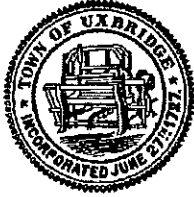
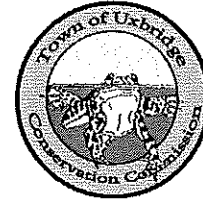


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Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



Conservation Commission Meeting Minutes
Monday, June 20, 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 Lauren Steele, Dale Bangma, and Andrew Gorman

Absent: Member Russ Holden and Administrator Melissa Dillon

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)**, 0 Old Elmdale Road (Map 25, Parcel 3979)

Applicant: Aris Group, LLC

Representative: Andrews Survey & Engineering

Project Description: Construction of an access road to the site off an existing gravel road and earth removal within Riverfront Area

- Discussion: Mr. O'Connell, on behalf of the applicant, gives a brief overview of the project, history, and location. There is no work proposed within the resource areas, mostly Isolated Wetlands, and will stay at least 25 feet away from the Isolated Wetlands even though there is no buffer. There is already an old gravel access road on the property. There will never be more than over 5 acres of open earth removal. The ground will then be loamed and seeded. Mr. Hogan brought up that the last time this site was brought before Conservation the gravel access road is actually an old cart path and is concerned that it cannot support heavy equipment and it travels directly between two wetland resource areas. Anything that is done with that road to support it would be an alteration. Mr. O'Connell states that there will be no alteration to wetland resources. The Commission would like a description of the improvements that will be done and what the road will look like before any work occurs. Mr. Gorman asked about vernal pools on the property, and while they are not certifiable they are meeting the standards set forth for vernal pools. A site visit was set for Thursday, June 30th at 6:30 pm. Lou Fraga, an abutter, has some concerns about who will be approving the earth removal permit and the amount and size of trucks that will be going in and out of the property and the amount of time this will be going on. Wendy Timmons, questions if because of the earth removal if it will make it flood zone. Mr. O'Connell states that even with the removal it will still be above flood elevation. Stan Bergeron, is concerned that the gravel access road is not wide enough for two trucks to pass each other and is concerned that there will be a line of trucks on the residential road. Mr. Hannon request that no further questions about the number of trucks and hours in which this will be operating as it is a Planning Board issue. Mr. O'Connell addresses an abutters concern of what makes a wetland a wetland and how the access road is now not going through resource areas. An abutter would like to know what an erosion control area means and how it will fit along the access road and Mr. Hannon and Mr. O'Connell explains the use of a silt fence or erosion control.

- **MOTION: I, Mr. Hogan, move that we continue the Public Hearing until the next scheduled meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.**

2. **Request for Determination of Applicability (RDA)**, 114 Douglas Street (Map 18B, Parcel 4545)

Applicant: David Martin

Project Description: Repaving of existing driveway within the Buffer Zone to an underground brook and culvert.

- Discussion: Mr. Martin explains that he is not making any changes to his driveway and will be taking the old asphalt out.
- **MOTION: I, Mr. Bangma, move that we issue a Negative Determination with the condition that there are straw waddles placed at the limit of work. Seconded by Mr. Hogan, the motion carried 6-0-0.**

3. **Notice of Intent (NOI)**, 429 Hazel Street (Map 29, Parcel 274)

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Applicant: Margaret Racicot

Representative: Shea Engineering & Surveying, Inc

Project Description: Clearing, excavating, filling, grading, loaming and seeding consistent with installation of a replacement septic partially within the 100' Buffer Zone to a Bordering Vegetated Wetland

- o Discussion: The engineer and applicant would like to continue as abutters have not been notified.
- o **MOTION: I, Mr. Hogan, move that we continue the Public Hearing until the next scheduled meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.**

****The Commission will go back address the first order of business****

1. Update from the DPW

- o Discussion: James Legg, from the Wastewater Division of the DPW would like to get some input from the board on exemptions and specifications for projects. Mark Greenville, with GHD, goes through 3 projects they would like input on. The first is a MassWorks projects and is to address a size difference in wetland pipes and will only be replacing an existing sewer line in the street. This work is exempt and the Commission does not have jurisdiction but they request that when work is done the office is contacted and no stockpiling can happen in the Buffer Zones. The second and third projects are to address the permit received by EPA. In back of the wastewater building, the station needs to be replaced and electrical facilities will be below flood plain so there would be a platform outside. There is also the change that they need to rebuild a well. The Commission suggests that this work be done under a Notice of Intent to cover all bases.

