



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 1/6/2016

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Tom Jango, Alan Miano and Marcella Stasa
Mary Overholt (Associate)

7:00 PM Meeting Opened

- Motion to appoint Christine Scott as the Conservation Commission representative to the Community Preservation Committee (CPC) – 2nd & approved.
- Tom Dodd gave brief update of the moth study he conducted at the Upton State Forest. He indicated that perhaps he would like to conduct another location in town.
- CY2015 Annual Report – reviewed the draft document; Tom suggested adding additional info on trapping of beavers; motion to approve the annual report as amended – 2nd & approved.
- Will put our FY17 budget on agenda for our next meeting.
- Commission Members invited to attend the BOS executive session regarding a real-estate issue on 1/19/16.
- Marcella has requested additional funds to cover work to complete land clearing at Stefans; motion to approve up to an additional \$1000 to complete work at Stefans – 2nd & approved.
- Motion to sign voucher to reimburse Marcella 2nd & approved.

7:40 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 1/13/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Scott Heim, Tom Jango and Marcella Stasa
Mary Overholt (Associate)

7:00 PM General Business/Active Items

MM – Motion to approve minutes from the 12/16/15 meeting and the 1/6/16 meeting – 2nd & approved.

Website – new website coming online at the end of January. Alan & Denise will attend training.

OSC – n/a

LSC – Motion to accept the Forest Stewardship Plan final report – 2nd & approved; next step is to begin an Outreach Plan; waiting for the habitat reports from the MA DFW and Mass Audubon.

Admin/Office & Finance

- Motion to sign expense voucher – 2nd & approved.
- Discussed moving files & plans that are stored upstairs in the library building storage area; need to find out if the BOH scanner is available for large-format plans.
- Follow-up on wetland issue at Anderson's property on Mendon St.
- Continue hearing for Hopedale Cardiology NOI (236 Milford St) as copy to DEP was not sent nor abutter notices; hearing continued to 1/27/16 at 7:40 pm.
- Discussed Agent's position; could possible increase to 15 – 20 hours per week.
- Prescribed Burn Workshops – Marcella & Mike will be attending.

7:15 PM NOI -- Westboro Rd

M. Allen & J. Lisk

- New house w/ wetlands crossing for driveway; linear feet of the bank is 25-26 feet; septic system to the rear of property; will mark 30' boundary w/ permanent markers.
- Reviewed Selby's comments (see agent report 11/19/15 – 12/16/15).
- Straw wattles to be used for erosion control w/ silt fence behind.
- Question about the ACE/rare species – this area is not w/in the area; Mark will submit a revision for the file indicating this.
- Working on replication plans; prefer a 1-to-1 replication for least disturbance; need to monitor for 2 years.
- Abutter asked if this will affect his property. There is thick vegetated buffer between the properties and wetland replication will minimize impacts from stormwater flows. Should be no impact/issue to neighbors.
- Continued hearing to 1/27/16 at 8:15 pm.

7:35 PM NOI -- 17 Hopkinton Rd

M. Allen

- Removing home that was destroyed by fire and replacing with a new single-family home.
- Area is previously disturbed w/ lawn to the water's edge.
- Will install bounds at 30' boundary line (4 bounds).
- Septic will be on the street side of the property (not toward pond).
- Reviewed Selby's comments (agent's report 11/19/15 – 12/16/15).
- Request to close the hearing; motion made to close – 2nd & approved.

Whitney Conservation Area/Parking Easement – DS will contact Greg Odone to see about moving forward w/ surveying the easement and installing permanent markers; still looking into guardrails.

Wood Turtle Study – Julie Lisk of Goddard Consulting gave a brief informal presentation on this study; 29 turtles found (7 male, 13 females and 9 juveniles); transmitters were put on 7 turtles; several turtles traveled quite a distance around town. Nesting areas located.

Beavers – investigated beaver activity at Mechanic St and Fowler St; suggestion was made to have Greg Trussell remove the dam but Tom Jango says it probably won't be necessary as it will most likely break apart by the spring. Tom is doing the trapping for BOH.

COC Requests

- 31 Christian Hill Rd – send letter as bounds need to be installed and silt fence removed.*
- 21 Pearl St – replication area has been completed but not highly successful (which is not unexpected given the conditions at this site) but the bounds need to be installed as indicated. Letter to be sent.

Upton Solar – pollinator mix language was included in the Planning Board's decision.

* Amended at meeting 1/27/16: bounds are installed need to install medallions.

9:15 PM Motion to Adjourn – 2nd & Approved

Minutes approved on:

Document List:

1) Con Com Agenda & Action Checklist



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 1/27/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
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Members Attending:

Chris Scott, Mike Penko, Scott Heim, Marcella Stasa, Alan Miano and Tom Jango
Mary Overholt (Associate)

7:10 PM General Business/Active Items

MM – Motion to accept and sign 1/13/16 minutes – amendment to add 31 Christian Hill bounds are installed need to purchase and mount wetland medallions and need to remove the silt fence – 2nd & approved.

7:15 PM Discussion w/ Dairy Dr Resident – Vince Calandra

- Mr. Calandra gave a Powerpoint presentation (hardcopy provided) regarding concerns w/ GURR and wetlands; he wants to protect the lake (Lake Wildwood), his property and all the homes along the RR tracks as well as any wildlife.
- He would like to propose plantings to block visual and sound impacts of the RR; looking for guidance from Con Com on what can be planted; His property has an established lawn and wetland area with white pines and arborvitae.
- Some suggestions from the Con Com for planting include: Black Spruce, Atlantic White Cedar, Scottish Pine; want things that have needles all year and would be deer resistant; some Holly grow quite thick.
- Mr. Calandra mentioned walking paths/trails near the lake; question was asked if these are Town owned to which the Commission replied they are not thus the Town does not maintain them.
- The Commission will require a filing (RDA) for planting near the wetlands and will allow some consideration w/ the plantings; this is for the residential side not on the lake side; Commission cautioned Mr. Calandra to make sure that no plantings are done in the RR easement.
- Mr. Calandra requested a written response to this discussion.
- Commission made it clear that the Town would not have any monetary input in this endeavor.

7:55 PM NOI – 236 Milford St

Peter Lavoie/G&H

- Application of Hopedale Cardiology to remove existing drainage pipes in the parking lot that are discharging into the wetlands on the abutting property; there are existing catch basins; will reroute discharge into settling basins (riprap).
- Will remove some pavement from parking area and will install a Cape Cod berm and settling area with a stone spillway; basins are designed to catch a 1-inch storm with the intent to over-spill to prevent concentrated flow; 2 new basins won't be connected; basins will be located in a wooded area.
- Existing pipe will be removed from neighbors land and will restore the land; pipe will be blocked at the property boundary.

- Maintenance Plan will be needed for the settling basins; including snow removal.
- Stormwater erosion control is shown on the plan; will use silt fence and silt socks.
- Tom Jango made a site visit to the property; he noted some erosion channels where the water runs from the back of the property toward the building; this runoff will not be diverted to the basins; reviewed concerns w/ the abutter on the opposite side of the property which have not impacts of this project.
- Request to close the public hearing was granted; Applicant to provide a Maintenance Plan including snow removal.

8:10 PM NOI 78 Mendon St

Robert Murphy

- Redeveloping existing lot; former single family house was dismantled and removed; will rebuild on footprint of former house; pushed house as far out of the flood plain as possible; existing garage will remain.
- Does have an approved septic system from the BOH; will have town water thus existing well to be removed.
- Located within Natural Heritage Priority Habitat – filing has been submitted to them.
- Riverfront; perennial stream – staying outside 100' riparian zone; approximately 95 feet from wetland (Center Brook).
- All area that is being redeveloped was previously disturbed (ripped up and regraded) when previous house was removed.
- Stone wall was previously built at the edge of Center Brook which is the edge of the wetlands; 100 foot flood zone is at the edge of the barn.
- Erosion controls are proposed; biodegradable filter socks.
- All roof drainage (clean) will go to a subsurface drain to recharge.
- Hearing continued to Feb. 10th at 7:15 pm pending response from Natural Heritage.

8:25 PM Continued NOI for 0 Westboro Rd

Mark Allen

- Revised plans presented; wetland replication planting plan also presented.
- Revised stream crossing as chambers originally presented didn't meet standards; revised to a 3-sided 6 foot wide open box culvert.
- 30 foot location for wetland monuments.
- 28 feet of linear disturbance along bank.
- Project is within the ACEC Zone but as it is a single family home it is covered by the NOI/OOC; not within endangered species area.
- Closest point to wetland is 0 feet.
- Looking to start construction in the spring.
- Request to close the public hearing granted.

8:35 PM BVT Athletic Field – Chestnut St

Jim Brochu/BVT

- Construction began on the site of the proposed softball field; encountered a much larger quantity of ledge once they began clearing the site.
- School (BVT) has determined that it is too costly to continue with this project for the ball field so will not be developing the site and is looking at other options; what do they need to do to release the current OOC?
- Possibly will sell this land; need to stabilize the site; regrade and reseed.
- A site visit has been scheduled for Sat. Feb. 6th at 9:00 am.

General Business continued

Agent Position Update – Ashland is hiring a new Agent; contract w/ Upton stipulates we get 2 month notice before contract can be terminated; we would like to see this extended to the end of the FY. Blythe is meeting with Northbridge & Uxbridge to discuss sharing an Agent.

OSC – BOS not interested in purchasing the East St land (Amato); Library Feasibility Committee is looking at land on Main St (Pedersen's property) any recommendations for wetland delineation? Reviewing proposed Public Shade Tree bylaw that is being proposed by Vin Roy/DPW Director.

LSC – Walking Whitney East with SVT; have materials to build kiosks w/ RTP grant.

Admin/Office & Finance:

- Reviewed email from Stephen Sloan regarding project w/ SVT for Priority Projects; he will be coming to our meeting on Feb 24th.
- BOH scanner is available for our use.
- Glenn Odone will be in Upton next week to survey Whitney parking easement.
- Letters were sent regarding COCs for 21 Pearl St (partial) and 31 Christian Hill Rd

Forestry – Mass Audubon report has been received; Tom will contact the State about their comments.

Motions:

- 17 Hopkinton Rd NOI – will issue OOC & Special Conditions to include 4 bounds to be installed and silt fence to be removed prior to issuing a COC; Motion to issue OOC – 2nd & Approved.
- Motion to issue OOC & Special Conditions for 0 Westboro Rd – 2nd & Approved.
- Motion to issue OOC & Special Conditions for 236 Milford St – 2nd & Approved.
- Motion to issue partial COC for 21 Pearl St – 2nd & Approved; final COC to be issued upon installation of bounds.

FY17 Budget – Comments from Blythe (email 1/25/16); Mike suggests moving \$500 from the Stewardship line item into the Conservation Land Maintenance item – 2nd & Approved. Also to amend the first sentence of the Stewardship and the Land Maintenance descriptions to reflect that all maintenance is done under Land Maintenance.

Algonquin Gas Line Meeting on 1/25/16 – update – Spectra Energy held a Q & A Session for the public; concerns about what will happen at Peppercorn Hill; comments are address to FERC; will cross a bit of Stefans property; move meetings w/ FERC this Spring (2016) which will allow comments; permitting is still down the road; Article 97 Attorney was present; process of installing pipeline is extremely disruptive and have environmental impacts (disturbance, invasive species, ACEC, cultural resources); Tom Jango indicated that pipeline actually make great habitat area.

9:45 PM Motion to Adjourn – 2nd & Approved

Minutes approved on:

Document List:

- 1) Con Com Agenda
- 2) Email of Vince Calandra w/ PowerPoint presentation
- 3) Email from Stephen Sloan re: Priority projects
- 4) Conservation Budget (email from Blythe Robinson



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 2/10/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Mike Penko, Scott Heim, Marcella Stasa, Alan Miano and Tom Jango
Mary Overholt (Associate)

7:20 PM General Business/Active Items

MM – Not available – next meeting.

DPW Repair/Maintenance Activity Notification – Vin Roy, Director

- detention basin maintenance on Merriam Way and Jonathans Way; clear vegetation and cut trees no stumping will chip and remove looking to do this once a year; no excavation of the soil; potentially in the future may use an herbicide on selected materials (not proposing to do this now); MP cautioned that there are wood turtles in the area otherwise no issues from Con Com; will use straw wattles (not hay) if necessary.

Website – new website is now online. Alan continues to update info and correct links as needed.

OSC – Glenn Odone has surveyed and installed the markers in the ground; corner of the fence that this closest to the house extends slightly into the parking easement but at the other end of the lot the fence is a bit further out from the easement so it is basically a trade-off. Steve Sloan working with SVT on priority properties will be attending the next Con Com meeting on (2/24); he met with CPC to see if there is any CPC money to pay for survey of certain properties in North Upton; also met w/ the Planning Board regarding a certain property.

LSC – What is next step and how do we move forward with the Forestry Stewardship plan; will put this on the next Con Com agenda; Annual CR walk at SWF is coming up w/ SVT – Marcella will coordinate; suggestion to add CR review and monitoring (including reports) to the Agent's job description; also will attend CR walk for Whitney Conservation Area

Admin/Office & Finance

- Motion to sign expense voucher – 2nd & approved.
- Chris will draft a letter to Mr. Calandra of Dairy Dr.
- 21 Pearl St partial COC issued; 3 wetland markers have been purchased.
- Email from Upton Men's Club for Ice Out Challenge.
- Requesting a new email address for the Community Garden, Mary & Marcella will be on the distribution list; Denise will discuss w/ Sandy.
- Library Feasibility Committee is looking at potential sites for a new library; is a permit required for testing soils? No – there is an exemption for testing for this type of site research.

