



TOWN OF UXBRIDGE  
**CONSERVATION COMMISSION**

21 SOUTH MAIN STREET  
UXBRIDGE, MASSACHUSETTS 01569  
508-278-8600, ext 2019

**MEETING MINUTES**  
Monday, May 17, 2010

*Please note some items may have been taken out of agenda order.*

Minutes of the Uxbridge Conservation Commission regular meeting held on Monday, **May 17, 2010**, at 7:00 P.M. in the **Board of Selectmen's Meeting Room, Uxbridge Town Hall, 21 South Main St., Uxbridge, MA:**

**Conservation Commission Board Members Present:** Chair Al Jones, Vice Chair Russell Holden, Harold Klei and Dave Lewcon

**Others present:** Donna C. Hardy, Conservation Commission Administrator

**OLD BUSINESS:**

**Violations/Potential Violations**

**Street sweepings (Pout Pond's rest area (Map 13, Parcel 4877))** – Mr. Benn Sherman, DPW Director was present and spoke on behalf of the issue. Mr. Sherman provided the commission a response to the West River Road Street sweepings violation report. Mr. Lewcon provided additional information concerning the violation report (i.e. pictures of violation location). The site is being used as a dumping ground for white goods and other various materials. Moving forward on this subject, Mr. Sherman is in the process of developing a formal standard operating procedure for the handling and storage of street sweepings. As the document is developed, Mr. Sherman will forward draft versions to the Conservation Commission for input relative any potential jurisdictional issues that may need clarification. Mr. Sherman will also be providing a list of locations where street sweepings are temporarily stored.

On May 19, 2010, Mr. Sherman provided a list of locations where street sweepings are temporarily stored:

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| West River Road                     | Blackstone Street Extension         |
| Chapin Street                       | Douglas Street (before Route 146)   |
| High Street (at high tension lines) | Mill Street (at high tension lines) |
| Colonel Drive (cul-de-sac)          | Almshouse Road (cul-de-sac)         |
| South End Fire Station              | Mendon Street (flats)               |

\*Note: The sweepings are not always stored at these locations. It depends on the scheduling of men and equipment.

**Mountain View Estates off Albee Rd (Map 41, Parcels 1849, 1871, 1891 & 1896)** – Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of his client. Mr. Anderson provided an update of the site to the Commission. Chairman Jones, Mr. Holden and Mr. Lewcon have all been to the location to do site visits. Discussions included remediating the remaining runoff issues with possible core logs or silt socks to control the erosion on site. Discussion and areas of concern from the residents included problems with an excess amount of water on their properties. Also, Planning Board Chairman Charles Lutton addressed the Commission inquiring if enough work has been done at the site to remediate the conservation issues, in order for the Cease & Desist order to be lifted. The Commission requires more work



to be done at the site. The Commission requests the applicant to come before the commission at the next scheduled meeting on June 7<sup>th</sup> to discuss.

**Violations/Potential violations –**

**Rivulet Pond Mill, 44 Rivulet Street (Map 18D, Parcel 29)** – Owner(s) at the mill are draining the pond, if there is potential rain in forecast, resulting in problems for the habitats. Mr. Holden did a site visit the afternoon of May 3, 2010. The Commission discussed the violation and is unsure if the Mill would fall under a management structure control rule or another state guideline.

Following discussion, the Commission recommends a letter be sent to the resident stating there was an anonymous complaint received and to explain the violation issue, along with information indicating that the Commission would like to help work with the resident in resolving the issue and when the next meeting is to attend. The Conservation Commission will continue discussions at their next scheduled meeting.

**262 West River Road (Map 13, Parcel 721)** – Between the houses at 262 West River Road and 272 West River Road, there is an intermittent stream. Anonymous caller advised that PVC white pipes are coming from 262 West River Road's home. The pipes appear to be pumping water out of the cellar and into the stream. Occasionally, there is soapy water coming out of the pipes and going directly into the stream. It has been going on year around. The water from the stream goes directly across the street to 275 West River Road. 275 West River Road has currently over 12+ acres of wetlands. Mr. Holden drove by the location, the afternoon of May 3, 2010. There are 2 pipes going directly into the wetlands and can clearly see it is a wetland, due to the skunk cabbage. Following discussion, the Commission recommends a letter be sent to the resident stating there was an anonymous complaint received and to explain the violation issue, along with information indicating that the Commission would like to help work with the resident in resolving the issue and when the next meeting is to attend. The Conservation Commission will continue discussions at their next scheduled meeting.

**Other**

**DEP #312-863, Extension Permit for Order of Conditions, Matthew Kennedy – Lot 2, Aldrich Street (Map 45, Parcels 968, 1017 & 488)** Construction of a paved driveway for a single family house. Mr. David Morin with Arrowhead Acres was present. Prior to the sale of the land, discovered there was a title problem. The project was delayed for about 3 years and has been in land court. Land court ruled and cleared the title. Mr. Morin is requesting an extension to be able to put in a paved driveway on the property. Mr. Holden did a site visit on May 8, 2010. Following discussions, **MOTION** by Mr. Holden to issue an Extension Permit for Order of Conditions for DEP #312-863 for three (3) more years to April 9, 2013. Seconded by Mr. Klei, the motion carried unanimously.

**102 Homeward Avenue (Map 18A, Parcel 791)** – Violation received on May 4<sup>th</sup> from a previous tenant at residence stating that the landlord Mr. Cesar Calderon is filling in the wetlands on the property (filling material is concrete, tar and other materials). A letter was sent to Mr. Calderon on May 6<sup>th</sup> requesting his attendance at the Conservation Commission meeting. Mr. Holden did a site visit at the location. Mr. Calderon was present and had an interpreter for the meeting. Mr. Calderon stated he didn't realize he couldn't place mulch or fill at the location.

