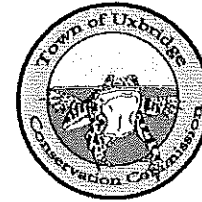


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



**Conservation Commission Meeting Minutes
Monday, September 21, 2015
Board of Selectmen Meeting Room, Uxbridge Town Hall**

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

Present: Treasurer/Vice Chair Jim Hogan, Clerk Jeffrey Shaw, Members Russell Holden and Mike Potaski and Melissa Dillon, Conservation Administrator
Absent: Chairman Patrick Hannon

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), DEP #312-1004**, Off Rogerson Crossing (Map 12B, Parcel 3768) *Continued from 09/09/2015*
Applicant: Rogerson Crossing Realty Trust Representative: Andrews Survey & Engineering
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 Bordering Vegetated Wetlands (BVW)
 - o Discussion: Stephen O'Connell, Andrews Survey & Engineering, Inc., on behalf of the Applicant, has given plans to Graves Engineering but has no response and is currently waiting on 53G funds with no updates.
 - o **MOTION: I, Mr. Holden, move that the Public Hearing be continue in agreement with representative until the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried 4-0-0.**

2. **NOTICE OF INTENT (NOI), DEP #312-1002** 8 Arapaho Land (Assessor's Map 41, Parcel 3017)
Applicant: AFCO Land & Development Corp. Representative: Guerriere & Hahn, Inc.
Project description: Construction of a single family home, utilities and associated grading within the 100' butter of a BVW *Continued from 09/09/2015*
 - o Discussion: Believed it was closed and ended last meeting.
 - o **MOTION: I, Mr. Holden, move to continue until further investigated. Seconded by Mr. Potaski, the motion carried 4-0-0.**

3. **NOTICE OF INTENT (NOI), DEP #312-1003**, 189 Mendon St. (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 *Continued from 09/09/2015*
 - o Discussion: Stephen O'Connell, Andrews Survey & Engineering, Inc., on behalf of the Applicant, has found that soil samples have now been taken and are due by Thursday. Complete plan revisions are made and are waiting on soil results (shallow and deep sampling and presence of contaminants).
 - o **MOTION: I, Mr. Holden, move that the Public Hearing be continued in agreement with the representative until the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried 4-0-0.**

4. **NOTICE OF INTENT (NOI), DEP #312-XXXX**, 79 River Rd. (Assessor's Map 45, Parcel 1345)
Applicant: Bedrock Crossing, LLC Representative: Andrews Survey & Engineering, Inc.
Project Description: Proposed expansion of outside storage area and associated work within isolated land subject to flooding *Continued from 09/09/2015*
 - o Discussion: Stephen O'Connell, Andrews Survey & Engineering, Inc, on behalf of the Applicant, asks to open the public hearing. The public hearing is opened. The tenant would like to have a connection between the front and back property. The land is an isolated area subject to flooding. The plan would entail adding flood storage replication areas and unstable slopes will be stabilized with a level spreader, filter fabric, and rip-rap. Believe they are reasonable proposals given conditions that are ongoing to

address ongoing erosion issues. Stormwater management was suggested to be part of the proposal by DEP. Gary Dulmaine walked the site and found that an intermittent stream used to run through the property and was unclear on how the building was permitted to be there. You can see that when water floods the pond the water rushes down, but there is no bank visible that would give the Wetlands Protection Act jurisdiction. Gary Dulmaine says no DEP number because there are no plans-since then they have received them and waiting on DEP number. The tenants want to be able to have good circulation on their property so they do not have to depend on the use of the road. Silt fence will be placed around the property to as an erosion barrier and to define the area of work. Pending DEP number, would like to schedule site visit once markers are placed. Site visit scheduled for 9/29 at 4:30 pm.

