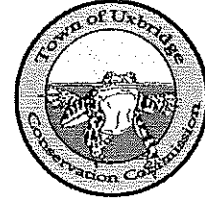


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020

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Conservation Commission Meeting Minutes
June 18, 2018
Board of Selectman's Room, Uxbridge Town Hall

Present: Chair Andrew Gorman, Vice Chair Jim Hogan, Clerk Jeff Shaw, Treasurer Russell Holden, Members Lauren Steele and Brad Allsach

Absent: Member Dale Bangma, 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.

PUBLIC HEARINGS

1. **Notice of Intent (NOI), DEP #312-1054**, 0 Newell Road & 0 South Main Street (Map 25, Parcels 2065 & 4434)
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. (00:00:47 – 00:08:25)

**Mr. Holden recused himself from discussion because he is an abutter.*

Discussion: Juliet Caplinger, TRC Environmental, attended on behalf of the applicant. Ms. Caplinger stated that the Planning Board approved the Special Permit for the project the week prior. The only change to the plans since the last meeting with the Commission was the addition of the bridge detail which the members reviewed. There was no public comment on the hearing during the meeting. Mr. Gorman read the following potential conditions in to the record: (i) Section 40 D of the Uxbridge Standard Special Conditions shall reference the limit of disturbance depicted on the plan rather than the erosion control barrier (ii) trees in the designated pruning and cutting areas where grubbing is not to occur area shall be maintained at a height of 6' unless otherwise authorized by the Commission or its Agent; (iii) work associated w/ Phase 2 on the approved plan shall not commence until written authorization is obtained by the Commission or its Agent pending the containment of sediment and compliance with the Order of Conditions in the designated Phase 1 area and work associated with Phase 3 shall not commence until written authorization is provided by the Commission or its Agent pending the containment of sediment and compliance with the Order of Conditions in the designated Phase 2 area; (iv) prior to the construction of the timber bridge a wooden stake shall be established on the N and S side of the 224 Flood Elevation to accurately represent the boundary of the BLSF in the field and that no filling of the BLSF is authorized under this OoC. Members agreed the conditions sound reasonable and Ms. Caplinger Stated the applicant would be was agreeable to them.

Motion: Mr. Hogan moved to close the **DEP #312-1054**, 0 Newell Road & 0 South Main Street. Mr. Shaw seconded, and the motion passed 4-0-0.

Motion: Mr. Hogan moved to approve the NOI for **DEP #312-1054**, 0 Newell Road & 0 South Main Street with the Uxbridge Standard Special Conditions and the following additional Special Conditions read into record by Mr. Gorman. Ms. Steele seconded, and the motion passed vote of 4-0-1. Mr. Allsach abstained.

2. **Notice of Intent (NOI), DEP #312-1062**, 619 Quaker Highway (Map 45, Parcels 2998 & 3816) (00:08:49 – 00:52:45)
Applicant: Kevin Powers Representative: Marc N. Nyberg Associates, Inc.
Project Description: Clearing and grading within the buffer zone in preparation for later site development.

**Mr. Gorman recused himself due to professional involvement and Mr. Holden returned to the meeting.*

Discussion: Mr. Wayne Belec, WDA Design Group, attended on behalf of Mr. Powers. DEP required a storm water management report and Mr. Belec was hired to prepare that report. He worked with the engineer to update the plan and reviewed the details it at the meeting. The main building was slid back about 10' to allow for larger turn radiuses. The 2nd building, on the east side of the property, is a 6 bay "contractor building" – rental units for storing equipment and overnight vehicle parking. Mr. Belec provided detail on the soil testing that was performed on the site and stated the soils are

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consistent with the data that NRCS has published. Based on soils on site and the improvements to the property, they were able to mitigate the peak rates of runoff so that WPA standards for the 2, 10, and 100-year events were met. He reviewed a water shed map to illustrate the redefined water shed after the grading changes were made. He explained how they met the 80% suspended solids removal rates by grading a 3:1 slope, loamed and seeded slope with crushed stone filter before the silt socks and a 50' grass filter strip upgrading to the basin. He also said the 2 driveway aprons leading out to the Quaker Highway will be removed as they are no longer necessary.

