

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



SEP 21 '10 AM 9:08

MEETING MINUTES
Monday, August 2, 2010

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

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, August 2, 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, Harold Klei, Larry Lench and Michael Potaski

Others present: Donna C. Hardy, Conservation Commission Administrator

Chairman Jones welcomed Mr. Michael Potaski as the newest member of the Conservation Commission. Chairman Jones congratulated Mr. Russell Holden for his re-appointment to the Conservation Commission.

OLD BUSINESS

Public Hearings:

DEP 312-913, NOI, Mountainview Estates – Albee Realty Trust (Map 41, Parcels 1827, 1832, 1858, 1876, 1895, 1941 & 1977) – A new roadway construction & installation of utilities within 100' of a wetland to provide access to a proposed residential subdivision. Mr. Mark Anderson with Heritage Design Group sent a written request for continuance to the next scheduled meeting. **MOTION** by Mr. Klei to accept the applicant's written request to continue the public hearing for DEP #312-913, NOI, Mountainview Estates to the next scheduled meeting. Seconded by Mr. Holden, the motion carried unanimously.

DEP 312-915, 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. Mr. Mark Anderson with Heritage Design Group sent a written request for continuance to the next scheduled meeting. **MOTION** by Mr. Klei to accept the applicant's written request to continue the public hearing for DEP #312-xxx, NOI, Hunting Whip Lane to the next scheduled meeting. Seconded by Mr. Holden, 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 conducted a site visit on July 30, 2010. Test pits were dug and a lot of debris was discovered, such as stumps, rocks and tree limbs, etc at the edge of the wetlands. The Commission members discovered approximately 3' – 3 ½' feet of debris of material needs to be removed at the site. Also, it appears that the shed behind the property is resting on cinder blocks. On Saturday, July 31, 2010, the Commission members set up marked stakes on the property. The Massachusetts Department of Environmental Protection and the Conservation Commission shall be working together to conduct the next site visit. 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 drove by the location and saw possible activity on the resource area behind the property. Mr. Holden did a site visit and noticed a depression in the area near the wetlands. It appears the lawn has been extended. The resident, Mr. Paul Dube informed the Commission he cleared approximately 20' of the land to remove poison ivy. The Commission recommended at least 10' feet buffer zone from edge of extended lawn towards house be allowed to grow naturally without any chemicals and to not remove any additional bushes. Following discussion, **MOTION** by Mr. Klei to issue a Memorandum of Understanding to the resident requiring a 10' feet undisturbed strip to allow the area to re-vegetate. Seconded by Mr. Holden, the motion carried unanimously.

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. Mr. Holden also did a site visit and found a stream going through the property. The Commission did not find any violations occurring at site. Ms. Hardy spoke w/ Mr. Grezma, the Board of Health agent to confirm the address. The address is confirmed as the correct address; however no violation activity appears to be conducted at this site.

Other:

Ledgemere Country IV – The Commission noticed a few issues with the detention basins. One detention basin wasn't found; another had a large sink hole, outlet pipes have failed and another had an over excavated swale. The Commission agreed a new Notice of Intent application will need to be filed by the applicant.

Ledgemere Country V – Mr. Klei is an abutter to the property and recused himself from discussion. The Commission noticed one detention basin feeds into a brook and it appears to have been constructed properly. However, in one detention basin, the soil is saturated and very silty. The Commission discussed that a full-time observant or a site visit needs to be reviewed with the Conservation Commission and Planning Board. The Commission agreed a Notice of Intent application will need to be filed by the applicant. Mr. Klei returned to the commission.

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. Mr. Holden did a site visit on July 22, 2010. The area has been staked out, well over 50'. Following discussion, **MOTION** by Mr. Holden to recommend a letter be sent with the following conditions: 1) Provide erosion control barriers at the site. 2) All work associated with pool installation should occur further than 50' feet from the wetland located at the site. Seconded by Mr. Klei, the motion carried unanimously.

NEW BUSINESS

Public Hearings – none

Violations/Potential Violations

127 Old Millville Road (Map 40, Parcel 742) – Received an anonymous call from a neighbor on August 2, 2010. Anonymous caller has noticed recent work being done on the property within the last three (3) weeks, such as excavation of trees and land. Caller noticed a possibility of a patio or driveway being installed at the property. No trespassing signs posted everywhere on the property. Site is located in the flood plain zone and is near wetlands. Mr. Lewcon did a site visit on August 2, 2010. Ms. Hardy attempted to contact resident at address, however phone number is not available online. Mr. Klei will conduct a personal visit at the site and speak directly with the homeowner. Discussions shall continue to the next scheduled meeting.

Other –

Sand and salt piles -

The Commission reviewed several street locations in town, where sand, salt and street sweepings are stored. Mr. Benn Sherman, DPW Director provided a list of sites where the piles are currently stored. Mr. Sherman informed the Commission, if there are any issues with wetlands located near the piles to notify DPW and the piles shall not be stored at the locations.

Chairman Jones informed the Commission that there was no drainage and no issues at the following sites: Colonial Drive and Almshouse Road. Both roads are cul-de-sacs.

Vice-Chair Holden informed the Commission that on Mill Street at the high tension lines there are no wetlands nearby. Chapin Street has a drainage area and is near the wetlands. It appears that the piles have been accumulated over the years. High Street at the high tension lines appears to have a pile that has been at the site since spring 2010. Mr. Holden implied that it may be best for wetlands purposes, to store the sweepings across the street, near an opening of a stone wall.

Previous discussions w/ Ms. Rachel Landry, concerning the South End Fire Station on 222 Aldrich Street have revealed wetlands near the property.

No information for the location on Blackstone Street Extension.

