



## **TOWN OF NORTHBRIDGE**

# **CONSERVATION COMMISSION**

**7 MAIN STREET  
WHITINSVILLE, MASSACHUSETTS 01588  
Telephone: (508) 234-0817  
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### **Meeting Minutes July 14, 2010**

Wyatt Mills and Bill Freer were present. Andrew Chagnon was late. Terry Bradley and Cheryl Peckham were absent. Roger Jewell did not renew his appointment and Gina Calitri resigned from the Conservation Commission. Barbara Kinney, Administrative Assistant, was also present.

Mr. Mills opened the meeting at 7:50PM.

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

##### 76 Linwood Avenue

Denis LaTour and Randy Koopman explained to the Conservation Commission that they wish to replace a shed on Mr. Koopman's property with a new garage. The Mumford River is 151 feet away. Mr. LaTour showed the Conservation Commission the aerial picture of the property and explained where everything is located on Linwood Avenue. The existing driveway is gravel. The Conservation Commission suggested submitting a Request for Determination of Applicability (RDA). After further discussion, the Conservation Commission decided that an (RDA) was not necessary they just need to let the Conservation Commission know when they are starting the work and there is to be no stockpiling on the site.

Documents Used: two google map pictures that are attached.

##### Carpenter Estates

Mark Anderson of Heritage Design Group came before the Conservation Commission and stated that this subdivision was permitted in 2007. However, the percolation testing as not renewed in a timely manner and the Board of Health (BOH) requires that the testing be redone. Mr. Anderson explained they will place timbers across the wetland and redo all the tests in one day. A rubber tire mini excavator will be used and once they come back across the wetland it will be raked out by hand. Mr. Anderson then further stated that the road will be constructed this year. The Conservation Commission stated that this is fine to do and the Conservation Commission is to be notified when the work will be done. Mr. Anderson estimates that the work will be done in two to three weeks but will notify the Conservation Commission when he has the exact date.

**(03-RDA-2010) 550 Benson Road (Map 23, Parcel 59)**

Proposed fill of rip rap rock in an area to stop further erosion of brook bank and yard caused by rains with thatching of existing grass, bringing in loam and reseeding. The applicant is Francine Lapierre, 550 Benson Road, Northbridge, MA 01534.

Fran Lapierre was present and the Conservation Commission decided that a site walk is needed. Ms. Lapierre has hired a landscaping company from Town to do the work. She then gave a summary of the erosion happening to her yard. It is a ten (10) to twelve (12) foot by six (6) to eight (8) foot semicircle area that is eroding. She proposes to redirect the water to the brook and loam and reseed the lawn. The area is fairly level and the steepest area is in front of the house. She anticipates doing the loaming and reseeding in the Fall.

If permitted, Mr. Chagnon requested that the rocks in the stream be moved when there is low flow in the stream.

The site visit has been scheduled for Tuesday, July 20, 2010 at 6:30PM.

Motion made by Mr. Chagnon and seconded by Mr. Freer. The Conservation Commission voted 3-0 to continue the Public Meeting to July 28, 2010 at 7:05PM.

**(248-572) Lot 2 Benson Road (Map 23, Parcel 139)**

Proposed construction of a single-family dwelling, driveway, sewer and storm drain system, water line extension, underground electric, cable and telephone, earth cuts and fills. The applicant is Judith Brooks represented by Northwest Engineering Services, LLC, 184 Indian Trail, Glocester, RI 02814.

Motion made by Mr. Chagnon and seconded by Mr. Freer. The Conservation Commission voted 3-0 to accept the withdrawal of the application without prejudice per the applicant's request.

Document Used: Email from Judith Brooks dated June 15, 2010

**(01-RDA-2010) 11 Center Street (Map 24, Parcel 46)**

Proposed replacement of three 12 foot culverts that are failing with a single 30 inch by 20 foot culvert; replace aging timber bridge with a culvert crossing using one 30 inch by 20 foot culvert; stabilize all inlets and outlets and disturbed soil (replanting and stone as needed); and work to be done following guidelines in the MA Rivers & Stream Crossing Standards (2006). The applicant is Francis Jacobs represented by James Jacobs, 11 ½ Center Street, Linwood, MA 01525.

Jim Jacobs stated that there are three pipes in the stream. Two pipes are plugged and need to be replaced so the water doesn't pull gravel into the brook. The area will be left open for clean out purposes. They wish to remove the bridge and replace it with a culvert. The Conservation Commission visited the site and looked at the neighbors' concerns as well. The Conservation Commission reminded Mr. Jacobs

that he needs to take into account the wetland located above him. The elevation of the wetland cannot be lower than what is there now. A condition will be that when they are ready to place the pipe they need to contact the Conservation Commission and a member will be onsite to observe the placement so the Conservation Commission is comfortable with the elevation. Also they need to contact the Conservation Commission before the work is started and the erosion controls are in place for an inspection.

Motion made by Mr. Chagnon and seconded by Mr. Freer. The Conservation Commission voted 3-0 to issue a negative determination with the conditions stated above and the invert elevation does not get any lower than existing height and impact downstream.

**(248-573) The Camelot (Map 16, Parcel 28)**

Proposed construction of a roadway, infrastructure and associated amenities for a 65 lot residential subdivision located off Hill Street and Hillcrest Road. The applicant is J & F Marinella Development Corporation represented by Heritage Design Group, 1 Main Street, Whitinsville, MA 01588.

