



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

**7 MAIN STREET
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23 APR 21 AM 9:24

NORTHBRIDGE TOWN CLERK
LINDA E. IVY

Meeting Minutes April 05, 2023

Steve Gniadek, Rich Chiras, Justine Carroll, and Barbara McNamee were present. Chloe Mawn, Justin Arbuckle and Cindee Cummiskey were absent. David Pickart, Conservation Commission (NCC) Agent and Barbara Kinney, NCC Administrative Assistant were present.

J. Carroll opened the meeting at 7:01PM.

Citizen's Forum None

(248-XXX) 172 Linwood Avenue (Map 5, Parcels 58 & 59)

Proposed construction of a garage & driveway with associated grading and site work. The applicant is Timothy & Jane Labrie represented by H S & T Group, Inc., 75 Hammond Street, Worcester, MA 01610.

The applicant has requested a continuance.

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to continue the Public Hearing to the May 03, 2023 meeting.

(248-704) Lot 30 Valerie Run (Moon Hill Estates) (Map 29, Parcel 130)

Proposed construction of single-family dwelling, driveway and septic with associated grading and utilities within the 100-foot buffer of a Bordering Vegetated Wetland (BVW). The applicant is D & F Afonso Builders represented by Guerriere & Halnon, Inc. (G & H), 333 West Street, Milford, MA 01757.

The legal requirements have been satisfied including publication of the legal ad. John Federico, G & H, explained that this is a single-family dwelling with part of the dwelling and the septic within the buffer zone. The bounds are proposed 35 – 50 feet apart where the changes are along the limit of disturbance line. All work is outside the 35-foot no-disturb zone. Part of a drainage basin to the roadway of the subdivision is located on this site.

Motion made by R. Chiras and seconded by B. McNamee. The NCC voted 4-0 to close the Public Hearing.

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to issue the standard Order of Conditions (OOC).

(248-705) Lot 31 Valerie Run (Moon Hill Estates) (Map 29, Parcel 131)

Proposed construction of single-family dwelling, driveway and septic with associated grading and utilities within the 100-foot buffer of a BVW. The applicant is D & F Afonso Builders represented by G & H, 333 West Street, Milford, MA 01757.

The legal requirements have been satisfied including publication of the legal ad. John Federico, G & H, explained that this is a single-family dwelling with the dwelling and the septic within the buffer zone. The bounds are proposed 35 – 50 feet apart where the changes are along the limit of disturbance line. All work is outside the 35-foot no-disturb zone. Part of a drainage basin to the roadway of the subdivision is located on this site.

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to close the Public Hearing.

Motion made by S. Gniadek and seconded by R. Chiras. The NCC voted 4-0 to issue the standard OOC.

(01-RDA-2023) 180 Sprague Street (Map 19, Parcel 232)

Proposed installation of an in-ground pool and patio within the 100-foot buffer zone. The applicant is Jason and Greta Gray, 180 Sprague Street, Northbridge, MA 01534.

The legal requirements have been satisfied including publication of the legal ad. Jason Gray, the owner, explained that he has filed the Request for Determination of Applicability (RDA) for a swimming pool that will be within the maintained lawn. Erosion controls will need to be installed along the downslope limit of work.

Motion made by B. McNamee and seconded by S. Gniadek. The NCC voted 4-0 to issue a negative determination #3 and a negative #6 with the special condition of installing the erosion controls.

Old/New Business**(248-342) 715 Mendon Road – Request for Certificate of Compliance (COC)**

This is an older OOC that was not closed out and came up in a title search. The attorney has requested the COC.

Motion made by B. McNamee and seconded by S. Gniadek. The NCC voted 4-0 to issue the COC.

(248-305) Lot 1 Hill Street – Request for COC

This is an older OOC that was issued a COC, but the COC was never recorded and came up in a title search. The attorney has requested another COC.

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to issue the COC.

(248-314) Lot 2 Hill Street - Request for COC

This is an older OOC that has expired, and the project was never done but it came up in a title search. The attorney has requested the COC.

Motion made by B. McNamee and seconded by S. Gniadek. The NCC voted 4-0 to issue the COC that the OOC is invalid, and work never took place.

Castle Hill – Continued Discussion

D. Pickart explained that some changes were made after taking into consideration the information received/discussed at the last meeting. These changes include the prohibition of camping/fires in response to input from the Safety Committee.

Limited deer hunting (bow only) will be allowed every other year in accordance with state regulations. A permit from the NCC is required before erecting a deer stand. Stands must be removed no later than 30 days after the close of each season. The owner now feels deer hunting is warranted.

A single trail for the exclusive use of mountain biking may be constructed provided the trail is reviewed and approved by the NCC and Metacomet Land Trust, and there will be a prohibition of mountain bikes on all other trails at the site. The proponent of the trail must submit detailed plans and provide documentation that its use will not interfere with other passive recreational uses and will not adversely impair important habitat.

Horseback riding will be allowed on the old Castle Hill Road that still has some pavement and extends into the 100-acre lot. There already is extensive invasive species along this section of the road. Trailering and offloading of horses is prohibited and no horses are allowed on other trails.

Mike Tonry expressed his displeasure regarding the prohibition of mountain bikes on the trails and that they may have to construct a trail to allow mountain biking. He feels that mountain biking should be allowed on all the trails.

At the end of #22 under allowed uses/improvements, the following language will be added: "the frequency of hunting can be reassessed based on observations/conditions noted during the course of the land being used."

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to approve the updated draft of the CR for the allowed and prohibited uses dated April 05, 2023.

Minutes

March 15, 2023

Motion made by B. McNamee and seconded by S. Gniadek. The NCC voted 4-0 to accept the minutes of March 15, 2023 as written.

Other

The Camelot – D. Pickart explained that there are several violations within the Camelot. The NCC reviewed memo dated April 05, 2023 issued by D. Pickart regarding these violations at Map 16, Parcels 259 and 260. The NCC discussed using all the options. A fine of \$300 (one [1] violation) can be issued now and then more \$300 fines can be issued more frequently (such as weekly) if the issues are not addressed. The building permit will not be signed off by the NCC until all the fines are paid. A separate enforcement order will be issued for the stumps in the wetlands and the NCC will give the developer 30 days to address before issuing a fine (the May 03, 2023 meeting).

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to issue the enforcement order for Parcel 260 and give the developer until May 2, 2023 to remove the stumps from the wetlands.

Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to issue an enforcement order for Parcel 259 with a \$300 fine. New flagging and a Notice of Intent

(NOI) (after the fact) is to be submitted with plans to the NCC. Restoration may be needed if there is encroachment into the 35-foot no-disturb buffer. The NOI will not be acted upon by the NCC until the fine is paid.

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

Adjournment

Motion made by B. McNamee and seconded by S. Gniadek. The NCC voted 4-0 to adjourn the meeting at about 8:35PM.

Respectfully submitted,

DATE APPROVED:



Barbara A. Kinney
Conservation Administrative Assistant

April 19, 2023

April 05, 2023

CONSERVATION MAIL LIST

[illegible]

ADDITIONAL DOCUMENTS SUBMITTED AT MEETING