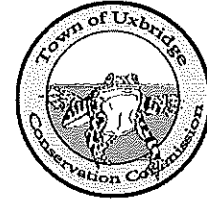


Town of Uxbridge  
Conservation Commission  
21 South Main Street  
Uxbridge, MA 01569  
508-278-8600 x 2020



Conservation Commission Meeting Minutes  
Monday, October 15, 2018  
Board of Selectman's Room, Uxbridge Town Hall

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

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

**PUBLIC HEARINGS**

1. **Notice of Intent (NOI), DEP #312-10XX**, 0 Old Elmdale Road (Map 25, Parcel 2979) (00:00:28 – 00:00:54)  
Applicant: Aris Group LLC Representative: Andrews Survey & Engineering, Inc.  
Project Description: 23 lot subdivision with associated roadway, drainage, and utilities

**Discussion:** The applicant formally requested to continue the Public Hearing to the November 5<sup>th</sup>, 2018 meeting of the Conservation Commission.

**Motion:** Mr. Hogan moved to continue the public hearing for 0 Old Elmdale to the November 5<sup>th</sup>, 2018 meeting of the Conservation Commission. Mr. Shaw seconded, and the motion passed unanimously by vote of 6-0-1 (*Mr. Bangma abstained*)

2. **Notice of Intent (NOI), DEP #312-1072, Lot 1, 80 Albee Road (Map 41, Parcel 2661)** (00:00:56 – 00:09:33)  
Applicant: Donald Garand Representative: Andrews Survey & Engineering, Inc.  
Project Description: Single Family House with septic system and private well with associated earthwork, landscaping, and utilities within the wetland buffer zone.

**Discussion:** John Medeiros, Andrews Survey & Engineering, Inc., attended on behalf of the applicant. He reviewed the proposed plans and described the project as follows: the house is within the 100' buffer; all the grading is kept outside the 50' buffer; within the 50-100' buffer zone there will be grading, a well, part of the house and the lawn; the erosion control will be located within the buffer zone and they have kept everything outside the 25' no build zone. The well is 51' from edge of wetland to accommodate septic system, which complies with Title 5 requirements. Commissioners agreed it was a straightforward application and did not have any issues with the arrangement of the well and septic system. Mr. Medeiros confirmed an inactive easement was addressed on an ANR. DEP did not have any comments when the file number was issued. No abutters attended or provided comment on the application.

**Motion:** Mr. Hogan moved to close the hearing and approve **DEP #312-1072, Lot 1, 80 Albee Road** with the Uxbridge Standard Special Conditions. Ms. Steele seconded, and the motion passed unanimously by vote of 7-0-0.

3. **Notice of Intent (NOI), DEP #312-1073, Lot 2, 80 Albee Road (Map 41, Parcel 2661)** (00:09:35 – 00:18:17)  
Applicant: Donald Garand Representative: Andrews Survey & Engineering, Inc.  
Project Description: Single Family House with septic system and private well with associated earthwork, landscaping, and utilities within the wetland buffer zone.

**Discussion:** John Medeiros, Andrews Survey & Engineering, Inc., attended on behalf of the applicant. He reviewed the proposed plans for Lot 2 and highlighted the following key points: on this lot most the work is outside the 100' buffer – just some minor grading between the 50 to 100' buffer; the well is approximately 140' away from the wetland; the septic complies w/ Title 5 requirements; ECBs are tied in from Lot 1. He provided a few more details on how the placement of the house, septic and well were selected. Mr. Bangma made a suggestion regarding running out the perimeter drain and moving the ECBs back accordingly – the drain was not "daylighting" anywhere on the plan. Members discussed adding a condition allowing for flexibility with the ECB but decided to wait to approve the NOI for an updated plan, as this is the limit of disturbance. DEP did not have any comments upon issuing a file number for this project. No abutters commented during the hearing.

## Conservation Commission Meeting Minutes continued – Monday, October 15, 2018

**Motion:** Mr. Hogan moved to continue **DEP #312-1073, Lot 2, 80 Albee Road** to the November 5<sup>th</sup> meeting for an updated plan. Mr. Shaw seconded, and the motion passed unanimously by vote of 7-0-0.

