



## TOWN OF NORTHBRIDGE

# CONSERVATION COMMISSION

7 MAIN STREET

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23 FEB 21 PM 2:55

NORTHBRIDGE TOWN CLERK  
LINDA E. JYVIE

### Meeting Minutes December 07, 2022

Justine Carroll, Rich Chiras, Steve Gniadek, and Barbara McNamee were present. Cindee Cummiskey, Chloe Mawn and Justin Arbuckle were absent. David Pickart, Conservation Commission (NCC) Agent and Barbara Kinney, NCC Administrative Assistant were present.

J. Carroll opened the meeting at 7:00PM.

#### Citizen's Forum

None

#### Metacomet Land Trust – Castle Hill Farms Conservation Restriction Discussion

Lisa Mosczynski from Metacomet Land Trust explained that she was here tonight to educate and answer any questions regarding Conservation Restrictions (CR) and the Castle Hill Farm property that will need a conservation restriction once it has been purchased by the Town. CRs are deeded restrictions on properties for conservation and can also be in the form of an easement. The NCC needs to partner with a non-profit organization or another third party to hold the CR for passive recreation. The third party or non-profit organization will enforce the parameters of the property as the NCC cannot police themselves. The legal requirement(s) for Metacomet to hold the CR will need to be researched. The CR should spell out the allowed uses and any prohibited uses. The state will need to approve the CR and it will be recorded. The property cannot be divided and only developed in certain ways. Metacomet has agreed to step up to oversee the CR with the approval of the NCC and can help the NCC draft the CR if needed. NCC is looking for suggestions, examples, and guidance from Metacomet. Conversations/discussions will be continued on this subject. The Town through the NCC will own the property. Metacomet will outline the dos and don'ts on the property and will do the enforcement by notifying the NCC of the situation/problem. Inspections will be done periodically.

If the CR has a forested section, then there should be a forest management plan that could include trails and trail heads. If there is a meadow, then there should be a mowing plan for the meadow. If there is a farm component, then there may be allowances for the grazing of animals. Some residents want hunting allowed there. A general network of walking trails can be indicated but the start and end points of the trails in detail must be laid out and agreed to by the NCC and Metacomet. Emergency vehicle access, maintenance, etc. needs to be spelled out. The parking area will be gravel.

The NCC will have to hire someone to do the maintenance. A land stewardship fund can be created with some of the funds used in the purchase of the property for the maintenance costs. A "friends of" group could be started to fundraise and help advocate for it. D. Pickart

recommends that mowing should not be done by the Department of Public Works (DPW) because it could become an issue. There are lots of resources to be brought to the table to help create the CR. If one of the requirements were to be that a permit is needed from the NCC to hunt on the land, then the NCC will have at least a name and number for any deer stands left behind, etc. The property lines should be marked with a medallion every so many feet showing the CR land.

When the CR is created there will be a fee that will be put into escrow to help with court fees if needed. The court fees would be for when there is a serious transgression and the violator is taken to court. This would be a joint effort between Metacomet Land Trust and the Town. An example of the fee calculation could be a fee of \$100 per acre with parking and trails as also factors to consider in the calculation. In this example, the fee would be about \$10,000 (\$100 times 100 acres). These fees will come from funds that have already been designated for Castle Hill.

The possibility exists that maybe a partnership with Uxbridge could be reached for their adjacent 100 acre lot to create continuous trails, etc. and use the same company for maintenance of the properties.

Once the transaction is completed that the town owns the property, then in 2023 the CR can be drafted and the NCC will hold a public hearing. The lowest interest rate is being sought for the final sale and may be combined with other borrowing so hopefully, this will be all set by spring. Other ideas are also to put out a press release or do an article in the newspaper, have someone go on the local cable channel and discuss this property with Harry Berkowitz on the subject.

**(248-XXX) 172 Linwood Avenue (Map 5, Parcels 58 & 59)**

Proposed construction of a garage & driveway with associated grading and site work. The applicant is Timothy & Jane Labrie represented by H S & T Group, Inc., 75 Hammond Street, Worcester, MA 01610.

Lesley Wilson, H S & T Group, explained that there are two (2) existing garages on the site. The owner is looking to combine them by constructing an addition/building in between so that it is all connected. The engineer is trying to figure out how to work it all out. They have designed a berm along the property line with a leaching basin. The berm will be one (1) foot high or plantings or both. The NCC will need to think about this and decide at a later date. They will be compensating for the fill to construct the garage. D. Pickart commented that there will be some grading (excavation) in the floodplain but the actual garage will not be in the floodplain. There will be slightly more flood storage added to the floodplain. All of the project is in the riverfront area. The NCC can require that a certain portion of the riverfront area be restored. This project is considered a redevelopment and more information is needed to meet the requirements for a redevelopment project. A new Notice of Intent (NOI) needs to be submitted with the correct numbers. The Department of Environmental Protection (DEP) needs their revised fee before issuing the DEP file number.

The NCC would like to have a site visit and it will be on December 17, 2022 at 10:00AM if the owner can make it. If not, December 18, 2022 is good for the NCC too. Once the date is confirmed it will be posted.

*Motion made by B. McNamee and seconded by S. Gniadek. The NCC voted 4-0 to continue the Public Hearing to January 04, 2023.*

**Old/New Business**

None

**Other**

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

Kate O'Brien, a high school senior who is interested in environmental science, attended this meeting to gain insight as to what the NCC does.

D. Pickart mentioned he sent the NCC information on the security camera that he would like to see purchased for Shining Rock. The NCC decided to use the Conservation Fund to pay for the camera. *Motion made by R. Chiras and seconded by B. McNamee. The NCC voted 4-0 to purchase the camera for Shining Rock.*

*Motion made by S. Gniadek and seconded by R. Chiras. The NCC voted 4-0 to cancel the July 5, 2023 meeting and accept all the other dates for 2023 meetings.*

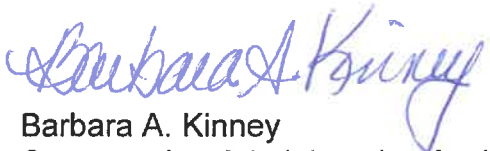
S. Gniadek explained that the emerald ash borer has killed several trees on his property. He will be sending B. Kinney documentation on the emerald ash borer for posting on the website.

D. Pickart mentioned that Central Massachusetts Regional Planning Commission (CMRPC) is working on an access listing of all trails in the area.

**Adjournment**

*Motion made by R. Chiras and seconded by S. Gniadek. The NCC voted 4-0 to adjourn the meeting about 8:30PM.*

Respectfully submitted,



Barbara A. Kinney  
Conservation Administrative Assistant

DATE APPROVED:



## CONSERVATION MAIL LIST

### ADDITIONAL DOCUMENTS SUBMITTED AT MEETING

- Metacomet Land Trust Brochure