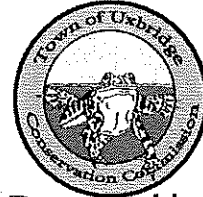




Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



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Conservation Commission Meeting Minutes
Monday May 15, 2017
Board of Selectman's Room, Uxbridge Town Hall

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

Present: Vice Chairman Andrew Gorman, Treasurer Jeff Shaw, Clerk Lauren Steele, Members Russell Holden, Pat Hannon and Dale Bangma, Conservation Agent Melissa Dillon

Absent: Chair Jim Hogan

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), 9 Easy Street (Map 14, Parcel 333)

Applicant: Daniel & Wendy Sullivan

Project Description: Placement of a shed less than 50' to the West River.

Discussion: Mr. Sullivan explained the layout of the lot does not allow for the shed to be located 50' from any part of the wetlands. He explained why the current location was selected and that it would be outside 25' of the resource area. The Agent visited and assessed the site and agreed with the location chosen. Mr. Sullivan inquired about removing the oriental bittersweet on his property stating he plans to pull it out without the use of chemical herbicide. He also inquired about expanding the width of the path to the river – Commissioners informed him this would require separate notification. He is planning to construct the shed onsite put place it on cinderblocks so he does not require any earth disturbance. The elevation is not within the flood plain. No comments from abutters.

Motion: Mr. Hannon moved to issue a Negative Determination of Applicability for 9 Easy Street with best possible location outside 25' is agreed upon with the landowner and agent and the condition if earth disturbance is to occur erosion barriers are installed between the work and the water line. Mr. Shaw seconded and the motion passed 6-0-0.

2. Request for Determination of Applicability (RDA), 10 Monahan Drive (Map 51, Parcel 2724)

Applicant: Septic Preservation Services, Inc.

Representative: Collins Civil Engineering Group, Inc.

Project Description: Work associated with an upgrade to an existing septic system within the Buffer Zone

Discussion: Peter Lyons, Collins Civil Engineering, representing the applicant, provided background information and explained the project. He stated they are proposing to (i) excavate the existing leaching area and replace it with a 45'x61' leaching bed (ii) to replace the existing grease trap and (iii) replace existing 1500 gal tank with a 6000 gal tank (iv) refit the existing 5000 gal tank. They are also completing a pump chamber upgrade to some advance treatment (designed by Septic Preservation Services) to accommodate the waste flow from McDonalds. As far as the wetlands, Mr. Lyons anticipates only a small amount of grading to occur inside the 100' buffer zone and there will be erosion controls around the whole project and there will not be any significant stockpiling of material. No abutters were present.

Motion: Mr. Hannon moved to issue a Negative Determination of Applicability for the upgrade to the septic system at 10 Monahan Dr. with the provision that nothing is stockpiled inside the 100' buffer zone. Ms. Steele seconded and the motion passed 6-0-0.

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3. Notice of Intent (NOI), DEP #312-1036, 35 Mountainview Road-Lot 5 (Map 41, Parcel 1941)

Applicant: Hill Financial Company, Inc.

Representative: Goddard Consulting

Project Description: Construction of a single-family home within the buffer zone to a BVW.

Please note: Mr. Bangma recused himself because he does work with Hill Financial

Discussion: Mark Arnold, Goddard Consulting, explained this NOI was submitted because the previous NOI for the project on Lot 5 expired. The applicant is just looking to re-permit the project as it was originally proposed. The site has already been cleared and erosion controls are installed. Mr. Arnold stated it is the exact same plan with no added disturbance and all the wetland flags have been refreshed. Ms. Dillon suggested closing out existing OOC's for both Lot 4 and 5 – Mr. Arnold agreed to complete before the next meeting. No abutters were present. Mr. Gorman outlined the changes recently made to the Uxbridge Standard Special conditions.

Motion: Ms. Steele moved to approve DEP #312-1036 with the Uxbridge Standard Special Conditions and the additional condition that the applicant request an invalid Order of Conditions for the former application of this lot. Mr. Shaw seconded and the motion passed 5-0-0.

4. Notice of Intent (NOI), 620 Aldrich Street (Map 48, Parcel 4524)

Applicant: Jonathan E. Tibbetts

Representative: Andrews Survey & Engineering, Inc.

Project Description: Construction of a single-family home with associated septic system, earthwork, landscaping with a wetland crossing to construct a driveway.

