

Town of Uxbridge  
 Conservation Commission  
 21 South Main Street  
 Uxbridge, Massachusetts, 01569  
 508-278-8600 x 2020



Conservation Commission Minutes  
 Monday, May 19, 2014  
 Lower Town Hall, Uxbridge Town Hall

Received by  
 Uxbridge  
 Town Clerk

*Please note some items may have been taken out of agenda order.*

**Present:** Chair Russell Holden, Treasurer Jim Hogan, Clerk Jeffrey Shaw, Members Michael Healy, Mike Potaski, and Tracy Tibedo, and Administrator Kristin Black.

**Absent:** None.

It being approximately 6:50 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

#### ACTIVE WETLAND CASES

1. Notice of Intent (NOI) 312-969, Pout Pond, 70 West River Road (Map 13, Parcel 4877)  
 Applicant: Uxbridge Conservation Commission      Representative: Aquatic Control Technologies  
 Project Description: Monitor, assess and implement measures for control of nuisance algae and aquatic vegetation, specifically with the use of USEPA/State registered aquatic herbicides/algacides.
  - o Discussion: Mark Bellow with Aquatic Control Technologies, on behalf of the Applicant, presented the project, summarizing that work had been done in 2010; multi-year NOI will create ongoing project for Pout Pond, adjusting yearly based on MA DEP approval of proposed chemicals; herbicide treatment of plants, mechanical treatment (raking) not appropriate; treatment takes a few hours; plants may die back between 7 – 14 days, depending upon chemicals used and treatment time of the year; shoreline warning posting prior to treatment; small boat used for treatment. Chair asked if it's a long-term fix or if it will need to be fixed regularly. Mr. Bellow stated that each pond is unique; one treatment thus far speaks to annual treatment at the most. Discussion included introduction of invasive foliage via canoe vs. water fowl; annual reporting provided by end of calendar year; late May – June treatment period; post treatment visits. Special Conditions discussed of annual report of early and late season surveys submitted to Conservation to include in-pond plant conditions, treatment response and basic water quality parameters; and, subsequent treatments approved in writing by Commission. Chair asked audience for comments. Ken Tavares, Pout Pond Recreation Committee (PPRC) member, asked about costs involved with monitoring, assessment, and treatment; length of contract; no financial obligation. Mrs. Black noted that Dave Lewcon, PPRC member, is aware of financials; PPRC now has available revolving funds.
  - o **MOTION: MOTION: I, Mr. Hogan, move that the Commission grant a Standard Order of Conditions for MA-DEP 312-969 with the two (2) aforementioned Special Conditions. Seconded by Mr. Potaski, the motion passed unanimously.**
  
2. NOTICE OF INTENT (NOI), 312-9xx, 79 River Rd (Map 45, Parcel 1345) - *awaiting comments from MA-DEP*  
 Applicant: Bedrock Crossing LLC      Representative: Andrews Survey & Engineering  
 Project description: Fill ILSF, grade and create gravel lot.
  - o Discussion: None.
  - o **MOTION: I, Mr. Hogan, move that the Commission continue the Public Hearing for the NOI for 79 River Road to the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion passed unanimously.**

