

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
Monday, April 1, 2013
7:00 - 9:50 PM

MAY 08 '13 PM 01:39

*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), Larry Lench, Mike Potaski, Tracy Tibedo
Conservation Commission Absent: Dave Lewcon,
Commission Staff Present: Jennifer Steel, Conservation Agent

ACTIVE WETLAND CASES

1. NOI 312-950, Marywood St. (at stream crossing)

- A. Applicant: Uxbridge DPW. Engineer: BETA
- B. Proposal: Reconstruct culvert and 100 feet of associated road and realign utilities.
- C. Presentation: Mark Gershman (BETA)
 - i. Added by-pass dam on plans
 - ii. Added siltation fence across stream (there is insufficient flow for a boom) on the plans
 - iii. Indicated that disturbed areas will be loamed and seeded with wetland mix on plans
 - iv. Submitted specifications as requested (SP 1-7)
- D. Discussion:
 - i. Specifications were amended in a few places
- E. Motion (Tracy Tibedo): to issue standard OOC along with requirements for: (1) work to be done during period of low flow, (2) silt fence and straw wattles to be used as perimeter sediment controls, (3) amended specifications (as discussed), (4) additional plans to be submitted to the Commission for prior review and approval (dewatering, demolition, bypass pumping, streambed restoration), and (5) a site visit prior to construction. Second: Larry Lench; Vote: unan.

2. NOI 312-951, 63 Homeward Ave (map 18A, parcel 1497) and 312-952, 67 Homeward Ave (map 32, parcel 1465)

- A. Applicant: Elizabeth Thompson. Engineer: Andrews Survey and Engineering
- B. Proposal: Construct duplex and associated appurtenances, site work, and utilities.
- C. Presentation: Paul Hutnak (Andrews Survey)
 - i. Site walk was held with members of the Commission
 - ii. Compensatory storage will be like a swale. FEMA map shows flood elevation as 238'.
 - iii. The project is staying outside the 25' buffer zone
 - iv. They have added to the plans, as requested: stockpile areas, 4 posts identifying no disturbance area
 - v. They have asked to be allowed to hand pull out old metal and invasive species.
- D. Motion (Tracy Tibedo): to issue standard OOC along with requirements for: (1) sign on lot line between duplexes saying "flood area, do not fill, per conservation Commission", (2) sign indicating Restricted Conservation Area to say "per Conservation Commission", (3) all posts to be anchored; Second: Larry Lench; Vote: unan.

VIOLATIONS/POTENTIAL VIOLATIONS

3. **OOC 312-938, 170 Hecla Street – an update**
 - A. The OOC was issued for new agriculture (the site was not in agriculture, seeking an exemption)
 - B. EO conditions as of 3/27/13 site visit by Jennifer Steel and Russ Holden: (1) site visit with agent (done), (2) install sediment controls (not done), (3) flag LOW (not done), (4) restoration (due to be done by 6/15/13).
 - C. During the site visits, Jennifer and Russ allowed the owner to install silt fence instead of straw wattles and required LOW to be staked/flagged.
 - D. Russ Holden noted that the Cease and Desist (issued as part of the EO) applies to all land in CC jurisdiction.
 - E. Tracy Tibedo noted that fines and enforcement from DEP should be pursued. Jennifer Steel will make a site visit and draft a memo and attach a plan for DEP.
4. **OOC 312-947, 104 Hartford Ave., East, Larking Building – an update**
 - A. E-Cert has expired with no apparent action having been taken under it.
 - B. Superseding OOC from DEP is due soon.
 - C. Sewer line remains flooded at the “emergency spillway”. Jennifer Steel has alerted DPW.

CONSERVATION LAND

5. **Pout Pond – an update**
 - A. Am. Red Cross representative described ARC swim program. No raft needed, minimal cost to be certified.
 - B. Russ Holden is applying to BOH for permits for swimming beach and food service.
 - C. 3 talent bank forms are in, Russ Holden is waiting for 4 more.
6. **Legg Farm and Pout Pond – an update**
 - A. Dave Lewcon and Russ Holden walked the fences and identified 3 areas of concern
 - i. Area that has been cleared and used for brush and driving – demarcation of property line is needed.
 - ii. 30’ of fence rolled back for some pedestrian and bike access – new fence is needed
 - iii. Pout Pond, near ball fields, fence can be reattached to posts. One owner cut fence to allow sled run.
7. **Invitation to walk parcels and CRs – draft invitation.**
 - A. Invitation was approved as is. Jennifer Steel will send out invitations for a walk at BJ’s CR on Monday April 8th at 6:00 pm. Meet on 146A, just pass BJs, in pull-off.
8. **Land Use Regulations – latest draft – discussion and vote postponed until 3/16/13 meeting.**

