



TOWN OF UPTON, MASSACHUSETTS

Conservation Commission

Meeting Minutes – (Amended) Wednesday June 28, 2023 – Remote Meeting (Teams)

To: Members of Upton Conservation Commission

CC: Denise Smith,

From: Grace Brownell

Members Participating:

Chair: Christine Scott

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

Agent: Mary Overholt (Absent)

Administrative Assistant: Grace Brownell

Visitors: William Taylor (Open Space Committee), ME Kennedy, David Pickart (ERC), Marcia Kasilowski, Alice Achieng, Sean Malone, Patrick Garner, Mike Penko (Vice Chair- was not sworn in)

Absent: Mary Overholt (Administrator)

7:00pm Remote Meeting Opened- Grace Brownell facilitated the meeting.

Land Stewardship:

- Marcella noted the continuation of trail work as well as the purchase of materials.

Open Space Committee:

- Bill noted that on June 27, 2023, Dairy Farmland was recorded as an Agricultural Restriction.

Administrative Report:

- *Marcella motioned to approve the \$3,322.78 expenditure for the 2024 Nearmap subscription. Tom Seconded. Majority voted in favor by roll call vote. Marcella, aye; Tom, aye; Sandy, aye; Tom, aye; David aye; Alan, aye. Chris was absent for vote.*
- *Sandy motioned to approve the expenditures for the reimbursement of Mary's June mileage: \$28.49 and the purchase of soil: \$334.00. Alan seconded. Majority voted in*

favor by roll call vote. Marcella, aye; Tom, aye; Sandy, aye; Tom, aye; David, aye; Alan, aye. Chris was absent for a vote.

7:30pm Discussion on 0 West River Road

- Resident had inquired about speaking to Commission to gain a wetlands perspective for potential development on the parcel 0 West River Road.
- Bill noted part of parcel is within flowage easement. Rear of parcel may not be buildable.
- Tom noted the resident should inquire about this with a wetland scientist.

53 George Hill Road

- Alice Aching was present to discuss the request for the purchase of land at 53 George Hill Road Grafton, 01519. Alice noted how she is requesting the Town to sell the property to her, as she needs the land to build a driveway to obtain necessary frontage. She noted this would be contingent on the condition that the Town remains ownership of the deeded easement.
- Marcella noted there are no abilities to change use, as doing so would create access to another parcel. Tom and Alan agreed.
- The board determined this scenario is beyond the Commission's capabilities.

Robertson Property

- Marcella took a walk with Robertson family members as well as two representatives from DCR on property.
- Bill asked if they had done anything with the replication area.
- Marcella noted how the construction of the trail bridge will require the bringing of materials in through the Robertson Property.

Reed Appraisal

- Town manager signed the Reed appraisal which will begin in July 2024.

24 East Street

- Residents of 26 East Street have been inquiring with the Town Planner whether there should have been a wetland filing for the neighboring property, 24 East Street: A negative determination due to soil issues.
- The board decided to table the issue until Mary returns from vacation.

Water issues on Whitney Street, School Street, Main Street & Hazeltine Road

- Bill noted Marcia Kasilowski is in attendance to discuss the water issues which have increasingly occurred on the following streets: Whitney Street, School Street, Main Street and Hazeltine Road. Also noted, such concerns have risen out of the 40B proposal in review.
- Marcia noted she is seeking guidance on the use of wetland mapping.
- Chris noted to wait until Mary's return to address Marica's questions.

