

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

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MEETING MINUTES
Monday, March 5, 2012

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

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, March 5, 2012, at 7:00 P.M.** in the Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:

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

Conservation Commission Board Members Absent: Tracy Tibedo

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.

Chairman Holden addressed the audience present that when wanting to speak, to come up to the microphone to address their concerns and sign in.

OLD BUSINESS: Public Hearings

DEP #312-936, NOI, Denise Davis with Nike Realty Trust at 135 Ironstone Street (Map 50, Parcels 1613 & 1631) – The proposed project involves construction of a 14,000 sf. indoor recreational addition to an existing building. Project is within the 200' Riverfront area. Construction activities include the new building addition and stormwater management. Mr. Michael Yerka with Civil Site Engineering, LLC was present and came forward to discuss the property. Discussion and areas of concern included what might happen the condition of Bacon Brook (flows out of Ironstone Reservoir, in a northeasterly direction, through a large stone/concrete culver under Route 146, through the site and then flows into the Blackstone River), stormwater management, recharge of detention basin, snow removal and a concern for any chemicals that may flow into the brook. **MOTION** by Commissioner Potaski to close the Public Hearing for **DEP #312-936, NOI, Denise Davis with Nike Realty Trust at 135 Ironstone Street** to issue a Standard Order of Conditions and to include two (2) Special Conditions: 1) No storage of snow within 200' setback. 2) Plantings will be done in consultation with Conservation Commission. Seconded by Commissioner Lench, the motion carried unanimously.

DEP #312-xxx, NOI, Bedrock Crossing, LLC at 79 River Road (Map 45, Parcel 1345) – The proposed project is to install piping for roadway drainage. Mr. Jason Tetrault with Bedrock Crossing, LLC was present and came forward to discuss the project. Mr. Tetrault informed the Commission that the NOI application was submitted to MA-DEP Boston MA branch however has been forwarded to the MA-DEP Central MA office. Discussion and areas of concern included more consistent knowledgeable plans (plans should indicate where flood plain and wetlands are located), company is working with Uxbridge Highway Department for the piping on the roadway drainage system, green certified mail receipts need to be provided to the Commission, erosion control, a follow-up site visit and a drainage/stormwater management report. Following discussion, **MOTION** by Commissioner Potaski to continue the Public Hearing discussions for the application listed as "**DEP #312-xxx, NOI, Bedrock Crossing, LLC at 79 River Road**" to the next scheduled meeting on March 19, 2012. Seconded by Commissioner Lewcon, the motion carried unanimously. Following discussion, **MOTION** by

Commissioner Potaski to issue an Enforcement Order for the property located at **79 River Road (Map 45, Parcel 1345)** including erosion control structures on the property. Seconded by Commissioner Lewcon, the motion carried unanimously.

Violations/Potential Violations:

127 Douglas Pike (Map 52, Parcel 1575) – It appears that the land is being used for agricultural use. However, the Commission stated it is clearly not for agricultural use. Chairman Holden has made several attempts in the past to contact the resident. Chairman Holden read information from the Wetlands Protection Act concerning Agricultural exemptions, however boarding horses and riding them does not make the land for agricultural use. Following discussion, **MOTION** by Commissioner Potaski to issue an Enforcement Order for the property located at **127 Douglas Pike (Map 52, Parcel 1575)** including the following instructions on the Order: 1) To immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas; 2) The Commission requires the property owner to provide documentation to the Commission at the next meeting indicating that the property is raising horses for sale on a wetland resource area; 3) The Commission requires attendance at the next meeting on March 19, 2012. Seconded by Commissioner Lewcon, the motion carried unanimously.

7 Dutch Hill Road (originally 180 Williams St, Lot 7) (Map 10, Parcel 3625) – Commissioner Potaski noted that the plan number provided to the Commission on February 21, 2012 does not exist. Discussions shall continue to the next scheduled meeting.

209 River Road (Map 45, Parcel 4053) – On January 17, 2012, the Commission issued a Cease & Desist Order. On January 18, 2012, the Commission issued an Enforcement Order. Following discussion, **MOTION** by Commissioner Potaski to issue a second Enforcement Order for the property located at **209 River Road (Map 45, Parcel 4053)** including the following instructions on the Order: 1) Large soil pile on property must be covered with a water imperial tarp and surrounded with a silt fence. 2) Fiber rolls should be placed where the tree was excavated. Seconded by Commissioner Lewcon, the motion carried unanimously.