Discussion of Agent's Job Description and Municipal Agreement w/ Northbridge - looking at 19 hours for the Agent (11 hours Upton & 8 hours Northbridge); need to add the following to the description: Annual CR Inspections including enforcement and reports; Stormwater Bylaws; Bachelor's degree or higher; GIS experience; in the Agreement doc need to add Northbridge's Wetland Bylaw. Mike will update to include our comments.

NOIs - 0 Westboro Rd and 236 Milford St need to finalize OOC and Special Conditions.

8:35 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) DPW Repair/Maintenance Activity Notification Form
- 3) Email dated 2/10/16 from Mike Howell (Upton Men's Club) re: Ice Out Challenge
- 4) Conservation Agent Job Description & Municipal Agreement



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 2/24/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Scott Heim, Marcella Stasa, Alan Miano and Tom Jango
Mary Overholt (Associate)
Maeghan Walters (Interim Agent)

7:20 PM General Business/Active Items

MM – Motion to accept and sign the minutes from 1/27/16 and 2/10/16 meetings – 2nd & approved.

LSC – Mary Overholt will be handling the community garden.

7:15 PM SVT – Priority Properties

Steve Sloan

- Project has identified properties based on habitat and proximity to open space land with intent to protect the land; some land owners have been contacted; some examples include the following properties as identified on the map: #1 – Forest Heights – interested in selling, price unknown; #2 – owner unknown; #3 – not interested; #7 – privately owned by Con Com member; #11- Howarth family – may be open to selling, price unknown; and #13 – owners interested in downsizing and protecting some of the land.
- Mike Penko made it known that he is a direct abutter to #1 and #13.
- #14 & 15 – researching ownership, property abuts the State Forest thus working with DCR to continue their research; #16 – in discussion with DCR for at least part of the property; #17, 18 & 19 – no interest.
- Maeghan suggests watching out for culverts on properties as they become town or SVT's to maintain.
- Discussion of funds to appraise parcel #1; perhaps CPC funds (Open Space and Recreation are combined); current balance of the Conservation Fund? Also, Forest Management might be able to bring in some funds; not sure what the appraisal cost would be.
- There are plans for property identified as #1 – Forest Heights; Denise will try to locate them.
- This SVT project started in Westborough the spread into Upton as seemed to have great opportunities in Upton; 25 acres or more were targeted.
- Next step would be to look at the plans (if found) and coordinate a couple bids for appraisals.

8:00 PM NOI – 32 Southboro Rd

John Nenart/G&H

- New lot; proposed single family house.
- Potential vernal pool – Goddard Consulting is evaluating; wetland bounds will be added once vernal pool is determined; does have habitat so have filed with Natural Heritage (waiting to hear back).
- Need to flag wetlands; added infiltration for roof drains; and will add settling basins; also need to note the stockpile area on the plans.
- Mary visited the site and noted flags across the street – are they required? If so will add to the plans.
- Silt socks will be used for erosion control.
- Request to continue the NOI to April 13 @ 7:45 pm; site visit might be needed.

8:10 PM Continued NOI – 78 Mendon St**Robert Murphy**

- Response received from Nat. Heritage – no adverse effects.
- Discussion of where the bounds should be located and how many bounds are needed (possibly 2); will submit revised plans after reflagging the wetland line then the Commission will determine where the bounds should be placed.
- Hearing continued to March 9 @ 7:15 pm.
- Maeghan suggests an alternative analysis to be filed w/ the OOC; suggestion is that as this is an area that is already disturbed the alternative analysis is not needed; could add special conditions; Bob Murphy will write a brief analysis.
- Cesspool on the site was previously crushed and filled.

8:35 PM BVT Chestnut St Field Site**Jim Brochu/BVT**

- School would like to repurpose the land; possibly sell it outright, donate it, or potential house lot; Commission suggests they talk with DCR.
- What needs to be done to release the current OOC? Site will need to be stabilized.
- Commission has scheduled a site visit for Saturday, 2/27 @ 8:45 am; will discuss at next meeting on 3/9/16.

8:55 PM North Upton Forestry Plan

- What is next for the Forestry Plan?
- Subcommittee to be created to move forward w/ outreach and forest cutting plan.
- Motion to form a Forestry Subcommittee – 2nd & Approved; Tom, Scott, Mike and Sandy have volunteered to serve on the subcommittee.

9:00 PM Discussion w/ Maeghan Walters – Interim Agent**9:15 PM Office/Admin & Finance**

- Motion to sign expense voucher – 2nd & approved. Voucher includes Beaver Solutions annual maintenance fee and workshop fee for Marcella.
- Wood Turtle Study – looking for Comprehensive Report w/ data appendices (check scope of work) before releasing money.
- East St property (Amato) – town has first right of refusal; OSC will discuss at their next meeting.
- Library Feasibility Committee is evaluating Pederson's property on Main St.

9:40 PM Motion to Adjourn – 2nd & Approved**Minutes approved on:** _____

Document List:

- 1) Con Com Agenda & Action Checklist
- 2) SVT Priority Properties documents



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 3/9/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Alan Miano, Sandy Lajoie and Tom Jango
Mary Overholt (Associate)
Maeghan Walters (Interim Agent)

7:05 PM BVT – Chestnut Street Field

David Bartlett (BVT)

- Site visit was held on Saturday, Feb 27th; site needs to be stabilized w/ erosion controls.
- Brian from Graz Engineering is supposed to prepare a plan for the site; Maeghan offered to provide a map for them to markup w/ erosion controls.
- Need to keep the water from running off the flat area w/ a berm possibly; loam pile seems to be stabilized.
- Will continue this discussion to 3/23 or 4/13.

7:15 PM Continued NOI – 78 Mendon St

Robert Murphy

- Discussion of the existing conditions plan (per Maeghan's request); delineated bvw.
- Lot was created in 1979; house is in the inner riparian zone; existing driveway will be removed.
- More info provided regarding the riverfront zone.
- Proposed house is moved about 20' further from the location of the original house.
- Roof drains handle additional runoff keeping it out of the riparian area.
- Need to determine location of the permanent bounds; not disturbing beyond the existing tree line so would make sense to put the bounds at the tree line; looks like 6 bounds will be required, spaced about 20 feet apart in a straight line about 15' off the house; will need to revise the plans to show the location.
- Maeghan suggest an invasive species management plan for the future home owner; we can add a condition to the Orders to remove invasive species.
- Key question – is this redevelopment or new development? The new house reduces the amount of impact and altered area of the site.
- Bob included a planting plan (in the notes) to stabilize the site to prevent future runoff.
- Continued to 3/23 @ 7:15 pm; Maeghan will contact the DEP Circuit Rider.

7:55 PM NOI – 29 Warren St

Michael Hasset/G&H

- Proposed addition to the existing 2-story house; converting the existing deck into a 3 season room.
- Will be collecting runoff into a recharge area (basin w/ chambers); proposed retaining wall has been eliminated.
- 4 wetland bounds are proposed; need to show a symbol on the legend for the bounds.
- Erosion controls needed to protect the disturbed area.
- Upton Wetland bylaw does not apply thus the 50 foot no build line doesn't apply; remove the 50' no build line from the plan.

- Maeghan suggests that the wetland line is questionable; it is existing lawn; shed will be moved to the location of the platform for the former treehouse.
- Need to keep lawn clippings from being dumped near the wetlands or buffer zone.
- Relocated 4 bounds closer to the house to more accurately represent the wetlands; this will replace the 30' line so it can be removed from the plan.
- Continue to 3/23 @ 7:30 pm

8:20 PM NOI - Lot 4 North St

Eric Bazzett/Heritage Design Group

- Public hearing opened; Mike Penko recused himself as he is an abutter.
- Proposed new house; septic has been approved by the BOH.
- Some grading is proposed within the 30 – 50 foot zone but no structures.
- Erosion controls will be wattles with silt fencing; along the back of the septic will use silt fence.
- Driveway hugs the property line; will require some fill.
- Need to have the 50' no build line staked during construction.
- Need to have 4 corners of the house staked and the centerline of the driveway prior to Maeghan making a site visit; wetlands are flagged.
- Capturing roof runoff into chambers (add to plan); need to locate bounds on the plans; how many and where? Suggest in an area where the future homeowner might potentially disturb.
- Location of the house was chosen based on the septic location; house must be 20' from the leach field per BOH regs and septic must be 100' from wetlands including disturbance; building a retaining wall to avoid grading.
- Suggest including a porch or deck on the house to allow for possibility of one in the future.
- What is the max box size for the house? What size house is being proposed?
- Continue to 4/13 @ 8:00 pm.

8:50 PM Forestry Plan

- Working group (Tom, Scott & Mike) will get together to discuss next steps.

8:55 PM General Items

- Bill Taylor (Library Feasibility Committee) asked some questions about the “Wetland Flag Plan” that was prepared for the LFC for the Pederson property on Main St (potential site of library); stream crossing standards would apply for the driveway crossing; replication might also be required; water and sewer are exempt under the State Act but the Town’s Stormwater bylaw is applicable.

MM – not available; will prepare for next meeting.

Website – updated the ice out info.

OSC – asked BOS for consideration to hold off on responding to the Amato property until some further review/investigation can be done.

LSC – Marcella attended a prescribed fire workshop and lecture (Mike attended lecture) and picked up some good information; talked w/ Grafton Agent who also attended and is interested in doing something possibly at Pell Farm or maybe Stefans; can be expensive to do a “burn plan” roughly \$8,000; outreach is done w/ public; Fish and Wildlife is also interested. A new vernal pool located at Stefans. Mike met w/ the Historical Commission about naming the property behind Coach Rd complex (Warren Street property); he would like to contact Greg Trussell to see about removing the wooden structures on the property.

Office/Admin & Finance

- Motion to approve \$9408.02 of which the Grant will cover \$9252.69 difference (\$155.33) to be paid from Con Com expense – approved.
- FY17 Budget (proposed) – reviewed and ok'd will let Blythe know.

Agent's Position – BOS will be signing the agreement with Northbridge then will advertise.

Turtle Report – Mike spoke w/ Dan Wells, final report is coming; will need to provide to Natural Heritage prior to releasing the funds.

10:00 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Main St “Wetland Plan” -- LFC



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Maeghan Walters (Interim Agent)

7:05 PM BVT – Chestnut Street Field

Jim Brochu (BVT)

- Presented plan for stabilizing the site (plan dated 3/23/26) prepared by Graz Engineering; Commission questioned if height of 1 foot for the berm is sufficient; perhaps add a stone spillway. Jim will discuss further with Brian from Graz.

7:15 PM Continued NOI – 78 Mendon St

Robert Murphy

- Bob Murphy spoke w/ the property owner to come up w/and alternative plan in order to move the proposed house out of the inner riparian zone (IRZ); presented a new plan that shows the house location as entirely outside the 100' IRZ; made the garage smaller and still meets zoning setbacks.
- Degraded area of the IRZ is brought to 0% and bound line moved away from the tree line; 6 medallions will be installed.
- Alternate Analysis Redevelopment Project was presented and discussed:
 - a. Reduced impact to riverfront zone – all proposed work moved outside.
 - b. Stormwater management – all impervious material is recharging, no increase to run off/drainage.
 - c. Existing conditions – relocating entirely outside the IRZ.
 - d. Structures located away from the river – have increased all setbacks.
 - e. Previously degraded area has been reduced (less area is being altered).
 - f. Existing site conforms to c, d and e (above) but will work to further improve the site.
 - g. Installing bounds to protect riverfront zone.
 - h. Previously developed area; all alteration needs conservation approval; 2 year full grow season prior to issuing COC but will likely request the COC after 1 season due to the topography and dry conditions of the site.
- Will be removing the existing driveway; it falls entirely w/in the erosion control area.
- River front area is listed in the NOI.
- A vegetation management plan is not necessary; will plant native plants that are likely to grow on this site (very dry).
- Commission appreciated the re-design of the plan to move outside the IRZ.
- Request to close the public hearing; motion made to close the hearing and issue the OOC – 2nd & approved.

7:45 PM NOI 36 Prospect St

- The hearing was properly noticed in the newspaper and to the abutters but it was not listed on the posted agenda; Hearing was opened and continued to our next meeting on April 13, 2016 at 7:15 pm.

7:50 PM NOI – 29 Warren St**Michael Hassett/G&H**

- 50' No Build Line was removed from the plans as was not applicable; wetland bound symbol was added.
- Removed 2 bounds (not necessary); added and amended all that was requested by the Commission.
- Request to close the public hearing; motion to close public hearing – 2nd & approved.

7:55 PM General Items

MM – Motion to accept minutes from 2/24/16 & 3/9/16 meetings – 2nd & approved.

Website – Alan continues to update links.

OSC – Met w/ the Affordable Housing Committee and Recreation Committee to see if any interest in the Amato property off East St; neither committee expressed interest thus will notify the BOS.

LSC – Meeting tomorrow (Thursday, March 14 at 10:00 am) w/ Grafton and Fish & Wildlife to discuss possibility of a prescribed burn at Stefan's land and some of Pell land (Grafton); need to see what would be involved.

Office/Admin & Finance:

- Mary Overholt submitted resignation from Commission and LSC.
- Assistant's timesheets and COLA increase doc. signed by Chair.
- Motion to sign expense voucher – 2nd & approved.

8:10 PM Forest Heights Appraisal**Steve Sloan**

- Under the SVT Priority Properties project the land that was previously known as "Forest Heights" off North St is being evaluated for purchase by SVT.
- Discussed the 3 bids that were received to appraise the property; discussed using money from the Conservation Fund to pay for the appraisal. Commission likes the Prospectus bid for \$4500 with a possible increase to \$5000.
- Motion made for Steve Sloan to move forward with the bid proposal for appraisal of the "Forest Heights" property from Prospectus – 2nd & approved. [Mike Penko abstained from vote]
- Steve will ask Prospectus for a contract for \$4500 (to keep it under \$5000) but with the increase of \$500 if needed.
- Steve's research on properties had found many parcels that are "owner unknown" or town owned through tax taking/title; wants to know if the Commission is interested in having these parcels put under care of the Commission; might be interest for some parcels; suggest he work w/ the Open Space Committee who will then bring it to the Con Com; Steve will get on an agenda for upcoming OSC meeting in April.