To the east of the Contractor Bay building there is an isolated wetland which Mr. Belec surmised was a non-jurisdictional wetland based on the Commissions Policy and the WPA. He also pointed that the report prepared by NRS confirms this as well. Since he feels it is non-jurisdictional, the proponent would be allowed to fill it in. He presented the option of using that wetland as the storm water management area – they would berm the down gradient area (honoring the 25' buffer to the BVW) and push back the Contractor Bay building to open up the space between the buildings making it easier for vehicles to move around the site. He also stated that Mr. Powers would like the buildings in by the end of the summer so they are asking to close the hearing and approve the project at this meeting, so they can begin construction.

Mr. Hogan's expressed concern that the infiltration basin and most of the area is w/in the 100' buffer and the Commission doesn't typically approve an NOI or issue an order without the final plan. Mr. Belec offered the option of approving as is and later amending the NOI if they decide to do it. Mr. Hogan also asked whether the applicant would consider a condition that the proposed level gravel area (in the top right corner) is not used to store any type of motorized vehicles longer than a few days (a weekend may be ok). The concern being the potential for fuels or other materials leaking into the porous surface. After some discussion and clarification on the area, Mr. Powers said he would be open to that condition. Another potential condition discussed was that no work/clearing occur on the rear of the property w/o a NOI and Mr. Powers was agreeable to that. Mr. Holden proposed that the 100' buffer on the backside be clearly marked and verified by the Commission or it's Agent before any tree clearing begins on the back side and perhaps once it's marked before clearing OK by the agent – maybe at the same time as the ECB inspection. The applicant was ok w/ that. It was also mentioned that hay bales be replaced with silt socks or straw waddles. Mr. Holden asked for the citation from the WPA regarding the Non-Jurisdiction Isolated Wetland - after some researching they decided on 310 10.01 and .02 Mr. Holden accepted the response but it didn't provide the language he was looking for. The applicant has also requested to continue an existing path with an existing culvert and said they are agreeable to a condition requiring reseeding anything that is disturbed, minimizing impacts to the vegetation and maintaining a width no greater than 10'. No members of the public spoke on the hearing.

Motion: Ms. Steele moved to close the public hearing for DEP #312-1062, 619 Quaker Highway. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

Motion: Ms. Steele moved to approve the NOI for DEP #312-1062, 619 Quaker Highway, with the Uxbridge Standard Special Conditions and the following additional Special conditions (i) no equipment containing oil or diesel to be stored in the area labeled for equipment/storage area; (ii) no clearing on the south end of the lot within the 100' except for the existing path; (iii) the 100' buffer must be clearly marked on the south end of the property and verified by the Commission or it's Agent before any tree clearing or work begins on this side (iv) the path to be cleared within the 100' buffer on the south side of the property shall be no wider than 10'. Mr. Shaw seconded, and the motion passed by vote of 4-0-1.

** Mr. Gorman returned to the meeting*

- 3. Notice of Intent (NOI), DEP #312-1064, 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 (00:53:26 – 00:56:59)

Discussion: Dale McKinnon, Guerriere & Halnon, attended on behalf of the applicant and asked for an extension to address DEP's questions that have to do with addressing the storm water standards 3,4, and 6. Regarding #6, they are going to provide a new downstream defender about 20' deep which they plan to present that to the Commission in 2 weeks. Because there is an active Enforcement Order, Mr. Gorman mentioned that they observed the slope stabilization measures, installed ECBs, and a new berm that was created along the whole side. Everyone's opinion was that it is much improved. Mr. Gorman's opinion was to close out Enforcement Order and allow the discussion to be continued to the next meeting of the Commission.

Motion: Mr. Hogan moved to lift Enforcement Order for Tea Party Drive. Ms. Steel seconded, and the motion passed by vote of 5-0-1. Mr. Allspach abstained.

Motion: Mr. Holden moved to continue DEP #312-1064, Tea Party Drive to the next meeting of the Conservation Commission. Mr. Hogan seconded, and the motion passed by vote 5-0-1. Mr. Allspach abstained.

