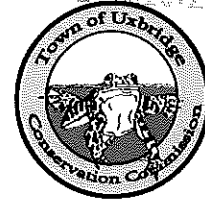




Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020

MAR 21 '17 10:21



Conservation Commission Meeting Minutes
Tuesday February 21, 2017
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: Vice Chair Andrew Gorman, Treasurer Jeff Shaw, Clerk Lauren Steele, Members Russel Holden and Pat Hannon.

Absent: Chairman Jim Hogan, Member Dale Bangma, Conservation Agent Melissa Dillon

It being 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the Chair called the meeting to order.

PUBLIC HEARINGS

1. **Request for Determination of Applicability (RDA), FY17-7, 31 Rogerson Crossing (Map 12B, Parcel 3821)**

Applicant: Chad Marrier

Project Description: Placement of a 15'x15' stone paver patio within the Buffer Zone to a BVW & Riverfront Area.

- **Discussion:** Chad Marrier, the property owner, described his patio project. Ms. Dillon visited the site and discussed erosion controls with Mr. Marrier. Mr. Holden provided background information about the property. Approximately 5 years ago this property was in violation and an "after the fact" NOI was filed. An erosion control barrier was established and that became the limit of work for the parcel. Condition 40 part D, limits disturbance in perpetuity. At that time, it was clear that there was not going to be any further encroachment on the resource area. Based on the prior NOI, the drawings, flags and distances, Commission members agreed that Wetlands Protection Act does apply and next step of filing a NOI would be required. A visit the property to see the site conditions and provide additional feedback to the owner was scheduled for Saturday 2/24/17.
- **MOTION:** Mr. Shaw moved to continue. Motion withdrawn.
- **MOTION II:** Mr. Hannon moved that the Commission issue a positive determination that the Wetlands Protection Act applies. Mr. Holden seconded and the motion passed 5-0-0.

2. **Notice of Intent (NOI), 9 Quaker Highway (Map 30, Parcel 1837)**

Applicant: Stephen Lascola

Representative: Heritage Design Group

Project Description: Septic system repair and associated grading for an existing single-family house within the Buffer Zone to a BVW.

- **Discussion:** Lance Anderson, Heritage Design Group, on behalf of the applicant, answered questions as the Commission reviewed the plans. Ecotech flagged the wetlands. DEP #312-1030 was assigned. The septic system/cesspool is a voluntary upgrade because it would not pass title 5 inspection – there is no failure on record. Mr. Gorman requested slightly extending an erosion control barrier and Mr. Anderson agreed.
- **MOTION:** Mr. Hannon moved to close the public hearing. Mr. Shaw seconded and the motion passed 5-0-0.
- **MOTION II:** Mr. Hannon moved to approve NOI, #312-1030 with the standard order of conditions. Mr. Shaw seconded and the motion passed 5-0-0.

3. **Notice of Intent (NOI), 629 Hartford Avenue East (Map 8, Parcel 3533)**

Applicant: David Craig

Representative: Andrews Survey & Engineering, Inc.

Project Description: Construction of a single-family home with associated earthwork, utility, and landscaping within the Riverfront Area

- Steve O'Connell, on behalf of the applicant, described the property and project. There is onsite sewage disposal and a private well. He also described access to the property. He indicated there would be no

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work in the Bordering Vegetated Wetlands (BVW), just riverfront, and no clearing of trees. He provided revised plans and explained the only update was to include/display Bordering Land Subject to Flooding (BLSF) It is a Zone AE (which means it has a known elevation from a flood study). Prior to issuing a number, DEP requested an Alternatives Analysis and an updated NOI form which Steve provided. They also received a letter from Natural Heritage stating the project will not adversely affect or result in a take of the habitat area. Members agreed on a site visit Saturday 2/25/17.

- **MOTION: Mr. Hannon moved to continue NOI for 629 Hartford Avenue East to the next regularly scheduled Conservation Commission meeting. Ms. Steele seconded and the motion passed 5-0-0.**

4. Notice of Intent (NOI), 434 Sutton Street (Map 4, Parcel 2976)

Applicant: James Tetreau, JLT Development, LLC

Representative: Guerriere & Hannon, Inc.

Project Description: Proposed 12 lot single-family residential conservation subdivision with associated site work within the Buffer Zone of a BVW.

- Continuance to March 20th was requested. PB has not approved the project yet.
- **MOTION: Mr. Holden moved to continue NOI for 434 Sutton, Mr Shaw seconded and the motion passed 4-0-0.**

(Mr. Hannon stepped out for a few minutes)

5. Abbreviated Notice of Resource Area Delineation (ANRAD), DEP #312-1028, Crownshield Avenue, Hyde Park Circle, Tea Party Drive (Map 29, Parcels 3126, 3117, 3053, 3084, 2965, 3866, 3099, 3987, 3895, 3825, 4682, 3162, 696, 4693, 4745, 4858, 4829, 4884)

Applicant: Rick Terrill, Uxbridge Multi Family

Representative: Goddard Consulting LLC

Project Description: Request to verify the wetland delineations are correct at the listed parcels.