Motion made by Mr. Freer and seconded by Mr. Chagnon. The Conservation Commission voted 3-0 to continue the Public Hearing to July 28, 2010 at 7:10PM per the applicant's request.

Document Used: Email from Mark Anderson of Heritage Design Group dated July 14, 2010.

**(248-266) Hills at Whitinsville Open Space**

Discussion

Mark Anderson of Heritage Design Group discussed the open space with the Conservation Commission. The Conservation Commission reminded him that they will not accept the open space until the issues are resolved. Mr. Anderson stated that of the three driveways two will be reconstructed and new drainage will be installed. The Planning Board approved deeding  $\pm 10,000$  square feet of the open space to the residents to correct the issues. Mr. Anderson will submit plans to the Conservation Commission when everything is finalized. Mr. Anderson then stated that between the Hills at Whitinsville, The Camelot, and Granite Hills projects there will be between 150 and 170 total acres of contiguous open space. The Conservation Commission continued this discussion to an agenda about three weeks out.

**(NCCP201001) 305 Goldthwaite Road (Map 7, Parcel 82)**

Proposed improvements and upgrades to an existing church building and parking lot within 100 feet of a wetland. The applicant is Fairlawn Christian Reformed Church represented by Yerka Engineering, LLC, 128 West Hartford Avenue, Uxbridge, MA 01569.

Mike Yerka of Yerka Engineering stated that the second phase of the project is the addition to the church and expansion of the parking lot. Phase I was completed in the Spring. There is a small pocket of wetlands onsite. There is no proposal to direct any runoff to that area. The wetland collects runoff from the existing properties. They will be adding some green areas that are pavement now. At the end of the parking area, the landscaped island areas will slope inward to collect the runoff. Some areas that are wooded, will be paved into the buffer zone. Two catch basins will be added.

Mr. Chagnon questioned if they should be developing the project to the property line. Mr. Yerka stated that the adjacent property is also church property.

The Conservation Commission stated that a site visit would be good because the wetland could be vernal pool or has some value and they would like to evaluate it. The Conservation Commission asked if the parking area could be scaled back, especially around the wetland area. Mr. Yerka stated that the parking will not be built out all at once. The area near the wetland would be built last. Mr. Chagnon would like to see the numbers.

There is about 13 to 14 feet from the parking to the wetland and the regulations has a 35 foot no disturb zone. Mr. Mills is uncomfortable with the plan the way it is. He would feel better with the scaled back parking to allow more buffer to the wetland.

Mr. Yerka stated that the plan presented is for a 10 year build out. Mr. Chagnon said the permit is good for three years and would like to see what they actually plan to build in that time.

A site visit has been scheduled for July 20, 2010 at 7:00PM.

Motion made by Mr. Chagnon and seconded by Mr. Freer. The Conservation Commission voted 3-0 to continue the public meeting to July 28, 2010 at 7:30PM.

## **Minutes**

### March 24, 2010

There was no quorum to vote on these minutes.

### March 24, 2010 (Executive Session)

There was no quorum to vote on these minutes.

### April 28, 2010

There was no quorum to vote on these minutes.

### May 12, 2010

There was no quorum to vote on these minutes.

### **Old / New Business**

#### (248-43) Off Fletcher Street – ORAD Extension Request

Motion made by Mr. Chagnon and seconded by Mr. Freer. The Conservation Commission voted 3-0 to extend the Order of Resource Area Delineation (ORAD) for Off Fletcher Street (BJM Nominee Trust) for three years to July 14, 2013.

#### (248-564) Lot 88 Kelly Road (180) – Request for Certificate of Compliance

The issues observed at the last site visit have not been addressed yet to complete the property for the issuance of a Certificate of Compliance. The Conservation Commission tabled this request until they contact us and this will be left off the agenda until such time.

#### 14-20 Elm Street – Results of Site Visit

Mr. Freer stated that the tree is dead and the owner will move the swing set out of the encroachment area. Ms. Kinney will check with the DPW about removing the tree.

#### Volunteer Stewardship – Discussion

The Conservation Commission decided to table this discussion.

#### Hills Condo Lot 2 – Restoration Update

Mr. Mills has visited the site and stated that it is looking good. The second breakout has been cleaned up. There should be no further breakouts, however, there are large areas still unstable. That remains a concern.

#### Changes to Open Meeting Law – Discussion

Ms. Kinney passed out copies of the changes to the open meeting law and asked the Conservation Commission members to review for the next meeting.

#### Sutton Street/Rockdale Pond – Discussion

The Conservation Commission prepared a draft document reminding the tenants that untreated discharge from vehicle washing flowing directly into the Rockdale Pond constitutes a violation of the MA Wetlands Protection Act and the Town of Northbridge Wetlands Protection Bylaw.

Document Used: draft to Service Time dated July 21, 2010.

### **Other**

Conservation Commission members present performed *administrative tasks* (signed Orders, etc.) that were needed.

### **Executive Session**

MGL Chapter 39, S 23B #3 – Litigation

Continued to the next agenda without discussion.

Motion made by Mr. Chagnon and seconded by Mr. Freer. The Conservation Commission voted 3-0 to adjourn the meeting at 9:37PM.

Respectfully submitted,

Barbara A. Kinney  
Conservation Administrative Assistant