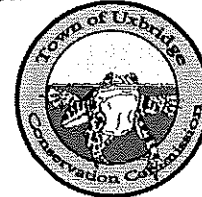


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020

MAY 3 '16 AM 10:54



Conservation Commission Meeting Minutes
Tuesday, April 19, 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, Dale Bangma 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)**, 94 Hazel Street (Map 18C, Parcel 3557)
Applicant: Greg Dubois
Project Description: Placement of an above ground pool in same location of previous pool within the 100' Buffer Zone.
 - o Discussion: The applicant would like to place an 18' foot pool in the footprint of previous above-ground pool. It will be about 28 feet away from the small stream which is 2 feet wide. The Commission brings up that if it is moved 50 feet away then they meet an exemption. If you walk the site, you can still see the imprint of the previous pool. No levelling will need to be done and only stone dust will be laid down.
 - o **MOTION: I, Mr. Shaw, move that we issue a Negative Determination of Applicability with the condition that all work is done in all previous pool area. Seconded by Mr. Bangma, the motion carried 6-0-0.**
2. **Notice of Intent (NOI)**, DEP #312-1014, 177 River Road (Map 45, Parcel 3166)
Applicant: Giguere Realty
Representative: Heritage Design Group
Project Description: Construction of a septic system for an existing garage with second floor office within' the 200' Riverfront Area of the Blackstone River.
 - o Discussion: Eric Bazzett, on behalf of the applicant, gives a brief description of the project. It was said to be a degraded area with an existing facility that is used for staging and parking. Erosion control barriers will be placed along the limit of work and between the river and work. Board of Health has approved the septic system. Mr. Hannon talked with Michael Marchand, the prior owner of the property, and stated that the town did not allow there to be a septic system on the property. A septic system was built illegally and taken out of the ground per instruction from the town and Board of Health. The Commission will follow up with the Board of Health and determine that the new plan is approved and everything can move forward. Scott, one of the owners of the property, states that the tank is still in the ground. The co-owner, Eric, would like to move forward legally to install the septic system and states that again that the tank is still present on the property. The only thing that has been done to the property since taking ownership is removing all the trash. A site visit was set for 5:30 pm on Thursday the 21st.
 - o **MOTION: I, Mr. Hogan, move that we continue the Public Hearing until the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.**
3. **Notice of Intent (NOI)**, DEP #312-1015, 500 East Hartford Ave (Map 7, Parcel 2424)
Applicant: Stephen P. Benoit
Representative: Andrews Survey & Engineering
Project Description: Construction of a single family home with associated earthwork, paving, and utilities including a septic system within the 100' Buffer Zone to a Bordering Vegetated Wetland.
 - o Discussion: Paul Hutnak, on behalf of the applicant, gives a brief overview of the project. After receiving a DEP number and National Heritage letter there is no other issue inhibiting the Commission from moving forward.
 - o **MOTION: I, Mr. Shaw, move that we issue an Order of Conditions with the Uxbridge Standard Special Conditions. Seconded by Mr. Bangma, the motion carried 6-0-0.**

4. **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.

- Discussion: Tom Lewis, on behalf of TEC, reviews that there was a site visit conducted with members of the Commission. There were several plates moved and replaced because of wear and tear and the plans were changed right away per the instruction from the Commission and maps will be updated. Mr. Hogan and Mr. Bangma conducted the site visit and all issues brought up were addressed. The Administrator will send correspondence dealing with the railroad ties to Tom Lewis and will pass it along to his contact. The hearing will be continued to get updated maps.
- **MOTION: I, Mr. Hogan, 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 6-0-0.**

5. **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.

- Discussion: The Public Hearing will be continued until the next scheduled meeting by the request of the applicant.

6. **Notice of Intent (NOI), DEP#312-1013, 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: The Public Hearing will be continued until the next scheduled meeting by the request of the applicant.

7. **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: The Public Hearing will be continued until the next scheduled meeting by the request of the applicant.

WETLAND UPDATES/ISSUES

1. Certificate of Compliance-283 Aldrich

- Discussion: Mr. Hannon and the administrator conducted a site visit of the property and found that everything was built in compliance and has been there for a while.
- **MOTION: I, Mr. Shaw, move that we issue a Certificate of Compliance. Seconded by Mr. Hogan, the motion carried 6-0-0.**

2. Certificate of Compliance-LW Tank

- Discussion: Mr. Hannon and the administrator went out to an adjacent property that has extreme filling of the wetlands behind the property. The as-built does not contain the whole property and does not show the filling in the back. There seemed to be a pipe going into the river from the pictures provided by the applicant. There is thought to possibly be catch basins that were
- **MOTION: I, Mr. Holden, move that we deny the Certificate of Compliance for lack of representation and lack of information. Seconded by Mr. Hogan, the motion carried 6-0-0.**

REPORTED/ONGOING VIOLATIONS

1. 142 South Street

- Discussion: The administrator has had issues contacting the owner. Mr. Martinson stated that he would not be attending the meeting and requested that he just be told the violations on the property. There are reports of dumpsters, toilets, etc being washed out into Bacon Brook.

