



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



Conservation Commission Meeting Minutes
June 15, 2020
Remote Meeting

REC'D UXB TOWN CLERK
2020 AUG 27 PM12:11

Present: Chair Andrew Gorman, Clerk Jeff Shaw, Treasurer Russ Holden, Member Mark Richardson and Conservation Agent Holly Jones

Absent: Vice Chair Jim Hogan and Member Dale Bangma and Lauren Steele

CALL TO ORDER

It being approximately 6:30pm, the meeting being properly posted, duly called, and a quorum being present digitally, the Chair called the meeting to order. He made the following statement to explain the purpose for the remote meeting:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Uxbridge Conservation Commission is being conducted via remote participation. Although, no in-person attendance of members of the public will be permitted, the Town of Uxbridge has made every effort to ensure the public can adequately access the proceedings in real time via technological means. This meeting is being streamed on Uxbridge Community Television and Zoom per the instructions on the agenda alternatively members of the public can call in by calling 301-715-8592 and using meeting i.d. 961 583 4751.

All motions will be voted on with roll call vote in alphabetical order by last name. Member roll call of attendance: Gorman – here, Holden – here, Richardson – here, Shaw – here)

The Chair noted that there was a typographical error on the agenda and 41 Tucker Hill Rd. is no longer an enforcement item.

PUBLIC HEARINGS

1. **Notice of Intent (NOI) DEP No. 312-1095, 300 Mendon St. (Map 19, parcels 2413, 2475, & 2467) (00:02:20 – 00:02:58)**
Applicant: Cook's Crossing, LLC. Representative: Kristen Labrie, Andrews Survey & Engineering
Project Description: A subdivision comprising 50 housing units contained within 25 duplex buildings, with associated utilities, grading, paving, and stormwater system in the buffer zone to a bordering vegetated wetland.

Discussion: The applicant has requested to continue.

Motion: Mr. Holden made a motion to continue DEP No. 312-1095 to the next meeting of the Conservation Commission. Mr. Shaw seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Gorman – aye, Holden – aye, Richardson – aye, Shaw – aye).

2. **Notice of Intent (NOI) DEP No. 312-1096, 0 Old Elmdale Rd (Map 25 Parcel 3979) (00:02:58 – 00:03:30)**
Applicant: Aris Group, LLC Representative: Jude Gauvin, Andrews Survey & Engineering
Project Description: Construction of a roadway, drainage, and gravel removal in the inner and outer riverfront area, bordering land subject to flooding, and the buffer zone to a bordering vegetated wetland.

Discussion: The applicant requested to continue.

Motion: Mr. Holden made a motion to DEP No. 312-1096 to the next meeting of the Conservation Commission. Mr. Shaw seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Gorman – aye, Holden – aye, Richardson – aye, Shaw – aye).

3. **Request for Determination of Applicability, Hartford Ave East from N. Main to Granite St. (00:03:32 – 00:12:09)**
Applicant: Town of Uxbridge
Project Description: New pavement, utility, and sidewalk construction. Width will be maintained and ECBs from the water main project will be re-used and supplemented as needed.

Conservation Commission Meeting Minutes continued – Monday, June 15, 2020

Discussion: Paul Hutnak, Uxbridge DPW, attended the meeting on behalf of the Town. He gave a brief overview of the plan to repave and reconstruct the sidewalks from Hartford Ave East from Rt. 122 to Granite St. He explained they are proposing to use the existing ECB's from the water main project which they repair and supplement where necessary to ensure adequate coverage of any resource areas. They also plan to add ECBs add around Peaceful Pond. Silt socks are the primary erosion control and they plan to have them around all catch basins. All the work is within the existing footprint they are just replacing "in kind". He proposed having Ms. Jones on site for an inspection prior to the start of work. Mr. Hutnak said he does not see the need for any stockpiling of materials and compared it to Rivulet St. (reclaimed, rolled over, scraped and scrapings removed). Members reviewed a graphic depicting the project. Mr. Gorman reviewed regulations dealing with the minor activity section for work w/in buffer zone & riverfront area. Section P qualifies pavement repair, resurfacing and reclamation of existing roadways w/in the right of way provided the roadway shoulders and there are no staging or stockpiling materials, etc. Everyone agreed to have an inspection by the Commission or its agent prior to the start of work and during the project. No members of the public commented during the discussion.

