

## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Tom Dodd and Debbie Sexton  
Re: Minutes of meeting Wednesday, January 9, 2008

### Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Scott Heim  
Debbie Sexton and John Savello

**No Public Meeting – Discussion Only (notice of meeting wasn't posted)**

### Meeting Timeline:

#### General:

#### **7:40 NOI (cont) Main St. – Parker Mitchell (present) and Barbara Burke**

- Architect doesn't have plans yet
- Do have a rough sketch
- Probably crushed stone path
- Retaining walls – might be wood or concrete
- Continue to 1/23/08 7:30 meeting

#### **7:50 NOI (cont) West River St. (not present) Chris Scott updated everyone**

- Presented 2 drawings to Planning board
- PB seemed to have lukewarm feelings
- Still looking at 3 lots and trying to change driveway entrance
- Not sure want to do an open space design
- Continued to 1/23/08 at 7:45
- Abutter (Phillips – not present) concern over whether there is a VP present.
- They would be willing to pay for WL biologist to determine
- Town bylaw defines VP resource area at the VP plus 100' buffer

#### **8:10 Bob Wolfe cancelled his discussion for Rte. 140 commercial site**

- Pratt Hill wireless tower – PB closed
- Pratt Pond – Ken Picard – meet to view flag areas
- Aquatic weed control – extension should be done.
- Discussed wetland bylaw regs – possibly just provide setback table
- Annual report draft
- Discussed drafting a letter to horse owners on Mechanic St.

#### **9:25 Meeting Adjourned**

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## **Meeting Minutes**

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Tom Dodd and Debbie Sexton  
Re: Minutes of meeting Wednesday, January 23, 2008

### **Members Attending:**

Tom Dodd, Chris Scott, Mike Penko, Scott Heim  
Debbie Sexton and John Savello

### **Meeting Timeline:**

#### **General:**

#### **7:35 Pratt Hill**

- meeting last night
- Planning Board approved tower with 10 conditions
- Want existing road to water tower to be used
- App has to satisfy historical commission and Narragansett
- Mark Ohlman (land owner) present

Marcella Stasa has submitted application for Con Comm (not member yet)

#### **7:45 NOI(cont) W. River St. present: Brett, Mike Weaver**

- Reviewed development for Marcella
- Discussed 2 options with Planning board – large lot and open space res dev
- Provided letter discussing planning boards' discussion
- Put minnows in trap on 1/7 and 1/11 – no fish
- Seems to have sufficient water to sustain fish
- Ice was 12" thick in 3 locations 12 – 18" water below
- Didn't go into middle
- Not a real leaf duff type pool – not good
- Substrates for typical VP's No emergent vegetation
- Spotted turtle more likely in marsh area
- Approx 3 acres of disturbance
- Wouldn't expect to see spotted turtles aestivating early seccessional scrub growth
- MP – not successional forever
- Found turtle eggs in that area
- Possibly put an island on cul-de-sac
- MP – if way to reduce impact that requires zoning board variance – would suggest that.
- MP – UCC may support moving limit of work to NHESP to protect the VP area.
- Question about driveway to lot #3
- Desired to move the driveway further from potential VP
- App will try to get variance for a driveway
- Possibly use boulders around cul-de-sac to direct turtles away from this area
- MP – would like to see a CR on remaining prop (outside limit of work)
- Continue to look for VP activity
- M. Weaver – What if it is a VP? Worse case would be it is a VP.
- Restriction on cutting any trees and shrubs around PVP. CR would cover this.
- Continue to 2/13/08 at 8:00pm

#### **9:05 General**

- Motion to write letter to support Marcella to join UCC – ALL IN FAVOR
- Motion to accept meeting mins of 12/12/08 – ALL IN FAVOR

