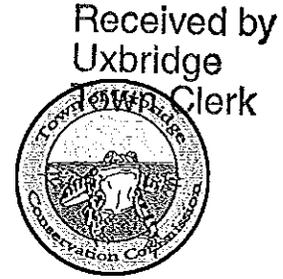


Town of Uxbridge
 Conservation Commission
 21 South Main Street
 Uxbridge, Massachusetts, 01569
 508-278-8600, x 2013 and x 2020



Conservation Commission Minutes
 January 22, 2013
 7:29 - 10:17 PM

*Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA
 Please note some items may have been taken out of agenda order.*

Conservation Com. Present: Russell Holden (Chair), Dave Lewcon, Larry Lench, Mike Potaski

Conservation Commission Absent: Tracy Tibedo,

Commission Staff Present: Jennifer Steel, Conservation Agent

It being 7:29 pm, the meeting being properly posted and duly called, and a quorum being present, Chairman Holden called the meeting to order.

TAKEN OUT OF ORDER (Motion: Mike Potaski, Second: Dave Lewcon, **Vote:** Unan.)

- **865 Quaker Hwy, Evergreen Development, proposed asphalt plant:** Jennifer Steel noted that subdivision plans had been filed with the Planning Board and that the applicant's representative (Steve O'Connell of Andrews Survey and Engineering) noted that the application was simply to "freeze the zoning". Steel reiterated that commission jurisdiction was triggered only if development was to take place within 100 feet of the wetland or within 200 feet of a river, or if an activity caused an alteration of a jurisdictional area. Members of the public asked questions and made statements about the parcel and the proposal for an asphalt plant. Michael Kling, of the South Uxbridge Community Association expressed concerns about the proposed asphalt plant and asked what input the Commission had had into the permitting process. Richard Roberge asked about town liability in the event of a spill into the wetland since Mr. Bevilaqua's had stated that all his assets were held in a trust. Suzanne Dauphin read her letter regarding concerns for the health of high school students and teachers, and concerns that no testing is being required of Evergreen.
- **Gretchen Duffield passed away** – Mike Potaski requested a moment of silence for this important advocate for conservation, former chair of the Commission, who gave more than a decade's worth of service to the Town of Uxbridge on conservation issues.

ACTIVE WETLAND CASES

- **DEP #312-xxx, NOI, Bedrock Crossing, LLC at 79 River Road (Map 45, Parcel 1345)**
 - **Applicant:** Jason Tetrault, **Engineer:** Andrews Survey
 - **Proposal:** Install piping for roadway drainage.
 - **Update:** Applicant requested a withdrawal, in anticipation of submitting a new NOI.
 - **Motion:** accept withdrawal. (Moved: Dave Lewcon, Second: Mike Potaski, **Vote:** Unan.)
- **Notifications/Updates**
 - **OOC 312-947, 104 East Hartford Ave., Larkin Building**
 - Mike Potaski recused himself.
 - **Update:**
 - Spillway is being excavated and developed.
 - Dewatering process is being tested (sand has been placed with Jennifer Steel's approval) behind the upstream coffer dam in an attempt to improve the seal. Water is still leaking

around the coffer dam. Russ Holden noted on Sunday that dewatering discharge, though clear, was over-topping the wattles around the catch-basin. Jennifer Steel noted that despite a phone call and an email requiring removal, the sand bags still in place in the "receiving pool" (on private property and outside the approved limit of work.

- **Appeal from Attorney Flynn (for Uxbridge Housing Associates) was received today at 5pm.**
- **Motion:** Issue a Cease & Desist on all site work until sandbags have been moved to be on the applicant's property and in compliance with the plan. Note in a cover letter that if a solution mutually agreeable to DPW and an agent of the commission is reached, the Cease & Desist can be lifted by an agent of the Commission. (Moved: Larry Lench, Second: Dave Lewcon, **Vote:** Unan.)
- Mike Potaski reinstated himself.
- **Letters have been sent:** 40 Gary Lane, 947 Millville Road, 25 Brandy Lane as requested at the 12/17/12 meeting.

VIOLATIONS/POTENTIAL VIOLATIONS

• 170 Hecla St.

