



TOWN OF NORTHBRIDGE CONSERVATION COMMISSION

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NORTHBRIDGE TOWN CLERK
LINCOLN D. ZYWIEN

Meeting Minutes August 16, 2023

Justin Arbuckle, Justine Carroll, Cindee Cummiskey, Chloe Mawn, Rich Chiras, and Barbara McNamee were present. No one was absent. Barbara Kinney, Conservation Commission (NCC) Administrative Assistant and David Pickart, NCC Agent, were present. The NCC has one (1) vacancy.

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

Citizen's Forum

Laurie Coco, 6 Lake Terrace, stated that she has recently moved to town and has discovered the Elsa Mason conservation land behind Lake Terrace. She would like to start a steering committee or be a part of one regarding the maintenance of this public land. She has done some research and in 2025 this property will celebrate 50 years that it was donated (in 1975) to the town. It is just sitting there and there are opportunities to improve the property. J. Carroll explained that the town has just acquired the Castle Hill Farm property. A college intern has drafted an updated plan of the Elsa Mason property and found that the deed limits a lot of things from being done on the property. Things such as picnicking and congregating are prohibited. Once there is a plan of action, the NCC will have a meeting and L. Coco will be contacted so she may attend.

(248-XXX) 1099 Providence Road (Map 14, Parcel 50)

Proposed construction of a two (2) story commercial structure on an existing foundation with an enclosed porch with parking within the 100-foot wetland buffer zone. The applicant is KEE Properties, LLC represented by Allen Engineering & Associates, Inc. (AEA), 140 Hartford Avenue East, Hopedale, MA 01747.

The legal requirements have been satisfied including publication of the legal ad. Karen Keegan, AEA, explained that there was a residential dwelling between Dunkin and Jumbo Donuts. The lot has been redesigned and the Zoning Board of Appeals (ZBA) issued a Variance for a two-story building that is Americans with Disabilities Act (ADA) compliant. There will be five (5) paved parking spaces with a berm. The septic will be located in the front of the property and has been approved by the Board of Health (BOH). The drainage in the back will flow to the stream. The property is already cleared to the stream. The Department of Environmental Protection (DEP) missed some information because the testing has already been done and provided on the plans, but DEP included them in their comments. The applicant/engineer will respond directly to DEP. The pavement of the driveway has been widened to 20 feet. The building will be for office space. The NCC reviewed the Conservation Agent's comments. The extent of the work and setbacks will need to be confirmed. This was a single-family dwelling that predates zoning, so it was exempt. Now that it has been rezoned to retail/office space, it will need to be confirmed if it

is still exempt. It may behoove the NCC to explore this further and engage Town Counsel (at applicant's expense) for the definitive response. The stream starts way to the north of the property and is piped +/-1,200 feet under Shaw's Plaza and Church Street. NCC wants the applicant/engineer to consider better measures for screening between the stream and the limit of work. A native New England seed mix and native shrubs will filter runoff, provide shade, and attract wildlife. If the setbacks do apply, sections of the bylaw allow for a Variance. If the setbacks apply and are enforced, then the project is impossible, and a waiver would be considered because the property would be unusable for a reasonable project. D. Pickart stated that if a buffer is created, then it passes the waiver test. If okay, need statement and revised plans showing more buffer. It is suggested that the Public Hearing be continued, and the applicant/engineer formally request a waiver and list the reasons why. A cease and desist was issued by the Building Inspector. E. Ebbling is seeking to close in the building because water is flowing into the basement. J. Carroll stated that it is possible that the NCC could wrap up their review at the next meeting. D. Pickart stated that the NCC office will do their best to have the Order of Conditions (OOC) ready for the next meeting.

Motion made by J. Arbuckle and seconded by C. Cummiskey. The NCC voted 6-0 to continue the Public Hearing to September 06, 2023.

(248-XXX) Douglas Road Contractors Yard (Map 3, Parcels 115, 116, 117 & 118)

Proposed three (3) metal buildings, paved storage areas with associated parking and utilities. The applicant is TJJ Development Corp. represented by CMG Environmental and Engineering Services, 67 Hall Road, Sturbridge, MA 01566.

