



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

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Posted by  
Uxbridge  
Town Clerk

**MEETING MINUTES**  
Monday, September 17, 2012

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

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, September 17, 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, Dave Lewcon, Michael Potaski, Lawrence Lench & Jennifer Steel, Conservation Agent

**Conservation Commission 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.

**OLD BUSINESS**

**Public Hearings**

- **DEP #312-xxx, NOI, 79 River Road, Map 45 & Parcel 1345, Bedrock Crossing**
  - **Applicant:** Jason Tetrault, **Engineer:** Andrews Survey
  - **Proposal:** Install piping for roadway drainage.
  - **Update:** Not permit able until DEP issues a file number. Applicant is seeking continuation.
  - **Motion by Mr. Potaski and Seconded by Mr. Lewcon (vote unanimous):** Commission continued hearing until 10/1/12. Applicant will be present at 10/15/12 hearing.
  
- **DEP #312-941, NOI, Existing Power Line Right-of-Way**
  - **Applicant:** New England Power Company, **Engineer:** BSC
  - **Proposal:** Construct, reconstruct, operate & maintain new overhead power lines, roads, and pads public utilities.
  - **Update:** Applicant is awaiting plans from Nat. Heritage. Applicant is seeking continuation, no date requested yet.
  - **Motion by Mr. Potaski and Seconded by Mr. Lewcon (vote unanimous):** Commission continued hearing until date uncertain.

**Violations:** none

**Other:** none

**NEW BUSINESS**

- **DEP #312-943, NOI, 36 South Main Street (Map 25, Parcel 946)**
  - **Applicant:** Town of Uxbridge Department of Public Works, **Engineer:** BETA
  - **Proposal:** Remove existing building, grade, pave parking lot, install small sidewalk along South Main, and provide a sediment forebay and a water quality basin.
  - **Presentation, Angela Sauders (BETA Group)**

- Single stormwater basin is now proposed to capture runoff. It will be loamed and seeded and is due to remain dry except after rains. A 10-15' long "level spreader" weir will discharge to riprap overflow. Impervious area will be reduced with new front lawn.
    - Applicant awaits Natural Heritage "No Adverse Impact" letter (expected "in a few days").
  - **Presentation, Benn Sherman (DPW)**
    - Environmental assessments ensured proper abatement.
    - Curbing will direct water to the sediment forebay.
  - **Jurisdiction**
    - **In an Area Subject to Protection:** RFA
    - **An Activity:** Limited fill and tree cutting
    - **Will Alter the Condition:** Yes, and will improve stormwater runoff.
  - **Pertinent Regulations:** All met.
    - 10.58(4). RFA – (a) protect other resource areas; (b) protect rare spp.
    - 10.58(5). RFA Redevelopment project – (a) improvement (stormwater), (b) stormwater standards apply (new forebay) (c) development no closer to river (true, but for stormwater basin), (d) expansion must be away from river (not applicable – no expansion), (e) new development will not exceed degraded area (true), (f) on-site restoration (not applicable – not proposed), (g) mitigation (not applicable – not proposed).
  - **Proposed Special Conditions:**
    - **No work shall commence until the Conservation Commission has received written confirmation from Natural Heritage of a "No Adverse Impact" finding.**
    - Install sedimentation and erosion control barriers and create and make functional the sediment forebay (in a preliminary manner) prior to other land disturbance or asphalt removal on the site.
  - **Motion by Mr. Potaski and Seconded by Mr. Lewcon (vote unanimous):** Moved to close hearing and issue a standard Order of Conditions with the two special conditions above.
- **DEP #312-942, NOI, 560 West Street (Lee Reservoir) (Map 38, Parcel 1171)**
  - **Applicant:** Uxbridge Rod & Gun Club, **Engineer:** Lycott Environmental
  - **Proposal:** Use of US-EPA registered and state-approved herbicides/algacides as well as mechanical harvesting for management of nuisance aquatic vegetation in Lee Reservoir.
  - **Presentation, Rob Wheaton, field biologist Lycott**
    - Pond suffers excessively dense indigenous species, no invasive species – result is ecological decline and poor fishing.
    - Goal of project – to reduce canopy, reduce BOD, reduce temperature, increase flow.
    - Received negative finding from Natural Heritage.
    - Actions will be taken as needed in a sequential fashion (with prior review and approval of the Conservation Commission.
      - Use sprayed-on topical systemic Aqua Pro Glyphosate on water lilies this fall. (One main application with possible spot "clean up" 2-3 weeks later.)
      - If bottom mats float up after rhizomes die, may seek permission to hydro-rake
      - If algae blooms occur in future years, may seek permission to use algacide (chelated copper).
      - If submersed vegetation burgeons, seek permission to treat with contact herbicide.

