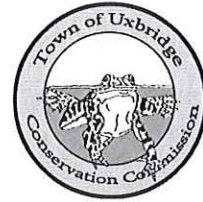




Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



Conservation Commission Meeting Minutes
March 15, 2021
Remote Meeting

REC'D UXB TOWN CLERK
2021 APR 26 AM 9:26

Present: Chair Jeff Shaw, Vice Chair, Jim Hogan, Treasurer Lauren Steele, Clerk, Russ Holden, Members Dale Bangma, Jessica Cleary and Mark Richardson, 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 by roll call vote in alphabetical order by last name."*

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

PUBLIC HEARINGS

1. **Notice of Intent (NOI) DEP #312-11__ 0 Old Elmdale Road, Map 25, Parcel 3979 (00:01:50 – 00:29:14)**

Applicant: Aris Group, LLC, 100 Church St. Whitinsville, MA

Representative: Andrews Survey & Engineering, Mendon St., Uxbridge MA

Project Description: The proposed project is for the development of a subdivision, "Elmdale Estates", within 100 feet of Bordering Vegetated Wetlands, including Bordering Land Subject to Flood alteration and alteration within the 100ft and 200ft of the West River riverfront.

Note: Mr. Bangma recused himself from discussion per the conflict-of-interest law.

Presentation: Jude Gauvin, AS&E attended on behalf of the applicant. He informed the Commission he has requested an updated, thorough habitat assessment with an emphasis project's impact on the health of the certified vernal pools on the site. Mr. Gauvin said they have contacted David Crossman, B&C Associates to complete the assessment and that Art Allen with Ecotec may also be involved. Mr. Gauvin noted that the area is not mapped "priority habitat" through the Natural Heritage & Endangered Species Program (NHESP) and described the vernal pools as "isolated" vernal pools. He said Mr. Crossman will look at all the egg masses during his evaluation to confirm. A DEP # has not been assigned to the project.

Discussion: The Chairman asked if Ms. Grenier could accompany Mr. Crossman during the assessment and Mr. Gauvin agreed and said he would coordinate. Mr. Shaw explained that the Agent was recently informed that both marble and spotted salamander egg masses were identified during the certification of these vernal pools and both are protected species (marble salamanders breed during the fall). Everyone agreed it's possible the NHESP published maps may not be up to date and it was important to confirm due to the potential impact to the project and construction. Members also emphasized the importance of verifying how the removal of the trees and gravel will impact the vernal pools during the upcoming assessment.

Members also asked whether there was any additional information from a Conservation Commission permitting perspective on the widening the existing portion of Old Elmdale Road. Mr. Gauvin said they are in the process of finalizing those plans and should know specific levels of disturbance very soon.

Motion: Mr. Holden moved to continue the hearing for 0 Old Elmdale to the April 5 meeting of the Conservation Commission. Mr. Hogan seconded, and the motion passed unanimously by vote of 6-0-0 (Cleary – aye, Hogan – aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – aye).

Mr. Bangma returned to the meeting

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2. Notice of Intent (NOI) DEP #312-11__ 30 Lackey Dam Road, Map 15, Parcel 0655 (00:29:14 – 00:34:49)

Applicant: Nouria Energy Group, Inc., 326 Clark St., Worcester, MA

Representative: Ayoub Engineering, Inc., 414 Benefit St., Pawtucket, RI

Project Description: The proposed project is to completely raze and rebuild a 7,150sf Convenience store w/ drive-thru; new gasoline dispensers and 2 electric vehicle charging spaces within the 200ft Mumford River riverfront.

Presentation: Mark Wickstrom, attended on behalf of the applicant. He informed the Commission he just received updated plans that addressed the two open issues (i) adding signs related to snow plowing and disposal and (ii) replacing non-native with native species in the planting plan. He will forward the plan to the Commission for review and requested to continue the hearing until then. DEP# has not yet assigned a project number. Members discussed the need for a formal site visit but decided to visit on their own and Mr. Wickstrom agreed to have the limit of work staked.

Motion: Mr. Holden moved to continue the hearing for 30 Lackey Dam Road to the April 5th meeting of the Conservation Commission. Mr. Hogan seconded, and the motion passed unanimously by vote of 7-0-0. (Bangma – aye, Cleary – aye, Hogan – aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – aye)

3. Request for Determination (RDA) 377 Mendon Street, Map 20, Parcel 1021 (00:34:51 – 00:47:18)

Applicant: Mendon Street Realty LLC

Representative: Civil Site Engineering, Douglas MA

Project Description: Repair/Replace existing failed septic system

Presentation: Margaret Bacon, with Civil Site Engineering attended on behalf of the applicant. Ms. Bacon explained the project was informally before the Commission approximately a year ago and a site visit occurred in which there was consensus that the pockets of vegetation were isolated wetlands possibly created after excavation occurred years ago. They are now formally requesting a negative determination to the existing cesspool with a Prezi septic system. The new design has been approved by the Uxbridge Board of Health. The house on the property is also being replaced because it is in various stages of disrepair.

