

CONSERVATION COMMISSION

Town of Upton

508-529-6286

concomm@uptonma.gov



Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 1/08/2014

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

Members Attending:

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

7:35 PM Stormwater Regulations

- All documents have been posted on our website. Selby has forwarded to Code Enforcement (Building Dept) as ALL new homes will need to come through this process.
- Any permit done through the e-permitting process needs to be reviewed by Con Com; need to push to have Code Enforcement send everything to Con Com; need to use the flags in the system to ensure that reviews are being done prior to issuing of building permits.
- MOU w/ the Planning Board regarding the Stormwater Bylaw/Review; exemptions (per the bylaw) who will ensure that they still adhere to the substantive content. Peer review should provide an opinion if the plan meets the Stormwater Bylaw but ultimately WHO determines if the plan is consistent with the bylaw thus exempt? Chris will draft an MOU for next meeting.

8:00 PM LID Letter from Mark Allen

- Regarding proposed project off Hartford Ave S.
- Letter sent to various town departments to get comments on some of the features of a LID (Low Impact Development).

8:05 PM Agent's Report (12/12/13 – 1/8/14)

- Per submitted report.
- Suggestion to add a section for Stormwater review.
- Selby replied to an email from the UMass student regarding lake/pond drawdown; Chris will send some additional information.

8:20 PM General/Office

Finances - Current expense vouchers & payroll signed.

Meeting Minutes – motion to accept minutes from 12/11/13 – 2nd & approved.

Website – Stormwater Regs/documents have been posted; will add some additional info on the Whitney Conservation area.

OSC – Want to talk with the DCR about the Thompson property on Westboro Rd (which abuts State property).

LSC – Negotiating with the abutter to the Whitney Conservation area about the parking area; talking with the Town Manager about developing access to the Stefans land off Orchard St; want to ask the DPW for help in moving rocks from the Whitney area to Stefans land or other areas if needed.

Denise's Items – continue to update spreadsheet of projects; send reminder letters for projects that need extensions of OOC's in order to keep projects active or to see if COC can be issued.

FY15 Budget:

- Conservation Fund – discussion of how much should be requested at ATM; suggestion is for \$5000.
- Expense Account – expect an increase in MACC membership dues; increase for LSC to install a new sign at Peppercorn Hill (original sign needs replacing after 20+ years); increase for Conservation Land Maintenance to allow for plowing parking areas.
- Amend the language of the justification section.
- Beaver Management – discussion of reducing the amount for the FY but decision is to keep the amount so as to make sure we have it if we have another active beaver year. Money is returned to the town if not needed.

Annual Report (CY2013) – Chris will edit per discussion and resend for final review.

MACC Handbook – new edition is available online; will see if we can get password (NOTE: info was sent from MACC – Denise will look into this).

9:15 PM Action Items

- Draft Rockwood Meadows Easement Deed was sent to the applicant; Town Counsel will review their comments.
- Mosquito Control – letter was sent to the CMMCP; Selby sent link for the CMMC reports.

9:20 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

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UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 1/02/2014

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 Scott Heim
Mary Overholt (Associate Member)

7:40 PM Agent's Report (1/9/14 – 1/22/14)

- Per submitted report.

7:45 PM General/Office

Mike Penko pointed out that it is the 50th anniversary of the Conservation Commission (established in 1964). Discussed putting a banner displaying this on the website and on our letterhead.

Finances - Current expense vouchers & payroll signed.

Meeting Minutes – motion to accept minutes from 1/8/13 – 2nd & approved.

Website – Added some links for Forestry items; updated progress at the SWF & Whitney areas; parking info.

Denise's Items – continue to update spreadsheet of projects; send reminder letters for projects that need extensions of OOC's in order to keep projects active or to see if COC can be issued.

Chris – Items from Meeting w/ Town Manager:

- Budget; the need to set up a meeting w/ Code Enforcement to discuss the process for Conservation review & sign-off;
- DPW to assist in moving stones will need to coordinate what & where;
- Stefans land access road off Orchard St – looking to create a gravel road (not paved) to allow access for vehicles w/ equipment for maintenance or possibly logging; will meet w/ the DPW to discuss and will get some quotes for costs; Mike & Chris will be meeting w/ the PB and CPC; Con Com needs to discuss how to handle a ravine that will be crossed – culvert, fill, crossing, etc...
- Discussion of furniture for new space at town hall;
- Harassment Policy & Conflict of Interest Policy will need to sign documents and give to the Town Clerk; (follow-up note: Ethics test is not required this year; it is done every 2 years.)

FY15 Budget:

- Mike proposed edits to the justification;
- Motion to accept changes to the proposed budget – 2nd & Approved.

Crosswinds – reminder of items from June 2013 letter; Mike will be discussing w/ the PB on 1/28.

Southboro Rd – DPW will be putting in rock; Any word from DCR regarding the O&M of the bog? Still concerns about trees that need to be removed for safety reasons.

Motions:

- Re-sign the COC for 6 Shore Dr – 2nd & Approved.
- Issue & sign COC for 108 Grove St – 2nd & Approved.
- Issue & sign COC for 16 Shore Dr – 2nd & Approved.
- Motion to spend a max of \$75 to have the 1st DEP permit (311-0001) framed – 2nd & Approved.

9:10 PM **Motion to Adjourn – 2nd & Approved**

Minutes approved on: 2/12/14

OCF

Don
Scott H.

RECEIVED

14 FEB 13 AM 9:12

TOWN CLERK'S OFFICE
UPTON, MA

CONSERVATION COMMISSION

Town of Upton

508-529-6286

concomm@uptonma.gov



Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 2/12/2014

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

Mary Overholt - Associate Member

Selby - Agent

7:30 PM General/Office

In lieu of an Agent's report (due to vacation) Chris Scott gave update on some projects.

Finances - Current expense vouchers & payroll signed.

Meeting Minutes – motion to accept minutes from 1/22/13 – 2nd & approved.

Denise's Items – continue to review database to determine if projects can be issued COCs; upcoming meeting to discuss layout of our new space in the renovated town hall.

Miscellaneous items: deer management; cutting near Warren Brook was check out and no problem, cutting is in Grafton and Upton, a cutting plan was filed.

Forestry – Tom Jango suggested contacting Mike Downey (DCR) to follow up on grants for forest management/inventory. Further discussion to be held.

8:00 PM Cross Winds Discussion

V. Sarkisian/J. Antonellis

- Discussed items from the 6/28/13 letter that was sent to the Planning Board and Applicant and were in the OOC; would like to see these items addressed prior to lots being released.
- CR requirement: Applicant and ConCom amenable to using declaration of restriction instead of CR. Using the Glen Echo Declaration of Restriction as a template; applicant discussed placing individual restrictions on those lots affected instead of a blanket document. ConCom requested trail easements be recorded on 1 or 2 house lot deeds.
- Suggest a site walk in the spring.

9:00 PM General/Office continued

Open Space – discussed 2 parcels of land that are land-locked along the Warren Brook Watershed and Whitney Conservation Areas (off North St) they are town-owned.

LSC – question as to if the DPW holds “tree hearings” when cutting trees bigger than 3-4 inches dbh; discussion of a large parcel of land that runs behind Hartford Ave N to Warren St; Met w/ the CPC to discuss plans for access off Orchard St to the Stefans land (significant and expensive stream crossing required). LSC is looking at other access alternatives.

Open Space/LSC: While doing research concerning the 50th anniversary of the ConCom, MP discovered a long forgotten 1969 Town Meeting vote that placed the 32 acre Warren Street parcel (204 – 31) under control of the Conservation Commission; the parcel had no frontage, additional research needed.

ATM – does Con Com have any articles to put on the warrant?

Code Enforcement – Chris will set up a meeting w/ Pat Roche to discuss permit sign-off policy and Stormwater application permits.

Motions:

- Expense voucher for Marcella – 2nd & approved.
- Approve up to \$150 to reproduce and frame the first NOI/COC – 2nd & approved.

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

Minutes approved on: _____

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Massachusetts

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UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 2/26/2014

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

Members Attending:

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

7:35 PM Meeting Opened

- Kaity Kutzer introduced; she is an Upton resident and recent Framingham State University graduate working on an internship with Selby.
- Motion to approve meeting minutes from 2/12/14 – 2nd & Approved.

Agent's Report (2/13/14 – 2/26/14)

- Per submitted report.
- Discussion of comment ltr to the Planning Board re: "Whitney Farms at Cotton Gin Circle" subdivision located off Grove St; Selby will revise and resend the draft.
- Discussion of Stormwater Applications Erosion & Sediment Control Permit needs approval info. Selby prepared a draft for review.

Meeting with Code Enforcement

- Chris & Selby met w/ Pat Roche to discuss the building permit process regarding Conservation review and sign-off for Stormwater and wetlands.
- Need to come up with a checklist for the permit process to assist property owners so they know what is involved.
- Chris will be meeting w/ Blythe and Pat for further discussion.

Mosquito Control

- Discussed the letter from the CMMPC in response to our letter requesting info; they did not directly answer some of our questions; Looking for info on cost breakdown/analysis of their services.
- Chris will draft an email to the CMMPC.

Crosswinds Subdivision

- Applicant is working on language for the deed restrictions.

General Items

Finances - Current payroll signed.

Website – Alan updated new WPA forms.

OSC – Hopkinton CPC did not support the purchase of the Coolidge-Richard property (Coolidge-Richard property is about 40 acres in its entirety, 10 of which would be developed if an OS development goes forward.) which would connect the Whitehall State Park w/ the Upton State Forest; Discussion of the town-owned parcel off Warren St (about 32 acres). Conservation was given control of the parcel (per town meeting vote in the late 1960's) with the exception of the area that provides frontage (access) to Warren St. Motion was made and seconded to have LSC investigate the parcel and to manage the property; LSC will approach the BOS after they have had a chance to walk and review the property.

LSC – Peppercorn Hill scout project will be coming in; an NOI will be needed.

Denise's Items – town hall update on our space/furniture layout.

Miscellaneous Items:

Forestry Grants – Scott talked w/ Mike Downey and learned of two State grants; Motion made for Marcella to prepare and submit the Mass DCR Cost Share Application Forest Stewardship Plan Working Forest Initiative Grant for the Warren Brook Conservation Area and adjacent town owned parcels.– 2nd & Approved.

Beetle Rearing Project – Selby received an email of a grant opportunity through SuAsCo CISMA to raise Galerucella Beetles which eat Purple loosestrife (invasive species); Kaity is interested in pursuing this grant and would raise the beetles on her property. Would be some benefit to Upton at no cost to the town.

Wood Turtle Study – As part of the Maple Ave landfill project funds were set aside for this study; will investigate the language as to what this study entails; this could be another possible project for Kaity;

50th Anniversary – this year marks the 50th anniversary of the Conservation Commission; Mike suggests marking the occasion by inviting past members to a meeting or some event.