The DEP file number is needed. Hopefully, it will be coming soon. Rob Lussier, CMG Environmental, representing James Berkowitz (also present) explained that they have resubmitted plans this week. NCC Agent recommends that Graves Engineering confirm that the proposed drainage system design and supporting calculations comply with the stormwater management standards contained in the Wetlands Protection Act (WPA) regulations and the accompanying MA Stormwater Handbook. The project may also qualify as a Land Use with Higher Potential Pollutant Loads (LUHPPL) which include exterior fleet storage areas and parking lots that have high intensity use. They are adding some compensatory storage and are very confident that it is hydrologically connected. The larger subdrain will flow to the smaller culverts and there will be no flooding. Graves Engineering agrees with this assessment given all the modeling that was done. The drainage easement is lax and flows through the property with access to the headwalls. If the project is built, it would provide paved access to the back of the property. Impacts and replacements have been added of a ratio slightly higher than 1:1 and is shown in the revised Notice of Intent (NOI). The Bordering Vegetated Wetland (BVW) fill is included in the two (2) areas of replication. The plans have a sheet showing the planting details. D. Pickart's comments have been addressed. For any berms over a 2:1 slope, they are armored so that there will be no erosion. They are requesting a waiver for an area that was previously approved. The new erosion controls will be included in the Storm Water Pollution Prevention Plan (SWPPP). The existing erosion controls lifespan is done. We are waiting to hear from Graves Engineering that all their comments have been addressed. D. Pickart is concerned with the different size culverts and if the area floods enough that Douglas Road would be flooded. The basins and underground system are very conservative, per R. Lussier. The wetland area will not be used as a secondary pond. D. Pickart suggested a special condition that the replication area be overseen by a wetland

specialist. Erosion controls should consist of wattles and silt fence. A row of silt fence should be placed at the base of the slope at the back of the property that goes upslope. There is an eight (8) inch perforated underdrain there too. Erosion controls will need to be put on the back side of the ledge. Our summer intern looked at the dumpsters onsite and +/-75% of them had no smell and were pretty clean. There will be no full dumpsters stored on that site.

Motion made by R. Chiras and seconded by J. Arbuckle. The NCC voted 6-0 to continue the Public Hearing to September 06, 2023.

(248-XXX) Lot 44 Rebecca Road (The Camelot) (Map 16, Parcel 259)

Proposed construction of a single-family dwelling and associated appurtenances within the buffer zone of a wetland resource(s) area. The applicant is J & F Marinella Development Corp., 26 Tia Place, Franklin, MA 02038.

This Public Hearing was tabled to the next meeting.

(248-XXX) 315 Main Street Contractor Yard (Map 2, Parcel 36)

Proposed construction of a storage building and a separate accessory office building with associated parking utilities, and stormwater infrastructure with a portion of the project within the 100-foot buffer zone and within land subject to flooding. The applicant is KEE Properties, LLC represented by AEA, 140 Hartford Avenue East, Hopedale, MA 01747.

J. Carroll abstained from this Public Hearing. The legal requirements have been satisfied including publication of the legal ad. Mike Dryden, AEA, on behalf of Earl Ebbling (also present) explained that this property was once a school with the foundation/slab footprint still there. The lot is now in a state of disrepair and wooded. A small portion of the property is within the 100-foot buffer zone to Arcade Pond. There is also an area that is in the floodplain. They are proposing a contractor yard building with a separate office building. By dividing the project into two (2) buildings, they do not need to provide sprinkler systems to the buildings. The access will be one-way in and one-way out. The access to Water Street will be gated. They are looking for opportunities to reduce the impervious area slightly per the request of the Planning Board. The catch basin will flow by existing pipe to Arcade Pond. Runoff will be collected in a Cul-Tec system and then flow to the catch basin. DEP questioned the submittal fee calculation. D. Pickart thinks the calculation is fine, but DEP could step in and require the new category and fee (3c project). Revisions will be coming with a letter addressing the poor and fair conditions cover type. The applicant will work with the owner to submit the request for a Certificate of Compliance (COC) for the previous project that was approved for this site and the adjacent property that was never done. Once all comments have been received, the plans will be revised and submitted.

Motion made by J. Arbuckle and seconded by C. Cummiskey. The NCC voted 5-0-1 (J. Carroll abstained) to continue the Public Hearing to September 06, 2023.

(248-709) Linwood Avenue Bridge (Maps 5 and 24)

Proposed repair of the existing steel stringer bridge which has concrete spalling at the bridge beams, voids at the bridge seats, and voids on the northern wingwalls that crosses over Linwood Pond. The proposed repairs include concrete encasement repairs. The

applicant is Northbridge Department of Public Works (DPW) represented by Howard Stein Hudson (HSH), 370 Main Street, Suite 972, Worcester, MA 01608.

The legal requirements have been satisfied including publication of the legal ad. Steve Tyler, HSH, representing the applicant, Northbridge DPW, handed out plans and photos. He explained all work will be above the water line and netting/sediment fabric will be used to catch falling debris even though there is not much clearance. D. Pickart requested a written statement showing the details of this netting. The concrete will be broken out and replaced. Estimates of the square feet of work are needed. Dewatering will not be needed, and the contractor will be doing the work during drier weather. The repairs are to prolong the life of the bridge. This is a limited project so strict compliance with the standards is not required.