Discussion: DEP number has not yet been assigned. JP Connolly, of Andrews Survey and Engineering attended on behalf of the applicant. There was a site walk of the property on 5.4.17 and everyone agrees this will be a complicated costly project due to natural conditions of the site. The primary concerns are related to the stockpiling of material, the inability to replicate in a preferred area as well as the construction of the crossing itself while trying to salvage the existing vegetation and soils. It was noted that the project would require major oversight to comply with the updated Standard Special Conditions. Mr. Connolly provided updated plans that included a construction sequence and manipulated construction protocols. Conservation members discussed their concerns with project feasibility, cost, and the accuracy of the wetland flags. They also discussed a possible Peer Review of flags to confirm accuracy. The site contains 2 wetland vegetative clusters and the species vary depending on the topography and location. Mr. Gorman requested the location of the transect points which may clarify issues noted during the site walk (e.g. Jack-in-the-Pulpit not on wetland data forms). There was also a discussion of options for conditions if the project is approved. No abutters were present to speak to the project. Mr. Holden also recommended Peer Review of the sequence of construction and the reviewer be available walk the site with Commissioners.

Motion: Mr. Hannon moved to continue the NOI for 620 Aldrich Street, for more information, to the next meeting of the Conservation Commission scheduled for June 5, 2017. Mr. Shaw seconded and the motion passed 6-0-0.

5. Notice of Intent (NOI), 219 Quaker Highway (Map 35, Parcel 1887)

Applicant: David Lavallee

Representative: Andrews Survey & Engineering, Inc.

Project Description: Construction of a wetland crossing to construct a driveway for a single-family home and associated grading and utilities.

Discussion: JP Connolly, Andrews Survey and Engineering, representing David Lavallee, reviewed the following revisions made to the plans (i) the driveway is now 12' ft. for the entire length (ii) the crossing was slightly relocated to better fit within the driveway (iii) Mill St. driveway ends were flared and (iv) a general construction sequence was added. A concern noted at the 5.14.17 site visit was the ledge in the buffer zone and Mr. Connolly noted the intent is to avoid it. They did evaluate options other than the pipe but cost and overall feasibility made the pipe crossing more viable. No abutters attended to comment.

Motion: Mr. Hannon moved to continue the NOI for 219 Quaker Highway, for a DEP # and more information, to the next meeting of the Conservation Commission scheduled for June 5, 2017. Ms. Steele seconded and the motion passed 6-0-0.

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6. **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
Project Description: Request to verify the wetland delineations are correct at the listed parcels.

Representative: Goddard Consulting LLC

Discussion: Mark Arnold, Goddard Consulting, informed the Commission that they have consent to do the delineation and will initiate scheduling the peer review.

Motion: Mr. Hannon moved to continue DEP #312-1028 to the next meeting of the Conservation Commission scheduled for June 5, 2017. Mr. Shaw seconded and the motion passed 6-0-0.

WETLAND UPDATES/ISSUES

1. 671 Quaker Highway- updated plan
 - JP Connolly, Andrews Survey and Engineering attended and provided revised plans that reflect the current proposed design and dates (an earlier version was referenced on the OOC). The project is also before the Planning Board. Mr. Connolly reviewed the differences between the two plans and was hoping to amend OOC to reference the revised plans of 4/26/2017. Mr. Connolly will provide a letter that explains why the date is different and that the plan changes would not have any effect on the wetlands.

MOTION: Mr. Gorman moved to add an item to the June 5, 2017 meeting agenda item to amend the OOC for DEP 312-1033. Mr. Hannon seconded and the motion passed 5-0-1. Mr. Holden abstained.

REPORTED/ONGOING VIOLATIONS

1. 10 Park Street – enforcement order issued for work in a wetland
 - John Enot, representing the owner Doug Gardeo, provided background information and pictures to Commissioners. When Mr. Gardeo purchased the property in March 2017, it was dry and after significant rainfall feet of water started collecting nearly reaching the heating and cooling units. In an attempt to control, the flooding Mr. Garedo pumped water out and built up a berm on the back of the property line. Mr. Enot visited the site and found clogged catch basins (full size) and multiple broken pipes. Mr. Enot does not believe there would be standing water or wetlands plants if the drainage system was maintained and working properly. Conservation members discussed the absence of a hydrolic connection another wetland and noted the presence of Norway Maples and other vegetation that would support that this is an upland area. After the enforcement order, a double row of waddles was installed across from the berm. They would like stabilize the area and ultimately fix the drainage when it is dry enough to work. The agent recommended contacting the DPW director prior to any work being done on the drainage system. No one from the public attended to comment.
 - **MOTION:** Mr. Hannon made the motion that based on the discussion tonight there is no violation and the owner should stabilize the constructed berm to prevent further erosion and notify DPW before performing any work on the existing drainage system. Ms. Steele seconded and the motion passed 6-0-0.
2. 290 Millville Road
 - No one attended to represent the owner and the item was passed over