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

Minutes approved on: _____

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Meeting Minutes – Wednesday 3/12/2014

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

Members Attending:

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

7:35 PM Meeting Opened

- Discussion of Code Enforcement's new Zoning Permit Application (sign-off form).
- Need a chart of work flow to assist in the permit process
- Need to "legalize" this form by adding specific info for printed name/signature & date.
- Motion to authorize Alan to legalize the Zoning Permit Application and resubmit to the Commission for review before sending to Blythe & Code – 2nd & approved.
- Questions regarding applicability of this form for the building permit process.
- Need to address problems with the sign-off process; need to ensure that wetlands and stormwater are being addressed; do we need to add our own form to the Pre-Building Permit process.
- Need to make the process clear for residents so as to ensure that they have all appropriate permits for their project(s).
- Need to understand the electronic permit system to determine if we can get notification when permits are entered and how to flag a project to ensure permits aren't issued prior all departments review.
- Motion for Chris to email Blythe to suggest to Code Enforcement that they add printed name & date to the Building Permit form – 2nd & approved.
- Also suggest another meeting w/ appropriate departments to discuss the permit process (Code/BOH/Conservation).
- Discussed creating a survey form to get feedback on our permit process; motion for Alan to create a survey – 2nd & approved.

Agent's Report (2/27/14 – 3/12/14)

- Per submitted report.
- Discussion of the Turtle Habitat fund - proposed use to monitor the habitat and activity along the Warren Brook corridor (from Rte 140 all the way to Davidson's golf course on Fowler St).
- Scott will contact Dan Wells to see if he could put together a proposal for the scope-of-work.
- Need to send letter requesting funds by May 11th.
- Motion for Selby to draft a letter to Natural Heritage requesting funds for the wood turtle project – 2nd & approved.
- Motion for Scott to contact Dan Wells to get a scope-of-work for the project – 2nd & approved.
- Discussed the letter from the CMMPC in response to our letter requesting info; they did not directly answer some of our questions; Looking for info on cost breakdown/analysis of their services.
- Chris will draft another letter.

General Items

Meeting Minutes – Motion to approve minutes of 2/26/14 – 2nd & approved.

Finances - Current payroll signed.

Website – Alan updated new trail map for Stefans land.

OSC

LSC – Eagle Scout projects being discussed; one possible project is for a kiosk at Heritage Park off Elm St.

Denise's Items

Miscellaneous Items:

Motions:

- Issue and sign COC for East St – Lot 8 – 2nd & approved.
- Motion to approve warrant articles for the upcoming ATM for the Conservation Fund and Revolving Funds (4) – 2nd & approved.

Forestry Grants –Marcella has submitted the Mass DCR Cost Share Application Forest Stewardship Plan Working Forest Initiative Grant; in anticipation of possibly receiving this grant should we start researching companies to perform the work on the Town properties; Mike suggested contacting Mass Audubon to review the Forestry Plan once prepared by a Forester; this would provide another point of view.

Motion for Mike to contact Mass Audubon for a cost estimate – 2nd & approved.

Shade Tree Permit – DPW is aware that they need to hold a public hearing for cutting trees along public right-of-ways over 1½ inches in diameter per the Public Shade Tree Law.

Hartford Highlands subdivision – review of draft comment letter prepared by Selby to be submitted to the Planning Board; suggest adding check for potential vernal pool to the letter.

Solar facilities bylaw – Bill Taylor gave an update on the proposed bylaw; proposing they be allowed by-right in the C&I Zone with a cap of 5 acres; anything larger will need to go through Special Permit process; considering allowing in other zones through Special Permit. Planning Board will hold a public hearing on April 8 at 7:10 pm. One comment made at this time is for concerns to impacts of natural resources. BOS is looking to create a new Green Communities Implementation committee if anyone is interested they should submit a letter to the BOS.

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

Minutes approved on: _____

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Meeting Minutes – Wednesday 3/26/2014

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

Members Attending:

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

7:40 PM Agent's Report (3/13/14 – 3/26/14)

- Per submitted report.
- Selby will research tree plantings to determine appropriate types for street trees.

8:00 PM Turtle Habitat Study

- Receive a draft scope of work from Dan Wells for this potential project. Gives an idea as to what would be involved.
- Selby prepared a draft letter requesting the funds be released to the Commission for this project; Mike suggested including a map of the area.
- Discussion held regarding concerns about accessing private property within the potential habitat study area; perhaps we should contact landowners to get permission or at least contact them to let them know of this project.

8:15 PM Forms & Permits

- Pre-Construction Evaluation form – should be on Conservation letterhead and given to Code Enforcement to be included in the building permit application process; form will be returned to Conservation Commission to determine what filings (if any) are needed.
- E-permitting: questions about new projects needing sign-offs – how are we notified; can permits be flagged until all proper signatures are obtained; will continue to explore the system and if necessary see if we can get GeoTMS to come out and do additional training now that we are using the system.
- Chris will set up another meeting with Blythe and Code Enforcement to discuss permit process.
- Selby and Alan will continue to develop the flow chart of permit process; also create a list of triggers to assist in knowing what type of permit might be needed.

8:55 PM General Items

Meeting Minutes – Motion to approve minutes of 3/12/14 – 2nd & approved.

Finances - Current payroll signed

Website – continue to update w/ pertinent links and new info.

Administrative – focusing on e-permitting system.

Budget – Conservation Fund requesting \$5000 at ATM per Chris's conversation w/ Blythe this may be cut to \$3000 or may be moved to a potential town meeting in the fall.

Miscellaneous Items:

Customer Survey – Alan is creating a survey to get feedback; will continue at another meeting.

Forestry Grants – grant submitted no response as yet; Tom suggested that we begin interviewing forestry companies to determine what they have to offer; suggests that we invite one company per meeting to give a short presentation of their services; Marcella and Tom will contact companies and invite to an upcoming meeting.

Solar facilities bylaw – Planning Board public hearing to be held on April 8th.

Mosquito control – check out costs spent by surrounding towns such as Northbrige.

Motion – authorize Selby to finalize the letter requesting the funding for the wood turtle habitat project – 2nd & approve.

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

Minutes approved on: _____

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Massachusetts

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UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 4/9/2014

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

Members Attending:

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

7:30 PM Agent's Report

- Per submitted report (3/27 – 4/9/14)
- 13 Hopkinton Rd (owner David Connors present) – removed trees because they were dead and dropping large branches; presented a google earth photo clearly showing these trees.

7:40 PM RDA - 11 Wildwood Ave Susan Rae

- Landscape work to back yard in order to provide access to lake and to stabilize the slope; keep the dirt from eroding; will be more than 30 feet from the edge of the lake;
- Installing stone steps; not removing any trees or planting grass but will be planting some shrubs;
- Not bringing in any fill
- Motion to approve and issue a Neg. Determination – 2nd – Approved.

7:45 PM Agent's report continued.

7:55 PM Hartford Highlands K. Lobisser/M. Allen

- Discussion about Stormwater Management; Stormwater Bylaw states an exemption for any project submitted under subdivision control law provided that those plans include stormwater management provisions that are consistent with the requirement of the bylaw – who determines what is consistent.
- Applicant has implemented several items: roof drainage systems and leaching catch basins; TSS removal w/ deep sump catch basins and stone at the 2 drain outlets; infiltration systems for runoff.
- This project does not need an NOI; who determines what is consistent or exempt from State stormwater regs and the Upton bylaw?
- Implementing LID practices such as roof drains; roadway size and erosion controls.
- Con Com has concerns with discharge from the site; Mark Allen provided info on drainage and leaching from catch basins.
- Selby will rely on Bruce Ey (Schofield Brothers) to review the revised plans (dated 4/7/14).
- Con Com need to determine whether the plans are consistent w/ bylaw therefore exempt.

8:25 PM Agent's report continued.

8:35 PM Workflow Process

- Discussion of draft document
- Motion to give revised Pre-Construction form to Blythe – 2nd & approved.
- Still need to meet w/ Pat Roche (and Blythe) regarding signature process for Building Permits.
- E-permitting systems

9:15 PM Forestry

- Per Mike Downey funding was not obtained in March so we are in the queue for next FY (July/August).
- We should start the process of interviewing forestry companies.
- Need to prepare a list of questions prior to interviewing; Tom will draft some initial questions and send around for review.
- We will contact and schedule interviews with potential companies of the next few months.

9:20 pm Stormwater (draft policy)

- Discussed policy for projects that are going through Planning Board process (site plan/subdivision).
- Reviewing Stormwater Bylaw (Sec. 4C & 5C); specifically Hartford Highlands in that the subdivision infrastructure is exempt but will require each lot to file a Sediment and Erosion Control plan.
- Continue discussion at next meeting.

9:35 PM General Items

Meeting Minutes – Motion to approve minutes of 3/26/14 – 2nd & approved.

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved.

Website – continue to update w/ pertinent links and new info.

LSC – parking area at Whitney/SWF parking area – want to install granite curbing to delineate the parking area; cost is within the budget; Will present this to the abutters will need to vote @ Con Com mtg on 4/23 @ 8:340 pm; update on plowing – DPW will do it; issue w/ rocks that were moved to Stefans area were dumped in the parking area and will need to be moved.

Office – town hall reno update

Misc – 4 Taft St – check minutes re: retaining wall.

Motion - Issue and sign a Negative Determination for 11 Wildwood – 2nd & approved.

Beavers at Southboro Rd – Mike Callahan (Beaver Solutions) will be in Upton w/in the next couple weeks; motion to ask Mike to evaluate if a fence is needed and to authorize up to \$1500 to be spent – 2nd & approved.

10:00 PM Turtle Habitat project

- Do we need to contact abutters to get permission to access their land?
- Motion to send informative letter – Scott will draft letter – 2nd & approved.

30 Year recognition for Sandy Lajoie for her service on the Conservation Commission.

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

Minutes approved on: _____

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Meeting Minutes – Wednesday 4/23/2014

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

Members Attending:

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

7:30 PM Forestry Questionnaire

- Review questions to ask when conducting interviews of forestry companies; trying to limit to no more than 10 questions.
- Tom mentioned special concerns about companies knowing what to look for regarding Native American sites or artifacts.
- Marcella has spoken w/ a couple foresters and is setting up meeting dates.