Mr. Lewcon visited the locations at Mendon Street (flats), West River Road and Douglas Street (near Rt. 146) and all have wetland resource areas located nearby. The street sweeping piles are done for convenience, but are still considered solid waste.

The Commission inquired where the material is going after it's picked up and removed. Chairman Jones shall contact Mr. Sherman for additional information. Discussions shall continue to the next scheduled meeting.

Emergency Orders -

MOTION by Mr. Lewcon to request to have Mr. Seth Lajoie with Lajoie & Associates to speak before the Conservation Commission to discuss three (3) Emergency Order applications out of order. Seconded by Mr. Holden, the motion carried unanimously.

Mr. Potaski recused himself.

Mr. Seth L. Lajoie, R.S. with Seth L. Lajoie and Associates, Inc. was present and spoke on behalf of his applicant ExxonMobil Pipeline. The applicant is requesting a permit to perform a mandatory preventive maintenance repair (pipeline anomaly repair). Under MA-DOT regulations, the repair must be done. The work consists of exposing the existing pipe at three (3) locations with installing a 2' long repair sleeve with backfilling. All the work will be taking place within the ExxonMobil pipeline easements.

- Quaker Street – Work to be allowed is an installation of full encirclement or approved equivalent. Work shall be performed in accordance with Plan #L-242 dated July 28, 2010 by Summit E.S. and Seth L. Lajoie. Special condition: Applicant to inform Commission of scheduling pre and post construction pictures. Narrative of work done on the site and post construction site inspection.
- Aldrich Street - Work to be allowed is an installation of full encirclement or approved equivalent. Work shall be performed in accordance with Plan #L-244 dated August 1, 2010 by Summit E.S. and Seth L. Lajoie. Special condition: Applicant to inform Commission of scheduling pre and post construction pictures. Narrative of work done on the site and post construction site inspection.
- 32 & 33 West Street (Map 32 & 33) - Work to be allowed is an installation of full encirclement or approved equivalent. Work shall be performed in accordance with Plan #L-167 dated August 2, 2010 by Summit E.S. and Seth L. Lajoie. Special condition: Applicant to inform Commission of scheduling pre and post construction pictures. Narrative of work done on the site and post construction site inspection.

All work to be completed by August 30, 2010.

MOTION by Mr. Klei to issue the Emergency Certification Order for Quaker Street, Aldrich Street and 32 & 33 West Street with the plans and plan date presented including one (1) Special Condition: Applicant to inform Commission of scheduling pre and post construction pictures, along with narrative of work done on the site and post construction site inspection. Seconded by Mr. Holden, the motion carried unanimously.

Mr. Potaski came back to the meeting.

25 East Street, lot 1 (Map 31, Parcel 1942) – Potential buyer inquired of amount of wetlands on the property. Previous Order of Conditions for DEP #312-832 was issued on December 23, 2008. The project must be followed exactly with the same type of construction on the single family home. If the project or plans are different, then a new Notice of Intent application will need to be filed. **MOTION** by Mr. Klei to issue a letter or contact potential buyer to alert that an Order of Conditions is current under DEP #312-832. If the project is different, a new Notice of Intent application will need to be filed. Seconded by Mr. Holden, the motion carried unanimously.

Fairwoods Pond – A survey of the weeds on the pond has been conducted. The Reward chemical may be added for next year.

Minutes. **MOTION** by Mr. Holden for the July 19, 2010 Meeting Minutes, as amended and make changes with two (2) amendments. Seconded by Mr. Klei, the motion carried unanimously.

Minutes. Meeting minutes dated July 6, 2010 was signed at the meeting.

ANNOUNCEMENTS and CORRESPONDENCE

- 9 Balm of Life Spring Road (Map 46, Parcel 4251) – On July 28, 2010, the Uxbridge Board of Health sent a Cease & Desist Order.
- Forest Cutting Plans – 309 Hazel Street (Map 17, Parcel 4461) – The Commission requests a letter to be sent stating the wetlands are not clearly delineated. On August 5, 2010, a letter was sent to Mr. Guy LaChance, Service Forester with DCR indicating that the wetlands and stream crossing do not appear to be clearly delineated on the plan; source of regeneration was not indicated on the plan and a to have the owner of the property indicate how the proposed forest cutting is expected to meet the objectives of Long-term Forest Management rather than Short-term Harvest.

Other Items:

Pout Pond/Legg Farm – Pout Pond was re-opened on July 30, 2010. Water testing was conducted on July 27, 2010 and the pond tested at 20 CFU (colony-forming unit), which is low for this time of the year. The cut off count for testing is at 235 CFU. Raking of the weeds will need to be done to allow swimming. Also, there is a need for volunteers to help at Pout Pond for various duties. Mr. Lewcon proposed a request to have additional contacts to open and close the gates. Discussions also included as to why a gate is needed. An issue may arise with disposal of white goods, CRTs or mattresses. Mr. Klei will be the secondary individual to close the gates.

Potential grants – Possibility of potential grants for 2011. Discussions shall continue at the next scheduled meeting on September 7, 2010.


Mosquito Control treatments – Possible treatments are being done on the wetlands. The Commission shall continue discussions to the next scheduled meeting.

Topics for the Uxbridge Times – Washing of water toys, boats, etc before using items at Pout Pond may have caused problems including the recent weed outbreak.

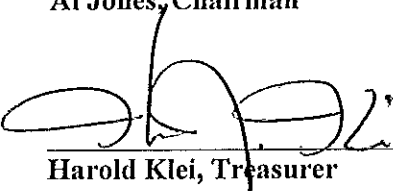
MOTION by Mr. Klei to adjourn the meeting at 9:28 P.M. Seconded by Mr. Holden the motion carried unanimously.

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



Michael Potaski, Member

9/20/10
Date