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4. **Notice of Intent (NOI), DEP #312-1065**, 612 & 626 Douglas Street & 600 High St (Map(s) 28 & 33, Parcels 1746/3589 & 342) (00:57:00 – 00:57:38)
Applicant: Campanelli Development, LLC Representative: Kelly Engineering Group, Inc.
Project Description: Construction of a 2,800 ft. subdivision roadway to be known as Campanelli Drive within resource areas and associated buffer zones with a stream crossing & wetland replication

Discussion: The applicant has requested to continue to the next meeting of the Conservation Commission.

Motion: Mr. Hogan moved to continue **DEP #312-1065**, 612 & 626 Douglas Street & 600 High St to the next meeting of the Conservation Commission. Mr. Steele seconded, and the motion passed by vote of 6-0-0.

5. **Notice of Intent (NOI), DEP #312-1066**, 612 & 626 Douglas Street & 600 High St (Map(s) 28 & 33, Parcels 1746/3589 & 342) (00:57:00 – 00:57:38)
Applicant: Campanelli Development, LLC Representative: Kelly Engineering Group, Inc.
Project Description: Construction of an 800,000 sq. ft building and trailer parking with resource areas and associated buffer zones with a stream crossing and wetland replication

Discussion: The applicant has requested to continue to the next meeting of the Conservation Commission.

Motion: Mr. Hogan moved to continue **DEP #312-1066**, 612 & 626 Douglas Street & 600 High St to the next meeting of the Conservation Commission. Ms. Steele seconded, and the motion passed by vote of 6-0-0.

**Ms. Steele recused herself from the next 3 hearings because she is an abutter.*

6. **Request for Amended Order of Conditions #312-1046**, Lot 8B Hyde Park Circle (Map 29, Parcel 3162) (00:57:29 – 01:13:15)
Applicant: Uxbridge Multi Family Representative: Guerriere & Halnon, Inc.
Project Description: Request to change lot lines and stormwater systems.

Discussion: Dale McKinnon, Guerriere & Halnon, attended on behalf of the applicant. Mr. McKinnon distributed updated plans and described the differences – was 2 quads now 4 single condo units. The grading is very similar the only change being the infiltration roof recharge units. He stated the drainage is the same and there is no less impervious area than original design. He also said the drainage was designed to take overland flow. The original design had a parking lot in the front and now there are individual driveways. Lot 8D is called out on this plan as it is now approved. Mr. Gorman thought the changes represented a net positive for what they are looking for and recommended they maintain the existing conditions which called for some type of special matting if the 3:1 slope is disturbed for a specified period of time and construction phasing. Mr. Holden reiterated his concern that a wide area of especially fine soils will open during construction and should be carefully monitored and stabilized. No members of the public commented on the hearing.

Motion: Mr. Hogan moved to close the Public Hearing for **#312-1046**, Lot 8B Hyde Park Circle. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

Motion: Mr. Hogan moved to issue an amended Order of Conditions for **#312-1046**, Lot 8B Hyde Park Circle referencing the plan dated May 21, 2018 signed by Mr. McKinnon and special conditions carried over. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

7. **Request for Amended Order of Conditions #312-1047**, Lot 8C Hyde Park Circle (Map 29, Parcel 3162) (01:13:15 – 01:17:44)
Applicant: Uxbridge Multi Family Representative: Guerriere & Halnon, Inc.
Project Description: Request to change lot lines and stormwater systems.

Discussion: Dale McKinnon, Guerriere & Halnon, attended on behalf of the applicant. They reviewed the plans for 8C and the associated drainage. As with the previous application they are replacing 2 quads with 4 singles and adding the roof drains. There was another review of the plan, and Mr. McKinnon described the water flow and where the recharge will be going. No further questions from members and no public comment on the hearing.

Motion: Mr. Hogan moved to close the Public Hearing for **#312-1047**, Lot 8C Hyde Park Circle. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

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Motion: Mr. Hogan moved to issue an Amended Order of Conditions for #312-1047, Lot 8C Hyde Park Circle referencing the plan dated May 21, 2018 signed by Mr. McKinnon, special conditions carried over. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

8. **Request for Amended Order of Conditions #312-1050, Lot 10D Hyde Park Circle (Map 29, Parcel 3117) (1:17:44 – 01:37:05)**

Applicant: Uxbridge Multi Family

Representative: Guerriere & Halnon, Inc.