8:00pm NOI-Governor's Landing

- Public hearing on the Notice of Intent for Governor's Landing was reopened.
- David Pickart was present to discuss the NOI Peer Review he had previously sent to the Commission. He noted the project does not involve any fill of wetland. However, there will be some work within the buffer zone. He noted work in buffer zone is to include clearing, earthwork, construction of several boulder retaining walls, installation of a gravel access road, construction of a berm for one of the stormwater basins, construction of one town home, as well as segments of several proposed trails. The vernal pool will be encircled by an access road which could impede migration of herpetofauna to and from pool, most specifically the Eastern and Southern portions of the Critical Terrestrial Habitat. Thus, recommendations for the installation of a silt fence as well as underpass work should take place at least two weeks prior and two months after breeding seasons.
- Additionally, a wildlife underpass at the open button culvert is proposed for the passage to and from the pool. The following recommendations were made for the underpass: 1. several small slots that allow for exposure to light and moisture for the natural substrate. 2. The integration of long guide walls.
- David Pickart outlined hydrological impacts: The vernal pool is located at the top of a hill and is floored by bedrock. Impacts from blasting could cause damage in surrounding areas. Thus, regulations require a pre-blast survey for residences 250 feet of site. He outlined the following potential measures to mitigate blasting impacts to vernal pool: 1. An assessment of bedrock within pool or 2. The establishment of monitoring protocols.
- The following recommendations were made for erosion and sedimentation control: 1. Perimeter barrier to include a row of entrenched silt fence. 2. The hydraulically spraying of steeper slopes with seed mixed into a bonded fiber matrix.
- The following was recommended for landscaping and seeding: 1. Street tree species which are resilient to climate change impacts and are pest-resilient. 2. Utilization of native seed mix.
- David Pickart made recommendation to delay the OOC until DGT confirms that the project does comply with WPA standards on stormwater management.

- Dave Sczebak inquired if the proposed culvert would be in Southeastern portion. Yes. Dave also inquired if extending the retaining wall will shunt amphibian movement. Dave Pickard did not think amphibians would go through walls. Dave Sczebak inquired about the Southeastern portion. There is a small opening where there is no development proposed. The slopes are so steep they would need to blast more to put in a tunnel.
- Sean Malone noted the area to the north of the natural topography is very steep.
- Dave Pickart noted the most important component is to ensure water levels have not been manipulated.
- Sean Malone noted water level can be clocked once a gage is mounted. Also noted, DGT will confer with Dave Pickart for draft decisions.
- Tom noted the 50-foot wings are short and enlarging them may make a larger issue. Dave Pickart noted if they went much beyond 50-feet they would hit wetland or proposed retaining wall. Also noted, the road was regraded to steepen slope and make it unattractive to any species.
- Sandy asked if changes will be made to tree canopy. Dave Pickart noted aside from the development strips, the rest of the site is remaining as is. The center area will be wooded aside from short trail linkages, with no alteration to overhead.
- Marcella noted Chris had requested for the hearing be continued. Sean requested to finish questions and comments. David Pickart then made a recommendation to continue public hearing for a month to receive comments prior. Sean Malone agreed.
- *Marcella motioned to continue public hearing until July 26, 2023. Tom seconded. All voted in favor by roll call vote.*

Administrative Report Continued:

Approve Minutes-

- *Marcella motioned to approve the minutes from June 14, 2023. Tom Seconded. All voted in favor by roll call vote.*

8:50 Marcella motioned to adjourn. Dave seconded. All voted in favor by roll call vote.

Document List

6/28/23 Meeting Packet

Minutes approved on: 7/26/2023 remote meeting

*Chris Scott Mike Penko
Tom Jango Sandy Lajoie
Alan Maino Marcella Stasa David Sczebek*

Meeting Packet Contents:

- Agenda
- 0 West River Street Maps
- Governor's Landing NOI
- Governor's Landing Developable Exclusions Plan
- Governor's Landing Review Response
- Governor's Landing Site Plan 3-8-23
- Governor's Landing Site Plan Review
- Governor's Landing NOI Peer Review
- Dogwood Easements Legal Opinion
- Draft Deed Restriction
- Righter e-mail 5-19-23
- 2 Dogwood Dr. Easement
- 2 Dogwood Easement Overlays
- Field Notes 2 Dogwood Dr.
- 85 Crockett Rd. property history
- 53 George Hill Road- Achieng email 6-11-23
- Water Runoff- Whitney St., School St., Main St., and Hazeltine Rd.
- Draft minutes 6/14/23
- Financials/ Invoices