



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



**Conservation Commission Meeting Minutes
November 18, 2019
Board of Selectmen Room, Uxbridge Town Hall**

Present: Chair Andrew Gorman, Vice Chair Jim Hogan, Clerk Jeff Shaw, Treasurer Russell Holden
Members Lauren Steele, Mark Richardson and Conservation Agent Holly Jones

Absent: Member Dale Bangma

REC'D UXB TOWN CLERK
2019 DEC 17 AM 11:04

CALL TO ORDER

It being approximately 6:30pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chair, who led the Pledge of Allegiance.

** Because there were no Public Hearings, the following items were taken out of the published agenda order by the Chair to accommodate audience members.*

WETLAND UPDATES/ISSUES

1. Potential minor plan change: NEP substation 312-1008 (00:00:51 – 00:23:55)
 - Alexandra Echandi, BSC Group, attended on behalf of National Grid regarding the NEP substation located on Depot Street. She reported the project activities are complete and all areas have either been restored with more than 70% vegetative growth or stabilized with stone. The only remaining items are the completion of the as-built plans and the removal of the invasion species that were proposed as part of the NOI. Ms. Echandi provided an overview of all the restoration activities and said the Construction General Permit (CGP) was closed out last month because there were no more exposed soils on the site.

She explained the purpose for her visit was to address the following three items: (i) to request permission to terminate the weekly inspections required in the OoC because of the status of the restoration efforts; (ii) to request permission to remove the ECB's that are present, specifically to cut and remove the webbing and leave the compost behind and (iii) to review options regarding invasive species removal inside the first 100' section of the 200' riverfront area – as the Uxbridge Standard Special OoC prohibits the use of herbicides. Ms. Echandi said the following invasive species are present: a dense pocket of Japanese Knotweed at the entrance, pockets of Glossy Buckthorn, Shrub Honeysuckle and Oriental Bittersweet throughout the perimeter of the river and the existing fence line, a couple Multiflora Roses, and Glossy Buckthorn inside the substation itself. Methods of removal she discussed in more detail were cutting, cutting with the use of herbicides for the "woody plants" and aerial spraying of herbicides for the Japanese Knotweed.

After discussion, members agreed to not to require any further weekly inspection reports because several members have observed the area as stabilized and the CGP has been closed out. For similar reasons, they also approved the removal of the mesh on the mulch sock.

Members reviewed condition related to herbicides and its intent. They also discussed the specifics of this property and determined without a multi-year plan, the use of herbicides will have limited, if any, long-term effect. Ms. Echandi indicated a multi-year plan is not probable because the order expires in 2021 and National Grid is looking to finish up. Mr. Holden recommended the option covering the Japanese Knotweed with black plastic as a possible way to eradicate it on site. Members agreed the applicant should follow the OoC and pursue non-herbicide management of Japanese Knotweed and Multiflora Rose.

MOTION: Mr. Holden made a motion to advise the applicant interpreting the OoC that the weekly SWPPP inspections can be discontinued due to the fact the EPA has allowed them to stop and the CGP has been terminated; that the ECB may be removed as it is opportune now that the site has stabilized; and to encourage the applicant to pursue non-herbicide treatment of the areas of Japanese Knotweed and Multiflora Rose as discussed during the meeting. Ms. Steele seconded, and the motion passed unanimously by vote of 6-0-0.

2. Potential for a vernal pool evaluation and management internship (00:24:00 – 00:25:27)
 - Mr. Gorman explained that he and Ms. Jones are working together on a potential internship opportunity for vernal pool certification activities. Ms. Baldeck has an interest and a background in wildlife. Their hope is that this project could go hand in hand with evaluating town owned land for areas with varying levels of conservation value.

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* The remaining items were heard in the published agenda order.

REPORTED/ONGOING VIOLATIONS

1. Medline (DEP No. 312-1066) (00:25:30 – 00:27:07)
 - Ms. Jones provided an update to the Commission. She indicated she spoke with Kennedy Excavating regarding the need to address erosion rills on the slopes (fill with loam and stabilize with mats). She also learned they are still waiting on feedback from Kelly Engineering before proceeding with moving the level spreader.
2. Cobbler's Knoll Development (DEP No. 312-1013) (00:27:08 – 00:32:58)
 - Ms. Jones spoke with Denise Childs at DEP but she did not have any new updates – the items that were due in July have not been provided yet. It has been well over a month since Ms. Jones' request to place ECBs around the 4th basin. She also noted that the basin that had breached last year has been significantly stabilized & improved but it is questionable whether it was built to the engineering specifications. The OoC expires in January and members discussed their options if the applicant does not apply for an extension within the required timeframe.
3. 32 Church Street (00:32:59 – 00:46:03)
 - Mr. Hogan, Ms. Jones, Police Chief Montminy, Lt. Burke and a duty officer visited the site on 11/6/19 to investigate the potential violation and a site report was generated and provided to Commissioners and the Court Magistrate. Mr. Hogan and Ms. Jones briefly described their observations to members. It appears there has been some transgression of the WPA based on the information gathered site visit and a culmination of the other evidence. Members agreed the next steps would include involving Town Council and the Town Manager and gave Ms. Jones latitude to reach out on their behalf to determine whether further discussion under Executive Session would be appropriate.

