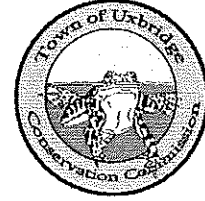


Town of Uxbridge  
 Conservation Commission  
 21 South Main Street  
 Uxbridge, MA 01569  
 508-278-8600 x 2020



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 Town Clerk

Conservation Commission Meeting Minutes  
 August 6, 2018  
 Board of Selectman's Room, Uxbridge Town Hall

**Present:** Chair Andrew Gorman, Clerk Jeff Shaw, Treasurer Russell Holden, and Members Lauren Steele and Conservation Agent Melissa Danza

**Absent:** Vice Chair Jim Hogan, Members Dale Bangma and Brad Allspach

It being 6:45 pm, the meeting being properly posted, duly called and a quorum being present, the Chair called the meeting to order.

**New Item:** 145 Nancy Lane, Nasonville, RI – Beaver Dam located in Uxbridge is flooding their property. (00:00:01 – 00:11:59)

- Paulette Aubin came to the Commission for consideration on the matter of a beaver dam on the BJ's property that is flooding her property. Specifically, Ms. Aubin requested support and consideration from the Commission to have the dam removed. Ms. Aubin provided a written request, drawings and photographs to commissioners for review. Last year spoke with Luke Gallen at the local BJ's last who claimed they had no ownership to the water. The Uxbridge BOH disagreed and tried to contact BJs Corporate for assistance to no avail. Ms. Aubin has also tried contacting BJs Corporate but was unable to obtain any clear direction. RI GIS Maps were reviewed during the meeting and Mr. Gorman confirmed the dam and the water are both on the BJ's property and under a Conservation Restriction. Mr. Holden also has a good idea of where the dam is located and suggested seeing the site from both properties. Mrs. Danza agreed to review the Conservation Restriction to ensure there is no language that would restrict any action related to removing the dam. Mr. Holden explained that the BOH would also have to deem an emergency related to health and safety and have the ability to address over state lines. He then went over some of the possible solutions if everything works out (using a beaver deceiver, breaching the dam, hiring a licensed trapper to remove the beaver). A site visit was scheduled for Thursday Aug 9<sup>th</sup> and members agreed to add this as a formal agenda item to the next meeting.

**PUBLIC HEARINGS**

1. **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 (00:12:01 – 00:12:41)

**Discussion:** The applicant requested a continuance because there was a possibility a quorum would not be available.

**Motion:** Mr. Holden moved to continue DEP #312-1064 until the next scheduled meeting of the Conservation Commission. Ms. Steele seconded, and the motion passed unanimously by vote of 4-0-0.

2. **Request for Determination of Applicability (RDA), FY19-1**, 189 Mendon Street (Map 19, Parcel 3753) (00:12:42 – 00:17:54)  
 Applicant: Uxbridge DPW  
 Project Description: Elongating existing slope to provide access for maintenance vehicles along the utility easement using material onsite

**Discussion:** Jim Legg, Uxbridge DPW, attended to present the request. They have an easement on Mendon Street along the solar field site. Prior access through the driveway was lost when the solar field was built and fenced in. They have another option on the outside but there is a sharp steep grade (8 to 10 feet) which they would like to soften. It is a very short stretch and no additional soil or paving is required, just some minor grading adjustment to make the easement more accessible and the work should take one to two days. Members reviewed aerial photographs of the site. Mr. Gorman asked if they would they consider a condition to allow the Agent to inspect the work after completion to ensure no outside soils were brought in. There were no further questions from other commissioners or members of the public.

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**Motion:** Ms. Steele moved to issue a Negative Determination of Applicability for the work on FY19-1, 189 Mendon Street, with the condition of an inspection performed by the Agent to ensure no extra material was brought to the site. Mr. Shaw seconded, and the motion passed unanimously by vote of 4-0-0.

3. **Notice of Intent (NOI), DEP #312-10XX**, Intersection of Hecla St & Old Elmdale Road to intersection of Hecla St & Brown Terrace (Map 25, Parcels 304 & 40210) (00:17:57 – 00:34:58)  
Applicant: Uxbridge DPW Representative: Onsite Engineering, Inc.  
Project Description: Replacement of existing water main to improve fire flow capabilities and provide redundancy in this section of the system.

