

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



Conservation Commission Meeting Minutes
 Monday, May 2, 2016
 Board of Selectmen Meeting Room, Uxbridge Town Hall

Posted 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), 29 Sutton Street (Map 11, Parcel 3195)**
 Applicant: Brendan Fogerty
 Project Description: Placement of an above-ground pool within the 100' Buffer Zone
 - o Discussion: Homeowners would like to place an above-ground pool on their property. Exempt activity since it is more than 50' from the resource area and is an existing yard.
 - o **MOTION: I, Mr. Hogan, move that we issue a Negative Determination. Seconded by Mr. Shaw, the motion carried 6-0-0.**
2. **Request for Determination of Applicability (RDA), 100 Stanphyl Road (Map 32, Parcel 3886)**
 Applicant: Jennifer & Christopher Spiecker
 Project Description: Regrading of an existing residential lawn and addition of loam and seed within the Buffer Zone.
 - o Discussion: The homeowners would like to regrade the area where a pool was previously placed and is now filled with sand. The area will be graded and then loam and seed will be placed when work is done. Erosion controls will be placed and inspected by the Commission, area to be regraded will be demarcated, and site shall be successful stabilized and inspected in 3 & 6 months.
 - o **MOTION: I, Mr. Holden, move that we issue a Negative Determination with the conditions of 1. Area to be filled will be clearly demarcated 2. A 12" compost sok will be placed and inspected by the Commission prior to work 3. Site to be successfully stabilized and inspected in 3 & 6 months. Seconded by Mr. Shaw, the motion carried 6-0-0.**
3. **Request for Determination of Applicability (RDA), 86 Johnson Road (Map 48, Parcel 624)**
 Applicant: Kevin & Sandra Wedge
 Project Description: Upgrade of an existing septic system with associated trench within the Buffer Zone.
 - o Discussion: The house was permitted by the Conservation Commission in 1996 which included the septic system inside a Buffer Zone. The expansion now proposed was previously approved expansion if necessary.
 - o **MOTION: I, Mr. Holden, move that we issue a Negative Determination. Seconded by Mr. Shaw, 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.
 - o Discussion: New maps have been received showing all current resource areas.
 - o **MOTION: I, Mr. Hogan, move that we issue a Negative Determination. Seconded by Mr. Holden, the motion carried 6-0-0.**
5. **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.

- Discussion: The Commission discussed the issues involving the issue of if 183 & 177 River Road are combined. Also discussed was the problem of compliance on 183 and if they should allow a new Order of Conditions if there is an open one on the neighboring or same property if they are combined. The Commission also questioned if the property was out of the Flood Zone, as the FEMA LOMA that they can find is only for the building foundation on 183 River Road, leaving everything else still in the flood plain. The Administrator will contact Marielle Stone to find any additional information on the LOMA. Representative agreed to continue until June 6th.
- **MOTION: I, Mr. Hogan, move that we continue the Public Hearing until June 6th. Seconded by Mr. Bangma, the motion carried 6-0-0.**

6. **Notice of Intent (NOI), DEP #312-1012, Rogerson Commons (Map 12B/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: A site visit was conducted and brought up discussion on if the area is degraded or not. Mr. Holden requests that the degradation of the soil be re-evaluated. The rest of the Commission believes that the soil is degraded and any work including lawn and vegetation will be an improvement to the property. The Commission discussed possible extra plantings, but there are no further feasible areas to put trees and shrubs.
- **MOTION: I, Mr. Shaw, move that we issue an Order of Conditions with the Uxbridge Standard Conditions with addition special conditions of 1. No stockpiling of snow in any basin or Resource Area and its associated Buffer Zone 2. Erosion controls will surround stockpiles and all stockpiles will be covered by the end of the day 3. Air-borne dust will be addressed properly and in a timely manner 4. Signage will be posted depicting all Resource areas and Buffer Zones to prohibit dumping and use of restricted chemicals. Seconded by Mr. Hogan, the motion carried 5-1-0; Mr. Holden-nay.**
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7. **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 representative would like to continue until the next regularly scheduled meeting.
- **MOTION: I, Mr. Hogan, move that we continue the Public Hearing until the next regularly scheduled meeting. Seconded by Mr. Holden, the motion carried 6-0-0.**

