



TOWN OF UXBRIDGE
CONSERVATION COMMISSION
21 SOUTH MAIN STREET
UXBRIDGE, MASSACHUSETTS 01569
508-278-8600, ext 2019

MEETING MINUTES
November 1, 2010

NOV 17 10 41:20
AK

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

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, November 1, 2010**, at 7:00 P.M. in the **Board of Selectmen's Room, Uxbridge Town Hall, 21 S. Main St., Uxbridge, MA:**

Conservation Commission Board Members Present: Chair Al Jones, Vice-Chair Russell Holden, Dave Lewcon and Larry Lench

Conservation Commission Board Members Absent: Harold Klei and Michael Potaski

Others present: Donna C. Hardy, Conservation Commission Administrative Assistant

OLD BUSINESS

DEP #312-916, NOI, Triumvirate Environmental, Inc., 146 Mendon St (Map 19, Parcel 3621) – Excavation of petroleum contaminated soil related to historic underground storage tank located w/in the buffer zone of the Blackstone Canal. Mr. Nicholas Deane with LTI Uxbridge Stanley LP and the applicant sent a written request for continuance to the next scheduled meeting. **MOTION** by Mr. Holden to accept the applicant's written request to continue the public hearing for DEP #312-916, NOI, Triumvirate Environmental, Inc. to the next scheduled meeting. Seconded by Mr. Lench, the motion carried unanimously.

Violations/Potential Violations:

0 Blackstone Street (Map 31, Parcel 4142) – Agricultural area may be a dumping ground. Commission has tried to contact owner of property to do a site visit and has been unsuccessful. No new discussions at this meeting. The Commission shall continue discussions at the next scheduled meeting.

26 Boston Street (Map 12B, Parcel 2945) – Activity on property going on for years, such as throwing trash, mattresses, yard waste, wheel rims, recycling material, shower stall, etc on property and on each dead end from School St to CVS. Property is less than 100 feet from the Saw Mill Pond. A Cease & Desist order was issued on September 2, 2010. A previous site visit has been done on the property and a partial amount of debris has been removed. Commission has tried to contact owner of property to do a site visit and has been unsuccessful. No new discussions at this meeting. The Commission shall continue discussions at the next scheduled meeting.

175 Henry Street (Map 20, Parcel 3627) – Mr. Lewcon did a site visit, however did not see a lot of activity on the property. No new discussions at this meeting. The Commission shall continue discussions at the next scheduled meeting.

Mountainview Estates (Map 41, Parcels 1827, 1832, 1858, 1895, 1941 & 1977) – Mid October 2010, an asbestos testing was done by the MA-DEP Asbestos Program. Two of the three samples tested positive for asbestos containing 30% and 80% chrysotile asbestos. The owners of the property must now retain a Massachusetts Division of Occupational Safety (DOS) licensed asbestos contractor to properly remediate the asbestos containing contaminated pile of soil or debris on the property. The asbestos contractor that is selected will need to submit a scope of work to MA-DEP for approval to conduct the required removal, handling, packaging, perimeter air monitoring, and disposal of the asbestos containing contaminated pile of soil or debris on the property. No work or disturbance of these materials can occur until a scope of work has been approved by the Department. The Commission has not received a weekly work report since October 13, 2010. The Conservation Commission office shall contact Mr. Anderson for an update. The Commission shall continue discussions at the next scheduled meeting.

Other ~ none

NEW BUSINESS

DEP #312-918, NOI, Thomas Harrington, 11 Buffum Road (Map 37, Parcels 1324 & 1356) – Rebuilding a house that was destroyed by fire and construction of a new addition to the house. Mr. Eric Bazzett with Andrews Survey & Engineering was present and spoke on behalf of the applicant. The proposed new addition is outside of the twenty-five foot (25') setback. For erosion control, hay bales and silt fence will be added. The existing foundation is concrete and fill will need to be brought in to be brought up to grade. The Commission discussed scheduling a site visit for Saturday, November 6th at 9:00 am with Mr. Bazzett. Following discussion, **MOTION** by Mr. Holden to continue discussions for **DEP #312-918, NOI, Thomas Harrington, 11 Buffum Road** to the next scheduled Conservation Commission meeting. Seconded by Mr. Lench, the motion carried unanimously.

Mr. Cesar Calderon, owner at 102 Homeward Avenue came forward to request to speak with the Commission. Following discussion, **MOTION** by Mr. Lench to move Mr. Cesar Calderon, owner at 102 Homeward Avenue out of order. Seconded by Mr. Holden, the motion carried unanimously.

New Violations/Potential Violations:

102 Homeward Avenue (Map 18A, Parcel 791) – Mr. Cesar Calderon, owner at 102 Homeward Avenue provided an update of the re-growth of the property, including a set of pictures and a copy of the receipt of the seed mixture used. The Commission commended Mr. Calderon for all of his hard work in completing the work to their satisfaction.

