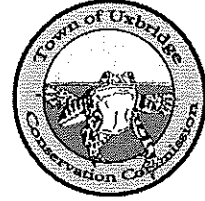


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020

NOV 8 '16 AM 10:44



Conservation Commission Meeting Minutes
Monday, October 17, 2016
Board of Selectman's Room, Uxbridge Town Hall

Received by
Uxbridge
Town Clerk

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

Present: Chairman Jim Hogan, Vice Chair Andrew Gorman, Treasurer Jeff Shaw, Clerk Lauren Steele, Members Patrick Hannon & Russ Holden, Agent Melissa Dillon

Absent: Member Dale Bangma

It being 6:10pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

1. Information Question & Answer session about Conservation Bylaw

Q: Email Question was received (attached below) regarding Section IV. Enforcement and fines for violations.

A: The Commission discussed different situations and their authority/ability to impose fines. Mr. Gorman recommended including some examples to clarifying fines and violations including changing the language in our initial violation letter that is sent to the homeowner. Mr. Hogan and Ms. Dillon will draft a document for policy approval at the next meeting.

Q: Social Media Comment regarding Section 3 (Exemptions) which are geared toward Public Utilities Projects. The comment was deleted so it cannot be included. This homeowner felt this is an opportunity to apply exemptions to people who have achieved permits in the past.

A: Ms. Dillon and Mr. Gorman replied that we cannot be more lenient than the Wetlands Protection Act. This is something we are strictly prohibited to do from Mass General Law and it not something that we can accommodate in a bylaw. The Commission discussed and agreed everything needs to be reviewed on a case by case basis.

Q: Ms. Steele had her professor Environmental Law Attorney review the by-laws. He stated XV Appeals section was in error in that it can also be appealed with the DEP as well as superior court.


A: The Commission discussed different situations, where appeals go and whether DEP can supersede our bylaw. Mr. Hannon emailed George Highland, who wrote the Wetlands Protection Act, to confirm and verify what is legally accurate. Ms. Dillon will reach out to other resources such as MACC to get an answer.

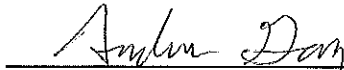
ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

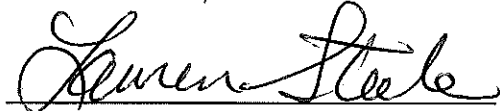
MOTION: I, Mr. Hannon, move that we adjourn. Seconded by Mr. Shaw, the motion carried 6-0-0.

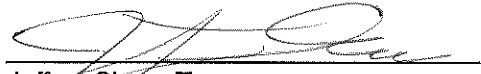
ADJOURNMENT


Respectfully submitted,
Melissa Shelley



Jim Hogan, Chairman


Andrew Gorman, Vice Chair

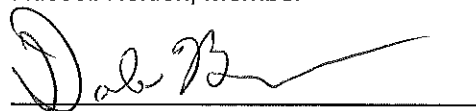

Lauren Steele, Clerk


Jeffrey Shaw, Treasurer


Date


Patrick Hannon, Member


Russell Holden, Member


Dale Bangma, Member

Attachment:

Hi, I applaud your efforts as Conservation members. I think the regulations are good enough as is. I fear politics can play a role when an appointed board acts as judge and jury. Add to that the power to fine. I think it is very important to make it very clear that the fines are a daily fine not just a one time fine. As I listen to some of the meetings where it is explained I am left thinking people think it a one time fine. It may not be a big deal for a developer but it could be tough a typical home owner.

Thanks, Chris Shannon