



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

**7 MAIN STREET
WHITINSVILLE, MASSACHUSETTS 01588
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Meeting Minutes March 12, 2014

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

Mr. Bradley opened the meeting at 7:02PM.

Citizen's Forum

None

(248-609) Leonardo Estates, 603 Highland Street (Map 17, Parcels 15 & 16)

Proposed construction of a roadway with a wetlands crossing, associated infrastructure and stormwater facilities for an 18-lot residential subdivision. The applicant is Terreno Realty, LLC represented by Andrews Survey & Engineering, Inc., 104 Mendon Street. Uxbridge, MA 01569.

Steve O'Connell of Andrews Engineering explained the original submittal of Rocky Ridge Estates with the two crossings and two roads. Now the new applicant has one crossing with one road and 18 lots. There will be less impact and more stormwater controls which will be collected and treated in several ways. There will be an arch culvert with no bottom and sloped granite curbing as suggested by the DPW. They want to minimize the impacts and the number of lots that would have to file a Notice of Intent.

Quotes have been submitted from BSC Group and ESS Group for the peer consulting review. Joe Leonardo stated that the previous owner was Ms. Bikes when the previous submittal was approved in 2005 and then rescinded. BSC Group did the original review and now all concerns from that review have been addressed per Mr. Leonardo. Mr. Leonardo then stated that the cost estimate from BSC Group is high so they asked to get a cost estimate from ESS Group to do the peer review. The estimate is half the cost of BSC Group. However, Mr. Leonardo is hopeful that in light of the changes and the future site visit that the NCC will reconsider the need for a third party review. Having JH Engineering include the wetland review as part of their overall review was discussed. Ms. Kinney has requested credentials of the wetland scientist at JH Engineering, if they have one. It was explained to Mr. Leonardo that if JH Engineering does include this in their review it will generate an additional cost. The NCC agreed to table the decision until after the site walk per the applicant's request. The site walk has been scheduled for Saturday, March 22, 2014 at 9:00AM weather permitting.

Motion made by Mr. Arbuckle and seconded by Mr. Dausey. The NCC voted 4-0 to continue the Public Hearing until March 26, 2014 at 7:02PM.

Minutes

June 26, 2013

Motion made by Mr. Dausey and seconded by Ms. Anderson. The NCC voted 4-0 to approve the minutes of June 26, 2013.

February 10, 2014

These minutes were tabled to another meeting.

February 12, 2014

There was no quorum to approve these minutes.

February 12, 2014 Executive Session

There was no quorum to approve these minutes.

February 26, 2014

There was no quorum to approve these minutes.

Old / New Business

Whitinsville Golf Club . Tree Removal

Tony Divincentis and John O'Brien were present. They explained they would like to remove the dead trees and thin out the overgrowth near the wetland located along the base of the 9th hole and the clubhouse. If a site walk is done, Mr. Divincentis said they have drawings of the original 9th hole the NCC can look at. The plans cannot be taken from the clubhouse. These trees present a safety issue and it is difficult to maintain the grass as well. The trees are various diameters but are 30 feet high. They would like to do all the trees at once, but will cut the dead ones first. A tree service will do the cutting. The NCC scheduled a site walk for Saturday, March 22, 2014 at 11:00AM weather permitting. Everyone will meet at the clubhouse.

Note: A letter was submitted at the meeting (see attached).

Burdon Pond

Greg VandenAkker and Doug Partridge were present. Mr. Partridge stated that work has been done at the water level, below the water level and the water level was changed at the dam. The debris removed has been piled on the rocks covering the survey markers. Per Mr. Partridge, Mr. Fease is changing the water level and moving the rocks. Mr. Partridge also stated that Mr. Fease does what he wants when he wants. Mr. Fease changed the mechanism next to the gate to easily open and close the gate (open wide today). Per Mr. Partridge, Mr. Fease used a machine to move some of the rocks. Mr. Partridge never knows what Mr. Fease will do next. He stated that the water level has dropped about 16 inches from what it was three weeks ago. Mr. Partridge thought that maybe the NCC could issue another letter to Mr. Fease explaining the procedure(s) again. Mr. Partridge submitted pictures to the NCC.