- **Presentation, Uxbridge Rod & Gun Club BOD Representative**
  - The pond is always fished from shore, not by boats.
  - The pond is not used by swimmers.
  - The pond was never dredged.
  - There is a new culvert.
  - Beavers are blocking flow and the existing Beaver Deceiver is not working perfectly.
- **Jurisdiction**
  - **In an Area Subject to Protection:** Land Under Water
  - **An Activity:** Herbicide and mechanical harvest
  - **Will Alter the Condition:** Yes, but will likely result in an improvement
- **Pertinent Regulations**
  - 10.53(4) – Limited project: improve the natural capacity of a resource area to protect the interests
  - 10.56(4) – Land Under Water Bodies: don't impair (1) channel carrying capacity, (2) water quality, (3) breeding habitat, (4) wildlife habitat.
  - 10.54(4) – Bank: don't impair (1) stability, (2) water carrying capacity, (2) water quality, (3) breeding habitat, (4) wildlife habitat.
  - 10.60(2) – Wildlife Habitat: Banks and Land Under Water
- **Proposed Special Conditions**
  - This year (Fall 2012) permission has been granted for one treatment with Aqua Pro and possible spot treatment 2-3 weeks later subject to:
    - Receipt of better map/plan showing current areas of lily coverage and anticipated treatment/cleared areas and anticipated dates of application.
    - Successful pre-activity site visit with the Conservation Commission (scheduled for Monday 9/24 4pm)
  - No further weed control activity (including but not limited to herbicide or mechanical harvest) shall take place in 2012, 2013, or 2014 unless and until:
    - An annual report of past years activities and their results have been compiled and submitted to the Conservation Commission, and
    - A proposed detailed work plan for the coming season has been submitted to, reviewed by, and approved in writing by the Conservation Commission.
  - Annual written reports and maps of weed control activities and the results must be submitted to the Conservation Commission.
  - Annual proposed detailed work plans must be submitted to the Conservation Commission at least one month in advance of any proposed treatment activity. Said plans must contain detailed information on species of concern, proposed treatment areas, proposed treatment methods and products.
  - Chemical treatment must be done during a period of no rain, low water levels, and with the flash boards in place to minimize outflow of treated water for 48 hours.
  - Invasive species prevention plan – education (BMP for boats and waders, water flow management)
  - Applicant shall consider and propose plans for continued invasive species control on the site.
- **Motion by Mr. Potaski and Seconded by Mr. Lewcon (vote unanimous):** Moved to close hearing and issue a standard 3-year Order of Conditions with the 7 special conditions above.

