



TOWN OF UXBRIDGE
CONSERVATION COMMISSION
21 SOUTH MAIN STREET
UXBRIDGE, MASSACHUSETTS 01569
508-278-8600, x 2013

Posted by
Uxbridge
Town Clerk

MEETING MINUTES
December 19, 2011

JAN 11 '12 PM 2:00

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

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, December 19, 2011**, at 7:00 P.M. in the Lower Town Hall room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:

Conservation Commission Board Members Present: Russell Holden, Dave Lewcon, Larry Lench, Tracy Tibedo and Michael Potaski.

Others present: Donna C. Hardy, Conservation Commission Administrative Assistant

It being 7:00 pm, the meeting being properly posted, duly called and a quorum being present, Chairman Holden called the meeting to order.

OLD BUSINESS: Public Hearings ~ none

Violations/Potential Violations:

89 Johnson Road (Map 48, Parcel 1426) – No response from the homeowner or MA-DEP, discussions shall continue to the next scheduled meeting.

Albee Road (Map 40/41, Parcels 2432, 1694, 2466/1743) – Discussions on these parcels were continued from the December 5, 2011 meeting. On December 3rd, Commissioner Holden and Commissioner Potaski did a site visit for #4, 13 & 20 Albee Road and #672 Millville Road. Discussions and areas of concerns included what the restrictions were for the Wetlands Protection Act, what the Commission has for jurisdiction on the stream, if the stream is perennial vs. intermittent and which direction the pipes to the north and south of 4 Albee Road are connected to.

20 Albee Road (Map 41, Parcel 1743) – Discussions and areas of concern included an issue with the 25-foot setback policy that has not been abided by, dozens of small saplings removed along the river. On February 16, 2011, a Memorandum of Understanding was mailed to the property owners under Restoration Procedure – No further fillings or yard waste shall be placed within 25' (twenty-five feet) of the buffer zone. Following discussion, **MOTION** by Commissioner Lench to issue an Enforcement Order to 20 Albee Road in Uxbridge including the following information: To keep 25 foot setback per 2/16/11 MOU letter; provide a stormwater management apparatus for the repair of the barn, alternate analysis or complete removal of landscaping material and a restoration plan for the small saplings cut. Seconded by Commissioner Lewcon, the motion carried unanimously.

4 Albee Road (Map 40, Parcel 2432) – Discussions and areas of concern included the current debris (trash and pallets) in the wetlands area and if any of the pallets in the wetlands area are altering the wetlands. Following discussion, **MOTION** by Commissioner Lench to issue an Enforcement Order to 4 Albee Road in Uxbridge including the following information: No disturbance on the north and south

side of the pond; to keep 25 foot setback with having all the materials (debris) removed; restoration of conditions previous to landscaping; naturalize, non-maintain, allow to stabilize and allow vegetation to plant in the swale. Seconded by Commissioner Lewcon, the motion carried 4-0-1.

672 Millville Road (Map 40, Parcel 1661) - Discussions and areas of concern included the sediment pond/catch basin on the property that appears to not be handling the amount of water on site and trees & stumps removed within the buffer zone.

Mr. DJ Salmon, resident at property came forward and explained that one tree was removed because it was falling down and had become a safety issue. Following discussion, **MOTION** by Commissioner Lench to defer action and continue discussions for 672 Millville Road until the next meeting on January 3, 2012, to research stormwater management concerns. Seconded by Commissioner Tivedo, the motion carried unanimously.

127 Douglas Pike (Map 52, Parcel 1575) – No new information or response from homeowner, discussions shall continue to the next scheduled meeting.

72 East Hartford Avenue (Map 12A, Parcel 2118) – Ms. Noreen Gillen, resident at property came forward to discuss. In August 2011, Hurricane Irene caused damage on her property. A tree collapsed, fell into the water and knocked down the retaining wall. Discussions and areas of concern also included that the lawn will be re-seeded in the spring 2012, hay or jute mats will be placed down to stabilize the soil and discoloration caused by retaining wall being cemented. The Commission confirmed a letter will be sent to the resident of agreed upon details for mitigation at this parcel.