Project Description: Request to change lot lines and stormwater systems.

Discussion: Dale McKinnon, Guerriere & Halnon, attended on behalf of the applicant. Mr. McKinnon discussed the construction phasing plan in more detail during this hearing. 8D and 10C replace 8A and 10B and 10D and 10E are now 10C and comparable to what was 10A. Two lots (8D and 10C / 8 units) could be worked on first then ECB for all 4 and no work on 10D until that condition is cleared. No public comment. Everyone agreed it would be helpful for the agent and site supervisor (Jim Gallager) walk the site to ensure it is understood by everyone how it is to unfold and the details of the order.

Motion: Mr. Hogan moved to close the Public Hearing for #312-1050, Lot 10D and 10E Hyde Park Circle. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

Motion: Mr. Hogan moved to issue an Amended Order of Conditions for #312-1050, Lot 10D and Lot 10E Hyde Park Circle referencing the plan dated May 21, 2018 signed by Mr. McKinnon, special conditions carried over and the understanding that a site walk w/ agent and site supervisor shall occur to properly communicate the phasing of this work. Mr. Holden seconded, and the motion passed by vote of 4-0-0.

Mr. McKinnon requested to replace the plans for 8D with the addition of the level spreader into the plan detail as it is shown on lot 8B. After brief discussion members decided it could be handled as a field change.

Motion: Mr. Hogan moved authorize the Agent issue a letter that the level spreader for 8D Hyde Park Circle and to include the plans dated 6.18.18 for lot 8D that includes the level spreader in the file for that lot. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

Lot 9E was brought up as a possible violation and the Mr. Gorman and Mr. Hogan verified on site (measuring in 4 different points) that the ECB that is on the plan is in the right location and match the plan.

Ms. An abutter attended the meeting as she was interested in hearing the details but did not have any comments to add.

* Ms. Steele returned to the meeting

REPORTED/ONGOING VIOLATIONS

1. Old Lackey Dam Road Gravel Pit (01:37:00 – 01:39:00)

* Mr. Gorman recused himself from the hearing due to professional involvement.

- Members agreed to have Mrs. Danza reach out to the owner to schedule a site visit to get better idea of where they would like to store the snow.

* Mr. Gorman returned to the meeting.

2. Commerce Drive – Map 40, Parcels 3085 & 3086 (01:39:33 – 01:48:17)

- The respondent's representative provided an updated timeline and that they would like to utilize the next growing season for the plantings based on how late in the season they were able to get quotes. A possibility for enforcement would be to request a monitoring report during the pre-planting stage so Mr. Allen could go on site and evaluate the regrowth prior to plantings. Members reviewed Mr. Gorman's photographs of the site which show the site a week prior to the meeting. Mr. Holden and other members agreed with the importance to catalog growth and identify invasives as early as possible. Mr. Gorman mentioned it appears wildlife is still utilizing the area. Mr. Gorman mentioned to Mr. O'Connell, Andrews Survey and Engineering, in passing, that they may want to see a monitoring report this summer even if they don't start the plantings until the fall. Commissioners agreed with the need for the report.

WETLAND UPDATES/ISSUES

1. Request for Certificate of Compliance, 865 Quaker Highway – DEP #312-885 (01:48:18 – 01:55:54)

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Discussion: All three were related to the Flagg RV site and superseded by DEP which they have closed out. Denise, with DEP advised Mrs. Danza that it would be appropriate to close on our end. Members discussed and looked to the WPA for a reference to determine which box to check. It was recommended that the agent note on the form that the work authorized by the Commission was taken over by DEP. Commissioners were looking for WPA reference to determine what to issue. Mr. Gorman said he would accept a motion to issue a COC, as work approved under said orders was superseded via dep and form to filled out at the discretion of the agent. Other members disagreed because the project they approved was invalid when DEP superseded their order.

