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Conservation Commission
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Conservation Commission Meeting Minutes Monday, February 1, 2016 Board of Selectmen Meeting Room, Uxbridge Town Hall

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

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

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. Request for Determination of Applicability (RDA), 58 Rivulet Street (Map 12C, Parcel 3484)

Applicant: Earl Ebbeling

Project Description: Construction of a new home on a flat property where fill is going to be temporarily cast within the 100' Buffer Zone. Removal and transportation of dirt with equipment will be within' the 100' Buffer Zone.

- Discussion: Mr. Ebbeling has demoed the old house and would like to place his foundation. The new house is being setback from the road to conform to the current Zoning bylaws. There will not be a huge stockpile, but the Commission is concerned with erosion so it needs to be out of the buffer, covered, and erosion controls placed around it.
- MOTION: I, Mr. Holden, move that we issue a Negative Determination with the conditions of 1. Mark out 100' Buffer Zone 2. No stockpiling within Buffer Zone 3. Placement of erosion controls and straw bales on Pond side of stockpile 4. Cover stockpile 5. Contact Commission prior to work. Seconded by Mr. Potaski, the motion carried 5-0-0.

**Mr. Hannon recused himself from the meeting

2. Request for Determination of Applicability (RDA), 70 West River Road (Map 13, Parcel 4877)

Applicant: Pout Pond Recreation Committee

Project Description: Repaying of the existing Pout Pond parking lot within the Buffer Zone.

- Discussion: The Commission is nervous about the abundance of disturbance and the possibility of trimming of the brush and the need for some subsurface work to deal with stormwater. The Pout Pond Recreation Committee needs to come back before the Commission to talk about the specific details that will be happening and what the limit of work is or what work is specifically being done. An issue is that the parking lot is currently very pervious because of its current condition. Repaving the parking lot could cause excess runoff. The Commission is requesting more information of the dimensions of the parking lot and any other work.
- MOTION; I, Mr. Shaw, move that we deny the RDA from lack of information. Seconded by Mr. Potaski, the motion carried 4-0-0.

**Mr. Hannon rejoined the meeting at 7:03 pm

3. Notice of Intent (NOI), DEP#312-1007, 12 Douglas Street (Map 24A, Parcel 847, 762, 768)

Applicant: 3P Properties LLC

Project Description: Replacement and relocation of an existing culvert and filling of the old culvert within the 200' Riverfront Area buffer zone

- Discussion: No one present-requested to be placed at the top of the meeting.
- o MOTION: I, Mr. Holden, move that we continue until our next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 4-1-0. Mr. Hannon-nay.

- 4. **Notice of Intent (NOI), DEP #312-1011,** 32 South Main Street & 0 Mendon Street (Map 25, Parcel 918 & 1078)
 Applicant: Uxbridge Department of Public Works
 Representative: Andrews Survey & Engineering Project Description: Repair and replacement of a portion of the existing Stormwater system by installing drainage lines, manholes, and catch basins along with the necessary associated paving within the 200' Riverfront Area.
 - o Discussion: J.P. Connolly, from Andrews Survey, received a DEP file number: 312-1011. The Commissioners are familiar with the site and the work to be done. Mr. Connolly addressed comments that DEP made-stating that it is exempt from NHESP review because it is an existing stormwater system. MassDEP strongly supports the replacement of catch basins with deep sump basins. The slope of the new culvert will be flatter, thus water flow will not be as fast and therefore help to compensate any additional stormwater that it may encounter.
 - MOTION: I, Mr. Holden, move that we issue an Order of Conditions with the condition of the existing catch basins will be replaced with newly constructed deep sump catch basins per the recommendation from MassDEP in addition to the Uxbridge Standard Special Conditions. Seconded by Mr. Potaski, the motion carried 5-0-0.
- 5. Request for Determination of Applicability (RDA), 90 Laurel Street (Map 43, Parcel 1164)

Applicant: Laurel Brook Club Representative: Dave Burke & Jim Vogt Project Description: Repeat of past cleanings involving removal of silt, leaves, and other natural debris from upper Bazeley Pond which have accumulated in past 4 years

- o Discussion: Dave Burke, on behalf of Laurel Brook Club, would like to reiterate the importance of this regular cleaning in order to maintain the health of Bazeley Pond. The debris that gets into the Pond is from the road and gathers and builds up. This maintenance in the past has been permitted and will only benefit the Pond and trout. Mr. Burke explains where all areas of work will be in relation to the Pond and the site itself. The work that is being done is exactly the same as previous cleanings and Request for Determinations.
- o MOTION: I, Mr. Potaski, move that we issue a Negative Determination of Applicability. Seconded by Mr. Hogan, the motion carried 5-0-0.
- 6. **Notice of Intent (NOI), DEP #312-1008**, 48/0 Depot Street (Map 304/25, Parcel 1933/1064)

