



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

Posted by
Uxbridge
Town Clerk

JUN 07 '12 PM 01:31

MEETING MINUTES
Monday, May 7, 2012

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

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

Conservation Commission Present: Russell Holden, Larry Lench, Dave Lewcon, Michael Potaski and Donna C. Hardy, Conservation Commission Administrative Assistant

Absent: Tracy Tibedo

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-xxx, NOI, Bedrock Crossing, LLC at 79 River Road (Map 45, Parcel 1345) – The proposed project is to install piping for roadway drainage. Mr. Stephen O'Connell with Andrews Survey & Engineering, Inc. forwarded a letter dated April 27, 2012 requesting a 90-day extension/continuance. The letter has been time stamped. Discussions shall continue on July 15, 2012.

DEP #312-938, NOI, Hecla Farm Group, 170 Hecla Street (Map 25, Parcel 2442) – The proposed project is construction of a commercial agricultural farm and commercial farm stands. Construction activities include the construction of a 40' wide, 1250' long gravel drive. Work activities are within bordering land subject to flooding and buffer zone to bordering vegetated wetlands. Mr. Michael Yerka with Civil Site Engineering, LLC and Mr. Gary Vecchione (applicant) with Hecla Farm Group, LLC were present. Mr. Yerka came forward to discuss the project. Natural Heritage & Endangered Species Program (NHESP) sent a letter dated May 7, 2012 "The NHESP finds that the revised plans do not change our previous determination that this project **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species and **will not result in a prohibited "take"** of state-listed rare species (NHESP letter dated 3/20/2012) and that previous determination stands." The applicant also forwarded a revised plan dated April 17, 2012 (received 5/7/12) to the Commission. Discussion and areas of concern also included MA-DEP comments on the project, how close the greenhouses are to the 100' buffer and 35' off riverfront area and a revised Alternative Analysis and Operational & Maintenance Plan dated 4/17/12 and received 4/25/12. **MOTION** by Commissioner Potaski to close the Public Hearing for **DEP #312-938, NOI, Hecla Farm Group, 170 Hecla Street** to issue a Standard Order of Conditions and to include four (4) Special Conditions: **1) All missing &/or deteriorated wetland flags must be restored &/or remarked per All missing &/or**

deteriorated wetland flags must be restored &/or remarked per the April 17, 2012 plan; including but not limited to: WF-4, WF4-1, WF4-2, WF4-3; WF5-1, WF5-12, WF5-13, WF5-14; RB-1, RB-2, RB-3, RB-4, RB-5, RB-6, RB-12, RB-20, RB-22, RB24, RB-25, RB-26, RB-27.; 2) All activities will take place outside of the 100' Riverfront area.; 3) The Operational and Maintenance Plan dated April 17, 2012 shall be amended as follows: "All farm vehicles; fuels and harvesting equipment will be stored outside of the 100' buffer zone of any wetland and outside of 200' from the river bank .; 4) The site plan will be revised within 30 days of the date of this order to clearly delineate the limit of work outside of the 100' Riverfront area at all areas of the parcel. Additionally, within 30 days from the date of this order a revised site plan will indicate the "dump area". So as to prevent soil disturbance, the applicant or his designee may determine the location of the dump area by visual inspection of the ground surface. Seconded by Commissioner Lewcon, the motion carried unanimously.

RDA FY12-04, BSC Group on behalf of the Town of Uxbridge at 270 Quaker Hwy (Map 35, Parcels 4474, 2784, 3645 & 3534) – The project activities associated with restoration of historic drainage patterns to reduce off-site water currently entering the North Field area at Uxbridge High School. Portions of the proposed work will occur within the 100-foot wetland buffer. Ms. Leslie Fanger, Environmental Scientist with BSC Group was present and came forward to discuss the project. BSC Group sent a letter dated May 1, 2012 included conditions. Discussion and areas of concern also included re-creating the berm on the property to be approximately 3' high to be used with on-site material (loam and hydro seed w/ erosion control mix) and discussion of the eastern wetland is being currently deprived, this solution will help it to be restored. Following discussion, **MOTION** by Commissioner Lench to close the Public Hearing and issue a Negative Determination of Applicability for the application listed as **RDA FY12-04, BSC Group on behalf of the Town of Uxbridge at 270 Quaker Hwy** and to include the conditions listed in the BSC Group letter dated May 1, 2012. Seconded by Commissioner Potaski, the motion carried 3-1-0.