Other:

Uxbridge Wetlands Bylaw – **MOTION** by Commissioner Lench to move discussions to the next scheduled meeting on January 3, 2012. Seconded by Commissioner Potaski, the motion carried unanimously.

NEW BUSINESS:

Violations/Potential Violations:

340 East Hartford Avenue (Map 7, Parcel 3614). – On December 14th, the Conservation Commission office received a call indicating of a potential violation on this property. It appears that the property owners cut a minimum of 5 trees along the banks of the Rice City Pond (Blackstone River), located behind their property. Work has already occurred, but stumps haven't been removed as of yet. Commissioner Holden recently did a site visit on the property. Mr. Arnold Patella informed the Commission that the trees were removed due to the possibility of damage to the house; which was caused by the recent snowstorm on October 30, 2011. Mr. Patella indicated that the stumps are still on the property and will not be removed. Mr. Patella informed the Commission that he will be planting 10 crab apple tree saplings (received from the Arbor Day Tree Foundation) in the spring 2012. Following discussion, **MOTION** by Commissioner Potaski to issue a Memorandum of Understanding letter to the resident of the agreed upon details for mitigation for 340 East Hartford Avenue concerning the planting of the saplings. Seconded by Commissioner Lewcon, the motion carried unanimously.

MOTION by Commissioner Tivedo to take “**Pout Pond**” out of order to discuss. Seconded by Commissioner Lewcon, the motion carried unanimously.

Other:

Pout Pond – No new information to discuss.

MINUTES:

MOTION by Commissioner Tibedo to continue discussions for the Conservation Commission Meeting Minutes for November 7th and November 21st, until the next scheduled meeting on January 3, 2012. Seconded by Commissioner Lench, the motion carried unanimously.

Any other business which lawfully comes before the Commission:

Wetland area signs – Commissioner Holden reviewed a few companies' price quotes. Commissioner Potaski advised there may be an issue with having signs placed in Uxbridge; however Conservation Commission's may be exempt from Federal and State laws. The Commission requested the Uxbridge Department of Public Works be contacted for their comments.

DEP #312-916, Triumvirate Environmental, Inc., 146 Mendon St (Map 19, Parcel 3621) – At the previous meeting on December 5, 2011 a motion was not made for this Amended Order of Conditions. **MOTION** by Commissioner Potaski to close the Public Hearing for **DEP #312-916, Amendment to Order of Conditions, Triumvirate Environmental Inc., 146 Mendon Street** to issue an Amendment to the Order of Conditions and to include two (2) Special Conditions: 1) MOU issued 11/16/11, deadline of extension of work until 11/18/11. 2) Continue to provide erosion control structures. Seconded by Commissioner Lewcon, the motion carried unanimously.

170 Hecla Street (Map 25, Parcel 2442) – Commissioner Potaski recently did a site visit on the property. It appears that several trees have been removed and a cut was made through the hill to allow passage of equipment. The surface is a clay-type material. Commissioner Potaski noticed burning had been done on the property, however the burning was not done near the pond. There are no indications of wetland boundary lines or wetland delineation on the property. The Commission received a letter from an abutter to the property and will be addressing the abutter's concerns. Discussions shall continue to the next scheduled meeting.

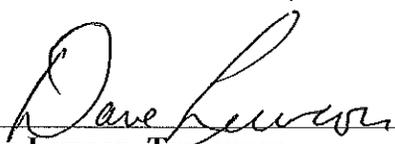
MOTION by Commissioner Lench to adjourn the meeting at 9:06 P.M. Seconded by Commissioner Potaski, the motion carried unanimously.

Respectfully Submitted by Donna C. Hardy, Conservation Commission Administrative Assistant.

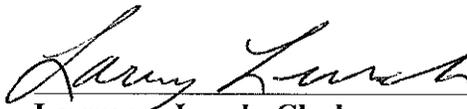


Russell Holden, Chairman

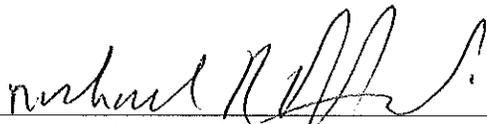
Vice-Chair (vacant)



Dave Lewcon, Treasurer



Lawrence Lench, Clerk



Michael Potaski, Member



Tracy Tibedo, Member

1/3/2012

Date