rd (Adjacent to 279 Douglas Rd)
Allen Engineering	07/14/2020	Osterman Building 4 Continuance Request
Environmental Affairs	07/13/2020	TJJ Development MEPA Video Conference Increase Tonnage
Conservation Agent	07/15/2020	342-350 Providence Road NOI Review
Conservation Agent	07/09/2020	Email Riverdale Pond – Beaver Issues
Board of Health	07/13/2020	Email – 28 Heights of Hill Street (in-ground pool)
Kevin Kevon	06/29/2020	Email - 934 Quaker Street Breakout
Dale Bangma	06/30/2020	Email – Quaker Street Update
Conservation Chair	06/30/2020	Email – 934 Quaker Street
CMRPC	07/13/2020	Email – MVP Grant Public Information Session
Conservation Agent	07/15/2020	0 Douglas Road (TJJ Development) NOI Review
CS Energy	06/30/2020	Email – Syncarpha Solar and Church Street
McGrath	06/30/2020	Email – 23 Leland Road Pictures
Boucher Real Estate	07/06/2020	Email – Leland Road Flooding Event
Boucher Real Estate	07/02/2020	Email – Flooding 490 Church Street
Boucher Real Estate	07/02/2020	Email – Leland Road Flooding Event
Boucher Real Estate	07/02/2020	Email – Storm Event
Boucher Real Estate	07/02/2020	Email – Leland Road Flooding Event
Graves Engineering	06/19/2020	Site Visit Report Moon Hill Estates
Deb Castell	06/29/2020	Email – Flooding 15 Leland Road
CS Energy	06/30/2020	Email – Syncarpha Solar Church Street
Town Planner	06/29/2020	Email – Stonehill and Solar
Town Planner	06/29/2020	Email – Stonehill Condos Erosion Control Failure
Syncarpha Solar	06/29/2020	Email – Syncarpha Solar Church St / Providence Rd
Beals Associates	07/01/2020	Email – 490 Church Street
Beals Associates	07/01/2020	Syncarpha Solar and Stone Hill Condos Flooding
Janice Pepka	07/01/2020	Church Street Project Rain Event
Graves Engineering	06/30/2020	Email - Flooding 15 Leland Road
Town Planner	06/30/2020	Email - Flooding 15 Leland Road
DPW Director	06/30/2020	Email - Flooding 15 Leland Road
Town Planner	06/30/2020	Email - Flooding 15 Leland Road
DPW Director	06/30/2020	Email - Flooding 15 Leland Road
Deb Castell	06/30/2020	Email – Stonehill and Solar Rain Event
Deb Castell	06/30/2020	Email – Stonehill and Solar Rain Event
McGrath	06/30/2020	Email – 21 Leland Road Videos
McGrath	06/30/2020	Email – 21 Leland Road Video
Deb Castell	06/29/2020	Email – Flooding 15 Leland Road
Andrews Engineering	07/15/2020	Douglas Road Plans

WEEKLY REPORTS

•

ADDITIONAL DOCUMENTS SUBMITTED AT MEETING

- Conservation Agent Email dated July 15, 2020 regarding various matters.