

Meeting Minutes

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant
Re: Meeting Minutes -- **Wednesday 1/11/12**

Members Attending:

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

Meeting Timeline:

7:30PM 5 Wildwood Ave J. Rieger

- Owner was sent a letter re: new dock and work they did along the shoreline.
- Lake Wildwood is a Great Pond – dock permit is required.
- NOI needs to be filed.

7:45PM Agent's report Matt "Selby" Selby

- Reviewed site visits and activities submitted in report dated 12/29/11 – 1/11/12.

8:00PM West River St –Well field #3 & Pump Station Greg Devine/T&H

- DEP # issued 311-0657; Walked site w/ Natural Heritage. Turtle sweep during active season; fence will have turtle barrier at bottom.
- Discussion of discharge for pump tests. A note line will be included on the plans and location of the discharge will be shown; also erosion controls will be shown.
- Installation of the water main through the gravel pit can wait until after turtle season (Oct 15th).
- Monitoring wells are left in place but are tightly capped/secured.
- Final plans to be submitted w/ note lines.
- Hearing closed.

8:15PM West River St – Water main Greg Devine/T&H

- Timeframe for installation down the street is prior to schools opening to avoid bus traffic then they will work down the easements. Hoping to complete project by December.
- Staging area for materials & equipment will most likely be at Water Dept property on Maple Ave.
- Hearing closed.

8:25PM General/Pending/Active

Meeting Minutes

- Motion to approve & sign minutes from 12/28 – 2nd & approved.

Website

- AM will put Filing Fee Schedule on site; still working on adding links for pertinent sites.

OSC

- Working on Scenic Rd bylaw; looking to meet w/ Planning Board in February.
- Solar panel farm on Stefan's Farm land – general discussion.

8:35PM Forest Management Policy

- Looking at property that the Town owns (roughly 800 acres).
- Contiguous properties are more appealing for logging.
- Roads are key to forest management and need to have a landing area for trucks.
- Won't include private land w/ the Town's management policy/plan however, the logger could contract w/ abutters (private owners).
- Could work w/ surrounding towns if land abuts property we are looking to log.
- Long term management for tree cutting; think 50-100 years out.
- Management plan should look to generate some income for the Town – not cost the Town money.
- Currently we do not have a policy for Forest Management.
- Looking for diversity: old growth/mature forest/new growth; should allow for some percentage of town forest land to develop old growth characteristics. Need to balance w/ active working forest.
- Part of management plan is to determine which parcels are appropriate for the different strategies.
- Forest management is done properly will improve the flora and fauna.
- Will continue to work on draft policy with key points: reserves – definition/percentage; goals; determine parcels and acreages; education.
- Continue at next meeting.

Land Stewardship Committee

- Fence has been installed at SWF parking area. Rob agreed to grade the small parking area; still looking for gravel.

Finances

- Current vouchers signed.
- Discussion of FY13 budget – salary/wages are still unknown for FY13. CS will submit proposed budget to Town Manager.

Other

- Webelos pack request permission for overnight campout at Peppercorn Hill; motion to approve – 2nd & approved.
- Motion to issue a COC for Mass Electric (311-622) – 2nd & approved.
- Glen Echo lots needing COCs; will re-issue & sign those that were previously issued in 2009 but never filed; Selby will review the remaining lots that still need COCs.
- Beaver management letter to State – CS will amend as discussed; Motion made for CS to send – 2nd & approved.

10:35PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 1/25/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:30PM Agent’s report Matt “Selby” Selby

- Reviewed site visits and activities submitted in report dated 1/12/12 – 1/25/12.
- 5 Goss Pond – need to submit an NOI possible hearing 2/22.
- Glen Echo Lot 25 (21 Howarth Dr) – homeowner cleared vegetated area, has been mowing it; need to let it regrow, stop mowing; suggested planting – blueberries. Will revisit in the fall. Hold off on issuing COC.

7:55PM RDA for new home on West River St David & Debra Hunter

- Relocating driveway from original plan to reduce the amount of grading but moves into buffer zone; this will be a gravel driveway w/ cement at the top (near house) and at the road.
- Hearing closed.

8:05PM General/Pending/Active

Update of Stormwater Bylaw Chris Scott & Jim Brochu/Stormwater Bylaw Committee

- Committee is working on language for draft bylaw; working with T&H who have review other town’s bylaws for language. Will get a draft out to other depts/boards for input.
- Looking to present to the Town at the ATM in May.

West River Street Wellfield & Water Mains

- Discussion of language for the OOCs for these projects.
- Motion to issue OOCs for both projects – 2nd & approved.

Meeting Minutes

- Motion to approve & sign minutes from 1/11/12 – 2nd & approved.

Website

- AM continues to update website; adding links for topics of interest.

OSC

- Working on Scenic Rd bylaw; looking to meet w/ Planning Board in February.
- Motion to approve night walk on Feb 4th, 7 pm at Stefans Farm – 2nd & approved.

Finances

- Current vouchers signed.
- Meeting w/ Fin Com on 2/15 to discuss FY13 budget.

Forest Management Policy

- Old Growth Characteristics – “Restoring Old Growth” powerpoint presentation.
- Need to define goals & language for draft policy.
- Continue at next meeting.

Beaver Management update

- Met w/ BOH; BOH would like a heads-up of expenditures of \$1000 or more. Con Com would like to increase this amount as it is easy to exceed \$1000. \$1500 would be more agreeable amount.
- CS revising letter to the State.

Other

- Motion made to issue COCs for Glen Echo Lots 4, 11,12, 24, 27 & 28 – 2nd & approved.
- Motion made to re-issue previously issued COCs (never recorded) for Glen Echo Lots 5 – 10; 2nd & approved.

10:15PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 2/8/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:30PM 94 Christian Hill Rd – Amended NOI B. Poxon & W. Moshier

- Application for a new shed 52' from wetlands.
- Applicant has asked to reduce the number of bound markers to 7? 7 is the acceptable number. Markers can be attached to large rocks/boulders.
- Markers need to be installed prior to building the shed.
- Hearing closed.

7:50PM NStar – CrossWinds RDA T. Bennett of Green Seal Environmental

- Installing 2 new gas mains to connect the subdivision to existing lines on Plain St and Station St.
- Erosion controls will be needed (silt socks preferable) avoid hay.
- Hearing closed.

8:00PM 103 Hopkinton Rd RDA J. Marquedant

- Septic system replace – existing system failed.
- The existing tank will be crushed and filled w sand.
- Erosion controls such as straw bales and silt fencing to be used.
- Hearing closed.

8:10PM General/Pending/Active

Meeting Minutes

- Motion to approve & sign minutes from 1/25/12 – 2nd & approved.
- Motion to approve & sign minutes from 1/30/12 – 2nd & approved.

OSC

- Meeting with Planning Board on 2/14/12 to discuss Scenic Road bylaw.
- Discussion re: 2 lots of Town owned land off North St adjacent to Warren Brook that are land-locked (no frontage) that Con Com/OSC would sponsor an article for town meeting to put this land under protection of Con Com/OSC. MP is doing further research on these lots. Possible for ATM?
- Two land owners approached OSC about Town purchasing approx 35 acres that they want to protect. OSC is not looking to purchase at this time but suggested the owners do a land trust (possibly w/ Metacomet) with a CR.
- Draft CR for JR Estates will be sent to the Town Manager and Town Counsel.

Storm Water Bylaw

- Draft is coming for Con Com to review and provide comments. Hoping to have on warrant for ATM.

Finances

- Current vouchers signed.
- Meeting w/ Fin Com on 2/15 to discuss FY13 budget.
- Should Regulation Fees be increased?
- Conservation Fund – need an article for ATM for \$2000.

Forest Management Policy

- Continued review of the draft. Need to define goals and include definitions as they may vary from the State's definitions.
- Key items are to determine the percentage of reserves; identify resource protection areas; cultural resources; forest cutting plans/practices
- Forest Products Fund – from the State? % comes back to the Town.
- Income from timber sales. Possibly create a revolving fund? Would need town meeting vote.
- MP will incorporate revision and provide another draft at next meeting.

Beaver Management update

- MS met with DCR to look at trail impact at the USF. Discussed moving the deceivers – Ask Selby to review.
- Trail system needs to be a priority and part of any long range plan needs to include maintenance of the trails.
- CS revising letter to the State.
- TJ noticed more activity at Fowler St possibly 1 or 2 beavers are back. Tom will trap if authorized.
- Motion made to allow Tom to trap at Fowler St – 2nd – 3 yes/1 no/3 abstentions – Approved. Tom will see BOH about permit.

