



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



**Conservation Commission Meeting Minutes
December 21, 2020
Remote Meeting**

REC'D UXB TOWN CLERK
2021 JAN 25 PM 12:42

Present: Chair Jeff Shaw, Vice Chair Jim Hogan, Clerk Russ Holden, Treasurer Lauren Steele, Members Dale Bangma, Mark Richardson, Jessica Cleary and Conservation Agent Michèle Grenier

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 stated the following 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. All motions will be voted on with roll call vote in alphabetical order by last name."*

Roll Call: Bangma – here, Cleary – here, Hogan – here, Holden – here, Richardson – here, Steel – here, Shaw – here

REQUEST FOR APPROVAL OF PLAN MINOR MODIFICATION (00:01:56 - 00:13:14)

1. **DEP #. 312-1104, 515 Douglas Street St, (Map 23 Parcels, 3545, 2895, 3283, and Map 22 Parcel 1685)**

Discussion: David Mackwell, Kelly Engineering attended on behalf of the request. He explained, after approvals and work began with vendors, they realized the plan they were working from was slightly different than the approved plan of record. He requested the Commission acknowledge 11/20/2020 as the approved plan and provided a review of the differences: (i) more clearing around the retaining walls was required to install (this area will be replanted); (ii) a fence required by NHESP was added to the plan (iii) a sidewalk requested by DOT was added to the plan. The updates do not result in any new wetland impacts or any of the criteria leading to the OOC.

Commissioner comments: Members asked for more details about the NHESP fencing and Mr. Mackwell shared the plans and described the fencing. Ms. Grenier confirmed it is the standard fencing required to keep all species off the construction site.

Motion: Mr. Hogan moved to accept the request as a minor change and acknowledge the plan dated 11/20/2020 as the approved plan of record. Ms. Steele seconded, and the motion passed by roll call vote of 6-0-1 (Bangma – aye, Cleary – aye, Hogan – aye, Holden – abstain, Richardson – aye, Steele – aye, Shaw – aye).

PUBLIC HEARINGS

1. **Notice of Intent (NOI), DEP No. 312-1106, 50 Depot Street (Map 25 Parcel 1095)** (00:03:15 - 00:24:43)

Applicant: Rass Depot, DBA, **Representative:** Andrews Survey & Engineering

Project Description: The proposed project is the construction of 6 additional storage buildings within the 200 Riverfront.

Discussion: Jude Gauvin, Andrews Survey and Engineering attended on behalf of the applicant. He said the Planning Board closed their public hearing for the project and approved a storm water permit during their last meeting. The remaining "housekeeping items" identified by Grave's addressed since the last meeting were reviewed. No members of the public commented during the hearing. The agent and commissioners were comfortable that all items had been addressed.

Motion: Mr. Hogan moved to close the public hearing for DEP 312-1106. Ms. Steele Seconded, and the motion passed unanimously by roll call vote of 7-0-0 (Bangma – aye, Cleary – aye, Hogan – aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – aye).

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Motion: Mr. Hogan moved approve the NOI for 50 Depot Street w/ the Uxbridge Standard Special Conditions. Ms. Steele seconded, and the motion passed unanimously by roll call vote of 7-0-0 (Bangma – aye, Cleary – aye, Hogan – aye, Holden - aye, Richardson – aye, Steele – aye, Shaw – aye).

2. Notice of Intent (NOI) DEP No. 312-11xx 30 Noonan Way, Map 56, Parcels 2049, 1999, 2844, 2853 & 2086

Applicant: Regenerative LLC, **Representative:** Andrews Survey & Engineering. (00:24:46 - 00:57:28)

Project Description: The proposed project consists of clearing and construction of agricultural fields with associate grading, landscaping, utilities, private well, also an irrigation well within the buffer zone of bordering vegetated wetlands and a stream crossing.

Presentation/Discussion: * *Mr. Bangma recused himself from discussion.* Jude Gauvin, Andrews Survey and Engineering attended on behalf of the applicant. He has not yet completed the cross section for the road or the culvert details for the plans.