- Ken Picard working on NOI for removal of shrubs and brush along Pratt Pond edge. Phil Nadeau says needs an NOI > 50 linear feet of bank change would require an analysis be done. Pruning doesn't need NOI. Proposing putting in 3 little 4' jetties to provide for fishing.
- Site visit Saturday 1/26 at 8:00am @ boat launch
- Warren Brook properties – draft letter for walking horse properties along brook.
- Env Bond issue – provides \$50 mil for open space acquisition. Motion that we support the Env Bond Bill and sign letter – ALL IN FAVOR
- CS read draft letter relating to a Upton resident who did not submit a updated NOI for a septic system repair – Cynthia Boucher.
- Shinning Rock – problems
- Believe one stream gaining flow and another losing it. Test storm event – 2 flowing strong and 3<sup>rd</sup> not flowing (vineyard).
- MP suggests UCC draft a letter to DEP and Tunnison Smith to look into drainage changes and reduced flow to Vineyard stream. MP will draft letter.
- Rockwood Meadows CR – approx 15 acres in Hopkinton and approx 50 acres in Upton. MP suggested having Metacomet doing the inspections.
- Approx \$5,000 for Rockwood Meadow monitoring fund motion to support Metacomet as holder of CR with UCC as a secondary – ALL IN FAVOR.
- MP abstained – member of Metacomet board
- Received letter from CDM requesting info on soils.
- Pearl St. Lot 3 – lot owner has not put in any erosion control. JS told him he needed to install. He will have it tomorrow.
- Glen Echo detention basin B1 had some erosion problems. They put in a temporary interceptor trench.
- Deb made some changes to Upton's Con Com website.
- Motion for 80, 82 Milford St. CoC – ALL IN FAVOR
- Scott reviewed bylaws from a number of towns.
- **10:30 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Tom Dodd and Debbie Sexton  
Re: Minutes of meeting Wednesday, February 13, 2008

### Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Scott Heim, Sandy Lajoie  
Debbie Sexton and John Savello and Marcella Stasa

### Meeting Timeline:

#### General:

#### 7:35 Glen Echo and Howarth Discussion present: Richard Howarth and John Engalls

- RH wants to fill in trench on his property – 18” pipe – small setting basins at start and end from where trench is now to field on s/w side. He had map and design.
- Steve Soma is familiar with plan.
- Will be drainage easement with lot 1
- Uses existing culvert in road
- Glen Echo had 3” gravel on road after 5pm today
- Pulte is sending someone to clean the road
- Paving approx 1<sup>st</sup> week of May
- Mike will be checking the site to see what happened tonight.
- UCC will send a letter to Richard Howarth to fill trench and install piping.
- CS will issue a letter for adjustment referencing Pulte’s plans and tonight’s discussion.
- Lot 1 and 3 will have a deed restriction.
- MP asked if Pulte could send Con Com a copy of drainage easement they will put on Howarth lot/land.

#### 8:10 NOI(cont) West River St. Present: M. Weaver G&H

- New plan shows driveway and turnaround now outside tree line
- Additional grading on Lot 1 – material from on-site
- Lots meet zoning requirements
- Upton bylaw has 200’ buffer on ponds
- Would need filings on all 3 lots
- Maintain pond and dam in perpetuity – association
- Scott, Tom and Mike would like CR on all undeveloped portions
- CR should allow town access to potential well fields
- Any WL’s near fill piles to be moved on plan
- UCC would like more info on Army Corp 269’ line
- MP was ok with not doing a VP study
- Continue 2/27/08 8:00pm

#### 9:05 General

- Motion to accept meeting mins of 1/23/08 – ALL IN FAVOR
- Pratt Hill wireless – Trust Public lands is interested in the land
- Motion to vote Mike Penko to be vice chair – ALL IN FAVOR
- Warren Brook water quality – CS e-mailed BOH
- CS will send letter to Dave Krawiec to get BOH approval first
- Shining Rock – JS checked storm outlet and at Mike Samarco. Water was clean. Believe more water than before.
- Received plans from Noble Vista (1/2/08) – Requested 2 more copies. Enforcement order couldn’t be lifted until project completed. JS suggests the town engineer needs to approve these drainage changes. MP requested a 3<sup>rd</sup> copy for Hartford Ave. people.

#### John:

- 257 Milford St. waiting for more info.
- 12 Meadow Dr. – waiting for as-built

- Lot 8 and 9 – o.k. for CoC
- 147 Milford St. – needs to remove debris from no disturb area and needs stabilize slopes. Can't get CoC until spring. Probably do a partial.
- Pearl St. is having problems – WL's no silt fence.

**Debbie**

- Open Space now on town's web site
- GIS program loaded.