7:50 PM Agent's Report

- Per submitted report (4/10 – 4/23/14)
- Turtle Project – received 3 quotes (\$15,000/\$45,000/\$75,000) only 1 fell w/in the dollar limit; will need to contact Natural Heritage w/ the proposals; contact the Planning Board to see if they would consider having the Open Space component of a subdivision be fulfilled by having the applicant purchase land along the Warren Brook (btw Mechanic & Merriam) and donate it to the Town as open space.
- Motion to vote to accept Dan Wells (Goddard Consulting) proposal pending approval of Natural Heritage – 2nd and approved.
- Motion to ask the OSC to contact Mr. Kibbe (owner of the vacant land along Warren Brook) to see if he would be interested in selling the property – 2nd and approved.

8:20 PM NOI – Whitney Farms at Cotton Gin Circle subdiv.

B. Saluk/S. Smeyers

- Discussion of road and drainage systems; infiltration drainage and dry wells; lots are supplied by public water and septic systems.
- Discussed construction sequencing/phasing per submitted document.
- Will submit revised plans upon receiving comments from Planning Board/FST and Conservation Comm.
- Questions from Selby and Con Com members -- what types of trees will be used; erosion controls; cleaning of catch basins; will materials be stockpiled on site?
- Stormwater discussion – all lots are covered under the NOI for the subdivision except will need RDAs for the 2 lots at the end of the cul-de-sac.
- Would like to see a draft covenant for the trees; motion to send a letter to the Planning Board requiring a covenant for the shade trees outside the street r-o-w.
- Lot 1 will have infiltration & drywell system; should require an easement on the deed to prevent any building on top of this.
- Revised plans should include erosion, street trees, fencing around infiltration system and suggestions as to the types of trees to be planted.
- Public Hearing continued to Wed., May 14th at 8:30 pm; applicant will bring additional info re: soil testing.

9:20 pm Motions

- Issue Partial COCs for 23 Maple Ave (311-450 & 480) – 2nd & approved.
- Denise to send letter (draft reviewed by the Commission 4/23) to Al Miraj re: COC request for Samreen Villa I and II projects and to sign for Chris – 2nd & approved.

9:30 PM General Items

Meeting Minutes – will prepare for next meeting.

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved.

Website – continue to update w/ pertinent links and new info.

LSC – discussed response to Mr. Potheau's letter; response should come from the Conservation Commission; Motion to have Marcella finalize the response letter with the approval of the LSC proposal for granite curbing – 2nd & approved. Deadline for Mr. Potheau to complete the work he plans to do to the parking area is June 10th so that we can have time to place the granite curbstone before end of FY; If Mr. Potheau is going to use crushed stone he will need to maintain it.

OSC – Motion to approve event at Peppercorn Hill for May 4th – 2nd & approved.

Stormwater Bylaw – Mike Penko prepared a draft letter to the Planning Board regarding the review process; will be attending their meeting on Tues, May 13th to discuss.

Job Classifications – Department Assistant & Conservation Agent positions; Assistant's description is fine as is very generic; some comments needed for Agent's description as does need to be specific.

Beavers at Southboro Rd – BOH want to know what to do; per Mike Callahan (Beaver Solutions) probably will need to trap the beavers if they continue to build dams; pond leveler won't work as water is too shallow; Motion to have Mike install culvert fence at Southboro culvert and to monitor the situation, no trapping at this time – 2nd & approved.

Pre-Construction Evaluation Form has been finalized and will be provided to Code Enforcement; this will replace the Stormwater Construction & Notification Form

10:45 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

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Meeting Minutes – Wednesday 5/14/2014

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

Members Attending:

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

7:40 PM Forestry

- Marcella has contacted several companies and set up interviews for upcoming meetings.
- Questionnaire was forwarded to these companies along with the Forest Management Policy and map of town land.

7:45 PM Agent's Report

- Per submitted report (4/24 – 5/14/14)
- Crosswinds status update (Denise from Planning Board meeting); reviewed the draft Conservation Checklist of items to be addressed, will update info on lots w/ restrictions and easements; copies will be forward to the applicant, DPW, Planning Board and Blythe.
- Beaver activity at intersection of Old Grafton Rd and Rte 140 dams are being build, issued an Emergency Certificate to the DPW; question came up regarding if the State did anything here a few years back because of beavers? Made a motion to have Tom contact Beaver Solutions to take a look at this area (Old Grafton Rd) – 2nd and approved. Also a motion was made to authorize Beaver Solutions to spend up to \$2000 to install beaver deceivers if he thinks they would be necessary – 2nd and approved.
- Selby suggested putting together beaver management plan to identify areas where activity could be tolerated and those areas where beaver activity would be detrimental; Chris and Mike recalled there was such a document already started.
- Wood Turtle study project – meeting w/ Dan Wells this Friday at 9:00 am
- Will send a letter to Industrial Tower regarding the Warren St cell tower as they have erosion issues.

8:15 PM Hartford Highlands

K.Lobisser/M.Allen

- Continued discussion regarding Stormwater Bylaw requirements.
- They have integrated direct infiltration of roof runoff, leaching catch basins, stones.
- 4 waivers requested for LID component: 22' wide roadway (pavement) not 26'; 90' diameter of cul-de-sac not 100'; sidewalk on 1 side of street; and side slopes.
- Planning Board is looking for Conservation approval – is it in harmony with the Stormwater bylaw??
- Using Filtermitt for erosion control.
- Installing a sub-drain under the sidewalk and will discharge into the catch basins.
- Stormwater – Con Com has no concerns or issues at this time; will issue a letter to the Planning Board that this meets the spirit of the Town's bylaw.
- Motion to issue the letter for Hartford Highlands to the Planning Board – 2nd & approved. (Selby will draft letter).

8:30 PM Continued NOI – Whitney Farms at Cotton Gin Circle subdiv. B. Saluk

- Additional 22 deep hole tests were done w/in the last couple weeks; also perc test & dry well tests.
- Did encounter some ledge about 8 ft down; moved drainage system area to the other side of the house on Lot 1.
- Drainage plans have been revised (5/13/14)
- Dry well increased by 43% in size which will capture more runoff from the back of the lots. 3 lots will have dry wells (lots 3, 7 & 8) the roof runoff will run to the catch basins.
- Silt fence location has changed to Filtermitt and will be around the entire set.
- Trees – what types should be planted?
- Construction fencing (note 11 on plan C1) around recharge area; no stockpiling of material.
- Maintenance cost of a vac truck for catch basins is about \$950 per year.
- Sequencing plan/timeframe.
- Complies with Stormwater Bylaw & State regs.
- Open Space discussion with Planning Board – public hearing rescheduled to 5/27 at 7:15 pm; applicant is intending to increase the number of street trees and at the back of the site (near RR) for sound buffer.
- Mike asked if anything in Planning Board regs to allow 1 lot to become a duplex and leave 1 lot as OS?
- Any thoughts to preserve the old stone walls from the discontinued road?
- Waivers: reduce road width to 22 and reduce the depth of the catch basins to 3 ft.
- Continued this hearing to May 28th at 8:15 pm.

9:00 pm NOI Fiske Mill Pond (Nipmuc Rod & Gun) K.Gazaille

- Proposing an aquatic control program using aquatic herbicides – “Reward” on the variable milfoil and “Aqua Pro” on the water lilies.
- Looking to do the treatments late May through mid-June; will do this in stages by treating blocks of about 10 acres at a time.
- Herbicide has no labeled restrictions but Aquatic Control Technology’s policy is to close the pond to activities for 1 day.
- Public hearing closed; OOC will be issued.

9:25 pm Rockwood Meadows Easement Deed

- Some possible amendments as the Applicant has concerns about too much activity in the backyards of these homes.
- Suggest moving the parking spots (6) near the existing farm stand on East St.
- Would allow additional parking in one of the fields when events are held.
- Possible alternative access to the trail instead of going around the backyards.
- Applicant is also rethinking the allowance for maintenance vehicles on the trails.

9:30 PM General Items

Meeting Minutes – Motion to approve and sign minutes from the 4/23/14 mtg – 2nd & approved; motion to approve and sign minutes from 4/9/14 mtg – 2nd & approved.

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved.

Website – continue to update w/ pertinent links and new info.

OSC – motion made to spend \$180 to hire someone to do some GIS work on the OS maps; looking into purchasing the Kibbe property off Merriam Way along Warren Brook.

LSC – walked the easement at SWF (now called Five Forks) and discovered that the new owner has plowed the field and dumped some stone on top of an historic stonewall along the trail. SVT has been notified; a motion was made to send a letter (per SVT review and approval) to the owner regarding the rocks and to set up a meeting to discuss what activity is/isn't allowed but to stop current activity – 2nd and approved. Also, the new owner (Grace) is proposing to install dome irrigation systems – waiting to hear back from her w/ more info. A Boy Scout is proposing to build a kiosk at Heritage Park (off Elm St) – there is an open OOC thus the Scout should contact the Commission to determine if this project is minor or if additional filing will be needed;

Whitney Conservation Area Easement Deed: Various easement related problems on the former store lot with the current owner (Bob Potheau) described. Violations include multiple encroachments on the trail or parking easements. Discussed sending a draft letter to Mr. Potheau regarding the parking area easement to reaffirm town rights (dated 5/15/14); Decision made not to send letter at this time; any letter sent should be reviewed by SVT and Town Counsel; Proposal to appoint Bill Taylor, Alan Miano and Selby as POC's w/ Mr. Potheau; they are to reach out to Mr. Potheau to see if they can work together regarding the parking area and other easement issues; One on one contact with Mr. Potheau is to be avoided. Motion made to appoint Bill, Alan and Selby as liaisons – 2nd & approved.

Motion – issue OOC for aquatic control program at Fiske Mill Pond – 2nd and approved.

Misc:

- Emergency contact list will be created and have all members info
- Forestry grant – no word at this time
- Typo in the Stormwater Bylaw – motion made to correct the typo – 2nd & approved.

10:25 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

508-529-6286

concomm@uptonma.gov



Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 5/28/2014

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 and Sandy Lajoie
Mary Overholt (Associate); Selby (Agent)

7:35 PM Phil Benjamin -- Forester

- Been in business (private) for 36 years; licensed – has 1 assistant.
- Works forest management plans for private land owners; fuel wood sales, timber harvests; tree planting – reforestation.
- Works w/ municipalities - long term projects.
- Has worked w/ some private land owners that have CRs; was a Board member of the Wildlands Trust (Plymouth County).
- Recognizes that public outreach is extremely important prior to any forestry activities (especially cuts); need to notify the public and abutters of projects; even plan to walk the property w/ people to explain what the project entails.
- Not a procurement forester; doesn't work for saw mills or loggers; has worked w/ a few very competent loggers.
- Wildlands Trust; Natural Resource Trust of Easton; Upper Charles Conservation Trust (Sherborn/Dover/Medway); worked with towns of Sherborn – Barber Reservation & Sherborn Rural Land Foundation; Duxbury – Ash/Dodd Woods; also town of Lakeville.
- Old Growth Areas – has experience identifying these areas; understands the importance of these stands/areas; Did a short walk of the Warren Brook watershed property; is interested in how past use affects the trees and land.
- Limitations – market conditions drives the sale of timber.
- GIS – not proficient but is learning and his assistant knows GIS.
- Costs – his rate is \$70/hr; his assistant is \$40/hr; recognizes that outreach is important so he will factor outreach into the scope of the plan; tries to minimize costs.
- Wildlife management – not his strong suit as he has been working with private landowners; aware and supporter of the “Foresters for the Birds” project in Vermont.
- Indian cultural artifacts – has had some experience w/ a property that has native American structures, walls and rock formations; he has walked w/ someone who has experience in identifying these features; has some knowledge of what to look for.
- Ideas about public input/comments – is respectful of different opinions; he sees the biggest issue as the “not in my backyard” attitude; proponent of giving people info on the project.
- Concerned about invasive species; is not licensed to spray pesticides but does recognize that there may be the need to do so.

