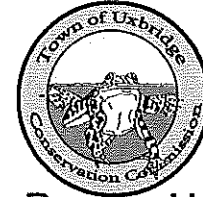


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



Conservation Commission Meeting Minutes
Monday December 4, 2017
Board of Selectman's Room, Uxbridge Town Hall

Received by
Uxbridge
Town Clerk

Present: Chair Andrew Gorman, Vice Chair Jim Hogan, Treasurer Russell Holden, Members Dale Bangma, and Conservation Agent Melissa Danza

Absent: Clerk Jeff Shaw & Member Rick Tobin

It being 6:40 pm, the meeting being properly posted, duly called and a quorum being present, the Chair called the meeting to order.

PUBLIC HEARINGS

1. **Notice of Intent (NOI), DEP#312-1039**, 620 Aldrich Street (Map 48, Parcel 4524) (00:00:49 – 00:22:28)
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: (*continued PH*) JP Connolly, Andrews Survey and Engineering, attended on behalf of the applicant. He distributed updated plans that reflected the changes to the construction method of the driveway from rock reinforced slope to the waste concrete block product (3'x3'x4'). Mr. Connolly recapped area disturbances: total disturbance is 19,700 sq. ft.; 19271 sq. ft w/in the 100' buffer; and 4105 sq. ft. within the 25' buffer. He stated the new road construction layout will lessen impact but not significantly. The applicant is open to a condition for Conservation Markers and after discussion members agreed on the following four (4) locations: (1) at the corner on the western edge, (1) at the closest point that the 25' comes to the house along the strip and (1) where it intersects with the building setback and (1) where the proposed limit of disturbance intersects with the northern boundary of the AT&T right of way. There was a brief discussion regarding available sizes of the concrete blocks what size would best maximize the available space.

Mr. Holden inquired how they plan to gradually develop this lot and what procedures and precautions are in place so wetlands are not disturbed during construction (a 12' wide roadway will be the only access to the site for construction vehicles, equipment etc.). He also inquired about the plans for the wetland soils. Mr. Connolly referred to the construction protocol and further explained the plan to start the road construction at Aldridge St. work their way in and this will become the construction road. He indicated that the stockpiles of wetland soils will be difficult to maintain so they may have to be hauled off site. Additionally, until they get over the second wetland crossing, there is not really anywhere to stockpile soils. ECBs will be in place around foundation for house construction. There was further discussion regarding the soils to be used in the replication area. Mr. Gorman noted that soils from the pocket close to Aldrich St. receive a lot of road run off may not be optimum for replication. There was further discussion of a few of the construction protocol items. Mr. Holden again emphasized his concerns about the amount disturbance w/in the 25' buffer and for the potential wetland related problems the future homeowner may face. All the changes will be reviewed by Graves Engineering. No members of the public commented.

MOTION: Mr. Hogan moved to continue DEP #312-1039 to the next meeting of the Conservation Commission. Mr. Bangma seconded and the motion passed by vote of 5-0-0.

2. **Notice of Intent (NOI), DEP #312-1054**, 0 Newell Road & 0 South Main Street (Map 25, Parcels 2065 & 4434) (00:22:30 – 00:43:25)
Applicant: ForeFront Power, LLC Representative: TRC Environmental Corporation
Project Description: Construction of a 4-megawatt ground mounted solar facility with work in bordering vegetated wetlands and associated buffer zones.
* Mr. Holden recused himself because he is an abutter.

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Discussion: (continued PH) Suzie Gifford, with TRC Environmental, attended on behalf of the applicant and provided members with revised plans; the phasing plan and the shading analysis and the comments and responses from Graves Engineering comprehensive storm water review. Ms. Gifford briefly reviewed the changes to the project based on those comments – storm water calculations revised, a storm water basin was removed, changes to a stone diaphragm, and more details added on the access bridge that crosses the wetlands and flood zone. She pointed out the changes on the plans and went over ECBs. The shading analysis was confusing – it does not include a key, tree heights are not noted and shade lines do not correlate with tree lines. Ms. Gifford attempted to clear up confusion as to what exactly is being removed and/or cut back for purposes of shading and to what height. She pointed out a strip of trees to be cleared for the installation of the fence. Members discussed adding a condition of uniform threshold of between 2-4' height and that shrubs are not cut down. Ms. Gifford pointed to the "existing conditions" page of the site plan for existing tree heights. There was also discussion about a condition to leaving an opening at the bottom of the fence for wildlife to pass through. Mr. Gorman mentioned is that Planning Board will begin their review of the project next week and members and the applicant agreed to continue discussion in case any other revisions arise. Art Allen the 3rd party reviewer for Graves reviewed TRC's responses and he did not have any further comments on the wetland side. Ms. Gifford also mentioned was that Mass DEP outlined that they are within Zone 2 well head protection area and they are conforming to all regulations – this was also mentioned in the Uxbridge Sewer Departments memo and Graves review. Mr. Gorman mentioned the SWPPP requirement portion Uxbridge Standard Special Conditions. No members of the public commented on the hearing.