**General:**

- Scott working on WL regs – Hope to have draft for next meeting.
- MP – Rick Holmes wants to publish Dodson studies. Need \$250 - \$180 available in open space funds.

**10:05 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, March 12, 2008

### Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie, Marcella Stasa  
Debbie Sexton and John Savello

### Meeting Timeline:

#### 7:30 General

- Margaret called regarding Rte. 140. Site near Colonial Chem Dry
- Problems with detention basin. No hay bales or any erosion control. Discharging into wetlands.
- CS e-mailed code enforcement.
- Motion to issue EO – ALL IN FAVOR. CS issued EO stating untreated storm water discharging into wetlands.
- CS received a phone call from Upton Police. A collection of shot animals in a pile on left side of Mendon St. They want to know if Con Comm issued a permit – Con Comm did not. It looks like it was used as a dumping ground.
- Sewage treatment area needs erosion control.

#### 7:45 West River Street present: M. Weaver and Mr. Afonso

- MW put together a new plan. Oxbow put a stop to proceedings.
- Army Corp wants to wait to discuss with the plans until MW can work the plans out with Con Com and Natural Heritage.
- Natural Heritage doesn't like how MW extended fill out. Encroaching back to habitat with grading and fill to get away from pond.
- M. Penko believes 1) Natural Heritage should consider balancing VP and nesting habitat. 2) Open space plan not thoroughly investigated.
- The lots have been moved back 100' into heritage area and Army Corp area
- M. Penko not sure if NH knows what Con Comm's concerns are.
- Mr. Afonso is o.k. with CR on the front and back of property.
- M. Weaver wants to know if the driveway is acceptable as is.
- Con Comm would like to wait on decision to see what NH has to say. M. Penko will draft a letter through e-mail addressing Con Comms's concerns to Natural Heritage.
- Continue hearing to 8:30 on 3/26/08

#### 8:35 Discussion Mendon St. church present: Bob with G&H

- Close to getting started this summer
- Road is in. Some of parking lot is within the 100' buffer. Everything else is outside the 100'
- Church currently not interested in selling front of property for house lots or ball fields.
- Storm water treatment – 4 bay detention basin
- 20 parking spaces go into 30' buffer
- CS concerned about 1) sequencing of events and 2) where would snow be removed to.
- CS suggested a fence at the 30' buffer
- Tree line at 30' buffer
- Sensitive area as discussed in Dodson study.

#### 8:50 General

- Scott Heim's by law regs. CS asked everyone to review and mark up handed out copies for feedback.
- E-mailed code enforcement for building permit re: Rte 140 site.
- 4 and 6 Wood St. horses – NRCS called J. Savello. No sure when the house was built. Could supersede bylaw. JS believes they extended the paddock back to manmade farm pond. UCC could have jurisdiction.
- C. Scott went to BOH meeting.

- CS saw Steve Soma. He would like to coordinate beaver and any other projects that need RFD or NOI.
- Rockwood Meadows CR – Metacomet will meet next week. Kevin Lobisser will be there.
- BOH suggests Con Comm talk with animal inspection officer to help with the Warren Brook water quality issue.
- Pleasant St. NOI – to follow
- Boy Scout Eagle Scout project at Peppercorn. There is a OOC from a previous scout project in 2007. Eric Rabb can amend that NOI.
- CS made a motion to record the Peppercorn scout project OOC from 2007– ALL IN FAVOR.
- Arthur Scalise from 226 Milford St. plans to remove trees. He wants to know if he should submit a NOI. J. Savello questions what he plans to add/put down. JS asked to set up a meeting with Arthur Scalise to ask more questions.
- Received a letter regarding K.Poore saying there is a tax lien and that 75 Williams St. will be foreclosed on. The letter states that Con Comm has been named as an interested party. CS will talk with J. Bates reading this issue.
- J. Savello will speak with the DPW about the Mechanic St. and North St. NOI.

**9:50 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, March 26, 2008

### Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie, Marcella Stasa, Scott Heim  
Debbie Sexton and John Savello

### Meeting Timeline:

#### 7:30 General

- Chris Scott - Parker Mitchell postponed. He asked (w/e-mail) if he could switch project. Maybe boat ramp or boat launch for park.
- MP is on park committee. Says people don't want a dock. MP says he should talk with Park committee.
- CS asked what does Con Comm want to do with NOI. Barbara Burke will come in to discuss.
- Grafton St. issue/letter. MP says owner is doing something with heavy equipment. Doesn't think con Comm needs to do anything right now.

