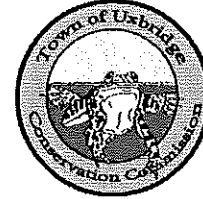


Town of Uxbridge
 Conservation Commission
 21 South Main Street
 Uxbridge, MA 01569
 508-278-8600 x 2020



Conservation Commission Meeting Minutes
 Monday, March 21, 2016
 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: Chairman Patrick Hannon, Treasurer/Vice Chair Jim Hogan, Secretary Jeff Shaw, Members Russell Holden, Lauren Steele 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.

The Commission would like to welcome their new member Lauren Steele.

PUBLIC HEARINGS

1. Request for Determination of Applicability (RDA), 34 Donna Court (Map 8, Parcel 4318)

Applicant: Scott Santangelo

Project Description: Placement of a 12'x16' toolshed within the 200' Riverfront Area.

- o Discussion: Scott Santangelo, the owner, would like to put a toolshed towards the back of the property. A company will be coming in to build the shed. No trees will need to be disturbed and the shed will be placed in the previous limit of work for the house.
- o **MOTION: I, Mr. Shaw, move that we issue a Negative Determination with the special conditions of 1. No further tree clearing 2. All work will be done in the previous limit of work for the house. Seconded by Mr. Hogan, the motion carried 5-0-0.**

2. Request for Determination of Applicability (RDA), P&W Right-of-Way

Applicant: TEC Associates

Project Description: Vegetation control along the right-of-way in accordance with the guidelines set forth in the Massachusetts Rights-of-Way Management Regulations.

- o Discussion: Tom Lewis, on behalf of the applicant, would like to address questions that the Commission may have about the vegetation control to be done. The P&W has to develop a vegetation control plan that is valid for 5 years and is required to submit a RDA to each municipality. The plan is the same as discussed in 2011 and would like to reapprove the delineation. The Commission would like to spend time looking through the regulations relating to this RDA. There are metal plates attached to the railroad ties in order to signify the line in which herbicides can be sprayed. The Commission would like to conduct a site visit in order to ensure there are markers on the ties. The Commission would also like the representative to convey to the railroad their continued efforts to address the railroad tie issue.
- o **MOTION: I, Mr. Holden, move that we continue the Public Hearing until the next regularly scheduled meeting to conduct a site visit. Seconded by Mr. Shaw, the motion carried 5-0-0.**

3. Notice of Intent (NOI), DEP #312-1012, Rogerson Commons (21B/C, Parcel 3768 & 4455)

Applicant: Rogerson Crossing Realty Trust

Representative: Andrews Survey & Engineering

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

- o Discussion: Steve O'Connell, on behalf of the applicant, gave a brief overview of the project. Graves engineering has recently received the NOI so that they can begin to review the project pertaining to the Wetlands Protection Act. The comments from Joe Bellino at DEP addressed a previously proposed project that deal with issues regarding the degraded Riverfront. Mr. O'Connell talked with Mr. Bellino and discussed the comments and believe that they came to agreement that there is little to no concern

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regarding the project and will be sent a general description of the project. Mr. O'Connell will provide the Commission and DEP with the landscaping and planting plans.

- **MOTION: I, Mr. Holden, move that we continue the Public Hearing until the regularly scheduled meeting. Seconded by Mr. Hogan, 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, gives a summary of the site visit conducted with the Commission. The second peer review from Graves Engineering was sent back to the town and most of their initial concerns were acknowledged. Andrews is working on a revised set of plans that address some of the concerns raised by Graves and the respective boards. The Commission found that water was indeed sheeting across the road. The Commission has an interest in certifying the vernal pool on the property. Mr. Healy, an abutter to the property, submitted an alternate design layout that could possibly lessen the effects that the subdivision could do to the scenic road and drainage into wetlands. Mr. O'Connell will bring this design to the applicant and decide if they would like to move forward. Mr. Healy reports that the fire department would be in favor of this design because of the scenic road aspect.
- **MOTION: I, Mr. Shaw, move that we continue the Public Hearing until the next regularly scheduled meeting. Seconded by Mr. Hogan, the motion carried 5-0-0.**