Violations/Potential Violations:

77 Industrial Drive (Map 45, Parcel 727) – The Commission office received notification that the property owners were conducting activity w/in 200' of the Riverfront area. Activity included, but not limited to storing of stumps, yard waste and other miscellaneous debris. Mr. Jeff Johnson, one of the property owners at Turf Technologies was present and came forward to discuss the project. Mr. Johnson indicated that Ms. Rachel Landry (previous Conservation Commission agent) previously reviewed the property. Mr. Johnson thought that the assessment was complete. There is no documentation stating this property was in compliance. Other discussions of concern included a filing of a Notice of Intent application for this property in order for it to be recorded. Mr. Jeff Johnson indicated that as per the enforcement order, markers (rebar) has been placed every 10 feet and that all debris has been removed from the riverfront area. A site visit will be conducted to verify.

Violations/Potential Violations:

190 Hazel Street (Map 17, Parcel 4822) – The Conservation Commission office tried to contact the property owner; however the telephone number available on bigyellow.com is not in service. The Commission members will do a site visit or drive-by site visit. **MOTION** by Commissioner Lench to continue discussions for "**Violations/Potential Violations: 190 Hazel Street**" to the next scheduled meeting on May 21, 2012. Seconded by Commissioner Potaski, the motion carried unanimously.

NEW BUSINESS: Public Hearings

RDA FY12-05, Paul Phillips at 30 School St (Map 12B, Parcel 2962) – Project description: 21' above ground swimming pool with a 6" sand base and 12' x 20' deck adjacent to pool (100' west to canal, 125' north to river). Ms. Sandra Phillips, resident of 30 School Street was present and came

forward to discuss the project. Ms. Phillips informed the Commission of an error on the application that was forwarded to the Commission. The correct statement is "(100' west to river and 125' north to canal)". Discussions and areas of concern included if the property has been marked for the placement of the pool and deck, the amount of feet away from the garage (35') and a site visit shall be conducted prior to the next meeting. **MOTION** by Commissioner Potaski to continue the public hearing for the application listed as "**RDA FY12-05, Paul Phillips at 30 School Street**" to the next scheduled meeting on May 21, 2012. Seconded by Commissioner Lench, the motion carried unanimously.

MOTION by Commissioner Potaski to bring "**Any other business which may lawfully come before the board**" out of order to discuss "**Violations/Potential Violations: 4 Albee Road (Map 40, Parcel 2432) (violation: Enforcement Order)**". Seconded by Commissioner Lewcon, the motion carried unanimously.

Violations/Potential Violations:

4 Albee Road (Map 40, Parcel 2432) (violation: Enforcement Order) – The homeowner for this property was not present. A certified letter was sent to the property owner on April 25, 2012, the resident forwarded an email to the Commission informing that they signed for the certified letter on May 7, 2012 and would not be attending the meeting. The Commission addressed the Enforcement Order issued on December 29, 2011. The Commission indicated that it is not possible to constrain the area to the south part of the pond and may not be in the Commission's jurisdiction on the north side of the pond if the lawn was previously established. The north side of the pond is currently undetermined if it was an established lawn or not. There is no evidence from the property owners to indicate whether it is jurisdictional or not. Mr. DJ Salmon, an abutter at 672 Millville Road came forward stating that the property needs to have a directed dedicated channel to help control the amount of water, etc. The Commission shall continue discussions at the next scheduled meeting.

Other:

36 Elizabeth Street (Map 25, Parcel 814) – Ms. Genevieve Dullaghan, the property owner was present and came forward to discuss the property. The resident would like to install a pool on the property. The Commission will conduct a site visit on the property. Discussions will continue at a future meeting.

