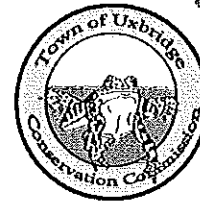


Town of Uxbridge  
Conservation Commission  
21 South Main Street  
Uxbridge, MA 01569  
508-278-8600 x 2020



OCT 22 '14 PM 2:16

Conservation Commission Meeting Minutes  
Tuesday, October 6, 2014  
Board of Selectmen Meeting Room, 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 and Temporary Administrator Beth Pitman.

**Absent:** Members Mike Potaski and Tracey Tibedo.

It being 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

**PUBLIC HEARINGS**

1. NOTICE OF INTENT (NOI), 312-982, 49 Easy Street (Map 14, Parcel 2663)

Applicant: Joel Guadagnoli

Representative: Andrews Survey & Engineering, Inc.

Project description: Removal of trees around the home/yard, minor grading and garden/tree/shrub plantings, and construction of new fieldstone wall within the 100' buffer zone of bordering vegetated wetlands (BVW).

- Discussion: The Applicant stated that the scope of work has changed; gave Commission new plans; read a net change of trees to stay and to go, based on Ecotec wetland scientist recommendation; replanting of witch hazel or sweet pepper bush; pointed out erosion control barrier on plan; no machinery used to remove trees; new plan negates need for phasing activity; removing trees to get sun on garden to be planted. The Chair commented on two (2) trees still within flood zone. Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant, directed the Commission to read the last paragraph from Ecotec. The Chair acknowledged what scientist stated, but feels those trees have significant wildlife value. Applicant commented that he has done his due diligence; Commission agreed. The Chair didn't see ecological difference between pine and oak, both have a use; dislikes precedent. Mr. O'Connell stated all properties are unique; not setting a precedent. Mr. Hogan noted plan has significantly changed; acknowledged the Chair's concern and professional opinion of wetland scientist; stated many trees of this type will remain in that area; doesn't have a problem removing those two (2) trees. Mr. Shaw stated the Applicant has done a lot to make this work for himself and the Commission; doesn't have a problem removing those two (2) trees.
- MOTION: I, Mr. Hogan, move to close the Public Hearing for NOI 312-982. Seconded by Mr. Shaw, the motion carried unanimously.
- MOTION: I, Mr. Hogan, move that the Commission issue a Standard Order of Conditions for MA DEP #312-982 for plans submitted and signed 10/06/14. Seconded by Mr. Shaw, the motion carried unanimously.

2. NOTICE OF INTENT (NOI), 312-984, Mountainview Road (Map 41, Parcels 1827, 1832, 1858, 1876, 1895, 1941, 1977)

Applicant: Applicant Lawrence Hill of Hill Financial Company, Inc.

Representative: Goddard Consulting LLC

Owner: Albee Realty Trust

Project description: Completion of the partially constructed private roadway, Mountainview Road

- Discussion: Rachel Watsky of Goddard Consulting LLC, on behalf of the Applicant stated that the original OOC has since expired; noted some issues with the ledge; road slope has changed since its original design; swales added to erosion control; road needs sealant; plan shows houses currently under construction. Discussion included wetland adjacent to driveway, and maintenance. The Chair asked how future home owners would be alerted to maintenance responsibility, suggesting that it be in the deed. Ms. Watsky shared site visit pictures of vegetation from August 2014. The Chair read DEP comments of changes made to initial NOI application (on file); summarized the need for document to carryover maintenance responsibility, finished design of the driveway wetland, maintenance plan for swales and carryover of that to include follow-up with DEP.
- MOTION: I, Mr. Shaw, move that the Commission continue the Public Hearing for NOI #312-984 to the next regularly scheduled meeting. Seconded by Mr. Hogan, the motion carried unanimously.

