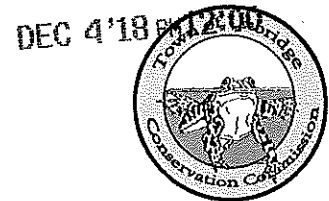


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



Conservation Commission Meeting Minutes
November 19, 2018
Board of Selectman Room Town Hall

Received by
Uxbridge
Town Clerk

Present: Chair Andrew Gorman, Vice Chair Jim Hogan, Treasurer Russell Holden, Clerk Jeff Shaw & Member Dale Bangma

Absent: Members, 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)**

Applicant: Aris Group LLC

Representative: Andrews Survey & Engineering, Inc.

Project Description: 23 lot subdivision with associated roadway, drainage, and utilities

No Discussion: The hearing was continued to the 12/3/18 meeting during the 11/5/18 meeting.

** The chair took the agenda out of order, while awaiting representatives for the public hearings, to Reported/Ongoing Violations Commerce Drive.*

REPORTED/ONGOING VIOLATIONS

1. Commerce Drive – Update on wetland restoration (00:00:49 – 00:07:20)

- Mr. Gorman provided a recap of the Administrative Consent Order issued by DEP regarding the alteration of multiple wetland resource areas on Commerce Drive. He specifically mentioned DEP is requiring a fine of \$54,600 to be paid w/in 30 days, the completion of the restoration and certification of the Vernal Pools on site. Mr. Gorman had no other formal updates just that the Commission is still awaiting first monitoring report from Arthur Allen, of EcoTec. This and future monitoring reports are referenced in the ACO w/ deadline dates and it was noted that first deadline date has already been missed. The ACO also states (page 4 letter D) there will be fines of \$1,000/day for deadlines missed. It was also pointed out that the signed date of the ACO was 11/7/2018 – 7 days after the due date for the 1st monitoring report which was 11/1/2018. Mr. Gorman agreed to touch base with Denise at DEP to see if they received anything and review expectations.

** As no other representatives in attendance the chair took the agenda out of order to hear Mountainview Rd. under Wetland Updates/Issues.*

WETLAND UPDATES/ISSUES

1. CoC Request – 35 Mountain View (lot 5) Road (00:07:25 – 00:30:01)

- Mark Arnold, Goddard Consulting attended on behalf of the applicant. He provided photos taken 11/2/18 and said he visited the site 11/18/18 and was pleased with everything. He explained the table provided with the request that showed a net reduction in structures because a deck was added, and the house was shrunk by approximately 400 sq. ft. Mr. Gorman noted as a reminder that part of the replication area for lot 4 is on this lot – lot 5. Mr. Arnold followed up that the replication was completed this fall and the plantings seem to have taken very well. There were some concerns mentioned regarding the seed not taking yet and whether they should hold off on issuing the CoC. Mr. Arnold confirmed they only recently hydroseeded and they are aware that stabilizing measures will need to take place but that his client was very interested in closing out the OoC as soon as possible. Mr. Holden and Mr. Shaw both said they preferred to actually see the site before making a decision due to lack of information and because the photos did not accurately reflect the current conditions (eg. the deck was not completed when photos were taken). Mr. Arnold asked if the Commission would consider the following measures for winter stabilization and growth in the spring – a second layer of hydroseeding and adding a mulch tackifier. Mr. Holden responded that it may be a possibility but it is really site specific and any options they can offer will be considered. Because they were w/in the 21-day time frame, members agreed to visit the site individually before the next meeting.

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- **Motion:** Mr. Hogan moved to continue the Certificate of Compliance request for 35 Mountainview Road to the December 3rd meeting of the Conservation Commission.

** The Public Hearings were taken out of order from the published agenda while awaiting representatives.*

PUBLIC HEARINGS

1. **Notice of Intent (NOI), DEP #312-10XX, 6 Maslow's Way, (Map 25, Parcel 535)** (00:30:14 – 00:38:27)
Applicant: TTK Real Estate, LLC Representative: Andrews Survey & Engineering
Project Description: Single-family house, septic system and private well with associated earthwork, landscaping and utilities within the Wetland Buffer Zone.