MOTION: Mr. Hogan moved to continue DEP #312-1054 to the next regularly scheduled meeting of the Conservation Commission. Mr. Bangma seconded and the motion passed by vote of 4-0-0.

WETLAND UPDATES/ISSUES

** Mr. Holden returned to the meeting*

1. Certificate of Compliance, DEP #312-550, Taft Hill (00:43:55 – 01:00:40)
 - JP Connolly, Andrews Survey and Engineering, attended on behalf of the applicant. The OoC they are concerned with is for the road and detention basin. He reviewed the chronology of development of the area: Taft Hill Manor Subdivision was approved in 1999; in 2002 they received a 3 yr. extension to 2005; in 2004 Summerfields was constructed under OoC DEP #312-751; in 2007 Taft Hill Manor Site Plan Lot 2 was given denied by the Commission, superseded by DEP #312-851 but never constructed; ultimately another subdivision (Forrest Glenn), taking access off Taft Hill, has been approved and during due diligence for that they found the CoC. Mr. Connolly reviewed the original plan for the road and the basin as well as what was proposed on lot 2. He also provided the as-built plans for the Summerfields Project to address comments about what was constructed with the detention basin. He stated the basin was sized to handle a different project entirely but the details as to how it differs from what was proposed are not available.
 - **MOTION:** Mr. Hogan motion to issue a Certificate of Compliance with an invalid Order of Conditions for DEP #312-550 for Taft Hill as the work that was done on site was completed under DEP #312-751. Mr. Bangma seconded and motion passed by vote of 5-0-0.

** The agenda was taken out of order per request of the Agent to hear the newest OoC first DEP#312-984 Mountainview Rd.*

** Mr. Bangma recused himself from discussions regarding Mountainview Rd.*

2. Certificate of Compliance, DEP #312-984, Mountainview Road (01:00:44 – 01:24:47)
 - Mark Arnold, Goddard Consulting, attended on behalf of the applicant. He explained this OoC superseded an older one and was issued with a partial as-built already in hand. Eric Bazzett, Heritage Design Group, was the engineer who reviewed the OoC, the original plans and the as-built plans. Mr. Arnold reviewed the three items Mr. Bazzett noted were not completed on the first OoC; additional riprap should be added to the swales, extending of the swales up top, and that there is no gravel path or access to the detention basin. Mr. Arnold and members discussed how each of the issues was addressed. The special conditions required the recording of the SWPPP and the private road maintenance agreements have both been recorded and the page numbers are as follows: operation & maintenance agreement is Book 58049 Page 19 and the private road agreement is Book 53923 page 52. Mr. Arnold confirmed that the applicant would be agreeable to Conditions 38 and 41 would be ongoing. He also noted that they have been completing and submitting quarterly inspection reports to Mrs. Danza – the fall report is in progress.

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- Mr. Gorman mentioned his concern with the sedimentation on lots 4 and 5. Mr. Arnold responded that sediment that built up behind the wattles on lot 4. He concurred there is wash out down to the end on Lot 5 and it is under the OoC the lot. Mr. Gorman also noted his concern for the wetland at the base of the road on the west side. There was discussion concerning this being a private road and once a CoC is issued the road maintenance is up to the property owners. Mr. Arnold mentioned a fund that Hill Financial set up that homeowners will be contributed to annually for the purpose of road maintenance. Additionally, it was also brought up that the private road agreement is tied to the deed. Lots 4 and 7 have sold. Everyone agreed to send the first homeowners a copy of the Special Conditions via certified mail.
 - **MOTION:** Mr. Hogan moved to issue the Certificate of Compliance for DEP#312-984 for Mountainview Road with the added conditions (i) that the silt fence to the west of the roadway will be removed, (ii) the homeowners are given a copy of the conditions via certified mail w/in 30 days of the issuance, (iii) that Uxbridge Standard Special Conditions 38 and 41 and their subsections shall be continued in perpetuity and (iv) that the fall inspection maintenance report is completed and submitted to the Conservation Commission. Ms. Steele seconded and passed by vote of 4-0-0.
3. Certificate of Compliance, DEP #312-811, Mountainview Road (01:24:48 – 01:25:48)
- Mark Arnold, Goddard Consulting, attended on behalf of the applicant Hill Financial. This OoC had expired; it is the original NOI for the road that DEP #312-984 replaced.
 - **MOTION:** Mr. Hogan moved to issue a Certificate of Compliance for DEP# 312-811 noting the work was completed under DEP #312-984. Ms. Steele seconded and the motion passed by vote of 4-0-0.
4. Certificate of Compliance, DEP #312-890, Lot #7; 15 Mountainview Road (01:25:49 – 1:33:25)
- Mark Arnold, Goddard Consulting, attended on behalf of the applicant, Hill Financial. The property has been transferred to the new owner. Mr. Arnold reviewed the as-built plans and went over minor changes. Heritage Design provided a letter with the details of the changes and why they were made. Mr. Gorman drove by the site and agreed it was a better design and that it held up well all year.
 - **MOTION:** Mr. Hogan moved to issue a Certificate of Compliance for DEP #312-890 for Lot 7, 15 Mountainview Rd. Ms. Steele seconded and the motion passed by vote of 4-0-0.