8:45 PM Whitney Farms at Cotton Gin Cir – Con't NOI B. Saluk

- Update – revised plans; Addendum #3 Stormwater Maintenance Plan
- Addressed FST's comments; revised ground water recharge area on Lot 1; backyards of Lots 1, 2 & 3 has a grass swale that runs to the catch basin on Lot 1; detail provided; Filtermitt barrier.
- Discussed possibly planting some type of trees (not arborvitae) on the Winchell's property (directly across Grove St from the subdivision road) to block headlights.
- Waivers: much discussion w/ the Planning Board regarding Open Space component; discussed doubling the number of street trees outside the r-o-w; looking to create some Open Space along the back of the property (near the RR tracks) by creating a 10' wide strip; keep any deciduous trees to screen the RR sight & noise.
- FST will provide an opinion on Stormwater.
- Reviewed draft letter to the Planning Board;
- Public hearing has been continued to 6/11/14 at 7:30 pm.
- Motion to approve letter to the Planning Board as amended – 2nd & approved.

9:15 PM Rockwood Meadows Trail Easement

- Developer is looking to revise the trail location; will create a parking lot off East St and add a community garden; less impact to the residents.
- Looks like the revised trail is crossing the Zone 1 wellhead area – is that allowed??
- Proposing to walk the site w/ Kevin on Tuesday 6/3 or Wed 6/4; Mike will confirm date & time.

9:30 PM Agent's Report

- Reviewed submitted report (5/15 – 5/28/14)
- Draft letter to the Planning Board re: Hartford Highlands; couple changes made; also Mike suggested amending the letter to say that Open Space could be gotten from the triangular piece of land on Lot 2; would be ideal as it is adjacent to State Forest land and provides some protection to the abutters; access would be from the State Forest off Glen Ave.
- Motion to accept the letter as revised – 2nd & approved; Selby will sign for Chris.

9:30 PM General Items

Meeting Minutes – Motion to approve and sign minutes from the 5/14/14 mtg – 2nd & approved;

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved; discussion of spending expense funds before end of FY.

Website – continue to update w/ pertinent links and new info.

OSC –looking into purchasing the Kibbe property off Merriam Way along Warren Brook; owner has died and this property may be subject to tax taking.

LSC – the Lam's (new owners) installed an electric fence; they have been notified that they need to come before Con Com & SVT; the fence was leaning into the trail but it has been moved; the Lam's need to provide further into. Bill has posted signs warning that the fence is electric.

Whitney Conservation parking area: Bill has a plan for the lot proposing to use granite wheel stops which are 4" tall by 7" wide by 6' long (or 5.5') ; will use 6' x 6' posts to delineate sides of the lot and the trail easement (alongside the garage) to prevent encroachment onto the easement. Still waiting to coordinate plans with Mr. Potheau.

Marcella announced that we have been awarded a grant for trail work which will entail putting up kiosks for all properties. Will send info to Blythe to include in her weekly report.

Motion – Draft letter to Planning Board re: Whitney Farms – 2nd and approved.

10:30 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

508-529-6286

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 6/11/2014

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 and Tom Jango
Mary Overholt (Associate); Selby (Agent)

7:30 PM Whitney Farms at Cotton Gin Cir – Con't NOI

- Hearing postponed and continued to our next meeting on June 25, 2014 at 7:45pm.

7:35 PM Beaver Management

- Tom setting up a meeting with Mike Callahan (Beaver Solutions) and the State to see what can be done at the corner of Old Grafton Rd & Rte 140; possibly a pond leveler with culvert pipes & fence.
- More beavers at Southboro Rd; Tom will talk w/ Jeff Thompson (DPW) about the trapper they used; very expensive and didn't finish the job as he needed to trap all the beavers not just 4; Tom can make some suggestions for local trappers.

7:45 PM Stormwater

- Only have had a few applicants to date but that is picking up.
- Discussion of the language regarding exemptions; we need to decide if this bylaw is meant to be more strict than State Regs.
- We also want to make sure that the bylaw applies to both individual homeowners and developers.
- Need to tighten the regs and make them clearer; need to do a final review of the policy memo MP drafted.

8:05 PM Agent's Report

- Reviewed submitted report (5/29 – 6/11/14)
- How do we want to handle homeowners who are dumping grass clippings and other materials in wetlands; it was suggested that we send a friendly letter noting the violation and asking them to remove the materials and to discontinue this practice. Should explain why they need to stop this type of activity.
- Also, submit an article to the Town Crier addressing this topic.

8:25 PM Whitney Conservation Parking Lot

- MP provided pictures of the parking area. Concerns with the abutter parking cars inside the easement; also work being done without coordination with the LSC and Con Com; MP very displeased with removal of vegetation and placement of gravel along the rock wall (poor aesthetics).
- MP suggested specific design criteria that should be met: safety of public; functionality of the lot (5-6 spaces); user friendly – need a well defined trail from the lot; well defined parking area so public

will not park outside the easement; need to delineate the trail easement where it passes near the abutters garage; need to minimize encroachment on trail easement by providing a marker or barrier btw Potheaus house/structure and the trail easement; good aesthetics.

- MP wants gravel along wall removed but no motion made. Suggestion made to leave gravel in place but rake some off trail so it is more appealing and trail is better delineated.
- Granite parking area delineators (car stoppers) have been ordered, expected to be installed within 2 weeks. Evaluate need for side delineation of lot after the stoppers are installed.
- Encourage Mr. Potheau to install whatever fence he was planning along the trail to help delineate the easement nearest his house; need to find out when he plans to install the fence.
- Motion to install an 8 foot x 6"x6" delineator along the trail easement – withdrawn, pending more information about Potheau's plan for fencing.
- Defer to Bill & Alan to talk w/ Mr. Potheau; then Commission will decide what needs to be done regarding installing the trail delineators, fence and to make the trail useable and passable.

9:05 PM Turtle Habitat Project

- Transmitters have been ordered but not received.
- Suggestions that we many want to hold off until next spring since the transmitters have not be attached to the turtles;
- Need to talk w/ Natural Heritage to see if the timeframe can be extended.

9:15 PM Rockwood Meadows Trail Easement

- Developer concerned about location of trail directly behind residential units.
- Proposing a new trail that will have a significant wetland crossing; Marcella suggested narrowing the crossing and adding an access point somewhere else w/in the development for vehicular access (emergency and maintenance purposes).
- Keeping the trail away from homes is preferable but this trail is desirable to connect with Peppercorn Hill.
- Would like to move the trail away from the abutters (Amato's) but this will push the trail further into Zone 1.
- Will a wetland crossing be allowed?
- Do we want to see a causeway (fill material) or a boardwalk over the wetlands? How wide will it need to be?
- Contact the developer – conceptually approved moving the trail with a 5' boardwalk; mitigation for wetland fill; reduce parking area to 18 spaces with alignment that reduces frontage on East St; Eliminate the zigzag along Zone 1 make it more direct; easement for very occasional vehicular access; need an alternative if Zone 1 crossing becomes a problem in the future, limited vehicular access off loop road (trail maintenance and emergency).
- Motion to present the above items to the developer and request a revised plan – 2nd and approved.

9:45 PM General Items

Meeting Minutes – Motion to approve and sign minutes from the 5/28/14 mtg – 2nd & approved;

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved; discussion of spending expense funds before end of FY.

Website – continue to update w/ pertinent links and new info.

OSC

LSC – Received a letter from the Lam's (new owners – Five Fork Farm) regarding the electric fence; still need more info on the farm plan; concern about the electric fence but was discussed that we would allow the electric fence but the Lams will need to install a barrier or buffer perhaps a fence similar to what was installed on the west side parcels. Suggest that we spend Metacomet money to assist in the cost of the fence. Need to discuss with SVT. Motion to approve the construction of the electric fence in the no structure zone if a barrier fence similar to what was installed on the west side is installed by the Lams;

also to entertain some cost sharing for a buffer/barrier fence pending agreement by SVT – 2nd and approved (4 yes – 1 no); Motion to spend \$560 for granite markers for Whitney parking area approved.

Administrative Items – Summer vacation schedules for Selby & Denise.

Misc Items – Discussion of purchasing a new sign for Peppercorn Hill (off Crockett Rd); motion to spend up to \$2500 for a sign the design subject to approval of the LSC Chair – 2nd and approved.

10:30 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 6/25/2014

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

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Scott Heim and Alan Miano
Mary Overholt (Associate); Selby (Agent)

7:30 PM RDA 42 Pleasant St

Alfred Jordan

- Plan to replace the existing 10' x 10' deck (approx.) with a 20' x 20' deck; not going to be any closer – it is about 20' from edge of deck to the edge of the lawn.
- Existing area is a grassy/mossy flat area.
- Will need footings for the new deck; soil that will be removed for the footings will be used to fill a low area in front of the garage.
- Hearing closed.
- Won't need erosion controls; don't stockpile removed materials.
- Motion to issue a Negative Determination – 2nd & Approved.

7:45 PM Whitney Farms at Cotton Gin Cir – Con't NOI Bruce Saluk

- Submitted Stormwater Addendum #3 – includes Stormwater inspection plan
- Also Stormwater Addendum #4 – includes calculations on 100 year storm.
- Letter dated 6/23/14 to Planning Board re: Ground Water Recharge System – 100 year storm details & materials.
- Change to the plan was to update size of pipes connecting the GWRA and catch basins.
- Discussion of open space options.
- Discussion of shrubs to be used; want to pick something deer resistant.
- Yearly inspection and cleaning of water quality inlet; will occur twice in the first year then will happen annually unless more frequent cleaning is necessary. Town does clean catch basins throughout town but how often.
- Applicant requested to close the hearing. Hearing closed.
- Selby will prepare the OOC & special conditions (including maintenance) for the next meeting.

