



TOWN OF NORTHBRIDGE

EARTH REMOVAL BOARD

MEMORIAL TOWN HALL

7 MAIN STREET

WHITINSVILLE, MASSACHUSETTS 01588-0088

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17 DEC 15 AM 8:57

Date: 28 November 2016

Location: Northbridge Town Hall

NORTHBRIDGE TOWN CLERK
DOREEN A. CEDRONE

The Northbridge Earth Removal Board (ERB) Meeting was called to order at 6:00 p.m. on Monday, 28 November 2016 by Chairman Charles Ampagoomian. The following Board members were present:

Name	Representing
Charles Ampagoomian, Chairman	Board of Selectmen
Paul McKeon	Board of Health
Mark Key	Planning Board
Richard Chiras (Arrived at 6:55 p.m.)	Conservation Commission
James Shuris, Secretary	Department of Public Works
<u>Others present:</u>	
Dave Pickart	Conservation Agent
Paul Hutnak	Andrews Survey Co.
Dennis Dorr	Dennis Engineering & Machine Company
Linda Lachapelle	Resident
Shirley Small	Riverdale Road Resident
Mary Small	Riverdale Road Resident
John Killeen	Riverdale Road Residents
Kathy Killeen	Riverdale Road Resident
Denis Angelo	Riverdale Road Resident

Minutes of the 24 October 2016 Meeting: Minutes were reviewed. The vote was unanimous to accept the minutes as written. Vote: 3-1 (one abstaining)

Public Hearing and Discussion – Earth Removal Permit Extension - James K. Knott, Sr.: Representatives included Paul Hutnak and Dennis Dorr. Andrews Survey Company conducted the presentation.

Several Riverdale Road residents attending the meeting to follow-up on issues presented at the 24 October 2016 meeting. Mr. Shuris commented that the Town's legal counsel, David Doneski and the Northbridge Conservation Agent were contacted for their input/comments. David Doneski provided a legal opinion letter and Dave Pickart, Conservation Agent attended the meeting for discussion.

Mr. Shuris commented that a follow-up discussion with the Town's legal Dave Doneski provided legal opinion on the Earth Removal By-Law, SECTION 7-200, and more specifically Sections 7-214, Section 7-215, wetlands, footage along a public way, which they consider the road in Riverdale Cemetery as a public road, and others. Attorney Doneski commented that the By-Law authorizes the Earth Removal Board make the determination regarding undermining as a result of earth removal proposed with the setback areas specified in Section 7-215, and that the Board may impose reasonable conditions in accordance with Section 7-216.

Mr. Shuris also commented that the Town Clerk has no records that the access roads within the Riverdale Cemetery were laid out as public ways.

Paul McKeon commented that the Earth Removal Board is not in violation of zoning issues since this project received previous Zoning and Conservation Commission approval many years ago.

Mr. Hutnak commented that he met with the Conservation Agent and received a plan dated 2002 depicting the parcel and its elements. He also commented that a field visit meeting was held with himself, Dave Pickart, Jim Shuris, Denis Dorr, and Cathy Tata (Riverdale Mills) to review plans, completed work and anticipated work.

Dave Pickart stated that an "After-The-Fact" Notice-Of-Intent Permit application must be secured through the Conservation Commission and Mr. Hutnak commented that he will process the paperwork for a ConsCom Meeting on or before 28 December 2016.

The residents commented that the gate to the site were opened before 7:00 a.m. and closed after 5:00 p.m. The Board will issue the permit extension with a restriction that the gate must not be opened before 7:00 a.m. and must be closed no later than 5:00 p.m. All in attendance agreed with this requirement.

Denis Dorr commented that they will not expand the horizontal limits of work and are now in the process of sloping, grading and loaming the perimeter slope limits which will then be seeded next year. Approximately 50,000 cubic yards of material remain to be removed. The Board will require that all slopes be hydro-seeded no later than 01 September 2017 and that all work be completed on or before 30 December 2017. The new permit language will include this language.

The vote was unanimous to approve an Earth Removal Permit Extension which will expire on 30 December 2017. Vote: 4-0

Other Business:

The Board welcomed a new member – Conservation Member Richard Chiras.

Public Hearing & Discussion - Earth Removal Permit Extension - Douglas Road Industrial Realty Trust: Paul Hutnak from Andrews Engineering represented the applicant.

The Permit Extension was approved by the Board and Mr. Shuris was directed to issue same with a copy of the Town's 2017 Holiday Schedule attached. This permit will expire on 01 December 2017. Vote: 5-0

Adjournment: There being no further business, a motion to adjourn made by Mr. McKeon and seconded by Mr. Shuris. The vote was unanimous and the meeting adjourned at 7:05 p.m.

Respectfully submitted,

James Shuris, P.E., MBA

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Secretary, Northbridge Earth Removal Board