REPORTED/ONGOING VIOLATIONS

** Mr. Bangma returned to the meeting*

1. Commerce Drive – Map 40, Parcels 3085 & 3086 (01:33:26 – 01:40:32)
- JP Connolly, Andrews Survey and Engineering, attended on behalf Cnossen Realty Trust to provide an update. The erosion controls were installed on 11/21/17 and they thought Mr. Salmon went above and beyond what they discussed. Surveyors have been to the site and he believes they are on track to have a plan ready by the 12/7 the deadline. Ecotec completed the delineation and he will forward the delineation report to the Commission. There was brief discussion about what further action may be required to stabilize the site and that a second visit will be helpful after the reports come in.

** Mr. Gorman recused himself from the following discussion due to possible involvement.*

2. 619 Quaker Highway (01:40:33 – 01:51:03)
- Kevin Powers, the owner attended the meeting. He had the property flagged and provided plans the Commission. Members agreed that plans for the current building are outside and their jurisdiction so no further action is required now. Members recommended installing an orange fence along the 100' buffer line, which is a good visual to help ensure construction does not spill over. Mr. Powers mentioned possible future construction on site such as a parking lot or an additional building and members briefly explained the RDA/NOI process and his next steps.

** Mr. Gorman returned to the meeting.*

3. 142 South Street (01:51:59 – 01:54:34)
- Members went over minor changes to the letter drafted & reviewed by Town Council.
 - **MOTION:** Mr. Hogan moved to approve the sending of the Council amended letter and remove 142 South Street from the agenda unless new issues are brought forward. Mr. Holden seconded and the motion passed by vote of 5-0-0.

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4. 9 & 19 Balm of Life Spring Road (01:54:35 – 01:55:13)
 - Status same as prior discussion with the exception that Board of Health is doing their own inspection in coordination with the Zoning Enforcement Officer.
 - Mr. Hogan moved to send the Council amended letter 9 and 19 Balm of Life Spring Road and remove from agenda unless new enforcement action is need on those sites. Mr. Holden seconded and the motion passed by vote of 5-0-0.
5. General discussion regarding erosion control within active sites (01:55:14 – 02:03:53)
 - Mr. Gorman visited to Mountainview and discussed some of the issues to Mr. Arnold, during the Mountainview CoC requests. He noted the wattle was replaced and it looked like they did a little work on Lot 4. Members briefly discussed the issues at Crownsheld and Ms. Steele provided some photographs of blocked storm basins and left over construction materials. Mr. Holden also recommended bringing it to the attention of the Planning Board (PB) due to their authority over storm water management. It was also mentioned that the EPA has the general permit. Mr. Gorman agreed to draft a letter to the PB chair and members agreed to continue to review active sites.
6. 77 Industrial Drive (not on the agenda) (02:03:54 – 02:04:28)
 - Mr. Holden asked to see it on the agenda until its resolved and Mr. Gorman agreed to add it.

PROCESSING

- 11/20/17 Minutes (02:04:29 – 02:07:04)
 - **MOTION:** Mr. Hogan moved to approve the 11/20/17 meeting minutes with the amendments discussed during the meeting. Mr. Bangma seconded and the motion passed by vote of 5-0-0.

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

- Consider adopting a policy for Amended Orders of Conditions (02:07:05 – 02:13:20)
 - There was a final review of the guidelines document and a couple minor amendments agreed upon.
 - **MOTION:** Mr. Hogan moved that the Commission to approve the Guidelines as amended on 12/4/17. Ms. Steele seconded and the motion passed by vote of 5-0-0.

ADJOURNMENT-NEXT MEETING SCHEDULED FOR DECEMBER 18, 2017

- Mr. Hogan moved to adjourn the December 4th meeting of the Conservation Commission. Mr. Bangma seconded and the motion passed by vote of 5-0-0.

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Respectfully submitted,
Melissa Shelley



Andrew Gorman, Chairman




Jim Hogan, Vice Chair



Lauren Steele, Member

Rick Tobin, Member



Date



Jeffrey Shaw, Clerk



Russell Holden, Treasurer



Dale Bangma, Member