****The Commission resumes Public Hearings****

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

4. **Request for Determination of Applicability (RDA), 175 South Street (Map 55, Parcel 1434 & 2255)**

Applicant: Green Acres Reclamation LLC

Representative: Andrews Survey & Engineering

Project Description: Importation of fill to the site to elevations proposed on the plan in order to provide areas of protection for wildlife species

- o Discussion: Mr. O'Connell, on behalf of the applicant, is asking the Commission whether the work shown on the plan is subject to the Wetlands Protection Act. Mr. O'Connell gives a brief overview of the area including the BVW and Riverfront area and history of its agricultural and gravel removal use. The applicant will be filling the site according to a soil management plan and reviewed by DEP under an Administrative Consent Order. There is no work proposed within any Buffer Zones. All plans and information is sent to DEP for review along with other respective agencies such as Natural Heritage. All existing and proposed Stormwater systems are shown on the map in order to maintain drainage patterns and systems. Erosion controls are depicted on the plan and will be installed on the site in order to delineate a limit of work so that work is not done in Buffer or Resource Areas. The issue of slope stabilization was addressed with Mr. O'Connell stating the slopes will be loamed and seeded as they become finalized. Mr. Hogan addressed comments coming from the audience by stating that a Request for Determination of Applicability only needs to be held during a Public Meeting and not a Public Hearing. Mr. Hogan continues to explain the jurisdiction of the of the Commission under the Wetlands Protection Act. There is no proposed disturbance to the immediate area around the cemetery on the historic family cemetery.
- o **MOTION: I, Mr. Shaw, move that we issue a Negative Determination. Seconded by Mr. Bangma, the motion carried 5-0-0.**

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

5. **Request for Determination of Applicability (RDA), 156 Albee Road (Map 41, Parcel 2975)**

Applicant: Frank & Jill Kenrick

Project Description: Removal and clean-up of downed and rotted trees within the Buffer Zone to a resource area.

- o Discussion: The Commission had conducted a site visit at the property and Mr. Gorman found invasive reeds and believe that the limited work will not allow them to spread further.
- o **MOTION: I, Mr. Shaw move that we issue a Negative Determination with the conditions that all vehicles and heavy equipment be located on the edge of the roadway to complete work and to remove only the trees marked. Seconded by Mr. Hogan, the motion carried 6-0-0.**

6. **Notice of Intent (NOI), DEP #312-1017, 70 Richardson Street (Map 29, Parcel APO 1355)**

Applicant: TTK Real Estate, LLC

Representative: Andrews Survey & Engineering

Project Description: Proposed 15 lot Residential Subdivision with associated grading, drainage, and utilities that has portions within the Buffer Zone of a Bordering Vegetated Wetland.

- Discussion: The Commission conducted the site visit and determined that the NOI is only for the road and anything associated with the construction of the road. The engineers are not working on revisions that were requested through the Planning Board and will be amending the application to include a part of an additional road. One of DEP's comments was that the site is near a cold-water fishery which is at least 1,000 feet away. The meeting will be continued until July 18th.
- **MOTION: I, Mr. Shaw, move that we continue the Public Hearing until the scheduled meeting on July 18th Seconded by Mr. Hogan, the motion carried 6-0-0.**

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: Mr. O'Connell, on behalf of the applicant, announced that the Planning Board has closed the public hearing and will issue a decision hopefully at the next meeting. Substantial changes have been made including changing from two entrances to only one with an emergency fire access road with approval from the fire chief and Planning Board. Mr. O'Connell gives a brief overview of additional changes and features that are staying the same. A trust for the Open Space will be enacted, trees have been saved with the changes done to the road, and much has been done to appease the applicant and abutters. Mr. Healy asked for Mr. O'Connell to explain how Detention Basin #1 works and was subsequently done. There will be an initial deposit for the cisterns and Stormwater maintenance and upkeep.
- **MOTION: I, Mr. Shaw, move that we issue an Order of Conditions with the Uxbridge Standard Special Conditions. Seconded by Mr. Hogan, the motion carried 5-0-0.**

