

TOWN OF UXBRIDGE
 CONSERVATION COMMISSION
 21 SOUTH MAIN STREET
 UXBRIDGE, MASSACHUSETTS 01569
 508-278-8600, ext 2019

AUG 3 '10 AM 9:25



MEETING MINUTES
 Monday, July 19, 2010

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

Minutes of the Uxbridge Conservation Commission regular meeting held on Monday, July 19, 2010, at 7:00 P.M. in the Board of Selectmen's Meeting Room, Uxbridge Town Hall, 21 South Main St., Uxbridge, MA:

Conservation Commission Board Members Present: Chair Al Jones, Vice-Chair Russell Holden, Dave Lewcon and Larry Lench

Conservation Commission Board Members Absent: Harold Klei

Others present: Donna C. Hardy, Conservation Commission Administrator

OLD BUSINESS

Public Hearings:

DEP 312-913, NOI, Mountainview Estates – Albee Realty Trust (Map 41, Parcels 1827, 1832, 1858, 1876, 1895, 1941 & 1977) – New roadway construction & installation of utilities within 100' of a wetland to provide access to a proposed residential subdivision. MOTION by Mr. Holden to table discussion for DEP #312-913, NOI, Mountainview Estates – Albee Realty Trust, until Mr. Mark Anderson with Heritage Design Group is present. Seconded by Mr. Lench, the motion carried unanimously.

DEP 312-914, NOI, Alberto, 44 Connor Pass (Map 8, Parcel 4541) – Proposed project consists of an installation of an in-ground pool within 100' buffer zone at property. Mr. Holden did a site visit on the property. Mr. Holden confirmed that the site visit was satisfactory. Mr. Holden also indicated that erosion control and hay bales to be established at the site. The homeowners will be placing the pool closer to the home. Following discussion, MOTION by Mr. Holden to issue an Order of Conditions for DEP #312-914, 44 Connor Pass and to include one (1) Special Condition: 1) Erosion control, including hay bales to be established at site. Seconded by Mr. Lench, the motion carried unanimously.

DEP 312-xxx, NOI, Hunting Whip Lane subdivision, Marcia Ferro (Map 44, Parcel 4037) – Construction of an access roadway (driveway) to access three (3) single family homes within the buffer zone of a bordering vegetated wetland. Associated grading and utilities are also included in the work description. MOTION by Mr. Holden to continue the Public Hearing to the next scheduled meeting at the applicant's written request. Seconded by Mr. Lench, the motion carried unanimously.

RDA FY11-02 – David Moors, 65 King Street (Map 53, Parcel 887) – Proposed project consists of building a 16'x20' kitchen addition to the west side of the house. The corner edge of the existing house is approximately 98' from the wetlands buffer zone. Mr. Moors was present and discussed the project. Following discussion, MOTION by Mr. Holden to issue a Negative Determination of Applicability for RDA FY11-02 – David Moors, 65 King Street pending a satisfactory site visit and includes two (2) Special Conditions: Erosion control, including hay bales to be established at site and 2) Excavated soil is to be removed from the site. Seconded by Mr. Lewcon the motion carried unanimously.

Violations/Potential Violations

102 Homeward Avenue (Map 18A, Parcel 791) – Violation notification received on 5/4/10: Mr. Cesar Calderon, owner/landlord of property is filling in the wetlands (filling material is concrete, tar and other materials). Site visit occurred on 5/24/10. Cease and Desist order issued on 6/30/10. Mr. Lewcon and Mr. Holden shall be conducting another site visit on the property. The Commission requests MA-DEP to be contacted again to schedule a site visit on the property. Discussions shall continue to the next scheduled meeting.

35 Brandy Lane (Map 7, Parcel 4819) – The Commission received an anonymous letter on 5/24/10, indicating a possible violation occurring at the property. Mr. Klei did a site visit at the residence. Mr. Klei noticed a large area of extended lawn, approximately 30 – 50' of trees have been cut. Mr. Paul J. Dube, resident of the property was

present. Mr. Dube informed the Commission that within the last 2 years there has been clearing of rotting trees and an area has been loamed. However, Mr. Dube indicated that clearing was not done near the wetlands area. A site visit is scheduled for Wednesday, July 21st at 6:30 pm with Mr. Holden and Mr. Lewcon. Discussions shall continue to the next scheduled meeting.

OTHER ITEMS:

Ledgemere Country IV & Ledgemere Country V – The Conservation Commission received a “conceptual design plan” from the Planning Board. The Commission will review the plans and will continue discussions to the next scheduled meeting.

DEP 312-738, Request for Certificate of Compliance – Leonardo, 100 Paine Street (Map 37, Parcel 2264) – One story addition on wetland buffer zone to bordering vegetated wetland. Mr. Holden did a site visit of location. **MOTION** by Mr. Holden to issue a full Certificate of Compliance. Seconded by Mr. Lewcon, the motion carried unanimously.

NEW BUSINESS

Public Hearings – none

Violations/Potential Violations

619 Quaker Highway (Map 45, Parcel 2998) – Violation notification received on 7/13/10 indicating a possible violation. Property at Mobil/Exxon across from the old Motor-cross Park @ 619 Quaker Highway has a trailer full of hay bales that are being placed behind the property. It also appears that digging will begin at the property. No DEP File # is posted. Mr. Klei did a site visit on the property the evening of July 13, 2010. Discussions shall continue to the next scheduled meeting.

OTHER ITEMS:

Summer schedule – **MOTION** by Mr. Holden to table the discussion “Summer Schedule” to the end of the meeting. Seconded by Mr. Lewcon, the motion carried unanimously.

