



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – Wednesday April 26, 2023 – Remote Meeting (Teams)

To: Members of Upton Conservation Commission

CC: Denise Smith,

From: Grace Brownell

Members Participating:

Chair: Christine Scott, Vice Chair: Mike Penko

Members: Sandy Lajoie (treasurer), Alan Miano, Tom Jango, Marcella Stasa & David Szczebak

Absent: N/A

Agent: Mary Overholt

Administrative Assistant: Grace Brownell

Visitors: Steve Saucier (Community Center Project/ VFW Update), William Taylor (Open Space Committee)

7:00 Remote Meeting Opened- Christine Scott is facilitating the meeting.

AGENDA ITEMS/HEARINGS

7:00 EO- Community Center Project/VFW Update

- Steve Saucier provided project update. Mr. Saucier purchased five pounds of seed and put it down for stream side slope on April 26, 2023. Mary noted that NE wetland plant slope seed is not required for the side near the ball field. Grass or other seed should be sufficient.
- Mary noted pile of fill still needs to be removed. Mr. Saucier will contact Ed to receive update on this. Right now, Ed is trying to get heavy rock out first. This will be seeded with regular grass. Once seeding is done and dirt piles are removed, bounds may be needed.
- Steve noted there will be discussion of putting up signs and or a fence for May 3, 2023, meeting.
- *Status report to occur May 10th, 2023.*

Administrator's Report:

24 East Street-

- Mary noted how lot was cleared prior to erosion controls being established.
- Chris asked if owner put DEP number up. Mary asserted no DEP number is required due to it being a determination.

108 Grove Street-

- Mary has received multiple inquiries about certification of compliance.

Knowlton Circle-

- Mary noted this is an older project that never got certificate of compliance. Lawyer contacted Amy as partials have been given out for units. Also noted, one condition is to submit annual clean up report on storm water controls.
- Mary will reach out to the Homeowners Association to ask them to request a certificate of compliance.
- Mike asked if the road is owned by Town or Homeowners Association. Bill noted it is a privately owned road.

41 Taft Street-

- Resident expressed concern about Compost facility at 110 Christian Hill Road. Area to the back of the lot has been trenched which has drained onto the 41 Taft Street Property. Mary noted this fall under Storm Water Bylaw.
- Tom noted Commission looked at property in previous years and there are no wetlands around it. At the time, Commission decided not to intervene.

South Street-

- Mary noted how resident behind Red Rock Barn on South Street inquired about what to do with property (possible donation?). Resident might reach out to Bill for additional information.

Financial Update:

- *Alan motioned to pay bills. Tom seconded. All voted in favor by roll call vote.*
- There are two payment obligations waiting for Conservation Expense account.
- Mary and Grace will meet with the Town Accountant April 28, 2023, to go over finances.

Administrative Report: Approve and Sign Minutes- April 12, 2023

- *Alan motioned to approve minutes as amended. Tom Seconded. All voted in favor by roll call vote. Majority voted in favor. Chris, aye; Tom, aye; Alan, aye; David, aye; Mike, aye; Sandy, abstained.*
- Moving forward, Administrator will attach document list to meeting minutes.
- Marcella joined meeting at 8:16 p.m.

Open Space-

- Nothing new to note.

Land Stewardship-

- Mary led a group of volunteers for Earth Day cleanup. Marcella noted a large amount of trash was pulled out of Center Brook, and it was discovered that right of way and easement is not passable. Also noted, it is unclear who owns Center Brook.
- Mike noted there is an easement for 2 Dogwood Drive with some bounds, which need to be located.
- Bill noted that some Grove Street parcels extend back to Center Brook.
- Mike suggested for Commission to reach out to property owner and enter property to identify existing bounds.
- Alan noted he had previously generated a report. Once found, will be sent to Commission.
- Tom noted Commission can keep easement open because Commission still has authority.
- Marcella will write letter from Conservation Commission to request a site visit to check bounds and trim back access greenery.