Motion: Mr. Hogan Moved to issue an invalid Certificate of Compliance for DEP #312-885, 865 Quaker Highway. Mr. Shaw Seconded 6-0-0.

2. Request for Certificate of Compliance, 865 Quaker Highway – DEP #312-906

Motion: Mr. Hogan Moved to issue an invalid Certificate of Compliance for DEP #312-906, 865 Quaker Highway. Mr. Shaw Seconded 6-0-0.

3. Request for Certificate of Compliance, 865 Quaker Highway – DEP #312-922

Motion: Mr. Hogan Moved to issue an invalid Certificate of Compliance for DEP #312-922, 865 Quaker Highway. Mr. Shaw Seconded 6-0-0.

4. Snow Removal Procedure (01:55:55 – 01:56:31)

- Passed over until agent is available and can provide information from her meeting with Mr. Sherman, DPW.

5. Discussion of site compliance regarding active and expired Order of Conditions (01:56:41 – 01:59:59)

- Mr. Gorman mentioned there was some interaction w/ EPA and Cobblers Knoll in terms of compliance with their General Permit.
- Mr. Hogan wanted to report an interaction from the previous Friday to the members. . He noticed a machine on Wacantuk Mill site and reached out to DPW and determined it is equipment related to a Mass DOT project. Later in the day, more equipment was added (a bobcat) and Mr Hogan advised an engineer in charge from DEP that can't equipment cannot be stored there as it is pretty much on top of the river. Now all the equipment has been moved off site.

**Mr. Holden left the meeting.*

PROCESSING

1. 6/4/18 Meeting Minutes (02:00:00 – 02:01:54)

Motion: Mr. Hogan moved to approve the 6/18/18 Meeting Minutes Conservation Commission as written. Mr. Shaw seconded, and the motion passed by vote of 4-0-1. Ms. Steele abstained.

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

1. Approval of WPA funds for \$55 MACC fundamentals class – Hogan (02:01:55 - 02:02:45)

- Ms. Steele moved to authorize spending \$55 from the WPA funds for Mr. Hogan to attend the MACC fundamentals class. Mr. Shaw seconded, and the motion passed by vote of 5-0-0.

2. Next steps about Open Space & Recreation Plan & Committee (02:02:49 – 02:02:56)

- Members agreed to pass over this discussion

3. Discuss plan to revisit the draft wetland bylaw (02:02:57 – 02:37:55)

- Members reviewed and discussed Sections 1-3 of the proposed Wetland Bylaw in detail and made recommendations for changes. Mr. Gorman is coordinating the updates with Mrs. Danza.

4. Pout Pond weed treatment (02:37:56 – 02:38:00)

- No updates still just waiting to for Solitude to go back out in a few weeks to recheck for weeds and determine if treatment will be required.

AGENT UPDATES

1. General updates from the office/projects (02:38:11 – 02:40:30)

- Mr. Shaw asked about investigating the requirements to clean up the invasive species and decay in Whitin Pond (water chestnut and algae) and the possibility of an investment to obtain the scope of the project and cost of clean-up. Mr. Gorman agreed explore further.

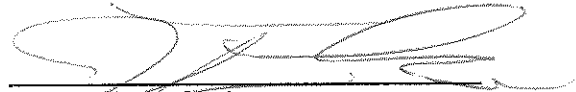
ADJOURNMENT-NEXT MEETING SCHEDULED FOR July 2, 2018

Motion: Mr. Hogan moved to adjourn the June 18, 2018 meeting of the Conservation Commission. Mr. Steele seconded, and the motion passed by vote of 5-0-0.

Respectfully submitted,
Melissa Shelley



Andrew Gorman, Chairman



Jeffrey Shaw, Clerk

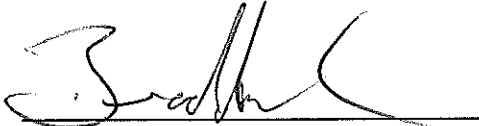


Russell Holden, Treasurer

Jim Hogan, Vice Chair

Lauren Steele, Member

Dale Bangma, Member



Brad Allspach, Member

Date July 2, 2018