*\*The agenda was taken out of order to hear the CoC Requests under Wetland Update / Issues and items under Reported/Ongoing Violations due to audience attendance.*

### WETLAND UPDATES/ISSUES

1. CoC Request for DEP#312-1001 – Kathy Trail / Cornfield Estates: (00:18:29 – 00:25:49)
  - John Medeiros, Andrews Survey & Engineering, Inc., attended on behalf of the applicant. Mr. Gorman explained Kathy Trail is a road but the only thing in the Commission's jurisdiction is a drain line that discharges just within the buffer zone. Mr. Gorman drove past the site and members reviewed aerial images of the property during the meeting.
  - **Motion:** Mr. Hogan moved to issue a CoC for DEP 312-1001 Kathy Trail Cornfield Estates map 27 parcel 492. Ms. Steele Seconded, and the motion passed unanimously by vote of 7-0-0.
2. CoC Request for DEP#312-1017 – Tucker Hill Road (00:25:52 – 00:37:55)
  - John Medeiros, Andrews Survey & Engineering, Inc., attended on behalf of the applicant. This request is for the subdivision road way and associated drainage structures. Mr. Gorman mentioned the Agent looked at the basins when she was reviewing other CoC requests on the road prior to her departure in August. Photographs from an 8/22/18 site visit were reviewed.
  - **Motion:** Mr. Hogan moved to issue a CoC for DEP 312-1017 Tucker Hill Road. Ms. Steele seconded and the motion passed by vote of 6-1-0.
    - Further discussion: Mr. Holden did not think the Commission should issue the CoC without a site visit or review of photos of the drainage structures.

### REPORTED/ONGOING VIOLATIONS

1. Forest Glen – Update on site stabilization, replication, and culvert installation (00:37:57 – 00:46:51)
  - Mr. Perry, site supervisor, attended the meeting. Since the last meeting a modified EO was issued, Mr. Hogan met with Mr. Perry onsite the week of October 8<sup>th</sup>, and some Commissioners stopped by the site on October 13<sup>th</sup>. Mr. Gorman noted the stream looked better and is flowing well and the terraced area was cleaned out with new stones/replenished. Mr. Perry provided the following information related winter stabilization: (i) the loam pile is being processed and should be gone soon and anything left will be stabilized; (ii) the hill where the stabilization will take place is actually a residence that will be going in very shortly (iii) Turf Technologies has been contracted to begin hydro seeding the irrigation area and front and whatever they can "shoot" in the back. Mr. Perry said they will be putting in the culvert in approximately a month. He would like to start going forward with the process of getting ready to de-water – he would like to utilize that detention system to get them started in the process of placing the culvert. Mr. Hogan advised him that they could not dewater w/ out a dewatering plan and as it not currently part of the OoC members discussed options to add it (an amendment or engineering change notice). Members and Mr. Perry all agreed to leave the EO open so they can fix any problem that happen to arise.
2. 424 Mendon Street (DEP 312-1019) – Reported tree cutting (00:47:22 - 01:00:20)
  - Mr. Gorman reached out to Mr. Pellegrini, the project proponent, who explained they did cut poplars down because he believed they posed a threat to the panels due to the shallow root system and he believed the superseding order allowed some cutting beyond the silt fence. DEP did do an inspection but decided not to take over as a violation and it does not appear that they will be following up any further. In an email, Denise w/ DEP noted the approximately 10 small Poplar Trees were cut. Paulette Jones, 3 Easy Street, abutter to the project attended the meeting and provided additional details. She explained for some time they have been removing trees "here and there" in the area between the West River and the silt fence – in the woods, not close to the panels. She further explained she made the report after a full day of cutting when the 8 to 10 poplar trees; approximately 6-10 inches in diameter were cut. There was discussion as to whether the trees cut were within the scope of project and therefore DEPs jurisdiction and if they are outside that scope the Commission's role to follow up.
  - Members agreed to schedule a site visit as offered by Mr. Pellegrini. They also authorized the chair to send a letter requesting they do not cut any more trees outside the DEP approved plan and if they designate need, to please mark trees so they can be reviewed during the site visit. Additionally, an EO will be prepared for the site visit so it is available if needed.

*\* The meeting returned to the published agenda order.*

3. Commerce Drive (01:00:25 – 01:01:07)
  - Restoration was supposed to have begun and Members agreed to check out the site on their own.

## Conservation Commission Meeting Minutes continued – Monday, October 15, 2018

4. Harvest Rd. – Reported tree cutting/dumping on 8 Harvest Rd. (01:01:07 – 01:12:26)
  - Mr. Gorman recapped a site visit to 12 Harvest by Mr. Hogan, Mr. Shaw and himself on 10/12/18. The homeowner Mr. Recko walked the property and wetland line and it was clear that there had not been any trees cut or any other work done on his property. During the site visit, they noted on the fresh cut stumps on other properties along Harvest Road. Photos taken during the site visit were reviewed during the meeting. There was particular attention paid to an area along the roadside of the 8 Harvest Rd. (the town owned lot) where there were remnants of large pine trees as well as other yard waste and materials. After discussion, members agreed to request DPW to post no dumping signs along applicable areas of Harvest and Henry Legg roads. They also agreed to follow up via a letter with the owners of 17 Harvest Rd because the original complaint identified this property as where the trees came from and members saw fresh cut stumps on this property. Finally, members decided to send a generic letter to all residences in the area regarding reminding them that that lot is town owned and a protected resource area and there can be no dumping of yard waste on this site.
5. 32 Church Street – Letter sent to 32 Church St. 10/4/18 (01:12:27 – 01:13:17)
  - The letter returned because there is no mail receptacle on-site, the admin will obtain mailing address from the assessor and re-send.