MOTION: Mr. Hannon moved to take the agenda out of order and hear new item 65 Waterman Way under Any Other Buisness. Mr. Shaw seconded and the motion passed 6-0-0.

- 65 Waterman Way (new item)
 - Michael Juster representing the homeowner attended. Owner is closing next week and the OOC is still open. Ms. Dillon and Mr. Hannon provided some background information. In discussions with DPW Director Ben Sherman it was determined that inspections were completed and they have as-built plans but the paper work had not been closed out.
 - **MOTION:** Mr. Hannon moved to approve the Certificate of Compliance for the entirety of Waterman Way. Mr. Shaw seconded and the motion passed by vote of 5-1-0.
 - Further Discussion: Mr. Holden indicated there should be an *actual request* for a Certificate of Compliance.

Please Note: at this time, Mr. Hannon left the meeting early for personal business. Mr. Bangma recused himself from the next agenda item Mountainview Rd.

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- **MOTION: Mr. Shaw moved to take Any other Business out of order and hear Mountainview Road at this time. Ms. Steele seconded and the motion passed 4-0-0.**
- Mountainview Rd. Lot 4 Application
 - Mark Arnold, Goddard Consulting, attended to request feedback from Commission Members on construction sequencing for the new stream crossing and replication work. They discussed the area and various ways to minimize impact. Mr. Arnold will take the recommendations in to account as he is developing his NOI.

****Returned to regular meeting****

3. 142 South Street – no new information
4. 9 Balm of Life Spring Road – Members noted possible activity on the site but no new comments.

PROCESSING

1. 5/1/17 Meeting Minutes
 - Passed over until next meeting due to lack of quorum

ANY OTHER BUSINESS, WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- MACC eHandbook funds
 - Some of the access codes have expired.
 - **MOTION: Mr. Shaw moved that they expend the funds at \$15 per person for the MACC eHandbook for memberships that expire within the calendar year (up to 8 members). Mr. Holden seconded and the motion passed 5-0-0.**
- NHESP maps-comments for review
 - **Mr. Gorman moved that the Commission send a letter of concern as drafted to the NHESP regarding the draft priority habitat map atlas changes with the conditions that typos will be fixed and a paragraph added about biologists' visits to follow up on reporting's within the 25 year timeline. The additional paragraph will be edited and approved by the agent. Ms. Steele seconded and the motion passed 5-0-0.**
- Update Guideline Policy for Conservation Commission
 - Members agreed to continue to the next meeting
- Conservation Commission Budget from Town Meeting
 - Mr. Holden recommended adding expenditures to the summary information to the Annual Report
- Ms. Steele's Presentation regarding Open Space Committee
 - Ms. Steele reviewed the maps and information she developed for the final project of her Intro to GIS class. Her goal with the project was to identify the water resources, priority habitat, currently protected land and undeveloped land in Uxbridge identify priority parcels with the potential to be maintained as Open Space. Ms. Steele proposed to the Commission that they form an Open Space Committee that is a sub-committee of Conservation Commission – this is legal and does not require approval from Board of Selectmen. There was some further discussion about prior efforts towards this objective.
 - **MOTION: Ms. Steel moved to add her proposal to form an Open Space Committee as a subcommittee of the Conservation Commission to the agenda of the 6/5/2017 meeting of the Conservation Commission. Mr. Shaw seconded and the motion passed 5-0-0.**

ADJOURNMENT-NEXT MEETING SCHEDULED FOR JUNE 5, 2017

MOTION: Mr. Holden moved to adjourn the May 15th meeting of the Conservation Commission. Mr. Shaw seconded and the motion passed 5-0-0.

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Respectfully submitted,

Melissa Shelley

Jim Hogan, Chairman

Patrick Hannon, Member



Andrew Gorman, Vice Chair



Russell Holden, Member



Lauren Steele, Clerk

Dale Bangma, Member



Jeffrey Shaw, Treasurer

Date