8. **Notice of Intent (NOI), DEP #312-1016, 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: DEP issued a file number and series of comments that Andrews is addressing. Asked for continuance. The NHESP permit has expired and needs to be renewed but may not require a study to be done.
- **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.**

WETLAND UPDATES

1. Administrative Changes to DEP #312-1008

- Discussion: National Grid would like to have administrative corrections issued to fix owner and date of issuance.
- **MOTION: I, Mr. Hogan, move that we accept the administrative changes stated in the letter from June 16, 2016 to correct owner information and date of issuance. Seconded by Mr. Gorman, the motion carried 6-0-0.**

2. Permit Extension for DEP #312-941

- Discussion: The request to extend the permit was missed as it was not submitted 30 days in advance.
- **MOTION: I, Mr. Shaw, move that we deny the Permit Extension due to lack of filing in timely manner. Seconded by Mr. Hogan, the motion carried 6-0-0.**

****The Commission asks those in the audience what business they would like to address****

1. Mr. Vanderzicht-new Order of Conditions

- Mr. Vanderzicht cannot record the Order of Conditions because it is not the original. Therefore he cannot record the Certificate of Compliance. The Commission suggests that he does not need to record either but to keep both copies just to say that he had a permit to do the wetland crossing.

2. 500 East Hartford Ave

- An owner just bought a house with an existing NOI and was suggested to amend the Order of Conditions.

REPORTED/ONGOING VIOLATIONS

1. 32 Church Street

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- Discussion: No new information.
- 2. 142 South Street
 - Discussion: No new information.
- 3. 350 & 410 North Main Street
 - Discussion: No new information.
- 4. Flagg RV
 - Discussion: No new information.
- 5. 9 Balm of Life Spring Road
 - Discussion: No new information.
- 6. 58 Rivulet Street
 - Discussion: The owner created a beach on the premise. Had an excavator in the pond to do so. The owner had previously come before the permission to demo and build the new house.
 - **MOTION: I, Mr. Hogan, move that we issue an Enforcement Order for 58 Rivulet to stop work and attend the next scheduled meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.**

PROCESSING

- 1. Endorse Meeting Minutes 5/16 & 6/6
 - **MOTION: I, Mr. Hogan, move that we approve the June 6th meeting minutes. Seconded by Mr. Shaw, the motion carried 4-0-0.**
 - **MOTION: I, Mr. Shaw move that we approve the no quorum present minutes for May 25th. Seconded by Mr. Hannon, the motion carried 5-0-0.**
 - **MOTION: I, Mr. Hogan, move that we approve the May 16th meeting minutes. Seconded by Mr. Hannon, the motion carried**

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- 1. Wetland Bylaw Review and Discussion
 - Discussion: Will put off until next meeting.
- 2. Open Space & Recreation Plan
 - Discussion: Will put off until next meeting.
- 3. Yearly Reorganization
 - Discussion: Will put off until next meeting.

MOTION: I, Mr. Hogan, move that we adjourn until the next scheduled meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.

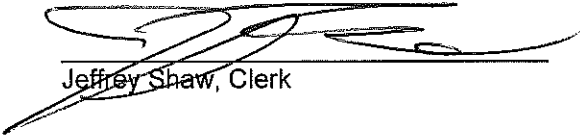
ADJOURNMENT-NEXT MEETING SCHEDULED FOR TUESDAY, JULY 5TH, 2016

Respectfully submitted,
Melissa Dillon




Patrick Hannon, Chairman

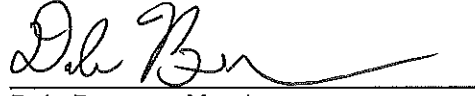
Jim Hogan, Vice Chair/Treasurer



Jeffrey Shaw, Clerk

Russell Holden, Member


Lauren Steele, Member



Dale Bangma, Member



Andrew Gorman, Member

July 5, 2016

Date