Motion: Mr. Holden made a motion it issue a Negative Determination of Applicability for the Hartford Ave East from North Main Street to Granite Street project w/ the added condition that prior to the start of work the Erosion Control Barriers shall be inspected by the Commission or its designee and additional controls are installed if deemed necessary and that the Erosion Control Barriers maintained appropriately during the course of the project. Mr. Shaw seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Gorman – aye, Holden – aye, Richardson – aye, Shaw – aye)

4. **Request for Determination of Applicability, 44 Tucker Hill Rd (Map 29 Parcel 555)** (00:12:14 – 00:29:06)
Applicant: Marlene DiRaimo
Project Description: Extend the existing French drain to a lower point in the yard close to the wetland

Discussion: Ms. DiRaimo attended the meeting to explain her request. Run off the existing drain and possibly the roadway are pooling in the left corner of her back yard "the drain is draining to an area that is not draining". There is an outlet there and a low point and she wants to extend that. She provided a marked-up plan and photographs for members to review. The work will be completed by an excavator and she is not yet sure how deep the drain would be. Members discussed a condition that would allow Ms. DiRaimo to backfill the area with a sandy loam to make sure it drains and to ensure there is no disturbance in the 25' no disturb zone. Mr. Holden indicated this change will be to the advantage to the existing wetland and everyone agreed. No members of the public commented during the discussion.

Motion: Mr. Holden made a motion it issue a Negative Determination of Applicability for 44 Tucker Hill Road request with the following conditions that appropriate sediment controls are installed prior to the excavation and inspected by the Conservation Agent, that the applicant is permitted to backfill the new trench area with appropriate sandy material to encourage infiltration and stabilize the project to the satisfaction of the Commission or its Agent. Mr. Richardson seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Gorman – aye, Hogan – aye, Holden – aye, Richardson – aye, Shaw – aye).

5. **Request for Determination of Applicability, 288 N Main St (Map 12C Parcel 3583)** (00:29:07 – 00:36:59)
Applicant: Chris and Leanne Fleming
Installation of a gas line in the Riverfront Area of Cold Spring Brook

Discussion: The applicant was not in attendance so Ms. Jones went reviewed the request. The gas company asked the homeowners obtain the appropriate permission from the Commission before moving forward. The area is next to Rivulet Brook and aerial photographs of the property were reviewed. The homeowners were not sure exactly where the line would be coming in – they were told the gas company would decide after they had permission – Ms. Jones estimated it would be coming somewhere from Main St. Mr. Gorman didn't think a filing is required if it's crossing pavement to pavement, unless there would be earth disturbing areas. He read to the Minor Activity Subsection I exempting the installation of underground utilities and noted the qualifier is that it is a paved driveway and the trenches are closed at the end each day. Members agreed, in this situation, it may be best for Ms. Jones to coordinate with the gas company to ensure they can provide confirmation that the trenches will be closed at the end of each day and it is w/in the paved area. Otherwise a filing would be required. The Commission also strongly recommends installing it as far away as possible from Cold Spring Brook to mitigate any potential risk to the resource area. The need for an ECB between the work and the resource area was also discussed. Members agreed not to make any permit decisions without the applicant available. Ms. Jones agreed to communicate directly and provide guidance to the w/ the Gas Company.

REPORTED/ONGOING VIOLATIONS

1. DEP No. 312-1086—Tea Party Drive (00:37:08 – 00:40:06)
- Mr. Gorman reported he drove by after the rain event and didn't notice anything. Ms. Jones noted the swale at the top of the armored slope has been lined w/ clay but there were no updates to report. Members are interested in

Conservation Commission Meeting Minutes continued – Monday, June 15, 2020

progress updates on groundwater seeping out of the outlet structure and decided it was a good idea to visit the site before the next meeting.

2. 366 Douglas St tree clearing – Discussion of Potential Updates (00:40:06 – 00:40:30)
 - There has been no correspondence from the property owner. Members agreed to reach out to him again after the declaration of emergency timeline has ended.

