



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

**7 MAIN STREET
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Meeting Minutes June 12, 2013

Joy Anderson, Bill Dausey, John Brown, Andrew Chagnon and Justin Arbuckle were present. Terry Bradley was absent. Barbara Kinney, Administrative Assistant was also present.

Mr. Brown opened the meeting at 7:00PM.

Citizen's Forum

Fowler Road Pond – Phil Simmons of 96 Fowler Road and Ronald Turgeon of Railroad Street (owner of the pond) were present to discuss the duck pond. Mr. Simmons wants the dam taken out. Ms. Kinney checked with the Town Manager and there is nothing the Town can do, but suggested that the Conservation Commission (NCC) look into it further to see if there is a negative impact with the dam being there. Mr. Simmons spoke to the DPW directly and was told there is nothing they can do because they don't want to go onto private property. Mr. Simmons wants it stated that it is not an NCC issue and Mr. Turgeon can just take out the earthen dam. The NCC stated that this may be a regulatory area and Mr. Turgeon would need to file with the NCC. However, the NCC will go look at the area first.

A site visit has been scheduled for June 19, 2013 at 6:00PM. Ms. Kinney will ask the Robertsons (next door at 47 Fowler Road) for permission to go onto their property to view the dam. Otherwise the NCC would need to hike through the woods to stay on Mr. Turgeon's property.

(248-599) Osterman Commerce Park, Church Street Extension (Map 28, Parcel(s) 6, 7, 72, 73 & 74)

Proposed construction of office buildings and associated parking lots, grading, stormwater management structure(s) and utilities within the 100 foot buffer zone of a bordering vegetated wetland. Stabilization of all disturbed areas will be part of the scope of work.

Mr. Chagnon recused himself from this Public Hearing.

Eric Bazzett of Heritage Design Group explained that this project is for Phase I of the Osterman Commerce Park. It will be the construction of the access road, parking lots, and two buildings. One of the buildings will be a medical office building. They are using Low Impact Development (LID) techniques for the drainage that will be sent to two basins near the back of the area towards the wetlands. There is town water and sewer available at the site. Erosion controls will be along the 50 foot buffer line. Some grading will be done outside the 100 foot buffer zone. They would like to install the erosion controls now and work outside the 100 foot buffer zone until approval is made for the work inside the buffer

zone. The NCC stated that the applicant could install the erosion controls now. The applicant would also like to do the tree cutting and site preparation work knowing that the Order of Conditions is on the way.

Motion made by Mr. Arbuckle and seconded by Ms. Anderson. The NCC voted 4-0 to close the Public Hearing.

Motion made by Mr. Arbuckle and seconded by Ms. Anderson. The NCC voted 4-0 to approve the plans entitled "Osterman Commerce Park" prepared by Heritage Design Group dated May 17, 2013 with the conditions that the erosion controls can be installed now along the 50 foot buffer zone line and the limited scope of work can be done outside the 100 foot buffer zone along with the site preparation to the erosion control line until the issuance of the Order of Conditions.

Minutes

May 22, 2013

These minutes were tabled to the next meeting.

Old / New Business

(248-587) Osterman Maintenance Facility – Modification Request

Eric Bazzett of Heritage Design Group stated that there is a reduction in work that has been approved. The pavement will stop closer to the building, as potentially there could be another building proposed behind the maintenance facility.

Motion made by Mr. Arbuckle and seconded by Mr. Dausey. The NCC voted 4-0 to approve the reduction in pavement on the revised plan entitled "Maintenance Facility Site Plan" sheet 4 of 5 Grading and Drainage Plan dated March 2012 with a final revision date of May 22, 2013.

1201B Quaker Street – Solar Energy Discussion

This will be tabled to the next meeting as no one was present for this submittal.

(248-538) Carpenter Estates – Modification Request

Shane Oates of Coneco Engineering, Stan Piecewicz and Chris Quark of C & S Realty were present. Mr. Oates explained the LID project changes. They will maintain the typical catch basin near the wetland crossing, but the remainder of the roadway will use Cape Cod berm and curb cuts for the runoff to a sediment fore bay into grass channels to rain gardens alongside the road. This will take the Department of Environmental Protection (DEP) standards to the full optimal use. The 18 lots will have Cultec units, so 100% of the runoff will be captured. The grade is about 5%. Mr. Chagnon was surprised that the 100 year storm could be handled in the drainage swales. JH Engineering has reviewed all the drainage under the Wetlands Protection Act. Mr. Chagnon wanted to know who would maintain the swales and suggested that it should be in writing that the Town recognizes that they will be maintaining the drainage swales or some private entity will be doing the maintenance. Mr. Chagnon is in support of the idea with low impact development if everything works out (will need to see the drainage calculations first). NCC will send a letter to the Planning Board that they are in support of the Cape Cod berms, etc. Also, in the letter to the Planning Board, it should ask that JH Engineering do a peer review under the Wetlands Protection Act and the Town of Northbridge Wetlands Protection Bylaw for the NCC.

Burdon Pond

Doug and Mary Partridge of 275 Purgatory Road and Greg VandenAkke of 419 Purgatory Road were present. Mr. Partridge stated that they had their land surveyed by Andrews Survey and Engineering and the markers are in place. They provided a copy for our files.

The beaver control fence has been installed from the Partridge property through the water to the stones on the other side which is Mr. VandenAkke's land, according to Mr. Partridge. This was done without permits and Mr. Partridge wants it gone from his property. Supposedly, Beaver Solutions has a document that the NCC gave their approval, per Mr. Partridge. The NCC did not issue such a document. This dam is under court order that debris cannot be allowed to accumulate. Beaver Solutions is not a hydrologist so he doesn't know if the 15 inch pipe will work. The debris was removed and the fence erected. Mr. VandenAkke is looking for a memo from the NCC stating that there is no permit for the fence; it is not approved by the NCC and that it must be permitted / approved before installation. The fence has the potential to raise the water level, so Mr. Fease needs to come to the NCC for a permit.

The NCC is concerned that there are no calculations that show if the pipe(s) can handle the water passing through them, no explanation of the need for the fence, scouring that can occur around the end of the fence that will cause erosion on the banks, and the violation of the court order with the potential of raising the water level, debris accumulating, etc.

REORGANIZATION OF CONSERVATION COMMISSION

This will be tabled to a July meeting.

Other

Greg VandenAkke stated that in the minutes of April 10, 2013 he was misattributed to stating that the water level must be at 326 or below and that the statement should be attributed to Howard Fease. Ms. Kinney will check into the process of amending the minutes.

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

Motion made by Mr. Chagnon and seconded by Mr. Arbuckle. The NCC voted 5-0 to table the enforcement order on Burdon Pond because the debris has been removed.

Motion made by Mr. Arbuckle and seconded by Mr. Dausey. The NCC voted 5-0 to adjourn the meeting at or about 9:16PM.

Respectfully submitted,

DATE APPROVED:

Barbara A. Kinney
Conservation Administrative Assistant