



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

Posted by  
Uxbridge  
Town Clerk

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**MEETING MINUTES**  
February 6, 2012

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

Minutes of the Uxbridge Conservation Commission regular meeting held on **Monday, February 6, 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, Michael Potaski and Tracy Tibedo

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**

**DEP #312-932, 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. Following discussion, **MOTION** by Commissioner Tibedo to issue a Standard Order of Conditions for the application listed as "**DEP #312-932, NOI, Beta Group Inc. on behalf of the Town of Uxbridge DPW on Douglas Pike (Town Right-of-Way)**". Seconded by Commissioner Potaski, the motion carried unanimously.

**DEP #312-933, NOI, Susan Foley at 280 Albee Road (Map 46, Parcel 775)** - The proposed project will consist of construction of a single family home, septic system, well and associated site work. Mr. Stephen O'Connell with Andrews Survey & Engineering, Inc. was present and spoke on behalf of the applicant with the details of the project. Following discussion, **MOTION** by Commissioner Tibedo to issue a Standard Order of Conditions for the application listed as "**DEP #312-933, NOI, Susan Foley at 280 Albee Road (Map 46, Parcel 775)**". Seconded by Commissioner Lewcon, the motion carried unanimously.

**RDA FY12-03, Richard Corcoran at 212 Henry Street (Map 20, Parcel 2948)** – Project proposed is for construction of a new four bedroom house and Title V approved septic system. A small portion of the buffer zone (1790 +/- sf.) will be altered due to the required grading for the soil absorption system per Title V requirements. The proposed disturbed area will take place in the existing overgrown lawn area. Mr. Michael Yerka with Yerka Engineering Associates was present and spoke on behalf of the applicant with the details of the project. Following discussion, **MOTION** by Commissioner Tibedo to issue a Negative Determination of Applicability with one (1) Special Condition: 1) any soil disturbance related to removal of any antique farm equipment will require a separate condition; for the application listed as "**RDA FY12-03, Richard Corcoran at 212 Henry**

Street (Map 20, Parcel 2948)". Seconded by Commissioner Lewcon, the motion carried unanimously.

**Violations/Potential Violations:**

**127 Douglas Pike (Map 52, Parcel 1575)** – Commissioner Holden did a recent site visit on the property. It appears that the homeowner is boarding horses on the property. 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.

**7 Dutch Hill Road (originally 180 Williams St, Lot 7) (Map 10, Parcel 3625)** – Mr. Brian Vanderzicht was present and came before the board to discuss the violation. Mr. Vanderzicht purchased the property in October 2011. Discussion and areas of concern included two (2) wetlands that have been excavated, landscaping business being conducted on the property, if land is in agricultural use, soil restoration and the National Grid easement. If it cannot be proved that it is within the Agricultural Zone district, then the wetland must be fully restored. The landowner will be given two (2) to provide proof that the parcel is to be used in agricultural use. Following discussion, **MOTION** by Commissioner Potaski to continue discussions for “Violations/Potential Violations: 7 Dutch Hill Road” until the next scheduled meeting. Seconded by Commissioner Lewcon, the motion carried unanimously.

**518 & 546 Hazel Street, Salvage Center (Map 22, Parcels 1552 & 1547)** – The Town Manager’s office received a complaint from a resident regarding the Salvage Center at 518 Hazel Street. The resident complained about earth removal/fill in close proximity to wetlands. Commissioner Holden visited the property to discuss the potential violation on the property. On January 26, 2012, Graves Engineering, Inc. issued a report for 518 Hazel Street. No new activity has occurred on the property. Following discussion, **MOTION** by Commissioner Potaski to discontinue the violation for the address listed at 518 Hazel Street. Seconded by Commissioner Lewcon, the motion carried unanimously.