WETLAND UPDATES/ISSUES

3. CoC request: 126, 148 Ironstone St and 64 Balm of Life Spring Road, DEP No. 312-1084 (00:46:11 – 00:48:22)
 - Ms. Jones reported the property was recently transferred to new ownership and they completed some new paving and added stormwater basin. Basin is complete and the area is well vegetated. Conservation markers were placed as requested.
 - **MOTION:** Mr. Hogan moved to issue a Certificate of Compliance for DEP 312-1084 125, 148 Ironstone Street and 64 Balm of Life Spring Road. Ms. Steele seconded, and the motion passed unanimously by vote of 6-0-0.
4. CoC re-issue request: 54 Woodland Rd, DEP No. 312-232 (00:48:22-00:51:13)
 - Ms. Jones reported that the project was in 1992. There was a copy of the CoC, in the office files. It was notarized in 1996 and stated that the project had complied with the standards of the Act.
 - **MOTION:** Mr. Hogan moved to issue a Certificate of Compliance for DEP 312-232 54 Woodland Road based on the Commission's prior determination. Mr. Shaw seconded, and the motion passed unanimously by vote of 6-0-0.
5. MassDOT Drainage Structure – Bacon Brook (00:51:30—00:55:35)
 - Ms. Jones observed some erosion during her site visit to 64 Balm of Life Spring Road. Photographs of the erosion causing sediment to enter into the brook were reviewed. Ms. Jones made Mass DOT aware and they have already been out to inspect the area. Members agreed to wait to see what action Mass DOT plans takes and that no enforcement is required at this point.
6. Discussion of site compliance regarding active and expired Orders of Conditions (00:55:36 – 01:00:07)
 - Tea Party Drive Construction: Ms. Jones received some geotechnical/construction reports but not within the timeframe requested (eg. she received the September in October and that was the last report she received). She also noted that the second sub drain structure has been constructed. She agreed to confer w/ Mr. McKinnon for an update and report back to the Commission.
7. Discussion of Catalog of Town Owned Property (01:00:08 – 01:17:22)
 - Members discussed the document Prepared by Michael Gallerani, the town's Economic Development & Community Planner. They agreed on the importance of evaluating sites with "conservation potential" so they have the ability to provide valid input when decisions are being made. Potential parcels of interest discussed included the Town Forest on the Douglas Line, Henry Legg Road, the area of the proposed bike path near Skull Lock Rock, and the 100 acres near the SNETT. It was also mentioned that the catalog is not necessarily complete as the land ownership records can be complicated and the assessor's records are not always accurate. Members agreed to be on the lookout for the following items during site visits: could the topography support a vernal pool, the extent the area is occupied by a stream or wetland, areas abutting or adjacent to currently protected areas. Mr. Gorman and Ms. Jones agreed to coordinate the site visits and the Town Forest was identified as a priority parcel.

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PROCESSING

1. 10/21/19 Meeting Minutes (01:17:24 – 01:20:50)
 - **MOTION:** Mr. Hogan made a motion to approve the 10/21/19 meeting minutes of the Conservation Commission as written. Mr. Shaw seconded, and the motion passed by vote of 5-0-1 (*Mr. Richardson abstained*)
2. 11/4/2019 Meeting Minutes
 - Review was passed over due to lack of quorum.

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

1. Pout Pond General Discussion (01:20:51 – 01:25:12)
 - The Pout Pond Rec Committee will be meeting early next week. Mr. Hogan and Mr. Shaw will be removing what is left of the fallen trees on the blue trail. There was a conversation about the gate being unlocked and open during the winter months. Members discussed asking the Police and Fire Departments for their preference but ultimately decided that it should remain closed because it is an unplowed and unmaintained parking lot.
2. Peaceful Pond Beaver Discussion (01:25:13 – 01:32:00)
 - Ms. Jones reported on beaver (or muskrat) activity at peaceful pond blocking the culvert. She described the increase in the water level and photographed the build up at the culvert. She agreed to inform the DPW and keep everyone up to date.
3. CR & Conservation land Monitoring (01:32:00 – 01:35:00)
 - Item goes hand and hand with the discussion of the Catalog of Town Property. Two CR's not listed in the catalog that were mentioned were Screech Hollow Bog near BJ's and one on Rivulet Street.

ADJOURNMENT-NEXT MEETING SCHEDULED FOR MONDAY, December 2nd, 2019

Motion: Mr. Shaw moved to adjourn the November 18, 2019 Meeting of the Conservation Commission. Mr. Hogan seconded and the motion passed unanimously by vote of 6-0-0.

Respectfully submitted,

Melissa Shelley



Andrew Gorman, Chairman




Jim Hogan, Vice Chair

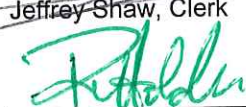
Lauren Steele, Member



Mark Richardson, Member



Jeffrey Shaw, Clerk



Russell Holden, Treasurer

Dale Bangma, Member

Date