Other

- Motion made to appoint Christine Scott as the Con Com rep to the CPC – 2nd and approved. Note: Bill Taylor is interested in serving on CPC – question is can an Associate Member serve?
- 8 Oak Dr has paved driveway.
- Motion to sign the following:
 - OOC for 94 Christian Hill Rd – 2nd and approved.
 - Negative Determination for NStar/Cross Winds – 2nd and approved.
 - Negative Determination for 103 Hopkinton St – 2nd and approved.
- Request for COC for 54 Fiske Mill Rd has been received - will discuss at next meeting.

10:30PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 2/22/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:45PM Agent's Report

M. Selby

- Reviewed site visits and activities submitted in report dated 2/20/12 – 2/22/12 (vacation prior 2 weeks).
- Selby will review DPW's proposed road projects list with Larry Bombara.

7:55PM General/Pending/Active

Meeting Minutes

- Motion to approve & sign minutes from 2/8/12 – 2nd & approved.
- Motion to approve & sign minutes from 2/15/12 – 2nd & approved.

OSC

- Meeting with Planning Board on 2/28/12 to continue discussion of the proposed Scenic Roads bylaw.

LSC

- Solar Panels – reduction to number of acres – possibly some at Stefan's property.
- A comprehensive evaluation of the Stefan's land was done; possibly ask the Specialist that did the evaluation to review/comment on the possibility of a solar farm project? He may suggest areas that would be suited for this type of use or areas to avoid. Maps of the evaluation are coming.

South St/gravel pit

- Violation letter re: ditch draining into the bog; fill dumped on the property has fragmities growing in it. Property owner asked to remedy these items.
- Town Manager is looking for language for draft Purchase & Sale document.

Beaver Management update

- CS met w/ Blythe re: the Southboro Rd deceiver impact on the trail head; possibly relocate the deceiver or extend the pipe; also need to clear the material that was dumped in that area.
- Concerns about the water running under the road.
- Will an NOI be needed to do further work in this area? Checking on the date of the recent NOI to see if it will need an extension.
- Letter to State will be sent to the BOH & Blythe for their input.
- Appears that a beaver is back at Fowler St – TJ will trap again next week or beginning of March.

Finances

- Current vouchers signed.

Green Communities Act

- Upton is not currently a member community; Planning Board would need to implement a bylaw.
- Town should form an Energy Committee; will forward to BOS/Blythe.

Other

- Town Hall records project – need to eliminate as much as possible for storage/retention.
- Motion to sign the following:
 - COC for 54 Fiske Mill Rd – 2nd and approved.

9:00pm Forest Management Policy (v.2)

- Continued review of the draft.
 - Motion to keep long-term goal sentence – 2nd & approved (4Y/1N); should we designate percentages or acreage? What should the percentages be? Do we want hard numbers or leave it to be designated through the Management Plan?
 - Revolving Funds/Trust Funds
- Continue to next meeting.

10:30PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 3/14/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:30PM 113 Mendon St NOI S. VanBuren/A. Allen, EcoTec

- Demo existing house and build a new house & garage and a deck.
- No structures will be closer than the existing to the wetlands; all building is on the existing lawn area.
- Wetland should have bound markers @ WF2 (15' up); WF5 (15' up) and WF7 (on line).
- No hay bales - they are planning to use straw bales.
- Notify 48 hours prior to start of construction.
- Hearing closed; OOC will be issued.

7:55PM General/Pending/Active

Meeting Minutes

- Motion to approve & sign minutes from 2/22/12 – 2nd & approved.

Website

- AM will add a Stormwater section.

OSC

- Bill Taylor is the new Chair.
- Scenic Road Bylaw will be submitted to TM to be put on the warrant for the ATM.
- Info meeting has been set w/ Planning Board on 3/27/12.

LSC

- Planning a shed hunt (deer antlers) on Stefans land. Will have a presentation on what to look for.
- Bridge at Peppercorn Hill – Boy Scout spoke w/ National Grid; Nat'l Grid wants someone to take responsibility for the bridge – who LSC/ConCom/BOS?.
- MS will ask for Town Counsel advise (through Blythe)
- Nat'l Grid doesn't want to maintain or be liable for the bridge and trails.
- No new news on solar farm on Stefans land.
- Discussion of developing/expanding the turtle nesting grounds; there is funding from the landfill mitigation for turtles.
- Draft of JR Estates Conservation/Deed Restriction – reviewed comments from Town Counsel; CS will talk w/ Mike Weaver of Guerriere & Halnon.

Railroad

- CS had talk with owner (JDP) and he asked ConCom for ideas about mitigation for filling stream
- What is status w/ Army Corp review? Are they requiring mitigation?
- Mitigation pursuant to the Federal Clean Water Act is a process: Avoid, then Minimize, and then Compensate for unavoidable impacts.
- MP indicated ConCom could/should provide suggestions for compensation but its best if ConCom did this in context of Army Corp Section 404 review.
- Its unclear if JPD looking for ideas for compensation to propose to the Corps.
- Invite JPD to meeting?
- Questions about additional sites – off Walker Drive; CS will contact JDP.

Stormwater Bylaw

- Committee is looking to put on the warrant for the ATM.
- A public hearing has been set for Con Com meeting on 4/11/12.

Beaver Management update

- Town (DPW) has cleared/cleaned the area at the trail head and graded it; Area is now in much better shape.
- EA presented info on a Bog Bridge possibly to be installed on DCR land. Possibility of DCR paying for materials.
- Discussion of moving, extending or re-directing the beaver deceiver; it could be moved per the DPW.
- TJ will contact Mike from Beaver Solutions to get an opinion on moving the deceiver. Find out when he is coming out for maintenance

Finances

- Current vouchers signed.

Other

- Motion to sign the following:
 - COC (retroactive) for 54 Fiske Mill Rd – 2nd and approved.

9:00pm Forest Management Policy

- Continued review of the draft.
- MP provided draft setback table and revised revolving fund article to be included in the policy.
- ConCom will not propose a revolving fund article at the upcoming ATM.

10:05PM Meeting Adjourned

Minutes approved on _____

Meeting Minutes – Wednesday 3/28/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:35PM 2012 Town Road Projects - RDA

L. Bombara & J. Johnson (DPW)

- Various projects – small road maintenance projects.
- List was submitted and reviewed with Selby.
- Prior to beginning need to review w/ Selby in order to discuss & mark appropriate erosion controls; Selby will need to make sure they are installed properly.
- None of the projects involve widening the roads; they are staying w/in the existing pavement areas.
- Any materials for erosion control can be re-used if possible; bid w/ the contractor may specify what is used.
- Chip seal last approximately 5 to 9 years; Asphalt is 15 years at max.
- Hearing closed; Negative Determination will be issued.

7:55PM 23 Hartford Ave N – NOI

Caryn & Steve Pittman

- Replacing existing culvert as it is failing.
- Replacing the metal pipes w/in the concrete culvert w/ same size but using the same material as the Town uses for its projects. Pipes will be installed side by side.
- Wetlands impacted? No pond just the stream that runs under the driveway.
- Erosion controls – contact Selby prior to starting.
- Hearing closed; OOC will be issued w/in 21 days.

8:05PM Agents Report

- 113 Mendon St – recommend bounds at wetlands.
- 5 Goss Pond – septic replacement has already been done but are required to file an NOI; hay bales were installed. Incomplete NOI application has been submitted (no checks or abutters list). Will contact engineer, if no response EO will be issued.
- Cross Winds subdivision – drain pipe completed; manholes w/ grates; basins are done; drainage installed about 80% done; no erosion control issues; problem w/ bittersweet will discuss with contractor.
- Maple Ave landfill site – no closer to stream; erosion controls still intact; no update from Army Corp; about half done w/ final grade of landfill; digging at Hartford Ave S near tracks.

General/Pending/Active

Meeting Minutes

- Motion to approve & sign minutes from 3/14/12 – 2nd & approved.

Website

- AM will add link for proposed Storm Water Bylaw.

OSC

- Scenic Road Bylaw was discussed at info meeting w/ Planning Board on 3/27/12. Withdrew request for warrant article for this ATM (May 2012); will address some of the key items prior to resubmitting for another TM.
- “Shed Hunt” (deer antlers) was held on Sunday 3/25.

Storm Water Bylaw

- Storm Water Bylaw public hearing will be April 11, 2012 at 8:00pm.
- Need to review regulations/fees.
- EPA Storm Water General Permit (for construction): Landfill; some projects not on the list – Cross Winds and RR.

Railroad

- RR Fact Finding Committee had submitted questions; CS drafted a letter for comment; will revise and send to RRFCC.
- Questions about additional sites – off Walker Drive; CS will contact JDP.