8:35 PM General Items (continued)

Financial - reviewed email from Blythe regarding Revolving Funds for the ATM; motion to approve revolving funds (Wetland Bylaw, Stormwater, Community Garden and Land Stewardship) – 2nd & approved.

Agent's Position – job posting has been advertised; will send Mary Overholt a letter thanking her for her work.

Agent's Report/Update – Maeghan Walters Interim Agent:

- 4 Farrar Rd started clearing the lot without contacting the office (per their OOC); erosion controls are in place; reviewed the OOC to see what other conditions need to be met; met w/ developer at the site; should issue a letter or possibly an enforcement order stating no further work to be done until conditions are met; will invite to our meeting on 4/13 at 8:30 pm.

Turtle Study – final report received; check w/ Natural Heritage to release final payment.

Planning Board update (Denise):

- Thompson Property (off Westboro Rd) – owners presented several possible scenarios for residential development of the property with an open space component; nothing filed or approved at this time.
- Rockwood Meadows – Andy Leonard stated that parking area (trails) would be developed this summer.
- Upton Ridge Senior Housing Community – preliminary plan for 139 units was presented; OSC will review the Open Space component.

Motions:

- Motion to sign and issue OOC and Special Conditions for 78 Mendon St – 2nd & approved.
- Motion to sign and issue OOC and Special Conditions for 29 Warren St – 2nd & approved.

9:30 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) 78 Mendon St Alternative Analysis Report – Robert Murphy
- 3) Sign-in sheet
- 4) Email dated 3/21/16 from Blythe Robinson re: Revolving Funds



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 4/13/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Tom Jango, Alan Miano and Scott Heim
Maeghan Walters (Interim Agent)

7:00 PM Mosquito Control discussion w/ BOH

- Article on upcoming ATM warrant to join the Central Mass. Mosquito Control (CMMC) Project.
- Property owners can opt-out of spraying) by phone, email or website; you cannot opt-out of larvicide treatment which is used on standing pools of water.
- If the State declares an emergency there is no opt-out for the aerial spraying.
- CMMC sprays via truck; they post a notice in local paper when they are going to spray.
- If you opt-out of spraying the property owner is supposed to mark the property every 50' along the boundary (State Law).
- CMMC will do inspections for standing pools and notify property owners; they will do dredging and clearing and identify areas of concern.
- Materials are approved by State and Federal EPA for use in water supply areas; not harmful to fish life cycle.
- Effective for all mosquitos.
- Spraying from public r-o-w reaches about an acre.
- Upton, Mendon & Grafton have not joined.
- Concerns for those that keep beehives.

7:20 PM NOI – Lot B 36 Prospect St (continued from 3/23/16)

J. Hastings/GLM

- Proposing to split the lot into 2 lots through special permit process w/ Planning Board; 1 w/ existing house and 1 new house proposed.
- There are 2 wetlands on property; wetland crossings will require approx. 3,500 sf of fill; proposing an open bottom concrete box culvert 8' wide x 20' long w/ headwalls; foot on each side will create less disturbance; culvert will have concrete wing walls; proposing slope in wetland (not concrete walls) so they can be vegetated.
- 3 replication areas will be separated due to topography; try to keep existing vegetation w/ as little disturbance as possible for the new house; house and septic will sit atop a ridge (high point) will about to about 2.2 acres of clearing and stockpile area.
- Filed w/ the Army Corp (self-reporting)
- Will need to file a NPDES permit
- How much clearing within 100' buffer zone? Will include house and lawn? House is about 70; from nearest wetland.

- Driveway snakes around due to topography and wetlands; proposing to use gravel for the driveway; 12' wide and about 1,000' long.
- Retaining wall would need to be 6' – what would impact be?
- Planting plan for replication area presented.
- Elevation of wetland replication mimics the elevation of adjacent area.
- Will have wetlands person on site during construction.
- Planning to phase construction
- 2-year look back for replication areas to make sure things are growing; 75% survival is target.
- Proposing to use filter mitt and fabric and straw bales as needed for erosion control; avoid using polypropylene products; wattles need to be removed after completion.
- No filing w/ Natural Heritage needed.
- Where will snow be plowed or stored? No stockpiling planned.
- Need to pave entrance to driveway (area w/in the towns easement).
- No salt use will use sand on the driveway w/in the buffer zone; will make a condition in the OOC.
- Question from abutter about receiving revised plans/documents prior to meetings; Joyce will send electronically when possible; we will forward to the abutter.
- PH continued to 4/27 @ 8:00 pm
- Crossing location will be staked and centerline of driveway; site visit to be determined.

8:05 PM NOI – Lot 4 North St (continued)

- Mike Penko recused himself.
- Maeghan made site visit.
- Corner of building is about 1 foot away from no build zone; need to show stairs for porch (proposed)
- No change to septic.
- Bounds have been added to plan.
- Added roof infiltration system & recharge system.
- Closest point to wetland is about 30' from house; driveway is w/in 10 feet of wetland (flag #87); hugs the property line in order to stay as far away as possible.
- Roof infiltration – there are 4 - 4' sections each is 55 gallon; only about 1' deep.
- No work outside the bounds; no pool would be allowed.
- Stockpile for materials during construction.
- Bounds along the 100' buffer in back then down driveway.
- No retaining wall needed for driveway.
- Intermittent stream no shown on plan it is in the no disturb area – does it need to be shown?
- Refresh flags that have fallen.
- No salt or pesticides w/in 100' of wetland.
- Letter from Natural Heritage received – no concerns.
- PH closed; OOC will be issued.

8:25 PM RDA – 61 Grove St

R. Moore

- Replacing septic system; moving from under the driveway and is further from wetlands.
- Hearing closed; will issue a determination.

8:30 PM 4 Farrar Rd discussion

D. Afonso/S. Ferrera

- No work can occur before erosion controls are installed and inspected.
- Trees were cut/removed before the e/c was installed.
- Letter was sent regarding violations on this lot; Maeghan reviewed items from the letter.
- Erosion controls were discussed; will move as directed and will contact office when done so we can review them.
- 5 bounds to be installed; OOC called for them to be installed prior to construction but Commission approved installing after completion of construction.

9:00 PM RDA 90 High St

Ken & Karen Horan

- Demolished existing house rebuilding new single family house; will install gas line up the driveway.
- Septic replacement has been approved.
- Existing water line runs up the driveway; gas line to be run up center of the driveway.
- House is outside jurisdiction
- Existing driveway is dirt; will install a pad outside the garage but will be dirt to the street; except for entrance which must be paved according to DPW regs.
- Need to do a site visit to check out drainage swale/wetlands.

9:10 General Items

MM – Motion to accept minutes from 3/23/16 meetings – 2nd & approved.

OSC – BOS receive notice from DCR regarding their possible purchase of 44 acres on Westboro Rd; letter asked if the 120 day notice period could be waived; OSC encouraged DCR to purchase this land; since the letter was received the deal has fallen through; OSC asked if Con Com would make a motion to ask the BOS to waive the 120 day notice period in support of DCR purchasing property (should the discussion begin again); Con Com made a motion to ask the BOS to waive the 120 day notice period in support of DCR purchasing the Thompson property – 2nd & approved. Work on parcels with owner unknown has turned up some info on owners. Reviewed the preliminary plans for the Upton Ridge Senior Housing Community located off Hartford Ave S; part of the open space area (3 acres) is actually an easement for the golf course fairway (Shining Rock) and should not be counted as open space; will provide comment to the Planning Board.

Office/Admin & Finance:

- Motion to sign expense voucher – 2nd & approved.
- Denise's timesheets signed.

Motions:

- Motion to issue and sign a Neg #3 Determination for 61 Grove St – 2nd & approved.
- Discussion of conditions for OOC for Lot 4 North St to include: refresh flags; no salt or pesticides near wetlands; Motion to issue and sign the OOC for Lot 4 North St – 2nd & approved; Mike Penko abstained. Chris will prepare OOC for next meeting 4/27.
- Motion to issue a new signature page for the OOC for 18 Elm St so it can be recorded – 2nd & Approved; Mike Penko abstained.

Whitney Parking Area – any interest in installing a guardrail at eastern end of lot? Funds available through Metacomet. Suggest finishing the kiosk before tackling the guardrail issue; could we get BVT students to build a kiosk? We would purchase materials if they provide the labor.

Agent's position – 5 application submitted to date.

Agent's report (Maeghan):

- 111 Mendon St – site visit done; installing a barn.
- Was asked if Main St property (Pederson's) could be used for a cemetery?

10:00 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Letter from Deborah Simon re: 30 Prospect St (Lot B)
- 3) Lot 4 North St Plan dated 2/5/16
- 4) Sign-in Sheet



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 4/27/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Tom Jango, Sandy Lajoie and Scott Heim
Maeghan Walters (Interim Agent)

7:00 PM NOI – 32 Southboro Rd

J. Nenart/G&H

- Waiting for report from Goddard Consulting.
- Brief presentation on revised plans (4/27/16); bounds will be installed and added to the plan.
- 110' from septic to wetlands; area along the driveway was previously disturbed.
- Continue hearing to 5/11/16 at 7:00 pm.

7:15 PM NOI – Grove St Culvert Replacement (DPW)

V. Roy/DPW Dir

- Requesting an extension of the hearing as abutters were not notified.
- Brief overview of the project was given.
- Replacing failed culvert at intermittent stream located near 83-91 Grove St; fieldstone headwall failed; it was roughly 50 years old.
- Will install a new culvert, build up the road shoulder and install guardrails.
- PH continued to 5/11/ pm
- Commission can issue an Emergency Order to replace the culvert; motion to issue Emergency Order for this project – 2nd & approved.

7:30 PM 90 High St – Continued RDA

Ken & Karen Horan

- Intermittent stream on the property.
- Replacing house w/in the existing footprint of previous house.
- The back corner of the house is 69' from the wetland; the front corner is 75' from the wetland.
- Area between the house and the stream is previously disturbed (lawn).
- Bounds (2) will need to be installed at 30' no disturb line; can use large boulders on the property and install the medallions.
- Will provide a copy of the plan w/ the location of the bounds.

7:45 PM Agent report

M. Walters

- Update of 4 Farrar Rd -- erosion controls installed; looks good they made the adjustments as requested; Motion to approve continuation of work – 2nd & approved; deed restriction will be required.
- Site visit made to Warren Brook Conservation Area; a hunter's tree stand was found near trail near Oak Knoll Ln; needs to be removed will investigate to see if owner can be located.

7:45 PM NOI – 7 Grove St

P. Bradley

- Expanding the existing mudroom; 2 sona tubes will be used; area is existing lawn.
- Hearing closed; OOC will be issued.

8:00 PM Continued NOI – Lot B 36 Prospect St

J. Hastings/GLM

- Reviewed response letter for items from previous meeting. Response ltr dated 4/22/16 sent via email on 4/26/16. Items included:
- Erosion controls - will use staked straw bales w/ silt fence; will be added to the plan.
- Construction sequence details added to plan.
- Maintenance plan/schedule provided.
- Provided an Alternate Wetland Crossing with retaining wall. Would prefer to keep sloped sides to remove the barrier for small animals/critters and the cost.
- Agent did a site walk; adjusted some wetland flags; changed the 100' buffer zone.
- Make sure stockpiles are still outside the zone.
- Will need to install 4 bounds near the house/lawn area; also show on the plans.
- Property owner should survey the site to see if there are any natural features to be saved or preserved; should do so now during the NOI process.
- Performance standards for alteration (limits).
- SH walked property and noticed wet area w/ hydric soils and vegetation near flag c12; flowing water across driveway; recommends the Commission do another site walk – set for 4/28 @ 5 pm.
- PH continued to 5/11 @ 7:30 pm

8:45 PM RDA – 3 Depot St (Lot 0)

R. Quinn

- New lot created; constructing a new single-family house.
- Intermittent stream on opposite side of the street; the 100' buffer zone comes onto the property but the house is well outside the zone.
- PH closed; Determination will be issued.

9:00 General Items

MM – Motion to accept minutes from 4/13/16 meetings – 2nd & approved.

OSC – Meeting w/ Steve Sloan tomorrow (4/28) about priority parcels and Forest Heights. Motion to add the Chairperson of the OSC (Bill Taylor) to the ConCom email list – 2nd & approved.

Office/Admin & Finance:

- Motion to sign expense voucher – 2nd & approved.
- Denise's timesheets signed.
- Updated account statements provided.

Motions:

- Motion to issue and sign a Neg #3 Determination for 61 Grove St – 2nd & approved.
- Discussion of conditions for OOC for Lot 4 North St to include: refresh flags; no salt or pesticides near wetlands; Motion to issue and sign the OOC for Lot 4 North St – 2nd & approved; Mike Penko abstained. Chris will prepare OOC for next meeting 4/27.
- Motion is issue a new signature page for the OOC for 18 Elm St so it can be recorded – 2nd & Approved; Mike Penko abstained.

Beaver updates – Baker Pond (Rte 140/Old Grafton Rd) beavers are building a dam that could affect the road; TJ talked w/ Mike Callahan (Beaver Solutions) to see what can be done; resident on Crockett Rd called to report 3 dams at Peppercorn Hill affecting boardwalk/trails.