Please note: Ms. Steele recused herself

- Mark Arnold, on behalf of the applicant, updated the Commission status of the ANRAD. Nicole Hayes reviewed and accepted all LEC's changes and surveyors corrected areas in the field. Mr. Arnold is finalizing the plans and will provide a final package to the Commission upon completion. The applicant is looking to add lots to the ANRAD to the extent of the easements they have on certain properties. This is to ensure everything is covered and no other ANRADs will be required in the future. Once Goddard submits the final package, the peer reviewer can go out in the field to confirm the surveyors work was in accordance to their recommendations. Commission members requested drainage structures/basins and the road Queen of Roses be shown on the map.
- **MOTION: Mr. Holden moved continue the Public Hearing for ANRAD, DEP # 312-1028, at Crownshield Avenue, Hyde Park Circle, Tea Party Drive. Mr. Hannon seconded and the motion passed 4-0-0.**

WETLAND UPDATES/ISSUES

1. Permit Extension Request- Mountainview Lot 4, DEP #312-887

- The most recent site visit was cancelled due to snow. The request is for a permit that is expect to expire in June.
- **MOTION: Mr. Shaw moved to approve the permit extension request for Mountainview Lot 4, DEP #312-887. Ms. Steele seconded and the motion passed 4-0-1** *(Mr. Holden abstained)*

REPORTED/ONGOING VIOLATIONS

1. Crownshield (Hyde Park)

- Ms. Dillon walked the site on 2/16 with Mr. Arnold and provided a site visit report. Concerns identified were that areas of work had entered the 100ft buffer zone & the silt fence is located behind the buffer zone. They agree that the silt fence cannot perform in the condition that is in. Mr. Arnold will continue to work with the contractor to avoid mismanagement and to install a properly functioning silt fence once the ground thaws.

2. 142 South Street

- No new updates for the property
- As a side note related to violations, Commission members agreed to have an "enforcement binder" readily available during meetings - a folder containing all pertinent information (enforcement orders, pictures, reports, dates, etc) for the parcels to be discussed.

3. 9 Balm of Life Spring Road

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- No new updates

4. Other Violations Discussed

- Mr. Hannon noted there are more dirt piles on the Flag RV property on the Quaker Highway. They are under enforcement order to remove dirt from property (which they did) but now more dirt has been brought in.
- Potential violation at Cumberland Farms Gas Station on Rt. 16 – small pile of dirt had been placed by the side of the brook. It is said that it came from the ground onsite during a sign replacement. Members agreed to send a letter of potential violation and include the photograph.

MOTION: Mr. Hannon moved to send a letter with photograph included to notify the owner of potential violation. Mr. Shaw seconded and the motion passed 5-0-0.

PROCESSING

1. 2/6 Meeting Minutes

MOTION: Mr. Hannon moved to accept the February 6 meeting minutes as amended. Ms. Steele seconded and the motion passed 5-0-0.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- Approval of wetland funds for agent salary
 - In the year 2016 we took in ~\$32,000 and spent ~\$22,000 (most of it being salary-other items covered under budget). Mr. Holden recommended adding a statement to the policy that we approve the use of wetland filing fees for our agent up to a 3 year average of the fees coming in. Members discussed informal commitments made by the town, when the agent was brought on full time, that if things went well the town may fund the position.
 - **MOTION: Mr. Hannon moved to authorize \$22,500, from filing fees, to fund the conservation agent salary. Mr. Shaw seconded and the motion passed 5-0-0.**
- Conservation pamphlet
 - The members reviewed the updated pamphlet and made additional suggestions to be forwarded to Ms. Dillon. They also agreed sending with the tax bill is the best option.
- Conservation Restrictions
 - Members agreed to postpone this further discussion and plan site visits in the spring.
- Earth Day – April 22nd
 - Members discussed various ideas to promote earth day and agreed to each send suggestions to Ms. Dillon to compile for review at next meeting. In the past, they have hosted walks and organized clean up at Pout Pond. Ms. Steele suggested and members discussed trash bag/collection contest. The Keep America Beautiful non-profit annual Great American Clean up will be explored for support and ideas. They decided not to pursue a fundraising activity and keep activities environmentally driven.
- Reminder letters to open Order of Condition holders
 - Reviewing databases, Ms. Dillon identified a lot of outstanding or open Order of Conditions that have yet to get a CoC. She recommended sending letters to those who have the open OoCs for the past 10 years. Many of these have been extended an additional 4 years because of the permit extension act and therefore are still valid. It may also give those who have not completed the project a reminder that they are still able to. One of our biggest issues is people not coming back for the CoCs. Members all agreed that this is a great opportunity to close these out.
- Discussion on the Uxbridge Standard Special Conditions
 - Mr. Hannon and Mr. Gorman each brought suggested conditions for other members to review.
- Mr. Gorman passed on that the Pout Pond Committee discussed the potential for beach nourishment (addition washed sand) and possibly submitting before the Commission as an RDA.

ADJOURNMENT-NEXT MEETING SCHEDULED FOR MONDAY, MARCH 6, 2017

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Respectfully submitted,

Melissa Shelley

Absent

Jim Hogan, Chairman

Andrew Gorman, Vice Chair

Lauren Steele, Clerk

Jeffrey Shaw, Treasurer

March 20, 2017
Date

Patrick Hannon, Member

Russell Holden, Member

Absent

Dale Bangma, Member