8:30PM

South St sand pit/potential fields

B.Robinson and R. Gazoorian

- Talked w/ Army Corp and Natural Heritage.
- At this time conceptual stage only will need further investigation as to how the site can be developed; what can be put on this land; how much parking; roadway; traffic impacts; wetland impacts.
- Article for the STM (4/3/12) is broadly written with the understanding that specifics will need to be determined/specified.
- Long term project for fields, playgrounds, trails.
- No habitable structures will be allowed; can install bathrooms (better than porta-john type).
- Parking areas will be pervious materials.
- Need for on-site storage of maintenance equipment and sports equipment.
- Possible concessions stand.
- Current owner are open to bring back some gravel to this site.
- Green Ln is not going to be an access or egress point; steepness of the grade is prohibitive.
- Site Plan will need to be submitted to the Planning Board.
- Goal is to stay as far from the wetlands/West River as possible.
- Looking at herbicide use; grass vs artificial turf? What is best for the environment?
- Fund raising/ grant writing will be needed.
- Riverfront/redevelopment resources have been removed.
- Crossing for the existing access road shouldn't be a problem including improvements such as widening.

Finances

- Current vouchers signed.

Other

- Motion to sign OOC for 113 Mendon St, 2nd – approved.
- Motion to issue Determination for DPW Road projects, 2nd – approved.
- Motion to issue Determination for 23 Hartford Ave.
- 44 Milford St (Gasco property) possible expansion; will need to file and RDA (potential new owner); current owner needs to request COC; Selby will visit property.
- JR Estates CR – further update to the language; will be conveyed to the Town; send revised draft to Town Manager.

9:00pm

Forest Management Policy

- Continued review of the draft.
- Enhanced goals.
- Any income generated from wood sale could be turned back to Land Stewardship Committee and/or Land Conservation thus eliminating a line item in the Town budget. Could turn back to the General Fund through a revolving fund.
- Cutting Plan – if public hearing does law require notice to individual abutters or is an ad in the newspaper sufficient? Possibly post on trees in the area to be cut?
- Define Land Stewardship Resource Management component - goals, cultural/historic significance.
- Forest Stewardship Plan is a component of the Policy.
- Will continue discussion at next meeting.

10:15PM

Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 4/11/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:45PM 10 Glen Ave - RDA

- Building a 1-car garage.
- Will need to remove excavated materials immediately and install erosion controls at brook
- Selby has visited site.
- Negative Determination will be contingent upon not removing the wall.
- Hearing continued to April 25, 2012 meeting at 8:00 pm. Need applicant to provide additional information.

7:50PM 68 Warren St – NOI

David Grossman

- Installing an above-ground pool and expanding the deck; pool is 33' x 18' oval.
- Selby has visited site.
- Erosion controls are installed properly; this is an area that was already disturbed.
- Need to be sure not to drain chlorinated water towards the wetlands; prior to draining/closing the pool don't add any chemicals.
- Will reseed the lawn area.
- Hearing closed; OOC will be issued w/in 21 days.
- Motion to sign the OOC - 2nd & approved.

8:10PM Storm Water Bylaw public hearing

Storm Water Bylaw Comm.

- Review by Tata & Howard, Schofield Brothers and Town Counsel.
- Sponsored by the BOS for ATM in May.
- If approved the Bylaw Committee will work on the Regulations and Fees.
- Preparing a FAQ sheet.
- Will contact Milford Daily News and Boston Globe to put an article in the paper.
- MP questioned exemptions for subdivisions, special permits and site plan applications.
- Motion to close the public hearing – 2nd and approved.

8:35PM Agent's Report

- 94 Christian Hill Rd – need to move bolder closest to the street near isolated wetland (retaining wall); don't drive through the wetland.

General/Pending/Active

Meeting Minutes

- Motion to approve & sign minutes from 3/28/12 – 2nd & approved.

Website

OSC

- Continue to work on Scenic Road Bylaw.

LSC

- 2 Eagle Scout projects: 1) Peppercorn Hill – trail/bridge on National Grid land; Blythe will talk with Town Counsel about liability; 2) SWF – trail work and bridge.
- Need to delineate parking area at SWF; also grading and fencing for this area.

Finances

- Current vouchers signed.

Other

- JR Estates CR – CS will send around final review of the language; will send to Town Manager.
- Mosquito Spraying – not covered under the Wetland Protections Act; perhaps a BOH or BOS matter; Central Mass. Mosquito Control cost comes directly off the Town’s cherry sheet; Conservation Commission would not like to see wide spread spraying but has no jurisdiction other than wetland protection.
- Discussion of land owned by Tom Chase; an acre or two adjacent to the Warren Brook land; matter for OSC to discuss.

10:05pm Forest Management Policy

- Continued review of the draft.

10:25PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 4/25/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:40PM 44 Milford St - RDA D. Eagle & S. Maloney (Arlex Oil Corp)

- Potentially purchasing property; looking to expand the convenience store by an additional 1000 – 1200 SF. – looking for 2200 – 2300 SF total; expansion will be on the existing paved area.
- Current owner will need to clean out wetlands and request a COC; Selby will contact them.
- No issues with the proposed expansion.
- Hearing closed; Negative Determination will be issued.

7:55PM 30 Grove St - RDA Tom & Kim Bagley

- Installing natural gas line to house w/in 67 feet of a pond.
- NStar is doing the installation; will be digging a narrow trench to install the pipe; this is done close to the surface.
- No erosion controls will be needed.
- Hearing closed; Negative Determination will be issued.

8:05PM 10 Glen Ave – RDA (cont) Carolyn Dixon

- Will be excavating for a 2' foundation; not touching the existing retaining wall.
- Concerns with what will happen with the excavated material – don't want it getting into the brook.
- 2 suggestions: remove the dirt immediately from the property; or if it is stockpiled will need to use erosion controls (straw wattles or silt fence) which must be properly installed. Selby will inspect prior to beginning work. Call the office once the erosion controls are in place.
- Hearing closed; Negative Determination will be issued.

8:10PM Sweet William Farm – NOI C. Dumas (Boy Scout) / M. Stasa (LSC)

- Eagle Scout project.
- Building a bridge of a stream on the west side of the SWF property (across from the farmhouse & store) with a fence to keep the horses out; a temporary fence will be used while work is being done.
- Poured footings approx 3' deep will use sona tubes. Pressure treated wood will be used for the bridge.
- Looking to do this work prior to the summer.
- MS has sent a letter to the property owner notifying her of the project.
- Conditions: DEP sign must be posted; materials excavated for the footings must be removed it can be used elsewhere (on trails) but away from wetlands; don't cut the pressure treated wood in the wetland or on the slope; should be 20 – 25 feet away.
- Provide some pictures during the construction.
- Hearing closed; OOC will be issued.

8:35PM BVT Field update Jim Brochu

- Chestnut St project will begin clearing next week.
- 3 Phases of construction; JE Case received bid for Phase I – cutting trees, installing erosion controls; grubbing/stumping.
- Limits of work have been flagged – need to inspect; also when erosion controls are installed we will inspect.
- Jim will forward contact info for those working on the site.

8:45PM Stormwater Bylaw update

- Final version to be given to Town Manager.
- Brief discussion: p. 14 - can ESC be approved w/o approval of SMP; p. 10 – Exemption #6 provision are properly implemented during construction; Security.

9:05PM JR Estates Deed Restriction (draft)

- Send final draft to Blythe; minor revisions.
- Once accepted by the Town and under Conservation it is further protected by Art. 97.
- Motion to authorize DR for JR Estates – 2nd – approved.

9:10PM Agent's Report

- Per report 4/12 – 4/25/12.
- Cross Winds update: issue w/ culvert – installed a double catch basin to allow light but will also allow salt, sand and debris to fall through. Any ideas if turtles will cross if too dark?

General/Pending/Active

Finances – current vouchers signed.

Meeting Minutes

- Will bring to next meeting.

OSC

- Issue with easement on SWF store property driveway; looking to amend the “Grant of Easement” to allow both access; general update will be by the property owner; problems w/ damage by the public accessing – who will fix?
- Motion to grant an easement for crossing and re-crossing over the existing easement – 2nd – approved.
- This will also need to be approved by SVT, the Town and the property owner.
- Possible 12 or 15’ easement.
- Legal fees – who will pay for this amendment?

LSC

- SWF bridge project - Eagle Scout is doing fundraising. LSC Land Maintenance fund to pay for fencing (est. \$500-550).
- Stefans land – need to replace 2 mirrors w/ heavy duty (est. \$450); also need lumber for beds and some bridge work.
- Motion that LSC be allowed to spend money remaining in the account as needed for projects – 2nd – approved.
- Scout projects – Con Com will cover the newspaper ad (\$65) and recording fees.
- Question as to if these town projects need to be recorded at the registry. Will investigate if there is an alternate method for advertising and application process. Check w/ the DEP

Other

- Beavers/Southboro Rd – info from Mike of Beaver Solutions.
- MP & Tom Dodd walked bogs – will provide a written report.
- Discussion on printer in office – may need to be serviced possibly replace. DS will talk w/ Blythe.