Whitney Parking Area – Mike sent some info for kiosks from a company in Vermont; also contacting a company in Bellingham. Doing some additional research so will continue discussion to next meeting.

Agent's position – met w/ Personnel Board to review applications; need to set a date to hold interviews – Monday, 5/9; how many members want to participate – 3; Maeghan's last day is 5/24/16.

Wetland Fees – discrepancies on fees between Regs and Bylaw; need to review.

LSC – boy scout constructed boardwalk at Whitney CA need to finish boardwalk at Stefans. Someone was parking equipment overnight in the Stefan's parking lot, looks like landscaper equipment; left a note explaining no overnight parking allowed and that we would like to talk w/ them to see if they would be willing to move some material.

Mosquito Control for ATM – MP suggest sending an info letter to Upton Daily; will be spraying back yards of private properties on town money; coverage area for spraying is possibly inflated; concerns with product used even though claims to be approved by DEP/EPA; motion to have MP draft a letter regarding Mosquito Control and send to members for review – 2nd & approved.

Wetland's Abatement – regarding letters that went to property owners currently receiving discounts; Mass DEP layer/Mass GIS is acceptable for documentation; however, doesn't show riverfront area; suggest meeting w/ the Assessors to discuss process; MP will work on revising the procedures.

10:05 PM RDA – 111 Mendon St

- Applicant did not show so continued the PH to 5/11 @ 8:15 pm.

Motions:

- Issue & sign and OOC for 90 High St – 2nd & approved.
- Issue & sign and OOC for 7 Grove St – 2nd & approved.
- Issue & sign a Neg # 3 Determination for 3 Depot St – 2nd & approved.

10:15 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Letter from Joyce Hastings/GLM re: Lot B – 36 Prospect St.
- 3) Wetlands Application Fee Schedule
- 4) Assessor's Letter re: Discount for wetlands on property
- 5) Sign-in Sheet



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 5/11/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Tom Jango, Sandy Lajoie and Scott Heim
Maeghan Walters (Interim Agent)

7:05 PM Continued NOI – 32 Southboro Rd

J. Nenart/G&H

- Updated plans dated 4/28/16.
- Goddard report rec'd (dated 4/28/16)
- 8 wetland bounds have been marked on the plans; however should be labeled as "No Disturb" so will revise plans.
- Hearing closed.

7:15 PM NOI – Grove St Culvert Replacement (DPW)

V. Roy/DPW Dir

- Will excavate 22' (width of roadway) to replace entire length of pipe; will do one side of the street at a time.
- Will use sandbags if needed and will pump into a silt sock to keep silt from getting downstream.
- Anticipate 2 days to complete; will start on upstream side and install pipe and headwall, riprap around the area w/in the public r-o-w; downstream there is a water main that may replace while excavating for the culvert.
- Emergency Cert was issued; looking to start this work at the end of the week.
- Hearing closed; will issue the OOC.

Additional discussion with Vin Roy regarding 2 Grove St (town owns) – building is to be demolished and a parking lot to be built; will be working with Mark Allen to file an NOI and Stormwater Management.

7:20 PM General Items

Request was received for a Milford resident to camp overnight at Peppercorn Hill; motion was made to issue a camping permit to the resident to camp overnight at Peppercorn Hill – 2nd & approved.

Discussion about the LSC Chair reviewing and issuing the permits and that people who are parking overnight should contact the Police Dept. or we could provide a pass for their dashboard; Motion to allow the Chairperson of the LSC (Marcella Stasa) to review and approve camping permits – 2nd and approved.

7:30 PM Continued NOI – Lot B 36 Prospect St

J. Hastings/GLM

- Additional site visit was conducted; revised wetland line as a result, plans will be revised; wetland crossing will need to be longer but trying to stay under 5,000 sf; added some retaining wall on the down gradient side; sloped shoulders and re-shaped the replication areas; trying to keep grades.
- Will fill 4,080 sf and replicate a total of 4,200 sf (3 replication areas: 2050, 1300 and 850 sf).

- Monuments/bounds will be added around the house
- Box culvert will be 4-5' about stream; retaining walls from 0 – 4'; driveway will be 12' wide w/ 1' shoulder on each side; because of the height may use a guardrail on top of the culvert but it is not required.
- Add a note to replace stones (from the wall) that will be disturbed in the wetland area.
- Use tupelo instead of red maple for replication.
- Abutter concerns – about timing to review revised plans prior to meetings. Commission will make them available to her as soon as we receive them.
- Update numbers on the NOI itself
- Hearing continued to 5/25/16 @ 7:00 pm.

9:00 General Items

LSC – notified that beavers are back at Peppercorn Hill; MS & MW made a site visit and doesn't appear to be any new activity but we should breach the dam to see if they come back and repair it; suggest leaving them alone as there is no real damage being done except to the trails; bridge/crossing seems safe and we could use some new crossing in this area.

Beavers: Fiske Mill Rd area DPW is working w/ the BOH to trap as there is a dam; Baker Pond we are still waiting to hear from Mike Callahan/Beaver Solutions.

Office/Admin & Finance:

- Motion to sign expense voucher – 2nd & approved.
- Denise's timesheets signed.

Motions:

- Motion to issue an extension for the OOC for 18 Elm St property (Upton Historical) – 2nd & approved.
- Motion is issue & sign a Determination for 90 High St (incorrectly signed an OOC) – 2nd & Approved.

Whitney Parking Area – can we get someone local to build kiosks? Perhaps BVT? Maeghan discussed with her brother; Metacomet funds will be used; also a suggestion to contact Mr. Raye on Mechanic St.

Agent's position – 3 interviews were held on Monday (5/9) and 1 more scheduled for Thursday (5/12).

Wetland Fees/Regulations – must be posted w/ the Town Clerk once we adopt them. Need to review Regs for fees and make consistent on fee schedule; will continue this discussion to next meeting.

Algonquin Gas Line – BOS setting up a multi-board meeting sometime week of 5/23; do we want to send our own comment letter independent of the BOS; will hold off until after multi-board meeting; FERC hearing in Milford on 5/18/16; concerns with impacts on wildlife, the gas production itself – should keep carbon (fossil fuels) in the ground not the atmosphere.

Turtle Study – possible ideas to increase turtle nesting habitat at Stefans land and well fields (town owned parcels); can we possibly get an extension? Need to contact Natural Heritage.

8:30 PM continued RDA – 111 Mendon St

G. Renk

- Constructing a barn adjacent to the house about 80' from the wetland; will have 2 horses
- Manure will be removed from site
- Proposing crushed stone w/ floor mats
- Suggest installing a gate at the lawn area to keep horses out of the wetlands
- Paddock will be in front and possibly a small area in the back
- Need to add fence to the plans especially in the rear of the property.
- Continued PH to 5/25 @ 7:40 pm

8:40 PM NOI – Lot 0 Orchard St

M. Allen

- Lot is north of 41 Orchard St; proposing to build a single-family home – 1 story, roughly 2000 sf; will have a septic system and well
- There is an existing stone wall roughly at the 30' no disturb line; will keep as much as possible
- MW conducted a site walk and submitted comments; suggest Con Com members doing a site walk.
- There is a ditch to divert drainage around the house and wells then back to the wetlands.

- Goddard's report was submitted; plans show wetland flag but report states this is not a wetland which is confusing as is labeled as "wetland flags"
- Drainage ditch to the south; nothing coming from the west
- Country swale was built by the DPW
- Alternative ditch would be open and as steep as the existing ditch; however the existing ditch is eroding
- Need to have DPW review the plan; concerns w/ blocking the ditch or capping it; concerns about adding more water to someone else's property.
- House location was chosen to keep out of the 30' no disturb
- 4000 sf of impervious surface; tree line is the existing limit of work
- No wetland replication proposed
- Landscaping and hardscaping is shown (porch/deck)
- Erosion controls are show as silt fence w/ staked straw wattles
- No work beyond 50' (no pool)
- Concerns about water being diverted onto the road and other properties.
- Site walk will invite DPW for Thursday 5/19 at 6 pm.
- Continued PH to 5/25 @ 8 pm

9:10 PM General Items continued

Mosquito Control – should we send a letter to our legislators to look into the CMMC? MP will draft letter for review.

Warren St property – Historical Commission suggest the name "Pleasant Woods" related to the former Hotel Pleasant; motion was made to accept the name "Pleasant Woods" – 2nd & approved.

Wetland Abatement process (discount) – MP prepared a draft, need to review w/ the Assessors.

Agent – Request for COC for 15 River St, need to install bounds as indicated on plan; motion to sign the COC for 15 River St and release after Maeghan reviews the as-built plan – 2nd & approved.

Motions:

- Issue & sign and OOC for 32 Southboro Rd – 2nd & approved.
- Issue & sign and OOC for DPW Culvert project on Grove St – 2nd & approved.

9:40 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Sign-in Sheet



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 5/25/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Sandy Lajoie, Alan Miano, Mike Penko and Marcella Stasa
Maeghan Walters (Interim Agent)

7:10 PM Continued NOI – Lot B 36 Prospect St

J. Hastings/GLM

- Updated plans per last meeting: added monuments (4) at limit of work line; stonewall in the replication area labeled “not to be removed”; changed red maples to tupelos.
- Comments from Maeghan were issued (email 5/18/16); reviewed GLM response letter dated 5/20/16.
- Ltr dated 5/19/16 from abutter Deborah Simon was received; concerns about issuing the OOC prior to other permits issued by other Boards/Depts; also work being assessed during wettest part of the year, not during dry time; Joyce Hastings responded that wetlands are defined by the soils which don’t change no matter the season; and explained that they chose to come before Con Com first as they felt the wetland delineation and crossings were the most restrictive process, then will work methodically through other steps; septic area has been defined but not yet permitted; and will need to go to Planning Board for the Large Lot Frontage Reduction Special Permit.
- Commission asked town counsel to issue an opinion regarding the statute that was questioned in Ms. Simon’s letter; hearing continued to 6/8/16 @ 7 pm conditional upon response from town counsel.

7:40 PM Continued RDA 111 Mendon St

G. Renk

- Revised plans dated 5/21/16 to show the fence.
- Hearing closed.

7:43 PM Beavers – Southboro Rd and Baker Pond

- Comments from Tom Jango’s email read; discussed some options such as installing a long fence along Westboro Rd along the ditch to keep material out; or create a dome over the ditch.
- Talk w/ DPW to see who they are hiring to trap.
- Motion for Mike Penko to contact Greg Trussell about fence – 2nd & Approved.
- Tom to contact DPW/Vin.
- Call came in from Milford resident concerned w/ beavers at Crockett Rd – Bill Taylor will investigate.

8:00 PM Continued NOI Lot 0 Orchard Rd

M. Allen

- Site visit conducted w/ DPW; consensus is that culvert cannot be blocked; channel has no BVW this is simply a channel created by runoff/drainage; best solution is to relocate the channel and will pipe the culvert to the north side of property to allow it to runoff to the wetland which is where it heads anyway.

- Revised plans were provided.
- DPW should be cleaning the culvert of leaves which may have contributed to the eroded channel.
- Plans should have a note regarding the “no disturb line”.
- Conditions: 5 bounds needed; maintain the riprap area as needed; maintain and repair area as needed.
- Public hearing closed – OOC will be issued.

8:15 PM NOI 6 Main St

D. Therrien

- Redevelopment; demo existing 4-family structure and replace on same footprint with a 4-family structure.
- Property is within riverfront and is previously disturbed.
- Removal of structure will be from the front of the property (street side).
- Parking will be in front of the building, no parking behind, will be off-street.
- Approx 1992 sq feet degraded area; 2070 sq feet redevelopment this is a 4% increase; redevelopment should use pervious materials to improve the site.
- Mitigation will include removal of some invasive species and general cleanup; existing retaining walls are solid and shouldn't need any major reconstruction; house foundation is stone and will be removed.
- Stormwater – use roof drains and drywell; pervious surfaces; Submit a narrative or plan for stormwater management.
- No disturb bounds should be used along the mitigation area w/ plantings.
- Request and existing conditions plan.
- Inner riparian area.
- Qualifies as redevelopment in a degraded area.
- Propose alternatives to parking; concerns about the spaces.
- Bylaw does not apply.
- Hearing continued to 6/22 @ 7:00 pm.

9:00 PM Active Items

- Regulations – continued
- 163 North St – Request for COC – had a partial issued 10+ years ago; condition was for grow season; site visit conducted no problems; motion to sign and issue the complete COC for 163 North St – 2nd and approved.
- Pipeline – comments due to BOS by Friday 5/27; we should create a “wish list” of items in anticipation of the pipeline coming; standard language re: mitigation, replication areas, wetland crossings, etc... Continue discussion to 6/8 @ 8:00 pm.
- Consultant Fees – MACC has model for rules we should tailor for Upton and adopt.
- MS4 Permit update – Maeghan

9:40 PM General Items

- Motion to sign payroll and voucher – 2nd & approved.
- Question from Cemetery Commission – they are looking at Pederson’s property for potential cemetery would interceptor drains require filing with Con Com? Yes.
- Agent – Conservation Act allows for Commissions to hire people/consultants; motion to recommend David Pickart as Con Com Agent – 2nd & approved; Marcella abstained; possibly hire Mary Overholt as interim agent when David is on vacation.
- Motion to issue OOC for Lot 0 Orchard St – 2nd & approved.
- Motion to issue Determination for 111 Mendon St – 2nd & approved.
- Motion to issue Extension for OOC for Pratt & Taft Ponds for 1 year – 2nd & approved.
- Turtle habitat – need to provide details to Natural Heritage (Eve Schluter) before they will extend the deadline; Stefans and/or Glen Ave wellfield are possible locations; Mike will talk w/ Eve.