Discussion: Ms. Steele inquired about the driveway repair identified in the application. Ms. Bacon explained they are just realigning it to ensure it is inside the property limits (a portion is outside and it needs to be shifted to the left – farther from the wetlands). Mr. Holden inquired whether there was any connection between the West River and the isolated wetland. Ms. Bacon responded that there is a culvert under the road and after checking both sides she would classify it drainage not a "connection" - Ms. Grenier concurred with Ms. Bacon's assessment.

Motion: Mr. Holden moved to issue a negative determination for the septic repair at 377 Mendon Street based on the fact that these are isolated wetlands and do not required further application. Ms. Steel seconded and the motion passed unanimously by vote of 7-0-0 (Bangma – aye, Cleary – aye, Hogan -aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – aye).

REPORTED/ONGOING VIOLATIONS (The following two items were taken out of published agenda order at the request of the representative for Tea Party Drive)

1. DEP# 312-1022 — Forest Glen/Spring Hill Rd. (00:47:30 – 00:59:16)

- Jude Gauvin, AS&E, attended on behalf of the applicant. He informed the Commission that work around the culvert has begun and shared a photograph of the progress. They have removed the material from the inside the culvert; removed undermined & falling trees and added a riprap sluiceway the entryway. They still have to placing and shaping tailings and riprap inside the culvert and prepare the downstream side similar to the entryway. The loamy material removed from inside the culvert will be spread along the embankment along the wall and eventually seeded. Ms. Grenier reported the work looks better in person and that the water was going through very clear and the channel was running beautifully.
- Members inquired about the compromised wall and Mr. Gauvin explained they are in the process of adding mortar (stiff concrete mix) the space between the stones that settled down with form that part of the wall back up. They also plan to pour a block of concrete in the area where the stream had diverted to prevent any type of erosion from happening again – it will be covered with loam and vegetation so it will not be noticeable. Mr. Gauvin said he requested they photograph the progression of the work and will share with the Commission.

Conservation Commission Meeting Minutes continued – Monday, March 15, 2021

2. DEP# 312-1086 — Tea Party Drive (00:59:27 – 01:12:50)

- Dale McKinnon, Guerrier and Hainon, attended on behalf of the applicant. He shared a plan that included the proposed permanent grass swale and catch basin connecting to Basin 3 to the storm water system. The reason for the swale is to mitigate the erosion across the soil by taking the flow off the back of Crownshield Ave. Any flow from behind the houses on Tea Party will also be directed to the swale. There was discussion how the area will remain as a grass swale in the future and everyone agrees it should be stipulated in the homeowner's association maintenance program. Members agreed the swale is a good solution, approved its installation according to the plan and requested it be documented on the as-built.

WETLAND UPDATES/ISSUES (01:14:50 – 01:51:38)

- Ms. Grenier and Mr. Shaw attended DEP's site visit to **10 Rockmeadow Road**. The applicant did not show up so another visit will be scheduled.
- Ms. Grenier, Mr. Shaw and Mr. Holden walked the solar site under construction at **Depot Street/Noonan Road**.
- There was discussion regarding Commissioners having access older **project files** for reference and possibly converting our file sharing program from Dropbox to One Drive to allow for more storage and ease of use. Ms. Grenier and Ms. Shelley agreed to investigate.
- Ms. Grenier updated Commissioners that the development of our **database** is nearing completion and that Ms. Bertrand is in the process of incorporating the Uxbridge DEP filings into our database.

PROCESSING (01:51:39 – 01:56:33)

1. Meeting Minutes Review 3.1.21

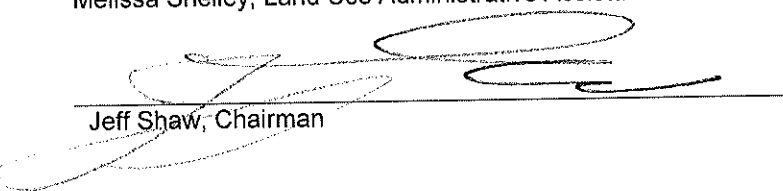
Motion: Mr. Shaw moved to accept the 3/1/21 meeting minutes as amended with the date change. Ms. Steele seconded, and the motion passed unanimously by roll call vote of 7-0-0 (Bangma – aye, Cleary – aye, Hogan – aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – aye).

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

ADJOURNMENT-NEXT MEETING SCHEDULED FOR MONDAY, April 5, 2021

Motion: Mr. Hogan moved to adjourn the March 15, 2021 Conservation Commission Meeting. Ms. Steele seconded, and the motion passed unanimously by vote of 7-0-0 (Bangma – aye, Cleary – aye, Hogan – aye, Holden – aye, Richardson – aye, Steele – aye, Shaw – aye).

Respectfully Submitted,
Melissa Shelley, Land Use Administrative Assistant



Jeff Shaw, Chairman