- **Update:** Jennifer Steel noted findings by Russ Holden and Jennifer Steel on a recent site visit. Primary concerns are (1) lack of limit of work flagging, (2) intrusion at "corner" where sewer easement turns nearest to the river, (3) lack of sediment controls. Jennifer Steel noted that the owner, Gary Vecchione stated in a phone conversation today that he would not attend tonight's meeting, and that he did not intend to survey locate limit of work flags on site, due to the anticipated expense.
- **Discussion:** Dave Lewcon stated that on a large and complex site, watched by neighbors, things need to be well-defined, or problems can ensue and Commission time can be taken up needlessly, so the site should be flagged by a professional surveyor.
- **Motion:** Issue an EO requiring from today's date: (1) Immediate Cease & Desist on all "alterations" (as defined in the Wetlands Protection Act) within Commission jurisdiction until the following conditions are met. (a) A site visit by an agent(s) of the commission to confirm commission's concerns within 2 weeks. (b) Immediate sediment controls for open areas if/as needed. (c) Approved limit of work delineated in the field by a licensed surveyor within 60 days (to accommodate bad weather). (d) Submission of a restoration plan for any encroachments the Commission confirms at the site visit. (e) Installation of sediment fence as per the approved plans within 60 days. (f) Restoration as per the approved restoration plan will need to occur on before June 15, 2013 to be considered satisfactory. (Moved: Larry Lench, Second: Dave Lewcon, **Vote:** Unan.)

• Notifications/Updates

- **4 Dutch Hill Rd., Brian Vanderzicht** – Jennifer will attend a meeting at DEP 1/23/13 8:30 to address the violation and Mr. Vanderzicht's interests in working on the property.

- **Draft memos:** discuss draft language. No progress has been made to date.

PROCESSING

- **Minutes, January 7, 2012.** **Motion:** Accept minutes as amended. (Moved: Larry Lench, Second: Dave Lewcon, **Vote:** 3:0:1.)
- **Documents to be Considered for Signature**
 - **COC request, DEP #312-125, 217 River Rd (Map 45, Parcel 4066),** Construction of a street access drive w/ utilities, drainage and grading for work w/in bordering vegetated wetlands. **Motion:** Issue a partial COC for the subject lot. (Moved: Larry Lench, Second: Dave Lewcon, **Vote:** Unan.)
 - **COC request, DEP #312-425, 217 River Rd (Map 45, Parcel 2066),** Construction of a building, driveway, well & sewer w/in 200' riparian zone. **Motion:** Issue a full COC noting that sewer was never installed. (Moved: Mike Potaski, Second: Dave Lewcon, **Vote:** Unan.)

- **COC request: DEP #312-471, 31 Giacomo Way, New house.** Site visit by Russ Holden and Jennifer Steel revealed no wetlands, so no apparent violation. **Motion:** Issue a COC. (Moved: Mike Potaski, Second: Larry Lench, **Vote:** Unan.)
- **COC request, DEP #312-874, High St/Douglas St/Snowling St.,** Transmission main. **Motion:** Issue a COC, to be held until sediment barrier has been removed. (Moved: Dave Lewcon, Second: Mike Potaski, **Vote:** Unan.)
- **COC request, DEP #312-877, 227 High St (Map 24C, Parcel 4363),** Water storage tank. **Motion:** Issue a COC, to be held until sediment barrier has been removed. (Moved: Larry Lench, Second: Mike Potaski, **Vote:** Unan.)
- **COC request, DEP #312-920, 308 Quaker Hwy (Map 35, Parcel 4474),** Construction of a 40'x34' water pump station & appurtenances, approximately 1700 linear feet of c-c water main & appurtenances, approximately 1700 linear feet paved bituminous concrete access road & approximately 1700 linear feet overhead electrical lines associated w/ approved public water supply well at Rosenfeld site. **Motion:** Issue a COC, to be held until sediment barrier has been removed. (Moved: Mike Potaski, Second: Larry Lench, **Vote:** 2:1:0.)
- **Douglas St/Snowling St.,** Jennifer Steel will send letters the abutter and the town about rectifying and stopping future dumping near the stream.
- **Potential new member** – talent bank form has been received. Russ Holden would like candidates to present to the CC so the CC can get to know the candidate and make a recommendation to the appointing authority.
- **Annual Report** – Edits were discussed, focusing on the need to highlight conservation parcels including Pout Pond, Peaceful Pond, Legg Farm, and Rivulet Street. Members will send suggested edits to Jennifer Steel and Donna.