Applicant: New England Power Company

Representative: BSC Group
Project Description: Substation site improvements and feeder relocation, including the expansion of the existing access road, creation of a new parking area and electrical improvements to support the removal of the old 13.8 kV switchyard in the 200' Riverfront Area

- Discussion: Theresa Portante, on half of BSC Group and New England Power Company, would like to address any further comments the Commission may have. A general summary of the project was explained by Ms. Portante as requested by the Commission. An issue raised during the site walk and presentation was the storage of equipment trucks on the site and its location within a Well Head Protection Area/Zone II. It is stated that this would only be a temporary storage site when there is a large storm for up to a week. There is no presence of a water-oil separator to deal with what could possibly come off the trucks being temporarily stored in this staging area. The Commission previously made a Determination that there were no other alternatives for the lot in regards to those proposed in September 2015. Questions were raised about the subsurface systems that will deal with discharge and peak flows and were explained briefly by the representative. Mr. Hannon brought up the idea of having a separate meeting to talk about this project to address some of his questions. Further discussion about work with the 25' Buffer, the work plan, and others that would take too long for this meeting.
- MOTION: I, Mr. Potaski, move that we continue the hearing until a special meeting on February 11, 2016 at 4 o'clock at a to be determined location. Seconded by Mr. Hogan, the motion carried 5-0-0.
- 7. Notice of Intent (NOI), DEP #312-1009 734 & 748 West Street (Map 37, Parcel 4092& 4832)

Applicant: Northwood Homes, LLC

Representative: Andrews Survey & Engineering
Project Description: Construction of 9 single-family residential building lots and roadways within a Buffer Zone to
a Bordering Vegetated Wetland

- Discussion: Asked for continuance.
- MOTION: I, Mr. Hogan, move that we continue the hearing until the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 5-0-0.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- 1. Discussion on Pout Pond Committee
 - Discussion: The Commission would like to discuss what has been going on at Pout Pond and to serve as a reminder that everything at Pout Pond should be coming through the Commission. The Committee relays that they would like to get the prisoners to paint the caretaker's house. The swing set needs to be

Conservation Commission Meeting Minutes continued - Monday, February 1, 2016

repaired and they are currently looking into it. They are considering a work camper to give the Pond full protection. The Commissioners are concerned with the amount of wood chips that are piling up on the property. The people clearing the trees have been leaving them so that they could use them on the trails and landscaping, but there are now more than necessary. The Commission reminded that work done with the caretaker's house needs to include them. Mr. Potaski is waiting for the paperwork for the Historic Commission for the house in order to move forward in registering it.

- 2. MOTION: I, Mr. Potaski, move that we reconsider the motion for 12 Douglas Street. Seconded by Mr. Shaw, the motion carried 5-0-0.
 - Discussion: Mr. Hannon expressed in his interest in deny the Notice of Intent for 12 Douglas for lack of information because of the lack of representation for this project. Mr. Holden expressed that the owner may need to be made aware of what has been happening and that they need more notice for denial. The Commission would like to send a warning that failure to appear at the next meeting may result in the denial of the Notice of Intent.
 - o Motion withdrawn by Mr. Potaski
- 3. Conservation Land-Heritage Drive
 - Discussion: Acceptance of land is a town meeting vote. There is no access to the property so it would be difficult for the town to maintain this land. The piece could be given to the adjacent landowners and the Commission could enact a Conservation restriction.

REPORTED/ONGOING VIOLATIONS

- 1. Providence & Worcester Rail Road continuing violations
 - Discussion: Administrator heard back from Surface Transportation Board Environmental Division.
 They cannot help in any way since there is no way for them to be involved. Their advice was to go through the state's legislation.
- 2. LW Tank
 - Discussion: No one present. The as-built shown at an informal meeting was not stamped and did not look accurate. A stamped as-built is required per the Order of Conditions and will be submitted to the Commission.

PROCESSING

- 1. Endorse Meeting Minutes 12/7, 1/19
 - MOTION: I, Mr. Shaw move that we approve the minutes for December 7, 2015. Seconded by Mr. Hannon, the motion carried 3-0-0. Mr. Hogan and Mr. Holden abstained.
 - o MOTION: I, Mr. Hogan move that we approve the minutes for January 19, 2016 Seconded by Mr. Potaski, the motion carried 4-0-0. Mr. Shaw abstained.

At approximately 8:55 pm, MOTION by Mr. Potaski that the Commission adjourn the meeting. Seconded by Mr. Hogan, the motion carried unanimously by roll call vote, Hannon – aye, Potaski – aye, Hogan – aye, Holden – aye, Shaw – aye.

Conservation Commission Meeting Minutes continued - Monday, February 1, 2016

Patrick Hannon, Chairman

Russell Holden, Member

Jeffrey Shaw, Clerk

March 21, 2016

Date

Respectfully submitted, Melissa Dillon