8:10 PM Agent's Report

- Reviewed submitted report dated 6/12 – 6/25/14.
- Afonso – CR for 3 lots off West River St will need an inspection.
- Need to send letters to those with open OOC to have them request COC or extend if necessary.
- Selby will be on vacation the week of 6/30 – 7/4 and 7/21 – 7/25.

8:20 PM Stormwater Regs

- Discussion of proposed amendments (Alan) in conjunction with draft policy created by Mike.
- Will hold a public hearing to discuss changes to the regs.
- Alan will prepare another draft for next meeting; perhaps send those to Bruce Ey for peer review.

- Also need to change the preconstruction form.
- Discussion of draft Stormwater Policy (draft MOU w/ Planning Board); questions about post development construction impacts; mimic current hydrology. Mike will revise and prepare for next meeting on 7/9.

8:50 PM Rockwood Meadows Trail Easement

- Mike prepared changes to the parking area and will send to Mark Allen.
- Mitigation area – increase size? Boardwalk vs causeway - a causeway could be built to be more durable and lasting; may need a culvert (or several small culverts) also a causeway would be less impactful and easier to maintain. Commission will credit the section of the cart path to be abandoned as the wetland mitigation area.
- Preference would be for a causeway -- 5 feet wide and potentially 180 feet long.
- Motion to accept a causeway – 2nd and approved.
- Mike will send info onto Kevin & Mark.

9:05 PM General Items

Meeting Minutes – Motion to approve and sign minutes from the 6/11/14 meeting – 2nd & approved;
Website – continue to update w/ pertinent links and new info.

OSC

LSC – have ordered granite curb for parking area at Whitney Conservation area; Mr. Potheau has done a nice job w/ edging the parking area but concerns w/ the gravel used along the stonewall. The owners of Five Fork Farm (formerly Sweet William Farm) installed the electric fence – we will investigate installing a fence on our side as protection; could possibly use funds from Metacomet. Mike is working w/ Sunshine Sign for a new sign at Peppercorn Hill.

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved; discussion of spending expense funds before end of FY. Motion to sign an expense voucher for Sunshine Sign (for the Peppercorn Hill sign) – 2nd & approved.

Motions:

- Motion to issue & sign a Negative Determination for 42 Pleasant St – 2nd & approved.
- Motion to issue & sign Extended Order of Conditions for 9 Hartford Ave N – 2nd & approved.
- Motion for Mike to purchase a large monitor for the Con Com desk w/remaining money from FY14 to replace the existing one that he loaned to the Commission – 2nd & approved.

Misc Items:

- Cross Winds CR documents – Denise will check w/ Joe Antonellis on status.

10:05 PM Beavers at Southboro Road

- Tom spoke w/ Jeff Thompson of the DPW to discuss beavers as they are still active at this site and unless all are removed we will continue to have problems.

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

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 7/9/2014

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

Members Attending:

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

7:30 PM Forester – did not show.

9:05 PM General Business

Meeting Minutes – not available will have for next meeting.

Website – continue to update w/ pertinent links and new info.

OSC/LSC – the granite stops have been installed at the Whitney parking area; LSC votes to reduce the number of spaces from 6 to 5. Mr. Potheau had property surveyed so that he can install a wire fence along the easement. LSC planning to install a kiosk at the parking area; Five Fork Farm letters regarding the deer fence and a farm management plan have been reviewed. Commission made a motion to let the owner (Grace Lam) know that we may erect a fence at our cost on the easement and that the deer fence (electric fence) is ok as installed – 2nd & approved; After discussion w/ the Commission regarding the Farm Management Plan we will ask the owner for a list of actions and activities they are planning. These items will be evaluated with regard to the CR. We will investigate further info on these management plans. We will invite the owner to a future Con Com meeting for discussion. LSC has scheduled a walk at the Stefans land on 7/31 @ 6:30 pm to learn about foraging. Russ Cohen will lead the walk. Motion to approve this outing which will include picking and sampling items – 2nd & approved.

Finances - Current payroll signed; motion to sign expense voucher – 2nd & approved; motion was made for Chris to sign an encumbrance request for the remainder of the FY14 expense funds (\$786.03) – 2nd & approved. (Note: this request was not submitted as did not qualify)

Misc Items:

- Customer Survey (Alan) – intent is to provide the survey to anyone who has dealings with Conservation activities in order to see how we are doing; what is working and what needs improvement.
- Beavers at Southboro Rd - Chris attempted to talk w/ Jeff Thompson (DPW) prior to the latest storm fortunately no problems occurred at Southboro Rd. Need to be sure to include Blythe in the email chain.
- Rockwood Meadow surveying and clearing for roads has begun.
- Need to send amended Agent's position description to Sandy Hakala.

Motions:

- Motion to issue and sign the OOC for Whitney Farms at Cotton Gin Circle – 2nd & approved.

8:30 PM Stormwater Regulations

- Proposed amendments discussed; questions about alteration of drainage characteristics and new development (see definition in the bylaw); exemptions.
- Will forward draft to Margaret Carroll and Jim Brochu (former Stormwater Bylaw committee members) and to Bruce Ey of Schofield Brothers to review.
- Will hold a public hearing on August 13th @ 7:30 pm.

8:45 PM Agent's Report

- Verbal report as no written report submitted.
- Reviewed and signed off on pool permits; prepared the OOC for Whitney Farms.

9:00 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 7/23/2014

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

Members Attending:

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

7:30 PM General Business

Meeting Minutes – motion to approve and sign minutes from 6/25/14 and 7/9/14 – 2nd and approved.

Website – continue to update w/ pertinent links and new info.

OSC - Discussed the email from Kurt Gaertner of MA Executive Office of Energy & Environmental Affairs re: consolidation of priority preservation areas in North Upton. No real pros or cons to doing this except will we lose individual descriptions or the properties if we merge them? Contact the State to see what the objective is of consolidating – do they have any pros or cons – is this to simplify bookkeeping of the properties. Owner of Five Fork Farm (FFF) has asked to put up a deer fence on the west side of the property; the deer fence on the east side was approved. We will invite them to the next Con Com meeting on Aug. 13. Bill Taylor met with the FFF owners and several people from the USDA to discuss drilling a new well on the property to be used for an irrigation system; federal money may be used for this. There are concerns w/ using the existing pond as they are not sure of the capacity (for irrigation) and what impacts it would have on Warren Brook. They will also take into consideration any cultural resources. Motion to approve the deer fence on the west side – 2nd & approved.

LSC – Ashby Hobart will come to the next Con Com meeting on 8/14 to present his Eagle Scout project which is proposed at Peppercorn Hill. We need to think about an annual budget dedicated for maintenance at the Stefans land (such as clearing and mowing); we need to beat back the edges every year so we can keep it mowed; propose to chip/mulch the small stuff but what do we do with the larger debris that is cleared or cut? Perhaps incorporate this work into the Forest Management Plan. Also, with regard to the Forest Management Plan the suggestion of having Mass Audubon involved as they bring a different type of expertise; they are expensive but perhaps they could provide an abbreviated plan or only look at specific areas; we might be able to cut their cost by providing some of the GIS/mapping work.

Suggestion was made to include mapping stonewalls in the Forest Management Plan. It was also suggested that we invite Mass Audubon to a meeting to discuss what they do and what they can offer or maybe they can provide an example of projects they have done.

8:15 PM RDA – 9 Mechanic St

L. Wahl

- Proposing to install 2 geothermal wells 75' from an intermittent stream – these are a closed loop system.
- Materials removed during the drilling can be used as fill elsewhere on the property just not near the wetlands.
- Hearing closed.

8:30 PM General Business (con't)**Motions:**

- Motion to issue & sign a Determination (Negative #3) for 9 Mechanic St – 2nd & approved.
- Motion to issue a COC for the pump station at Mechanic St/North St (311-539) – 2nd & approved.

Finances - Current payroll signed**Misc Items:**

- Updated job descriptions have been given to Sandy Hakala. She will keep them on file for the next round of review.
- Ask the DPW to relocate the boulders that were dumped in the parking area at Stefans to the edge; also trees at the Warren Brook parking area also need to be removed.

Beavers:

- Old Grafton Rd/Rte 140 - Tom Jango met w/ Mike Callahan and Matt (MassDOT) to look at the this area. The State will install culvert fencing and we can connect a pond leveler and pipes; Mike suggests waiting until the beavers are back before installing the leveler.
- Southboro Rd – the pond leveler and fencing is working but we need to trap all the beavers. There is a dam in the pond. Now is the time to breach the dam while the water level is low. Who will/can do this as it will require some equipment to remove it – can't be done by hand. Do we need to contact the State? Chris will check w/ DPW, BOH & Blythe to see if any plans to finish the trapping and removal of the dam.

9:00 PM Forester interview – Rupert Grantham

- Independent worker he does not represent any mills or logging companies.
- Starting his own firewood business using local firewood products; sustainable forest products.
- Worked w/ Town of Westport on their Forest Management Plan; also Walden Forest Conservation; UMass Dartmouth stewardship plan (400 acres).
- He has worked w/ Westport Land Trust – Trustees of the Reservation.
- Held workshops and field events to promote the UMass Dartmouth project and work w/ the Town of Dartmouth's Conservation Commission.
- Has created forest inventories, ecological inventories (not specific but in general way); not an official wetland scientist but has done some wetland delineation.
- Has worked w/ Chapter 61 land, stewardship plans, green certification plans, timber sales including layout harvest, marking trees, skid roads, contacting loggers, overseeing harvest operation and collecting payments (by commission).
- Does not use GIS – uses Photoshop for creating maps; prefers to walk the parcels; uses aerials.
- Uses techniques developed by UMass Amherst for old growth and successional practices.
- Encourages diverse habitat of trees and other species; positioning patches for natural regeneration.
- Prior to working in MA he worked in Vermont & Tennessee.
- Rates - \$50/hour; returning customers fees are based on acreage (chart provided).
- Plans are tailored to landowner's goal(s).
- Some experience with artifacts – historical/cultural; has seen some stone mounds and evidence of old farm sites; would map features such as stonewalls.
- "PR" for cutting plans – willing to set up walks to explain the project and provide info; willing to attend public meetings to educate the public about the benefits of sound forest management.
- Looking to get the message out regarding sustainable management of local forests and wood products.
- Hasn't done a lot of wildlife management; recently did a plan for bird habitat; encourage wildlife habitat for a wide variety of animals.
- Forest inventory – how many plots? 2 per stand; 1 per 5-10 acres.
- No clear cuts; usually cut patches.

- Awareness of any markets for particular products? Relies on good loggers, local saw mills; always tries to market to the fullest to maximize what we have.
- Timeframe to prepare the management plan would be this fall.

