



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

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NORTHBRIDGE TOWN CLERK
DORIEEN A. CEDRONE

Meeting Minutes February 8, 2017

Barbara McNamee, Justin Arbuckle, Rich Chiras, and Gerry Ouillette were present. Joy Anderson and Cindy Campbell were absent. David Pickart, Conservation Agent, and Barbara Kinney, Administrative Assistant were also present.

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

Citizen's Forum None

(248-645) Riverdale Street Earth Removal (Map 23, Parcel(s) 5, 16, & 22)

Proposed completion of all earth removal activities and restoration of all disturbed areas with loam and seed. The applicant is James Knott represented by Andrews Survey and Engineering, Inc. (ASE), 104 Mendon Street, Uxbridge, MA 01569.

The legal requirements have been satisfied including notification to abutters and posting of the legal ad.

Paul Hutnak of ASE explained that this is an earth removal project that has been for ongoing for about four or five years now with an earth removal permit. There were some wetlands onsite that were overlooked and were discovered by the Conservation Agent, David Pickart. The Order of Resource Area Delineation (ORAD) is from 2002. There are some disturbed areas in the buffer zone. There is also a sewer easement on the property.

Dennis Dore is running the earth removal permit per Mr. Hutnak and the earth removal permit was extended for one more year. All the digging of the slopes are complete. The stockpiles of materials will be sold off. The loam pile will be used to restore / stabilize the pit with six inches of loam and then it will be grassed. The gun range will stay with the mounds of dirt for safety purposes. One section of the site is in the floodplain. Since the materials have been taken out, more floodplain may have been created. Confirmation needs to be received that the isolated wetland is still there. It was referenced in the ORAD that it had woody plants, but the Agent could not find it. He however, found one area in the pit that has wool grass and collects some water. That area will need to be restored. There may be one finger of rare species and a letter from the Natural Heritage Endangered Species Program (NHESP) will need to be obtained before the Public Hearing can be closed. Some erosion controls are needed along the access road and some trees have been felled into the wetland. The Agent suggests leaving the felled trees for habitat rather than disturb the area by trying to remove them.

Mary Small, representing her mother Shirley Small who is an abutter on Riverdale Street, wanted to know if the rifle range is in the buffer zone. Mr. Hutnak replied that it was. M. Small is concerned with the lead shot from the rifle range and there is an eagle's nest not too far away. Mr. Hutnak stated he didn't know if the lead shot was a problem. Mr. Chiras stated that he researched the matter and lead bullets are encased in other materials such as copper so there is no danger from the lead. There are no regulations regarding a rifle range in a buffer zone. It will need to be researched further.

S. Small said the brook comes from Benson Road and there is no stream channel but water is everywhere now. Mr. Hutnak will investigate this. A culvert may be blocked or squashed.

Motion made by Mr. Ouillette and seconded by Mr. Chiras. The Conservation Commission (NCC) voted 4-0 to continue the Public Hearing to February 22, 2017 at 7:05PM.

(248-) Lot 5 Windstone Drive (Leonardo Estates) (Map 17, Parcel 160)

Proposed construction of a single-family dwelling, installation of utilities, and associated site work. The applicant is Joe Leonardo represented by ASE, 104 Mendon Street, Uxbridge, MA 01569.

The legal requirements have been satisfied including notification to abutters and posting of the legal ad. The Department of Environmental Protection (DEP) file number is needed before the Public Hearing can be closed.

Paul Hutnak of ASE and Joe Leonardo, owner / developer, were present. The dwelling will be outside the 50 foot buffer zone and the driveway will be outside the 100 foot buffer zone. Just part of the dwelling and some grading will be in the outer 50 foot buffer zone.

The limit of clearing has markers shown on the plan but the NCC wants three more added.

The expectation is that the revised plans will be done and they will seek an amended Order of Conditions (OOC) to construct the replication area before the expiration in June or an extension can be sought for Leonardo Estates.

Motion made by Mr. Ouillette and seconded by Ms. McNamee. The NCC voted 4-0 to continue the Public Hearing to February 22, 2017 at 7:15PM and requests that the three markers be added to the plan.

Old / New Business

(248-625) 342 Cooper Road – Possible violation(s)

Oren Havey (owner) was present. The NCC explained that of the work done, it is unclear as to whether some work was done outside of the OOC permit, so the NCC is requesting a report from the engineer explaining exactly what was done on the property. The question arose as to whether concrete bounds were needed besides the as-built plans. Mr. Havey stated that he got several bids. Mr. Havey stated that he will accept a bid on February 20, 2017 and the report will be done after that. He requests a continuance to the February 27, 2017 meeting. The NCC agreed that concrete bounds

are not needed; just the as-built plan. This agenda item has been continued to the February 27, 2017 meeting.

Riverdale Mills Hydroelectric Permit - Discussion

The NCC reviewed the materials and have no comment. No further action is needed.

Enforcement Actions

Church Street / Providence Road – Enforcement Order Update

Mr. Pickart checked with Town Counsel and the NCC is not able to request a bond so there is no recourse to make the forest agent follow through. However, the NCC could go after the owners of the property. Per Mr. Pickart, he believes more wetlands are being flagged out there by the owners and not John McCarthy, the forest agent. He has heard nothing about the restoration plan. This item is continued to the next meeting and hopefully an update will be provided.

1737 Quaker Street – Cease and desist letter

There has been no activity at this site. This item is continued to the next meeting.

Lot 35 Joseph Circle – Cease and desist update

Paul Hutnak of ASE submitted a restoration plan that includes six shrubs of native plant species and it will be seeded with a New England Conservation wildlife mix. The NCC approved of this restoration plan.

Minutes

None to approve at this meeting.

Executive Session

None

Other

Leonardo Estates

Mr. Leonardo wanted to address the agent's report with the NCC. The rocks are about 35 to 40 feet off the road and they will be removed with dynamite. There are three large pines. One is on top of the rocks. Another one is to the left and it has been knocked over and went into the wetlands. Mr. Leonardo cut branches as much as possible. He could pull the trunk out with a chainsaw but would disturb the wetlands. The NCC needs to decide what to do with the fallen trunk. The NCC discussed the issue and decided they did not need a site walk and it is okay to remove the stump but the rest of the tree trunk should remain in the wetlands so the wetlands will not be disturbed further.

Lots 33 & 34 The Camelot roadway

Mr. Hutnak of ASE believes the erosion controls have been installed. Mr. Pickart will need to confirm this. This item will be continued to the next agenda.

Mr. Pickart left the meeting at 8:00PM.

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

Motion made by Mr. Ouillette and seconded by Mr. Chiras. The NCC voted 4-0 to adjourn the meeting on or about 8:20PM.

Respectfully submitted,

DATE APPROVED:



Barbara A. Kinney
Conservation Administrative Assistant



February 8, 2017

CONSERVATION MAIL LIST

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ADDITIONAL DOCUMENTS USED AT MEETING

- Restoration Planting Plan of the Camelot Lot 35R Joseph Circle
- Aerial View of Riverdale Street Earth Removal with lot lines & HNESP Habitat