ORIGINAL

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3. NOTICE OF INTENT (NOI), 312-9XX, 1025 & 1045 Quaker Highway (Map 56, Parcels 2117 & 2184)  
Applicant: 1025 & 1045 Quaker Highway Realty Trust                      Representative: Andrews Survey & Engineering, Inc.  
Project description: Construction of a building containing 25,000sf of warehouse space and 2,800sf of office space and associated paving, utilizes and earthwork.
  - o Discussion: Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant, stated desire to build 25,000sf building with office space in the front; addressed two (2) resource areas on the parcel; determined it is Land Uses with Higher Potential Pollutant Loads (LUHPPL); dumpster location in back; primary use is warehouse for work equipment, trailers, personal equipment; no processing, manufacturing, distribution, importing, exporting; proposed erosion control barriers; presenting to Planning Board on October 8, 2104. The Chair would like to hear what Graves Engineering reports to the Planning Board before making a decision.
  - o MOTION: I, Mr. Hogan, move that the Commission continue the Public Hearing for the NOI for 1025 & 1045 Quaker Highway to the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried unanimously.

### ACTIVE WETLAND CASES

1. NOTICE OF INTENT (NOI), 312-9xx, 79 River Rd (Map 45, Parcel 1345), cont'd awaiting comments from MA-DEP  
Applicant: Bedrock Crossing LLC                      Representative: Andrews Survey & Engineering  
Project description: Fill ILSF, grade and create gravel lot.
  - o Discussion: Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant stated no new updates.
  - 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. Shaw, the motion passed unanimously

**MOTION: I, Mr. Hogan, move that the Commission discuss Pout Pond – Eagle Scout Project. Seconded by Mr. Shaw, the motion passed unanimously.**

### OTHER

- Pout Pond – Eagle Scout Project
  - o Joshua Gniadek stated project to build a new bridge to protect the wetlands; laying pine logs over mulch and wood chips; safer to travel than existing bridge; allows water to flow underneath; want to keep it natural looking; design allows for easy maintenance. The Chair liked the simplicity of design; new bridge may require an NOI since structure would be in the water; concerned about structure being level; proposed a new plan of extending current bridge as it is. Dave Gniadek (father) spoke to water coming from both sides, not just the pond; existing footbridge directs traffic into wetlands, causing erosion. Mr. Hogan asked about bridge span – roughly twenty (20) feet long, six (6) to seven (7) feet wide. Mr. Shaw asked if passable when water is high – land is more marshy, then wet. The Chair stated that the project needs some changes.

### WETLAND UPDATES/ISSUES

None.

### POTENTIAL VIOLATIONS

1. 81 Eber Taft Road
  - o Owner Matt Kennedy spoke to project to build garage using already owned steel building (purchased in 2006); provided Building Inspector with foundation plan; working for three (3) years to clean up property; previous disgruntled renter moved his containers into woods; fenced in back of property in April/May; re-seeded property in August; shared photos of metal buildings, fenced area; containers removed in April/May; held off on pursuing building permit when received letter from Commission to appear. After brief discussion, Commission determined there is nothing further of concern, and Mr. Kennedy should go ahead with his building permit application.
2. 87 Chapin Street
  - o The Chair stated that a wetland crossing on the property needs to be permitted. Owner James Powers stated that property has many cart paths, some connected to Cormier Woods; property belonged to parents and grandparents before them. After brief discussion, Commission determined that a straight forward NOI is to be submitted by Mr. Powers, and he was given a blank application.

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### 3. 762 Quaker Highway

- The Chair stated receipt of an anonymous email about activity on the property. Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Owners, stated Owners are preparing to submit gravel pit renewal application to the Board of Selectmen; application expected to be submitted within next thirty (30) days; tree and brush trimming is occurring on south side of property only; clean-up of brush; erosion control barrier of straw wattle and silt fence installed; wetlands have been flagged; gravel is being removed under current permit; activity has resumed due to economic demand; wetland area(s) are on northern side of property; truck activity is loam brought to the site as none is left.
- **MOTION: I, Mr. Hogan, move that the Commission remove the current Cease and Desist Order for 762 Quaker Highway. Seconded by Mr. Shaw, the motion passed unanimously**

### ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- Patrick Davidson, 1008 Quaker Highway, introduced himself to the Commission. He has been in discussion with the Chair as to best way to proceed as water has nowhere to go on property other than pool in lower section. The Chair suggested that Mass Highway might have plans of the existing drainage system for his parcel; suggested that a wetland scientist look at it. Mr. Davidson had had a botanist look at the site, waiting for report.