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

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

508-529-6286

concomm@uptonma.gov

Upton Conservation Commission
Meeting Minutes August 13, 2014



Massachusetts

1 Main ST, Box 9
UPTON, MASSACHUSETTS 01568

Members Attending— Chris Scott, Mike Penko, Marcella Stasa, Sandy Lajoie, Alan Miano, Tom Jango, Scott Heim
Mary Overholt (Associate Member), Selby (Agent) and Bill Taylor (LSC)

7:30 pm Public hearing for changes to proposed Storm Water Bylaw.

See attached revisions.

Ashland will have different stricter stormwater standards because they are in Charles River watershed, while Upton is in the Blackstone River watershed.

Motion was made to approve the proposed changes, 2nd and approved.

7:39 pm Beavers

Tom received two bids to take care of the beavers at Baker Pond. The State will pay for culvert fencing off 140, but not for leveler. Tom explained that he and Mike Callahan disagree. Mike does not think beavers will dam it if it is two feet deep. Tom says the second bid is more realistic at \$2500 instead of \$1200. Mike does not think we should do the job until beavers move in.

State will not do culvert fencing until we do a leveler. Because we are working with the state, we might want to do it soon. However, it won't be as effective if you don't wait until we have beavers. Additional piping can go in at another time. Tom's recommendation is to wait. The beavers might not need to be trapped if we wait, because they will not want to build a dam.

Beavers might just try a slightly different spot, if you put it in now.

A Motion was made to expend \$2500 for Baker Pond when the beavers come back. 2nd and approved. Tom will send an email stating the position of the Commission to board of health, and Blythe.

8:00 pm Five Forks Farm discussion – Grace and Daniel Lam came looking for guidelines on how to make a farm plan. Bill explained that a farm plan will include farming technique, sanitation etc. The plan should allow the Commission to assess impacts of farm activities on conservation restriction (CR) and on cultural resources. Irrigation is an example. Drilling a well is okay, but building a retention area in the wetland might have some negative impact. Stone wall are historic resource, don't add stones to them. Agriculture is a protected value too. Alan explains why a farm plan is important, so that there is communication between town as CR owner. Daniel says it is hard to come up with a management plan. Grace said plans change from day to day, so it is hard to make a plan. Bill says that does not matter, we just need to know what you might do. Grace is working with NRCS and they have prepared conservation plan, which is different than a farm plan. Bill says that can be used in your appendix. Pesticides are allowed in farming. Grace says they could get organic certification, but it is a lot of work. The CR does not require organic practices. They need a secondary water source. The old cabin well is not sufficient. They could possibly run temporary line from pond across street uphill or

make a secondary retention area near shed. If they drill a well it may not have a good draw. They should put all of their options in the plan. Chris suggests making a list of broad categories of things, compost pile, solar panels, building projects, energy water, and to keep things general.

Marcella will be the contact person on the commission for the Lams. Alan says to think of the elements of business plan and include those kinds of things. Daniel doesn't really want to have a fence along trail.

9:00 pm Peppercorn: Ashby Hobarts Eagle Scout Project

Marcella explained that Ashby is rerouting trail and putting a stream crossing in at Peppercorn. See attached pictures and explanations. Ashby will be building before winter. All cutting will be done off site. The bridge will be supported by concrete piers. Sono tubes will be poured on site. Ashby will bring materials in through Rockwood Meadows development. The Commission made a motion to approve the use of ATVs to bring materials in. 2nd and approved. There are eight holes for posts. He was told to be careful not to get dirt in the stream. He will incorporate extra dirt as part of trail diversion. He was also advised to put a DEP number up, notify Lobisser when he will be working, and build brush piles to discourage use of old path.

9:14 pm Forestry Discussion

We discussed the details about selecting a Forester for our Forestry plan. Final plan is due Jan 15.

Dec, 10 - First draft to commission
Dec. 17 – Commission discusses draft at mtg.
Dec. 18 - Comments to Forester
Jan 5. 2015 - Final draft due
Jan 7 – Commission reviews

Commission members filled out Forestry goals sheet. Mike has the compiled results.

For November and December the Commission decided to meet the 1st and 3rd Wednesdays to avoid conflicts with the holidays. So that would be Nov. 5 Nov 19. Dec 3. Dec. 17. We will also meet Jan 7.

9:45 pm Agents Report

Per the submitted report dated 7/10/14 – 8/12/14.

K. Lobisser asked about removing trees for view of the pond at Rockwood meadows. Maybe say no on that. Selby identified the invasive plant Water Chestnut at Lake Wildwood and removed two large trash bags.

10:00 pm – Consolidation of Priority Preservation Areas

Kurt Gaertner from the State Office of Energy and Environmental Affairs suggested that all the land in northern Upton be grouped together for Priority Preservation Areas. The Commission made a motion to support grouping the lands together. 2nd and passed.

10:15 pm North St. Parcels –

There are two town owned parcels the Commission would like to include in the Forest Management Plan. The Commission made a motion to send a letter to the selectman asking permission to manage the two parcels, 5-5 (13 acres) and 4-12 (22 acres). The Commission also suggested possible names for the parcels, Kenniston, and Thompson.

10:35 Rockwood Meadows -

Lobisser sent and e-mail answering some of the Commission's questions. The Commission is disappointed that Rockwood Meadows does not want to allow horseback riding, mountain bikes or hunters to use the trail that goes through the open space land. The Commission will not be responsible for enforcing that. The Commission will also explain their concerns to the Planning Board. Also in the e-mail was a restriction on the use of any vehicles on the trails. The Commission will ask for use of vehicles for trail maintenance and emergencies with approval by the homeowner's Association. The Conservation Restriction also should use the language that is from the state template for Section IIIA,

10:55 Adjourn

Submitted by Mary Overholt

Minutes approved on _____

CONSERVATION COMMISSION

Town of Upton

508-529-6286

concomm@uptonma.gov



Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 8/27/2014

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 and Alan Miano
Matthew Selby (Agent) and Mary Overholt (Associate)

7:30 PM Agent's Report

- Reviewed submitted report dated 8/13/14 – 8/27/14.
- Maple Ave former Upton Landfill property 2 requests for COCs: 311-620 Gas Barrier Trench and 311-637 wetland replication/restoration area; Discussion regarding the access easement for Con Com. Selby recommends issuing the COC for the trench but not the restoration area. Selby will prepare a letter regarding the replication area.
- Motion to issue and sign the COC for 311-620 – 2nd and approved.
- Reviewed the Request for COC for 4 Capeway; recommends approval.
- Motion to issue and sign the COC for 4 Capeway (311-167) – 2nd and approved.

8:10 PM Forestry

Received responses from both candidates (Phil Benjamin and Rupert Grantham); discussion as to pros and cons of candidates. Informal poll of members to see which candidate is favored; both were equally qualified and members were split on who to select.

- Motion to select Rupert Grantham contingent upon getting the extension to the deadline for submitting the plan and being able to provide appropriate info for GIS – 2nd and approved (4 – 1).
- Motion to select Phil Benjamin if the above cannot be completed – 2nd and approved (5-0).

Discussion regarding getting Mass Audubon involved in preparing the management plan. They would provide another perspective on the land but concerns that they are a lobbying group. Could we involve Natural Heritage or another group instead of Mass Audubon?

Planning to meet with the BOS to explain the grant and what is involved and the intent.

8:30 PM Rockwood Meadows Easement

- What approvals will be needed for changes to the trail alignment? Assuming that Hopkinton will need to approve and sign off on changes. Met with the Upton Planning Board to discuss proposed changes to the trail location.
- Use of the trails – non-motorized vehicles – bicycles/horses? Proposing no horse trailers to be parked in the parking lot; try to keep the use consistent with what is allowed at Peppercorn Hill since these trails will be connected.
- Enforcement – who and how??
- Signage
- Discussion with the developer and his attorney for the language of the easement document.

8:45 PM Beavers

Tom will send email to Blythe & the BOH re: the plan for beaver management at Baker Pond (Rte 140/Old Grafton Rd).

8:50 PM General Business

Meeting Minutes – motion to approve and sign minutes from 7/23/14 – 2nd and approved.

Website – updated Stormwater Regs w/ changes approved at the public hearing held 8/13/14.

LSC – tree removal at the old school foundation on North St; looking at professionals to remove the trees as much concern about potential damage to the retaining wall and/or the foundation itself; possibly CPA funds to cover the cost; meeting w/ CPC next month.

Finances - payroll signed; motion to approve and sign expense voucher – 2nd & approved.

Admin – update on move to the Town Hall; Denise will prepare FY15 accounting reports for the next meeting.

Misc Items:

- State's proposal to merge North St properties – Commission does not see any concerns with this proposal.
- The agreement for shared services (Agent) with Ashland is being reviewed; Blythe discussed with the Ashland Town Manager and they will honor the agreement through FY15. Blythe also spoke with Grafton to see if they would be interested in a similar agreement. Further discussion is needed.
- Large Lot Frontage Reduction Special Permit applications for 2 lots off Mendon St were submitted to Con Com for review; Selby will review and provide comments to the Planning Board. PB public hearing will be held 9/23.

9:35 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

508-529-6286

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 9/10/2014

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, Alan Miano and Scott Heim
Mary Overholt (Associate)

7:30 PM 25 West River St (discussion)

G. Marcinek

- Purchased this property (roughly 18 acres) and will be removing the Quonset huts and replacing with a new home w/ a three car garage.
- Army Corp of Engineers has an easement of about 6 acres
- Looking to eventually have a small farm and horses.
- He has filed a Pre-Construction Evaluation form.

7:50 PM RDA – Goss Pond Trail

LSC

- Trail development and wetland crossing (boardwalk) on existing trail located off Green Lane.
- Making improvements to the existing trail.
- Request to close the public hearing.
- Motion to close the hearing and to issue a Determination – 2nd & Approved.

7:55 PM General Business

Agent's Report – 8/28/14 – 9/10/14 submitted.

Meeting Minutes – motion to accept and sign minutes from 8/13/14 and 8/27/14 – 2nd and approved.

Website

OSC – waiting to hear back from Rockwood Meadow re: easement.

LSC – working at Stefans land w/ grant money; have a volunteer that will serve as the Community Garden Coordinator.

Finances - payroll signed; motion to approve and sign expense voucher – 2nd & approved.

Admin

Misc Items:

- Email from Town Manager re: access to Town Hall will require a fob; who wants/needs access?
- Ethics Training available if anyone needs it.
- Warrant Article for STM on 11/19/14 request for \$5000 for the Conservation. Mike prepared explanation of why these funds are important and what they are used for.
- Motion to submit a warrant article for STM on 11/19/14 for Conservation Fund per final draft (per the Chair – Chris) – 2nd & approved.

8:00 PM Forestry

- Marcella has check references for Rupert Grantham and they were all glowing. Said he was very knowledgeable in working with the State. Want to make sure he is aware of the budget.