#### 7:45 Lake Maspenock Dam present: Pare Corp. Allan Orsi and Lauren

- Located along Mill River
- Purpose is for safety – get trees out for dam to work properly. General Dam Safety practice.
- Tree removal – 2,685 square feet total impact area along BVW.
- No replication planned. They hadn't considered any mitigation.
- April 3<sup>rd</sup> Milford Con Comm hearing.
- Temporary impact – just taking down tree (vs. stump and root).
- Vehicles to cut tree will be going through BVW. 12' wide area.
- Hay bales and silt fence in BVW.
- Within 10' of dam structure will be taking out bigger trees.
- Starting at the end of June.
- Fill is less than ½ foot to 2'. Change in elevation
- Trucks will be taking tree stumps (chips vs. stock pile)
- MP asked if anyone considered if any replanting of trees. They said its heavily wooded and there are no plans to replant.
- Sandy L. asked if they know who the contractor is yet.
- Con Comm agreed there was no need for a site visit.
- CS closed the hearing – will issue an OOC.

#### 8:00 Pratt Pond present: Ken Picard

- KP updated UCC 1) Natural rock next to jetty, 2) set of trees to be planted (Black Gum).
- Updates are in the letter from Mark Allen
- Wheelchair access to deck (one) near the entrance to cemetery.
- 3 jetty's total
- Precast blocks on crushed stone.
- MP asked if he could do one rock formation on each side of two jetties.
- Not a boat dock – just fishing jetty.
- Bush cutting and trimming is almost finished.
- Held off on cutting large trees until they can get a truck in there to help.
- Weed control is expiring. KP volunteered to contact aquatic weed control committee.
- CS closed NOI will issue OOC.

#### 8:20 General

- Barbara Burke (present) regarding Milford St. and Parker Mitchell. Landowner wanted some compensation for the bridge. Barbara wants to speak to the owner. She feels the land should be incorporated in the park.

- Con Comm was fine with his plans. MP – work on owner.
- Con Comm keep NOI open. There is no expiration on NOI.
- Historical doesn't want entrance to the park in back of Rose Garden.
- NOI is in Barbara's name and she wants it to stay open.
- CS thinks Parker's troop leader should be involved. She'll e-mail him.

**8:40** Update only – West River. MP read Brett's e-mail. Put e-mail into file.

- Read his e-mail to Rebecca S. for Natural Heritage.
- March 7<sup>th</sup> plans – she could live with the disturbance from then. She like the CR.
- MP would like to go out and see if wood turtles are out there now. (VP habitat)
- MP – how much total square feet of disturbance within the 100' buffer (of the March 7<sup>th</sup> plans). He will e-mail M.Weaver.
- Mitigation issue – Show design with 2 lots and then one design with 3 lots.
- UCC not sure if can deny based on bylaw.
- CR will allow access to abutter's property.
- J. Savello suggests writing a letter regarding excluding 1<sup>st</sup> lot on left. It would look favorable to the board. The 1<sup>st</sup> lot is where most of the disturbance is to the resource area.

**9:50 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, April 9, 2008

### Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie, Marcella Stasa, Scott Heim  
Debbie Sexton and John Savello

### Meeting Timeline:

#### **7:30 Discussion – 6 Wood St. present: David Thakar and Jane Rizzitano**

- Plan showing horse paddock
- Yellow line showing silt fence/hay bales
- Manure and erosion issues
- BOH suggested a 3' wide trench with crushed stone (barn to pond approx 300') – create berm.
- Moving electric fence in 6' from prop line
- Combination of BOH and Dan Ranchall suggestion
- Wants to put drain in 6" below pond top into trench
- Pond not regulated under WPA
- Will seed paddocks area and back field
- Problems occur in Feb, Mar during heavy rains.
- UCC – put letter and plans on file for any public concern.