Motion made by R. Chiras and seconded by J. Arbuckle. The NCC voted 6-0 to close the Public Hearing.

Motion made by R. Chiras and seconded by J. Arbuckle. The NCC voted 6-0 to issue the OOC with the condition that the written answers are received before the NCC signs the OOC.

(248-710) Church Street (Extension) Bridges (Map 28)

Proposed repair to the existing masonry arch bridge over the Blackstone River and the existing concrete slab bridge over the Blackstone Canal. The applicant is Northbridge DPW represented by Howard Stein Hudson, 370 Main Street, Suite 972, Worcester, MA 01608.

The legal requirements have been satisfied including publication of the legal ad. Steve Tyler, HSH, representing the applicant, Northbridge DPW, explained that the repairs are minor to prolong the life of the bridge. They will be filling voids under the stone arch over the river. MA DEP dive team will pull out the debris to alleviate pooling, eddying, and scouring. The stone masonry wall barrier is leaning and repointing/resetting of the stones will be done. The guardrails will be replaced. They will cut the vegetation at the top of the wall to knock it back, but it will not be eliminated at the canal bridge. The cement will be removed down to the rebar and the rebar will be repaired as needed. Then new cement slabs will be installed. They filed with Natural Heritage Endangered Species Program (NHESP) for work in the habitat area. They are waiting for a response. These are limited projects so strict compliance with the standards is not required.

Motion made by J. Arbuckle and seconded by R. Chiras. The NCC voted 6-0 to continue the Public Hearing to September 06, 2023.

(248-713) Castle Hill Farms Conservation Land (Map 3, Parcel 1 & Map 4, Parcel 33)

Proposed construction/rehabilitation of several trails including the installation of three (3) boardwalks. The applicant is the Northbridge Land/Trail Stewardship Committee, 7 Main Street, Whitinsville, MA 01588.

D. Pickart (not in the capacity as the Conservation Agent) explained that the land/trail stewardship committee is not official yet, so he is here on their behalf. The DEP File number has been received. The committee plans to construct new trails and rehabilitate existing trails within portions of the Castle Hill Farm Conservation land to allow for hiking

and wildlife viewing. Some of the work associated with this effort (including the installation of plank boardwalks where trails cross through/over streams and wetlands) will entail work in wetland resources and the 100-foot buffer zone. The project has been configured in a manner that avoids/minimizes work in wetland resource areas to the maximum extent practicable. The boardwalks cross through BVWs at their narrowest points, will be elevated above the ground surfaces, and will completely span Land Under Water (LUW) and Bank. Direct alteration of BVW will be compensated through the construction of a wetland replacement area that is more than 2.5 times larger than the proposed impacts. Construction of the new trails is unlikely to result in the creation of erosion prone areas. If conditions arise where erosion could occur, mulch or wood chips will be placed on the trail surface and erosion controls (straw wattles) will be installed.

Motion made by R. Chiras and seconded by C. Mawn. The NCC voted 6-0 to close the Public Hearing.

Motion made by R. Chiras and seconded by J. Arbuckle. The NCC voted 6-0 to issue the OOC.

Old/New Business

FATM October 24, 2023 – Warrant closes on 8/25/2023 at 12:00PM
Point of information.

Minutes

July 19, 2023

Motion made by C. Cummiskey and seconded by C. Mawn. The NCC voted 6-0 to accept the minutes of July 19, 2023.

June 07, 2023

Motion made by J. Arbuckle and seconded by R. Chiras. The NCC voted 6-0 to accept the minutes of June 07, 2023.

Other

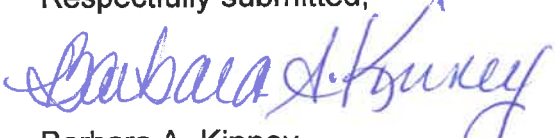
Benson Road – D. Pickart announced that the Board of Selectmen (BOS) will be turning over the Benson Road property to the NCC.

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

Adjournment

Motion made by J. Arbuckle and seconded by R. Chiras. The NCC voted 6-0 to adjourn the meeting at about 8:44PM.

Respectfully submitted,


Barbara A. Kinney
Conservation Administrative Assistant

DATE APPROVED:

December 29, 2023

CONSERVATION MAIL LIST

ADDITIONAL DOCUMENTS SUBMITTED AT MEETING

- Church Street Pictures of Bridges and Plans of Repairs
- Linwood Avenue Pictures of Bridge and Plans of Repairs
- 1099 Providence Road – Marked up Plans