7:30 343 Mendon Street-

- Applicant Matt McFarland was absent from meeting. Mr. McFarland will be present for May 10, 2023 meeting.
- Mr. McFarland has started restoring area around pond and is willing to complete the following requests in enforcement order: Putting up bounds, stabilizing fill, and placing plantings within the vernal pool area.
- Mary noted that Certification of a Vernal pool generally requires permission from property owner and he has not expressed interest in that.
- Mike asked if land is wetland resource area. Mary said no, as it is isolated.
- Mary noted he agrees with putting bounds in front. She will further inquire about placing bounds by pond as well as getting the pond vernal pool certified.

- Mary presented images of egg masses in pond. Mike noted this might be sufficient information to certify the vernal pool.
- David asked if wood frogs had already hatched. Yes.
- Mary will discuss requests with Matt prior to the May 10th, 2023 meeting.

On-Going Items:

Reed Property Mechanic Street-

- Mike received quote from appraisal of \$3,700.00 from Gale Mann. It was suggested to get additional quotes.
- There is available funding in Conservation Fund prior to end of fiscal year 2023.

162A Main Street- Sawmill Operation

- Mary noted how residents of 162A Main Street went before Planning Board. Planning Board determined the closest applicable use is light manufacturing. This use is permissible but subject to a special permit through the Zoning Board of Appeals with no requirement of site plan review from the Planning Board.
- Also noted, Conservation Commission is requiring NOI filing. Mary asked if Commission should request engineered plans.
- Mike proposed to provide property owners with a choice to (1) move all equipment away from 200 ft buffer zone as well as continued monitoring of encroachment by the Commission; or (2) NOI filing. Mary noted that even if commission does not require NOI, it will have to go through Natural Heritage.
- *Mike motioned to present property owners with choice as discussed. Marcella Seconded. All voted in favor by roll call vote.*
- In referencing the Turtle Tracking Study, Mike noted how there is one female turtle that has migrated from the gas line easement to the wellfield at Glenn Avenue.

167 North Street-

- Mary noted how Commission previously voted for enforcement order.
- Property owner has dug out rocks and seeded area. Property owner is under belief As Built Plan has already taken place. Mary told them they need to get everything together to receive certification of compliance.
- Mary's recommendation is to make sure they do not mow wetlands and stay within bounds. There needs to be more discussion on the pipe.
- Property owner will attend next meeting, May 10th, 2023.

53 George Hill Road Grafton-

- Marcella noted Commission has approved to survey property to check for possible encroachment. This will have to wait until funds are available for next fiscal year, July 2023.
- Mike will request quotes from surveyors.

Governors Landing-

- *Tom Motioned to continue Governor's Landing until May 24, 2023. Marcella seconded. All voted in favor by roll call vote.*

Approve and Sign documents: 165 South Street-

- Mary presented conditions for vernal pool. She noted variance is included because work is within vernal pool resource area. Also noted, DEP standard conditions can be adopted, but will not have a DEP number.
- Mike and Bill requested Language modifications for two conditions. Mary will amend accordingly.
- *Marcella motioned to approve and issue order of conditions for 165 South Street. Mike seconded. All voted in favor by roll call vote.*

Rockland Meadows Baseline Documentation-

- Mike requested a commissioner to assist him with site visit. Tom volunteered.

Hike Upton Challenge-

- Mike requested Hike Upton Page be modified to reflect its continuance on the website.

8:16 p.m. Tom motioned to adjourn. Marcella seconded. Voted all in favor by roll call vote.

Document List: 3/22/23 Meeting Packet

Minutes approved on: May 11, 2023, (remote meeting)

Chris Scott Mike Penko

Tom Jango Sandy Lajoie

David Szczebek

Meeting Packet Contents:

- Agenda
- Agent Report
- 343 Mendon St. Site Plan
 - Enforcement Order 343 Mendon St.
- Sample Restrictive Covenant
- Draft Order of Conditions 165 South St.
- Appraisal Estimate Reed property
 - Draft minutes 4/12/23 • Voucher 4-12-23
- Amazon invoice
- Local IQ invoice
- Grace postage invoice
- Financials