Motions

- Issue OOC for 68 Warren St NOI – 2nd & approved.
- Issue OOC for SWF NOI (scout project) – 2nd & approved.
- Issue Negative Determination w/ conditions for 10 Glen Ave – 2nd & approved.
- Issue Negative Determination for 30 Grove St – 2nd & approved.
- Issue Negative Determination for 44 Milford St (potential expansion) – 2nd & approved.

10:25PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 5/9/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:45PM General/Pending/Active

Finances – current vouchers signed.

Meeting Minutes

- Motion to approve mm from 4/11/12 – 2nd & approved.

Website

- AM has put the latest version of the Stormwater Bylaw on the website.

OSC

- SWF addendum re: the driveway/parking easement has been sent to SVT.

LSC

- Working on the bridge & fence project at SWF (Eagle Scout project).

Other

- ATM on 5/10/12 – Conservation Fund & Stormwater Bylaw.
- Discussed Police report of someone withdrawing water from Warren Brook (off Glen Ave); CS will contact the violator to discuss this matter.
- Beaver management – waiting for BOH comments then letter will be sent to the DCR (with or without BOH). Beavers are active again on Fowler St.

8:05PM 5 Goss Pond Rd – NOI

- Applicant did not appear will continue to next meeting. Selby noted obvious violation thus it is likely that and Enforcement Order will be sent to homeowner. CS will create a draft of the EO and email it to Con Com members.

8:15PM Agent’s Report

- Per report 4/26 – 5/9/12.
- Request for COC has been submitted by St. Gabriel’s church – Selby will review.
-

8:40PM Meeting Adjourned

Minutes approved on _____

Meeting Minutes – Wednesday 5/23/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting Timeline:

7:40PM 5 Wildwood Ave - NOI J. Rieger

- Permanent boat dock (8' x 24') and ramp; dock has been in for about 4 years.
- Removed some soil and added crushed stone for the ramp; this is not for public use but neighbors will have access.
- Neighbors have concerns that this will set a precedent as the work was done prior to coming to Conservation Commission. Con Com will continue to request the applicants come to them prior to beginning any projects.
- MP concerned with the design of the ramp; stones are being pushed by tires running over them; Mr. Rieger has proposed that he will install some boards to keep the stones from spreading; He is open to other ideas.
- OOC will be issued with conditions: if any upgrades or changes are made he will need to come back to the Con Com with an amended NOI especially if any more fill or disturbance of dirt/soil.
- Hearing closed.

8:00PM 5 Goss Pond Rd – NOI (con't from 5/9/12) M. Santora

- House was built prior to the Bylaw – thus hearing notice incorrectly referred to bylaw.
- Septic failure; BOH approved new system.
- During installation they ran into problems w/ the approved location; hit a “stump dump” probably left behind from when subdivision was built then had a ground water problem; needed to move system closer to the wetland but it is more than 50' from the wetland; no disturb of 30' has been upheld.
- Major concern of the Con Com is the note line on the Plan stating something like: “no wetlands/bylaw doesn't apply” – this language needs to be removed.
- Slopes will be stabilized; per M. Santora they did not increase the grade of the slope.
- As-Built will show all wetlands.
- OOC will be issued with conditions: Bounds (3) to be installed and shown on the As-Built; no dumping of debris; submit up-to-date plans to the BOH.
- Hearing closed.

8:25PM 11 Wildwood Ave – RDA C. Minnich

- House built prior to bylaw (2004).
- Applicant is concerned w/ trees; 1 tree is rotted and leaning but primary concern is with a large pine (healthy) over 100' tall that is in the wetlands should it fall it will fall directly onto his house.
- If trees are cut it is ok to leave the stumps or grind them but want to avoid pulling the stumps as this disturbs the existing area.
- Need to dispose of the branches or “slash” so as not to pile it in the wetlands or bvew.
- Can replant w/ shrubs or bushes such as winterberry holly, blueberry or other natives.
- Determination will be issued.
- Hearing closed.

8:40PM Maple Ave – Mercury Modification Area G. Bernat

- Change in plan due to beaver activity causing water level to rise; change in the strategy for remediation.
- Risk assessment done by Woodard & Curran.
- The 2009 Permit was for approximately 30,000sf of mercury impacted sediments w/ this new plan looking at reducing the area for cleanup to about 8,500 sf. The standard of non-detect is not realistic changed to “no significant risk which is cleanup levels of .18 ppm (threshold) on average.
- Will revise the erosion controls; looking to use a turbidity curtain at the limits of excavation with drag line mats under the excavator; will go into the furthest point then back out and will leave wood chips behind.
- Question of restoration strategy at end of process? Field samples show mercury to about a 1' depth; the excavated material will go under the cap thus needs to be done before the capping process.
- Phragmites may be impacted by excavation but due to the high water level can't be removed as originally intended.
- Notify the Commission when starting.

9:10PM Agent's Report

- Per report 5/10 – 5/23

9:30 PM General/Pending/Active

Website

- AM continues to update; he has offered his services with transition to the new website “Virtual Townhall”.

Motions:

- Negative Determination for 11 Wildwood Ave – 2nd & approved.
- COC for 72 Hopkinton Rd – 2nd & approved.
- COC for 151 Mendon St (St. Gabriel’s church) – 2nd & approved.

Finances – current vouchers signed.

Meeting Minutes

- Motion to approve mm from 4/23/12 & 5/9/12 – 2nd & approved.

OSC

- Holding off on amendment to the parking/easement situation for the farm stand lot until after new owner purchases.
- Walked Ken Young’s property on Triphammer Rd (off North St) as he is possibly interested in putting a CR on 2 parcels. Will talk w/ Metacomet.
- Motion to allow a Night program at Peppercorn Hill on 6/5 – 2nd & approved; will start at Kiwanis Beach around 6 PM to view Venus.

LSC

- Eagle Scout project is underway but discovered they will need to remove 2-3 small trees for construction of the bridge; Con Com ok.

Other

- South St (Poirier property) may need to file an NOI will be coming to next meeting to discuss.
- Beaver management – motion to send the letter to DCR w/o BOH comments 2nd & approved; CS will finalize and send around for signatures.
- Conservation Fund – language from the town meeting? Check w/ Fred or Blythe.
- Appointments – DS will check w/ Sandy in BOS office.
- Herbicide Policy – review draft for next meeting.
- Forest Management Plan – next meeting

10:10PM Meeting Adjourned

Minutes approved on _____

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Meeting Minutes – Wednesday 6/13/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

7:35 PM General/Pending/Active

Meeting Minutes - Motion to approve mm from 5/23/12 – 2nd & approved.

OSC

- Walking the Poirier's property on South St looking at potential trails should the Town purchase this land for recreation purposes.
- SWF store lot has been sold; another buyer is interested in the farmhouse property.
- Planning a sunset hike on July 24th at Peppercorn Hill; Motion to approve this hike – 2nd & approved.
- Looking to do a "star party" – no date or location set at this time.
- Town is looking to submit a PARC Grant for South St (Poirier) property thus asked for some assistance w/ GIS; language to help support the purchase/grant; and asked for assistance in determining what wetland permits might be needed.
- It was noted that a beaver dam was removed/destroyed on the South St (Poirier) property; barbed-wire fence was seen at the culvert and will need to be removed also a large pipe is lying in the wetlands. CS will send a letter to the Poiriers. TJ suggested they speak w/ Mike Callahan of Beaver Solutions.

LSC

- Town Counsel will respond to the National Grid letter re: Peppercorn Hill.

Website

- AM continues to update; he has offered his services with transition to the new website "Virtual Townhall".

Motions

- OOC for 5 Goss Pond Rd – 2nd & approved.
- OOC for 5 Wildwood Ave – 2nd & approved.
- COC for 44 Milford St (Gasco) – 2nd & approved.
- OOC for 15 Hartford Ave N (originally issued in 2010) – 2nd & approved.

Finances

- Current vouchers signed.

Other

- 20 Taft St – revisiting an issue that was raised 3-4 years ago regarding drainage; D.Therrien is working w/ homeowner.
- Beaver issues: DCR has money to install flow-devices at Southboro Rd. Mike Callahan (Beaver Solutions) will do the work but must be done before June 30 (end of FY). Pond leveler will be set at 1.4. Need to check w/ the DPW about removing the existing pipes; There is a beaver dam at Dean Pond that is backing up, this is within the State Forest so not sure if the DCR will be doing anything unless it affects the fire road.
- Green Communities – MP would like discuss w/ the BOS about forming a committee; possibly invite Ann Mazar from Mendon as she has info on this.
- MP will purchase a bookcase for the office.
- Appointment letters have gone out to those members that are being reappointed at this time. Appointments are for 3 years.