#### **7:45 Discussion 69 Mechanic St. present: Sandy Lajoie**

- Driveway going into garage
- Remove landscape timbers and put in rocks and repair steps
- JS – existing lawn and landscaping – not need to file or do RFD
- Will put silt fence in for erosion
- MP need to file RFD – it would be put in paper

#### **7:55 General**

- Meeting Minutes accepted as amended

#### **8:00 NOI (cont) present: Brett, Mr. Afonso and M. Weaver**

- CS read e-mail from M. Weaver
- M. Weaver had March 7<sup>th</sup> plans – roadway only
- Show map w/ proposed 3 lots
- UCC wanted to see - area of VP = 2.93 acres, area of 100' resource area – 6 acres, area of disturbance = 26,000 sq ft.
- Lot 1 disturbance is due to driveway going in.
- MP asked if area to the far right of lot 3 be considered under the CR. Part of a resource area. Plant it then under CR – no one could touch it. Stabilize slope.
- House will be close to it.
- M. Weaver asked about mulch and shrubs
- MP believes most impact has been minimized
- CR will stop homeowners from touching the area after it is planted.
- Area goes up 12 feet and down to a 40% slope.
- Mr. Afonso said he would be fine with a CR on this area.
- Sides of disturbance will be loomed and seeded. 16,00 square feet of permanent disturbance (long term).
- JS asked MW about considering whole site as a 2 lot – MW – no he did not. The costs to build road would be too high with the amount of fill brought in.
- MW – No catch basins, driveways will have Cape Cod berm
- For next meeting – protection of wood turtle, common driveway agreement, construction sequence, CR on property (Brett has a draft from NH)

- Irene Delbona has template of states CR.
- On filing for lot 3 – have area stabilized; hydro seed, silt fence or hay bales.
- Continue to May 14<sup>th</sup> at 7:45

#### **9:10 By Law Review Discussion**

- Scott reviewed comments from board
- Discussion over abutter notification on RDA – new lots from 2004 on.
- UCC doesn't require abutter notice or other board notification with explanation of why in the regs.
- ANORAD can drop notification of other boards.
- Fee's variable fee

#### **9:43 General**

- CS went to Milford Con Comm mtg. – Maspenock plan is 50% complete according to discussion at meeting.
- CS made additional amendments to OOC
- SH – no need for final plans.
- Milford would send us their OOC and we would send ours to them.
- Pratt Pond - CS don't have final plans for entire site.
- No need for as-built on Pratt Pond
- CS motion to sign OOC for Pratt Pond – ALL IN FAVOR

#### **9:55 General**

- Peppercorn Beaver – water is gushing over the dam
- TD – Baker's Pond dam - water level is high.
- Rockwood meadows – Metacomet had site visit – they are interested in CR
- CS at PB meeting- Rte. 140 Kelly's and DiCarlo on hold.
- Marcella – Stephan's may be getting sheep to help with mowing.
- Big Night went well. Approx. 50 people cam.
- JS Items:
  - 76 and 78 Milford St. CoC are fine and good
  - Grove Street looks good. Doesn't see a need for an as-built
  - Glen Ave. CoC – new design is less of an impact than original design. Need to ask applicant if he needs a partial of if he can wait to pave and then apply for CoC.
- CS motion to issue CoC to 11 Grove St. – ALL IN FAVOR
- Ask Diane for a count on Building permit sign offs
- Send another spring erosion letter – Fisk Mill Rd. and Mr. Cappobianco
- JS did maps of railroad – GIS maps

#### **10:30 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, April 23, 2008

### Members Attending:

Tom Dodd, Mike Penko, Sandy Lajoie, Marcella Stasa, Scott Heim  
Debbie Sexton

### Meeting Timeline:

#### 7:30 General

- Motion to accept meeting minutes – ALL IN FAVOR
- Pratt Hill – Doug Harris found another mound
- Metacomet still interested in Rockwood Meadows. Preparing facts and issues sheet.
- Rte. 140 Dicarolo not in fault. Culvert still buried under Rte. 140. Kelly's talking to NRCS. UCC is supportive
- 10 Grafton Rd. still working on it.
- Women's club wants to do something for the town. Marcela and Sandy willing to meet with them in June.