**Violations/Potential Violations:** none

## Other

### Processing

- **Welcome new Conservation Administrator**
- **Recent site visits**
  - **31 Rogerson St.** – Brian Burt, sought building permit for 3-season porch, was asked to speak with Conservation, Chairman Holden and Ms. Steel took a SV and discovered, unpermitted, a 9' retaining wall, a second driveway, tree cutting and clearing, deck and hot tub in wetland. He has been asked to file an NOI after the fact to rectify violations and for the proposed 3-season porch. Mr. Burt and Ms. Hardy, Conservation Admin. Asst. has been exchanging voice mails.
  - **20 Albee Rd** – Call from 4 Albee Rd. about asphalt driveway removal at 20 Albee Rd. All work appeared to be over 100' from wetland. Ms. Steel has not pursued with either party to-date. Ms. Steel suggested drafting a joint letter spelling out Conservation jurisdiction to alleviate unnecessary calls. Commission asked Ms. Steel to do so.
  - **156 Albee Rd** – Water pools near cemetery entrance. Ms. Steel made a site visit and didn't think the issue was within Conservation jurisdiction. DPW is involved.
  - **Culvert under Douglas Pike** – Chairman Holden stated that it all looked good. Town needs a COC.
  - **#312-866, Wanda Way (road only), Mr. Steve O'Connell presented** – A SV was taken on Saturday morning by Mr. O'Connell and Chairman Holden. Pictures were taken, no concerns noted. PB amended plan to include a swale and settling basin; both were in order. **Motion by Mr. Potaski and Seconded by Mr. Lewcon (vote unanimous):** Moved to issue a complete Certificate of Compliance.
- **Future site visits to be conducted:**
  - **21 Moorland Dr.** – Tom Knox wishes to install a pool. He has filed an RDA for 10/1/12. Project may be a Minor Exemption. RDA is prudent. Commission will make a site visit on Monday 9/24 at 5:15 Ms. Steel will ask the owner to stake out all proposed alterations.
  - **DEP #312-942, NOI, 560 West Street (Lee Reservoir)** – Monday 9/24 4pm
  - **DEP #312-944, ANRAD, Albee Rd., Hill Financial & Goddard Consulting** – Commission will make a site visit on TBD.
  - **Douglas Pike** – Ms. Steel will delineate the 50' wetland buffer line.
  - **DEP # 312-938, 170 Hecla Street (Map 25, Parcel 2442), Gary Vecchione** – Ms. Steel will verify that owner has installed wetland flags correctly, as per the Enforcement Order
- **Pout Pond**
  - Mr. Lewcon terminated “workamper” Mr. Chuck Dolittle after consultation with a member of the Board of Selectmen, a private attorney, the Assistant to the Town Manager, the Finance Director, Town Manager, and Police Chief due to issues regarding the book of season pass holders and accounting questions.
  - Mr. Dolittle was well liked and did a lot for Pout Pond.
  - Next steps: Friends of Pout Pond will bring recommendations to the Conservation Commission.
  - Gregg Gentzler, 44 Eric Dr., volunteer, spoke.
    - Noted his understanding of monies received and deposited
    - Noted displeasure with mode of termination
    - Requested that the Conservation Commission develop a plan for money collection and accounting for next year
  - Tom Kinder, 49 Fisher St., senior tax program worker, spoke

- Noted that a fire was built on the beach the day after Mr. Dolittle left.
- Noted Mr. Dolittle's dedication and great results.
- Noted displeasure with termination based solely on suspicion
- Noted displeasure with mode of termination
- Requested that the Conservation Commission send Gregg a letter of thanks – he worked for free!! JMS will draft said letter.
- Mr. Potaski asked if Conservation Commission could give management of Pout Pond to Recreation Department so that it wouldn't have to oversee staff. It is all fine within Article 97.
- Chairman Holden and Mr. Lewcon indicated that Friends of pout Pond would be submitting recommendations to the Conservation Commission for next year (so that management could be coordinated ahead of time, e.g., with BOH, etc.) for the Commission's consideration.
- **Minutes**
  - Minutes 8/20/12 – are almost done.
  - Minutes 9/4/12 – are in progress.
  - Minutes 6/25/12 (officially amended) – Signed tonight
  - Minutes 7/2/12 (officially amended) – Signed tonight
  - Minutes 8/6/12 – will be voted on at next meeting
- **Documents to Sign**
  - OOC – #312-943, 36 South Main St., Town of Uxbridge – Signed tonight
  - CoC – #312-866, Wanda Way – Signed tonight
  - CoC – Rod and Gun, #312-942 – Signed tonight

**Other:**

- Any other business which may lawfully come before the Conservation Commission.
- Uxbridge Wetlands Bylaw – **Motion by Mr. Potaski and second by Mr. Lewcon (vote unanimous):** Continued to next meeting.

**Adjournment**

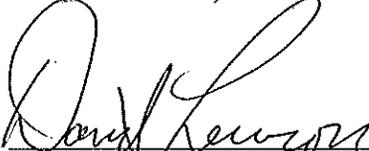
- **Motion by Mr. Potaski and second by Mr. Lewcon (vote unanimous):** Adjourned at 10:12 pm.

Respectfully submitted by Ms. Jennifer Steel, Conservation Agent



Russell Holden, Chairman

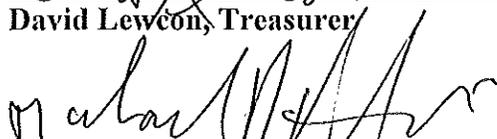
Vice-Chair (vacant)



David Lewcon, Treasurer



Lawrence Lench, Clerk



Michael Potaski, Member

Tracy Tibedo, Member

October 1, 2012 Date