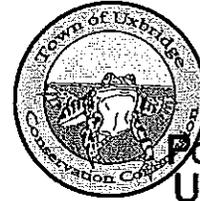


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, Massachusetts, 01569
508-278-8600, x 2013 and x 2020



Posted by
Uxbridge
Town Clerk

Conservation Commission Minutes
February 19, 2013
7:03 - 10:30 PM

MAR 06 '13 PM 05:33

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, Tracy Tibedo

Conservation Commission Absent:

Commission Staff Present: Jennifer Steel, Conservation Agent

It being 7:03 pm, the meeting being properly posted and duly called, and a quorum being present, Chairman Holden called the meeting to order.

ACTIVE WETLAND CASES

• OOC 312-948, 40 Gary Lane (Map 48, Parcel 3257)

- Applicant: Brian Prince
- Proposal: Seeking permission for a cabana, fence, and lawn expansion – after the fact.
- Discussion: One prior order covered the house, another prior order covered the pool. The cabana, fence, and lawn were never properly permitted. The pool, cabana, fence, and lawn expansion were installed at the same time (2001). The wetlands setback policy was enacted on Nov., 2002; so this unpermitted activity pre-dates the policy and would have been permissible.
- Jurisdiction
 - In an area subject to protection: Buffer zone to BVW
 - Activity: filling, grading, clearing
 - Will alter the wetland?: No.
- Proposed Special Conditions: No herbicides or pesticides in the 25 foot buffer zone.
- Motion to issue an OOC with limited conditions for the after the fact filing (Mike Potaski); **Second** (Dave Lewcon); **Vote: 3:1:1**

• RDA FY13-06, 32 Cross Road (Map 17, Parcel 4838)

- Applicant: Janice Martin
- Proposal: Replace existing single family residence cesspool with septic system.
- Update: The flagged wetland is 67' from the work. All work is in established lawn with shallow grades. New septic system will improve groundwater quality.
- Jurisdiction
 - In an area subject to protection: Buffer zone to BVW
 - Activity: excavation and minimal fill.
 - Will alter the wetland?: No.
- Proposed Special Conditions: Sedimentation control staked as per plans, pre-construction site visit.
- Motion to issue a **Negative 3** with conditions (Tracy Tibedo); **Second** (Larry Lench); **Vote: unan.**

VIOLATIONS/POTENTIAL VIOLATIONS

- **OOO 312-938, 170 Hecla Street** – Russ Holden has not been contacted. Jennifer Steel will ask for a site visit.
- **OOO 312-947, 104 Hartford Ave. East, Larking Building**
 - Mike Potaski recuses himself
 - Updates by Jennifer Steel
 - Allegations of MRCT digging out “spillway” on 2/5/13. Police report was filed. Site visit could not confirm digging.
 - Dewatering pumps and hoses have been removed. Cofferdams are still in place. Ron Anger told Jennifer Steel all work was complete.
 - DEP was waiting for request for stay of appeal, but will schedule a site visit and a “stop work”.
 - DEP says ConCom can issue an EO for any unpermitted work (the OOO is in abeyance).
 - Neal Mitchell, Structural Engineer
 - Presenting “at request of Sean Hendricks” after meeting w/ state building inspector who “agreed that free water should not be allowed under the building”. Neal has responsibility under “construction control” -- Phases: (1) repair footings (250 bags of secrete have been used), (2) support exterior walls over sluiceway, (3) repair brick face walls.
 - Neal received verbal approval for sandbags, then got written approval on Feb 4, 2013 (never submitted that approval to the ConCom).
 - Stated that there is 2’ of sediment in the sluiceway (note: documents identify 4’ of sediment).
 - BETA’s drawings (said by Neal to be “contract drawings ready to be funded”, but identified by DPW as “preliminary” and “on hold”), show the water going north under the road.
 - Neal is now anticipating a 12” flat pipe.
 - Neal feels the Cease & Desist put the building at risk. (Russ Holden noted that it was that the applicant starting work before the appeal period had elapsed)
 - Paul Hutnak, Civil Engineer, noted DEP suggested E-Cert to place sand plug & sandbags and dewater.
 - **Motion** issue E-Cert (Larry Lench); **Second** (Tracy Tibedo); **Vote:** unan.
 - Mike Potaski reinstated himself.

OTHER BUSINESS TAKEN OUT OF ORDER. Motion to take issues out of order to accommodate the “applicants” (Tracy Tibedo); **Second** (Mike Potaski); **Vote:** unan.