WETLAND UPDATES/ISSUES

1. Discussion of site compliance regarding active and expired Orders of Conditions (00:40:30 – 00:45:00)
 - A CoC request for 312-1061, 0 Quaker St the Hurteau solar field is forthcoming. Ms. Jones put items in the drobox for member review.
 - Ms. Jones noted that Cultivate in the Campanelli Subdivision is also planning to submitting a CoC request.
 - Mr. Gorman pointed out that a Graves review found ledge in the stormwater basin - the respondent says it's infiltrating. Ms. Jones agreed to will go out this week to inspect Medline as they are building the access road and to check on the replication area.

PROCESSING

2. 6/1/2020 Meeting Minutes (00:45:04 – 00:47:13)
 - Mr. Holden moved to accept the 6/1/20 meeting minutes as written. Mr. Shaw seconded, and the motion passed unanimously by vote of 4-0-0. (Gorman – aye, Holden – aye, Richardson – aye, Shaw – aye)

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

1. Pout Pond Recreation Committee Update (00:47:15 – 00:54:30)
 - Meeting took place with the PPRC and various public safety personnel. Ms. Jones presented the outcome of the meeting. The Police Chief and the Town Manager decided not to develop a formal plan – they are just hoping people will socially distance and that if a situation arises, they attendants can call the police. Ms. Jones has ordered some lawn signs such as “at capacity” to supplement the social distancing signs already on site. Mr. Shaw noted that the dumpster is not in a good spot – right at the bottom of the parking lot. Ms. Jones agreed to contact Pratt and ask them to move it. They are hiring a third beach attendant. Now that the pond is open 7 days a week.
 - Ms. Jones did get a quote back to remove hazard trees and she is just waiting for authorization for the funds to remove those and the one by Peaceful Pond.
2. Updating and clarifying hazardous tree removal policy (00:54:31 – 01:06:48)
 - Ms. Jones drafted a policy intended for the public. Mr. Holden expressed it is well written and helpful and suggested approving it and modifying if necessary. Mr. Richardson provided a few suggestions: state the # of trees the policy applies to and make sure it includes if they go to a qualified arborist that the tree is marked by the agent to ensure they are referring to the same tree.
 - **Motion:** Mr. Holden moved accept the Hazardous Tree Policy with two amendments including (i) up to 10 trees and (ii) said trees are clearly identified by the agent or commissioner. Mr. Richardson seconded, and the motion passed unanimously by vote of 4-0-0.
3. Update on haying town-owned 100 Acre Lot on Sutton St. – no discussion
4. Revising Wetlands Fund contributions to Agent Salary (01:06:50 – 01:19:00)
 - Mr. Gorman reviewed the over conference call he had with the Town Manager Steve Sette, Vice Chair Jim Hogan and Ms. Jones to discuss the reducing the contributions to the agent salary from the wetland protection account (the fund where permitting fees are collected). The Town Manager agrees that is the Commission decision as the authority in charge of the account and offered comments that may be helpful for the future greater fund contributions. There is currently is 27K in the wetland funds account. There was agreement reduce the contribution from 11k to 8K per year. Also discussed adding an item to the next agenda to review permitting fees.
 - **Motion:** Mr. Holden moved to budget 8k from the wetlands filing fees to support the Conservation Agent salary for the next fiscal year. Mr. Shaw seconded, and the motion passed unanimously by vote of 4-0-0. (Gorman – aye, Holden – aye, Richardson – aye, Shaw – aye)

ADJOURNMENT-NEXT MEETING SCHEDULED FOR Monday, July 6th, 2020

Mr. Holden made a motion to adjourn the June 15, 2020 meeting of the Conservation Commission. Mr. Richardson seconded, and the motion passed unanimously by roll call vote of 4-0-0 (Bangma – aye, Gorman – aye, Hogan – aye, Holden – aye, Richardson – aye, Shaw – aye).

Conservation Commission Meeting Minutes continued – Monday, June 15, 2020

Respectfully submitted,
Melissa Shelley



Andrew Gorman, Chairman

absent

Jim Hogan, Vice Chairman

absent

Lauren Steele, Member

Mark Richardson, Member



Jeff Shaw, Clerk



Russel Holden, Treasurer

absent

Dale Bangma, Member

Date