45 Freedom’s Way, Gray Wolf Development (Map 20, Parcel 1472) – Mr. Michael Salvador with Gray Wolf Development was present. Mr. Salvador provided the Commission an existing subdivision plan. Mr. Salvador indicated to the Commission that there are no wetlands crossing on the property. The Conservation Commission doesn’t believe this property is an issue. Chairman Jones signed the building permit. *Application*

15 Dunleavy Brook Drive, Darren Weirs (Map 22, Parcel 163) – Mr. Darren Weirs was present and discussed the project. Mr. Weirs requests to take down one (1) tree that is located near the wetlands and install a pool. A site visit is scheduled for Thursday, July 22nd at 6:00 pm Mr. Holden. Discussions shall continue to the next scheduled meeting.

Minutes. **MOTION** by Mr. Holden for the July 6, 2010 Meeting Minutes, as amended and make changes with four (4) amendments. Seconded by Mr. Lewcon, the motion carried unanimously.

Minutes. Meeting minutes dated June 21, 2010 was signed at the meeting.

ANNOUNCEMENTS and CORRESPONDENCE

DEP #312-912, NOI - Lot 15B, Crownshield Avenue – letter from Atty. Donna Salvidio – Mr. Nabil Farooq and Mariam Hyder-Farooq, residents at 315 Crownshield Ave and abutters to the above project never received an abutter notification for the Conservation Commission Public Hearing notice (applicant sends notices to abutters) for Tuesday, July 6, 2010. On July 6, 2010, Ms. Hardy had a phone conversation with Mr. Farooq and explained the project. Mr. Farooq understands that the site is to be used for construction of a water quality basin and associated grading in the 100’ buffer zone. Ms. Hardy also provided Mr. Farooq all the public documents on the project by email. Mr. Farooq informed that he was happy that a house wasn’t being built at the site. On July 8, 2010, Ms. Hardy had another phone conversation with Mr. Farooq and informed that he contacted his lawyer Attorney Donna Salvidio. Mr. Farooq indicated he had no issue with the Order of Conditions being signed and submitted to the applicant. An arranged meeting was scheduled on the evening of July 13, 2010 with Mr. Nabil Farooq, Mr. Donald Seaburg with Benchmark Engineering, Mr. Russell Holden with the Uxbridge Conservation Commission and Mr. Douglas Nydam with Nydam’s Landscaping Company, Inc. At that time, the parties walked Lot 15B and discussed the specifics of the proposed new construction. On July 19, 2010, the Commission received a response to the previous letter with commitments that the applicant shall follow.

Other Items:

Pout Pond/Legg Farm –

On July 19, 2010 at approximately 3:00 pm, the Reward herbicide chemical was added to Pout Pond. This treatment plan as earlier indicated will take up to 2 weeks for the weeds to decimate.

MOTION by Mr. Lewcon to accept the Town Manager's request for the approved proposal for the Aquatic Control Technology, Inc proposed treatment plan. Seconded by Mr. Lench, the motion carried unanimously. **MOTION** by Mr. Lewcon to schedule a re-opening of Pout Pond after the treatment is completed, date TBD. Seconded by Mr. Lench, the motion carried unanimously.

The Uxbridge Conservation Commission have expressed to the residents of Uxbridge if at all possible to make a donation to Pout Pond.

Mr. Lewcon spoke w/ Mr. James Pyne with Pyne Sand & Stone and Heritage Design Group will be going forward to complete the lawn. The expected date to start is September or October 2010. Heritage Design Group inquired if there is enough top soil at the location and if more is needed. If not enough top soil, a donation may be needed.

Mr. Lewcon has notified MassWildlife concerning the dumping of yard waste on conservation lands. A letter is needed to address the yard waste dumping on 15 Henry Legg Road with the conservation restriction.

Sand and salt piles, stored at various locations -

Chairman Jones is concerned for potential problems for wetlands if sand and salt continues to be stored. Vice-Chair Holden shall be sending a list to each member by email to visit the stored sites. Discussions shall continue to the next scheduled meeting.

53 - 54 Martin Street, beaver issue –

The Board of Health contacted Mr. Lewcon to address a beaver issue at this location. A site visit was conducted on July 15, 2010. Beavers are building a wooden dam in the slyce gate on the dam on the pond. Result of beaver dam: water table is rising, causing problems for property & road flooding, tree damage & culvert blockage. A 10-day application was filed with the Board of Health. An Emergency Certification has been signed by Mr. Lewcon.

Summer schedule – MOTION by Mr. Lewcon to cancel the August 16, 2010 Conservation Commission meeting. Seconded by Mr. Lench, the motion carried 3-1.

MOTION by Mr. Holden to adjourn the meeting at 9:10 P.M. Seconded by Mr. Lewcon the motion carried unanimously.

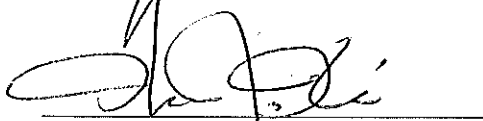
Respectfully Submitted by Donna C. Hardy, Conservation Administrator



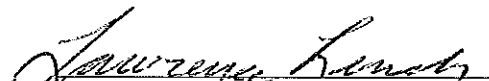
Al Jones, Chairman



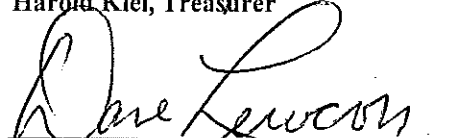
Russell Holden, Vice-Chair



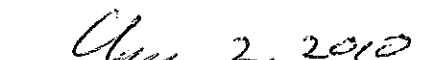
Harold Klei, Treasurer



Lawrence Lench, Clerk/Secretary



Dave Lewcon, member



Date Aug 2, 2010

