



## TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

7 MAIN STREET  
WHITINSVILLE, MASSACHUSETTS 01588  
Telephone: (508) 234-0817  
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Meeting Minutes  
May 20, 2020

NORTHBRIDGE TOWN CLERK  
LINDA L. LAMBERT

20 NOV -9 AM 8:59

RECEIVED

Remote meeting via Zoom.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A Section 18 and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, meetings of the Northbridge Conservation Commission (NCC) shall be conducted via remote participation to the greatest extent possible. No in-person attendance of members or the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided in the Order.

Justine Carroll, Steve Gniadek, Justin Arbuckle, and Barbara McNamee were present. Cindy Campbell was late and Rich Chiras was absent. Barbara Kinney, NCC Administrative Assistant, and David Pickart, NCC Agent, were also present. There is one (1) open vacancy on the NCC.

Ms. McNamee opened the meeting at 7:01PM by roll call vote of J. Carroll – Yes; J. Arbuckle – Yes; S. Gniadek – Yes; and B. McNamee – Yes.

### Citizen's Forum None

*Cindy Campbell arrived at 7:04PM.*

**(248-675) Retail Marijuana Dispensary, 1096-1110 Main Street (Map 1, Parcels 114 & 115)**  
Proposed construction of a retail marijuana dispensary with parking, utilities, stormwater management & earthwork with a portion of the site within the riverfront area of Steamburg Brook. The applicant for this project is True Nature's Wellness represented by Allen Engineering & Associates, Inc. (AEA), 1 Charlesview Rd, Suite 2, Hopedale, MA 01747.

Eric Bazzett, AEA, submitted the waiver letter before the meeting. D. Pickart has reviewed it and does not see anything that would preclude the NCC from approving the waiver(s) request. The Applicant's request for a waiver to construct a portion of the building and parking for the project within the 35 foot no disturb zone and 50 foot no build zone can be issued for the following reasons: The property was previously developed and contained buildings, a leach field, and other disturbances within close proximity to the Bordering Vegetated Wetland (BVW) on the site. Portions of the BVW had been degraded by debris and landscape waste disposal. The Applicant proposes to remove the debris / waste and restore the previously degraded portions of the BVW. The Applicant proposes to remove debris / waste from portions of the buffer zone that are located outside of the footprint of the proposed development. The Applicant intends to restore / enhance currently degraded areas beneath an existing power line by loaming / seeding with a pollinator mix and planting native woody plant species. The Applicant has demonstrated that there are no viable alternatives to the current layout. The commitments to restore / enhance existing degraded resources and buffer will provide greater ecological benefits than are currently provided by the

property. Should the commitments to restore / enhance resources change during the remainder of the permitting process, the NCC can withdraw this waiver.

*Motion made by J. Arbuckle and seconded by J. Carroll. The NCC voted 5-0 to grant the waiver for the reasons stated above by roll call vote B. McNamee – Yes; S, Gniadek – Yes; J. Carroll – Yes; J. Arbuckle – Yes; and C. Campbell – Yes.*

National Grid wanted to know if the Order of Conditions was issued yet and the answer is no. E. Bazzett is optimistic that National Grid will approve the proposed plantings.

*Motion made by J. Arbuckle and seconded by C. Campbell. The NCC voted 5-0 to continue the Public Hearing to June 03, 2020 at 7:05PM by roll call vote B. McNamee – Yes; S, Gniadek – Yes; J. Carroll – Yes; J. Arbuckle – Yes; and C. Campbell – Yes.*

#### **(248-XXX) (Off) Providence Road (Map 19, Parcel 96)**

Proposed delineation of the wetland resource area(s) by 50% or more wetland indicators, saturated / inundated conditions, groundwater indicators, direct observation, and hydric soil indicators. The applicant for the project is Ron Henault and the owner is Robert Mahoney represented by J.M. Grenier Associates, Inc., 787 Hartford Turnpike, Shrewsbury, MA 01545.

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

*Motion made by J. Arbuckle and seconded by J. Carroll. The NCC voted 5-0 to continue the Public Hearing to June 03, 2020 at 7:15PM by roll call vote B. McNamee – Yes; S, Gniadek – Yes; J. Carroll – Yes; J. Arbuckle – Yes; and C. Campbell – Yes.*

#### **Old / New Business**

Lot 37 Joseph Circle – Request for Certificate of Compliance

The NCC needs receipt of the certification before the request for the Certificate of Compliance can be considered. This has been tabled to the next meeting.