8. **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: Wetland filing fees have been given to the Commission and DEP and are awaiting a DEP file number.
- **MOTION: I, Mr. Shaw, move that we continue the Public Hearing until the next regularly scheduled meeting. Seconded by Mr. Hogan, the motion carried 6-0-0.**

WETLAND UPDATES/ISSUES

1. Request for Certificate of Compliance-4 Albee Road

- Discussion: All work has been built according to plan. Once the silt fence has been removed Ms. Carven will contact the Commission to schedule a site visit to approve the Certificate of Compliance
- **MOTION: I, Mr. Holden, move that we approve the Certificate of Compliance with the condition of a successful site visit. Seconded by Mr. Shaw, the motion carried 6-0-0.**

REPORTED/ONGOING VIOLATIONS

1. 142 South Street

- Discussion: Enforcement issued for Restoration Plan due May 25.
- **MOTION: I, Mr. Hogan, move that we ratify the Enforcement Order for 142 South Street. Seconded by Mr. Shaw, the motion carried 6-0-0.**

2. 350 & 410 North Main Street

- Discussion: Mark Anderson from Heritage Design and Brent Wiersma, owner, would like to inform the Commission that they will be submitting a Notice of Intent for the demolition of the building at 350 North

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Main Street. The Commission found lots of fill in back of both properties in the wetland. There is solid waste that has been buried and stacked within the wetland.

- **MOTION: I, Mr. Shaw, move that we ratify the Enforcement Order for 350 North Main Street. Seconded by Mr. Hogan, the motion carried 6-0-0.**
- **MOTION: I, Mr. Hogan, move that we ratify the Enforcement Order for 410 North Main Street. Seconded by Mr. Shaw, the motion carried 6-0-0.**

3. Flagg RV

- Discussion: All campers were found to have moved back within the Buffer Zone and work on the stockpile has commence without a valid Order of Conditions as the Notice of Intent was denied.
- **MOTION: I, Mr. Hogan, move that we ratify the Enforcement Order for Flagg RV. Seconded by Mr. Shaw, the motion carried 6-0-0.**

4. 9 Balm of Life Spring Road

- Discussion: Lots of solid waste can be seen on the property from the road and adjacent properties. Mr. Hannon and Ms. Dillon saw the site from the adjacent storage facility and found stumps, port-a-potty's, rubbish, metal, and many other variations of solid waste. Enforcement Order with Restoration Plan should be issued for properties at 9 & 19 because they are within the Riverfront Area.
- **MOTION: I, Mr. Holden, move that we ratify the Enforcement Order for 9 & 19 Balm of Life Spring Road. Seconded by Mr. Hogan, the motion carried 6-0-0.**

PROCESSING

1. Endorse Meeting Minutes 4/19

- **MOTION: I, Mr. Shaw, move that we approve the minutes for 4/19 as written. Seconded by Mr. Hogan, the motion carried 6-0-0.**

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

1. Wetland Bylaw Review and Discussion

- Discussion: Commissioners will review the bylaw that was sent out and come to the next meeting with comments.

2. Open Space & Recreation Plan/Committee

- Discussion: Administrator would like pursue creating and approving an Open Space & Recreation Plan/Committee. The Commission will send a letter to the Board of Selectman looking to move forward.
- **MOTION: I, Mr. Holden, move that we issue a letter to the Board of Selectman to gain approval to move forward. Seconded by Mr. Hogan, the motion carried 6-0-0.**

ADJOURNMENT-NEXT MEETING SCHEDULED FOR MONDAY MAY 16, 2016

At approximately 9:20 pm the meeting was adjourned.

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Respectfully submitted,
Melissa Dillon



Patrick Hannon, Chairman



Russell Holden, Member




Jim Hogan, Vice Chair/Treasurer



Lauren Steele, Member

Jeffrey Shaw, Clerk



Dale Bangma, Member

May 16, 2016

Date