12 Douglas Street, Koopman Lumber (Map 24A, Parcels 768 & 797) – Mr. William Donaldson, General Manager for the Uxbridge property and Mr. Tony Brookhouse, one of the owners of Koopman Lumber were present and came forward to discuss the property. **MOTION** by Commissioner Potaski to issue a Memorandum of Understanding letter (MOU) for the property located at **12 Douglas Street, Koopman Lumber (Map 24A, Parcels 768 & 797)** with the following conditions: Restoration Procedure: 1) To maintain the stormwater drain; 2) Provide a visible inspection or have an operation/maintenance plan in place for controlling the debris to the stormwater drain/grate; 3) Do not manicure restored area. Allow natural plant succession to occur; 4) The Uxbridge Conservation Commission shall retain the right to inspect the area. Seconded by Commissioner Lench, the motion carried unanimously.

Other:

Uxbridge Wetlands Bylaw - **MOTION** by Commissioner Potaski to continue discussions for the “**Other: Uxbridge Wetlands Bylaw**” until a future Commission meeting. Seconded by Commissioner Lewcon, the motion carried unanimously.

672 Millville Road (Map 40, Parcel 1661) – Mr. DJ Salmon the resident/property owner came forward to discuss property. Mr. Salmon advised he has stabilized the jersey barriers and a baffle has been installed. Discussion and areas of concern included the type of device that was installed (boom vs. baffle)., **MOTION** by Commissioner Potaski to continue discussions for the property located at **672 Millville Road** to the next scheduled meeting. Seconded by Commissioner Lench, the motion carried unanimously.

The Commission also noted that a Request for Determination of Applicability application needs to be submitted for the removal of trees at his property if located near the wetlands.

Mr. Salmon inquired about the record request submitted to the Conservation Commission pertaining to the above ground storage tank. The Commission advised Mr. Salmon that the Uxbridge Conservation Commission has no jurisdiction for this matter.

MOTION by Commissioner Lench to bring “Any other business which may lawfully come before the board” out of order to discuss the property located at 89 Johnson Road in Uxbridge. Seconded by Commissioner Potaski, the motion carried unanimously.

89 Johnson Road (Map 48, Parcel 1426) – Mr. Michael Dunphy was present and came forward to discuss property. Mr. Dunphy will plant up to twenty (20) – five-foot (5’) white pine trees and will thin out over time. Mr. Dunphy notified Eco-Tech for assistance on this property. Commissioner Holden recommended that Eco-Tech come forward at the next meeting on March 19th to discuss the property. Discussion and areas of concern also included that the wetland resource area needs to return to its stream type condition. **MOTION** by Commissioner Potaski to continue discussions for the property located at 89 Johnson Road to the next scheduled meeting. Seconded by Commissioner Lench, the motion carried unanimously.

MOTION by Commissioner Potaski to bring “**Processing: Recent site visits**” out of order to discuss #312-929, Constellation Solar Net Metering, LLC at 0, 67, 71 Commerce Drive in Uxbridge. Seconded by Commissioner Lewcon, the motion carried unanimously.

Commissioner Lench recused himself.

Processing:

❖ Recent site visits

MA-DEP #312-929, Constellation Solar Net Metering LLC at 0, 67, 71 Commerce Drive – Mr. Sean Kidd, Project Manager with Constellation Solar Net Metering, LLC was present and came forward to discuss the most recent site visit conducted.

Commissioner Lench returned to the meeting.

NEW BUSINESS

Public Hearings ~ none

Violations/Potential Violations ~ none

Minutes:

MOTION by Commissioner Potaski to approve the Conservation Commission Meeting Minutes dated January 17, 2012 (as amended). Seconded by Commissioner Lench, the motion carried unanimously.

MOTION by Commissioner Potaski to table discussions for the Conservation Commission Meeting Minutes dated February 6th and February 21, 2012 until the next scheduled meeting. Seconded by Commissioner Lench, the motion carried unanimously.

Processing:

NOI, ANRAD, RDA application checklist approval – The Commission shall continue discussions to the next scheduled meeting.

Article for Spring Annual Town Meeting (SATM) FY 2012 = Uxbridge Storm Water Management and Erosion Control Bylaw – Commissioner Potaski discussed the current article for the SATM FY 2012.

Pout Pond and Legg Farm – Discussion and areas of concern included drafting a letter to the Recreation Department concerning fertilizer; ~~skating park~~ and a letter was sent by the Town Manager’s office to the neighbors on Wilson Drive.

MOTION by Commissioner Lench to adjourn the meeting at 10:15 P.M. Seconded by Commissioner Potaski, the motion carried unanimously.

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



Russell Holden, Chairman

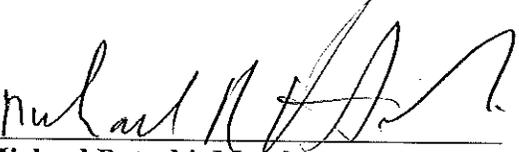
Vice-Chair (vacant)



David Lewcon, Treasurer

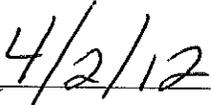


Lawrence Lench, Clerk



Michael Potaski, Member

Tracy Tibedo, Member



Date