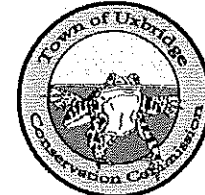


Town of Uxbridge
 Conservation Commission
 21 South Main Street
 Uxbridge, MA 01569
 508-278-8600 x 2020



Conservation Commission Meeting Minutes
 Monday, August 17, 2015
 Board of Selectmen Meeting Room, Uxbridge Town Hall

Received by
 Uxbridge
 Town Clerk

Please note some items may have been taken out of order from the Agenda.

Present: Chair Pat Hannon, Vice Chair/Treasurer Jim Hogan, Clerk Jeffrey Shaw, Members Russell Holden and Michael Potaski, Administrator Kristin Black

Absent: Member Tracy Tivedo

It being approximately 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the meeting was called to order by the Chair and begun with the Pledge of Allegiance.

MOTION by Mr. Shaw to take Other Business agenda item #2 out of order. Seconded by Mr. Potaski, the motion carried unanimously 5-0-0.

OTHER BUSINESS

2. Proposal by Town Manager to replace Conservation Administrator with 19-hour/week Administrative Assistant II

- o Discussion: Town Manager David Genereux explained his decision to replace the Administrator with an Administrative Assistant based on historical data of position (agent vs. admin), available funding, current conservation demands, and goal to adequately staff support for the Commission in the near term. Discussion included peer review process and funds, MA-DEP Circuit Rider as a resource, training of new hire, hidden costs of full-time hire, Jill Kenrick, Albee Road, addressed the Commission, noting need for Administrator as service to tax paying residents.
- o **MOTION by Mr. Potaski the Conservation Commission support the hiring of an Administrative Assistant for 19 hours per week to handle the office paperwork. Seconded by Mr. Hogan, the motion carried 3-2-0. Members Holden and Shaw opposed.**

PUBLIC HEARINGS

1. Notice of Intent (NOI), 312-xxxx, Off Rogerson Crossing (Assessor's Map 12B, Parcel 3768)

Applicant: Rogerson Crossing Realty Trust

Representative: Andrews Survey & Engineering, Inc.

Project description: Construction of a subdivision road consisting of a bridge over the Mumford River and work within Bordering Land Subject to Flooding, Riverfront Area and BWV

- o Discussion: Mr. Stephen O'Connell, of Andrews Survey & Engineering, representing the Applicant, provided a brief update that plans are moving forward and requested a continuance to the next regularly scheduled meeting.

2. Notice of Intent (NOI), 312-1002, 8 Arapaho Lane (Assessor's Map 41, Parcel 3017)

Applicant: AFCO Land & Development Corp.

Representative: Guerriere & Halnon, Inc.

Project description: Construction of a single family home, utilities, and associated grading with the 100' buffer of a BWV

- o Discussion: Mr. Michael Hassett of Guerriere & Halnon, Inc., representing the Applicant, distributed updated plans that reflect: change of stockpile area; interior stonewall shown; slope control plan; addition of signage/spikes; driveway/slope runoff solution. General discussion: inclusion of erosion control detail for silt fence and jute, per DEP review; remove "within 30 days" reference for jute installation; if Arapaho Drive is included in current stormwater management BMP; clarification of item N, plan reference; amendment of item G, loam/seeding erosion control; permanent signage language "Protected Resource Area – Do Not Disturb. Uxbridge Conservation Commission"; fino spike language "Protected Resource Area. Uxbridge Conservation Commission". Jill & Frank Kendrick, 156 Albee Road, stated concern of steep grade of development, given ongoing drainage issues with culvert and basins; shared maps of pond, what feeds it, and cart path with

property lines; requested trees removed by Applicant previously be made good and cart path access provided, which the Kendricks will need to discuss with Applicant; permanent or temporary signage.

- **MOTION by Mr. Holden to continue the Public Hearing for 8 Arapaho Lane to the next scheduled meeting on September 8, 2015. Seconded by Mr. Hogan, the motion carried unanimously 5-0-0.**

3. Notice of Intent (NOI), 312-xxxx, 189 Mendon Street (Assessor's Map 19, Parcel 3753)

Applicant: Clean Energy Collective

Representative: Andrews Survey & Engineering, Inc.