RDA FY11-03, Andrea M. Desilets, Massachusetts Electric Co., 450 Millville Road, in road ROW of Millville Road – Provide working clearance for a bridge replacement over the Blackstone River. Mr. Kyle Hoffman with Tighe & Bond was present and spoke on behalf of the applicant. The work area begins to the south of the intersection of Millville Road. Along this stretch of road, Poles 81, 82, 83 and 84 will be relocated approximately ten feet (10') to the north to provide adequate space required during the bridge replacement project. A push brace pole will also be installed at Pole 80 to provide additional stability to the utility line. After the bridge replacement project is completed, Poles 81 through 84 will be relocated back to their pre-construction locations. Work within Riverfront Area and BLSF (Bordering Land Subject to Flooding) includes the relocation of Poles 81 through 84. Work within only BLSF includes the installation of the push brace pole at Pole 80. The current and proposed locations of the poles mostly consist of disturbed roadway right-of-way with upland

herbaceous and/or shrub vegetation. An area of vegetated wetland is located to the north of Millville Road, between Poles 80 and 81, and was delineated with the A-series wetland flagging. Following discussion, **MOTION** by Mr. Holden to approve the **RDA FY11-03, Andrea M. Desilets, Massachusetts Electric Co., 450 Millville Road, in road ROW of Millville Road** and issue a negative determinability based on the exemption from the Massachusetts Wetlands Protection Act. Seconded by Mr. Lench the motion carried unanimously.

Following discussion, **MOTION** by Mr. Lench to move **Uxbridge High School on Quaker Hwy** out of order. Seconded by Mr. Holden, the motion carried unanimously.

Other

Uxbridge High School on Quaker Hwy (Map 35 & 36, Parcels 1987m 2784, 3534, 3645 & 4474) – Ms. Leslie Fanger and Ms. Diana Walden with BSC Group were present and spoke on behalf of the applicant. BSC Group wanted to come before the Commission to provide an update of the site. The sewer service will need to be routed into the site from the existing main in South Main Street. Due to the extensive wetland systems and floodplain in the north of the site, this connection will result in the majority of the wetland resource area impacts. Alternative access points in other roadways were evaluated but pump stations and longer connections lines would be required. The connection at South Main Street provides the most cost effective and direct route that can utilize a gravity-fed system. An on-site pump station and force main to South Main Street would reduce or eliminate the proposed impacts but is cost prohibitive at initial construction as well as for long term operation and maintenance. The existing grades and topography located off South Main Street provided significant logistical issues with ensuring appropriate cover on a subsurface line while approaching the existing sewer main at the correct angle. Therefore, the installation of the 8-inch main line and associated manholes will require a berm through several low spots within the BVW system and the floodplain (BLSF). An open bottom culvert crossing has been designed over the intermittent tributary stream to the Blackstone Canal in order to retain the hydrology in this location. The structure will be a pre-cast concrete U-channel on cast concrete footings. Open bottom, cross-culverts are also proposed at each of the other wetland crossings to retain hydrology. The installation of the line will require a narrow corridor of permanent clearing. The berm will be approximately 10 feet wide with additional encroachment. Also, the sewer will cross BVW at three (3) locations and will result in permanent fill. Difficult topography required berming the sewer line in order to reach the existing sewer main on Route 122 at the appropriate angle and grade so that clean out velocities would be achieved. The project proposes approximately 2750 of fill in BVW due to the installation of the line and associated side slopes of the berm. Temporary impact during construction will account for another 300 sf. The sewer design went through several alternative scenarios in order to avoid and minimize wetland loss. Pump stations were evaluated to avoid the topography restrictions that were present in designing a gravity-fed system. A pump station would have eliminated or reduced the need to berm the line and the over permanent impacts to BVW, but the cost and maintenance needs were a limiting factor. Estimates assumed that initial construction costs would be at least \$150,000 to \$200,000 more for the pump station than the earthwork, culverts and replication/compensatory areas associated with the gravity fed system. This evaluation did not factor in future operation and maintenance costs for the pump station which are higher than gravity fed system. For a project with limited public funding, this alternative was determined to be cost prohibitive. Alternative tie-in locations were evaluated but any connection to the south (via Quaker Hwy) would require significantly longer line construction as well as pump stations. On-site disposal was also considered but the cost was even more restrictive. Estimates were in the \$250,000 to \$350,000 range since the property would require a pressure does system. Some level of pretreatment would also be required due to location of the property within the

Zone II wellhead protection area for the new public well. The installation of the sewer line will result in the permanent crossing of the intermittent tributary of the Blackstone Canal. The topography here would not permit a gravity fed sewer system without causing a berm and disconnect in the hydrology. Therefore, crossing over the channel was the only viable option. Since the stream has the potential for fish passage at certain times of the year and is listed as a Coldwater Fishery Resource, the crossing was designed to meet the Massachusetts River and Stream Crossing Standards. No direct impact to Inland Bank is proposed since the crossing will be established greater than the bank full width. The crossing will result in permanent shading and removal of woody vegetation directly within the footprint of the span. Since intermittent streams were determined to technically have one inland bank, the span would indirectly impact 20 linear feet of bank. BSC Group will be coming forth with a Notice of Intent package to the Conservation Commission and will present the NOI at the next scheduled meeting on November 15, 2010.