### WETLAND UPDATES/ISSUES

3. 867 Quaker Highway, Unit A – Site visit findings 10/9/18 (01:13:20 – 01:26:03)
  - Mr. Shaw and Mr. Gorman attended a site visit 10/29/18 at the property owners request. The owner's primary concern is determining how to mitigate the flooding that is being experienced on his property and in his catch basins. He thought a possible reason is a detention basin up the line may be backing up causing his system to flood. Photographs from the site visit and plans that depict the catchment system were reviewed. Because the plans didn't appear to represent what is in the field, was difficult to understand where all the water goes. There is a stream on site that may be jurisdictional because before it daylight it may be associated with a wetland system but there is not really anything here for the Commission to undertake. Everyone agreed to offer the recommendation of exploring his issue with a professional engineer to determine how the drainage works on the property.
4. Whittin Pond Discussion
  - No new updates
5. Peaceful Pond – Working on plan to define future use and invite public input (01:26:28 – 01:28:25)
  - Ms. Steele asked members what they thought of an organization that would be responsible for keeping an eye out for invasive species and clean up, etc. of Uxbridge waterways (similar to "Friends of the Whitehall Reservoir"). Feedback from other members was that it is a good idea, not necessarily something the Commission could undertake but worthwhile looking into.
6. Discussion of site compliance regarding active and expired Order of Conditions (01:28:29 – 01:30:03)
  - Mr. Hogan updated everyone that the DEP sign at 619 Quaker Highway has been replaced. (*Mr. Gorman recused himself during the brief discussion*).
7. Open Space Discussion (01:30:26 – 01:30:45)
  - Waiting for update from Taylor and Kaila, the interns working on the project.

### PROCESSING

1. 10/1/18 Meeting Minutes Review (01:30:45 – 01:34:58)
  - **Motion:** Mr. Hogan made a motion to approve the meeting minutes from the October 1, 2018 Conservation Commission meeting as written. Mr. Bangma seconded, and the motion passed by vote of 7-0-0.

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

- Draft Wetland Bylaw Discussion – scheduled for 10/29/18

### AGENT UPDATES (01:35:39 – 01:40:10)

1. General updates from the office/projects – Mr. Gorman met w/ Michael Healy who is working on the Blue Frog conservation area that is in association with the Cobblers Knoll development. He gave Mr. Gorman a brief history of the project. The lot has not been officially released to the association but they are looking to move forward with grant applications. He will be coming before the Commission to look for a letter of support from an Open Space perspective.

**Conservation Commission Meeting Minutes continued – Monday, October 15, 2018**

2. New Gas Line Installation on Douglas Street/Carney (Charlies Package Store) – A call came into the office from a resident looking for permit guidance for a new gas line. Before providing advice, Mr. Gorman asked members if they agreed that this would fall under the Minor Activity Designation for gas lines as it covers the road way and the parking area and anything else would require a RDA/NOI. Members agreed as long as it is an existing parking area and Mr. Gorman will follow up.
3. Update from Conservation Agent Hiring Committee - interviews are this week
4. Pout Pond end of season activities - Rob Harris winterizing; water has been turned off; the tent is down; garbage bin removed.
5. MACC Fall Conference Training Funds – Ms. Steele is attending
  - Mr. Holden made a motion that the Commission authorize the expenditure from the Wetland funds for training purposes - specifically Ms. Steele to attend the MACC Fall Conference. Mr. Hogan seconded, and the motion passed unanimously by vote of 7-0-0.

**ADJOURNMENT-NEXT MEETING SCHEDULED FOR November 5, 2018**

- Motion: Mr. Hogan moved to adjourn the October 15, 2018 meeting of the Conservation Commission. Mr. Bangma seconded, and the motion passed unanimously by vote of 7-0-0.

Respectfully submitted,  
Melissa Shelley

  
\_\_\_\_\_  
Andrew Gorman, Chairman

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

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

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

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

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

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

November 5, 2018  
Date