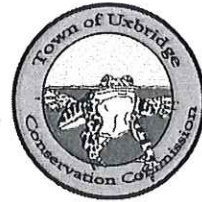




Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



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

REC'D UXB TOWN CLERK
2020 OCT 15 AM 9:10

Present: Acting Chair Jim Hogan, Clerk Jeff Shaw, Treasurer Russ Holden, Members Lauren Steele and Mark Richardson, and Conservation Agent Michèle Grenier

Absent: Member Dale Bangma

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 99305572649. All motions will be voted on with roll call vote in alphabetical order by last name.

PUBLIC HEARINGS

1. Notice of Intent (NOI) DEP No. 312-1096, 0 Old Elmdale Rd (Map 25 Parcel 3979) (00:01:01 – 00:02:00)

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 to the next scheduled meeting.

Motion: Mr. Shaw moved to continue DEP 312-1096 to the next meeting of the Conservation Commission. Mr. Holden seconded, and the motion passed unanimously by roll call vote of 5-0-0 (Hogan – aye, Holden – aye, Richardson – aye, Shaw – aye, Steele – aye).

2. Notice of Intent (NOI) DEP No. 312-1103, 502 and 486 Douglas St (Map 23 Parcels 4364 and 4424)

Applicant: Uxbridge Gas & Market Representative: CMG Environmental, Inc. (00:02:01 – 00:03:53)
Project Description: Demolishing a single-family dwelling and constructing a 5,000 s.f. filling station and convenience store with a drive-through and two fuel pump canopies along with associated parking and stormwater treatment. The work is within the 100 ft buffer zone to a bordering vegetated wetland.

Discussion: The applicant requested to continue to the next scheduled meeting.

Motion: Mr. Holden moved to continue DEP 312-1103 to the next meeting of the Conservation Commission. Ms. Steele seconded, and the motion passed by roll call vote of 4-0-1 (Hogan – aye, Holden – aye, Richardson – aye, Shaw – aye, Steele – abstained).

3. Notice of Intent (NOI) DEP No. 312-1104, 515 Douglas Street St (Map 23 Parcels, 3545, 2895, 3283, and Map 22 Parcel 1685) (00:03:53 - 00:35:55)

Applicant: Campanelli Development, LLC Representative: Kelly Engineering Group
Project Description: The site development of an industrial warehouse with associated stream crossing improvements.

Presentation: David Mackwell, Kelly Engineering Group, attended on behalf of the applicant. He indicated they would ultimately be requesting a continuance, and provided the following updates: (i) references to haybales have been replaced with mulch filled socks (ii) the first revision to the plan, in response to Grave's peer review, is complete (iii) snow storage signage has been added to the plan (iv) the 50' wetland buffer line has been added to the plan. DEP Number 1104 has been assigned with comments and Mr. Mackwell said they are working on their response which they expect to complete within a few weeks. He also noted they are working through the peer reviews of traffic and sound studies as part of the Uxbridge Planning Board Review.

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Mr. Mackwell displayed and discussed the Resource Areas Plan page which was slightly modified to clarify the location of the Certified Vernal Pool and priority habitat setbacks.

Member discussion: Mr. Holden inquired if the stream stats indicated whether the streams onsite were intermittent and Mr. Mackwell said yes and referenced the thorough review within the NOI and resource area evaluation.

There was discussion and review of slides related to the work required to expand and relocate the driveway.

Members asked whether any innovations as far as green infrastructure were incorporated. Mr. Mackwell noted there have been some considerations for energy efficiency inside the building and they tried to reduce impervious area by incorporating the applicant's uses in the smallest space possible. He provided additional details about the design of the drainage system and added because of topographical challenges on site, they were not able to add any rain gardens. Mr. Hogan asked whether storage parking area could be of a pervious surface. Mr. Mackwell explained they had discounted it as a BMP for that section of the site because it contains the deepest cuts and they anticipate being the bedrock in that area and didn't believe any recharge benefit could be gained. He agreed to evaluate other areas on site to determine whether porous asphalt could be used.

Mr. Holden asked whether the stormwater basins are infiltration or detention type. Mr. Mackwell explained they are all "hybrids" – because the soil on site is not a "well draining soil" they are providing under the static method – a certain volume of water will drain w/in 72 hours and the remaining volume above that will be used as detention to attenuate the peak run off in associated storms 2-100-year storm.

Public Comment: Paul Balutis, 40 Taft Hill Lane – asked for their progress on item 43 of Graves report – related to the width of the detention wall and the drainage around it. Mr. Mackwell explained said they have made progress – they are working with Earth Retention Systems (who will most likely be building the walls if approved) and their initial evaluation noted there was enough room between the wall and the wetland and wall and the paved surfaces.