8:30PM Agent's Report

- Per report dated 5/24/12 – 6/13/12)
- Walked the ball field at VFW as the Youth Baseball Organization would like to add some additional batting cages; wetlands will need to be flagged and they will need to follow the permit process.
- Met w/ builder at 31 Cider Mill Ln and wetlands will need to be flagged.

9:05PM Forestry Management

- Continued review of the draft (v.4 dated 4/8/12)

10:15PM Meeting Adjourned

Minutes approved on _____

Meeting Minutes – Wednesday 6/27/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

7:35 General/Pending/Active Items

Meeting Minutes - Motion to approve mm from 6/13/12 – 2nd & approved.

Website

- AM continues to update; new prototype is underway.
- MS has been working on FAQs for website.
- TJ will provide some photos and info on beaver activity.

7:45 PM NOI – 4 Merriam Way

Shaughna & Brian Giracca

- Building a 20' x 21' addition on the side of house on the existing lawn area; addition will have a foundation
- Wetlands to the rear of the property; riverfront area – 100' buffer zone.
- Property slopes down to the river will need erosion controls.
- Not building any closer to the river/wetlands.
- Waiting for DEP & NHESP; hearing is continued to 7/11/12 at 7:30.

General Items continued

OSC

- Prioritizing open space needs for CMRPC.
- MP will be meeting w/ Rec Com to walk the Amato Farm (East St) property to discuss possible recreation needs; some restrictions due to wetlands.
- Selby & TJ did some preliminary wetlands delineation at South St (Poirier property); will do a site walk w/ Rec Com to discuss the property.
- CS spoke w/ H. Poirier regarding beavers he will come to Con Com prior to taking any action; He will also be coming in to talk about a forestry plan for South St property.

LSC

- Bridge at SWF is done; part of fence has been installed.
- Boy Scout project at Peppercorn Hill on National Grid land is hoping to start by late July. Liability was an issue – the Town is talking w/ National Grid to come to an agreement on this.
- We will require and NOI as this project involves crossing the Mill River; Milford only required an RDA; also there are rare species involved.
- Motion for MS to purchase lumber and supplies for LSC – 2nd and approved.

Erosion Controls discussion

- Straw wattles – concern w/ biodegradable material – how quickly will it breakdown.
- Also concerns with animals/reptiles getting caught/trapped in the material (netting).
- Stump grindings from a site are excellent for erosion control; doesn't bring in invasive species.

Southboro Rd

- DPW would like to water on both sides of Southboro Rd at the same level; they have agreed to remove all old materials and have agreed to fill the channel where the old beaver deceiver was. They (DPW) would like a letter from the Con Com to specify what they can and can not do prior to beginning any work at this site.
- TJ will draft a letter from the Commission

Agents Report

- Per report dated 6/14/12 – 6/27/12.

Motions to sign:

- COC for 15 Hartford Ave N (originally issued in 2010) – 2nd & approved.
- COC for 75 Williams St – 2nd & approved.

Finances

- Current vouchers signed.

9:35PM Herbicide Policy (draft dated 5/23/12)

- Will put draft on website
- Will hold an informational meeting on 8/8/12 at 8 pm; put article in Town Crier.

10:00PM Meeting Adjourned

Minutes approved on _____

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_____	_____
_____	_____

Meeting Minutes – Wednesday 7/11/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

7:40 PM NOI – 4 Merriam Way (continued)

Shaughna & Brian Giracca.

- DEP has issued site number (311-0664) and has no comments.
- Ltr (dated 7/9/12) from NHESP – no problem w/ this NOI.
- Motion to close hearing - 2nd & approved.
- Motion to issue & sign OOC – 2nd & approved.

7:45 PM RDA - 121 Elm St

Matthew Piekarski

- Installing an above ground swimming pool on an existing cleared spot in the yard – previously had a swing set on this location.
- No further clearing or excavating needed for this installation.
- Motion to close hearing – 2nd & approved.
- Motion to issue & sign Neg. Determination – 2nd & approved.

General/Pending/Active Items

Meeting Minutes - Motion to approve mm from 6/27/12 with minor amendment from MP – 2nd & approved.

Website

- Reviewing the FAQ sheet to be put on the website.
- Review Herbicide Policy to be put on website.
- AM will be meeting w/ Blythe Robinson & Kelly McElreath re: the Town's future website.
- AM is working on a calendar for members to use.

OSC

- Motion to allow OSC to conduct a Sunset Hike on 7/24/12 at Peppercorn Hill – 2nd & approved.

7:55 PM NOI – 16 Shore Dr

Antinarelli

- Proposing to install a new well and upgrade the existing cesspool to a septic system.
- 1 bedroom house (putting a restriction per Title 5 to only allow expansion to 2 bedrooms) there are no plans to add a bedroom.
- Well is proposed across the street to be as far from the septic as possible.
- Silt fencing will be used.
- Concerns re the amount of water to be discharged during well test; will use measures to prevent erosion into wetland.
- Meeting w/ BOH on 7/12/12 re septic design and necessary variances.
- Infiltrator reduces the size of the system to only 8"; thoughts on using a Presby system?
- Looked at putting the system on the opposite side as a raised system; the soils (loam & fills) are not conducive or ideal thus the system is further from the pond but closer to the wetlands. A lot of soil would need to be removed and replaced in order to move system; tried to perc but wouldn't.
- The existing well and an old hand-dug well will be abandoned.
- Questions from abutter (Pat & Fred Randall) per their email dated 7/11/12.
- Question on abutters list – need to request certified list of abutters from the Assessors Office and resend to any abutter that was not originally notified.
- Hearing continued to Wed, 7/25 @ 8:00 pm.

OSC (con't)

- Approached by the owners of property (about 70 acres) located off Glenview St to see if Town was interested in purchasing. Not likely that town would be interested on it's own but possibly if money from land trust or grants could cover it; SVT looked at it but is not jumping – much ledge and wetlands. Land might be purchased w/ a group effort of various agencies/departments.

Agents Report

- Per report dated 6/28/12 – 7/11/12.

Erosion Controls discussion

- MP visited sites in town that are using straw wattles; these are made of a poly-net that is not biodegradable; preference would be to use wattles made w/ jute or burlap.
- MP did online research and such items are available.
- It has been suggested that we put links on the website and we need to create an erosion control policy.

PARC Grant

- MP has drafted a letter supporting the Rec Com/Town's proposed project for the South St land. Motion to approve & send letter – 2nd & approved.

LSC

- Still working on the Peppercorn Hill bridge project; looking at August for hearing. Close to working out the liability issue – the Town is talking w/ National Grid to come to an agreement on this; still pending w/ Natural Heritage for MESA review.
- SWF did not get the Recreation Trails Grant that would have been used to build a fence; will need to look at other options to raise money; the fence is needed to separate the public property from the private property.
- Conservation Fund balance seems higher than expected; need to check w/ Fred on this.

Southboro Rd

- Discussion w/ the new Globe West reporter Lauren MacCarthy; looking for background on beaver issues; will meet w/ TJ on Friday 7/13 to view different areas in town that have/had activity especially areas that have public safety issues.
- TJ drafted a letter to the DPW -- major issue is what to do w/ the old pipes should we leave them in place as they are useful during a big weather event or should they be removed? DPW director and Town Manager are coming to our next meeting so will discuss w/ them.

Finances

- Current vouchers signed.

Forest Management

- Will add info on use/role of forestry consultants

10:20PM Meeting Adjourned

Minutes approved on _____

Meeting Minutes – Wednesday 7/25/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Alan Miano, and Scott Heim

7:35 PM Meeting w/ J. Thompson/DPW Dir and B. Robinson/Town Mgr

- Introduction of CC members and new DPW Dir Jeff Thompson; communication will be directly to Jeff but will cc Blythe.
- No new road projects from the list that was provided Spring 2012; typically will re-evaluate and prioritize roadwork in a five year plan.
- CC expressed concern regarding street drainage; want to make sure that drainage is not directed toward streams/wetlands.
- Discussion of Southboro Rd/beaver issues; discussed moving or removing the old pipes on CCC Way thought is that these are useful during a high-flow event; spillway/outlet structure is buried on the southern impoundment; DPW will do a cost estimate and determine what it would take to remove the old pipes and create a new spillway; water level is killing trees and several need to be removed for public safety(at Southboro Rd near the berm) this will also help clean up the area; Natural Heritage previously authorized lowering the water level by 1 foot thus they may need to be contacted to see if they are ok w/ lowering any more; discussed the horse trail access; slopes are a concern need to make it rider friendly. Use of old piece of granite suggested for spillway crest. EL 2.0 suggested for spillway crest.
- Motion was made to ask DPW to install a spillway – size and materials to be determined also to remove the old pipes – 2nd & approved (4 yes/1 abstention)
- MP to contact Lynne Harper of NHESP.