10:15 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Sign-in Sheet
- 3) Lot B 36 Prospect St documents
- 4) Email re: Beavers
- 5) Redevelopment regs re: 6 Main St
- 6) MACC model for Hiring Outside Consultants



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 6/8/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Sandy Lajoie, Tom Jango, Alan Miano, Mike Penko, Scott Heim and Marcella Stasa
David Pickart (Agent)

7:10 PM Lot B 36 Prospect St NOI – continued to 6/22/16 at 7:45 pm

7:10 PM Crosswinds update

Chad Boardman

- Subdivision construction and sales are moving along; turtle area is protected and the old Oak tree that was to be protected is also doing well.
- Houses on Lot 20 and Lot 21 were inadvertently placed in the restricted area; looking to see if there can be a swap of the restricted area from those lots with Lot 19.
- Some suggestions: amend the Orders for those lots; or could state in the COC for Lot 20 & 21 that the owners are allowed to “use” (mow, place structures, etc...) land within the restricted area; could amend the Restriction document and re-record.
- Bounds are not in for these specific lots; they were staking the line and discovered this problem.
- If the restriction line is changed will need to go to the Planning Board w/ revised plans and amend the deed restriction.
- Site walk set for Tuesday 6/14 at 6 pm; meet at intersection of Dogwood and Blueberry.
- Request for extension of the Orders for the 10 lots has been submitted; Chad suggested a 1 year extension would be sufficient.

7:30 PM Beavers – Southboro Rd and Baker Pond

- Baker Pond – talk w/ DPW about trapping.
- Mike Callahan (Beaver Solutions) suggests installing short fencing vs a pond leveler; State will pay for fencing but not a pond leveler.
- Motion to install pond leveler at Baker Pond – 2nd & approved.
- MP and BT met w/ Greg Trussell about a fence at Southboro Rd
- Thoughts on culvert fencing for Southboro Rd – Mike Callahan thinks that the beavers will use this as a base for a dam; TJ feels that the fence will help keep the culvert from clogging; it would be easier to clear the fence than having to get in to the culvert to remove debris.
- Motion to install culvert fencing at Southboro/Westboro Rd – 2nd & approved.
- Tom will contact Mike Callahan.
- Ask DPW to remove the dam at Southboro Rd; need to lower the water level or trees and road will become compromised.

- BT and MS visited the site in the Crockett Rd area where beave activity was reported; appears to be on National Grid land; they have been contacted and have contacted Mike Callahan.

7:50 PM Active Items

- Algonquin Gas Pipeline – BOS submitted a response which incorporated comments from public meeting; FERC will still accept comments. Should Con Com submit additional comments? The State was contacted regarding the portion that is proposed to run through Peppercorn Hill; State is reviewing; MP suggest deferring further comments until we hear back from the State; Mike will start a draft letter. Proposed route is online at Access New England Energy.com. Friends of the Upton State Forest also had a comments – BT will forward; start thinking about projects we would like to be done when/if the pipeline is approved.
- Turtle habitat – wood turtle; need extension from the State (Natural Heritage) for a project; Mike contacted Eve Schluter to discuss.
- Consultant Fees – adapt MACC template for Upton and prepare for next meeting (6/22).
- Regs & fees need to be reviewed & revised; David will be reviewing.

8:15 PM General Items

- Meeting Minutes - Motion to approve meeting minutes from 4/27 and 5/11 meetings – 2nd & approved.
- Website - Alan continues to update as needed.
- Assessors Wetland discounts – Con Com will assist in determining amount of wetlands and locations using State GIS for basic info; if property owner wants more detail they will have to hire a consultant to do the research.
- LSC – checked out beaver activity at Peppercorn Hill; doesn't appear to be any active beavers; will install a new crossing (as needed); a private arborist is working on the Stefans private land and he has agreed to help move some material on the Town's land.
- Administration - Motion to sign payroll and expense voucher – 2nd & approved; current account balances provided.
- Motion to issue 1 year extensions for Crosswinds OOC – 2nd & approved.
- Site walk for pre-construction meeting w/ Mark Allen at Westboro Rd new house lot – set for Tuesday 6/14 at 5 pm.
- Agent – David Pickart working 11 hours in Upton and 8 in Northbridge; conflicting meeting dates as Commissions meet on same night; Chris will send email to Northbridge.
- Stefans access CPC project – waiting to see if Josh Foye is subdividing or if other property owner are interested.

8:55 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Crosswinds plans



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 6/22/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango, Alan Miano, Scott Heim and Marcella Stasa
David Pickart (Agent); Mary Overholt (Associate)

7:05 PM Continued NOI – 6 Main St

- Request to continue to next meeting.
- Motion made to continue the NOI to our meeting on 7/13 @ 7 pm – 2nd & approve.

7:10 PM General Business

Meeting Minutes – motion to approve minutes from 5/25/15 and 6/8/16 – 2nd & approved.

Website – Alan continues to update as needed.

LSC – materials received for creating a new boardwalk for an existing trail at Peppercorn Hill; is an RDA needed as not disturbing anything new?

Finance/Admin – motion to approve expense voucher – 2nd & approved; timesheets signed; reviewed remaining balance in expense account to be spent before end of FY.

Turtle study – Natural Heritage approved the extension; we need to provide details of the project for expanding or creating turtle habitat.

Office – email question from 4 Merriam Way about tree trimming/removal – Commission states if hazard trees can trim or remove; also concerns about trees on the vacant lot next door.

Prospectus Appraisal – as this is real estate discussion we should post as executive session for our next meeting on 7/13/16.

Agent – need to work out schedule w/ Northbridge as both Commission meet on the same evenings.

7:30 PM RDA 51 Crockett Rd

Allen Magliaro

- Removing an existing structure as it is in serious disrepair and is a hazard; doesn't have a foundation or basement.
- MP visited the site; structure is approx. 12 feet from the water and is on a flat, grassy area; won't be much disturbance to take down the structure.
- Will replace with grass or possibly sand.
- Hiring someone to remove the structure and haul away the debris.
- Hearing closed; Negative determination will be issued.

General Business continued

Beavers – TJ gave update; Mike Callahan will be installing pond leveler at Baker Pond and some piping (State will pay for pipe); Southboro Rd – MC suggests installing trash rack over the culvert that way the DPW can easily remove it to clean it; fencing would be difficult to install and maintain and likely that the beavers would use it to their advantage. Will be meeting w/ the DPW at Southboro Rd to discuss this situation.

Pipeline – suggest following the MACC guidelines about putting out a letter; will hold off at this time.

7:45 PM Con't NOI – Lot B 36 Prospect St

- Requested a 3 month continuation in order to file with other Boards/Depts.
- Motion made to grant a continuance to September 28, 2016 at 7:00 pm – 2nd & approved.

Eagle Scout project discussion – Thomas Hawkins is preparing to replace a broken bridge and boardwalk on existing trails in the Upton State Forest; he has met w/ DCR, the Baystate Trail Riders and the Friends of the Upton State Forest; this is considered maintenance and RDA filing will be needed.

7:55 PM Crosswinds update

Chad Boardman

- Discussed swapping land for restriction area to make the line “cleaner” for lots 20 & 21. Revised plan & DR document language presented (draft)
- There is a 30' wide access easement to the open space and CR land off the cul-de-sac near Station St; also access behind Lot 8 (30' wide); will need to show this on the revised plan.
- Suggest doing some signs for the access areas and perhaps install some boulders to prevent 4-wheelers from driving in.
- Who hold the Easement access? Is this in the deed language?
- There is also another area that needs to be revised so the CR line makes more sense; Con Com is in favor of updating/revising the lines.
- Continued to 7/13 @ 7:15 pm.

8:05 PM ANRAD – Hartford Ave S

M.Marcus/NE Environmental & R. Blute/Pulte

- Identifying wetlands, bvv, and an intermittent stream on this property that is steep rocky uplands.
- In 2005 area was flagged w/ potential vernal pool; it has been since determined that it is not a vernal pool – no hydric soils.
- Steep area has been flagged adjacent to the road.
- DP raised a question about banks – need to label as land under water.
- Question from audience member – Does anyone monitor for future wetland/water impacts for 20 years from now? Answer is no this is review of existing drainage.
- Hearing continued to 7/13 @ 7:30 pm.
- FYI another ANRAD filing will be submitted for utility work along Hartford Ave S related to this project.

8:30 PM RDA G&U RR

T. Lewis/TEC Associates

- Submitted Yearly Operational Plan and Vegetation Maintenance Plan (5 years) for work in the r-o-w; did submit to Natural Heritage also.
- Will use different color plates to indicate the zones (no spray, limited spray, etc...); these plates are nailed to the tracks.
- Spraying will be done by a licensed applicant as they are using herbicides; RR employees can only do trimming/cutting along the r-o-w.
- Spraying is done by a boom spraying on the back of a truck that runs on the tracks; spray is turned on and off as necessary
- Notification will go in the newspaper w/ the dates for spraying.
- Operational Plan w/ dates and materials used was also provided to the BOS and Board of Health.

- DP concerned w/ confirming what has been identified on the plan; he checked w/ the DEP and they stated that what was delineated in another town was extremely accurate. DEP suggest that we include language in the Determination that these boundaries are delineated only for the RR maintenance not for any other activity or development.
- Also, R-O-W wasn't specifically listed in our local wetland bylaw as exempt so we should include language as why it is allowed; a site walk of the entire r-o-w is not necessary as the majority of the town is in the no spray or limited spray zones it was suggested that a site walk be conducted in the more sensitive areas.
- MP had questions about specific materials and is looking for more details; asked also about drift management – no spraying on windy days; who makes the determination or what is the threshold? The licensed sprayer makes the determination.
- Continued to 7/13 @ 8:15 pm

9:10 PM continued General Business

Agent's Report – per report dated 6/13 – 6/22/pm; suggestions for keeping an on-going job list in order to track of projects; also another suggestion to assign RDA numbers – motion was made to assign numbers to RDAs in the format yr-mo-# - 2nd and approved.

Miscellaneous items:

- TJ was alerted that someone was damming a section of Warren Brook; he contacted the State to see if he could breach the dam and was told yes; he located the dam and saw it was preventing fish from passing through so he breached it; this was upstream of Fowler Rd; he will keep an eye on it to make sure it is not a continuing problem.
- Collier CR (off North St) – draft deed presented to Metacomet for review.
- Bernat CR(Chestnut St) – Metacomet inspected las fall and notice an area that was disturbed as an abutter built an in-ground pool on the property; suspect it was installed w/o properly locating the property boundary.
- Crockett Rd property (Naze) – land was subdivided and owner possibly donating 3.5 acres to Metacomet.
- Model for Hiring Outside Consultants was reviewed; updated w/ language relative to Upton; will need to set up escrow account; may need to update our regulations to include this. Motion made to adopt Rules for Hiring Outside Consultants per MGL Chpt. 44 Sec. 53G as edited – 2nd & approved.
- Motion made to issue a Negative Determination for 51 Crockett Rd – 2nd & approved.

10:00 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Sign-in Sheet
- 3) Request for 6 Main St continuation

Document list continued

- 4) Upton Wood Turtle Project (email)
- 5) 4 Merriam Way Trees (email)
- 6) MACC Guidelines for pipeline
- 7) Request for Lot B 36 Prospect St continuation
- 8) Crosswind documents
- 9) Upton Ridge ANRAD
- 10) Agent's Report 6/13 – 6/22/16
- 11) Rules for Hiring Outside Consultants



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 7/13/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango, Alan Miano, Scott Heim and Marcella Stasa

7:05 PM Continued NOI – 6 Main St

Dave Therrien

- Submitted revised plans (7/13/16) to include the developed area (parking area); will use pervious asphalt; will remove the existing paved driveway.
- Met with Dave Pickart on the site; can do some removal of invasive species; planning to grade and reseed the area to the right of the building; will remove the leaf dump; possibly regrade, loam and seed the backyard.
- Discussed bounds but determined that the 30' no disturb line in backyard and the existing retaining wall prohibits access could possibly add a fence.
- Almost the entire site is degraded.
- Believe this is in compliance for size according to the Riverfront Regs.
- Will need Dave Pickart to review the revised plan (7/13/16).
- Mike Penko suggest installing bounds at the 30' no disturb line; suggest removing the bump-out at the back right corner of the building which moves it a bit further from Centerbrook; also reduces the disturbed area; Con Com members agree that 20' no disturb from BVW is preferable
- Request made to continue to August 10th at 7 pm.

7:30 PM Crosswinds

Chad Boardman

- Reviewed the revised Conservation Restriction documents; Town counsel reviewed and made minor updates. OK'd by counsel to execute. Involved are lots 20/21 and lots 23/24 by removing the CR line and Lot 19 will have CR added; approximately 3100 sf is involved in the swap.
- Motion to approve the revised plan and documents as presented – 2nd & approved.
- Example of easement doc for trail access that will be prepared and submitted during road acceptance.
- Bounds are being installed.

7:40 PM Continued ANRAD for Upton Ridge

Mickey Marcus/NEE

- Reviewed DP's report submitted after his site visit; revised plans presented per Dave's comments (bank and land underwater).
- DEP # has been received.
- Request to close PH; ORAD will be issued.

7:50 PM ANRAD Hartford Ave S ROW & 50 Glen Ave **M. Marcus**

- DPW is applicant w/ Pulte.
- Reviewed DP report; site walk done w/ DP; DP asked for some revisions and recalculations; revised plans submitted w/ revised ANRAD w/ calculations; plans include banks, flags, buffer zone and setbacks; bordering land subject to flooding boundary will be established during the U.S. Army Corps of Engineers permitting process.
- NHESP/MESA filing will be needed; also w/ Army Corps
- Request to close PH; ORAD will be issued.

8:00 PM General Business

Meeting Minutes – motion to approve minutes from 6/22/16 – 2nd & approved.

