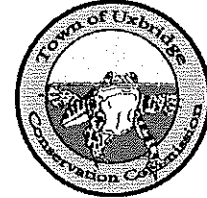


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**Conservation Commission Meeting Minutes
Monday, March 7, 2016
Board of Selectmen Meeting Room, Uxbridge Town Hall**

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

Present: Chairman Patrick Hannon, Treasurer/Vice Chair Jim Hogan, Secretary Jeff Shaw, Members Russell Holden, Mike Potaski 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. Notice of Intent (NOI), DEP #312-967, 86 Chapin Street (Map 26, Parcel 1281)

Applicant: Evergreen Center

Representative: Guerriere & Halnon

Project Description: Removal of a retaining wall along the northwest corner of the driveway and replacing it with a 1:1.5 rip rap slope.

- o Discussion: Peter Lavoie, on behalf of the applicant discusses the minor change they would like to make to the existing Order of Conditions. They would like to remove the walls and place the rip-rap slope for cost reasons. Even though it is a steep slope, the engineers are not worried because there will be no reason for anyone to go down in that area. The erosion controls have recently been knocked down by the machines used for knocking down trees. Nothing else on the plan is being changed except for the rip-rap slope.
- o **MOTION: I, Mr. Potaski, move that we approve the amendment of removal of retaining wall with substitution of a 1:1.5 rip-rap slope. Seconded by Mr. Shaw, the motion carried 4-1-0. Mr. Hannonay.**

*****I, Mr. Potaski, move that we take DEP #312-1006, Flagg RV, out of order and be heard next. Seconded by Mr. Hogan, the motion carried 5-0-0.**

2. Notice of Intent (NOI), DEP #312-1006 Flagg RV-865 Quaker Highway (Map 50, Parcel 4024)

Applicant: Steve Flagg

Representative: Heritage Design Group

Project Description: Completion of the Stormwater management system for a commercial RV sales facility within a Buffer Zone

- o Discussion: Lance Anderson, on behalf of the applicant, discusses the as-built plan submitted to the Commission. The site was found to be 1.23 acres larger than the approved plan. There are several spots on the site that needs to come up to grade in order for certain stormwater systems to work appropriately. The Commission would like to see an as-built that fits the whole sheet, scales are the same on each plan, and have the as-built overlaid on the approved plan, and a narrative describing the changes that were made. The National Heritage letter from a previous NOI stated that it would not affect the habitat provided that the slope stabilization is implemented per the plan so the Commission is worried what it may have impacted. There are campers parked at the shoreline and bordering BJ's stormwater system. The erosion controls have still not been fixed per the request of the Commission and DEP. Mr. Flagg received a proposal regarding the dam work but it is not believed that he has been given permission to do the work.
- o **MOTION: I, Mr. Potaski, move that we continue the public hearing until the next scheduled meeting. Seconded by Mr. Hogan, the motion carried 5-0-0.**

3. Notice of Intent (NOI), DEP #312-10XX, Rogerson Commons (21B/C, Parcel 3768 & 4455)

Applicant: Rogerson Crossing Realty Trust

Representative: Andrews Survey & Engineering

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Project Description: Construction of 66 Townhouse units previously approved to duplex-style units within the Buffer Zone to Bordering Vegetated Wetlands and associated waterways.

- Discussion: Steve O'Connell, on behalf of the applicant, gave a brief overview of the project. It is an extension of a previously approved project called 'Rogerson Crossing.' The property was originally used for gravel and can be seen on historic Google Earth and USGS maps. The wetland resource areas are the same as in previous projects. The northern portion of the property is considered degraded Riverfront Area as it is absent of topsoil and 53,967 sq. ft fall within the 0-100 ft Buffer and 120,909 sq ft in the 100-200 ft Buffer. There will be a net increase in improved and restored Riverfront Area. Graves is currently reviewing the project for the Planning Board and the Commission would like Graves to look at the degraded Riverfront aspect of the project. The Commission brought up questions about marking Buffer Zone to make sure that residents do not disturb them in any way.
- **MOTION: I, Mr. Hogan, move that we continue the hearing until the regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 5-0-0.**

4. **Notice of Intent (NOI), DEP#312-10XX, 255 Chocolog Road-Cobbler's Knoll (Map 39, Parcel 4254)**

Applicant: FIKOW, LLC

Representative: Andrews Survey & Engineering

Project Description: Construction of 52 single family residential building lots and associated grading within the Buffer Zone of Bordering Vegetated Wetlands.

