



TOWN OF UXBRIDGE
CONSERVATION COMMISSION
21 SOUTH MAIN STREET
UXBRIDGE, MASSACHUSETTS 01569
508-278-8600, x 2013

Posted by
Uxbridge
Town Clerk

MEETING MINUTES

January 3, 2012

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

Minutes of the Uxbridge Conservation Commission regular meeting held on Tuesday, January 3, 2012, at 7:00 P.M. in the Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:

Conservation Commission Board Members Present: Russell Holden, Dave Lewcon, Larry Lench, Tracy Tibedo and Michael Potaski.

It being 7:00 pm, the meeting being properly posted, duly called and a quorum being present, Chairman Holden called the meeting to order.

OLD BUSINESS: Public Hearings ~ none

Violations/Potential Violations:

89 Johnson Road (Map 48, Parcel 1426) – Enforcement Order sent by certified mail on November 28, 2011 returned from the Uxbridge Post Office "Return to Sender – Unclaimed – Unable to forward". Discussions shall continue to the next scheduled meeting.

127 Douglas Pike (Map 52, Parcel 1575) – Commissioner Holden has left messages for the property owner and the caller that reported the violation. Following discussion, **MOTION** by Commissioner Tibedo to continue discussions for "Violations/Potential Violations: 127 Douglas Pike" until the next scheduled meeting. Seconded by Commissioner Potaski, the motion carried unanimously.

79 River Road (Map 45, Parcel 1345) – There is a 90-day deadline for this violation per the order that was sent to the property owner. Following discussion, **MOTION** by Commissioner Potaski to continue discussions for "Violations/Potential Violations: 79 River Road" until the next scheduled meeting. Seconded by Commissioner Lench, the motion carried unanimously.

Other:

Uxbridge Wetlands Bylaw – The wetlands bylaw is currently being reviewed by the Commission. Following discussion, **MOTION** by Commissioner Tibedo to continue discussions for the "Uxbridge Wetlands Bylaw" until the next scheduled meeting. Seconded by Commission Potaski, the motion carried unanimously.

672 Millville Road (Map 40, Parcel 1661) – Discussions continued from the December 19, 2011 meeting. Commissioner Holden contacted MA-DEP for guidance on handling property. Commissioner Holden explained that there was a suggestion from MA-DEP on handling the property. The detention pond on the property would be considered a point source (Point source is a specific place where water is flowing from) for stormwater and to encourage the resident to design a stormwater management infrastructure (with help from an engineering firm). Mr. DJ Salmon, resident at 672 Millville Road came forward to discuss the property. Discussions and areas of concern included if the washout from 13 Albee Road is coming from the detention pond from 672 Millville Road, if the increase of water is coming from the brooks/streams near this property or from the surrounding subdivisions in the area, the landscaping materials from 672 Millville Road is going directly into the pond (located on 4 Albee Road), the possibility of designing a water quality swale on the

property which includes having 80% solids must be retained in the swale and requesting assistance from MA-DEP. The Commission feels strongly that an engineer should review the property and recommend a stamped & certified stormwater management plan/proposal and a Notice of Intent application be submitted. Mr. Salmon brought forth pictures of the property and a proposal on how to handle the water quality swale/detention pond on the property. **MOTION** by Commissioner Lewcon to issue an Enforcement Order including that the resident submit a Notice of Intent application including a stormwater management plan by an engineer and address the violations seen by the Commission. Seconded by Commissioner Holden, the motion carried 2-3 (motion failed).

An alternative motion was made, **MOTION** by Commissioner Lench to table and continue discussions for "Other: 672 Millville Road in Uxbridge" until the next scheduled meeting and to recommend that Mr. Salmon comes back with a new revision to the schematic plan that doesn't involve work on the adjacent parcel (to control the sediment coming off his property) and to work with the adjacent property owner on 4 Albee Road to discuss a revised schematic plan for both properties. Seconded by Commissioner Tibedo, the motion carried 3-2 (motion passed).

Commissioner Tibedo would like to consult with MA-DEP to discuss the situation; this project is limited in scope but is affecting all of the properties in the area. Another suggestion to speak with the companies that make "water traps" and get engineering assistance to develop the plan. Commissioner Tibedo will be doing a site visit on Saturday, January 7th. Commissioner Lench will contact Mr. Salmon to schedule a site visit, also. Discussions shall continue at the next scheduled meeting.

NEW BUSINESS: Public Hearings –

DEP #312-xxx, NOI, Beta Group Inc. on behalf of the Town of Uxbridge DPW on Douglas Pike (Town Right-of-Way) – The proposed project will consist of replacing an existing stone culvert which has partially collapsed at both ends with a 24-inch reinforced concrete pipe. Ms. Angela Saunders with Beta Group, Inc. was present and spoke on behalf of the applicant with the details of the project. Discussions and areas of concern included silt fences, compost socks, fiber rolls or straw wattles and sand bags (water will be pumped out of the area) to be used for the type of sediment/erosion control, the proposed work will occur in July/August 2012 timeframe and a more detailed narrative plan (including the control of water) to be submitted. A future site visit will be done by the Commission. Following discussion, **MOTION** by Commissioner Tibedo to continue discussions for project listed as "NOI, Beta Group Inc. on behalf of the Town of Uxbridge DPW on Douglas Pike (Town Right-of-Way)" until the next scheduled meeting on January 17, 2012. Seconded by Commissioner Potaski, the motion carried unanimously.

