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Town of Uxbridge
Conservation Commission
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Uxbridge, MA 01569
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**Conservation Commission Meeting Minutes
Monday, August 3, 2015
Board of Selectmen Meeting Room, Uxbridge Town Hall**

NOV 17 '15 AM 9:43

Please note some items may have been taken out of order from the Agenda.

Present: Chair Pat Hannon, Vice Chair/Treasurer Jim Hogan, Clerk Jeffrey Shaw, Members Russell Holden, Michael Potaski, and Tracy Tibedo, Administrator Kristin Black

Absent: None

It being approximately 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair and begun with the Pledge of Allegiance.

PUBLIC HEARINGS

1. Notice of Intent (NOI), 312-xxxx, Off Rogerson Crossing (Assessor's Map 12B, Parcel 3768)

Applicant: Rogerson Crossing Realty Trust

Representative: Andrews Survey & Engineering, Inc.

Project description: Construction of a subdivision road consisting of a bridge over the Mumford River and work within Bordering Land Subject to Flooding, Riverfront Area and BVW

- o Discussion: The Chair notified the Commission that the Applicant requested a continuance of the Public Hearing to the next regularly scheduled meeting.

2. Notice of Intent (NOI), 312-xxxx, 8 Arapaho Lane (Assessor's Map 41, Parcel 3017)

Applicant: AFCO Land & Development Corp.

Representative: Guerriere & Halnon, Inc.

Project description: Construction of a single family home, utilities, and associated grading with the 100' buffer of a BVW

- o Discussion: The Chair opened the Public Hearing. Mr. Michael Hassett of Guierre & Halnon, Inc., representing the Applicant, summarized requested changes: erosion control barrier, stockpile area to include cul-de-sac, slope stabilization. The Chair attended site visit: suggested installation of erosion control blanket on slope, same day disturbance and fence installation. General discussion: issues to be addressed at next meeting and shown in updated application/plan includes: wetland signage (type, quantity, location, wording: fino spikes along 360 line off septic and behind driveway, and tree signs at tree line at foot of slope, with standard Commission language); loam depth specification; stonewall missing from plan; build-up of slopes; possibility of retaining wall (rejected as not financially reasonable); jute soil saver; and detail of water coming off driveway.

- o **MOTION by Mr. Potaski to continue the Public Hearing for 8 Arapaho Lane to the next scheduled meeting, Monday, August 17, 2015. Seconded by Mr. Shaw, the motion carried unanimously 6-0-0.**

3. Notice of Intent (NOI), 312-xxxx, 189 Mendon Street (Assessor's Map 19, Parcel 3753)

Applicant: Clean Energy Collective

Representative: Andrews Survey & Engineering, Inc.

Project description: Construction of 1.1 MW(ac) large-scale ground mounted solar electric generating facility within the 100' buffer to a BVW

- o Discussion: The Chair opened the Public Hearing at 7:15pm. Mr. Travis Brown of Andrews Survey & Engineering, Inc. was introduced by Mr. Joe Shanahan of Clean Energy Collective (Applicant) spoke to map demarcation of location of pad, wetlands, Blackstone River, 50' and 100' buffers, within flood plain, proposed screening from road (Eastern Red Cedars), stormwater narrative. General discussion: Mr. Potaski's drafted letter to alert other stakeholders of site (regional EPA, US Army Corps of Engineers, Narragansett Bay Group, Blackstone River Coalition) of NOI; 5 special conditions for contaminated soil discovery and treatment; if project is going forward, Mr. Shanahan volunteered to perform soil testing for presence of priority metals/herbicides/pesticides/PCBs, prior to alerting said stakeholders, and to have results for next meeting; Zoning Board of Appeals had not given approval for NOI 312-842, also 312-562, no COC issued to date; Applicant/Representative will re-confirm with Building Inspector on zoning issue

before ordering soil testing; proposed peer review to determine permeable/impermeable surface of solar panels, and proposed installation.

- **MOTION by Mr. Potaski to continue the Public Hearing for Notice of Intent (NOI), 312-xxxx, 189 Mendon Street, to the next regularly scheduled meeting. Seconded by Mr. Hogan, the motion carried unanimously 6-0-0.**

The Commission took a brief recess. Mr. Potaski recused himself from OOC request, 312-942.

PUBLIC HEARINGS

4. Order of Conditions (OOC), 312-942, Lee Reservoir (Assessor's Map 38, Parcel 1171)

Applicant: Uxbridge Rod and Gun Club

Representative: Lycott Environmental, Inc.

Project description: Minor change request – Proposed Bladderwort and Purple Loosestrife Management

- Discussion: Mrs. Black summarized the request, confirmed review with MA DEP Circuit Rider, who agreed it is a minor change. General discussion: Mrs. Black will send letter to Lycott to provide outstanding reports per OOC, and to make formal request for changes, including a rationale for said changes.

Mr. Potaski rejoined the meeting.