Violations/Potential Violations

Henry Legg Road/West River Road (Map 13 & 19, various parcels) – The Uxbridge Conservation Commission has governance of an acre of land bordering on West River Road, Henry Legg Road and Harvest Street, which is included on the deed information (copy of deed sent to Conservation by email on 11/2/10). Mr. Lewcon has noticed an excessive amount of dumping (including yard waste, grass clippings, etc) done on this part of the land. A couple of the neighbors are mowing into the conservation lands. This parcel of land has had some recent dumping on the property, including “ash debris”. About on or around October 25, 2010, an Alliance Express technician disposed of “oil burner ash material” from a vacuum cleaner on conservation lands. Mr. Lewcon spoke with Mr. Douglas Goodman with Alliance Express by telephone on October 25, 2010 to resolve the matter. Alliance Express did not clean up the material. However, Mr. Lewcon shall be removing the material from the conservation lands. Mr. Holden suggested a few sign postings “Town owned land”. Mr. Lewcon recommends letters be sent out to the abutters. Mr. Lewcon also suggests plantings be done around the perimeter of the land, such as forsythia bushes. Mr. Lewcon recommended a site visit. The Commission scheduled a site visit for Saturday, November 6th at 9:45 AM.

MINUTES. MOTION by Mr. Holden for the October 4, 2010 Meeting Minutes, as amended and make changes with six (6) amendments. Seconded by Mr. Lench, the motion carried unanimously.

Other Items:

Pout Pond/Legg Farm – Faith Fellowship Church came to Pout Pond on October 31, 2010 for their annual Sunday of Service program. The Commission appreciates the service Faith Fellowship Church provided.

Continuous recreational vehicle activity has occurred in Pout Pond woods and in the baseball field. Also, in the baseball field, the port-a-john has been tipped over. Mr. Lewcon has questioned why there is chemical pesticide treatment done on Conservation lands on the ball field. Mr. Lewcon proposes to ban any chemicals used on the ball field at Pout Pond or Legg Farm land. When rain occurs, all the rain water and pesticides flow directly from the ball field to Pout Pond. Discussions also included if the ball fields can be fertilized with organic material. Chairman Jones recommends researching the subject, prior to any bans placed. The Commission shall continue discussions at the next scheduled meeting.

Bathing Beach Permit – The Uxbridge Board of Health per requirement from the state requirements requires an Application for Permit to Operate a Bathing Beach to be filled out for Pout Pond. Following discussion, **MOTION** by Mr. Holden to issue an “Application for Permit to Operate a

Bathing Beach" for Pout Pond for the 2010 and 2011 season to be given to the Uxbridge Board of Health for approval. Seconded by Mr. Lench, the motion carried unanimously.

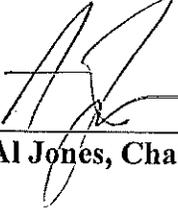
Violations/Potential Violations

Douglas Street (Summerfield/Taft Hill Lane) (Map 23, Parcel 4435) – Mr. Gerald Lambert, a resident on 446 Douglas Street came to the Conservation office on November 1, 2010. The property to the left of 446 Douglas Street has a large amount of wetlands. There is tree cutting going on the Taft Hill Lane. A large amount of water is coming down from Douglas St and Taft Hill Lane. With the tree cutting, the water is continuously flowing and now coming into 446 Douglas Street property. Property owner at 446 Douglas St wants it controlled or berms put in. Chairman Jones and Vice-Chair Holden shall do a site visit on the property. On November 2nd, Ms. Hardy contacted the resident to inform of the status of this violation. The resident informed the Commission office that the work is not being done by the owners of Summerfield/Taft Hill Lane, but instead work is being conducted by DPW. Ms. Hardy contacted Mr. Benn Sherman, DPW Director for assistance. Mr. Sherman informed that the DPW did some maintenance work at this location. The DPW cleaned up the roadside by slightly excavating out a waterway and backfilled it with rip rap to facilitate the drainage off of Douglas Street.

20 Albee Road (Map 41, Parcel 1743) – On October 29th, the Conservation Commission office received an anonymous email concerning a possible violation at this location. Over the years, the front yard has slowly been cleared. Recently in the last few days, several large trees within the buffer zone near the wetlands have been removed. There is no indication of any posted permits for this work. Chairman Jones shall do a site visit. The Commission shall continue discussions at the next scheduled meeting.

MOTION by Mr. Holden to adjourn the meeting at 9:00 P.M. Seconded by Mr. Lench, the motion carried unanimously.

Respectfully Submitted by Donna C. Hardy, Conservation Commission Administrative Assistant.

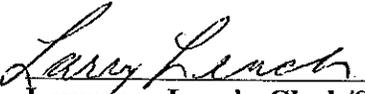


Al Jones, Chairman



Russell Holden, Vice-Chair

Harold Klei, Treasurer



Lawrence Lench, Clerk/Secretary

Dave Lewcon, member

Michael Potaski, Member

11/15/2010

Date

