

Town of Uxbridge  
 Conservation Commission  
 21 South Main Street  
 Uxbridge, MA 01569  
 508-278-8600 x 2020



Conservation Commission Meeting Minutes  
 Monday, March 2<sup>nd</sup>, 2015 – 7:00PM  
 Board of Selectmen Meeting Room, Uxbridge Town Hall

Received by  
 Uxbridge  
 Town Clerk

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

**Present:** Chair Russell Holden, Treasurer Jim Hogan, Clerk Jeffrey Shaw, Members Tracy Tibedo and Patrick Hannon, and Conservation Administrator Kristin Black (KB)

**Absent:** Member Michael Potaski

#### PUBLIC HEARINGS

1. Request for Determination of Applicability (RDA), FY15-08, 0 & 46 Depot St. (Map 25, Parcels 1933, 1065)

Applicant: New England Power Company Representative: BSC Group, Inc.

Project description: Exploratory borings for future necessary upgrades to existing #321 Substation within the Riverfront Area and Bordering Land Subject to Flooding

- o **Discussion:** Alexandra Echandi, BSC Group, presented on behalf of National Grid. All work is proposed within already altered areas and the proposed method uses air vacuum excavation method. Material will be moved directly into a truck so no sedimentation is expected. In the event sedimentation is an issue, straw wattles will be available. The new revisions under WPA exempt this work from resource area of Bank, BVW, and Riverfront. The work is exempt from MESA review. The review is for non-exempt activities, specifically 4 soil borings in bordering land subject to flooding. Kristin Black conducted a site visit today and had no concerns. A future filing is currently being drafted for proposed changes to the substation.
  - o **MOTION:** I, Mr. Tibedo, move to close the public hearing and issue a Negative Determination of Applicability. Seconded by Mr. Hannon, the motion carried unanimously 5-0-0.
2. Notice of Intent (NOI), DEP #312-994, 12 Douglas St. (Map 24A, Parcels 847, 762 & 768)

Applicant: 3P Properties LLC

Representative: Land Planning Inc.

Project description: Replace/relocate an existing culvert and fill in an old culvert within the 100' buffer to Bordering Vegetated Wetlands

- o **Discussion:** Normal Hill, Land Planning Inc. presented on behalf of the applicant. Mr. Hill submitted green cards, a check for the difference of the filing fee and a CD with the application, plans and photos. Season brook enters culvert under the building. They are proposing to do work in the summer when the brook is dry. They are proposing a precast concrete culvert, installed piece by piece. The plan is to pump water around the project site by damming ten feet before the headwall and piping water below the culvert. Total construction time estimated at 3 weeks. The commission questioned whether or not the stream is intermittent. A site visit was scheduled for Thursday, April 9<sup>th</sup> at 4:30PM to allow the site to be visited free of snow cover. Kristin will follow-up with DEP and review nearby filings to consider stream status of intermittent. Mr. Hill is in agreement to continuing the hearing until April 20<sup>th</sup> and signed the Continuation Form.
- o **MOTION:** I, Mr. Tibedo, move to continue the public hearing for DEP #312-994 to the April 20<sup>th</sup> hearing. Seconded by Mr. Shaw, the motion carried unanimously 5-0-0.

#### ACTIVE WETLAND CASES

Notice of Intent (NOI), 312-9xx, 79 River Rd (Map 45, Parcel 1345)

*Continued from February 17<sup>th</sup>, awaiting comments from MA-DEP*

Applicant: Bedrock Crossing LLC

Representative: Andrews Survey & Engineering

Project description: Fill ILSF, grade and create gravel lot

- o **Discussion:** No one appeared to discuss the project. There are no updates. Still awaiting DEP #.

- **MOTION: I, Mr. Tibedo, move to continue the public hearing. Seconded by Mr. Hannon, the motion carried unanimously 5-0-0.**

#### REPORTED/POTENTIAL VIOLATIONS

201 & 209 River Road, DEP #312-956

- **Discussion:** This violation was first discussed at the January 20<sup>th</sup> meeting. As voted in the meeting, Patrick Hannon issued an Enforcement Order on January 20<sup>th</sup>. The owner has not appeared before the Commission or addressed the violation. Kristin Black emailed Cheryl Powers and asked her to appear at this meeting. Mrs. Powers emailed Kristin Black stating that 36 hours was not enough notice to appear before the Commission. The property is currently for sale. Kristin Black drafted an Enforcement Order mimicking Mr. Hannon's. Kristin Black recommends for paperwork purposes issuing a new Enforcement Order that is signed by the members. There was a discussion on recording the Enforcement Order on the deed. Kristin Black will note in the cover letter that failure to appear at the next hearing or address the violation may lead to the Commission recording Enforcement Order on the deed.
- **MOTION: I, Mr. Hogan, motion to issue a new Enforcement Order. Seconded by Mr. Shaw, the motion carried unanimously.**

