

Town of Uxbridge
Conservation Commission
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Uxbridge, MA 01569
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Conservation Commission Meeting Minutes
Monday, December 21, 2015
Board of Selectmen Meeting Room, Uxbridge Town Hall

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

Present: Chairman Patrick Hannon, Treasurer/Vice Chair Jim Hogan, Clerk Jeffrey Shaw, Members Mike Potaski and Russell Holden, and Melissa Dillon, Conservation Administrator

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

1. REQUEST FOR DETERMINATION OF APPLICABILITY (RDA), 19 Surry Drive (Map 25, Parcel 4245)

Applicant: Vincent Nofi

Project Description: Installation of a bulkhead or large egress window and window well from basement to existing patio as an emergency exit within possible wetlands or Buffer Zone

- o Discussion: The applicant was advised that there were possible wetlands on the property so brought it before the Commission to get clarification. MassGIS does not show any wetlands on the property and the house is located on top of a hill. Pictures provided by the applicant shows dry woods behind the property.
- o **MOTION: I, Mr. Hogan, move to that the Conservation Commission issue a Negative Determination. Seconded by Mr. Shaw, the motion carried 5-0-0.**

2. REQUEST FOR DETERMINATION OF APPLICABILITY (RDA), 90 Laurel Street (Map 43, Parcel 1164)

Applicant: Laurel Brook Club

Representative: Dave Burke & Jim Vogt

Project Description: Repeat of past cleanings involving removal of silt, leaves, and other natural debris from upper Bazeley Pond which have accumulated in past 4 years

- o Discussion: Dave Burke, a wetland specialist, on behalf of the applicant would like to request the same cleaning as what came before the Commission in years prior. Bazeley Pond has needed more maintenance and cleaning because of the increased traffic on Laurel Road. A negative Determination was issued previously for the same work. The Commission is worried that the cleaning sounds like dredging from their point of view and from comments from DEP. Mr. Hannon requests that the means and methods are submitted in a written format for further deliberation. The Commission discussed that the plans and work description is very vague and gives no indication of the work that is really being done. The Representative is adamant that the cleaning is not dredging and believes that because of the amount of sediment coming off the road the Pond needs to be maintained. The Representative believed that bringing DEP into the issue was unnecessary, but will submit supplemental information to help the Commission come to a decision.
- o **MOTION: I, Mr. Holden, move that the Public Hearing be continued until the next regularly scheduled meeting on January 4th for more information. Seconded by Mr. Shaw, the motion carried 5-0-0.**

Mr. Hannon recused himself from the meeting

3. REQUEST FOR DETERMINATION OF APPLICABILITY (RDA), 0 & 775 Millville Road (Map 47, Parcel 2079)

Applicant: Agritech, Inc.

Representative: Andrews Survey & Engineering

Project Description: Import of fill to the site to the elevations proposed on the plan and will provide restoration to an old gravel pit and provide areas of wildlife habitat

- o Discussion: Steve O'Connell, on behalf of the applicant, would like to seek a Negative Determination for the work laid out for this location. This site has been a fill area for a year or more. The DEP and Applicant are in the process of reaching an Administrative Consent Order, and the Negative Determination is part of the process. There will not be any work or fill outside the previous disturbed or filled area. The fill is

strictly within the area the Board of Selectman approved for the current permit. At the site visit by Mr. Hogan and Mr. Shaw there is a quite visible berm that surrounds the work. Mr. Holden was concerned about the DEP number sign on the entrance to the property and what the Notice of Intent was for that project. Mr. Potaski expressed that DEP is ultimately in charge of this property and coming before the Commission is a formality and will allow the Administrative Consent Order to be issued. Mr. O'Connell expresses that the final conditions will be that wild native grasses are planted, return to previous elevations, and restoration for endangered species. Mr. Holden would like to see a phasing plan, planting plan, and soil profile to move forward. The remaining Commissioners are comfortable issuing a Negative Determination with specific special conditions since DEP will be handling the site and reviewing the final conditions.

- **MOTION: I, Mr. Potaski move that we issue a Negative Determination with the special conditions of 1. No fill above 2 feet below the current berm 2. Apply 4 inches of loam to reach final elevation. 3. Plant wild native grasses 4. Use of compost sock around area of work 5. Submission of plan showing final conditions to release Determination. Seconded by Mr. Shaw, the motion carried 3-1-0. Mr. Holden-nay**