Discussion about having Rupert mark trees that might be important as legacy trees or that have special significance or characteristics. Note that we aren't marking trees for cutting purposes during this inventory. We want Rupert to include legacy or special trees as he is doing the inventory. Need to decide how to mark the trees to prevent them from ever being cut; this will need to be done in perpetuity.

- Need to determine if Rupert is to be hired under a contract. Check to see if there is a standard contract we can use.
- Need to contact Phil Benjamin to let him know that he was not selected.
- Scope of Services (draft dated 9/8/14) relative to hiring additional consultants for the inventory. Intent is to bring in different perspective on wildlife (specifically bird habitat) in order to enhance the management plan. Money could potentially come from the Conservation Fund.

8:30 PM Beavers

- Tom has contacted the BOH to update them about Baker Pond and the agreement with the State.
- Chris contacted the BOH to discuss Southboro Rd to trap the rest of the beavers but the BOH doesn't see a need at this time as there is no public hazard. Our concern is to trap the rest of the beavers now before there is a problem.
- Tom raised concerns about the Town spending \$1600 to trap 4 beavers (need to confirm that these figures are correct); if this is correct they grossly overpaid. BOH should be aware that this is not typical cost for trapping.
- Southboro Rd beaver dam is holding water but the level is low at this time. We need to do something now.
- Chris will sign an emergency order to trap the rest of the beavers but first we will break the dam to see if they rebuild it. If they do we will need to trap out the rest of the beavers and remove the dam. Copy will be sent to Blythe.
- Need to contact the DPW to see about equipment for removing the dam.

9:08 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 9/23/2014

(Selby taking minutes)

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

Members Attending:

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

7:34 Meeting open

- 1) Agents Report. See attached report.
- 2) Forestry. Rupert asked for 1/2 up front; Marcella is working with Blythe to see if that is possible. Motion by Marcella to pay Rupert Grantham \$4,732 and approve an additional \$250 for outreach if needed. These costs will be reimbursed by a state grant. Motion seconded by Alan. Motion passed unanimously 6-0.
- 3) Rockwood Meadows. No update on access deeds or trail.
- 4) Minutes. None to sign
- 5) Open space. No updates
- 6) LSC. Community gardens update. New boxes. New volunteer coordinator.
- 7) Signatures obtained for time sheets and expenditures.
- 8) BOS meeting on 10/7 to discuss ConCom managing North Street parcels. Reminder to Denise to post as a meeting in case quorum is reached and to send a reminder.
- 9) Proposed meeting schedule to accommodate holidays.
- 10) Re-grading of fire roads in USF. One day of work. No objections raised.
- 11) John Root endorsement for application to the cultural council for a \$700 grant? Motion to send a letter of support passed 3-0-3 (Alan, Tom, Scott abstained)
- 12) Harvard study about bylaws and regs. Completed by the Commission

13) November special town meeting will have a warrant article to fund the Conservation Fund for \$5,000.

14) Determination for Goss Pond Trail boardwalk was signed.

Motion to adjourn at 8:25. Unanimous 6-0.

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 10/8/2014

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 Alan Miano
Mary Overholt (Associate); Selby (Agent)

7:30 PM Agent's Report (verbal)

- Rockwood Meadow site visit
- Cross Winds – problem with dumping; suggest that Planning Board ask the developer to block the access road from Plain St.
- 23 Hartford Ave N – need to replace the water line as it is leaking; OOC is still open so they can amend to include this work.
- 83 Taft St – signoff for a barn.

7:40 PM Rockwood Meadow Easement

- Nothing to report regarding last discussion of the easement; we will contact the developer to find out the status; Commission polled and all members present supported allowing trail access to bicycles, horses, and hunters.

7:45 PM General Business

Agent's Report – see above.

Meeting Minutes – motion to accept and sign minutes from 9/23/14 – 2nd and approved.

Website – updated location for office and meetings at town hall; added Mary to list as the Associate.

OSC – group in Hopkinton is looking to preserve property near Whitehall that abuts the USF; discussion about our policy regarding removing items from OS lands (edible, flowers, etc...) should we review this and change to allow certain things within limits for personal use/consumption; review the policy at our next meeting.

LSC – met w/ CPC re: tree removal at the old schoolhouse foundation on North St. and some trail improvement; CPC approved \$15,500 to be requested at the STM in November. Hoping the amount will be less. Also, the BOS approved the LSC to manage the 2 parcels off the North Street. One is north of Whitney Conservation Area (the former Thompson property that the town acquired from tax taking) and the other is north of the Warren Brook Conservation Area. We should think about naming the parcels.

Finances - payroll signed; motion to approve and sign expense voucher – 2nd & approved.

Admin

Misc Items:

- no word on the second computer for the office.
- Turtle project – Dan put the first antenna on a turtle (#4).
- Articles have been included on the warrant for the upcoming STM (11/18/14).

8:00 PM Maple Ave Landfill – COC**G. Bernat**

- Request for COC was not approved per concerns regarding the restoration area as required in the OOC; the restoration area plan was created but in reality excavation was much more extensive but the OOC was not amended to reflect the work; the open water habitat that exists today does not support the original restoration plan; berms are now vegetated.
- How can we wrap this up want to direct the owner to provide whatever is necessary to be satisfactory? If As-Built documentation w/ a letter of explanation is submitted showing what is there today will that be sufficient to close this out? Perhaps show as an overlay on the original plan.
- DEP is requiring ongoing monitoring of one deep groundwater (20') well; the source is underneath; everything on the surface is contained; the landfill has been capped and has no further leaching there is no threat to water life or plants.
- Brownfields requires different monitoring levels from solid waste regulations and MCP site.
- Since monitoring will continue they will the Commission to the list that will get the results; an annual report is also generated with summaries.
- Will return on 10/22/14 meeting at 7:30 pm.

8:30 PM Forestry Management Plan

- See if we can get a consultant trained in bird & wildlife habitat (Mass Audubon?).
- Tom explained the initial forestry plan is for an “improvement cut”; 10 years from now we may then want to investigate habitat and “value cut”.
- Some concerns about perception of what we do and who we choose to consult with; also concern about the expense of an additional consultant for wildlife/bird study; explore options for wildlife biologist or expert.
- Still negotiation contract w/ Rupert; Marcella will confirm w/ Mike Downey the details of an extension to the State’s deadline.

9:08 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 10/22/2014

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, Alan Miano and Scott Heim
Mary Overholt (Associate)

7:30 PM General Business

Meeting Minutes – motion to accept and sign minutes from 9/10/14 and 10/8/14 – 2nd and approved.

Website – updated new meeting time; starting on 11/12 meetings will be at 7:00 pm not 7:30 pm.

OSC – Bill Taylor attended meeting in Hopkinton regarding the parcel that abuts the USF.

LSC – Will be attending the next CPC meeting for the hearing for the North St schoolhouse foundation project; this is an item on the warrant for the upcoming STM (11/18/14). New sign has been installed at Peppercorn Hill parking area.

Finances - payroll signed.

Admin/Office – need to check w/ the Town Accountant regarding new account numbers; Instead of purchasing a new cabinet for the Con Com space we will re-use a storage cabinet from another department.

Misc Items:

- Meeting schedule: Nov. 12 only meeting in November due to Thanksgiving holiday; Dec. 10 & 17 (rescheduled due to Christmas holiday).
- Special Town Meeting set for 11/18/14.

7:40 PM Forestry Management

- Mike Downey ok'd extension as long as plan is completed and submitted prior to the end of FY15 (June 30, 2015).
- Scope of Services was provided to Mass Audubon; they provided a cost estimate break down.
- Tom contacted the State to see if they had contacts for habitat specialists; he was given the name of a Habitat Biologist from Westboro (Maryanne Piche) she has worked with other towns and private landowners; we will provide the Scope of Services document to her and invite her to our meeting on 11/12.
- Including one or more wildlife and bird habitat specialists on the team to assist forester should lead to a better, more comprehensive plan.

8:05 PM Rockwood Meadows easement

- Revised easement documents were provided; Developer will allow bicycles and horses but no hunters; suggested further conversation with the developer regarding this issue as they won't be hunting on the property but crossing for access to the Peppercorn Hill Property where hunting is

allowed. Want to make it clear that we will not be responsible for “policing” this property nor do we endorse the “no hunters” policy.

- It was brought to the attention of the developer’s attorney that they did not include Hopkinton in any discussion of the easements nor are they listed in the documents. Mike will be attending the Hopkinton Con Com meeting on 11/3 at 7:30 pm for discussion of this matter. We need to determine if both towns need to hold the CR or easement – checking with Town counsel on this.

8:30 PM General Items (continued)

- 2014 is the 50th Anniversary of the Commission; Commission members would like to mark the occasion by planting something – Mike suggested a white oak sapling that came from Stefans land; motion made to plant a white oak at the Whitney East pasture – 2nd & approved. Scott donated a fence to go around the tree to protect it; will meet Sunday (10/26) at 9am at the cul-de-sac on Howarth Dr to plant the tree.
- USEPA draft MS4 Stormwater Regs – public comments are due by 12/29/14; check with Selby to see if he has reviewed or has comments; also perhaps MACC will be providing comments.
- Public meeting laws – reminder that any discussion that may take place in the field (trail work, hiking, etc...) needs to be recorded into the minutes of a Con Com meeting. Specifically if any decision is needed it must be done at a posted public meeting.
- SVT and Americorps – Marcella received info that they have a couple people with various skills available for Commissions or Land Trusts; we can submit proposals if there are any projects we would like help with; submit any ideas to Marcella. One suggestion is to assist the Forester (Rupert) with the forest management plan.
- Agent’s report (10/9 – 10/22).
- Library Feasibility Committee is looking for input on site locations for a new library.

8:55 PM 101 High St RDA

- Septic system upgrade/replacement w/in 100’ of buffer zone. Selby reviewed and suggested issuing a negative Determination; erosion controls will be needed.
- Motion to issue and sign a Determination (Negative #3) – 2nd and approved.

9:00 PM 147 North St & Whitney parking area & easements

- Mike noticed activity near drainage swale and attempted to inspect the work. This lead to a brief, unpleasant encounter with Mr. Potheau. Selby made a follow-up site visit to inspect the work and met with the Potheaus. The work near swale involved installation of posts for a trellis. There is an open OOC on the property.
- Mike and Marcella met with Chief Bradley and Town Manager to discuss the encounter with Potheau and subsequent charges of harassment. Mike made a list of all on-site activity since April (2014).
- Additional work on the Whitney parking area needs to be finalized; we need to spell out all activity to be completed (signage, kiosks); discussion of removing the granite stops (2) nearest the Potheau’s property to avoid people accidentally backing onto their property and to more clearly delineate and buffer the public parking area; signage stating that it is public parking for access to trails is also needed. The LSC previously voted to install carved wood signage. Alan suggested that we hold a public hearing(s) or meetings for signage and kiosks that we intent to install at any of the town’s properties. This would allow input from all abutters and the public. Marcella opposes contacting abutters as the work that is being done is what we are allowed to do.
- Mr. Potheau has offered to plow the Whitney parking area; suggest creating a memorandum of understanding (MOU) so it will be clear what is expected such as: timeframe for plowing after a snowfall, where to plow the snow, sanding if necessary, and liability issues. . Mike concerned that town will be liable if icy areas are not sanded.