Website – David Pickart added; continue to update as needed.

OSC – Prospectus appraisal reviewed for North St property; OSC voted at their meeting to continue pursuing the proposal will continue the discussion in executive session; site visit scheduled for Friday 7/15 for land on Mendon St which connects to USF property; mostly wetlands but does cross RR tracks; it is possible that this land contains a stone memorial for a man who was killed in the 1700's there is a carved headstone but he was not buried there; this would probably be a DCR purchase due to proximity to the USF.

LSC – SVT CR walk done at Five Fork Farm; noted some stones dumped on the boundary wall (north side of west side); DP took some pictures of the stones – do we want to have them removed? Owners want to put up another greenhouse; they upgraded the existing well (doubled the capacity); Town is doing some culvert work in this area which might increase flow; need to create a break or direct water to make sure the run off doesn't affect their plantings; Report of the site visit will be prepared.

8:15 PM Continued RDA G&U RR

David Swirk/G&U RR

- Reviewed DP's report
- No additional questions from the Commission
- Closed PH; will issue a Determination.

8:30 PM NOI 13 Grove St

Fred Lapham/Shea Engineering

- Septic replacement/repair of failed system for existing 2 family house (total 5 bedrooms).
- DP Report reviewed; plans were revised based upon his request to include the riverfront, inner riparian, 100' and 200' riverfront lines; also the 100 year flood line.
- This is w/in jurisdictional area; moved the system closer to the structure to allow access to the backyard; siltation sock will be used given the proximity to Center brook.
- Does qualify for exemption given the age of the house (built 1840) but are sensitive to the area.
- System has been approved by the BOH; existing cesspool will be pumped, crushed and filled with gravel; doesn't require removal of soils from the site.
- Closest point of disturbance is 68' from the wetlands to the leach system; 50' from erosion; no activity in the inner riparian zone (120'-130' feet away); area is grassy.
- PH closed; OOC will be issued.

8:50 PM RDA – USP Scout Project

Thomas Hawkins

- Repair and replace bridge and boardwalk on existing trails in the USF.
- Motion was made to waive the filing fees – 2nd & approved.
- Baystate Trail Riders and Friends of the USF have approved the project and are providing some funds.
- Will use a small trail vehicle to bring in new materials and the old materials will be removed from the site.
- PH closed; Determination will be issued.

9:00 PM General Items continued

Finance/Admin – motion to approve expense voucher – 2nd & approved; timesheets & Employee Action forms signed.

Tree removal – ok'd request from the residents at 4 Merriam Way to remove/prune trees on their property but they will need to talk w/ the property owner of the vacant lot next door (town does not own this lot); Residents at 7 Church St called to see about removing a tree that is a hazard as a large branch has already fallen – ok for them to do so.

Motions:

- Motion to issue and sign an RDA for Scout Project in the USF – 2nd & approved.
- Motion to issue and sign an OOC for 13 Grove St septic repair – 2nd & approved.
- Motion to issue and sign an RDA for G&U RR maintenance – 2nd & approved.

Need to complete ORADs for Upton Ridge and ROW work along Hartford Ave S. Chris will prepare documents to be signed at our next meeting (7/27).

Whitney Parking Area – van is not encroaching on parking easement.

Stefans Access – one of the lots we were potentially looking at for access has been sold and a house is being built.

Algonquin Pipeline – 7/23/16 meeting has been postponed until possibly October; will see if we can get a copy of the letter that Friends of the USF prepared.

Beavers at Southboro Rd – meeting was held today at the site to discuss the culvert and trapping; DPW will install fencing at the culvert or something that can easily be removed for cleaning; Con Com won't be maintaining; believe there are 2 or 3 beavers that still need to be trapped so that will be done then dam will be breached; also going to install cameras to see who is tampering w/ the traps.

Office:

- Received notification from Tennessee Gas Pipeline of their vegetation maintenance plan.
- Assessors' wetland determination process – will work with David Pickart to see if State GIS will provide appropriate info.
- Library Feasibility Committee is looking at the playground parking area for potential site of a library; will need to talk w/ DP about feasibility of this property.

9:50 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Agent's Report 6/23 – 7/8/16
- 3) Revised docs for Crosswinds
- 4) Agent Report for ANRAD Upton Ridge
- 5) Agent Report for ANRAD Hartford Ave S ROW & 50 Glen Ave
- 6) Agent Report for G&U RR Veg. Management
- 7) Agent Report for 13 Grove St septic replacement
- 8) Sign-in sheet



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 7/27/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango, Alan Miano, Scott Heim and Marcella Stasa

7:00 PM General Business

Admin – MACC invoice; need to add myself, Associate Member & Agent; will check w/ David to see if he is a member.

Forestry – possibly will have draft Warren Brook stewardship plan ready for September.

Beavers – Southboro Rd looks good - water is low; culvert is clear and Rabbit Run Trail is dry.

Pipeline – July 23rd meeting postponed; someone from the group 351 called and sent an email; will provide new date of meeting when finalized.

Motions:

- Sign ORAD for Upton Ridge – 2nd & approved.
- Sign ORAD w/ minor revision for Hartford Ave S ROW & 50 Glen Ave – 2nd & approved

Agent's Report – 7/9/16 – 7/27/16.

7:31 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Agent's Report 7/9/16 – 7/27/16



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 8/10/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango, Alan Miano, Scott Heim and Marcella Stasa
Mary Overholt - Associate

7:00 PM 6 Main St (continued NOI)

Request to continue hearing to Sept. 14th – Motion made to accept the request for continuance, hearing set for Sept. 14th at 8:30 pm - 2nd & approved.

7:05 PM RDA vs NOI discussion

- What triggers the filing for RDA or NOI? Looking to create some guidelines.
- MP offered to create a draft document; will continue discussion at next meeting.

7:15PM General Business

Agent's Report – reviewed report dated 7/28/16 – 8/10/16

- 66 West Main St will require new NOI filing for parking lot project, cannot amend the expired NOI. Motion was made re-sign the original OOC (311-651) so applicants can request the certificate of compliance.
- Working to close out the OOC for the firing range located on Milford St; David working w/ Steve O'Connell and NEXAMP.

Admin – Motion to sign expense voucher – 2nd & approved; timesheet signed.

MM – Motion to accept the minutes from 7/13/16 and 7/27/16 – 2nd & approved.

Website – AM continues to update as needed; updated and corrected some links.

LSC – MS made a request to purchase a \$25 gift card for Mike Cotter who mowed an area of an existing trail; motion was made for MS to purchase the gift card – 2nd & approved; due to the extremely dry weather the Fire Dept will be delivering a water buffalo to the community garden; there is an existing well on the site but it is over 600' from the garden and not easily accessed; perhaps could investigate a way to utilize this well.

Office – DS on vacation the week of Aug 15 – 19; CS will cover office hours Wed & Fri; next meeting on Aug. 24 will convene at 8:00 pm in order for members to attend the MACC pipeline meeting in Grafton at 6:00 pm.

Forestry – request was made to have info on the Warren Brook stewardship plan available for the LSC table at Heritage Day (October 1, 2016).

Beavers – Southboro Rd looks good - water is low; no apparent beaver activity.

STM planned for Tuesday, November 15, 2016.

Library Update - Feasibility committee looking at the municipal parking lot (near the playground on Rte 140) as a possible site for a library; would need to bring town sewer to the site; would keep the playground but possibly reconfigure; also Maplewood Cemetery offered land again for lease.

Assessor's Wetland discount – Assessor's voted to hold off on rescinding wetland discounts for another year in order to prepare better procedures and process.

8:00 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda & Action Item Checklist
- 2) Request for continuance (Dave Therrien email 8/10/16)
- 3) Agent's Report 7/28/16 – 8/10/16



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 8/24/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango, Alan Miano and Marcella Stasa
David Pickart – Agent

8:00PM General Business

MM – Motion to accept the minutes from 8/10/16 – 2nd & approved.

Admin/Finance – motion to pay Prospectus Invoice (\$4500) – 2nd & approved (from Conservation Fund); timesheets signed.

8:15PM NOI – Lot 1 North St

R.Mankaryous/Alpha Omega Engr.

- Construction of a new house; relocated the structure to keep everything will be outside the 100' buffer.
- There is an isolated wetland in the rear of the property; plans presented tonight have been revised to show it.
- Drainage info presented about an 18" pipe underground at driveway entrance.
- Will repair the existing drainage at the driveway so that it will go through a culvert; the trench runs about 20' into sandy area (not bvv).
- Test borings done in the ditch and around the isolated wetland.
- DP's report had question about the area at the driveway – needs clarification; runoff comes down the road into the existing pipe; the new plan is to remove the pipe and put in a culvert with a manhole to catch the run off; this will allow for maintenance.
- Is the existing drain/pipe functioning as a stream?
- Clearing has been done along the stonewall w/in the buffer zone; wetlands appear to have been mowed recently by the homeowner; he has been advised that he cannot mow but has been doing so for years; also trees have been cleared near the stream.
- Want to let the land get back to its natural state.
- Waiting for response from NHESP; DEP # issued.
- Site visit will be needed.
- Questions and comments from abutter at 165 North St: her property directly abuts this site; she has wetlands directly abutting the driveway; noted trees have been completely cut along the street; concerns with changing pipes/culvert which run under the road; stated that the Upton DPW installed the pipe and stones for drainage; water comes off the properties not just along the road; there is also a telephone pole in the location of the proposed driveway; impacts to existing wells? Testing for contaminants.
- Applicant has filed w/ the BOH for well and septic.

- CS asked for revised plans to show the abutting properties w/ wetlands located.
- What work was done by the DPW? Is there an easement? Vin Roy (DPW Dir) was present and will look into this matter.
- Site visit has been set for Thursday, 9/1 at 4:00 pm; question asked of applicant if the abutters can attend this site visit will need to wait for an answer from the owners.
- Hearing continued to Sept. 14th at 8:00 pm.

9:00PM NOI – 83 High St

M.Bacon/Civil Site Engineers

- Replacing existing cesspool with a new septic system for the existing 1 bedroom house.
- Wetlands in front, side and back of the property; proposed site for the new system is w/in the 50' buffer but has been moved to the opposite side of the house away from wetlands.
- System has a 1500 gal tank; has been filed w/ the BOH; they are asking for several waivers.
- Cesspool will be removed and replaced with a 500 gal pump chamber in the same location.
- Erosion controls will be installed.
- DP comments: delineation of wetlands is accurate; existing lawn area; new system is much better than the existing cesspool; location of new system appears to be the best location given the constraints of the property; suggests adding language for wetland bounds/markers to be installed; suggest 4 bounds to be installed 5' from wetland edge; near wetland flags 1, 2, 4 and 6.
- Revised plans will be prepared to show the location.
- Will need to continue the hearing until they hear from the BOH.
- Continued to 9/14 at 8:30 pm.

9:15PM NOI – 2 Grove St

M.Allen/Vin Roy (DPW)

- Town property; demo existing building and parking area in order to construct a new municipal parking lot with 14 spaces.
- This is within riverfront area (Centerbrook); the entire site is within the 100' inner riparian area; 284' flood plain is off this site; bvw doesn't come into play.
- This is redevelopment as entire site was previously disturbed; new plan will have less impervious area than what was there; rear of the property is previously degraded.
- New plan is for 14 parking spaces and will include a few landscaped areas; a wooden guardrail will be installed along the back of the lot; asphalt curbing will be used; a new catch basin will be installed to collect stormwater and catch solids will have 6 chambers w/ stone recharge area.
- Closest point is 47' from the corner of the property to Centerbrook bank.
- Landscape plan is for shrubs not proposing trees at this time.
- DP comments: need to indicate snow storage areas; the stormwater management plan is excellent; net reduction of impervious surface; would like to see planing plan (commission will provide some suggestions); this is not exempt from the Town's bylaw thus will need waiver for 100' and 200' buffer.
- Some additional suggestions are to install a bike rack; perhaps a charging station for electric car (level 2) and signage for crosswalk.
- Hearing has been continued to 9/14 @ 8:40 pm

9:40 PM General Items continued

Pipeline meeting - 350 Central Mass Pipeline meeting has been set for Sat. Oct 15, 2016; Commission will attend but will not be a presenter as concerns that regulatory action may be need by the Commission in the future.

Wetland Bounds – motion to order/restock bounds – 2nd & approved; Denise will contact Colonial Brass to see about current price.

Office – letter dated 7/22/16 was received from the Wampanoag Tribe regarding preservation of historic sites relative to Warren Brook; questions from the Commission include: how do we know what/where these are in order to preserve them? How does confidentiality come into play in order to protect them? What is protocol? A file was provided by a citizen w/ some info regarding significant items including GPS info. By protecting items does this mean foregoing forestry of this area? We can still manage the forest for old growth. Letter reinforces the need to inventory significant items.

10:05 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda & Action Item Checklist
- 2) Agent's Report 8/11/16 – 8/24/16
- 3) Ltr dated 7/22/16 from Wampanoag Tribe/Tribal Historic Preservation Dept.
- 4) 8/24/16 Meeting Sign-In sheet



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 9/14/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Marcella Stasa, Alan Miano and Tom Jango
Mary Overholt – Associate Member
David Pickart – Agent

8:00PM General Business

MM – Motion to accept the minutes from 8/24/16 – 2nd & approved.

Admin/Finance – motion to sign expense voucher – 2nd & approved; timesheets signed.

STM 11/15/16 – request for warrant items - none suggested.

Wetland Markers/Medallions – we received a quote from company that provided existing medallions and the price has gone up significantly; Dave & Denise will research other sources.

Municipal Modernization Act – only need 1 signature for vouchers and revolving funds.