- **Ross Smith, Brownbear Crossing** developer asks: Would the Commission consider a wetland crossing, rather than the by right development near the street? Commission requested a comparison of amount of disturbance for each scenario.
- **COC request, 312-434, 35 Balm of Life Spring Rd:** Drive In Self Storage, 3 storage buildings
 - Site visit was done, all was in order (the entire lot is pavement or rooftops).
 - **Motion** issue complete COC (Larry Lench); **Second** (Mike Potaski); **Vote:** unan.
- **COC request, 312-474, 40 Gary Lane:** Brian Prince, house and septic
 - Site visit was done when researching 312-575 – all was stable and fine
 - **Motion** issue complete COC citing ongoing condition of limited use of fertilizers and pesticides (Tracy Tibedo); **Second** (Mike Potaski); **Vote:** 4:1:0.

CONSERVATION LAND

- **Pout Pond**
 - **Motion:** Table discussion pending an opinion about forming “special committee” from Town Administrator (Tracy Tibedo); **Second:** Mike Potaski; **Vote:** 3:2:0

- The Commission would like to appoint these 7 positions (7 people are interested and involved). Talent Bank forms will be circulated. Note: The committee would have to meet OML, maintain minutes, report regularly to ConCom, etc.
- Charge for the special committee was discussed.
 - Running the snack shack
 - Running the swimming program and life guards
 - Overseeing Work Camper
 - Implementing parking and passes
 - Craft Program (Cultural Council grant)
 - Sponsorship
- Charge for Work Camper – (Committee hopes a couple, the Smiths, will come for the summer)
 - Water testing
 - **Motion:** to authorize Tracy to call the Smiths and offer a travel stipend (of up to \$500 from Pout Pond fund, receipts based), payable second week in August from Donation Fund (Larry Lench); **Second** (Mike Potaski); **Vote:** unan.
- Progress
 - Sponsors for swim program solicited – they will receive recognition at Pout Pond, on local access TV, and on Facebook.
 - Annual work plan or operator’s manual is underway.
- Necessary initiatives
 - Russ and Dave will get list of “cottage caretaker” responsibilities to David G. A certificate of occupancy will be procured before residency begins.
 - Install signs/fences to protect bog, a popular high use area, where endangered species lives.

PROCESSING

• **Documents to be Considered for Signature**

- **Motion to approve Minutes, February 4, 2013** (Larry Lench); **Second** (Mike Potaski); **Vote:** 4:0:1
- **Motion to approve Minutes, February 11, 2013.** Larry Lench, Mike Potaski 4:0:1
- **Minutes 1/7 and 1/22 signed** (they were voted as approved at prior meetings)
- **Bill for Pout Pond water and sewer (\$150.28)** was not approved. The ConCom wanted to know why it is not receiving quarterly bills that reflect usage?
- **Bill for Pout Pond electricity (\$20).** **Motion to approve** (Larry Lench); **Second** (Mike Potaski); **Vote:** unan.
- **Bill for office supplies (\$32.94).** Ask Donna to get approval prior to ordering. **Motion to approve bill** (Tracy Tibedo); **Second** (Larry Lench); **Vote:** unan.
- **COC for 312-928, Algonuin Gas line work on River Rd.** **Motion to approve COC as “never commenced”** (Larry Lench); **Second** (Mike Potaski); **Vote:** unan.

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

- **Spring Annual Town Meeting Warrant articles due 3/7/13.** Submit ideas to Jennifer Steel asap.

Motion to Adjourn (Larry Lench); **Second:** (Mike Potaski); **Vote:** unan.

Respectfully submitted, Uxbridge Conservation Commission



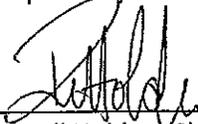
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Conservation Commission Meeting Minutes

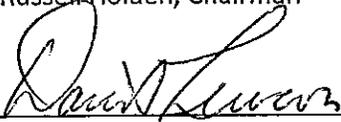
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Respectfully submitted by Ms. Jennifer Steel, Conservation Agent

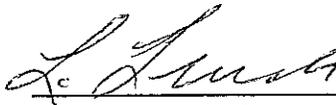


 Russell Holden, Chairman

 Vice-Chair (vacant)



 David Lewcon, Treasurer



 Lawrence Lench, Clerk

 Michael Potaski, Member

 Tracy Tibedo, Member

_____ 3/5/13 _____ Date