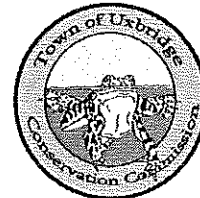


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



Conservation Commission Meeting Minutes
Tuesday April 17, 2018
Board of Selectman's Room, Uxbridge Town Hall

Received by
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Present: Chair Andrew Gorman, Vice Chair Jim Hogan, Clerk Jeff Shaw, Treasurer Russell Holden, Members Dale Bangma & Lauren Steele and Conservation Agent Melissa Danza

It being 6:30 pm, the meeting being properly posted, duly called and a quorum being present, the Chair called the meeting to order.

** Mr. Shaw moved to take the Public Hearings out of published order and hear #4. Amended NOI for DEP #312-1049 first because of potential quorum issues later in the meeting. Mr. Holden seconded, & the motion passed by vote of 6-0-1.*

PUBLIC HEARINGS

1. **Amended Notice of Intent, DEP #312-1049**, 35, 37, 39, 41 Hyde Park Circle (currently Map 29, Parcel 3117)
Applicant: Uxbridge Multi Family Realty, LLC Representative: Guerriere & Halnon, Inc.
Project Description: Change of lot lines and change to a 4-unit condominium (changed from 3) and the addition of roof drains within the buffer zone. (00:00:45 – 00:11:37)

Discussion: ** Ms. Steele recused herself from discussion, as she is an abutter.* Mike Hassett, Guerriere & Halnon, attended on behalf of the applicant and provided an overview of the changes - going from 2 units on lot 8A, 8 units on lot 10A, and 8 units on lot 10B to 4 units on each lot 8D, 10C, 10B, and 10E - configured in a similar layout. He stated the grading and distance to the wetland buffer remains essentially unchanged. He briefly reviewed the phasing/sequencing (which was updated with the new configurations in the 4/4/18 letter) and essentially the entire area will be cleared, graded and prepared for work but stumps will remain for stabilization until each lot is developed. They plan to construct the units on 8D and 10C first. One other change pointed out on the updated plan was the addition of recharge (infiltration of the roof runoff) on the four corners of each unit - a stipulation on the original Planning Board approval. No members of the public commented on the hearing. To ensure it falls within an Amended NOI and not a new NOI members confirmed via plan comparison that the limit of disturbance, nature of the grading and erosion control has remained unchanged.

Motion: Mr. Hogan moved to issue an amended Order of Conditions for DEP #312-1049 with the Uxbridge Standard Special Conditions and the addition of the original conditions 52, 53 and 54 in reference to the site plans dated 3/15/18 and stamped by their engineer. Mr. Bangma seconded, and the motion passed by vote of 4-1-0. Mr. Holden - nay.

** Ms. Steele returned to the meeting.*

** Mr. Hogan moved to take the Public Hearings out of published order and hear #3. NOI for DEP #312-104X next as they are the only applicant in attendance. Mr. Shaw seconded, & the motion passed by vote of 5-0-0.*

2. **Notice of Intent (NOI), DEP #312-106X**, Tea Party Drive (Map 29, Parcels 3053, 3099, 3987, 3084, 3866, 3895, & 4745)
Applicant: Uxbridge Multi Family Realty, LLC Representative: Guerriere & Halnon, Inc.
Project Description: Construction of a roadway and associated grading, clearing, and paving in conjunction with a positive Determination of Applicability (00:11:56 – 00:30:43)

Discussion: Dale McKinnon, with Guerriere & Halnon, attended on behalf of the applicant. Based on comments from the prior meeting they added an erosion revitalization plan to the design, which Mr. McKinnon reviewed. References to hay were removed, project sequencing was added and hydro seeding and tackifying the berm and steep slope on lot 4 was added. Mr. McKinnon agreed to provide details of the hydro seed mix to the agent prior to the next meeting. There was also discussion of the added condition of inspecting the hydro seed to ensure its effectiveness. Ms. Danza was on site as they were fixing the silt fence and reported to commission on site conditions. No members of the public commented on the hearing. After discussion, it was determined that soil should not be stockpiled on Tea Party Drive due to the steep slopes and potential for problems and Mr. McKinnon agreed to update the plan accordingly. Mr. Holden reviewed and requested tightening up the language related to that the stabilization measures (described on the Erosion Control

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Revitalization Sequence #9, 9a and 9b). After discussion, it was decided and Mr. McKinnon agreed to remove 9b, which referred to a 21-day timeframe to stabilize which the board agreed was too long.

Motion: Mr. Hogan moved to continue NOI for Tea Party Drive to the next meeting of the Conservation Commission for updates and a DEP number. Ms. Steele seconded, and the motion unanimously passed by vote of 6-0-0.