8:00 PM NOI 16 Shore Dr (con't)

E. Mainini/engineer

- Hearing was continued from 7/11/12 as abutters were not properly notified; applicant requested new abutters list from the Assessor's Office and send notices to those who were not notified previously.
- Applicant met w/ BOH
- Motion to close hearing – 2nd & approved.

8:05 PM Cross Winds discussion

B. Poxon/G&H

- Discussion of the double catch basin that were installed per the plans; problem is that because they are open debris and material are falling through thus would like to cover the basins.
- Selby supports the need to cover the basins – will keep material out of the stream.
- Motion to support covering the basins and not leave the grates open – 2nd & approved
- Revise plans will be submitted.

8:10 PM Agent's Report

Selby

- Per report submitted 7/12/12 – 7/25/12

8:20 PM Forest Management Discussion

- Hold discussion until next meeting – Aug 8th at 8:30 pm.

General/Pending/Active Items

Meeting Minutes - Motion to approve mm from 7/11/12 – 2nd & approved.

Website

- FAQ sheet has been put on the website.
- Draft Herbicide Policy also has been put on website; a public meeting to discuss this will be held on Aug 8th at 8 PM.
- Prototype of the new town website has been approved by the BOS; goal is to have this up and running by this fall.

OSC/LSC

- Need to review and implement ADA policy for trails; Mass Audubon and the DCR have policies to look at; Will be evaluating our facilities, perhaps trail by trail, to determine needs and create trails that are universally accessible; possibility of grants to help upgrade some trails; discussion of some sort of emergency support or notification for someone on the trails should they need assistance; possibly purchase an off road vehicle for handicapped person to use on certain trails.
- Application for Trails Grant was denied which affects putting in fences at SWF; Metacomet has agreed to help raise money for the SWF fence.
- Peppercorn Hill liability/insurance issue is still in process btw Town and Nat'l Grid. Will need a license agreement for construction of bridge/trails then another for general use of the trails.
- Trail has been created which connects SWF to Warren Brook.

PARC Grant

- Paperwork has been submitted (max amount \$400,000); DCS site visit will be scheduled.

8:45 PM South St Residents Questions re: South St gravel pits

- CS opened discussion by addressing questions directly from Jeff Ballard's email dated 7/24/12 regarding the gravel pit located off South St; questions regarding the current Excess Earth Removal (EER) Permit and future concerns for that site.
- Who is monitoring? There is no one out there on an on-going basis only if concerns or issues are raised.
- Current EER Permit was issued in 2010 and expires in 2013; why 60,000 yds (of removal) determined? H. Poirier explained that as this is a 3 year permit that was a realistic goal; number or loads/yardage being removed per day are kept by the Poiriers; CS suggests that before the next permit is issued grading plans be submitted;
- No topsoil has been removed from the site in the past 40 years; it is stockpiled on site and there is probably enough to cover the site; Reclaiming of topsoil (loam) is required as part of the permit (item # 23) before another permit can be issued.
- The 2010 Permit did not require an NOI filing as they were not working w/in the wetlands; Forest cutting – permits are determined by amount (board feet) being cut/cleared; they did cut an amount that would have required a filing – they have been informed of this amount and will make sure it won't happen again; beavers - Con Com will issue a letter regarding how to deal w/ beavers, this is something that will also be put on our website.
- EER Permit does not specifically deal w/ bringing in materials from another site – only removing of materials.
- Rare species hasn't been investigated by Con Com; Poiriers are cognizant of this issue and are using the Natural Heritage map and have tried to stay out of any areas; question was raised as to possibility of staking the areas so it is clear where they need to avoid working.
- Future concerns: will they be required to bring in topsoil, loam, seed prior to a sale to the Town? No they are not required to do this; they are required to grade, loam and seed the gravel site as part of the EER Permit and it will be done prior to another permit.
- Field development – aquifer doesn't prevent development (not a Zone 2/well head); restrictions will most likely be imposed if fields are to be developed; this site is down-gradient from the new well field.
- Dodson study classified area as having high natural resources value: Dodson study had a broad landscape-level scope. was a broad scope; there are valuable resources on the parcel but not the disturbed gravel pit area (parcel);
- When does Con Com get involved? w/ the filing of a Site Plan, however, w/ the PARC Grant application Con Com did take a look at some issues that would come into play and it was determined that the fields project would be permissible. <5000 sf would be filled for access road
- BR gave an update of the process involved in looking at land for recreation and it did involve looking at other parcels through out town; looked at the MEPA permit process and took this into consideration as to what could be built/developed; won't know about the PARC Grant until probably October; if we do receive the grant the Town will

need to purchase the land by June 2013; No money will be spent but we are working toward moving forward and anticipating what needs to be done.

- Other concerns re: the EER Permit such as trucks, hours of operation and bus routes are not Con Com issues.

Finances

- Current vouchers signed.

Motions

- Motion to issue COC for 60 Knowlton Cir – 2nd & approved.
- Motion to issue OOC for 16 Shore Dr – 2nd & approved.
- Motion to issue letter to the Poiriers re: beaver issue – 2nd & approved

9:56 PM Meeting Adjourned

Minutes approved on _____

CONSERVATION COMMISSION

Town of Upton



Massachusetts

508-529-6286
concomm@upton.ma.us

1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 8/8/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

7:35 PM General Items

- Need to set a site walk for Kenneth Village to check wetland bounds.
- Also for Afonso's property off West River St.
- Selby is working to set up a site visit to the RR & landfill site on Maple Ave.
- Peppercorn Hill Scout project - license agreement w/ National Grid has been finalized; project can now move forward.

7:40 PM NOI - 1 Sturdley Rd

J. Simonetta

- Project is for a septic upgrade; improving the system by installing a larger system and adding a leaching field; system will be going in the same general area as the current system.
- Meeting w/ the BOH on 8/16.
- Selby made a site visit and determined that wetland flags need to be installed and shown on the plans; there is BVW which has a 50' setback for Title 5; also need to install erosion controls such as a silt fence.
- Hearing has been continued to 8/22 at 7:40 pm.

7:55 PM Agent's Report

Selby

- Per report submitted 7/26/12 – 8/8/12
- Discussion on creating an Erosion Control Policy; Selby will work on a draft based on Ashland's.
- MP has been researching vendors and will put together a list.
- 266 North St will be requesting a COC; Selby has review and would request that the Commission not issue a COC until the replication area is 75% vegetated. Motion was made to uphold Selby's request – 2nd & approved.

8:35 PM Herbicide Policy (v. 7/23/12)

- This policy is for Town owned land including conservation land.
- It is to explain what treatment will be done and why.
- Motion to accept the draft w/ changes made tonight – 2nd & approved.
- MP will finalize the document and AM will put on the website.

8:45 PM Forest Management (v. 4 - 4/8/12)

- Forest reserves (p2) – 2 basic questions: minimum size? And percentage to be managed town-wide.
- Motion to set goal of 25% as the total forest upland that is to be managed by the town in addition to what is designated as wetlands – 2nd & approved.
- Suggestion to take out parcel size but should there be some sort of general guideline?

9:15 PM General Items continued

Resolve Enforcement Orders

- CS will send form letters requesting updates for the following properties: 23 Pearl St; 4 Westboro Rd – has this property been sold; and Frescos (Milford St).

Meeting Minutes - Motion to approve mm from 7/25/12 – 2nd & approved.

Website

- FAQ sheet has been put on the website; AM has updated beaver FAQ.
- Meeting on 8/15 @ 9 am with the folks from Virtual Town Hall who are creating the Town's new website; CS, AM & DS will meet w/ them at 11:30 to specifically discuss the Con Com page.

OSC

- BT & MS went on site visit at South St property on 8/7/12 w/ Rich Gazoorian of the Rec Com and Blythe Robinson; site walk was related to the recently submitted PARC grant application.

LSC

- Per earlier discussion the Peppercorn Hill scout project is ready to get started.

Finances

- Current vouchers signed.

Motions

- Motion to sign COC (partial) for 60 Knowlton Cir – 2nd & approved.

Letters

- Discussion of letter drafted by MP to be sent to Al Holman in response to his recent article in the Town Crier (8/3 edition);
- Review of letter drafted by CS to the Town Manager regarding Al Holman's recent article.
- Motion to send the both letters w/ changes made tonight – 2nd & approved.

10:20 PM Meeting Adjourned

Minutes approved on _____

August 22, 2012 Meeting Minutes
Upton Conservation Commission

Nipmuc High, 7.35

Members present:

Sandy Lajoie
Alan Miano
Mike Penko
Chris Scott
Marcella Stasa

Attendees:

Ellen Arnold
Clare Letendre
Jeff Letendre
Michelle Potheau
Robert Potheau
Joe Simonetta
Bill Taylor

Discussion with Clare and Jeff Letendre.