**Discussion:** A DEP number has not yet been assigned. Paul Ruzsala, with Onsite Engineering attended on behalf of the DPW and Water Department. Mr. Ruzsala explained the work is required because it is critical for the water department to have a loop in the system to act as a back-up water line. He provided the following background information: they had submitted RDA; DEP reviewed the RDA it but because there is directional drilling which Boston DEP considers dredging it triggered the need for 401 water quality certificate. They were also given the option to submit an NOI which is the path they chose. Mr. Ruzsala went on to review the plans and describe the work that involves installing an open cut water main in the paved roadway. No abutters attended the hearing. A potential condition mentioned was requiring the site operator to keep a turbidity curtain on hand that could immediately be deployed in case there is some sort of breach.

**Motion:** Mr. Holden moved to continue the NOI for the Intersection of Hecla St. and Old Elmdale Road to the next meeting of the Conservation Commission in anticipation of a DEP number. Ms. Steele seconded, and the motion passed by vote of 4-0-0.

### REPORTED/ONGOING VIOLATIONS

1. 52 Fisher Street – clearing of trees/brush for access road/driveway to back of property (00:35:47 – 00:47:33)
  - Mr. Gorman reported a complaint was received by the office of tree clearing taking place in a wetland. The homeowner, Jamie Muntz attended the meeting and explained the purpose for the tree removal/clean up was to have an area to store her plows and equipment when not in use off the road. She owns 52 Fisher and the lot behind it and was told by the realtor that the area she was cleaning up was an existing access road along a retaining wall. An engineering plan submitted to the Commission from 2005 was reviewed during the meeting. Mr. Gorman explained the Commission's jurisdiction comes in under the WPA and since they have a biologist signed wetland delineation (the plan reviewed) any work would need to be permitted. Ms. Muntz also mentioned some debris from the previous owner she was hoping to remove and GIS aerial images also reviewed. Everyone agreed it would be beneficial to visit the before any enforcement action and/or recommendations are provided regarding the clean-up and scheduled a visit for 8/15/18 at 6:00 PM.
2. 832 Aldrich St – submitted complaint of wood chips filling in wetlands on adjacent property (00:47:46 – 00:53:56)
  - The reported complaint was that rain runoff is washing the woodchips from the landscaped slopes on either side of the driveway. into the wetlands. It was mentioned that the road has quite a bit slope and the run-off could be coming from road and other properties. Everyone agreed without pinpointing where the water is coming from it is difficult offer solutions. Mrs. Danza will visit the site or help facilitate a site visit. Potential options for remedying were mentioned such as a straw waddle, mulch sock, or tackifier to bond the mulch in place.
3. Lanzetta properties (Quaker Highway, Balm of Life Spring) – submitted complaint of excavating berm & within parking lot (00:54:01 – 00:56:33)
  - Mrs. Danza reported the consensus is although it looks like they are excavating the berm in reality it is the approved stockpiles sitting in front that are often taken from and added to as a part of the contractor's yard business operation on site. A second part of the complaint regarding gravel removal on site could not be verified by either Mrs. Danza or the Building Inspector Mr. Larry Lench. Members agreed to take the item off agenda based on the agent's findings and noted it was easy to make that assumption without being on site and they are appreciative of the feedback and care for the brook.
4. Old Lackey Dam Road Gravel Pit (00:56:35 – 00:57:17)
  - Mr. Gorman is recused from due to professional involvement and the only discussion that took place was related to setting up a site visit.
5. Commerce Drive – Map 40, Parcels 3085 & 3086 - Discussion on progress and plan for future monitoring (00:57:18 – 00:58:32)
  - Mrs. Danza talked to Arthur Allen, EcoTec and he mentioned that he hadn't been given much time for to compile the information provided previously and agreed to a provide a more descriptive and detailed report. He also confirmed he received and reviewed the photographs provided by the Commission.

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6. Forest Glen Discussion on progress (00:58:33 – 01:01:03)
  - Mr. Gorman visited the site during a rainstorm around July 22 and thought the terracing was working. He also noted the trenching/ diversion swale also seems to be working also and was almost more effective than the terracing. Everyone agreed to continue to monitor the site and discuss possibly lifting the enforcement order at the next meeting.