Mr. Arbuckle commented that the NCC is not sure on issuing another letter to Mr. Fease because he did lower the water to clear out the debris and he is doing what was asked of him. He also did send an email to the NCC that he was doing the work. However,

permitting is still needed from the NCC. The NCC stated that they will monitor the dam more closely now that they know a hydraulic arm has been installed. Mr. Partridge invited the NCC members to come see the hydraulic arm / dam from his land.

Ms. Anderson wanted to know what impacts there are from moving the rocks around. It looks as though they are channeling the water to the spillway, per Mr. Partridge. Ms. Anderson will stop by and take a look before the next meeting.

Mr. VandenAkke stated that (1) Mr. Fease changed the water level without a Notice of Intent which should trigger an enforcement action; and (2) Mr. Fease installed a hydraulic arm with no Notice of Intent which should trigger an enforcement action. He then stated that the NCC letters, enforcement actions, etc. are helpful when Mr. VandenAkke goes to court. Mr. VandenAkke commented that in the January 8, 2014 minutes that the NCC explained to Mr. Fease that any work on the dam needs to be permitted. Mr. VandenAkke then asked the NCC for confirmation that the spillway elevation should be maintained and that the water level will fluctuate. He also asked for confirmation that there is no agricultural exemption on the dam. Both were confirmed by the NCC. Mr. VandenAkke stated that Mr. Fease lost the agricultural exemption in court.

Blackstone River Coalition . Mumford River Grant

Peter Coffin of the Blackstone River Coalition explained that there are times of low flow in the Mumford River and that the power plant in Milford may draw on this river to keep it going. Manchaug Pond and Whitinsville Pond have dams. The concern is with the Douglas Treatment Plant during low flows. They are working on a grant to study the effects and options (models). Historically, the management of the water by the dams was done by Whitin Machine Works (one owner) for electric generating, etc. In the past, Guilford of Maine wanted to sell the dam, but there was no buyer. They then turned to tearing down the dam but that cannot be done. Now, an Association is in control of the Manchaug Dam by the Town of Sutton under an Order of Conditions. The management of water is now more difficult as the dams have different owners. The Douglas Treatment Plant has a minimum of 17 cubic feet per second (cfs) for dilution. The problem arises in low flow years where the cfs is only 5 or 10, etc. There is a court case for the release where Douglas sued the Whitinsville Dam owner(s) and Mr. Coffin believes this has been resolved.

Mr. Coffin is working with UMass to apply for a 604B grant. The deadline is March 28, 2014. The grant will create soil maps, land use overlays, etc. and will crunch numbers to develop models for the Mumford sub-base. We will be able to understand the hydrology of the Mumford River to put protocols in place. They can determine how much to release, when to release and in what order to release. The research proposal is grounded in real world needs. This can be a teaching tool. There will be a series of three (3) workshops. UMass will provide the research, CMRPC will be the applicant and the Blackstone River Coalition will be the Project Manager. Per Mr. Coffin, Douglas and Sutton are already on board. He has not approached Uxbridge yet, but they don't do much work with the Mumford River. Mr. Coffin sent an email late to the NCC today after closing so it has not been opened yet. He is also setting up a teleconference and will invite the NCC. Mr. Coffin is looking for a letter of support from the NCC for the grant. He will send us a final draft at the end of the week. Mr. Bradley stated that he will draft the letter of recommendation.

Enforcement Actions

None

Executive Session

MGL Chapter 30A, Section 21, #3 Litigation

None

Other

Ms. Anderson stated that the Open Space & Recreation Update Committee (OSRP) is looking for the tabulation of land under the NCC. Ms. Kinney already provided this to the Town Planner and will get Ms. Anderson the list. Ms. Anderson then said there will be a workshop and presentation on June 10, 2014. The OSRP is looking for input from the NCC on land preservation and water resources. Ms. Anderson will get more information for the NCC.

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

Motion made by Mr. Arbuckle and seconded by Mr. Dausey. The NCC voted 4-0 to adjourn the meeting on or about 9:00PM.

Respectfully submitted,

DATE APPROVED:

Barbara A. Kinney
Conservation Administrative Assistant