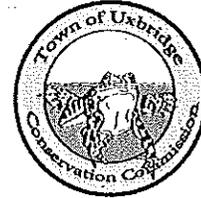


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Conservation Commission Meeting Minutes
Monday, October 20, 2014
Board of Selectmen Meeting Room, Uxbridge Town Hall

ORIGINAL

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

Present: Chair Russell Holden, Treasurer Jim Hogan, Clerk Jeffrey Shaw, Members Patrick Hannon, Mike Potaski and Tracey Tibedo.

Absent: Temporary Administrator Beth Pitman.

It being 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair.

PUBLIC HEARINGS

MOTION: I, Mr. Tibedo, move that the Commission discuss RDA FY15-04. Seconded by Mr. Shaw, the motion passed carried 6-0-0.

2. REQUEST FOR DETERMINATION OF APPLICABILITY (RDA), FY15-04, 60 St. Andre Drive (Map 11, Parcel 4089)

Applicant/Owner: Monica M. McLoughlin

Project description: Filling in a backyard in-ground swimming pool.

- o Discussion: The Applicant/Owner, Ms. McLoughlin, stated that she abuts a pond on St. Andre Drive; has a 16' x 32' in-ground pool; hasn't been used in at least three (3) years; installed in approximately 1984. Mr. Hannon stated that he did a site visit, measured a distance of twenty-six (26) feet from the concrete edge of pool to a wire fence; burm she wants to push into pool is well within twenty-five (25) feet no-touch. The Chair asked if offsite fill will be used. Ms. McLoughlin stated that she'd be using a Douglas contractor, using as much existing fill as possible, then bringing in sand, gravel and top fill at the end. Chair noted that pool has been elevated; easier alternative would be to bring fill in from off-site. Ms. McLoughlin will follow the prevue of the Commission on best way to fill in the pool; contractor will use as much existing material as possible to fill pool. The Chair commented the difference is doing a simple RDA (filling in the pool) vs. disturbing the land within one hundred (100) foot buffer of wetlands, requiring an NOI. Mr. Hannon suggested Ms. McLoughlin punch holes in the bottom of the pool to allow for flow of water, drainage, not pooling; confirmed that pool deck is being removed. Mr. Hogan noted the contractor has the option of jack hammering holes in his list that should be checked off. Mr. Potaski asked if pond has been refilled or drawn down. Ms. McLoughlin stated that it is drawn down as coyotes are crossing it onto her property. The Chair asked Ms. McLoughlin to have a conversation with her contractor; cost savings with less work as scope has changed; provide a clear narrative of grading to existing grade; return to the Commission with an update; statement that will stabilize it, i.e. plant grass when project is done; continue the RDA to the next regularly scheduled meeting.
- o **MOTION:** I, Mr. Potaski, move that the Commission continue the Public Hearing for RDA FY15-04 to the next regularly scheduled meeting. Seconded by Mr. Hogan, the motion carried 6-0-0.

1. NOTICE OF INTENT (NOI), 312-9XX, 1025 & 1045 Quaker Highway (Map 56, Parcels 2117 & 2184)
continued from 10/06/14

Applicant: 1025 & 1045 Quaker Highway Realty Trust

Representative: Andrews Survey & Engineering, Inc.

Project description: Construction of a building containing 25,000sf of warehouse space and 2,800sf of office space and associated paving, utilizes and earthwork.

- o Discussion: Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant, stated this is a continuation of the Public Hearing opened at the last Commission meeting; little to no public comment; delay was DEP file number being issued, 312-985; DEP acknowledged that portion of the land is mapped