Following discussion, the Commission scheduled a site visit for Saturday, May 22<sup>nd</sup> at 4:00 P.M. The Commission will continue discussions at their next scheduled meeting.

**Minutes.** **MOTION** by Mr. Holden for the May 3, 2010 Meeting Minutes, as amended and make changes with the 3 amendments including, **Mountain View Estates off Albee Rd** the information noting "The Commission's concern addresses that when there is another rain storm, will the sponge pool be able to hold the amount of water received or not. " to be updated to "The Commission's concern addresses that when there is another rain storm, will the plunge pool be able to hold the amount of water received or not."; **Tata & Howard, Inc.** the information noting "Mr. Holden questioned that no anticipation of water flowing off location to catch basin." to include the following "and inquired if there is a plan to have a non-paved road."; and **West River Road (Pout Pond's rest area)** to strike the sentence "It was suggested that the "dirt piles" fill in the parking lot across the street. However, was advised that the dirt couldn't be used for fill in, because it was contaminated soil and must be taken care of in a certain way." Seconded by Mr. Lewcon, the motion carried 3-0-1. May 3, 2010 meeting minutes to be signed at the next scheduled meeting.

**Minutes.** Meeting minutes dated April 5<sup>th</sup> and April 20, 2010 were signed at the meeting.

#### **OTHER ITEMS:**

##### **POUT POND**

Mr. Lewcon informed the Commission that the lawn is still the same and no work has been done at the site. The rest area will be blocked off to deter people from dumping junk at the location. The Cub Scouts, Pack 25 will not be using Pout Pond on June 4 – 6<sup>th</sup> for their camping outing.

#### **OLD BUSINESS:**

**Ledgemere Country IV & Ledgemere Country V** – The Uxbridge Planning Board had a meeting on Wednesday, May 12<sup>th</sup> concerning the subdivisions. Mr. Klei addressed his concerns with the commission. The complete application package was submitted to the Planning Board on April 20, 2010.

Discussion and areas of concern included active violations from the Conservation Commission (Enforcement Order issued September 22, 2006), issues with detention basins, catch basins, wetlands may not be depicted correctly on the plans and a berm not indicated on Ledgemere Country IV plans. Mr. Klei informed the commission that there has been recent emergency repair work done on a basin on one of the cul-de-sac. Following discussion, the Commission scheduled a site visit for Saturday, May 22<sup>nd</sup> at 4:30 P.M. The Commission will continue discussions at their next scheduled meeting.

#### **Funds transfer of \$10,000**

Chairman Jones received a memo from Mr. David Genereux, Finance Director for a request for funds transfer of \$10,000 from the Wetlands Protection Fund. The memo states the following information:

Please be advised of my request for \$10,000 to be transferred from the Wetlands Protection Fund to the General Fund in order to support the FY 2011 municipal budget. The Wetlands Protection Fund is established under Chapter 131, Section 40 of the Massachusetts General Laws. Receipts placed into the fund are available for expenditure by the Conservation Commission. Management is requesting \$10,000 in order to partially defray the operating

expenses of the Conservation Department that is supported through the General Fund. The current recommended budget for FY 2011 is \$17,547.00. The balance in the Wetlands Protection Fund is \$58,156.55.

I (Mr. David Genereux) therefore respectfully request that the Committee support the departmental budget and fund the transfer request at \$10,000.00.

This request is procedural and is to cover the Conservation Commission Administrator's budget salary. Ms. Hardy spoke to Mr. Genereux and will be researching the account over the last three (3) years. Ms. Hardy will research the last two (2) years of turnovers to be sure the money has been directed to the correct account (Wetlands account). The Commission will continue discussions at their next scheduled meeting.

#### **Down East subdivision**

The Conservation Commission is continuing to review the plans received by the Planning Board. The Commission will continue discussions at their next scheduled meeting.

#### **Hunting Whip Lane subdivision**

The Conservation Commission received new plans from the Planning Board. The Commission has no issues or comments at this time.

#### **Three Lots Road subdivision**

The Conservation Commission received new plans from the Planning Board. The Commission has no issues or comments at this time.

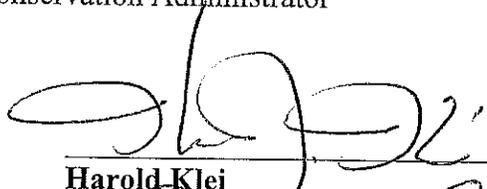
#### **ANNOUNCEMENTS AND CORRESPONDENCE/MAIL**

Mr. Lewcon provided an article to be added to The New Uxbridge Times. Mr. Lewcon hopes to provide public awareness to let the residents know that the Uxbridge Conservation Commission exists. In the future, it shall be added to cable access.

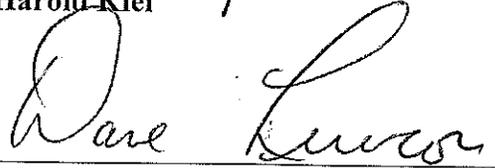
**MOTION** by Mr. Klei to adjourn the meeting at 9:40 P.M. Seconded by Mr. Lewcon, the motion carried unanimously.

Respectfully Submitted by Donna C. Hardy, Conservation Administrator

  
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Al Jones, Chairman

  
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Harold Klei

  
\_\_\_\_\_  
Russell Holden, Vice-Chair

  
\_\_\_\_\_  
Dave Lewcon

6/7/2010  
\_\_\_\_\_  
Date