**89 Johnson Road (Map 48, Parcel 1426)** – On November 2, 2011, the Uxbridge Conservation Commission issued a second Enforcement Order to the property owner. The mail was returned to the Uxbridge Conservation Commission as “Refused to Accept” per the Uxbridge Post Office. The Commission will be hand delivering the most recent Enforcement Order. Following discussion, **MOTION** by Commissioner Tibedo to continue discussions for “Violations/Potential Violations: 89 Johnson Road” until the next scheduled meeting. Seconded by Commissioner Potaski, the motion carried unanimously.

**209 River Road (Map 45, Parcel 4053)** - **MOTION** by Commissioner Tibedo to table discussions for “Violations/Potential Violations: 209 River Road”. Seconded by Commissioner Potaski, the motion carried unanimously.

**672 Millville Road (Map 40, Parcel 1661)** – Mr. DJ Salmon, resident at 672 Millville Road came forward to discuss property. Discussions on these parcels were continued from the January 17, 2012 meeting. Discussion and areas of concern included if the jersey barriers on the property could be repositioned and if a boom to contain floating bark mulch. Following discussion, **MOTION** by Commissioner Tibedo to repair the jersey barriers and place the boom on the property. Seconded by Commissioner Potaski, the motion carried unanimously. Following discussion, **MOTION** by

Commissioner Tibedo to recommend having a boom containing floating bark mulch. Seconded by Commissioner Potaski, the motion carried 4-1-0.

**4 Albee Road (Map 40, Parcel 2432)** – Discussions on these parcels were continued from the January 17, 2012 meeting. The Commission indicated this address was placed as an error. Discussions shall continue at a future meeting.

**20 Albee Road (Map 41, Parcel 1743)** – Mrs. Donna Draper-Sanches, resident at 20 Albee Road was present. Mr. Paul Knapik, Wetland Scientist with Guerriere & Halnon was also present and came forward to discuss the recent Enforcement Order issued. Discussion and areas of concern included the wetland resource areas, perennial stream on property and the feet required for the buffer zone. The Commission discussed the following issues:

1) Trees are being cleared at the front of the property and area to be naturalized defined by the owner. Following discussion, **MOTION** by Commissioner Potaski recommending allowing the area in subject is kept at a naturalized state. Seconded by Commissioner Lench, the motion carried unanimously.

2) No fertilizer to be used in the buffer zone. No changes per the Commission.

3) Shed in back of property is being used for storage of equipment and does not appear to be an issue for storm water management.

4) There appears to be debris and grass clipping piles. The wetland setback is 25' from the stream. The landscaping material is now being disposed off-site. The Uxbridge Conservation Commission has found that activity within 25 feet of a wetland poses a serious threat to these areas. As a result, the Commission strongly discourages any activity within 25 feet from the edge of wetland. This undisturbed area provides a minimum buffer to prevent impacts to wetlands. Following discussion, **MOTION** by Commissioner Potaski to maintain the 25' wetland setback from the stream located on this property. Seconded by Commissioner Tibedo, the motion carried unanimously.

5) Tree cutting recommend natural re-growth ~~and eight (8) saplings will be planted.~~ Following discussion, **MOTION** by Commissioner Tibedo to recommend natural re-growth ~~and have eight (8) saplings is planted on the site.~~ Seconded by Commissioner Potaski, the motion carried unanimously. **MOTION** by Commission Potaski to approve all revised comments for the property located at 20 Albee Road in Uxbridge. Seconded by Commissioner Lewcon, the motion carried unanimously.

**Other:**

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

**NEW BUSINESS: Public Hearings –**

Commissioner Potaski recused himself due to being on the Board of Directors for Crown & Eagle Apartments.