Uxbridge Wetlands Bylaw – Commissioner Holden provided the board with the "Purpose" of the Town of Uxbridge Wetlands Protection Bylaw (draft). Discussions shall continue at the next scheduled meeting on May 21, 2012.

NEW BUSINESS: Public Hearings

RDA FY12-06, Uxbridge Conservation Commission at Pout Pond 70 West River Road (Map 13, Parcel 4877) – Project activities associated include the following: 1) To build a 15' earth berm spanning the west side of the lawn in order to contact storm water runoff.; 2) Redesign the section of the parking lot closest to the beach by constructing a 20' curbing in order to redirect storm water runoff into a low area to serve as a natural detention pond.; 3) To add gravel to the back side area of the beach house to redirect storm water away from the wetlands as well as giving a level pad for the summer resident (RV). Commissioner Lewcon provided the board with a set of plans discussing the property. Following discussion, **MOTION** by Commissioner Potaski to issue a Negative Determination with two (2) Special Conditions: 1) The order of construction will be conducted as follows: Phase A and Phase B will be constructed at any time before Phase C. Phase C will be completed last; 2) When Phase C is in process, the area of land w/in 25' of the shrub swamp will be restored first. When soil has been stabilized, the silt fence/boom line will be moved to 25' away from

the shrub swamp and the remainder of Phase C can be completed; for the application listed as “**RDA FY12-06, Uxbridge Conservation Commission at Pout Pond 70 West River Road**”. Seconded by Commissioner Lench, the motion carried unanimously.

Violations/Potential Violations:

129 Mendon Street (Map 19, Parcel 3591) – The Commission received notification that there appears to be a shed that was built too close to the edge of the Blackstone River. Following discussion, **MOTION** by Commissioner Lewcon to issue a Cease & Desist letter for the property located at **129 Mendon Street**. Seconded by Commissioner Potaski, the motion carried unanimously.

Other: Processing (site visits)

40 Douglas Street (Map 24A, Parcel 713) – It appears that the erosion control barriers may not have been installed correctly on the site. The Commission will continue doing site visits on the property and discussions shall continue at a future meeting.

MINUTES: MOTION by Commissioner Potaski to approve the Conservation Commission Meeting Minutes dated May 7, 2012 (as amended). Seconded by Commissioner Lench, the motion carried unanimously.

Other: Processing (site visits)

190 Hazel Street (Map 17, Parcel 4822) – The property owner was not present at the meeting. A certified letter was sent to the property on April 25, 2012. On the northeast side of the property (facing the property) there is a wetland crossing/large brook. There appears to be a large amount of debris less than 25’ away from the wetland area. Discussions shall continue at the next scheduled meeting on May 21, 2012.

Any other business which lawfully comes before the board:

Enforcement Orders – In the future, timeframes need to be addressed for future Enforcement Orders.

Order of Conditions – As a reminder to applicants receiving an Order of Conditions on a project, the Order of Conditions need to be recorded at the Worcester Registry of Deeds. This information will be added to the Uxbridge Conservation Commission Order of Conditions.

Thirty minute guideline for all Public Hearings – Commissioner Holden will draft up the condition that will need to be added to the Operation Guidelines. Discussions shall continue at a future meeting.

Pout Pond and Legg Farm – Recently, Faith Fellowship conducted their “Sunday of Service”. A few pieces of wood were recovered during the “Sunday of Service” and will be used to repair the recently destroyed picnic tables. Continuous work is being done on the cottage.

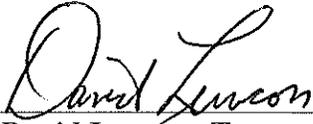
MOTION by Commissioner Potaski to adjourn the meeting at 10:45 P.M. Seconded by Commissioner Lench, the motion carried unanimously.

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



Russell Holden, Chairman

Vice-Chair (vacant)

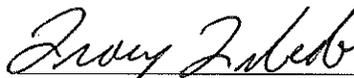


David Lewcon, Treasurer

Lawrence Lench, Clerk



Michael Potaski, Member



Tracy Tibedo, Member

6/4/2012

Date