5. **Notice of Intent (NOI), DEP #312-100X, 68 Henry Street (Map 20, Parcel 2517)**

Applicant: Countryside Associates, LLC

Representative: Andrews Survey & Engineering

Project Description: Construction of 12 townhouses with associated paving, landscaping, utilities, and earthwork within the 200' Riverfront Buffer Zone

- Discussion: Mr. O'Connell, on behalf of the applicant, would like to continue to the next meeting in order to procure the wetland filing fees.
- **MOTION: I, Mr. Hogan move that we continue the Public Hearing until the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried 5-0-0.**

6. **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

- Discussion: No one present to discuss. Commission is waiting on a new as-built with it overlaid on approved plans and on the approved scale. The Commission has not heard from the representatives with any update. The Commission will contact Joe Bellino at DEP, Heritage, and Flagg to try and get things moving forward.
- **MOTION: I, Mr. Hogan, move that we continue the public hearing until the next scheduled meeting. Seconded by Mr. Shaw, the motion carried 5-0-0.**

****The Commission took a 5-minute recess****

7. **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: The Commission will discuss later as the Public Hearing is closed.

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

MOTION: I, Mr. Shaw, move that we take 'Violations' out of order. Seconded by Mr. Holden, the motion carried 4-0-0.

REPORTED/ONGOING VIOLATIONS

1. 775 Millville Road

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- o Discussion: The admin reached out to those present at the meeting with DEP and provided the Commission and the representative with a copy of the e-mail correspondence. DEP referenced that only March 2001 plans can be found instead of May 2001 as referenced in the old Order of Conditions. One of the excavations on the site per the gravel removal permit has now become a pond. There are two small breaches in the berm allowing flood waters to enter the pit, creating a flood zone. There cannot be a new Order of Conditions because the site cannot create adequate compensatory storage for flood plain. The representative and applicant believe that an Enforcement Order followed by a Certificate of Compliance to complete work would be beneficial in order to move forward. The admin talked with Meghan Selby at DEP who suggested that maybe moving forward would not be the best option until all information has been provided. There is a possibility that there are new areas that are subject to the Commission's jurisdiction including buffer zones and resource areas. Areas that are stabilized and in substantial compliance will not be touched. Erosion controls are detailed in the map provided at the beginning of the meeting.
- o **MOTION: I, Mr. Holden, move that we issue an Enforcement Order stating that all work must be done in accordance with DEP #312-624 and only work outlined in March 1, 2016 would be completed and all conditions shall remain in effect. Seconded by Mr. Shaw, the motion carried 4-0-0.**

****Mr. Hannon returned to the meeting****

****The Commission resumed discussion on 48/0 Depot Street*

1. 48/0 Depot Street

- o Discussion: The admin provided the Commission with a list of potential special conditions that have been taken from previous meetings and memos from BSC. Town Council advised the Commission that they did not have jurisdiction dealing with the Zone II unless it is within the Buffer Zone or resource area. The Commission discussed each special condition and decided on each one accordingly.
- o **MOTION: I, Mr. Hogan, move that we issued an Order of Conditions with the Uxbridge Special Standard Conditions with the special conditions of:**
 1. **The use of wattles is prohibited on the site and a 12" compost tube shall be utilized if an alternative BMP is necessary.**
 2. **Standard silt fences will be used during construction; no reinforced silt fences will be used on the site.**
 3. **Dust shall be controlled with water only. No other agents are permitted.**
 4. **All soil and materials shall be stockpiled outside of the Wetland Resource Areas and Buffer Zones, property contained with sediment controls, and covered at the end of each day.**
 5. **No refueling shall take place within the Wetland Resource Areas and Buffer Zones.**
 6. **No motorized vehicles or equipment shall be parked overnight in the Wetland Resource Areas or Buffer Zones**
 7. **Signage shall be posted prohibiting the refueling and maintenance of vehicles within Wetland Resource Areas and Buffer Zones**
 8. **A pre-construction meeting shall be held with the Conservation Commission, NEP, and NEP's contractor(s) prior to the commencement to any work**
 9. **The principal contractor and all subcontractors must sign an affidavit attesting to the receipt and review of the Order of Conditions. The affidavit must be provided to the Uxbridge Conservation Commission prior to the commencement of any work.**
 10. **All work within Wetland Resource Areas and Buffer Zones shall be overseen by a qualified environmental monitor or under the direction of a licensed engineer or professional environmental monitor. The monitor shall be responsible for reporting to the Uxbridge Conservation Commission any violation of the Order of Conditions. Weekly environmental compliance inspection reports shall be provided to the Uxbridge Conservation Commission**
 11. **Signage shall be posted on the property prohibiting the disposal of snow into BVW, resource areas, and the Mumford River. Snowstorms with snow accumulation of 3" or greater must be taken off site and stockpiling is prohibited on the site.**
 12. **Deicing agents shall not be permitted on the property. Deicing shall be performed with sand only. Proper signage shall be posted at the entrance to the substation**