Motions:

- Sign COC for 66 W. Main St and release per Dave Pickart's review – 2nd & approved.
- Sign COC for 12 Shore Dr and release per Dave Pickart's review – 2nd & approved.

7:30 PM NOI 75 Crockett Rd

R. Atkinson

- Presented plot plan and new plans for removing the existing house and septic and replacing both.
- Elevated septic system will be installed; designed for 3 bedrooms; house will have a full cellar and one floor above.
- Silt sock is shown on the plan.
- Tear down end of October; intent is while water is low.
- Flood insurance is not needed as the water body is regulated by a dam.
- Hearing continued until after BOH issue the septic permit and we get the DEP number; tentatively set for 9/28.

7:45 PM NOI 4 Taft St

T. Birdsey

- Adding a deck of the back of the house; presented a plot plan showing location; footings will be dug thus erosion controls needed to keep the dirt being removed away from the brook.
- TB updated the plan with a proposed waterline to be run from the house to the back garage; would like to do this now before the deck is built.
- He will need to see the BOH and Building Dept. for permits.

8:15PM Continued NOI – Lot 1 North St (Polinski's) R.Mankaryous/Alpha Omega Engr.

- Site visit was held on Thursday, September 1st for Commission Members and Agent to walk the property; Vin Roy, DPW Director also attended.
- Revised plans were submitted per the Agent's comments; couple issues were raised:
- Is the low area at the driveway affected by flow from the wetland above? It is possible that when the Town created the culvert they may have filled some of this area which may have not been appropriate.
- The isolated wetland and ditch are extremely dry this season but concerns that when it is wet it will flow toward the street; need to prevent runoff toward to the street and the neighbor's property. Appears proposed work will improve runoff and direct it to the new drainage pipes.
- Bounds will be needed and will need to be located on revised plans.
- Questions/concerns from the abutter that water will drain onto their property; the new lot will have a grass swale to keep water on that property and not flow to the neighbors.
- Vin Roy of the DPW suggested the new design at the driveway for the pipes and catch basin.
- Trees were removed to protect the existing stonewall (historic resource) but were done so without a permit; going forward bounds will be installed to prevent future disturbance and revegetation will then occur naturally.
- PH closed.

8:35 PM Continued NOI – 83 High St

Civil Site Engineers

- Plans were revised to show the location of bounds (dated 8/30/16).
- Approval has been granted by the BOH.
- All questions have been addressed.
- Hearing closed; OOC will be issued.

8:40 PM Agent's Report

- Report dated 8/24/16 – 9/14/16

8:45 PM Continued NOI - 2 Grove St

Town/DPW

- Revised plans submitted for the proposed municipal parking lot indicating snow storage area, location of a bike rack and future location of a charging station; also new crosswalk added.
- Lighting of the lot was discussed but lights are not planned at this time; the lot is fairly lit from the surrounding area.
- A planting plan was suggested by the Commission.
- PH closed; OOC will be issued.

9:00 PM Continued NOI – 6 Main St

- Revised plan addressed bump-out at back of house; it was relocated to the front thus moving the structure 21' from the wetland.
- Discussed location of bunds to allow for maintenance in the back of the property.
- Will need a waiver/variance for the 30' no disturb requirement.
- Discussed degraded area; improvements include cleanup of the area, removal of debris and overgrowth; will plant some low shrubs.
- Discussed installing a fence on top of the 4 foot wall for safety and to keep people from dumping stuff.
- Dave Pickart recommends a waiver as this is in the buffer zone thus there will be documentation.
- Bound locations need to be revised/moved to include the restored area.
- Items still needed: revised plans, variance/waiver request and a planting plan.
- Continued to 9/28 @ 8:45 pm.

9:30 PM Additional Items

1 Barbara's Path – Con Com contacted about tree cutting and land clearing; Dave will investigate; check deed to see if any OOCs were referenced. Riverfront is more than 200' away.

61 Forest St - Con Com contacted about trees being removed; there are wetlands but uncertain as to the location; no forestry plan has been presented; not certain what is being done; Dave will investigate.

ID Cards – Denise will check w/ Paula at the Police Station about getting an ID card for Dave.

Forestry Workshop – Marcella asked if Con Com would pay for her and Bill Taylor to attend; will discuss further at next meeting.

Motions:

Issue and sign OOC for Lot 0 North St (Polinski) – 2nd & Approved.

Issue and sign OOC for 83 High St – 2nd & Approved.

Issue and sign OOC for 2 Grove St – 2nd & Approved.

10:00 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Agent's Report 8/24/16 – 9/14/16
- 3) Agent's Review – 4 Taft St NOI
- 4) Agent's Review – 75 Crockett Rd NOI
- 5) Proposed Planting Plan for 2 Grove St
- 6) Ltr dated 9/14/16 re: 6 Main St Variance Request



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 9/28/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Marcella Stasa, Tom Jango and Alan Miano
Mary Overholt – Associate Member
David Pickart – Agent

7:00 PM NOI 4 Taft St

T. Birdsey

- DEP # has been issued (311-0717)
- Need to install erosion controls -- silt fence, silt sock or straw bales are acceptable.
- PH closed.
- Dave Pickart will inspect.

7:05 PM General Business

MM – Motion to accept the minutes from 9/14/16 – 2nd & approved.

Website – AM continues to update as needed.

Admin/Finance – will pay Doug's Wood Signs from expense account; motion to sign expense voucher – 2nd & approved; timesheets signed.

Forestry Workshop – Marcella & Bill will attend; motion to pay workshop fee for Bill Taylor – 2nd & approved.

Beavers – no activity.

STM 11/15/16 – article to request \$5000 for the Conservation Fund.

Oak Knoll Ln – less than 5,000 sf of disturbance thus no Con Com review needed.

Agent's Report – dated 9/15 – 9/27/16.

Motions:

- Sign OOC for 4 Taft St – 2nd & approved.
- Sign COC for 4 Farrar Rd and release per Dave Pickart's review – 2nd & approved.

7:30 PM Lot 0 North St (Polinski)

R.Mankaryous/Alpha Omega Engr.

- Need some mitigation for tree cutting that was done w/o notice to the Con Com; applicant indicated that some of the cutting was done to protect the existing stonewall.
- Include language for OOC – plant 8 - 3" caliper trees in the buffer area that would provide additional buffer; suggested trees: sugar maple, white oak or bass wood; they can suggest others to us.
- Closest point to the wetland is about 5 feet.
- Need to revise plans to show 8 bounds – 5 will be installed along bvw line; 3 at isolated wetland.
- Add'l language from DP

7:45 PM **Discussion of Land off West Main St** **Bob Ambrogi**

- Land is between Williams St and Roses Antiques.
- Condo plan was approved back in the late 1980's but never built. He is looking to build condos.
- River's Act requires 200' but that is a problem he has an area that is about 100'.
- State Standard – can alter up to 10% of land within 200'.
- Exemption states: 1) if a plan was approved before August 1996 it is exempt from Rivers Act; and 2) Environmental Studies (Impact Report) field w/ Mass; does he need to build that plan that was approved in 1987/1988? Can he amend it?
- Does Army Corp flowage easement affect this property?
- Was a DEP # issued?
- Town Wetland Bylaw would also come into play and Stormwater Bylaw; does previous approval go w/ the owner or the land?
- Legal issues – Dave will talk w/ the State.

8:20 PM RDA – 22 Cider Mill Ln **Dan Laehn**

- Building a detached garage more than 100' from intermittent wetland bvv or isolated wetland (?)
- Is a man-made swale jurisdictional?
- DP review and determined that there are several man-made wet areas.
- Need to extend the culvert to extend the driveway in order to get to the new garage; water rarely runs through the pipe; 2012 was the last time Dan recalls seeing any water in it.
- Doesn't want to remove it would prefer to extend it.
- Doesn't appear to be any impacts.
- PH closed; motion to issue a Neg. Det.

Motions to issue & sign:

- OOC for 75 Crockett Rd – 2nd & approved.
- Neg. Det. for 22 Cider Mill Ln – 2nd & approved.
- Neg. Det. for 7 Stoddard St – 2nd & approved.

8:45 PM **Continued NOI – 6 Main St** **Dave Therrien**

- Revised plan shows location of 4 bounds.
- 8' strip around building will be vegetated but no shrubs.
- 4' wall will have a fence along the top.
- Waiver requested as entire project is w/in the 100' no disturb zone.
- Degraded area will be redeveloped; planting plan will be provided and needs Con Com approval.
- DP reviewed the revised plan and waiver.
- MP would like to have the plan show the entire no disturb area – explain that the bounds and fence are the line; add a note line or include a symbol to clearly show the no disturb line; remove the blue 30' line.
- Need to submit a revised plan.
- PH closed; OOC will be issued.
- Motion to issue OOC for 6 Main St – 2nd & approved.

9:05 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda
- 2) Agent's Report 9/15/16 – 9/27/16
- 3) Agent's Review – 7 Stoddard St RDA
- 4) Ltr from Eversouce dated 9/28/16
- 5) Ltr from Dave Therrien re: 6 Main St



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 10/12/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango and Scott Heim

7:00 PM 1 Barbara's Path

Matt Collins

- Home owner cut trees within the wetland buffer zone; no bounds were installed when house was built; possibly weren't needed as all construction was outside the no disturb area.
- Home owner was not aware of this area and will not remove any more trees; he does need to remove logs that are lying on the ground.
- An NOI will be filed to account for cutting and to provide for installation of wetland bounds; No enforcement order will be needed as long as the NOI is filed.
- TJ will make a visit site visit.

7:15 PM General Business

Admin/Finance – Denise will be on vacation week of 10/24 – 10/28; motion to sign expense voucher – 2nd & approved; timesheets signed.

Turtle Study – MP preparing RFQ to create habitat on Stefan's land; need to verify amount left in the account; also what is dollar limit for which no RFQ is needed; MP will approach Blythe to see if this is something we can do on Town land – it is not Conservation land; will contact Natural Heritage (Eve Schluter) to ask for comments or recommendations.

7:30 PM NOI – 22 River St

Fred Lapham

- Replacing failed septic system; proposed system will be 25' above elevation of Pratt Pond; front yard is not suitable for the system.
- System is being proposed for level tier in the back yard on existing lawn; will need to remove a 6' maple tree; excess material will be removed from the site.
- The new system will have a 40% reduction in size; will be using an impervious barrier on the down slope side to contain any possible run-off (not likely).
- System is 20' from the house but it is below the grade of the basement.
- Closest point to the pond is 55 feet.
- Straw wattles will be used for erosion control.
- PH closed; OOC will be issued.

7:45 PM NOI – 103 Crockett Rd

Dan McIntyre

- Replacing failed septic system; new system will be Title 5 compliant; will be 50 feet from lake; will need to do some grading to build an area for the new system.
- Will use a double row of erosion controls – straw bales with silt fencing; straw wattles will also be used.
- Closest point of the grading is about 40' from the pond; will use the smallest equipment possible to do the work; will take about a week to install.
- Will hydro seed the slope using a mix with a bonding agent to help stabilize (Ecogis); this is existing lawn.
- PH closed; OOC will be issued upon confirmation of BOH approval.

Motions:

- Issue and sign COC for 13 Grove St – 2nd & approved (will release upon confirmation from DP).
- Issue and sign OOC for 22 River St – 2nd & approved (will release upon confirmation of BOH).
- Issue and sign OOC for 103 Crockett Rd – 2nd & approved (will release upon confirmation of BOH).

8:00 PM RDA – 15 Depot St

Diana Del Grosso

- Installation of a natural gas line w/in 100' of wetland buffer zone.
- No concerns.
- PH closed; motion to issue a Neg. Det.

8:05 PM Continued General Items

Cultural Resources @ Warren Brook – SH replied to the letter indicating that there are no immediate plans for forestry work/cutting; Cathy Taylor provided some info on important features; suggest additional GPS of items.

360 Pipeline Meeting – reminder of workshop to be held at Worcester State, Sat. Oct 15th; CS will attend.

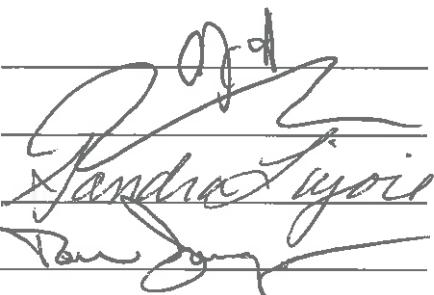
Collier and Naze Properties – MP (representing Metacomet Land Trust) provided an update on these properties; Naze property (3.2 acres) located on Crockett Rd is being offered to Metacomet but it will need a CR suggestion is to have Upton hold the CR; owner is interested in seeing about a tax credit; the land would be open to the public but not looking to install trails given location to existing house on abutting property but is good habitat area; the CR would need to be inspected by the Town every year or two. Collier property (26 acres) located off North St is split by the Mass Pike (additional access off Adam St in Westborough); Mrs. Collier gave the land to Metacomet w/ intention of having a CR on it; Upton or SVT could hold the CR. Motion for Upton to hold the CR for the Naze property 2nd & approved 4 – 0 (Mike Penko abstained).

Proposed Village Bylaw – motion to send a letter to the PB regarding specific properties that are owned by the Town and should be removed from the proposed area – 2nd & approved.

61 Forest St – DP contacted the home owner regarding trees removed w/out notice to the Con Com. Commission will require an NOI be filed by November 15th; will have DP issue an enforcement order and a cease & desist for any further removal; any concerns about material being used for fill or any BOH issues.