ORIGINAL

## Conservation Commission Minutes Continued - Monday, May 19, 2014

### WETLANDS UPDATES/ISSUES

1. Reported Violation: 221 Mill Street, Cease and Desist issued on May 12, 2014
  - Mrs. Black provided a brief history; approximately two (2) acre property in AG zone; complaints from abutters of tree clearing; conducted site visits; owners explained recent activity and plans for property. Owner Mr. Burr stated have been cleaning up property since purchased it three (3) years ago; clearing of dead trees; own two (2) horses. Mrs. Black shared photos; plan from Board of Health (BOH), including buffer lines and septic; trees marked for removal; paddock; shed; horse impact on wetlands and buffer zone; erosion in wetlands; manure pile in wetlands; excavation done on property. Chair noted that should re-establish where wetlands are and file an NOI with as much information as possible. Discussion included best way to proceed; schedule visit with Town Barn Inspector for barn permit; structures for horses to access upland for grazing; wetland delineation process; staking of 25' no-touch area; NOI vs. Enforcement Order (EO) with a restoration plan within 45 days, establishment of wetlands and buffer due to direct wetlands impact. Mr. Healy asked the Owner about integration of activity with other Town departments such as Building and BOH. Commission reviewed options on EO form. Discussion included activity to occur outside the wet areas and buffer zones; relocation of manure pile within 7 days; fence installation within 30 days; wetland delineation within 45 days; and, appear before Commission at July 7 meeting to discuss restoration plan.
  - **MOTION: I, Mr. Potaski, move that the Commission issue an Enforcement Order with the aforementioned conditions and deadlines for 221 Mill Street. Seconded by Mr. Shaw, the motion passed unanimously**
2. 4 Albee Rd, test wells by MassDOT
  - Mrs. Black stated that have received calls about well drilling done by MassDOT at property; two (2) test wells drilled outside of 100' buffer zone and both failed; third well drilled closer to pond; site visits conducted; MassDOT filing in process; house NOI on next meeting agenda. No action by the Commission at this time.
3. 170 Hecla Street, Update on response to Enforcement Order
  - Mrs. Black updated Commission on email response received from property owner Gary Vecchione; appeal of Enforcement Order; Mr. Vecchione is out of town until June 1, requested to speak informally about issues; statements of work on site; consult with Town Counsel about appeal; MA-DEP site visit re-scheduled. No action by the Commission at this time.
4. 265 North Main Street
  - Mrs. Black received building application for sign-off; RDA with negative determination; wetland on property; site visit showed standing water on site.

### PROCESSING

- Site Visit Update
  - Mrs. Black stated most have been covered in meeting; has a backlog of site visits; will create a schedule to share with the Commission.
- Documents to be Considered for Signature: Meeting Minutes
  - Mrs. Black stated that they are all in draft form. Chair commented that Commission is three (3) meetings behind; a priority for the next meeting; Mrs. Black agreed.

### CONSERVATION LAND

- Pout Pond
  - Town Warrant Article passed elevating PPAC to Committee Status
    - Mr. Potaski commented that all three (3) articles passed at Town Meeting.
  - Job Postings for Summer Positions
    - Mrs. Black stated that approximately 10 - 15 resumes have been received; advertised on Craigslist and usual Town boards; four (4) interviews scheduled with Town Manager, and Ken Tavares, Pout Pond Recreation Committee member.
- Schedule annual walk of Conservation Land in town
  - Chair brought it up as a reminder.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

CONSERVATION LAND continued

- Chocolog Road Land Sale
  - Mr. Potaski shared large parcel of land sold recently, on Chocolog near Chestnut Street; Steve O'Connell of ASE preliminary presentation to the Planning Board; easement for cemetery and Open Space.
- 15 Bailey Street Concern
  - Chair shared that he received an anonymous letter, regarding the amount of wood being removed in relation to decision made by Commission in March 2014. Mrs. Black met with Developer Jim Smith; checked MA-DEP signage; aware of Order of Conditions; installation of a fence to be determined.
- Hammond Estates
  - Mrs. Black shared memo just received from DPW Director Benn Sherman about status of Hammond Estates; complete final stages of work; receipt of Certificate of Compliance.
- Interstate Reliability Project by NE Power, MA-DEP 312-941
  - Mrs. Black stated that she received Construction Startup notification; no date provided yet.

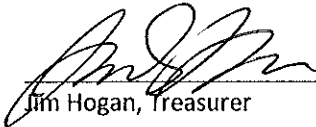
At approximately 9:47pm, MOTION by Mr. Potaski to adjourn the meeting. Seconded by Mr. Hogan, the motion carried unanimously.

Respectfully submitted,  
Beth A Pitman  
Planning/Zoning/Conservation Assistant



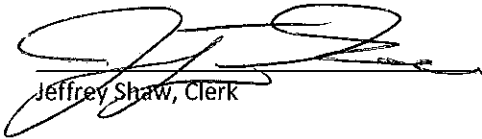
Russell Holden, Chairman

\_\_\_\_\_  
Michael Healy, Member



Jim Hogan, Treasurer

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Michael Potaski, Member



Jeffrey Shaw, Clerk

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Tracy Tibedo, Member

6 October 14

Date