Violations/Potential Violations:

180 Williams Street/0 Rawson Street (Map 10, Parcel 3625/3393) – The activity that is currently being done on the property is: excavating out a wetland without a Notice of Intent and using the wetland soils and field stones to construct a roadway on the parcel. Commissioner Holden informed the Commission that an Order of Conditions was issued for this property more than 3 years ago and has since expired (but did not include the roadway). On December 22, 2011, an Enforcement Order was issued for this property and was sent by certified mail on December 28, 2011. However, the Order was returned by the Uxbridge Post Office as "Undeliverable". A new mailing address was received and the Order was sent out by certified mail again on January 3, 2012. Following discussion, **MOTION** by Commissioner Potaski to approve the Cease & Desist Order and to continue the hearing for this violation at "180 Williams Street/0 Rawson Street" to the next meeting on February 6, 2012. Seconded by Commissioner Lench, the motion carried unanimously.

MINUTES: MOTION by Commissioner Potaski to approve the Conservation Commission Meeting Minutes dated November 7, 2011 (as amended). Seconded by Commissioner Lench, the motion carried 4-0-1.

MINUTES: MOTION by Commissioner Tibedo to approve the Conservation Commission Meeting Minutes dated November 21, 2011 (as amended). Seconded by Commissioner Potaski, the motion carried unanimously.

MINUTES: MOTION by Commissioner Lench to approve the Conservation Commission Meeting Minutes dated December 5, 2011 (as amended). Seconded by Commissioner Potaski, the motion carried unanimously.

MINUTES: MOTION by Commissioner Tivedo to approve the Conservation Commission Meeting Minutes dated December 19, 2011 (as amended). Seconded by Commissioner Potaski, the motion carried unanimously.

Other:

Processing – Commissioner Holden spoke with the Commission about the Mullins law. Pursuant to G.L. c. 39, § 23D, the undersigned member of a board, committee or commission of the Town of Uxbridge hereby certifies that he or she has examined all of the evidence received by the said board, committee or commission at the one session of its adjudicatory hearing on the matter identified below which the undersigned member failed to attend, and that such evidence included an audio or video recording of the missed session or a transcript thereof. This Certification has been executed prior to the undersigned's participating in a vote on the matter and shall be part of the record of the hearing.

Conservation Commission member responsibilities – Commissioner Holden reviewed the duties and responsibilities involved for each position. Commissioner Holden noted what the Administrative Assistant is currently working on other projects, such as reviewing all NOI applications that have no Certificate of Compliances completed.

Commissioner Lewcon requests reminders sent out on a weekly basis. Commissioner Holden suggested a Google calendar be set up to remind the Commissioners of site visits, notes, etc.

Pout Pond/Legg Farm – No new information to discuss for this property.

Pout Pond ball field fertilizer issue – The Commission reviewed the type of fertilizer currently being used at the ball field. Discussions and areas of concern included the type of fertilizer that is recommended for use on the property and if signs should be placed indicating the type of fertilizer being used. Following discussion, **MOTION** by Commissioner Tivedo that any chemical applications (including fertilizer, herbicide or pesticide) to be applied on the Pout Pond property and all Conservation land (within the Conservation Commission's jurisdiction) that the Commission is notified at least 1 month prior or sooner to application being applied. Seconded by Commissioner Potaski, the motion carried 4-0-1.

Any other business which may lawfully come before the Conservation Commission -

4 Albee Road (Map 40, Parcel 2432) – Ms. Erin Carven, resident at 4 Albee Road came forward to discuss the property. Ms. Carven came forward to inform the Commission that they will be more than willing to assist the residents at 672 Millville Road and the Conservation Commission to keep the water clean or whatever needs to get done.

Automatic closure of front doors – Commissioner Potaski requests that the length of time for the doors be opened for a longer amount of time. Other suggestions included to list one of the Conservation Commissioners cell phone numbers on a sign posted on the front door or to have an automatic door bell in the Board of Selectmen's Meeting Room.

The Commission also discussed the possibility of unauthorized pipes in a wetland located at Albee Road. Discussions shall continue at a future meeting.

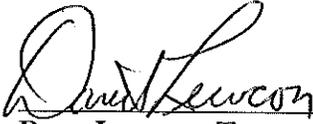
MOTION by Commissioner Tivedo to adjourn the meeting at 9:45 P.M. Seconded by Commissioner Potaski, the motion carried unanimously.

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



Russell Holden, Chairman

Vice-Chair (vacant)



Dave Lewcon, Treasurer



Lawrence Lench, Clerk



Michael Potaski, Member

Tracy Tibedo, Member

3/5/2012

Date