#### 7:50 NOI(cont) 43 Cider Mill Ln. present: Jennifer Buskell

- Presented new plans dated 4/23/08
- National Grid not signed off yet.
- Possible boulders put up to prevent ATV's.
- Crossing 4 – 6" pipe. Suggested to put gravel down to improve crossing.
- Water and electric to barn not currently on plans. If plan on putting underground they need to come back to UCC.

#### 7:58 General

- Steve Somo - stormwater bylaw meeting 7:45pm DPW Thurs. 4/24/08 meeting.

#### 8:00 NOI Upton Self Storage 226 Milford St. present: Arthur Scalise (and abutters)

- Proposing 10' fence and take down chain link. Purpose is to protect fence more due to snow.
- Haven't been before planning board.
- Clearing trees 10-15 – Birch, Evergreen, Pine.
- Replacing chain link with solid vinyl – 6' fence.
- Fence will go right up to his property line.
- Clearing trees within 40' of WL buffer.
- Moving fence back 10'.
- Putting down gravel
- Won't put containers on new gravel during winter.
- Wants to put a well in for maintenance issues only. Not for drinking. Won't be hooked up to the office.
- Well is on WL boarder
- UCC asked to move well. AS said he could do that – relocate to corner of lot near Glen View.
- MP suggested he speak to BOH re: well.
- Drainage goes to several catch basins and pond (within WL).
- Site Visit 6:00 Monday, May 12<sup>th</sup>. Abutters are welcome.
- AS would use crusher dust no gravel.

#### 8:30 Matthew Buskell (cont) 43 Cider Mill Rd. present: Matthew Buskell

- Plans on above ground utilities
- National Grid still reviewing.
- W3 Universal Key – people who do the clearing were supportive.
- Make sure fencing isn't metal
- Motion to close the hearing – ALL IN FAVOR
- Gary and Don Fowler would like a copy of OOC. Jim Hounam and Linda Stucchi would as well.

**8:50 BRWA present: Tammy Gilpatrick and Steve Macindoe**

- Power point presentation (see their handout)
- Would like copy of stream surveys
- Make a link to BRWA for water quality – BRWA.ORG
- 6 water sites in Upton Conservation BRWA would like to be partners with Upton.
- They have stormwater bylaw people that could help Upton.

**9:20 Jim Bates Jr. Aquatic Weed control Committee**

- Request extension for OOC
- Can't use CPC funding to maintain property that wasn't acquired with COA funds.
- Horse farm on Westborough Rd. and Pratt Pond. There are weeds / aquatic vegetation over to boat ramp.
- MP motion to extend aquatic weed control. ALL IN FAVOR

**General:**

- MP will draft OOC for 43 Cider Mill Rd.
- Motion to issue OOC – ALL IN FAVOR

**9:45 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, May 14, 2008

### Members Attending:

Chris Scott, Tom Dodd, Mike Penko, Sandy Lajoie, Marcella Stasa, Scott Heim  
Debbie Sexton and John Savello

### Meeting Timeline:

#### 7:30 Grafton Upton Railroad

- Flooding happening on Mendon and Chestnut St.
- Beaver deceiver vs. trapping
- GUR would like to breach the dams
- Large site – 10 days to trap. RR prefers to trap
- Chris signed Emergency Certificate – 3 no's Marcella, Tom and Mike and 3 yes.
- Chris would like to see a long term beaver solution. Asked the RR to come back within 3 months (August).
- Tome believes beaver deceiver could work just as well.
- Fish and Wildlife coming in over the weekend – Con Comm would like a copy of what they suggest.

#### 7:50 EO – 19 Plumbley Road present: Bob Migliaccio

- Chris read John Johnson letter from DPW
- Bob M. requested a building permit for an in ground pool
- Had an EO on his property for 13 months.
- Con Comm would like s site visit - 6:00pm Thurs. 19 Plumbley rd.
- Bob M. needs to: 1) Silt take out. #2) Bring drainage easement into compliance.
- He needs a machine to do this and will take 2 weeks to get this in.

