

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



**Conservation Commission Meeting Minutes  
October 21, 2019**

**Board of Selectmen Room, Uxbridge Town Hall**  
REC'D UXB TOWN CLERK  
2019 NOV 19 PM 2:34

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

**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.

**REPORTED/ONGOING VIOLATIONS**

1. Medline (DEP No. 312-1066) (00:00:42 – 00:51:50)
  - Mark Arnold, Goddard Consulting, attended the on behalf of Kennedy Excavating. Matt Kennedy, Kennedy Excavating was also in the audience. There was a decision before the commission on whether to change the alignment of the level spreader after it was installed incorrectly as noticed during a recent site visit. Mr. Arnold provided a sketched "as-built" of the "misaligned" level spreader overlaying a fragment of the original site plan. Photographs of the area were also reviewed. Mr. Arnold stated a representative from Kelly Engineering, the design-engineering firm, would be on site the following day to assess the spreader for compliance and to ensure it is functioning as designed.
  - During discussion, the following concerns with the current configuration were mentioned (i) there is a significant increase in disturbance inside the 25' no disturbance zone; (ii) there is a reduced risk for sediment incursions with the original design because it was to be placed further away from the AE & BE series wetland flags and (iii) the water coming off the current spreader's low point and subsequently entering the wetlands was observed to be very turbid. Because of the concerns, members were in agreement that the level spreader should be realigned to reflect the original plan. Erosion mitigation measures were discussed and Mr. Arnold agreed to stake the LoD, install silt fence and a waddle and jute mats where necessary until the area is stable. Mr. Arnold estimated the actual work could be completed approximately 1 day to and agreed it would be complete before the next meeting.
  - **Motion:** Mr. Hogan moved that the Commission request the realignment of the southernmost corner of the level spreader be realigned, the disturbed area shall be restored to the satisfaction of the Commission or its Agent, and ECBs shall be put in place as discussed. Ms. Steele seconded, and the motion passed unanimously by vote of 6-0-0.
    - **Motion Discussion:** Members confirmed the Commission's motion should be considered as guidance and not as an Enforcement Order and the Respondent shall involve the Agent in the process.
  - Mr. Arnold also provided and reviewed a Wetland Buffer Restoration Plan for the Logging Road Access dated 10/21/19 that outlines a plan to restore the area to pre-disturbed conditions. He indicated there would be a qualified Wetland Scientist on site through the entire process. The proposed erosion controls consist of straw wattle along both sides & within any depressions and jute mats over any disturbed areas. The plan is to place them after the logging mats and any leveling riprap is removed. New England Conservation Seed Mix will be used for any buffer zone disturbance and New England Wetland Seed mix for any wetland disturbance. Timing of the project was discussed and members agreed the best time to complete it would be during the driest time of the year (July/August). Mr. Arnold said the project could wait and that the road is blocked off with boulders and there is no current need to access it. He agreed to re-visit the item with Commission the 2<sup>nd</sup> week in May.
  - Mr. Arnold also mentioned that sand and sediment cleanup of the other previously disturbed areas was completed the morning of the meeting and they plan to finalize re-seeding the areas with the New England Conservation Seed Mix this week.
2. Cobbler's Knoll Development (DEP No. 312-1013) (00:51:51 – 00:52:10)
  - There have not been any new updates from DEP. Ms. Jones noted that work has begun on the 4<sup>th</sup> stormwater basin and she has requested erosion controls because of its proximity to Laurel Brook.
3. 32 Church Street (00:52:12 – 00:57:56)
  - Ms. Jones and Town Counsel have created the necessary documents to submit to the civil clerk to obtain an administrative search warrant. Once the warrant is issued, the Commission has 21 days to conduct an

## **Conservation Commission Meeting Minutes continued – Monday, October 21, 2019**

inspection. Ms. Jones agreed to forward the documents to the Town Manager's Office and the Board of Selectmen to keep them informed.

- **Motion:** Mr. Holden made a motion that the Commission authorizes Ms. Jones, in coordination with Town Council, submit documents to the court magistrate for an administrative search warrant for 32 Church Street. Mr. Hogan seconded, and the motion passed unanimously by vote of 6-0-0.

### **4. 6 Maslow's Way (DEP No. 312-1076) (00:57:58 – 00:58:13)**

- An RDA is forthcoming and the property owner is working with the office.

## **WETLAND UPDATES/ISSUES**

### **1. Wetlands Bylaw (00:58:14 – 01:02:40)**

- The Wetlands Bylaw is on the warrant for the Fall Annual Town Meeting scheduled for 10/23/19. Members briefly discussed the recommendations from the other town boards (Board of Selectmen – favorable action; Finance Committee – non-favorable action; Planning Board – no recommendation due to 2-2 tie vote).

### **2. Discussion of site compliance regarding active and expired Orders of Conditions (01:02:42 – 01:03:24)**

- It was mentioned that Graves Engineering conducts site reviews on behalf of the Planning Board and Ms. Jones agreed to upload any related reports to Dropbox so they are available for review.

## **PROCESSING**

### **1. 9/16/19 and 10/7/19 Meeting Minutes (01:03:24 – 01:10:15)**

- **Motion:** Mr. Hogan moved to approve the 9/16/19 meeting minutes of the Conservation Commission as amended during the meeting. Mr. Shaw seconded, and the motion passed by vote of 5-0-1 (Mr. Bangma abstained)
- **Motion:** Ms. Steele moved to approve the 10/7/19 meeting minutes of the Conservation Commission as amended during the meeting. Mr. Hogan seconded, and the motion passed by vote of 6-0-0.

## **ANY OTHER BUSINESS, WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION (01:10:21 – 01:13:41)**

### **1. Pout Pond General Discussion**

- The end of year activities are all complete.

### **2. Legg Farm General Discussion**

- No updates

### **3. Whittin Pond General Discussion**

- No updates

### **4. Items not on the agenda:**

- A new member, with extensive botanical experience, has been appointed to the Conservation Commission.
- The Commission may have a potential intern. Mr. Gorman met someone at the MACC conference that has some interest in doing vernal pool certification work and that could possibly help evaluate some of the Town Owned parcels.

## **ADJOURNMENT-NEXT MEETING SCHEDULED FOR MONDAY, November 4th, 2019**

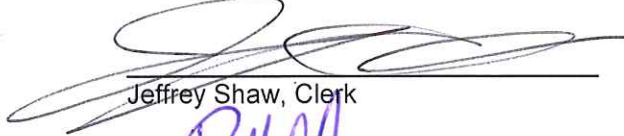
**Motion:** Mr. Hogan moved to adjourn the October 21, 2019 Meeting of the Conservation Commission. Mr. Shaw seconded, and the motion passed unanimously by vote of 6-0-0.

Respectfully submitted,

Melissa Shelley



Andrew Gorman, Chairman



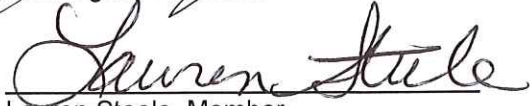
Jeffrey Shaw, Clerk



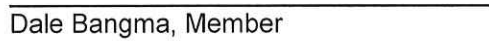
Jim Hogan, Vice Chair



Russell Holden, Treasurer



Lauren Steele, Member



Dale Bangma, Member

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Date