



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

**7 MAIN STREET
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Meeting Minutes October 22, 2014

Joy Anderson, Bill Dausey, Gerry Ouillette, Andrew Chagnon and Justin Arbuckle were present. Jeremy Deorsey was absent. Barbara Kinney, Administrative Assistant was also present.

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

Citizen's Forum

Jill and Adin Darling of Pack 21 in Millville asked the Conservation Commission (NCC) about doing a Weeblo project on the trail(s) at Shining Rock. There are 5 boys who are working on their Arrow of Light, and Conservation Awareness Award. They will pick up the trash, and small trees in the parking lot and along the trail(s). Ms. Darling stated that they quickly took a look at the trails before coming to the NCC and she wanted to mention that there is a large tree across the trail. The NCC requested that the pack document it for removal later. Mr. Ouillette then volunteered to go with a chain saw on the clean-up day and cut up the tree to push it off the path if he is available. They propose to do the project on November 8, 2014 and the NCC approved them doing this project. Ms. Kinney gave Ms. Darling the Release of Liability forms that will need to be filled out and returned.

(248-620) 369 Douglas Road (Map 3, Parcel 121)

Proposed addition to an existing commercial building and associated infrastructure, including a second access driveway, detention basin and grading. The applicant is WGM Fabricators, LLC represented by Ecosystem Solutions, Inc., PO Box 469, West Warwick, RI 02893.

All legal requirements of advertising / posting of the Public Hearing has been satisfied.

Brandon Faneuf, Wetland Scientist at Ecosystem Solutions, Emanuel Pacheco, Engineer at Geisser Engineering and Chip Rogers, President of WGM Fabricators were present.

There is a wetland at the rear of the property and in September, 2014 a stream was delineated at the back of the property as well. The Mumford River is across the street, so the 200 buffer of the riverfront falls onto the front portion of the property. Mr. Chagnon mentioned that it has been the Department of Environmental Protection's (DEP) opinion in the past that even though this section may be called Meadow Pond it has riverine characteristics, so it is considered a river.

Mr. Faneuf explained that WGM Fabricators is looking to expand the building. They would also like to add a driveway access. A berm was added to direct the overflow of the stream away from the parking lot. He believes that this was done in the 1990s when the original building was built. The existing (original) detention basin is filled with cattails, however they are still calling it a stormwater structure. There is a large pile of dirt, rock and vegetation where the addition is proposed. Mr. Faneuf is assuming that it was put there when the original building was built. He stated that the original building was built before the Rivers Protection Act (RPA) was enacted. They are not proposing a one way access system but an ease of flow for 18 wheelers. They will be adding impervious area with the new driveway and they will need to build a retaining wall to support the roadway. They will also reshape the detention basin at the rear of the property and add a new detention basin at the corner of the proposed driveway and Douglas Road. WGM Fabricators will not purchase the property if they cannot build the addition, new driveway, etc., per Mr. Faneuf.

Mr. Faneuf then reviewed his alternatives analysis with the NCC. The standards for new construction is 5,000 square feet and the disturbance is under that for the riverfront area (see CMR 310 10.58(d)). The area associated with the stormwater basin is excluded. Mr. Faneuf then discussed the previous disturbed area (original building) was not included in the calculations because it is grandfathered as the building was built in 1995 and the RPA became effective in 1996. All work is in the outer riparian zone and some grading is needed. There are no rare species, per Mr. Faneuf. All other standards are being met. There is no Bordering Land Subject to Flooding (BLSF). There will be no further disturbance to the rear of the property. (See also CMR 10.58(4)(d). 3,296 square feet is to be disturbed in the riverfront area (0.14%). (See also letter dated September 23, 2014 for additional information). The structure (basin) is not proposed to be fenced in to avoid the habitat path. This project is in full compliance with DEP's stormwater policy. There will be only minute stormwater flowing onto Douglas Road, but there is an existing catch basin on Douglas Road to capture that minute amount. The project could fall under redevelopment, but they are presenting it as new construction and it meets all the standards for new construction. This will be an industrial facility with no retail space.

Mr. Chagnon would like to review the regulations more in-depth because he is not sure if the original building can be excluded. Also, he said that he did not hear anything presented that was an alternative analysis to what was presented. For example, what if the building addition is shifted back out of the riverfront. The reasoning for the project to be as it is presented cannot just be for financial reasons. Mr. Chagnon suggested there should be multiple scenarios such as: (1) No changes to the existing conditions; (2) Project as presented; and (3) Project with some other changes and why they will not work. Some things to consider are narrowing the roadway to one way or at least closer to the existing driveway width and / or different configuration to the building.

Mr. Rogers explained that the facility equipment is designed to function one way and the building has to be the configuration presented to meet their needs or the whole operation would need to be redesigned. The area of the building that will be in the riverfront will hold the utilities and the equipment to recirculate the water that they use in the cutting process.

Mr. Pacheco explained that they are trying to keep the new access similar to the existing access on the other side of the building at 24 feet. However, they could look at how narrow they can go and still have the turning, etc. necessary for the 18 wheelers. The existing

access is 20 feet wide. Some of the NCC members expressed their concern with safety and maintenance if the access drive is narrowed any further than 20 feet.

The NCC agree to have JH Engineering do the peer review for the NCC as part of the review for the Planning Board.

The following items will be addressed for the next meeting: the configuration of the building that is needed for the operation of the facility and the minimum driveway access needed for the 18 wheelers and not have any additional impact to the resource area at the rear of the property. The Public Hearing cannot be closed until DEP issues their file number.

Motion made by Mr. Chagnon and seconded by Mr. Ouilette. The Conservation Commission voted 5-0 to continue the Public Hearing to November 12, 2014 at 7:02PM.

Old / New Business

None

Enforcement Actions

None

Minutes

September 10, 2014

Motion made by Mr. Ouilette and seconded by Mr. Dausey. The NCC voted 4-0-1 (Mr. Chagnon abstained) to approve the minutes as modified.

September 24, 2014

Motion made by Mr. Dausey and seconded by Ms. Anderson. The NCC voted 4-0-1 (Mr. Chagnon abstained) to approve the minutes as written.

October 8, 2014

Motion made by Mr. Chagnon and seconded by Mr. Dausey. The NCC voted 5-0 to approve the minutes with changes.

Other

Liberty Estates

The NCC reviewed the request for a Certificate of Compliance (COC). Many partials had been issued in the past, but Lot 10 is still open. This subdivision is over 20 years old.

Motion made by Mr. Chagnon and seconded by Ms. Anderson. The NCC voted 5-0 to issue a complete COC.

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

Motion made by Mr. Chagnon and seconded by Mr. Ouillette. The NCC voted 5-0 to adjourn the meeting on or about 8:40PM.

Executive Session

MGL Chapter 30A, Section 21, #3 Litigation

Nothing for executive session at this meeting.

Respectfully submitted,

DATE APPROVED:

Barbara A. Kinney
Conservation Administrative Assistant