



## **TOWN OF NORTHBRIDGE CONSERVATION COMMISSION**

**7 MAIN STREET  
WHITINSVILLE, MASSACHUSETTS 01588  
Telephone: (508) 234-0817  
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### **Meeting Minutes August 1, 2013**

**6:30PM Workshop to Review Sample Wetland Protection Act (WPA) Forms**  
Barbara Kinney reviewed the WPA forms with Bill Dausey, John Brown, Justin Arbuckle and Joy Anderson.

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

Joy Anderson, Bill Dausey, John Brown and Justin Arbuckle were present. Andrew Chagnon was late (arrived at 7:05PM). Terry Bradley was absent. Barbara Kinney, Administrative Assistant was also present.

#### **Citizen's Forum**

None

#### **(248- ) 323 Hill Street (Map 7, Parcel 450)**

Proposed 20' x 10' mud room with a 28' x 28' attached garage that was previously approved but never built. The applicant for this project is True Remodeling, Inc. and the owner is Jodi DiMarco at 323 Hill Street, Whitinsville, MA 01588.

Ralph True was present representing Jodi (DiMarco) MacLeod. The original approval was for a dwelling with a breezeway and garage. The dwelling was built, but not the breezeway or garage. This new submittal is for building a mud room and garage in the previously approved footprint. Mr. Chagnon suggested a site walk since the Certificate of Compliance (COC) was never issued on the original filing to make sure the replication area was completed according to the approval, etc.

A Department of Environmental Protection (DEP) file number has not been issued yet so the Public Hearing could not be closed tonight anyway. After speaking with Mr. True, it was determined that he sent the check into DEP, but did not submit the paperwork with it. He will remedy that tomorrow by dropping off the submittal to DEP in Worcester in person.

Mr. Chagnon will visit the site and review the replication area, etc.

Motion made by Mr. Chagnon and seconded by Mr. Dausey. The Conservation Commission (NCC) voted 5-0 to continue the Public Hearing to August 14, 2013 at 7:10PM.

#### **Minutes**

June 26, 2013

There was no quorum to approve these minutes.

July 10, 2013

Motion made by Mr. Dausey and seconded by Mr. Arbuckle. The NCC voted 4-0 to approve the minutes of July 10, 2013.

Note: These minutes were reviewed and voted upon at the beginning of the meeting before Mr. Chagnon arrived.

### **Old / New Business**

#### (248-538) Carpenter Estates – Modification Request

Shane Oates of Coneco Engineering, Stan Piecewicz of C & S Realty and George H. of Lansing & Metzger were present. Mr. Oates gave a summary explaining that the peer review concerns have been addressed from the recent letter. More detail has been added to the plans on the pages that will be recorded as mylars. The Department of Public Works (DPW) will be responsible for the maintenance and is looking for the cost estimate to fund for this maintenance. The light posts will be installed and it will be the responsibility of the homeowners to cover the cost to have them lit. The street trees have been added to either side of the driveway. The residents want the sidewalk on at least one side of the road. The Planning Board (PB) reviewed the request and the sidewalk goes all the way to the cul-de-sac now. Some of the swales have been shifted, etc. to accommodate these changes. A parking area has been added at the entrance to the subdivision with about four to five parking spaces for the bus stop and mail boxes. The applicant is looking for these changes to be a minor modification to the previously approved conditions. Any decisions here are subject to the PB and peer review approvals, per Mr. Oates. Mr. Oates explained that some of the swales will have an underdrain to address the separation due to ledge. The underdrains will discharge to the rain gardens. The NCC then discussed the concerns in the residents' letter.

Mr. Chagnon is looking for acknowledgement from the DPW that they will be maintaining the swales, etc. This could be put as a special condition of the NCC approval.

Motion made by Mr. Dausey and seconded by Mr. Chagnon. The NCC voted 5-0 to approve the changes as a minor modification with the condition that the DPW confirms that they will handle the maintenance.

#### (248-559) Lot 2 Quaker St (260) – Reissue Order of Conditions

The NCC reviewed the request and wants the applicant / engineer to re-present the project to them because it was approved in 2008 and since the Order of Conditions (OOC) was never recorded it is expired. The project is also completely within the 100 foot buffer zone except for the septic system.

### **Enforcement Actions**

#### Howard Fease – Burdon Pond (Swans Pond) Dam

Greg VandenAkker and Doug Partridge were present to find out the status and to listen. Howard Fease sent an email stating that he would not be present at the meeting tonight.

Mr. VandenAkker gave a brief explanation of what has transpired explaining that Mr. Fease installed a mechanism several years ago to open / close the gate. Recently, the mechanism has been removed and the gate was open for about 10 days. Now, the gate appears to be partially closed with a small amount of water coming out.

Motion made by Mr. Dausey and seconded by Mr. Arbuckle. The NCC voted 5-0 to ratify the enforcement order. The NCC requested that a copy be sent to Mr. Fease with all the signatures and with the note that it is the understanding of the NCC that the enforcement order has been complied with and to remind him of the requirements for any work to be done in a jurisdictional area.

Mr. Chagnon with the help of the NCC drafted a letter to Mr. Fease answering his inquiry to the filling of the floodplain as follows: "We appreciate the information you submitted on July 24, 2013 and subsequent inquiries on July 26, 2013, July 29, 2013, and August 1, 2013.

The Conservation Commission (NCC) reviewed this information at their next scheduled meeting on August 1, 2013. The NCC finds the information ambiguous; unclear on when the conditions initially occurred and some of the work appears to be normal operations of a farm (plowing of fields).

Should you wish to discuss this further, the NCC would be willing to add this as an agenda item at a future meeting. Please contact the Conservation Office to schedule this as an agenda item."

**Other**

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

Motion made by Mr. Chagnon seconded by Mr. Dausey. The NCC voted 5-0 to adjourn the meeting at or about 9:10PM.

Respectfully submitted,

DATE APPROVED: August 28, 2013

Barbara A. Kinney  
Conservation Administrative Assistant