



## TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

7 MAIN STREET  
WHITINSVILLE, MASSACHUSETTS 01588  
Telephone: (508) 234-0817  
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### Meeting Minutes July 01, 2020

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, Rich Chiras, and Barbara McNamee were present. 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 7:04PM by roll call vote of J. Carroll – Yes; C. Campbell – Yes; J. Arbuckle – Yes; R. Chiras – Yes; S. Gniadek – Yes; and B. McNamee – Yes.

#### Attendees

Devon Howe, Beals Associates; Duane Boucher, REPM; Prateek Tare, CS Energy; Ray Gatto; Paul Anderson.

#### Citizen's Forum

None

#### **(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 Bordering Vegetated Wetlands (BVW). The applicant for this project is VE Properties IX, LLC represented by Allen Engineering & Associates, Inc. (AEA), 1 Charlesview Rd, Hopedale, MA 01747.

The applicant has asked for a continuance. The legal requirements have been satisfied including notification to abutters and publication of the legal ad.

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

**Old / New Business****(248-669) Stone Hill Condos – Rain Event Breakout Discussion**

B. McNamee explained that the NCC's legal jurisdiction is the protection of wetland resources for the benefit of the Town. The NCC wants to work with the developers to address the situation as best as possible.

D. Howe, CS Energy, addressed the storm event as it relates to the Syncarpha Solar property. Eight (8) inches of rain fell in three (3) hours. D. Howe referred to a letter from September 2019 where they expressed concerns with Stone Hill Condos calculations for the stormwater system (pipe discharges to a gravel driveway). It is not acceptable to have point discharge there, per D. Howe. It would be fine to spread out the discharge to the gravel roadway to minimize impact to 490 Church Street and the neighbors along Leland Road. In February Stone Hill Condos started construction and no erosion control measures were observed after the tree clearing was done. The erosion control measures need to be installed. D. Howe is concerned about the erosion to the solar property. It is now 20 days later and only some erosion controls have been installed including minor silt fence, straw wattles and mulch berm. There has been +/-23 acres of land cleared. There is some discharge to the gravel access (solar) at the downstream side with only a 12 inch mulch berm. He feels that is severely underestimated for that area to the gravel road of the solar facility. It has eroded the gravel roadway. At 490 Church Street there is a swale to divert runoff. The basin is not designed to handle the level of flow. The stormwater is designed to handle the pre-construction levels of a vegetated area. CS Energy wants Stone Hill Condominiums to use their own entrance and construct it and not continue to use the solar facility entrance. There is significant damage to the roadway and swales. There is some sedimentation at the top of the hill as the stockpiles have no erosion controls around them. 100 feet up the road the swale has been blown out and the solar facility crew could not drive up their access road anymore.

D. Pickart is not sure if there has been any impact to the wetlands as he has not been out to the site. D. Pickart questioned where CS Energy numbers came from because the rain gauges in area say three (3) to four (4) inches of rain and the National Weather Service only reported 0.8 inches in three (3) hours. D. Pickart then asked for an update on where they stand on the replication and restoration as he has not received an answer to his inquiries.

Ray Gatto commented about the trees that were planted before the cutting and rain event. D. Pickart noted that the specifications for the impacted areas from the forest cutting have not been received yet. These specifications are different from the compensatory storage. The growth there is acceptable per D. Pickart's specifications. D. Pickart is under the understanding that some things need to be done. R. Gatto will send his contact information to D. Pickart to address his concerns later.

Steve O'Connell, Turning Point Engineering, takes exception to some of the things that were stated. However, he would like to work them out offline instead of debating them here. Duane Boucher, Stone Hill Condos, purchased the property a few months back. The storm was not a typical storm, however the area has a history of water problems in the past. This is a work in progress and the concern is with the silt now. D. Boucher defers to S. O'Connell. S. O'Connell stated that the clean-up has started immediately and the property owners should reach out to D. Boucher with any concerns. Erosion control