PROCESSING

9. **Documents to be Considered for Signature**
 - A. Minutes March 5: vote postponed until appropriate members are present
 - B. Minutes March 11: vote postponed until appropriate members are present
 - C. Minutes March 18, 2013: Motion (Mike Potaski): to accept as amended; Second (Larry Lench); Vote: 3:0:1.
 - D. Bill Pout Pond cottage electricity (\$46.72): Motion (Tracy Tibedo) to pay; Second (Larry Lench); Vote: unan.
 - E. Bill WT&G legal ads (\$185.72): Motion (Tracy Tibedo) to pay; Second (Larry Lench); Vote: unan.
 - F. COC 312-575 40 Gary Lane: Motion (Tracy Tibedo) to issue complete COC; Second (Mike Potaski); Vote: unan.
 - G. COC 312-948 40 Gary Lane: Motion (Tracy Tibedo) to issue complete COC; Second (Mike Potaski); Vote: unan.
 - H. OOC 312-872, 67 Homeward Ave: Motion (Tracy Tibedo) to issue “never-commenced” COC; Second (Mike Potaski); Vote: unan.
 - I. OOC 312-950, Marywood St. culvert -- sign
 - J. OOC 312-951, 63 Homeward Ave. -- sign
 - K. OOC 312-952, 67 Homeward Ave. -- sign
10. **Budget Discussion – DOR Guidance --** In the past CC voted to pay part of Donna Hardy’s salary from WPA funds. Town Manager indicated Conservation Agent’s position would be split 50/50 WPA and budget line item and is due to let the Commission know how things will be resolved. Dept. of Revenue notes that the Commission should provide an annual plan for WPA expenditures to the Town Manager for prior approval.
11. **Delineation/Snow Cover Policy: Motion (Mike Potaski) to adopt policy; Second: Larry Lench; Vote: 3:1:0.**

12. **Replication/Bond Policy:** Current draft policy is incomplete; Commission is waiting to hear from Planning Board details on bonds and conditions for return of bond. Discussion postponed until 4/16/13.
13. **COC Policy:** Discussion postponed until 4/16/13.

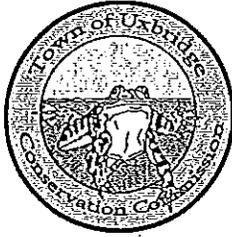
ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

14. Website: New RDA, NOI and ANRAD instructions/checklists will be posted
15. RDA/DOA for Lackey Dam Rd has been appealed. Jennifer Steel will draft a memo to DEP stating commission's position.
16. Stormwater workshop at DEP in 2 weeks – Mike Potaski is planning to attend
17. Tracy Tibedo suggests getting two free magazines "Stormwater Magazine" and "Erosion Control Magazine" in electronic or hard copy.
18. John Foley (660 Millville Rd.) wants to alleviate flooding. Russ Holden noted that the detention basin was built as designed, water that is "bubbling up" appears to be groundwater flowing out, and that repair of detention basin was not overseen by DPW. Commission did not support removal of fallen trees in natural wetland.
19. Commission received Open Meeting Law violation allegation 3/27/13 citing lack of quorum. Jennifer drafted a response. **Motion** (Tracy Tibedo) to approve Jennifer Steel's OML draft as memo to be sent to Mr. Baker; **Second:** Mike Potaski; **Vote:** Unan.

ADJOURN

20. **Motion** to adjourn at 9:50: Larry Lench; **Second** Mike Potaski, **Vote:** Unan.

Respectfully submitted, Uxbridge Conservation Commission



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April 11 2013

Conservation Commission Meeting Minutes
 Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA

Respectfully submitted by Ms. Jennifer Steel, Conservation Agent

R. Holden

Russell Holden, Chairman

Vice-Chair (vacant)

David Lewcon

David Lewcon, Treasurer

L. Lench

Lawrence Lench, Clerk

Michael Potaski

Michael Potaski, Member

Tracy Tibedo

Tracy Tibedo, Member

5/6/13 Date