endangered species; Applicant is aware of that, no proposed work in that area or near it; project has been approved by Planning Board; would like to start work before Winter. The Chair asked about snow removal. Mr. O'Connell stated that it will be stored in the perimeter of the parking lot; business doesn't run during the winter; snow removal would only occur for emergency purposes. Mr. Tibedo asked about building use. Mr. O'Connell stated that it will be equipment storage. The Chair asked for an abridged project overview as Commission now has six (6) members, three (3) of whom missed the initial discussion. Mr. O'Connell provided a brief overview. New discussion included occupancy in office space during off seasons will be intermittent; retaining wall is about knee height with guard rail about it, ten (10) feet is the highest; very little snow plowing in the Winter, if equipment needs to be painted or services; applicant is Mr. Bevilaqua. Mr. Hogan asked about a standard sign to be posted on the fence, denoting a protected area. Mr. Shaw commented that Owner may sell the property and need assurance that snow not be dumped into the protected area. The Chair read #38b from Standard Orders of Conditions to the record; signage is a possibility. Mr. O'Connell agreed that signage on the south and southwest wall is acceptable; "no dumping or stockpiling of snow". Mr. Hannon shared his site visit; was very impressed with the erosion controls on site; noted that Planning Board had the same concerns. The Chair stated the Special Condition read "Two signs shall be placed, one each along the southern facing and southwestern facing guard rails. Sign will read "Wetland Resource Area: Stockpiling of snow not permitted beyond guard rail." " With no abutters or residents to comment, the discussion concluded.

- **MOTION: I, Mr. Potaski, move that the Public Hearing be closed for NOI 312-985 for 1025 & 1045 Quaker Highway. Seconded by Mr. Shaw, the motion carried 6-0-0.**
 - **MOTION: I, Mr. Potaski, move that the Commission issue a Standard Order of Conditions with the aforementioned one Special Condition for NOI 312-985 for 1025 & 1045 Quaker Highway. Seconded by Mr. Shaw, the motion carried 6-0-0.**
3. NOTICE OF INTENT (NOI), 312-9XX, 26 Bentley Drive, Lot 5 (Map 25, Parcel 1454)
Applicant/Owner: TTK Real Estate, LLC Representative: Andrews Survey & Engineering, Inc.
Project description: Construction of single family home and associated site work.
- Discussion: Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant, in subdivision known as Hecla Village; property is off Hecla Street, on small road called Bentley Drive; subdivision came before Commission, which discussed limiting the clearing to above the bank from erosion barrier; Order of Conditions for subdivision included that signs be posted that dumping not occur (grass clippings); little grading/clearing done to create a lawn area; conservation markers were required in subdivision Order of Conditions for lots 4, 5, 6 and 7, which will be continued; houses will be serviced by sewer, water and gas; most of the retention basis is outside of the one hundred (100) foot buffer; out of the flood plain; excellent site conditions with clean soil, well drained, ground water is deep; DEP numbers have not been issued yet. Mr. O'Connell had not submitted the green cards yet.
 - **MOTION: I, Mr. Tibedo, move that the Public Hearing be continued for 26 Bentley Drive to the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 6-0-0.**
4. NOTICE OF INTENT (NOI), 312-9XX, 30 Bentley Drive, Lot 6 (Map 25, Parcel 1454)
Applicant/Owner: TTK Real Estate, LLC Representative: Andrews Survey & Engineering, Inc.
Project description: Construction of single family home and associated site work.
- Discussion: See Discussion above for 26 Bentley Drive, Lot 5.
 - **MOTION: I, Mr. Tibedo, move that the Public Hearing be continued for 30 Bentley Drive to the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 6-0-0.**
5. NOTICE OF INTENT (NOI), 312-9XX, 38 Bentley Drive, Lot 7 (Map 25, Parcel 1454)
Applicant/Owner: TTK Real Estate, LLC Representative: Andrews Survey & Engineering, Inc.
Project description: Construction of single family home and associated site work.
- Discussion: See Discussion above for 26 Bentley Drive, Lot 5.
 - **MOTION: I, Mr. Tibedo, move that the Public Hearing be continued for 38 Bentley Drive to the next regularly scheduled meeting. Seconded by Mr. Potaski, the motion carried 6-0-0.**

ACTIVE WETLAND CASES

1. NOTICE OF INTENT (NOI), 312-9xx, 79 River Rd (Map 45, Parcel 1345), cont'd awaiting comments from MA-DEP
Applicant: Bedrock Crossing LLC Representative: Andrews Survey & Engineering
Project description: Fill ILSF, grade and create gravel lot.

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- Discussion: Steve O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant, stated no new updates to share with the Commission.
- **MOTION: I, Mr. Hogan, move that the Commission continue the Public Hearing for the NOI for 79 River Road to the next regularly scheduled meeting. Seconded by Mr. Shaw, the motion carried 6-0-0.**

WETLAND UPDATES/ISSUES

None.