measures have been very effective except at the bottom of the hill opposite 490 Church Street. There were no breaches all the way up the gravel road. He thinks the swale was seriously under designed. The solar facility only designed it for the solar facility. It was a bad timing scenario of the storm and open construction. The low area of the drive filled the swale and it topped over so it flooded Church Street. They have diverted runoff from the swales with check dams. Near the entrance has been excavated for water and sediment and will be monitored. The temporary basin has crushed stone and wood mulch, wattles and silt fence. Along the solar facility driveway, the sediment will be cleaned-up in those areas. B. McNamee and J. Arbuckle will meet with S. O'Connell, D. Boucher, etc. at 7:30AM. J. Carroll cannot make it until 8:45AM for a site visit. Hard hats, safety glasses, jeans, safety work boots, gloves and safety vests will be needed. There will be a training session on safety around the equipment, etc. before they enter the site(s). They don't think the +/-23 acres is draining onto the Syncarpha Solar site. It is probably a 1/3 of that. In the past, they spoke about siltation fence around the whole property when the area is drier. This needs to be confirmed that it is on the plans and when it will be installed. Also, a Storm Water Pollution Prevention Plan (SWPPP) will need to be confirmed if it was required before the rain event. S. O'Connell explained that the silt fence shown on the plans has been installed. The temporary basins are capable to handle the runoff. The sediment is being collected and contained within the siltation barriers. There are discrepancies with the storm water calculations that will be discussed with the engineer(s) next week. It is too technical to discuss here and the NCC is comfortable with that. Any residents with concerns should contact Duane Boucher at 401-529-1663 (cell). An inspection down gradient of the wetland will be done to see if any sediment or silt that will need to be removed. S. O'Connell and D. Howe are to coordinate this. It is not as critical as the site clean-up and building the basin(s).

A resident, Paul Anderson, showed pictures with no erosion controls and the runoff breached into his yard. It is an unfortunate situation for him, as the trench on the side with the vinyl fence is undersized. The engineers did not size it correctly as one side is higher and it just poured into his yard. It started with the logging and nothing has been done to stop it since 2016. C. Campbell expressed her concern that it happened to him but the NCC is not an expert and they must rely on the engineers. Her opinion is the drainage should be prepared to handle a serious event. B. McNamee understands his frustration. Per P. Anderson, CS Energy and REPM have photographs that he sent along with texts, emails, etc. back to May 04, 2020.

D. Pickart explained that the solar facility sized the drainage for their project and not the whole hill. The drainage cannot be sized for when the entire site was forested. They also need to design for activities. There were no complaints until the condominium project was started. Stone Hill Condos cannot make the runoff from the site any worse and this should have been addressed at the technical meeting. The NCC will follow-up at their next meeting. By then they should know more and what changes should be made to prevent it from happening again. All parties should be present at the next meeting. C. Campbell commented that she visited Leland Road before the meeting tonight and all the silt was gone. They did a good job of cleaning up the road.

### **Other**

Quaker Street – B. McNamee visited and there is an ongoing issue. She is not sure who needs to address this. Ellis Pond is almost level with the road. This will need to be discussed in the future. Part of the problem is from the new construction across the street

from Ellis Pond and part of the problem is from the Department of Public Works (DPW) pushing debris off the road and it is effecting the pond. C. Campbell feels that erosion controls uphill for 20 feet or more would help. Department of Conservation and Recreation (DCR) owns the property with Ellis Pond. This issue will need to be brought to their attention. Beavers have blocked this area before. D. Pickart stated that there is no responsibility to report this to the Department of Environmental Protection (DEP). However, any written correspondence we send should carbon copy (cc) DEP. Residents can contact DEP but they will send it back to the local agent to handle.

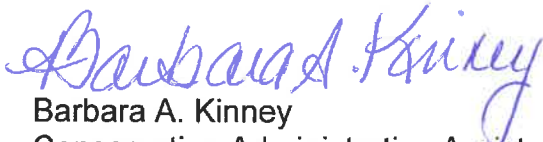
The NCC members present performed administrative tasks (signed Orders, etc.) that were needed.

**Adjournment**

*Motion made by C. Campbell and seconded by J. Carroll. The NCC voted 6-0 to adjourn the meeting about 8:24PM.*

Respectfully submitted,

DATE APPROVED:



Barbara A. Kinney  
Conservation Administrative Assistant

*September 15, 2021*

## CONSERVATION MAIL LIST

## WEEKLY REPORTS

- ### ADDITIONAL DOCUMENTS SUBMITTED AT MEETING