Project description: Construction of 1.1 MW(ac) large-scale ground mounted solar electric generating facility within the 100' buffer to a BVW

- Discussion: Stephen O'Connell of Andrews Survey & Engineering, Inc., on behalf of the Applicant, requested a continuance and provided an update that Applicant hired environmental firm for soil testing, ATC Lincoln, for expedited testing, per Commission request; expect to have additional updated paperwork submitted 7 days before next regularly scheduled meeting.
- **MOTION by Mr. Hogan to continue the Public Hearing for Notice of Intent (NOI), 312-xxxx, 189 Mendon Street. Seconded by Mr. Potaski, the motion carried unanimously 5-0-0.**

WETLAND UPDATES/ISSUES

1. Request for Certificate of Compliance (COC)

Mr. Potaski recused himself from the following agenda item discussion.

- 104 Hartford Ave East, DEP #312-957
 - Discussion: Mrs. Black clarified that the request is for 2 COCs: #312-947 (OOC denied by MA DEP) & #312-957 (subsequent filing), the Larkin Building. General discussion that site is in compliance.
 - **MOTION by Mr. Holden to issue a COC for DEP #312-957. Seconded by Mr. Hogan, the motion carried unanimously 4-0-0.**
 - **MOTION by Mr. Holden to issue a COC, indicating no work commenced, for DEP #312-947. Seconded by Mr. Hogan, the motion carried unanimously 4-0-0.**

Mr. Potaski rejoined the meeting.

- 16 Longmeadow Road (Lot 19A), DEP #312-498
 - Discussion: The Commission received a letter from Paul Hutnak of Andrews Survey & Engineering, on behalf of the Owners, that it was built substantially to the plan with deviations noted for the pool. Mrs. Black read the letter in the record. General discussion: no as-built plans were required at the time of construction; Mr. Hutnak's letter satisfies requirement for OOC; house has moved toward wetlands; pool, not part of the original OOC, is in violation and may need after-the-fact NOI. Mrs. Black to issue Enforcement Order letter requesting Owner appear before the Commission.
 - **MOTION by Mr. Holden to issue a COC for DEP #312-498, 16 Longmeadow Road (Lot 19A). Seconded by Mr. Shaw, the motion carried unanimously 5-0-0.**
- 26 Bentley Drive (Lot 5), DEP #312-986
 - Discussion: Mr. Stephen O'Connell of Andrews Survey & Engineering, on behalf of the Applicant TTK Real Estate, is requesting OOC for Hecla Village subdivision, 28 Bentley Drive, Lots 5 and 6; landscaping completed on side-by-side lots; erosion barrier installed well within border; signs installed; Lot 6 recently hydroseeded, request withdrawn as Applicant needs to resubmit application to next meeting once grass is growing.
 - **MOTION by Mr. Holden to issue a COC for DEP #312-986, 26 Bentley Drive (Lot 5). Seconded by Mr. Hogan, the motion carried unanimously 5-0-0.**
- 100 Stanphyl Road (Lot 7), DEP #312-481
 - Discussion: Prospective buyer contacted Commission, resulting in discovery that OOC had not been issued to date. General discussion: well and house was installed / constructed per plans; very slight disturbance to wetlands.
 - **MOTION by Mr. Holden to issue a COC for DEP #312-481, 100 Stanphyl Road (Lot 7). Seconded by Mr. Hogan, the motion carried unanimously 5-0-0.**
- 656 Millville Road, DEP #312-996
 - Discussion: Commission reviewed photos of driveway, drainage pipe, small berm, and rip wrap.
 - **MOTION by Mr. Holden to issue a COC for DEP #312-996, 656 Millville Road. Seconded by Mr. Shaw, the motion carried unanimously 5-0-0.**

Mr. Potaski recused himself from the following agenda item discussion.

2. Request to amend approved chemical treatment of Lee Reservoir, DEP #312-942

- o Discussion: Mrs. Black to follow-up with Aquatic Technologies for missing reports and general lack of compliance, as well as to Uxbridge Rod & Gun Club of outstanding issues with COC request, and to add it to next meeting agenda. Aside, Commission received August 13, 2015 letter to request extension of OOC that expires on September 18, 2015.