### OTHER

- 300 Quaker Highway, Conservation Restriction to be held by Metacomet Land Trust – update:
  - The Chair shared that the documents still need to be formalized and signed; marking of the parcel is to be done by the Town; will need to ask the Town to survey the parcel. Mr. Hogan asked if that means the Town or the School Building Committee. The Chair will contact the Town Manager about required next steps.
- Dutch Hill Road – update
  - Ms. Pitman provided the Commission with the email string; stated the new timeframe is late November/early December.
- Calendaring Conservation Activities/Decisions
  - Ms. Pitman confirmed that all Commission members now have access to the Google calendar; the calendar details approximately forty (40) Orders of Conditions (OOC) on their three (3) year expiration date; asked what to do for approximately twenty (20) OOCs that have since expired without a request for a Certificate of Compliance (COC). The Commission suggested that a form letter be drafted to send to those expired COC applicants and include a copy of their COC.
- 172 Eric Drive – passed over to next regularly scheduled meeting.

### PROCESSING

- Site Visit Update
  - Interstate Reliability Project, 312-941: Mr. Hogan and Mr. Shaw did a site visit with Lee Curtis of BSC Group at three (3) locations: Lackey Dam, Buxton Street, and William Street. At Lackey Dam, work is being done on a peninsula with only a silt fence; requested that a silt sock or equivalent be added on the end of the peninsula. At Buxton Street, a silt fence is in place; believed to be in the wrong place; requested that silt sock or equivalent be added. If the tower is in the wrong place, Ms. Curtis will see if it can be moved back or will come back to the Commission with a modified NOI as to where it should go. At William Street, there is a small wetland near the existing tower with a partial erosion control barrier; requested that the barrier be extended around the remaining existing tower. Ms. Curtis will reach out again to the Commission as they continue with the work.
- Meeting Minutes
  - 05/05/14 Meeting Minutes: After discussion, **MOTION: I, Mr. Hogan, move that the Commission approve the 05/05/14 Meeting Minutes as amended. Seconded by Mr. Shaw, the motion carried unanimously.**
  - 05/19/14 Meeting Minutes: After discussion, **MOTION: I, Mr. Hogan, move that the Commission approve the 05/19/14 Meeting Minutes as written. Seconded by Mr. Shaw, the motion carried unanimously.**
  - 09/15/14 Meeting Minutes: After discussion, **MOTION: I, Mr. Shaw, move that the Commission approve the 09/15/14 Meeting Minutes as written. Seconded by Mr. Hogan, the motion carried unanimously.**

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ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- 221 Mill Street - The Chair asked Ms. Pitman to draft a letter inviting the owners to the next Conservation meeting to provide the Commission with an update.

At approximately 9:34pm, MOTION by Mr. Shaw that the Commission adjourn the meeting and enter into Executive Session to discuss the 836 Aldrich Street kennel operation with no further business to follow. Seconded by Mr. Hogan, the motion carried unanimously by roll call vote, Hogan - aye, Shaw - aye, Holden - aye.

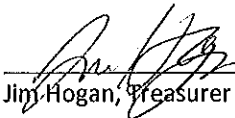
Respectfully submitted,  
Beth A Pitman  
Temporary Conservation Administrator



Russell Holden, Chairman

*absent*

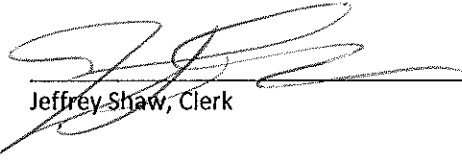
Michael Potaski, Member



Jim Hogan, Treasurer

*absent*

Tracy Tibedo, Member



Jeffrey Shaw, Clerk

*20 October 14*

Date