REPORTED/ONGOING VIOLATIONS

1. 363 Quaker Highway (Owner: Blue Wave Capital, LLC), Violation FY15-18, DEP #312-955

- Discussion: The Chair summarized meeting last week with Town Manager, Blue Wave, Sun Edison, counsel for Blue Wave/Sun Edison, Town Counsel, Commissioners Hogan and Shaw and came to an unofficial agreeable solution for all. General discussion: 4" of loam in disturbed area of western array; adopted other changes from Graves; definition of what is still disturbed; MA DEP requested not to re-disturb areas where vegetation is already down/growing; Owner/Applicant will post bond for 2 years. Mr. Steve Campbell of Sun Edison confirmed agreement to 2-year bond for proposed amount of \$30,000 to ensure site re-vegetation; Town Manager would like Graves to validate bond amount, with site visit; Graves can communicate with Veridien directly for this; site visit scheduled for Wednesday, August 5, 2015 at 1:30pm; Mrs. Black to confirm Graves at site visit.

WETLAND UPDATES/ISSUES

1. Request for Certificate of Compliance (COC), 320 East Street, DEP #312-976

- Discussion: The Chair conducted site visit at 4pm, noted plastic has been removed from silt sock; Office received letter from Owner attorney that pipe is discharge of foundation drain to prevent water in basement, required by MA building code.
- **MOTION by Mr. Holden to issue a COC for DEP #312-976, 320 East Street. Seconded by Mr. Hogan, the motion carried unanimously 6-0-0.**

OTHER BUSINESS

1. Proposed Stormwater Bylaw, from DPW Director

- Discussion: Mr. Potaski received draft being circulated for comment, and suggested it be sent to Commission via Mrs. Black, and added to next regularly scheduled meeting agenda.

2. Erosion Control Inspections

- Discussion: Adding an additional fee or peer review site inspection, after 2 failed approval visits of installed erosion controls; proposal of Commission to compile list of approved vendors; fee can only be collected for services rendered (Commissioner vs. Agent).

3. Flagg RV Site Visit

- Flagg visit is scheduled for Wednesday at 2pm. Mrs. Black will contact BlueWave to move site visit from 1:30pm to 3pm.

4. 209/211 River Road

- New trees have been cut down; wrong DEP # on sign; site has outstanding violation, no enforcement order issued yet; site has been booby-trapped with spikes; no "No Trespassing" signs posted.

- o **MOTION by Mr. Hogan to issue an Enforcement Order to cease and desist all activity, 209/211 River Road. Seconded by Mr. Shaw, the motion carried unanimously 6-0-0.**
- 5. **Outstanding Approval for Culvert Work, West Side of River Road**
 - o Mrs. Black to search for outstanding request for approval to close an open swale; had been required to come before Commission for approval; fell off agendas.
- 6. **Solar Panels**
 - o Mr. Holden questioned at what point do solar panels become impervious: how many breaks (spaces) are needed. Mr. Tibedo forwarded article to Commissioners of interest.
- 7. **Erosion Control Barriers**
 - o Mr. Holden shared that outside of 50' border, fencing, vista pruning, plantings, deck, shed, patio, pool, and anything considered temporary could be installed without approval from Commission.

The Chair recused himself.

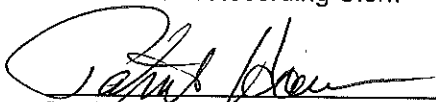
8. Donations for Pout Pond Received

- o Mr. Hogan, as Vice Chair, stated Commission has received 2 donations for Pout Pond, to be accepted by Commission: 1), material for resurfacing parking lot made by Steve Bevilaqua of Bevilaqua Asphalt; 2), to cover cost of work involved being made by Pat Hannon of AgriTech; work to occur early next Spring; work includes pulverizing existing pavement in place to be re-used as base for new pavement; an RDA/NOI would be presented to Commission by Pout Pond Recreation Committee to specify exact work
- o **MOTION by Mr. Potaski that the Commission accepts the donations as presented. Seconded by Mr. Holden, the motion carried unanimously 5-0-0.**

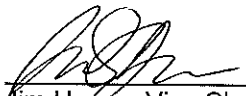
The Chair rejoined the meeting.

At approximately 9:17 pm, MOTION by Mr. Potaski to adjourn the meeting. Seconded by Mr. Hogan, the motion carried unanimously 6-0-0.

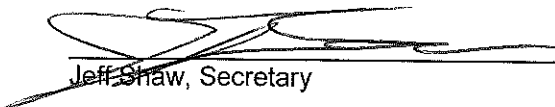
Respectfully submitted,
Beth A Pitman
Conservation Recording Clerk




Patrick Hannon, Chair



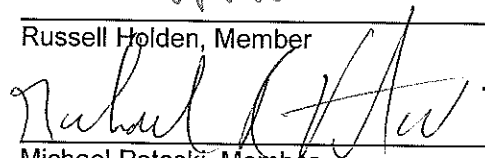
Jim Hogan, Vice Chair/Treasurer



Jeff Shaw, Secretary



Russell Holden, Member



Michael Potaski, Member

Tracey Tibedo, Member

November 16, 2015
Date