- Discussion: Steve O'Connell, on behalf of the applicant, states that the ORAD previously approved has been recorded for the property. The Planning Board approved the project for a Conservation Design. There is 48 acres of open space in the back of the property and 15 acres in the middle. There is mainly only Buffer Zone work, and all work in the Buffer Zone has been minimized as much as possible. They have incorporating a landscape design within the Stormwater system so that it is not just a basin at the entrance to the property. The Commission has received complaints that there is a blocked culvert on the property. Mr. O'Connell believes that the culvert may be one that has a stone headwall, making it appear blocked. The Commission would like Graves to review the NOI as part of their peer review. As stated in the NOI, there is said to be work at the 25 foot Buffer at detention basin #31. Mr. O'Connell believes that the drawdown pipe could be the work at 25 feet. The Commission would like this issue to be cleared up at the next meeting and a printout showing the 25 ft buffer and the work associated in those areas. Mr. Healy, an abutter across the street, conveyed his concerns about sedimentation and the culvert pipes that connect to his property. A site walk was scheduled for Sunday at 11:30 am.
- **MOTION: I, Mr. Holden, move that we continue the public hearing until the next regularly scheduled meeting. Seconded by Mr. Hogan, the motion carried 5-0-0.**

*****I, Mr. Shaw, move that we take a five-minute recess. Seconded by Mr. Hannon, the motion carried 5-0-0.**

*****At 8:08 pm the Commission resumed discussion**

5. **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 13.9 kV switchyard in the 200' Riverfront Area.

- Discussion: Theresa Portante, on behalf of the applicant and BSC Group, addressed the concerns and special conditions the Commission potentially would issue in a memo provided to the Commission on March 3. The applicants also ask the Commission to close the Public Hearing. National Grid and BSC hold firm in their beliefs that the Commission has no jurisdiction over Zone II and only has jurisdiction with wetlands and their associated Buffer Zones.

*****The Commission tabled the Public Hearing in order to move through the agenda.**

WETLAND UPDATES/ISSUES

1. Mountainview Estates

- Discussion: Mark Arnold from Goddard Consulting provided an update to the Commission as requested. Inspection Reports and SWPPP Reports were submitted to the Commission for review and briefly summarizes the reports and conditions of the road. The only thing that has not been done to the road is the top coat which should be done in the spring. DEP signs were put up and updated as requested, but the Commission is confused as to which number goes to which lot so it was requested that lot lines were laid out. On Lot 7 a spring has sprung up and is now flowing down a rip-rap slope, across a culvert under the access road, and into a plunge pool which overflows the silt fence. The Commission is concerned

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that there is no Stormwater Pollution Prevention Plan which would be required for this project. At site visits conducted by the Commission it was noted that most of the erosion controls are down, but these are not addressed in any of the reports. The Commission and Mr. Arnold went through pictures that Commissioner Hannon and Shaw took over the weekend after the erosion controls were supposedly fixed and noted that any were installed wrong or were still down. The opinion of several Commissioners is that the water coming off Lot 7 is impact the wetland downstream. DEP mentioned at the site visit to issue a cease & desist in order to bring the site into compliance. An as-built of the road will be submitted to the Commission. A site visit was set for 5pm on Friday March 11th.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

******Mr. Hannon recused himself from the meeting.***

1. 775 Millville Road

- o Discussion: There was a meeting with DEP to discuss the appeal of the RDA issued by the Commission. A new topographic map was done for the property to move forward in their amendment of the flood map. An old Order of Conditions from 2001 was found and needs a Certificate of Compliance because the property is changing ownership. Mr. O'Connell suggests that an Enforcement Order can be issued to fill in the pit as required in DEP #312-624. The idea was brought up at DEP and discussed on how to move forward. The Commission will follow up with DEP with their thoughts on how to proceed.

******Mr. Hannon rejoined the meeting.***

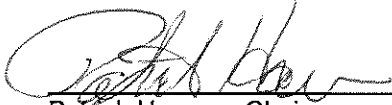
******At 9:46 the Commission returned to the discussion on 48/0 Depot Street.***

- o Discussion: Ms. Portante stated that the applicant and representative will no longer participate in discussion and requested that the Commission close the public hearing.
- o **MOTION: I, Mr. Potaski, move that we close the Public Hearing. Seconded by Mr. Shaw, the motion carried 5-0-0.**
- o Discussion: The Commission further discussed the special conditions they had previously written up in conjunction with the memo provided by BSC & New England Power Company. The Commission is still concerned with the fueling and storage of vehicles within the Zone II. The Commission agrees that there should be a type of sign-off that the contractor has to sign and agree to regarding the Order of Conditions. The Commission would like to verify the qualified environmental monitor that will be on the site and ensure that they at least have direction from a qualified personnel.

At approximately 10:25 pm, MOTION by Mr. Hogan that the Commission adjourn the meeting. Seconded by Mr. Potaski, the motion carried unanimously by roll call vote, Hannon – aye, Holden – aye, Shaw – aye, Potaski – aye, Hogan – aye.

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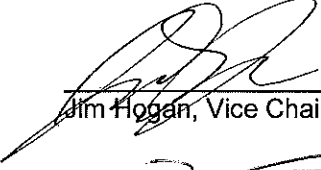
Respectfully submitted,
Melissa Dillon



Patrick Hannon, Chairman

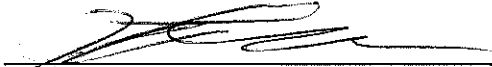


Russell Holden, Member



Jim Hogan, Vice Chair/Treasurer

Michael Potaski, Member



Jeffrey Shaw, Clerk

March 21, 2016

Date