Discussion: John Mederios, Andrews Survey and Engineering, attended on behalf of the TTK Real Estate. He reviewed the plan and stated they are inside the 100' buffer but outside the 50' buffer. Some key points of his presentation are as follows: (i) this is the only lot on Maslow's Way that requires NOI (ii) the erosion controls will be placed just outside the 25' no disturb and this will be the limit of work (iii) the plan is to have lawn right up to the erosion control - the limit of lawn would be the erosion control line (iv) the septic system is outside 100' buffer (v) the property will use town water and (vi) feno spikes are being proposed as conservation markers and are noted on the plan. A second feno spike at the dog-leg corner was recommended to deter future encroachment and Mr. Mederios was ok w/ that recommendation. Still waiting for DEP to release a file number for the project.

Motion: Mr. Hogan moved to continue the NOI for 6 Maslow's Way to the December 3rd meeting of the Conservation Commission. Mr. Bangma seconded, and the motion passed unanimously by vote of 5-0-0.

2. **Amended (NOI), DEP #312-1046, Lot 8B Hyde Park Circle (Map 29, Parcel 3117)** (00:38:28 – 00:39:07)
Applicant: Uxbridge Multi Family Realty, LLC Representative: Guerriere and Halnon, Inc.
Project Description: Request for an Amendment to the Amended Order of Conditions for DEP#312-1046 for revised grading and pipe construction as shown on the attached proposed plan with revised date of 10/22/18.

Discussion: The applicant formally requested to continue to the December 3rd meeting of the Conservation Commission while awaiting peer review of the stormwater calculations.

Motion: Mr. Holden moved to continue the request to amend DEP#312-1046 to the December 3rd meeting of the Conservation Commission while awaiting peer review of the stormwater calculations. Mr. Hogan seconded, and the motion passed unanimously by vote of 5-0-0.

Passed over NOI for 1080 Hathaway Lane – no representative.

REPORTED/ONGOING VIOLATIONS

1. Forest Glen – General discussion on winterization (00:39:17 – 00:39:52)
 - Mr. Gorman reported his visit to check out the hydroseeding was postponed due to snow but that he will try to stop by the site on Saturday 11/24/18.
2. Harvest Road – Review letter to be sent to nearby properties (00:39:53 – 00:44:27)
 - Mr. Sherman told Mr. Hogan that the signs have been ordered.
 - Mr. Gorman brought a letter for review and approval to be sent to the property owners in the nearby vicinity of 8 Harvest Road as discussed during prior meetings.

Motion: Mr. Hogan moved to send the letter drafted by Mr. Gorman to the residents w/in 600 feet of 8 Harvest Road with the amendments discussed. Mr. Shaw seconded, and the motion passed by vote of 5-0-0.
3. 32 Church Street – sent letter to updated address 10/23/18 (00:44:28 – 00:45:59)
 - No new updates and no response to the letter sent has been received. Members agreed to drive by the location to obtain a firsthand account and then determine the proper course of action.