3. **Notice of Intent (NOI), DEP #312-1054**, 0 Newell Rd & 0 S. Main St (Map 25, Parcels 2065 & 4434) (00:30:58 – 00:31:13)
Applicant: ForeFront Power, LLC Representative: TRC Environmental Corporation
Project Description: Construction of a 4-megawatt ground mounted solar facility with work in bordering vegetated wetlands and associated buffer zones.

Discussion: The applicant formally requested to continue to the next hearing.

Motion: Mr. Hogan made a motion to continue DEP #312-1054 0 Newell Road & 0 South Main Street to the next meeting of the Conservation Commission. Mr. Shaw seconded and the motion passed by vote of 5-0-1. *Mr. Holden abstained.*

4. **Notice of Intent (NOI), DEP #312-1062**, 619 Quaker Highway (Map 45, Parcels 2998 & 3816) (00:31:14 – 00:31:28)
Applicant: Kevin Powers Representative: Marc N. Nyberg Associates, Inc.
Project Description: Clearing and grading within the buffer zone in preparation for later site development.

Discussion: The applicant formally requested to continue to the next hearing.

Motion: Mr. Hogan made a motion to continue DEP #312-1062 619 Quaker Highway to the next meeting of the Conservation Commission. Mr. Shaw seconded and the motion passed by vote of 5-0-1. *Mr. Gorman abstained.*

5. **Notice of Intent (NOI), DEP #312-106X**, 20 Glen Street (Map 36, Parcel 4127) (00:31:29 – 00:49:57)
Applicant: Koopman Lumber Company Representative: Andrews Survey & Engineering, Inc.
Project Description: Construction of a single-family dwelling with associated septic, utilities, and earthwork within a portion of the BVW and associated buffer zone.

Discussion: **Mr. Bangma recused himself from discussion.* Steve O'Connell, Andrew's Survey and Engineering, attended on behalf of the applicant and provided the following background details: this is last lot in a subdivision constructed approximately 15 years ago, this lot was previously approved for septic and had a superseding order that was never acted upon; the owner is the same but the applicant (Koopman Lumber) is new to the project and brought on Andrew's to help with re-permitting; wetlands have been re-delineated; topography has been updated; soil testing updated; added a septic design from a different from original. The NOI is for a wetland crossing to a proposed single family dwelling in the back and the gravity septic system is in the front – they meet title 5 requirements as it relates to the wetland. Mr. O'Connell provided copies of the previously approved plan for members to compare with the new layout. They reviewed the crossing and the proposed replication. Mr. Hogan pointed out that the SW corner of the building is inside the 25' no disturb and asked whether the applicant would consider expanding the replication area to compensate for any possible impact. Mr. O'Connell thought they would and after evaluation determined an appropriate area would be near the retaining wall. He also explained that repositioning the house was evaluated but it was determined it would actually lead to more earthwork related disturbance. Mr. Holden requested confirmation of the water flow of the wetland system (does it connect with the system across Glen St?). Members coordinated a site visit for 4/26. No members of the public commented on the hearing.

Motion: Mr. Hogan moved to continue the NOI for 20 Glen Street to the next meeting of the Conservation Commission for a DEP number. Ms. Steele seconded and the motion passed by vote of 5-0-0.

** Mr. Bangma returned to the meeting.*

** The agenda was taken out of published order to review Meeting Minutes before some members have to leave to attend another meeting.*

PROCESSING

1. 4/2/18 Meeting Minutes Review (00:49:58 – 00:53:36)
 - During review, Mr. Holden mentioned adding a *Snow Removal Procedure* to future agenda.

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Motion: Mr. Hogan moved to accept the 4/2/18 Conservation Commission meeting minutes as amended. Ms. Steele seconded, and the motion passed by vote of 6-0-0.

* Mr. Hogan and Mr. Shaw left the meeting.

REPORTED/ONGOING VIOLATIONS

- Old Lackey Dam Road Gravel Pit
 - Item passed over because there was no new information to report.
- 395 West Street (00:53:52 – 00:54:38)
 - Mrs. Danza informed members that the Zoning Enforcement Officer, Larry Lench, reported there are only 3 vehicles remaining on the property and she will follow up with another inspection.
- Commerce Drive – Map 40, Parcels 3085 & 3086 (00:54:39 – 00:58:34)
 - No plantings have taken place yet. When the members were on site 2 weeks prior to evaluate the Vernal Pools there was standing water that has since dried up. Members agreed to visit the site on a regular basis to monitor progress and discuss the Vernal Pool certification with the respondent at the next meeting.
- Review EPA staff findings (00:58:35 – 01:08:37)
 - Two employees of the EPA staff visited Cobbler's Knoll and Hyde Park Circle/Tea Party Drive with Mrs. Danza - two subdivisions that fall under the Construction General Permit (CGP). At Cobbler's Knoll, they were able to observe the concerns the agent has reported on such as the basins rough trenched out but not fully constructed and water flowing offsite – almost to the Trunkline Trail. From the EPA's standpoint, problems identified were slopes not stabilized; swales filled with silt and sediment, and several areas with water flowing – general site management issues. They will provide their own follow up (possibly a punch list) which Mrs. Danza will distribute once received.
 - At Ledgemere, they observed a lot of trash on Hyde Park Circle and noted that catch basins need to be cleaned and silt sacks available on site. There was also a foundation hole filled with water. They walked the length of Tea Party drive and found the same the issues as the Commission identified.
 - There was further discussion about the enforcement process as it relates to storm water management and reporting of issues. Everyone agreed regulations should be developed to go with the Stormwater Bylaw and that those efforts will most likely be driven by DPW or the Stormwater Committee.

