

Report of the Conservation Commission
2016

The Commission administered the Massachusetts Wetlands Protection Act and the Town Wetland Protection Bylaw. No projects were denied by the Commission in 2016. Regular public meetings were generally conducted bi-weekly and numerous site inspections were held during the year. Many sites were reviewed and approved for building permit application sign-offs by the Conservation Commission Agent. The following major projects were monitored in 2016: Crosswinds subdivision site work located between Plain and Station Streets, Rockwood Meadows on East Street, NEXAMP solar facility on Milford St and many Town roadway re-paving filings. The Commission also informally resolved several other minor violations of the Wetland Protection Act.

Applications/Requests received:

- Notice of Intent (NOI) = 25
- Request for Determination (RDA) = 11
- Abbreviated Notice of Resource Area Delineation (ANRAD) = 2
- Request for Certificate of Compliance (COC) = 13
- Order of Conditions (OOC) Extensions = 11

Decisions/Actions issued by the Commission:

- Order of Conditions (OOC) issued = 20
- Determinations = 11
- Order of Resource Area Delineation (ORAD) = 2
- Certificate of Compliance = 10 (including 1 partial)
- Order of Conditions Extension = 11

The Commission provided several comment letters to the Planning Board regarding applications for Large Lot Subdivisions and other development proposals.

The Commission and the Board of Health administered town funds allocated for beaver control. Funds were expended to maintain existing pond levelers to regulate the water levels at several locations. The Board of Health authorized trapping at several locations.

The Commission received the final report for a 2014 – 2015 study concerning habitat use by the Wood Turtle along the Warren Brook riparian corridor. Study costs were provided by a fund established by the Massachusetts Natural Heritage and Endangered Species Program as a permit condition for a recent private development project in town.

The Conservation Commission received a completed Forest Stewardship Plan for the Warren Brook Watershed Conservation Area and adjacent town owned land in north Upton. The Massachusetts Division of Fisheries and Wildlife and Massachusetts Audubon Ecological Extension Service provided supplemental material. The Commission is consolidating this information into a comprehensive land stewardship plan which will be available in 2017. The Town was reimbursed for the full cost of the

completed Forest Stewardship Plan as well as an outreach plan prepared by the Upton Land Stewardship Committee through a grant from the DCR.

The Town was sued by an individual who claimed ownership to 1.7 acres of the Warren Brook Watershed Conservation Area. The Town disputed the claim and was prepared to go to trial in Land Court. Just prior to the trial the claim was withdrawn and the case dismissed.

The Commission has been monitoring Pratt Pond Ice-Out as an indicator of climate change since 2010. Pratt Pond Ice out is defined as first day in spring when no ice is visible in the pond from a vantage point near the intersection of School Street and North Main Street. In 2016, the pond was ice free on February 26 and again on March 26th.

Matthew Selby resigned his position as the Commission's agent in December of 2015. "Selby" worked as the agent for 5 years. He did a great job for the Town's natural resources and residents. Ashland's agent, Maeghan Walters, acted as Upton's interim agent from February through May of 2016. She built on Selby's work. In June, the Conservation Commission welcomed David Pickart as the Conservation Agent for the towns of Upton (11 hours per week) and Northbridge (8 hours per week). His experience and knowledge will greatly benefit the town.

Respectfully Submitted,
Conservation Commission

Christine Scott, Chairperson
Mike Penko, Vice-Chairperson
Sandra Lajoie, Treasurer
Scott Heim, Member
Thomas Jango, Member
Alan Miano, Member
Marcella Stasa, Member
Mary Overholt, Associate member
Denise Smith, Administrative Assistant
David Pickart, Conservation Agent