CONSERVATION LAND

● Pout Pond

○ Update

- Gate is being maintained (parking lot may even get plowed). People are walking and going on ice.
- Uxbridge Senior Center will arrange for 3 work-off volunteers to serve as “hosts” again this year.
- PPA committee is still meeting regularly. Recent discussion items include: goals for the summer (swimming, life guards, workamper, ...), garnering a food permit, consideration of a sign at the road, trash pick up, wages for lifeguards, insurance, coordination with Mendon Recreation Department for administration of swimming lessons, and the donation of \$500 from the Uxbridge Cultural Council for craft making events.
- **Management Plan** – Jennifer Steel noted the need for a clear and concise document to allow efficient administration, and to provide to the public as proof of good stewardship.
- **Fishing Derby** – Pout Pond was stocked for the first time in many years last year and will be again this year (usually when the West River is stocked). Final edits on the flier are due to Dave Lewcon and Russ Holden by Thursday eve. **Motion:** to approve the Derby (Moved: Larry Lench, Second: Mike Potaski, **Vote:** Unan.)
- **Cottage** – No progress can occur until the RFP is issued and a contract signed. Dave Lewcon and Russ Holden will send David Genereux a list of desired services to include in the RFP.

● Legg Farm

- **Update:** Near Meadow Road a 4' section of chain-link fence has been removed or rolled back. Fence is right on property line, so it is likely owned by the Conservation Commission, since it was required of the developer to protect Legg Farm. Dumping and ATV and dirt bike damage are apparent. The Commission has owned the land for 12 years. There are 3 CRs (2 parcels near the river have CRs held by BRWA; the parcel in question has a CR held by DCR that restricts motorized vehicles). Dave Lewcon will find copies of the CRs.

- **Actions needed:** (1) patch hole in fence (Dave Lewcon will attend to this), (2) call North Smithfield Fence to get estimate for fence repairs (Dave Lewcon will attend to this), (3) draft letter to abutters notifying them of the prohibitions on dumping (Jennifer Steel will attend to this), (4) install signs indicating ownership and restrictions, (5) begin planning for a maintenance plan and a support system (Advisory Committee and/or Conservation Fund)

ADDRESS IF/AS TIME ALLOWS

- **Special land management meetings** (to address non-wetlands protection act issues, such as a Pout Pond Management Plan, Legg Farm Management Plan, and the Open Space and Recreation Plan). First meeting will be on 2/11/13. Jennifer Steel will work with Russ Holden to create an agenda.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- **LID workshop in Mendon** on 1/28 was noted.
- **TTOR invitation to Cormier Homestead** to discuss cooperative land protection/management efforts on 2/5 was noted. Russ Holden and Dave Lewcon will try to attend.
- **Online training for updating PB Conservation Design Regulations** was noted – Russ Holden will send out the link to everyone.
- **Money** is available for someone to attend the MACC annual conference if they haven't in the past – consider for the Commission new member.
- **Question about a possible filing** – Commissioners asked Jennifer Steel to make a site visit to the subject site (32 Cross Rd.) and determine whether it appeared to be a project that would require special conditions, and therefore an NOI.

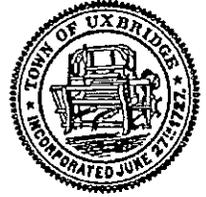
ADJOURN 10:17pm. Motion to adjourn. (Moved: Larry Lench, Second: Mike Potaski, **Vote:** Unan.)

Respectfully submitted,

Uxbridge Conservation Commission



TOWN OF UXBRIDGE
 CONSERVATION COMMISSION
 21 SOUTH MAIN STREET
 UXBRIDGE, MASSACHUSETTS 01569
 508-278-8600, x 2013 or 2020



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Respectfully submitted by Ms. Jennifer Steel, Conservation Agent

 Russell Holden, Chairman

David Lewcon

David Lewcon, Treasurer

Michael Potaski

Michael Potaski, Member

 Vice-Chair (vacant)

Lawrence Lench

Lawrence Lench, Clerk

Tracy Tibedo

Tracy Tibedo, Member

2/19/13 Date