**DEP #312-934, NOI, Uxbridge Housing Associates, d/b/a Uxbridge/Millville Regional Housing at 99 Hartford Avenue East (Map 12A, Parcel 2275)** – The proposed project is to replace existing collapsing stone arch storm drain with new HDPE storm drain pipe. Both the existing and proposed storm drain pipes collect runoff from the concrete entrance patio and portions of the roof of the Crowne & Eagle Apartments building. Mr. Richard Baummer, Senior Project Manager for Nobis Engineering came forward to discuss the project. Following discussion, **MOTION** by Commissioner Tibedo to close the Public Hearing and to issue a standard Order of Conditions for the application listed as “**DEP #312-934, NOI, Uxbridge Housing Associates, d/b/a Uxbridge/Millville Regional**

**Housing at 99 Hartford Avenue East**". Seconded by Commissioner Lewcon, the motion carried 4-0-0.

Commissioner Potaski returned to the meeting.

**DEP #312-935, NOI, Kenneth J. & Louise M. Redding at 442 Blackstone Street (Map 31, Parcel 3497)** – The proposed project is a 11-lot residential subdivision and associated earthwork for road & infrastructure construction and stormwater management facilities. Mr. Stephen O'Connell with Andrews Survey & Engineering, Inc. was present and came forward to discuss the project. The Commission scheduled a site visit for February 18<sup>th</sup> at 1:00 pm. Following discussion, **MOTION** by Commissioner Tibedo to continue discussions for the Public Hearing for the application listed as "**DEP #312-935, NOI, Kenneth J. & Louise M. Redding at 442 Blackstone Street**" to the next scheduled meeting on February 21, 2012. Seconded by Commissioner Potaski, the motion carried unanimously.

**DEP #312-933, NOI, Susan Foley at 280 Albee Road (Map 46, Parcel 775)** - The proposed project will consist of construction of a single family home, septic system, well and associated site work. Mr. Stephen O'Connell with Andrews Survey & Engineering, Inc. was present and came forward to discuss the project. Following discussion, **MOTION** by Commissioner Tibedo to close the Public Hearing and to issue a standard Order of Conditions for the application listed as "**DEP #312-933, NOI, Susan Foley at 280 Albee Road**". Seconded by Commissioner Lewcon, the motion carried unanimously.

**Other:**

**DEP #312-824, Request for Certificate of Compliance – Keith Vanderzicht at 180 Williams Street, Lot #1 (6 Dutch Hill Road) (Map 10, Parcel 2959)** – Applicant not present to discuss, discussions to continue to the next scheduled meeting on February 21, 2012.

**170 Hecla Street (Map 25, Parcel 2442)** – Applicant not present to discuss and discussions shall continue to the next scheduled meeting on February 21, 2012.

**Processing - Site visit form**

The Commission shall review the form and discussions shall continue to the next scheduled meeting on February 21, 2012.

**Processing - Educational message for cable channel.**

Commissioner Tibedo shall be writing a message for the Uxbridge cable channel. Discussions shall continue at a future meeting.

**Peaceful Pond**

**MOTION** by Commissioner Lewcon to require a 25 feet wetlands setback, which will provide a minimum buffer to prevent impacts to Peaceful Pond. Seconded by Commissioner Tibedo, the motion carried 3-1-0.

**Violations/Potential Violations:**

**209 River Road (Map 45, Parcel 4053)** – Discussions for this property have been forwarded to the Town Manager. The Commission will continue discussions at the next scheduled meeting.

**Any other business which may lawfully come before the Conservation Commission:**

12 Douglas Street, Koopman Lumber (Map 24A, Parcels 768 & 797) - Alleged unauthorized work within jurisdictional wetland resource areas and/or buffer zone. MOTION by Commissioner Lewcon to issue a Cease & Desist order for the property located at 12 Douglas Street. Seconded by Commissioner Potaski, the motion carried unanimously.

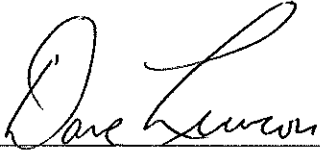
MOTION by Commissioner Potaski to adjourn the meeting at 11:20 P.M. Seconded by Commissioner Tibedo, the motion carried unanimously.

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

3/19/2012

Date