Tom Fields, 21 Summerfield Dr. – asked for an update on where they stand with the Mass Wildlife and Fishery application related to priority habitat. John Rockwell, EcoTech, responded – he said they have been in negotiations with NHESP for months and are in the process of completing the formal application for submittal to MESA. He provided the following additional detail (i) an NOI was submitted to NHESP and they issued a letter under the WPA indicating the project will not have an adverse effect on the resource area habitat of this species & (ii) now they move forward under MESA which has different review standards for the conservation management permit.

Motion: Mr. Shaw moved to continue DEP 312-1104 to the next meeting of the Conservation Commission. Mr. Holden seconded, and the motion passed unanimously by roll call vote of 5-0-0 (Hogan – aye, Holden – aye, Richardson – aye, Shaw – aye, Steele – aye).

REPORTED/ONGOING VIOLATIONS

1. DEP No. 312-1086—Tea Party Drive (00:36:08 – 00:41:58)
 - Dale McKinnon, Guerrier & Hainon, attended the meeting with an update. He surveyed Basin 2 and reported that the volume is ok but there is material in the middle creating a high spot with low spots on both sides. He directed Fafard to excavate a swale to allow it to drain completely. He noted the grass growth at Tea Party Drive has continued to improve and Mr. Shaw concurred. Mr. McKinnon said he has not yet completed his evaluation of Basin 15B but will provide a solution/plan to the Commission by the next meeting.
2. DEP No. 312-1022—Forest Glen/Spring Hill Rd. (00:42:00 – 00:55:41)
 - Jude Gauvin, Andrews Survey and Engineering attended on the meeting on behalf of the developer. He and Ms. Grenier visited the site on 9/21 and she provided her assessment & recommendations: (i) a large rock diverted the intermittent stream – the rock should be removed so the stream has one bed or it will undermine the bridge (ii) under the Army Corps, whatever is under the bridge should mimic the stream and this not the case here – the dirt should be removed and a s/m/lg rock bed should be placed underneath the bridge with plants placed around the edges that will eventually migrate through to the bottom (iv) the bridge does not line up with the stream – the stream doesn't have to be moved but it must be evenly diverted. Mr. Gauvin described in more detail how the stream diverted and the proposal to create a channel inside and on the ends of the culvert so it flows through the culvert and not under it (12" riprap mixed with impermeable material).

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- Members discussed how can the commission ensure the work is done properly and solves the problem. They agreed on amending the open Enforcement Order by referencing a stamped plan to be provided by AS&E at the next meeting. Ms. Grenier offered to prepare the order once the plan is received.
- Paul Balutis, 40 Taft Hill Road – asked whether this solution will aid in the run off from the site that they experience in their development. Mr. Hogan and Mr. Gauvin explained why it is not related to the stormwater drainage issues – handled by the stormwater authority.

ANNOUNCEMENTS

1. Mr. Hogan welcomed the new Conservation Agent Michele Grenier, PWS, CWS to Uxbridge.

WETLAND UPDATES/ISSUES

1. Discussion of site compliance regarding active and expired Orders of Conditions
 - No new issues to be discussed

PROCESSING

1. Town Charter Review Discussion (00:57:48 – 01:10:32)
 - Mr. Shaw reviewed the request – the committee is looking input as to how the Charter affects the Conservation Commission. Members agreed to individually review the Charter and submit any findings to Michele to summarize for the next meeting for review. Ultimately, the Commission will submit a memo describing the impact if any to the committee.
2. Review of fee schedule (01:10:32 – 01:20:00)
 - Ms. Grenier presented her recommendations for an updated fee schedule. She recommended increasing the fees for the legal ads and adding a riverfront & top of bank fees. There was discussion and members agreed with her recommendations and to confirm with a vote at the next meeting for submittal to the BOS.
3. 8/17/2020 and 9/8/20 Meeting Minutes Review (01:20:00 – 01:24:24)
 - Minutes passed over to allow time for amendments prior to approval

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

1. Pout Pond Recreation Committee Update (01:24:39 – 01:26:39)
 - PPRC is working to schedule the end of year clean-up. Pratt has been notified to end the seasonal trash pick-up and collect the garbage dumpster. It was also noted that the water to the building should be winterized and Ms. Grenier and Mrs. Shelley will coordinate.
2. Re-organization (01:26:39 – 01:38:00)
 - **Motion:** Mr. Richardson moved to accept the reorganization of the Conservation Commission slate for the remainder of the fiscal year 2021 as follows: Jeff Shaw, Chair, Jim Hogan Vice Chair, Russ Holden Secretary, and Lauren Steele, Treasurer. Mr. Holden seconded, and the motion passed unanimously by roll call vote of 5-0-0 (Hogan – aye, Holden – aye, Richardson – aye, Shaw -aye, Steele – aye).

ADJOURNMENT-NEXT MEETING SCHEDULED FOR Monday, October 5, 2020

Mr. Hogan closed the September 21, 2020 Conservation Committee meeting.

Respectfully Submitted,
Melissa Shelley, Land Use Administrative Assistant



Jeff Shaw, Chairman