WETLAND UPDATES/ISSUES

- Request for Certificate of Compliance DEP #312-1040, 263 Hazel Street (01:08:40 – 01:10:23)
 - Mrs. Danza recommended passing over because the grass has not fully established yet – just a few spurts here and there. Mrs. Danza met with the owner to explain why she recommended waiting a little longer and she consented via email to waiting for the COC until the grass is grown.
- Discussion of site compliance regarding active and expired Order of Conditions (01:10:25 – 01:15:35)
 - Mrs. Danza provided updates from her rounds after heavy rains on 4/16. Mountainview: Lot 4 impact on stream on the left of the culvert crossing and they were asked to rectify within 7 days. Tucker Hill: just needed one little silt fence tightened up. Rogerson: the basin that had deteriorated during the last storm had a little sedimentation coming through, silt fences are lopsided and some compost/mulch on the slope again – they were asked to move. 74 Aldrich: a little bit had eroded on the slopes but did not go over the waddle. Forest Glen: up and running started to do some clearing.

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

1. Weed Control at Pout Pond (01:15:37 – 01:17:51)
 - SOLitude Lake Management has been contracted and they filed their DEP paperwork so they are ready if treatments are required. Mr. Gorman will coordinate scheduling with Cindy Scott, Pout Pond Rec Committee. Mr. Holden mentioned as a reminder that Pout Pond (particularly the beach) is Endangered Species Habitat and May is a sensitive breeding time. It was also briefly mentioned that cottage is scheduled to be boarded up by the fire department in the next few weeks.
2. Next steps about Open Space & Recreation Plan & Committee (01:17:52 – 01:22:25)
 - An email quote was provided by PGC Associates, Inc. for \$18,000 to complete the Open Space and Recreation Plan with an added Americans with Disabilities Act (ADA) component for an additional \$3,000. Everyone agreed the amount is high and it is unlikely the town would vote to spend it. Mr. Gorman, Ms. Steele and Mr. Holden have been reviewing individual sections of the report and agreed to bring that in next meeting to show the other members where they are and formulate a plan going forward.
3. Performance Review discussion for Conservation Agent (01:22:25 – 01:26:04)

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- Mr. Gorman is continuing to prepare introductory content (strengths, contributions, & goal-oriented content). He also talked to other Commissions to see their process and results are mixed with some managed via Town Manager and some more as an independent agent reporting to the Commission. Mr. Hogan is in talks with the new Town Manager to ensure the Commission is not overstepping. Mrs. Danza also mentioned she had a brief discussion about it with Ms. Ellison and she indicated she is planning reviews around date of hire (September) and appeared to be open to incorporating input from the Commission.
- 4. General discussion regarding vernal pool certification (01:26:05 – 01:31:07)
 - Mr. Gorman and Ms. Steele recapped the sites visited on April 14, 2018 (DPW - no direct evidence observed; Commerce Drive – fairy shrimp documented). The information/documentation gathered will be entered into the spreadsheet to and used to determine what to submit to NHESP.
- 5. Discuss plan to revisit the draft wetland bylaw (01:30:19 – 01:44:19)
 - Ms. Steele proposed the Commission review and make modifications to the most Wetland Bylaw draft to make it more palatable to residents. Some items discussed were reducing the 50' no disturb to 25', ensuring it does not seem more restrictive on the use of the property, and making it applicable for new construction only. The importance of having a strong rationale for why the Commission was putting this forth was also discussed. Members agreed to review the document and keep it on the agenda for further discussions.

ADJOURNMENT-NEXT MEETING SCHEDULED FOR MONDAY, MAY 7, 2018

Mr. Bangma moved to adjourn the April 17 meeting of the Conservation Commission. Mr. Holden seconded, and the motion passed by vote of 4-0-0.

Respectfully submitted,
Melissa Shelley




Andrew Gorman, Chairman



Jeffrey Shaw, Clerk



Jim Hogan, Vice Chair



Russell Holden, Treasurer



Lauren Steele, Member

Dale Bangma, Member

May 7, 2018
Date