Mr. Hannon re-joined the meeting

4. **NOTICE OF INTENT (NOI), DEP #312-1007, 12 Douglas Street (Map 24A, Parcel 847, 762, 768)**
Applicant: 3P Properties LLC Representative: Land Planning, Inc.
Project Description: Replacement and relocation of an existing culvert and filling of the old culvert within the 200' Riverfront Area buffer zone
 - Discussion: Graves conducted their initial peer review and asked a continuance to the January 19th meeting in order to reply to the comments made by Graves Engineering.
 - **MOTION: I, Mr. Shaw, move that the Public Hearing be continued until the next scheduled meeting on January 19th. Seconded by Mr. Hogan, the motion carried 5-0-0.**
5. **NOTICE OF INTENT (NOI), DEP #312-1006, Flagg RV-865 Quaker Highway (Map 50, Parcel 4024)**
Applicant: Steve Flagg Representative: Heritage Design Group
Project Description: Completion of the Stormwater Management system for a commercial RV sales facility within a Buffer Zone.
 - Discussion: Heritage has not received the initial peer review from Graves as of yet. Steve Flagg stated by e-mail that he would have the trailers out by December 18th and will move the stockpile at the end of the project. Mr. Hannon suggests that the Commission issue a letter to Mr. Flagg that he must remove the stockpile immediately and that every day it is there is an additional violation. The Commission also needs the stamped as-built for Flagg RV prior to the next meeting.
 - **MOTION: I, Mr. Hogan, move that the Public Hearing be continued in agreement with the representative until the scheduled meeting on January 4th, 2016 for more information. Seconded by Mr. Shaw, the motion carried 5-0-0.**
6. **NOTICE OF INTENT (NOI), DEP #312-1008, 48/0 Depot Street (Map 20, Parcel 2517)**
Applicant: New England Power Company Representative: BSC Group
Project Description: Substation site improvements and feeder relocation, including the expansion of the existing access road, creation of a new parking area and electrical improvements to support the removal of the old 13.8 kV switchyard in the 200' Riverfront Area
 - Discussion: BSC Group asked that the hearing be continued until January 19th in order for the engineer to work on the comments made by Graves.
 - **MOTION: I, Mr. Holden move that the Public Hearing be continued in agreement with the representative until the regularly scheduled meeting on January 19th for more information. Seconded by Mr. Shaw, the motion carried 5-0-0.**
7. **NOTICE OF INTENT (NOI), DEP #312-100X, 68 Henry Street (Map 20, Parcel 2517)**
Applicant: Countryside Associates, LLC Representative: Andrews Survey & Engineering
Project Description: Construction of 12 townhouses with associated paving, landscaping, utilities, and earthwork within the 200' Riverfront Buffer Zone.
 - Discussion: Stephen O'Connell, on behalf of the Applicant, request to continue until January 19th in order to work on comments made by Graves in a peer review done by the Planning Board. Graves did believe that there was going to be a lot of filling done which Andrews did not believe would happen. The Commission would like to know how they would deal with stockpiling. Studies are currently being done to deal with the endangered species, mostly the triangle floater, that is said to be in the river along the property.

Conservation Commission Meeting Minutes continued - Monday, December 21, 2015

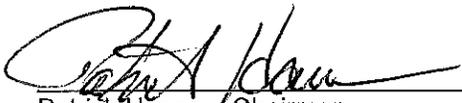
2. Endorse 68 Henry Street continuation
 - o Endorsed by all 5 members
3. Endorse Determination for 0 & 775 Millville
 - o Endorsed 4 members. Mr. Hannon abstained
4. Endorse Determination for 19 Surry Drive
 - o Endorsed by all 5 members
5. Endorse Determination for Hazel Street
 - o Endorsed by 3 members, Mr. Holden and Hogan abstained because of absence.
6. Endorse Meeting Minutes- 4/6, 8/17, 11/16, 12/7
 - o Put off until the next meeting

ANY OTHER BUSINESS WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

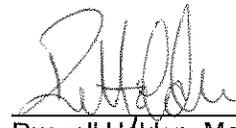
1. Budget
 - o Discussion: Mr. Hannon would like to buy 2 new cameras for the Commission to use for site visits.
2. MACC cards/membership
 - o Discussion: Cards were handed out prior to meeting. Commissioners plan to attend the MACC meeting in March.
3. DPW Recording
 - o Commission would like to send a letter to Benn Sherman at the DPW stating that he must record his Order of Conditions using the DPW address.

At approximately 9:05 pm, MOTION by Mr. Potaski that the Commission adjourn the meeting. Seconded by Mr. Hogan, the motion carried unanimously by roll call vote, Hannon – aye, Potaski – aye, Shaw – aye, Hogan – aye, Holden – aye.

Respectfully submitted,
Melissa Dillon



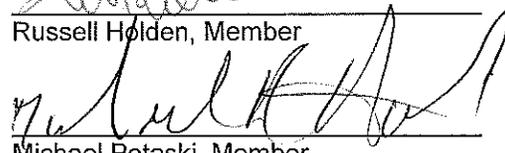
Patrick Hannon, Chairman



Russell Holden, Member



Jim Hogan, Vice Chair/Treasurer



Michael Potaski, Member

Jeffrey Shaw, Clerk

January 19, 2016

Date