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WETLAND UPDATES/ISSUES

- Whitin Pond Discussion – Potential update from counsel (46:05 – 00:58:35)
 - Mr. Gorman has learned from Town Council and the Town Manager that the cost to perform the title search will be approximately \$1,500 so he wanted to bring it to the Commission to consider the following (i) could wetlands funds be used offset that cost? and (ii) has the Commission done enough leg work in determining next steps to invest the resources at this time? Mr. Holden said he would like to move forward but stressed the importance of involving the surrounding homeowners from the beginning to have their support. Specifically, a letter to abutters was recommended with the message that the Commission is investigating property rights for the pond so that through a coordinated effort, steps and actions required to ecologically manage the pond can be explored. Mr. Gorman said he believed because this is related to a wetland mitigation activity it meets the statutory requirements for expending wetlands funds. He added the Commission typically uses wetland funds to partially finance the agent's salary and also for training activities both explicitly allowed by statute. There was some further discussion as to whether there was a surplus because we have been w/o and agent for a few months and if so could it be utilized for this type of expense. Mr. Gorman agreed to discuss w/ the Town Manager. Everyone agreed on holding off on the title search as budget options are explored and to draft a letter to the abutters which Mr. Holden agreed to take on.
- Peaceful Pond – Work on plan to define future use and invite public input (00:58:35 – 00:58:52)
 - Item passed over, so Ms. Steele's input can be included.
- Discussion of site compliance regarding active and expired Order of Conditions (00:58:53 – 59:40)
 - Constitution Way – there was a little bit of a snag w/ ECB's and Mr. Gorman has recently obtained the new owner's contact info and will be reaching out to discuss.
- Open Space Discussion – update from intern project (00:59:41 – 01:03:48)
 - Mr. Gorman provided an update from the interns – they found a faculty advisor for their project; the deadline they are working with is March; they would like to schedule a Community Vision Session sometime towards the end of January. The purpose being to gather public input on open space resources in town, areas that could be improved or better maintained etc... a community dialog component. Mr. Hogan recommended using Lower Town Hall, which is a better set up for that type of meeting and highly publicizing it. Everyone agreed to try to schedule it on Thursday 1/24 - separate from the regular conservation meeting. It was also mentioned that it should be posted as a meeting in case a quorum of Commissioners is present.

PROCESSING

- 10/29/18 & 11/5/18 Meeting Minutes (01:03:53 – 01:07:26)
 - 10/29/18 meeting minutes passed over due to lack of quorum.

Motion: Mr. Bangma moved to approve the 11/5/18 meeting minutes of the Conservation Commission as written. Mr. Shaw seconded, and the motion passed unanimously by vote of 4-0-1. (Mr. Hogan abstained)

PUBLIC HEARINGS

- Notice of Intent (NOI), DEP #312-1075, 1012 Hathaway Lane (Map 47 , Parcel 1556)** (01:07:27 – 01:08:45)
Applicant: Donald and Jackie Murrant Representative: Civil Site Engineering, LLC
Project Description: Single-family house, septic system, and in-ground pool with associated earthwork, and construction activities within the buffer zone of a BVW.

Discussion: The representative did not attend the meeting, so members passed over discussions and continued the public hearing.

Motion: Mr. Hogan moved to continue the public hearing for DEP #312-1075 for 1012 Hathaway Lane. Mr. Bangma seconded, and the motion passed unanimously by vote of

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

- Draft Wetland Bylaw Discussion (01:08:45 – 01:08:54)
 - Mr. Gorman is continuing to work on finalizing the document.

Conservation Commission Meeting Minutes continued – Monday, November 19, 2018

AGENT UPDATES (01:08:56 – 01:09:58)

1. General updates from the office/projects
 - Nothing new
2. Conservation Agent Update
 - Holly Jones hired start date is 11/26
 - MACC training Dec and Jan

ADJOURNMENT-NEXT MEETING SCHEDULED FOR December 3, 2018

Motion: Mr. Hogan moved to adjourn the November 19th meeting of the Conservation Commission. Mr. Shaw seconded, and the motion passed by vote of 5-0-0.

Respectfully submitted,
Melissa Shelley



Andrew Gorman, Chairman



Jim Hogan, Vice Chair

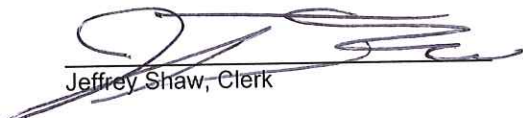
Absent

Lauren Steele, Member

Absent

Brad Allspach, Member

December 3, 2018
Date



Jeffrey Shaw, Clerk

Russell Holden, Treasurer



Dale Bangma, Member