- Motion to have LSC compose a letter **to** the Potheaus regarding the parking spaces and signage at the Whitney Conservation parking area explaining what is to be done to finish this area – 2nd and approved (5 yes/1 no/1 abstain).

9:35 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

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Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 11/12/2014

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, Alan Miano and Scott Heim
Mary Overholt (Associate); Selby (Agent)

7:05 PM 12 Shore Dr – RDA

L. Reed

- Installing new septic system (Singular Green System) to replace the existing cesspool.
- Abuts Taft Pond and isolated wetlands.
- Relatively flat property; the owners are trying not to clear cut the property for this system.
- Existing cesspool will be pumped then crushed and removed.
- Relocating the well as the existing one is too shallow and will be too close to the new septic location.
- 50' minimum for the well to the septic.
- Suggest moving the septic outside the 100' buffer.
- New well location needs to be moved away from the BVW and is too close to the pond; concerns with impacts to the pond; drilling is the main concern.
- NOI is required; move septic and well.
- Hearing closed; will issue a Positive determination requiring an NOI.

7:20 PM Maple Ave (landfill)

G. Bernat

- Received letter dated 11/12/14 from Woodard and Curran; letter provides additional information regarding the original proposed remediation plan for this property and what the current conditions are.
- Open water is about 4' below grade; sediment is mostly phragmites and peat; very soft.
- Standards for mercury removal were met.
- On-going monitoring of groundwater, surface water and wetlands; 5 year plan for wetlands monitoring is required (started in 2012).
- Duck weed and skunk cabbage are beginning to grow but mostly phragmites; waterfowl do frequent this spot.
- Waste site clean-up monitoring could go as long as 30 years.
- Monitoring reports should be sent to Con Com.
- Looking for a complete COC; need to check the OOC to see what conditions were required also will include monitoring and perhaps future plantings if needed.
- Hearing closed; will issue COC w/in 21 days.

7:35 PM Agent's Report

- Per submitted report dated 10/22/14 – 11/11/14)

7:50 PM General Items

Meeting Minutes – motion to accept and sign minutes from 10/22/14 – 2nd and approved.

Website – updated new start time for meetings (7pm); new photos/info. Send updates and corrections as needed (typos) to Alan. Alan will update new office hours: Wed 1– 4 pm and Fri 8:30 – 11:30 am.

OSC – discussed parcels for sale or donation; one is land-locked (off North St on either side of Mass Pike) and is not contiguous to any other town owned properties; the other is off Taft St which could be used for recreation (field) or perhaps even a library. Bill Taylor will contact the owners to discuss.

8:00 PM Habitat Biologist**Maryanne Piche**

- Works for Mass Wildlife, Natural Resources Conservation Services (NRCS).
- Primarily works with private land owners who are eligible for funding through NRCS.
- State Wildlife Plan (2005); identified 257 rare or declining species; uses Biomap 2.
- Has worked with foresters on forested land; try to coordinate to incorporate habitat management so as to not negatively impact forest plans; young forest habitat identified.
- Provided examples of land trusts she has written.
- Discussed our scope-of-work; she has worked w/ foresters to develop management plans and has amended existing plans to include habitat info.
- Experience with old growth characteristics and management; girdling trees, snags, downed trees and woody debris.
- Habitat assessments; works with other specialists once certain species are identified.
- Discussed how much field work she typically does for a plan – usually 1 day with a forester then follow-up visits; doesn't usually do survey work or monitoring.
- Works with a variety of people/teams: DCR, foresters, NRCS staff; each brings a different perspective when looking at the land. May include Natural Heritage staff too.
- Long-term goals/management; rotational management; let the property guide management and what the objectives are or are defined by the property.
- There are forest management practices that can generate income or designed for carbon storage value.
- DCR funding for implementing Forest Management Plans (after plans are created).

Forest Management Plan: Motion to hire Mass Audubon for 3 days of consulting up to \$1500 to come from Conservation Fund; balance would be paid from private donation (Metacomet) – 2nd; Discussion: do we need to bring in Mass Audubon at this time? We can do so later under Stewardship Plan; bring multi-disciplines in early in the plan creation to get everyone on the same page; should get feedback from Rupert (forester) as to how many people he is willing to work with. Vote: 4 yes – 2 no – 1 abstain
Need to get PR out in advance to explain that this forest management plan is being done with grant money; and that we aren't expending a lot of money for management and stewardship of 330 acres.

LSC – CPC voted not to fund proposal for the work at the old schoolhouse foundation; will pursue grant money for historical preservation projects; will meet w/ Jeff Thompson at the site to see what DPW/town might be able to do about cutting some trees; met w/ Hopkinton Con Com regarding Rockwood Meadows trail easement relocation; we have a Girl Scout that would like to build a kiosk at Peppercorn Hill. LSC will be meeting Sunday 11/16 at 9:00 am for site visit at Whitney Conservation area.

Finances - payroll signed; motion to sign expense voucher – 2nd and approved.

Admin/Office:

- motion to issue and sign COC for 1 Juniper Rd – 2nd and approved.
- motion to issue and sign COC for Maple Ave landfill area – 2nd and approved.
- Draft letter to the Potheau's outlining intented projects.
- Draft Annual Report sent around for comments at next meeting.

Misc Items:

- Reminder of STM on Tuesday 11/18/14.

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

Minutes approved on: _____

CONSERVATION COMMISSION

Town of Upton

508-529-6286

concomm@uptonma.gov



Massachusetts

1 Main ST, Box 9

UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 12/10/2014

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, Alan Miano and Scott Heim
Mary Overholt (Associate); Selby (Agent)

7:15 PM Forestry Discussion

- Rupert will start in February 2015 and will provide a report by mid-May.
- Need to finalize the contract for Blythe to sign.
- Need to let Maryann Piche know Rupert's timeframe so she can coordinate with him.
- Mike has put together a packet of materials on a CD for Rupert, the other consultants, and anyone else who want one.
- MA Aud provided a contract for their services for ConCom chair to sign.
- Suggestion that if Rupert doesn't have his end of the paperwork done by our next meeting on 1/14/15 we may need to contact the other forester (Phil Benjamin).

7:30 PM General Items

Meeting Minutes – motion to accept and sign minutes from 11/12/14 – 2nd and approved.

Website – Alan continues to update and clean up.

OSC – Contacted the 2 individuals who were looking to sell or donate land to the town. No money to buy plus bank has started foreclosure on the Taft St property. Donation is for land (approximately 12 acres) off North St that is completely land-locked; no access and would need BOS and town meeting approval. Parcel appears to be useless as it borders both sides of the Mass Pike; however, there is no downside to discussing with the BOS as this parcel potentially could be connected to an “owner unknown” parcel if the town decides to take that land. Motion to ask OSC to consult with the BOS about this parcel – 2nd and approved.

LSC – still looking over the idea of preserving the old foundation off North St; looking at grants for funding. Americorp will be doing a project connecting trails with neighboring towns. Walked the Whitney Conservation Area w/ SVT – no encroachment issues.

Finances - payroll signed; motion to sign expense voucher – 2nd and approved.

Admin/Office - Not meeting on 12/17 or 12/24/14. Next meeting will be 1/14/15.

Misc Items - CS will contact Cook Company on Milford St to see about annual site visit.

- Beavers – Southboro Rd beaver dam appears to be leaking as the water level is not at the top of the dam; perhaps the beavers are gone. Mike Callahan (Beaver Solutions) did his maintenance; perhaps we should try to breach the dam – if they rebuild it will be clear that the beavers are still there. We will need to schedule a time to do this.
- Technology – MP made a suggestion to Blythe a “smart board” be installed in LTH conference room; also a screen on the stage in the main hall for future use.

- CS suggests reviewing NOI for status, recording and to make sure they are building what they presented; and quarterly review for on-going projects. Also suggests that we contact Code Enforcement to have them let us know that an as-built has been submitted.
- Annual Report – draft; DS will check numbers for filings; will add Forestry. Motion to approve the report with those updates – 2nd and approved.
- Maple Ave COC – Selby will contact Gene Bernat as we need to include condition for easement access – need an easement document.

Motions – Extend OOC for Crosswinds 311-489 for 2 years – 2nd and approved.

Rockwood Meadows – MP spoke with Atty Greenwald regarding the CR/easement documents; Hopkinton Con Com does not want to be involved in this, they don't want to hold the CR; Hopkinton Area Land Trust could possibly hold the CR or SVT.

Whitney Conservation Area – CS spoke with Blythe about plowing the parking area; will need to put something in writing as to what is expected. Selby contact the abutter regarding NOI/OOC issues. There are concerns about what was presented vs what was built. MP drafted a letter to be sent to the Potheau's regarding upcoming activities: 1) Things to do in the spring – reducing the number of granite parking stops/markers (remove 1 or 2) and clearly define the public parking area with signage. Removing one of the easternmost spacers is suggested to define a more concise public parking area and because eastern spaces are not usable without risk of inadvertently parking or backing onto Potheau's property. Also, someone could be blocked by someone parked at the Potheau's. 2) Alternative opiniondon't remove the markers as they serve as a clear reminder of our easement area. AM review the easement and believes we have very clear rights as does the owner (grantor) of the easement. MP raised long-term concern about a prescriptive easement if Potheau activities on easement are not permitted or challenged by town. Minor encroachment (partial parking on easement) appears to be an on-going issue. Key issues: signage, snow management, encroachment problems (suggest asking town counsel for an opinion if we should ignore small issues or take a stance), kiosk, and landscaping.

AM suggestions: signage; break the news that a kiosk is coming and snow plowing agreement. Also he suggested that we talk w/ Mr. Potheau to discuss the items then put them in a follow-up letter.

Motion for 2 members and Selby to meet w/ Mr. Potheau about snow plowing, signage and kiosk; then to follow-up with a letter. Also to ask town counsel for an opinion about encroachments in the parking easement (how should be address this) – 2nd and approved.

It was noted that the parking area looks great and the fence along trail easement is actually helpful.

9:10 Agent's Report

- Per 11/12 – 12/9/14 report.

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

Minutes approved on: _____