- **MOTION: I, Mr. Shaw, move that the Public Hearing be continued in agreement with the representative until the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 4-0-0.**

WETLAND UPDATES/ISSUES

1. Lee Reservoir-Uxbridge Rod and Gun Club DEP# 312-942 *Continued from 9/9/15*

- Mr. Potaski recused himself from the discussion
- Discussion: Management Plan for 2015 to manage floating leaf vegetation and 2016 would like to be used within the management area for the use of aqua pro with active ingredient glyphosate to treat dense growth in area most actively used by members. Seeking a minor change request to include diclot herbicide to treat bladderwort and in the future manage purple loosestrife in the shoreline of the pond. Change is indicated that the minor change request does not need an amended Order of Conditions, but Mr. Holden believes that there are enough changes to have one in the future. 2015 Management Plan would be similar to previous years, but 2016 Plan would include minor changes. Mr. Hogan believes that two motions will be the best option to break up the changes between the two Management Plans so that the treatment can be applied this year and more information can be gathered for next year. More information is requested on the new herbicides used in the 2016 Management Plan and to be brought before them next year for approval.
- **MOTION: I, Mr. Shaw, move the approval of the 2015 Management Plan. Seconded by Mr. Hogan, the motion carries 3-0-0.**

2. RDA-48 Depot Street (BSC)

- Mr. Potaski rejoins the commission
- **MOTION: I, Mr. Shaw, move to listen to the 48 Depot Street Proposal. Motion carries 4-0-0.**
- Discussion: Melissa Kaplan wishes to make sure that the Commission that they are aware of the plans and that they are following the Riverfront Water Regulations. Removal of the old substation and repaving of the road will provide access to the lines without going through the substation. The NOI will be submitted shortly after plans and design are finalized and would meet the Commission's approval. Three determinations are requested: if all alternatives can be limited to the lot on which the substation is currently located, no other alternatives would have less adverse impacts, and activities can be considered a development that is previously disturbed. After evaluation of all alternatives were completed it was found that the proposed plan was the most logistical and economical. A main concern is the old conduits in the ground, which they do not wish to disturb due to the uncertainties. There will be minimal change to the area in which these conduits are. Suggestions from the Commissioners were rebutted as infeasible due to security concerns or not enough room on the property.
- **MOTION: I, Mr. Holden, to move to issue a negative determinational applicability on all three determinations submitted. Seconded by Mr. Potaski, the motion carries 4-0-0.**

REPORTED/ONGOING VIOLATIONS

- Certificate of Compliance of 24 Donna Court (DEP #312-983 & #312-999)
 - Discussion: Grass is all grown in and everything is done. Erosion controls are at the base of the berm. Any additional activity must be brought up with the Commission.
 - **MOTION: I, Mr. Holden, move to issue a Certificate of Compliance for DEP #312-983. Seconded by Mr. Potaski, the motion carries 4-0-0.**
 - **MOTION: I, Mr. Holden, move to issue a Certificate of Compliance for DEP #312-999 with a condition that both DEP be recorded with Registry of Deeds. Seconded by Mr. Potaski, the motion carries 4-0-0.**
- Continued violations at 201 & 209 River Road (DEP #312-956)

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- Discussion: A silt fence is observed on the whole length but is not up to standards. No real change has been observed.
- Flagg RV continuing violations
 - Discussion: Nothing new to report
- Fast Pitch continuing violations
 - Discussion: Nothing new to report-waiting on Pat
- Ironstone Rd. continuing violations
 - Discussion: Nothing new to report
- Providence and Worcester Rail Road continuing violations
 - Discussion: Visible from the road
- 363 Quaker Highway (owner Blue Wave Capital, LLC) (**Violation FY15-18, DEP #312-955**)
 - Discussion: Nothing new to report. No change in hill side.
- 50 Douglas Street
 - Discussion: Since they've been notified they painted in parking lines. Believe they were working with an engineering firm to make a plan to bring before the Commission.
- 122 & Helens
 - Discussion: Visit with Mr. Potaski and Kristin and how they were going to dewater. Silt fence is laying on the ground. Advised to add two more silt socks. Now are proposing to have staging in the river.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

At approximately 8:35pm, MOTION by Mr. Potaski that the Commission adjourn the meeting and enter into Executive Session. Seconded by Mr. Shaw, the motion carried unanimously by roll call vote, Potaski – aye, Shaw – aye, Hogan - aye, Holden – aye.

EXECUTIVE SESSION

Respectfully submitted,
Melissa Dillon



Patrick Hannon, Chairman




Jim Hogan, Vice Chair/Treasurer



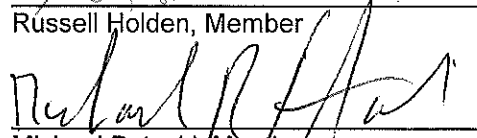
Jeffrey Shaw, Clerk

10/06/2015

Date



Russell Holden, Member



Michael Potaski, Member