### WETLAND UPDATES/ISSUES

1. Request for Certificate of Compliance, 629 Hartford Ave East, DEP #312-1032 (01:01:10 – 01:12:08)
  - Photographs were reviewed and a few spots that had previously eroded have grown over. It was noted that there clearly is mowing past the limit of disturbance which was a noted concern discussed during the NOI public hearings. No lawn size conditions were specified in the Order of Conditions. Mrs. Danza read the only special condition which was that *the property owner shall be advised and acknowledge that their property falls in an area that is in Natural Heritage Priority Habitat and that any deviation from approved work shall need approval from the Conservation Commission.* The Limit of Disturbance (LOD) is on the approved plan but is hard to distinguish where lawn transitions into meadow on the plan. Everyone agreed the limit of disturbance should be maintained because there were specific concerns discussed about preserving this area as meadow and Natural Heritage's comments were based on the approved plan. The request was officially received on July 31<sup>st</sup> and time frames and options were discussed.
  - **Motion:** Mr. Holden moved to deny the Certificate of Compliance for DEP #312-1032, 629 Hartford Ave. East. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.
2. Snow Removal Procedure – Review DPW responses & possible amendments (01:12:09 – 01:15:37)
  - Mr. Sherman has respectively requested they remove the May 1<sup>st</sup> deadline because in his experience there has been snow on the site as late as July. There was discussion and everyone agreed to eliminating the deadline all together.
  - **Motion:** Ms. Steele moved to revise the response letter (deleting the last 2 sentences of the second paragraph) and for it to be signed and submitted to the DPW. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.
3. Discussion of site compliance regarding active and expired Order of Conditions (01:15:38 – 01:20:44)
  - Mrs. Danza informed that there was a pre-construction meeting for Campanelli and that the silt socks for the first ½ of the road are in.
  - Regarding Mountainview Estates, Lot 4 and 5 are up for sale but there has been no monitoring data provided for the replication areas. They are looking to close out the road itself with the Planning Board but there has been no update on the wetland replication for the individual lots. The HOA has been established.

### PROCESSING

1. 7/16/18 & 7/30/18 Meeting Minutes (01:20:25 – 01:26:55)
  - There was only a quorum to review the 7/16/18 meeting minutes so the 7/30/18 meeting will be reviewed at the next meeting.
  - **Motion:** Mr. Holden moved to approve the Conservation Commission meeting minutes from 7/16/18 as written. Ms. Shaw seconded, and the motion passed by vote of 4-0-0.

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

- Open Space & Recreation Plan & Committee (01:26:58 – 01:30:20)
  - Mrs. Danza informed the commission that she was able to secure 2 masters level interns from Clark University via the MACC to complete and Open Space and Recreation Plan for the town at no charge. They will start around September and work throughout the school year.
- Discuss plan to revisit the draft wetland bylaw (01:30:21 – 01:30:40)
  - Mr. Gorman is making the changes to the master document and will distribute to members for review before the next meeting.
- Whittin Pond weed abatement (01:30:41 – 01:35:49)
  - The Town Manager has authorized the use of Town Counsel to assist with the deed material and to help understand and reach out to the property owners for permission. Attempts to potentially partner with the Blackstone Valley Watershed Association are being investigated. Ms. Steele asked about Peaceful Pond which is also in similar condition. Peaceful pond is on public property and so efforts could be handled somewhat differently. Mr. Gorman noted based on recent efforts they appear to be moving in the direction of developing a town wide pond management plan. They also agreed to add it as an agenda item.
- FY18 Annual Report approval (01:37:10 – 01:00:00)
  - Everyone agreed to wait to formally approve the report when there is a full quorum.

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ADJOURNMENT-NEXT MEETING SCHEDULED FOR AUGUST 20, 2018

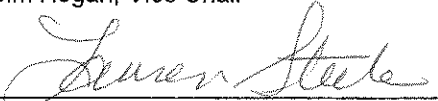
Motion: Ms. Steele moved to adjourn the August 6 meeting of the Conservation Commission. Mr. Shaw seconded, and the motion passed by vote of 4-0-0.

Respectfully submitted,  
Melissa Shelley

  
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Andrew Gorman, Chairman

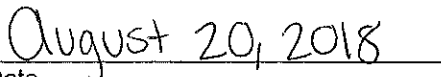
*Absent*

\_\_\_\_\_  
Jim Hogan, Vice Chair

  
\_\_\_\_\_  
Lauren Steele, Member

*Absent*

\_\_\_\_\_  
Brad Allspach, Member

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jeffrey Shaw, Clerk

  
\_\_\_\_\_  
Russell Holden, Treasurer

*Absent*

\_\_\_\_\_  
Dale Bangma, Member