driveway and at all access gates on the property prohibiting the use of deicing agents.

13. All dewatering shall be conducted in accordance with the Construction General Permit and within designated dewatering areas outside of Wetland Resource Areas and Buffer Zones as shown on the Erosion Control Plan
14. A separate dewatering plan shall be submitted and approved by the Uxbridge Conservation Commission before any dewatering occurs.
15. Designated concrete washout areas shall be located outside of Wetland Resource Areas and Buffer Zones as shown on the Erosion Control Plan. A concrete waste sump shall be used to contain washout (BMP #35).
16. Concrete will not be discharged directly into the ground or mixed, tested, placed, or disposed of so as to enter a watercourse.
17. Concrete washout water will not be deposited or discharged directly in the ground, in Wetland Resource Areas, waterbodies, Buffer Zones, catch basins, or other drainage structures.
18. Following the completion of concrete pouring operations, the washout will be properly disposed of off-site.
19. The curb on the Riverfront side of the access road shall be maintained, preferably of granite construction.

PROCESSING

1. Meeting Minutes

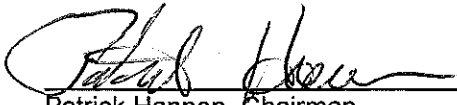
- o MOTION: I, Mr. Shaw, move that we approve the February 1, 2016 minutes with minor corrections as stated. Seconded by Mr. Hogan, the motion carried 4-0-0.
- o MOTION: I, Mr. Hogan, move that we approve the February 11, 2016 minutes with minor corrections as stated. Seconded by Mr. Hannon, the motion carried 3-0-0. Mr. Holden abstained.
- o MOTION: I, Mr. Shaw, move that we approve the February 16, 2016 minutes with minor corrections as stated. Seconded by Mr. Holden, the motion carried 3-0-0. Mr. Hogan abstained.
- o MOTION: I, Mr. Holden, move that we approve the March 7, 2016 minutes as written. Seconded by Mr. Shaw, the motion carried 4-0-0.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

At approximately 9:40 pm, MOTION by Mr. Hogan that the Commission adjourn the meeting. Seconded by Mr. Shaw, the motion carried 5-0-0.

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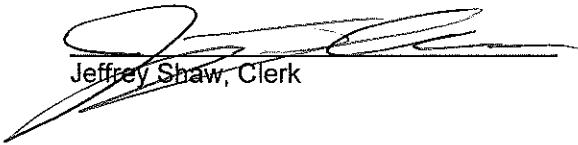
Respectfully submitted,
Melissa Dillon




Patrick Hannon, Chairman



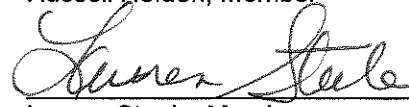
Jim Hogan, Vice Chair/Treasurer



Jeffrey Shaw, Clerk



Russell Holden, Member



Lauren Steele, Member

Date