Mr. Gauvin, proposed two (2) 18" culverts w/ a retaining wall (5' high) in place of an open box culvert which he did not believe was required to cross a wetland. The agent and Commissioners disagreed because a stream is present (in the field and on GIS). After discussion with the owner, also in attendance, everyone agreed to utilize a box culvert for the crossing.

The lot is 12.37 acres. Phase 1 of the project is the development of the agricultural fields and the sitework for the building. Phase 2 is the construction of the building. Commissioners expressed concerns for soil erosion if 12 acres are cleared all at once. The owner and the representative agreed to develop a sequenced clearing plan (cut first, grub in small manageable areas including inspections with the Commission and/or it's Agent after each section).

There was a brief discussion about the construction entranceway. There is already a road started there with some fill and riprap. This will eventually become the completed roadway and cul-de-sac. They are in permitting process with Planning. There are no plans to bring in any substantial amounts fill – only a small amount to raise the cul-de-sac surrounded by a retaining wall.

No members of the public spoke during the public hearing. Commissioners site walk scheduled for 1/2/20 10:00am.

Motion: Mr. Holden moved to continue the public hearing for 30 Noonan Way to the next meeting of the Conservation Commission. Ms. Steele seconded, and the motion passed by roll call vote of 6-0-0 (Cleary – aye, Hogan – aye, Holden aye, Richardson – aye, Steele – aye, Shaw – aye).

REPORTED/ONGOING VIOLATIONS

* *Mr. Holden moved to take the agenda out of published to accommodate the representative. Mr. Hogan seconded, and the motion passed unanimously by roll call vote of 7-0-0 (Bangma – aye, Cleary – aye, Hogan – aye, Holden aye, Richardson – aye, Steele – aye, Shaw – aye).*

1. DEP No. 312-1022—Forest Glen/Spring Hill Rd. (00:59:39 - 01:04:20)

- Jude Gauvin, Andrews Survey and Engineering attended to provide an update. Nothing has happened in the field to date and he has not been able to get any information from Mr. O'Hearn the property owner. He agreed more aggressively pursue him to determine project start and completion date and our Agent will also send him a letter requesting him to attend the next meeting.
- Paul Balutis, 40Taft Hill Lane, an abutter in attendance informed the Commission that there is active work going on in the development.

2. DEP No. 312-1086—Tea Party Drive (01:04:24 - 01:13:18)

- Wellington Pereira, site supervisor and Dale MacKinnon, Guerrier and Halnon attended the meeting. A temporary asphalt berm has been constructed all the way across both sides of Tea Party from Crownshield to

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Crownshield. They believe this will stop any silt from getting into the basin. Before opening the drain, Wellington is recommending going into the basin and flushing the slow drain to ensure there is no more silt before opening it up. There was discussion about what needs to be done to close the EO. Commissioners and the clients agreed when the street and storm drains are draining silt free into the detention basin and the basin stays silt free. Mr. Shaw visited the site and reported it's been looking very good.

WETLAND UPDATES/ISSUES (01:13:20 – 01:15:35)

1. Discussion of site compliance regarding active and expired Orders of Conditions
 - Ms. Grenier noted that the department will have a tax worker starting after the holidays to help in identifying open OoCs.

PROCESSING

1. Meeting Minutes Review 12/7/20 (01:15:55 – 01:31:00)

Motion: Mr. Holden made a motion to approve the 12/7/20 Meeting Minutes as written. Ms. Steele seconded, and the motion passed by roll call vote of 6-0-1 (Bangma – aye, Cleary – aye, Hogan – aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – abstained).

ADJOURNMENT- NEXT MEETING SCHEDULED FOR Monday, January 4, 2021

Motion: Mr. Hogan moved to adjourn the December 21, 2020 meeting of the Conservation Commission. Motion seconded by Ms. Steele.

Respectfully Submitted,
Melissa Shelley, Land Use Administrative Assistant



Jeff Shaw, Chairman