2. 370 Elmwood

- Discussion: Kevin Gallo has ordered the plantings and has laid out where they will be planted around the yard. The plantings should arrive shortly and will be planted when they are delivered. More of the

Conservation Commission Meeting Minutes continued – Tuesday, April 19, 2016

native grass seeds have been planted and the yard is quite stabilized. Mr. Gallo will let the Commission know when the trees have been planted so that he can get a letter of compliance. A fence around the pool is to be fixed and a hand drawn plan will be submitted to the Commission so they are aware of the work being done.

3. 6 Manorview Way

- o Discussion: 3 dead trees on the property need to be cut down. Mr. Wagner, the homeowner, explains the trees on the property that need to come down as they have been falling from the extreme storms. An administrative approval will be issued to take down the trees, but the stumps need to be intact.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

1. Pout Pond

- o Discussion: Mr. Lewcon, on behalf of the Pout Pond Committee, discusses the weed control contract needs to be signed and issued for Pout Pond. The downtime for treatment if it is necessary is now only 24 hours. The Commission feels comfortable with having the contract for the weed control. A work camper is still being discussed between Pout Pond and the town. The Pond has had a good past with using work campers as it provides good upkeep of the pond and provides extra security. The Commission generally feels that a work camper can be a good program. For it to go forward the Commission needs all the paperwork completed and submitted prior to the work camper showing up at the Pond. The Commission would also like to discuss the fees and the cash control that comes from the Pond. The town would like to possibly see a fee charged for admission versus parking. The problem is that because it is owned by the town it allows public access and citizens cannot be denied access by not paying the admission. The Pout Pond Committee would rather have a parking fee with season and day passes instead of an admission fee. Mass Wildlife will be there to stock the pond for the Fishing Derby on May 7. There does not have to be additional sand added to the beach but 20 yards of concrete sand can be bought if it cannot be donated. If sand is needed, then the Committee should go through a RDA to do the work.
- o **MOTION: I, Mr. Holden, move that we pay for up to \$1000 from Wetland filing fees for the consultation. Seconded by Mr. Hogan, the motion carried 6-0-0.**

2. Mooreland

- o Discussion: Mr. Holden received a complaint of a supposed family constructing things out of palettes. Mr. Holden did not see wetland vegetation and is not sure if it is a wetland violation but they are possibly trespassing. It's supposed 30 feet away from a wooded swamp and the Mumford River runs through the back. Mr. Holden will draft a letter to send out.

3. New England Power E-mail

- o Ms. Steele did not approve of the side taken on the herbicide management plan and our special condition dealing with that. Rebuttal to e-mail will entail where the Vegetation Management Plan. Administrator will resource into the pesticide plan.

4. Wetland Bylaw

- o The Commission would like to start reviewing the bylaw in order to be have it ready for the Fall Annual Town Meeting.

5. Flagg RV

- o Heritage and the applicant have appealed our denial to DEP and will not be conducting a site visit. Mr. Hannon would like to write a letter to the Board of Selectman asking to revoke or suspend his dealer's license to deal with violations on the site. Mr. Hogan and Mr. Shaw abstained from discussion about writing a letter to the Board of Selectman.

PROCESSING

1. Fundamentals Funds/MACC handbook

- o Discussion: Administrator expressed the interest for her and Commissioner Steele to attend MACC Fundamental classes and the need for members to have a new online handbook access code.
- o **MOTION: I, Mr. Hogan, approve the expenditure of \$415 for classes and MACC handbook costs. Seconded by Mr. Shaw, the motion carried 6-0-0.**

2. Meeting Minutes-4/4

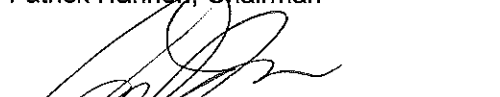
- o **MOTION: I, Mr. Shaw, move to approve the minutes as written. Seconded by Mr. Hogan, the motion carried 6-0-0.**

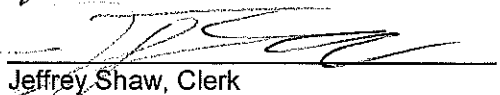
At approximately 10:00 pm, MOTION by Mr. Hogan that the Commission adjourn the meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.

Conservation Commission Meeting Minutes continued – Tuesday, April 19, 2016


Respectfully submitted,
Melissa Dillon

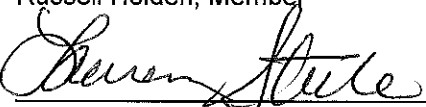

Patrick Hannon, Chairman

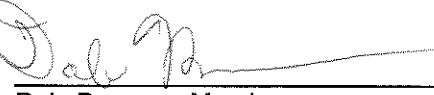

Jim Hogan, Vice Chair/Treasurer


Jeffrey Shaw, Clerk

May 2, 2016
Date


Russell Holden, Member


Lauren Steele, Member


Dale Bangma, Member