#### OTHER

1. Review Safety Vests for ordering
  - It was previously discussed to order safety vests. There are no extra safety vests available in the Conservation office or other town offices. A Staples catalog page was circulated. The members agreed on a yellow vest. There was discussion to order at least two hard hats, 8 vests, screen printing. Items are proposed to be paid by WPA Fund in an amount not to exceed \$300.
  - **MOTION: I, Mr. Hogan, move to approve distribution of WPA funds not to exceed \$300 for 10 vests, 2 hard hats and screen printing. Seconded by Mr. Tibedo, the motion carried unanimously 5-0-0.**
2. Draft Annual Report for Conservation Commission
  - Kristin Black circulated the draft annual report. She is still waiting for a list of PPAC members to add to the report. Kristin Black proposes two additions to the annual report, a paragraph on the creation of Pout Pond Recreation Committee (PPRC) with a list of members for FY 2014 and a paragraph on the Pout Pond weed abatement project. Kristin Black will add these sections and forward via email to all members. Any edits can be emailed directly to KB. KB provided a quick summary on the trends of number of WPA filings.
  - **MOTION: I, Mr. Tibedo, motion to approve the draft of annual report, pending any comments about the two additions discussed. Second by Mr. Hannon, the motion carried unanimously 5-0-0.**
3. Reorganization
  - Reorganization was last done 3/3/14. Russ Holden noted that the CC typically reorganizes in June. There is no vice-chair currently and David Genereux recommends nominating a Vice Chair.
  - **MOTION: I, Mr. Tibedo, nominated Jim Hogan as Vice Chair. Mr. Hogan accepted the nomination. Seconded by Mr. Shaw, the motion carried unanimously 5-0-0.**
  - Mr. Hogan is comfortable serving as both Treasurer and Vice Chair. Patrick Hannon recommending postponing any reorganization until all members are present. Kristin Black will pencil in Reorganization to the last meeting in June.
4. Fishing Derby update
  - Pout Pond Recreation Committee is proposing a Fishing Derby in May. A flyer for the event was circulated. Jim Hogan recommended requesting a list of all planned activities to be brought to vote to save PPRC from having to come in multiple times.
  - **MOTION: I, Mr. Hogan, motion to approve the Pout Pond Fishing Derby. Seconded by Mr. Shaw, the motion carried unanimously 5-0-0.**

#### PROCESSING

Meeting Minutes – 3NOV14, 20JAN15, 17FEB15, 22APR14

- No quorum to vote/sign April 22, 2014 meeting minutes.
- **MOTION: I, Mr. Shaw, motion to approve November 3, 2014 meeting minutes as amended. Seconded by Mr. Hogan, the motion carried 4-0-1 (TT abstain).**
- **MOTION: I, Mr. Tibedo, motion to approve the January 20, 2015 meeting minutes. Seconded by Mr. Hannon, the motion carried unanimously 5-0-0.**
- **MOTION: I, Mr. Shaw, motion to continue the review of February 17, 2015 meeting minutes. Seconded by Mr. Tibedo, the motion carried unanimously 5-0-0.**

**ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION**

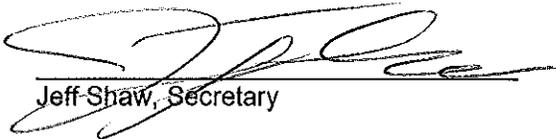
1. 179 West Street, Reported violation.
  - o Pat Hannon received an email from a butter asking why the Conservation Commission found no violations on this property. Kristin Black is researching with the Planning Board to determine approved subdivision plans and to review any wetland resources.
2. 1 Peter Street, Request for Certificate of Compliance (CoC) for 312-730 and 312-769.
  - o Kristin Black received these requests for CoC on February 26<sup>th</sup>. File #312-730 is for the roadway and associated structures. File #312-769 was for the duplex, on lot 2267. The property is changing hands. Kristin Black walked the site with Ken McKenzie. An as-built plan was submitted. According Mr. McKenzie, the road is not complete. Top coat was not done and it could not be determined if curbs were installed. The duplex was built. The original approved plans for DEP #312-769 did not show decks. The as-built plan shows a deck. One of the decks is within the 50' buffer to BVW so it is not exempt from review. Kristin Black is not aware of a filing such as an RDA for the deck but will need to research Conservation files to determine if the deck was approved.
  - o MOTION: I, Mr. Tibedo, motion to continue the review of the Request for Certificate of Compliance for DEP #312-769. Seconded by Mr. Hogan, the motion carried 4-1-0 (Mr. Hannon opposed).
  - o MOTION: I, Mr. Hogan, motion to deny the Request for Certificate of Compliance for DEP #312-730 for failure to complete construction of the roadway. Seconded by Tracy Tibedo, the motion carried unanimously.
3. 221 Mill Street, open Enforcement Order
  - o Kristin Black received a cover letter, photograph and sketch plan regarding the fencing. It was provided to the members. The wetlands was delineated by Andrews Survey but not added to the plan due to cost. In July it was requested for the wetlands to be flagged in the field. It will be difficult to see the flags. The commission would like to do a site visit to review the flags. Mr. Holden recommending continuing to first week in April. At that meeting a site visit can be scheduled.
  - o MOTION: I, Mr. Tibedo, move to continue the discussion to the first week in April. Seconded by Mr. Shaw, the motion carried unanimously 5-0-0.
4. Upcoming 2015 Mass Land Conservation Conference on Saturday, March 21 at Worcester Technical High School
5. New WPA Regulations. Possible training by circuit rider offered. Kristin Black will forward information.
6. Additional meeting to be scheduled March 30<sup>th</sup>, 5<sup>th</sup> Monday of the month. Topic to be discussed will include Open Space and/or Conservation bylaws.

At approximately 9:09pm, MOTION by Mr. Tibedo, to adjourn the meeting. Seconded by Mr. Hannon, the motion carried unanimously 5-0-0.

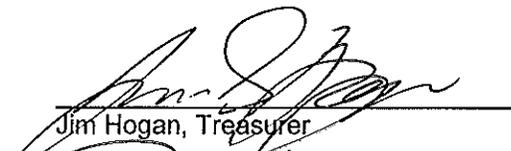
Respectfully submitted,  
Kristin Black  
Conservation Administrator



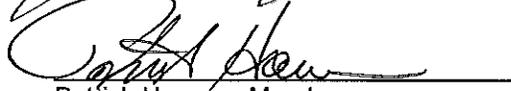
Russell Holden, Chairman



Jeff Shaw, Secretary



Jim Hogan, Treasurer



Patrick Hannon, Member

Tracy Tibedo, Member

Date