489 Highland Street – John Federico, Guerriere & Halnon, Inc. (G & H), is looking for clarification on the wetland markers. D. Pickart explained that ambiguity exists between the Order of Conditions and the approved plans with regard to the wetland markers. There are no markers shown on the plans, but the Order of Conditions has the box checked off that markers must be installed. There is a grass field with the building outside of the 50 foot buffer zone. J. Federico explained that this was part of a bigger lot that was subdivided. A stone retaining wall runs along the property line with the resource area two feet behind the wall. He wanted to know if the stone wall could be used as a resource marker instead of bounds in the lawn area. J. Arbuckle seems to remember a discussion about the concrete markers along the inside of the wall in case the wall is removed. D. Pickart suggests putting the plaques on the stone wall and the NCC agreed to this. They can be purchased through the NCC office. B. Kinney will send J. Federico a quote on the cost of the markers.

90 Hickory Lane – The trench has been dug closer to the wetland to construct the retaining wall. It is now less than 15 feet from the stream. D. Pickart spoke to F. DaSilva on the phone this past Monday and told him to stop any work. He then sent an Email with an Enforcement Order attached with a request to install erosion controls ASAP. D. Pickart has not been to the site to view the erosion controls but he has received pictures showing that they have been installed. J. Arbuckle commented that picture ES1 looks like the rock has been demolished (big rock to the left). ES2 picture shows the rock is there so it is okay. It seems the rock was exposed during the work and he may be trying to remove it. All communications will now be in writing since the Enforcement Order has been issued so we will have a paper trail. All discussions will need to be through the NCC. D.

Pickart suggests that two (2) to three (3) feet be restored so that the limit of disturbance is farther away from the wetland. This area once restored should be planted with two (2) to three (3) trees and a mix of plants. A plan should be developed and equipment will need to be used to pull the material back. Since F. DaSilva's English is limited, he may not understand all that he is being told. To clarify expectations, a restoration plan should be developed by an environmental professional and approved by the NCC before the work is done and it must be monitored by the environmental professional. D. Pickart will summarize all this in a letter and send to F. DaSilva. He will need to get the plan to us and we will put this business on the June 03, 2020 agenda to discuss. No work is to resume until the plan has been RECEIVED AND APPROVED.

*Motion made by J. Arbuckle and seconded by J. Carroll. The NCC voted 5-0 to ratify the Enforcement Order by roll call vote B. McNamee – Yes; S. Gniadek – Yes; J. Carroll – Yes; J. Arbuckle – Yes; and C. Campbell – Yes.*

**Minutes**April 15, 2020

*Motion made by J. Arbuckle and seconded by J. Carroll. The NCC voted 5-0 to accept the minutes of April 15, 2020 as written by roll call vote B. McNamee – Yes; S. Gniadek – Yes; J. Carroll – Yes; J. Arbuckle – Yes; and C. Campbell – Yes.*

**Other**

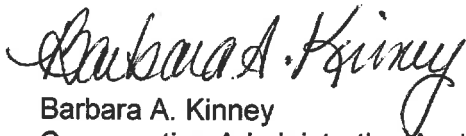
The NCC members present performed administrative tasks (signed Orders, etc.) that were needed.

*R. Chiras joined the meeting at 7:54PM.*

*Motion made by J. Arbuckle and seconded by R. Chiras. The NCC voted 6-0 to adjourn the meeting about 7:57PM by roll call vote J. Arbuckle – Yes; J. Carroll – Yes; R. Chiras – Yes; S. Gniadek – Yes; C. Campbell – Yes; and B. McNamee – Yes.*

Respectfully submitted,

DATE APPROVED:



Barbara A. Kinney  
Conservation Administrative Assistant

*November 04, 2020*

May 20, 2020

## CONSERVATION MAIL LIST

[illegible]

## WEEKLY REPORTS

- Weekly Report April 17, 2020 to May 07, 2020
- Weekly Report May 08, 2020 to May 14, 2020

### **ADDITIONAL DOCUMENTS SUBMITTED AT MEETING**