POTENTIAL VIOLATIONS

The Chair commented that follow-up needs to occur with 221 Mill Street; request that Ms. Pitman contact 221 Mill Street.

OTHER

1. Certificate of Compliance – 183 River Road, 312-800
 - The Chair updated the Commission that Applicant asked to get a Certificate of Compliance; missing deadline date for filing to be on meeting agenda. Commission had approved it; DEP wanted to supersede Commission conditions and did; requiring a planting plan which was not in the file; OOC was issued in 2002, but Owner had not been in communication with the Commission; a signed off current engineered plan is needed. This Applicant should get another call to try to tie up the loose ends.
2. 300 Quaker Highway, Conservation Restriction to be held by Metacomet Land Trust
 - The Chair stated that Metacomet has questions for the Town, including a small budget to maintain the land; discussion of meets and bounds determined by consulting the recorded deed; land is not to be visited, left alone as much as possible. The Chair will review the document with the Town Manager.
3. 171 Eric Drive
 - Mr. Tibedo, recusing himself to speak about his own property, stated that he had installed a fence to keep his Labrador retrievers in; two (2) large pine trees on the front lawn, approximately fifty (50) feet from the wetlands, will be taken down, as could fall on the house, if Commission agrees to it; Commission is welcome to do a site visit. Mr. Hogan asked if this should be an RDA for paperwork and process purposes. The Chair commented that it is possible; also have Administrator approval process that can be followed. Mr. Tibedo would be willing to do an RDA for larger tree; would like faster approval for smaller tree. The Chair will look into the Administrator process.

PROCESSING

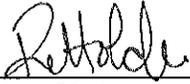
1. Site Visit Update
 - Mr. Potaski asked about the status of the Schnorr property off of Quaker Highway. Mr. Shaw commented that it was discussed at the last meeting. The Chair provided a summary; application will be forthcoming for Planning and Conservation. Earth removal permit will also be forthcoming to the Board of Selectmen.
2. Meeting Minutes
 - 06/02/14 Meeting Minutes: After reviewing, **MOTION: I, Mr. Tibedo, move that the Commission approve the 06/02/14 Meeting Minutes as written. Seconded by Mr. Shaw, the motion carried 4-0-2, Mr. Hannon and Mr. Potaski abstained.**
 - 06/16/14 Meeting Minutes: After reviewing, **MOTION: I, Mr. Potaski, move that the Commission approve the 06/16/14 Meeting Minutes as written. Seconded by Mr. Hogan, the motion carried 5-0-1, Mr. Hannon abstained.**
 - 10/06/14 Meeting Minutes: After reviewing, **MOTION: I, Mr. Hogan, move that the Commission approve the 10/06/14 Meeting Minutes as written. Seconded by Mr. Shaw, the motion carried 3-0-3, Mr. Hannon, Mr. Potaski and Mr. Tibedo abstained.**

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

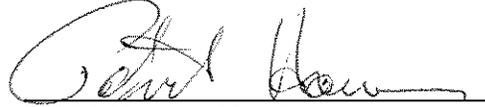
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At approximately 7:51pm, MOTION by Mr. Hogan that the Commission adjourn the meeting and enter into Executive Session to discuss the 836 Aldrich Street kennel operation ongoing litigation with no further business to follow. Seconded by Mr. Tibedo, the motion carried unanimously by roll call vote, Hogan - aye, Tibedo - aye, Potaski - aye, Shaw - aye, Holden - aye, Hannon - aye.

Respectfully submitted,
Beth A Pitman
Temporary Conservation Administrator



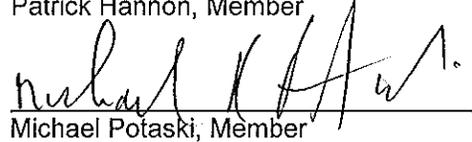
Russell Holden, Chairman



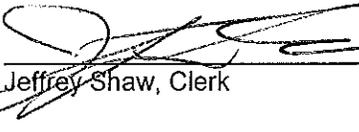
Patrick Hannon, Member



Jim Hogan, Treasurer



Michael Potaski, Member



Jeffrey Shaw, Clerk

Tracy Tibedo, Member

Date 3 NOV 14