They had questions about the Conservation Restriction at Sweetwilliam Farm. They are considering purchasing the property and wanted clarification on several points.

Farm machinery is allowed to be used and stored under the CR.

Green house on east pasture is allowed within CR parameters.

Solar panel installation in east pasture will need to be reviewed and approved by SVT and BOS.

Explained winter access. Clarified public access questions

Evening activities on easement and conservation land would need approval by Con Com.

Possible re-location of farm store from Potheau land to west pasture at its northern end.

MS will contact SVT to discuss solar panel installation in east fields and height of one story structure on the northwest field should existing farm store building be re-located.

1 Sturdley Road- replacing septic continued from August 8.

Wetlands have been flagged.

Board of Health has approved the project.

Old system to be removed.

Presby System to be installed

New plan submitted

Hearing closed

OOB will be issued ASAP

Discussion with Michelle and Robert Potheau – 153A North Street

They would like to put the channeled stream on their lot underground.

MP spoke with BP before the work started

Selby met with BP and his botanist on site-they were in agreement that without a viable mitigation site on the property for that amount of disturbance the DEP would challenge any OOC issued by the Con Com.

Selby explained the law.

The Potheaus put a proposal before the board to proceed with the project stating that piping the swale would insure that insecticides and other residential lot use would not contaminate the waterway and thus not have an adverse effect on the organic farm status on the adjacent farm parcel. They plan to plant apple trees which would need to be sprayed.

Would a residential house lot affect organic status?

MP researched organic farm info and the water supply may not be contaminated.

Project is not allowable without a permit.

RP-Does the board feel it can be ruled on? A: 1) a filing would be required. 2) if there was a plan, mitigation would be required. 3) DEP would likely overturn a Con Com approval.

Potheaus were looking for a board opinion as to whether a pipe would be a better option over the swale. Swale was given as the preferred option by the board.

Potheaus will submit an NOI for work on the house on Friday for a hearing on September 12th.

Forestry Discussion

MP presented version #5 and pointed out changes.

Stewardship plans for individual properties to include forest management plans

MP will forward current draft to Rufin van Bossuyt and Paul Catanzaro for comment.

Filed Materials in Storage

Duplicate records can be discarded, some can be transferred to digital format.

We can take part of a meeting to make time to go through files.

Meeting Minutes from August 8th 2012 unanimously approved and signed.

Expense voucher signed

Payroll voucher for Denise signed.

Website

New town website training took place. AM had suggestions for content and updates. There will be a lot of useful tools

Virtual Town Hall will add content for us a month before the site goes live so we can save having to do so by getting materials to them. Mid-fall is the goal for going live.

MP suggested adding info on green communities and climate change.

Land Stewardship

Trail re-routed at Warren Brook Watershed CA to skirt recently posted Chace property.

Beaver Management

Put together a report for the Board of Health.

Meeting adjourned 9.37 PM

CONSERVATION COMMISSION

Town of Upton



Massachusetts

508-529-6286
concomm@upton.ma.us

1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 9/12/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

Chris Scott, Marcella Stasa, Alan Miano, Tom Jango, Sandy Lajoie, & Scott Heim; Mike Penko at 8:45

7:35 PM General Items

Meeting Minutes – motion to approve minutes from 8/22/12 – 2nd & approved.

Website – looking at end of September/early October for launch of the new website; discussed having online payment option for certain filings - CS will discuss further w/ Blythe.

OSC - MS discussed fundraising activities.

LSC

- 80% of trails are completed from Whitney Conservation area to Warren Brook; hike will be scheduled for new trails.
- Fundraising activities discussed.

Motions

- Certificate of Compliance for 94 Taft St – 2nd & approved.
- Order of Conditions for 85 Crockett Rd (re-signed) – 2nd & approved.

7:45 PM NOI – 153 North St

R. Potheau/P. DeSimone

- Removing existing structure (farm stand); will be enlarging the concrete pad and installing a new prefab home (42'x88') plus a garage (30'x36'); this will be more than 100' from the no-disturb area.
- The house & garage are already in a disturbed area
- Will be planting fruit (such as apple) trees in the no disturb zone as part of the landscape plan; want to keep the farm look.
- Will use the existing driveway and will pave a small area; will not impact the parking easement.
- R. Potheau offered to assist w/ work on the parking easement area while he has equipment on the property; this is not conditional of any approvals ConCom may issue. Will discuss further upon completion of the hearing.
- Closest point from intermittent stream to the grade is 36'; building is 51'
- Depth of electric line 18" – 24"; will need to contact DigSafe.
- Farm Store will be dismantled by hand tools and removed from site.
- Hearing closed – OOC will be issued.

8:10 PM Green Communities

A. Mazar (Mendon)

- 5 Criteria must be met in order to have the town designated as a Green Community: As-of-Right siting for renewable energy; provide expedited application & permitting processes; reduce energy by 20% in 5 yrs; fleet management for fuel-efficient vehicles; and establish Energy Stretch Code.
- Will need an active committee – they did not spend any money in doing this; can apply for a grant for consulting.
- There is funding to help attain these criteria; grant money is available once the 20% is reached.
- Suggest sending a letter to the BOS/TM encouraging/supporting the pursuit of Green Community status.
- Question was raised re: Regional Schools in this process.
- Stretch Code – re: efficiency of building code would need to get bylaw approved in order to go forward w/ Green Communities.

8:35 PM Agent's Report

Selby

- Per report submitted 8/23/12 – 9/12/12.
- Erosion Control Policy – draft; Con Com will determine best material to use on a site-by-site basis; process will be flexible and discussed during the hearing stage. Selby will amend for next meeting.

9:30 PM Forest Management (draft 5)

- Mike will write press release for public hearing.
- Continued to next meeting.

9:15 PM General Items continued

Finances

- Current vouchers signed.
- Discussion of new payroll worksheet.

Beaver Solutions

- Will be coming to do maintenance where do we want pond level to be set? See if DPW will shoot elevation/grade.

Motions

- Motion to sign OOC for 153 North St – 2nd & approved.

10:15 PM Meeting Adjourned

Minutes approved on _____

CONSERVATION COMMISSION

Town of Upton



Massachusetts

508-529-6286
concomm@upton.ma.us

1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 9/26/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

7:35 PM 16 Elm St

- Shed has been moved from where it was shown on the plan presented during NOI hearing; it has been moved to an area that is existing lawn. Commission has no problem but the new location needs to be shown on the As-Built plan.

7:50 PM Agent's Report

Selby

- Per report submitted 9/13/12 - 9/26/12.
- Erosion Control Policy – draft2; need to add something about removal of erosion controls (when necessary).
- Additional type of acceptable material: matting/blanket; need to be wildlife friendly; steep slopes may use hydromatting.
- Add info on suppliers; include links or contact info.
- Selby will update for next meeting.

8:45 PM Forest Management

- Finalize the draft for next meeting.
- Meet w/ BOS to discuss prior to releasing document to the public.
- Public hearing set for November 28, 2012 at 8 pm – will run notice in the Crier; comment period will be set.
- MP will write a short press release.

9:10 PM Storm Water Regulations (draft 9/20/12)

- All departments will need to be knowledgeable of these regs (BOH, DPW, PB, Code/Bldg); Planning Board and Con Com will have oversight.
- No hearings are required
- Cont'd to next meeting 10/10 @ 8:15 pm

9:30 PM General Items

Enforcement Orders

- Motion to accept EO letter as presented by CS – 2nd & approved.

Meeting Minutes - next meeting

Website

- AM has been working on new webpage; uploading info from our current page and adding new info.
- Training for new web software is 10/2; Release date is 10/15.

OSC

- Fundraising w/ Metacomet Land Trust; will have a table @ Heritage Day (Sat. 9/29) accepting donations; will have trail maps to hand out.
- Donations will be matched until 10/15/12.

LSC

- Cleanup at community garden; yard sale on 10/13/12 – looking for items.
- Herbicide treatment at Stefans.

47 Southboro Rd – request for COC – Selby will review.

Green Communities – letter to be sent to BOS

Upton State Forest

- Building of additional bridge sections (btw bogs) on Southboro Rd; do we want to extend so people can reach high ground?
- What is the process as this is DCR property; will DCR need to file a new NOI or can they amend the existing order? Proposal was made that if the extension is less than 10 ft they can amend the Order, if larger they would need to file a new NOI.

Boy Scout Request – camp out overnight at Peppercorn Hill.

- Motion to approve request – 2nd & approved.
- They have been informed of EEE & West Nile Virus and that bow hunting season opens 10/15.

Finances

- Current vouchers signed.