Mr. Potaski rejoined the meeting.

3. IRP update on Proposed Restoration Activities

- o Discussion: No one present to provide an update.

REPORTED/ONGOING VIOLATIONS

1. 363 Quaker Highway (Owner: Blue Wave Capital, LLC), Violation FY15-18, DEP #312-955

- o Discussion: Mr. Steve Campbell of Sun Edison confirmed restoration completed that day; site walk scheduled in 2 days at 2pm; 30 yards of silt removed from wetlands; reviewed areas for hydroseeding, and loam and seeding on updated plans; seeking Commission approval to begin drainage work, already reviewed / approved by Graves, in anticipation of loam and seeding in September. General discussion: bond amount to be determined and agreed upon by Blue Wave legal counsel with the Town Manager.
- o **MOTION by Mr. Hogan to approve Graves Engineering, Inc. Plan of Action, dated July 31, 2015, revised with Sun Edison at the August 3, 2015 meeting, and further amended by the Graves Engineering, Inc. Stabilization Plan, received August 6, 2015. Seconded by Mr. Holden, the motion carried unanimously 5-0-0.**

OTHER BUSINESS

1. Resignation of Conservation Agent

- o Discussed as part of agenda item **Other Business #2.**

3. Draft Stormwater Bylaw

- o Discussion: Planning Board is Stormwater Authority and responsible for coordinating efforts with other Boards, as appropriate; confirm if 290-5, Applicability, page 4, is less strict than standards. Tabled to next meeting.

4. Free Workshop "Greening Your Communities" presented by Mass Audubon and others, Tuesday, October 27th from 4:30-6pm in Board of Selectmen Meeting Room, Town Hall, Uxbridge

- o Discussion: Open to the Blackstone Valley Watershed communities and the general public. Mrs. Black requested it be posted on Uxbridge Cable TV and recorded.

5. Commission Member Resignation

- o Tracy Tibedo tendered his resignation, effective immediately. The Commission appreciates and thanks him for his service. The Commission has 2 vacancies. Interested parties should contact the Town Manager.

6. Fee Schedule / Draft Bylaw

- o Mr. Hogan is continuing to work on the fee schedule and a draft bylaw; updates will be provided for the next meeting.

7. BJ's Site Visit

- o The Chair conducted a site visit to BJ's, upon approval from the Applicant/Owner, who is re-engaged.

8. River Road Enforcement Order

- o Mrs. Black confirmed June 5, 2015 Enforcement Order is still open. Discussion: site is for sale; work has continued on the site; no response from Owner to Enforcement Order to date; MA-DEP suggested most severe action possible be taken by Commission against Owner as a result of the nails buried in a staked out trench on site and lack of compliance, including revoking the NOI and recording of Enforcement Order; Mrs. Black to send certified Cease and Desist letter and requirement to appear at next meeting on September 8, 2015, and forward the Town Manager to engage Town Counsel.

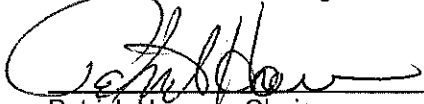
9. Silt Fence / Sock Installation

- o Discussion: Silt fence / sock was observed at Niko's; no pending application; possibly part of Water Main project; the Chair will research; Mrs. Black to send Water Main Project OOC to Commission and upload to dropbox.

Conservation Commission Meeting Minutes continued – Monday, August 17, 2015

At approximately 9:35 pm, MOTION by Mr. Potaski to adjourn the meeting. Seconded by Mr. Holden, the motion carried unanimously 5-0-0.

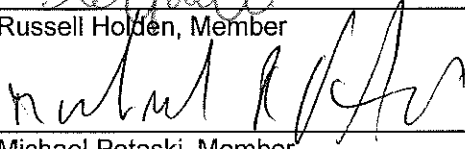
Respectfully submitted,
Beth A Pitman
Conservation Recording Clerk



Patrick Hannah, Chair



Russell Holden, Member



Michael Potaski, Member



Jim Hogan, Vice Chair/Treasurer

Jeff Shaw, Secretary

Tracey Tibedo, Member

January 4, 2016

Date