8:45 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: 10/26/16





RECEIVED
TOWN OF WORCESTER
16 NOV - 3 AM 8:16
2016

Document List:

- 1) Con Com Agenda
- 2) Agent's Report 9/28/16 – 10/11/16
- 3) Agent's Review – 22 River St NOI
- 4) Agent's Review – 103 Crockett Rd NOI
- 5) Naze property – Crockett Rd
- 6) Draft RFQ 10-12-16 for Stefans Farm



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Upton Conservation Commission
Meeting Minutes October 26, 2016

Members Attending— Chris Scott, Mike Penko, Sandy Lajoie, Tom Jango, Scott Heim and Mary Overholt (Associate Member) and David Pickard (Agent)

Sandy Lajoie motioned to accept the minutes from 10/12 & 9/28. Scott Heim second. Vote all in favor.

There was nothing to report on Open Space, Administrative report or financial report.

Chris Scott suggested that we skip the meeting the day before Thanksgiving. Vote all in favor.

Agents Report - see attached. David brought in an example of a wetland bound marker made of plastic. The Commission agreed that they looked good. Tom Jango motioned to order new markers, Sandy Lajoie second. Vote all in favor.

Forestry - Scott Heim stated that he hopes to have something within a month. Mike mentioned in regards to the Cultural Resources at Warren Brook that we should have a talk with the Native Americans. Probably half of the area of Warren Brook may have cultural resources as indicated by the box on the map.

0 West Main St - Hopefully DEP will e-mail about this situation. The applicant did not file and is not meeting the performance standard. Only the access road is exempt and not the parking lot.

83 High Street - David Pickard explained the applicant has submitted an updated plan. The septic system is going to be relocated because they have figured out that they can get the equipment to the rear of the property. There is no need to do an Amended Order of Conditions.

78 Mendon St - Certificate of Compliance - David Pickard stated that the project looks very good and recommended the Commission issue a Certificate of Compliance. Sandy Lajoie made a motion to issue a Certificate of Compliance. Scott Heim Second. Vote all in favor.

41 Milford Street - This project had an Order of Conditions which has lapsed. Now a small wetland has developed in the area they would like to build. They will need to file with the Commission again.

7:30 RDA 14 Depot St - This project is for the installation of a Natural gas line within the buffer zone. It is very straightforward. Scott Heim motioned to issue a Negative Determination. Sandy Lajoie second. Vote all in favor.

Condominiums at Fieldstone - The Certificate of Compliance were never recorded. One of the units is selling so David Pickard recommended issuing a Partial Certificate for that Unit. Vote all in favor.

61 Forest St Enforcement Order - There was clearing of trees and dumping within the buffer zone. Mike Penko made a motion to ratify an Enforcement Order. Scott Heim second. Vote all in favor.

32 Southborough Rd. - Mr. Pickard mentioned there had been a complaint about the vernal pool. Someone thought that chemicals had been placed in the pool to degrade it.

Next mtg. Nov. 9, 2016

8:15 pm - motion to adjourn

Submitted by Mary Overholt



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 11/09/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Alan Miano, Sandy Lajoie, Scott Heim and Tom Jango
David Pickart, Agent

7:00 PM General Business

Meeting Minutes – motion to accept the minutes from 10/26/16 – 2nd & approved.

Website – AM continues to update as needed.

Open Space – SVT co-sponsor of a Construction Strategies program in January 2017.

Land Stewardship – contacted someone to mow the Stefans land at a cost of \$1200 per day; think one day would be sufficient but there are some other projects to be done so possibly might be 2 days. Motion was made to spend up to \$2400 for mowing and other cleanup projects at Stefans land – 2nd & approved.

Admin/Finance/Office – office will be closed Friday (11/11) for Veterans Day and Friday 11/25 (after Thanksgiving); timesheets signed; updated accounting report provided; there will not be a meeting on Wed, 11/23 – next meeting will be Dec. 14th. An NOI was received for the Fiske Mill Road bridge project – hearing set for 12/14 @ 8:15 pm.

Turtle Study – MP contacted Blythe Robinson about proposal to create turtle habitat at Stefans and/or other Town properties; she was ok w/ Stefans land, but not on the DPW property; don't need to send the RFQ out (amount is low enough) but will send it to Natural Heritage.

STM – Tuesday, 11/15 @ 7 pm warrant article for money to be transferred to the Conservation Fund.

Wetland Bound Markers – DP presented a proposed design; Commission revised the wording to make it clear that these are wetland markers and would like to include the office phone number; also suggested changing the color to blue so they will stand out; DS will add a column for # of bounds required in the filing database.

Annual Report – reviewed the draft CS provided; revisions made; will continue review at next meeting.

CR & DR – will create a list of all documents.

Chase Property – abutting land owner placed a fence across the trail as there was a property line dispute but he has since dropped the legal action and agreed to Town's ownership thus the fence should be removed

7:45 PM NOI – 48 Williams St

Fred Lapham

- New lot for single-family house
- Isolated wetland in front of property and another wetland area at rear of property; erosion controls will be installed; per DP review straw wattles with silt fencing will be used near the isolated wetland and straw wattles only in the rear; revised plans have been submitted.
- Septic will be outside the 100' buffer; BOH has approved the septic
- Permanent markers/bounds will be required; will need 4 in the front and 3 in the back.
- Closest point to the wetlands is 30'.
- DEP # has not been issued so hearing is continued to 12/14 @ 7:15 pm.

8:15 PM Continued General Items

Agent's Report – dated 10/26/16 – 11/9/16; DP discussed property at 0 Orchard St (new home construction) where the erosion controls have failed; he has reached out to them but hasn't had a response; motion made to allow DP to notify the owner at 0 Orchard St that a cease & desist will be issued if the erosion controls aren't installed properly – 2nd & approved; at the request of the Assessors DP has reviewed several properties to identify wetlands, feedback from the Assessors is that this is very helpful for them.

8:45 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda & Action Item Checklist
- 2) Agent's Report 10/26/16 – 11/9/16
- 3) Agent's Review – 48 Williams St NOI
- 4) Draft Annual Report
- 5) Draft image of wetland marker
- 6) Account reports (dated 11/9/16)



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 12/14/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Alan Miano, Sandy Lajoie, Scott Heim and Tom Jango
Mary Overholt, Associate Member
David Pickart, Agent

7:05 PM Continued NOI – 48 Williams St

F. Lapham

- DEP # has been issued 311-0721
- Motion to close hearing – 2nd and approved; orders will be issued.

Sylvan Springs Subdivision

F. Lapham

- Submitted a Request to Extend the OOC for 3 years.
- Discussed status of subdivision; Upton portion is Phase III; roadway in Upton was cleared.
- Swale and detention basin are stable but need to be cleared of vegetation.

7:10 PM General Business

Meeting Minutes – motion to accept the minutes from 11/9/16 – 2nd & approved.

Open Space – Forum for property owners is scheduled for January. DCR is purchasing 20 acres off Triphammer Rd (Young property).

Land Stewardship – Stefans has been mowed; almost done with the boardwalk on the trail at Stefans but it may need to wait until the spring. 5 bike racks will be installed at various locations around town.

Admin/Finance/Office –timesheets & expense voucher signed.

Forestry – a draft of the “North Upton Open Space Land Stewardship Plan” is being reviewed.

Beavers – it was noticed at Southboro Rd that someone pulled the grate out of the culvert which is causing water to back up; this was not done by DPW nor has any new beaver activity been noticed.

Annual Report (2016) – reviewed and made revisions; CS will provide another draft for our next meeting.

7:30 PM 98 High St

A. Correia

- Replacing the existing system; new system will need a pump; BOS has plans and the perk test was approved; BOH hearing won’t be until January; this property is on town water not a well.
- Will amend the current NOI (311-0653) and continue to January 25th at 8:00 pm.

7:45 PM NOI – 23 Hartford Ave N

Connorstone

- Building a new detached garage; removing existing shed will re-seed and loam.
- DEP # has been issued 311-0722.
- Bounds will be installed at the limit of disturbance – will need 4 bounds at locations marked on the plan.
- Revised plans will be submitted indicating bound locations.
- Garage is 21 feet from the wetland.
- Public hearing closed.

8:00 PM 36B Prospect St (continued NOI)

- Debbie Simon of 30 Prospect St (abutter) submitted letter dated 12/12/16 that was read.
- Property has been sold; if the new owner intends to continue w/ the project we will need to determine how the process; close out existing NOI and new owner would need to refile?

8:15 PM NOI Fiske Mill Rd Bridge Deck replacement

Upton DPW

- DEP # 311-0724
- Replacing the bridge deck; abutments are in good shape so it is only the deck, beams and guardrails that are being replaced (superstructure work); will be increasing the width per MassDOT from 22.5' to 24'; widening only affects the Milford side (not Upton); 152' of impervious material will be used in Upton.
- No work done in water; will use netting under the structure to catch and debris; provided detail of silt curtain.
- Waivers for setbacks have been submitted.
- Looking to do this project after school gets out in June (2017); expected 6 – 8 weeks; road will be closed thus traffic will be detoured.
- Meeting with Milford Con Com on 12/15/16.
- MP suggests eliminating the silt curtain; use of netting is preferred to catch debris in order to keep it out of the water.
- If some large debris does fall into the water the contractor will be required to remove it – this is in the contract.
- Contractor will have to provide a submittal of how and what materials will be used; copy will be given to Con Com.
- Equipment will be stored w/in road limit as road will be closed to traffic.
- To expedite the project will have longer work days and work on Saturdays.
- Hearing closed; OOC will be issued.

8:30 PM 61 Forest St NOI

Susan MacArthur

- An Enforcement Order was issued for work done within the buffer zone prior to filing with the Con Com; Dave Pickart has reviewed the site.
- Susan MacArthur delineated wetlands and prepared the NOI for the homeowner.
- Fill was brought in, trees cut and shrubs cleared in order to create lawn area roughly 30'x50' area; homeowner was unaware of the regulations.
- Proposing to remove the fill and regrade; they will plant 3 new trees (white oak) and use a seed mix that will be good for erosion control.
- Need to revise the plan to show the 30' setback and the location of bounds (3); also need to indicate on the plan what the bounds are for.
- Hearing closed; will issue OOC when revised plans are received.

8:50 PM Continued General Items

Agent's Report – dated 11/10/16 – 12/13/16; update on projects:

- **5 Williams St** – violation reported of someone filing wetlands; approx. 10 - 15 trees were cut right to the edge of wetland; fill was brought in; this is flood plain/river. Motion to send a cease and desist (Enforcement Order) – 2nd & approved.

Harassment Policy – copies delivered to members and receipt's signed.

Budget FY18 – propose increase to expense account; motion to increase by \$1500 to bring the amount to \$9,000 – 2nd & approved.

Wetland medallions – approved design.

Email from Laurie Wodin regarding pipeline – no action by Con Com as a potential regulatory authority we will remain neutral.

Men's Club request for snowman/ice out challenge – only concern of Con Com is to make sure the snowman and wheel can be removed from the pond when it falls through.

Motions:

- Issue OOC for 48 Williams St – 2nd & approved.
- Issue OOC for 23 Hartford Ave N – 2nd & approved.
- 3 year extension of OOC for Sylvan Springs – 2nd & approved.
- Issue OOC for Mill River Bridge (Fiske Mill Rd) – 2nd & approved.
- Issue OOC for 61 Forest St – 2nd & approved.
- Issue partial COC for 327 Westboro Rd – 2nd & approved.
- Issue partial COC for 28 Pearl St – 2nd & approved.

9:30 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

Document List:

- 1) Con Com Agenda & Action Item Checklist
- 2) Agent's Report 11/10/16 – 12/13/16
- 3) 12/14/16 Sign-in Sheet
- 4) Ltr dated 12/12/16 from Deborah Simon, 30 Prospect St, Upton re: LotB 36 Prospect St
- 5) Town's Harassment Policy
- 6) Email dated 12/13/16 from Laurie Wodin re: pipeline
- 7) Email dated 12/05/16 from Mike Howell, Upton Men's Club
- 8) Account reports (dated 11/14/16)
- 9) Draft Annual Report (CY2016)



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday 12/28/16

To: Members of Upton Conservation Commission
CC: Kelly McElreath, Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Alan Miano, Sandy Lajoie, Scott Heim and Tom Jango
Mary Overholt, Associate Member
David Pickart, Agent

7:05 PM General Business

Admin/Finance/Office –timesheets; motion to pay expense voucher – 2nd & approved; request \$10,000 from the Town for Agent's salary.

Forestry – meeting set for 12/29/16

Regs & Fees – reviewed Dave's draft; proposed increase to NOI & RDA fee; question raised as to do we need to increase our fees; suggest creating a fee calculation worksheet; will check legal notice costs to see if \$65 is adequate; will discuss further at next meeting.

Annual Report (2016) – motion to approve w/ changes – 2nd & approved.

FY18 Budget – increase to clerk's salary recommended; funds for Agent's salary from Northbridge go into the General Fund.

7:45 PM 5 Williams St – Enforcement Order

- Mr. Limas did not appear; he has been given the NOI forms.
- Motion to ratify & sign the EO – 2nd & approved; a copy was signed by the Agent and previously given to Mr. Limas.
- Continued to next meeting.

7:50 PM Agent's report

- Reviewed report dated 12/14 – 12/28/16.
- Overview of meeting with Vin Roy/DPW and consultant for MS4 Permit.

8:00 PM General Items continued

Lot B 36 Prospect St – need to determine what to do with the open NOI as property has been sold; no word from new owners if they plan to continue w/ project.

Special Conditions (OOC) template – review draft items.

OOCs – need to issue: 48 Williams St; 23 Hartford Ave N, 61 Forest St & Fiske Mill Bridge.

8:15 PM Meeting adjourned

Minutes approved on: _____

Document List:

- 1) Con Com Agenda & Action Item Checklist
- 2) Agent's Report 12/14/16 – 12/28/16
- 3) Draft Filing Fees
- 4) Draft Special Conditions (OOC) template