Pending Issues

-

10:15 PM Meeting Adjourned

Minutes approved on _____

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CONSERVATION COMMISSION

Town of Upton



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1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 10/24/12

To: Members of Upton Conservation Commission
cc: Upton Town Clerk
From: Denise Smith, Administrative Assistant

Members Attending:

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

Meeting minutes – 10/10/12 – Motion to approve – 2nd & approved.

Website – AM gave update on new website which went live on 10/15/12.

7:40 PM 31 Christian Hill Rd NOI M. Campbell

- Install a new septic system as existing cesspool has failed.
- No trees will be removed
- BOH granted a waiver to be closer than 100' to wetlands (approximately 68').
- Erosion controls will be installed – will use straw wattles; plan will be revised indicating this.
- Selby reviewed; wetland delineation was fine.
- Hearing closed; OOC will be issued.

7:50 PM Agent's Report Selby

- Per report submitted 10/11/12 – 10/24/12.

8:10 PM OSC

- Tom Wessels event is this weekend.
- Private land abutting Warren Brook is being sold; current owner is interested in selling to the town for a reduced price (no amount discussed); Will invite the owner to come to a meeting.

8:20 PM Maple Ave Landfill property G. Bernat

- Regarding the Turtle Habitat - Natural Heritage wants to change the slope from 2:1 to 3:1 which will destroy existing BVW and to replant (vegetate) in order to make new turtle habitat. It is presumed that this will be more feasible for nesting habitat.
- Applicant would like to maintain 2:1 slope but revegetate. Motion was made by MP to support this change if asked by Natural Heritage as the habitat will still support early succession – 2nd and Approved.
- Landfill slopes have changed from the original design. Now include 3:1 slopes (instead of 2:1) and 3" rip rap (instead of large rip rap).

8:35 PM Kiwanis Beach Pavilion/Rec Com M. Cortese

- Rec Com looking to build a pavilion at Kiwanis Beach next to the Ramsey building.
- Pavilion will be about 80' from the water; slab foundation w/ a metal roof.
- Will need to remove some materials in order to grade away from the water but will use this same material as fill toward the ball field.
- 3 trees will need to be removed; willing to replant trees elsewhere; this may possibly be an Eagle Scout project.
- Project would be done next summer (July 2013); Blackstone Valley Tech will build the pavilion free of charge but Rec Com will pay for all materials; Donations and CPC funds are being pursued.
- Project will require a RDA filing.

8:50 PM Chestnut St culvert

G. Bernat

- 64 acre parcel off Chestnut St which has a CR w/ Metacomet; existing 12" culvert has collapsed thus needs to be replaced. GB will replace in kind (same size/place/location); also a second culvert will need some repair so he will include this too w/ his filing.
- RDA will be required.

Forestry Management Plan

- Sent final version to Blythe & BOS; looking to meet w/ the BOS possibly late November to discuss.
- MP emailed literature regarding adaptation of forest due to climate change to the Con Com members.

Stormwater Bylaw Regs – bylaw committee meeting has been rescheduled to November 8th.

LSC

- Fundraising has been very successful; Raised about \$13, 500 including matching donations.
- Fence can be purchased for SWF property.

Motions

- To issue & sign COC for 47 Southboro Rd – 2nd & Approved.
- To issue & sign COC for 11 Wildwood Ave – 2nd & Approved.
- To issue & sign OOC for 31 Christian Hill Rd – 2nd & Approved.

Green Communities – review draft letter to be sent to BOS – additional edits made.

Upton State Forest

- Southboro Rd bridge – amend OOC? Public hearing will be needed.

Finances

- Current vouchers signed.

Pending Issues

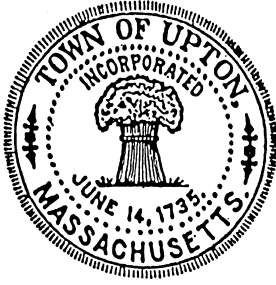
- Check w/ BOH regarding the scanner they are looking to purchase. What size will it handle?

Due to STM on Wednesday November 14, 2012 Con Com meeting has been moved to Tuesday, November 13th at Town Hall. Will open meeting upstairs then adjourn to Con Com file room in basement to review files and discuss record retention.

9:35 PM Meeting Adjourned

Minutes approved on _____

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TOWN OF UPTON
CONSERVATION COMMISSION

Meeting Minutes – Tuesday November 13, 2012, 730PM

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Alan Miano, Tom Jango

7:30 PM

- RDA -Ken Tripp
- Wants to build a bedroom and bathroom onto his home to have them on the 1st floor
- This would be level with the lawn
- Must install a silt fence on the property line before work starts per Selby's recommendation
- Is looking for a variance so he can build closer to property line
- Hearing closed with negative determination by unanimous vote
- Negative 3 Determination of Applicability signed

Meeting Minutes

– approved from October 24 2012

Signed time sheets

Signed Certificates of compliance for Marino and Hobart/Stasa projects

7:50 PM Meeting Adjourned to basement file room to continue work on records project.

CONSERVATION COMMISSION

Town of Upton



Massachusetts

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concomm@upton.ma.us

1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 11/28/12

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, Tom Jango and Sandy Lajoie

7:30 PM 31 Elm St J. Jones

- New owner purchased property and has renovated and increased the number of bedrooms. He recently learned that his deed has a restriction for 2 bedrooms because of the septic/leach field. Con Com's issue is to ensure that the septic is away from the wetlands and that it works w/o causing any problems to the wetlands.
- Suggest that he review the Title 5 variance from 2001 and have the system tested to ensure it will handle an increased capacity. An NOI was filed 311-0443.

7:55 PM Stormwater Regulations

- Discussion of the fees – could be used to pay some of the Agent's salary/wages.
- BOS need to review & approve.

8:00 PM Forestry Management Plan

- Waiting to hear from BOS as to when we can meet w/ them.
- Will hold off on the public hearing until January.

8:05 General Items

Meeting Minutes – from 11/13/12 next meeting.

Website

- AM has been updating; will put Forestry Management Plan on once we've met w/ the BOS.
- DS has put meeting minutes on new site.
- MP has suggested we add "Pratt Pond Ice-Out" info.

OSC/LSC

- Fence will be installed at the SWF pasture on Monday 12/3/12.
- Mowing fields at Stefans land this weekend; this is done to cut back the invasive plants.
- Looking to have a rotation of mowing fields.

Green Communities – additional edits made to draft letter to be sent to the BOS.

Upton State Forest - Southboro Rd bridge OOC is still open.

Motions

- To recommend the following people to the Land Stewardship Committee - 2nd & Approved:

Marcella Stasa

Scott Heim

Mike Penko

Mathew Bachtold

Cathy Taylor

Bill Taylor

- To allocate General Expense funds (\$4600) as follows - 2nd & Approved:

\$2500 – Expense

\$1500 – Land Maintenance

\$300 – Open Space

\$300 – Land Stewardship

Finances

- Current vouchers signed.

8:50 PM Meeting Adjourned to basement file room to continue work on records project.

Minutes approved on _____

CONSERVATION COMMISSION

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1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 12/12/12

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, Tom Jango and Sandy Lajoie

7:35 PM 3 Station St - RDA C. Heintz

- Installing natural gas line approximately 60' from edge of wetlands.
- Line will run from the street through the front lawn (existing grass) to the home.
- Selby has visited site – no issues; no erosion controls will be needed.
- Hearing closed.

7:45 General Items

Meeting Minutes

- Motion to approved minutes from 11/13/12 & 11/28/12 – 2nd & Approved.

Website

- AM continues to update and correct items as needed.
- “Pratt Pond Ice-Out” info has been added.

OSC

- Fence at the SWF pasture is up.
- Request for COC for 311-0661 as the work at SWF (North St) has been completed under this NOI.
- Motion to sign the COC - 2nd & Approved.

Agents Report

- Per report submitted 12/3/12 – 12/12/12.

Forestry Regulations – will meet w BOS in January.

LSC

- Possibly have a person that is interesting in joining the committee who would be good as has knowledge of Warren Brook area.

Stormwater – will submit a warrant article for the ATM to set up a revolving fund.

Finances

- Current vouchers signed.
- Motion to purchase a scanner w/ funds from Expense account – 2nd & Approved.

Budget FY14

- Will request a meeting w/ the BOH do discuss the Beaver Management Fund
- Motion to ask for an increase of the Conservation Fund to \$5000 – 2nd & Approved.

Motions

- Motion to accept the Annual Report w/ minor edits – 2nd & Approved.
- Motion to sign COC for 208 East St – 2nd & Approved.
- Motion to sign COC for 85 Crockett Rd – 2nd & Approved.

8:50 PM Meeting Adjourned to basement file room to continue work on records project.

Minutes approved on _____