#### 8:05 DPW issues present: Selectman Ken Picard for Steve Soma

- #1. EO on Noble Vista and Fred Ruland on Hartford Ave. South. Need engineered plans for drainage on site.
- KP needs peer review of plans. Con Com doesn't have funds for this. ZBA may have funds.
- #2. Pleasant St. flooding because of stream. Needs to be cleared up. Filing from the town. In process.
- #3. Paving roads – on hold right now.
- #4. Beaver Coordination – come before BOS to come up with a policy for DPW to follow. Con Com should make a proposal. Possible open order for this issue.
- #5. Mechanic St./North Ave. – CoC
- Needs stabilization. Slopes are eroding. Were going to provide matting.
- Some spots still need to be in compliance.
- Areas of ice. Possible culvert damage
- Drainage structures
- Sunken roads.
- #6. Con Com has comments n stormwater by law. Will bring before the BOS.

#### 8:20 West River St. present: M. Weaver, Brett, Mr. Afonso

- Get front stabilized
- Document MW provided for construction sequencing (see attached letter)
- April – Oct.
- Install fence before turtles are active. Late fall
- Mr. Afonso looking to construct next year/early spring.
- Met with planning board.
- Fire chief against island in the middle of a road/driveway.
- 3.4 – 3.8 acres
- area of limited disturbance on lot 3

- SH suggest filing 3 RFD's for 3 house lots
- Once the order is issued for the road, the CR will follow the house lots as well.
- Nation Heritage – Rebecca S. sent Brett a copy of deed restriction. MP prefers CR.
- They have a meeting with Army Corp next week – Tues. re: 269 elevation and if there is a need for a compensatory storage plan.
- UCC would like to see Rebecca S. deed restriction.
- Nation Heritage haven't reviewed latest
- Con Comm will decide which way they want to go – deed restriction or CR.

**8:15 Cutter Wyman – Warren Brook**

- Tom Chase his uncle, purchased property in 1952.
- Abuts Upton Conservation area
- Mass funds – self help project #3/ Warren Brook watershed conservation area
- Concerned about his land.
- Read a letter from Upton Fire Chief – Mike Bradford.
- 8 ½ acres his uncle's land
- UCC - Do they need an easement for the road
- CW spoke with Jennifer Soper from state.
- If road becomes paved it could become town's responsibility.
- Marcella could help head up Cutter's concern and interests.

**9:40 226 Milford St. present: Art Scalise and abutters**

- Site visit – Monday 5/12
- Updated plans. Well was removed.
- Well was not on NOI – NOI was not changed. Mr. Scalise apologized to UCC.
- Removed request to relocate fence.
- Trees will stay.
- Riprap area is going to be regarded. Not going to be impervious. Will be flat – crushed stone.
- Level it so trucks can turn better, remove snow and put containers too.
- Hearing closed.

**10:00 69 Mechanic St. present: Sandy Lajoie**

- Fixing retaining wall
- First was done with landscape timbers. They are rotting and will be removed.
- Garage and driveway 6' from foundation
- Wants to replace with blocks
- Will put fieldstone with seed and loom.
- Closed hearing – negative determination

**10:05 Storm Water Regs**

- UCC needs more time.

**General**

- Rick Marino from 89 Crocket Rd. needs to file a NOI
- Conservation fund 5,000 – pass over this year.

**10:30 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, May 28, 2008

### Members Attending:

Chris Scott, Tom Dodd, Mike Penko, Sandy Lajoie, Marcella Stasa  
Debbie Sexton and John Savello

### Meeting Timeline:

#### 7:30 General

- Jesse Snell for 14 Meadow Dr. – Asked if he could clear brush in front of yard (wet meadow). UCC – no work could be done in this area.
- 7:40 - Rich Manville from G&H presented plans for 151 Milford St. testing for ledge. Outside the buffer. UCC – o.k. with testing.

#### 7:45 Discussion - Glen Echo Soccer field

**present: Dan Boucher and Dave Adams**

- Presented final design of athletic field – conceptual 4
- PB hasn't commented on plan yet
- Layout is the same
- Tree line 15-20' further into field – pulled field closest to North St. The field is 330' long, 180' wide.
- Fence to WL = 14'
- Lowered and pulled back the side basin to 33' from wet.
- Sediment 4 bay is standard
- Schofield couldn't design an amphibian and reptile trap for animals to come out of.
- Storm water tank going into catch basin. Picking up parking lot and access road water.
- CS suggested looking at a smaller grate so the reptiles won't get caught but also won't stop water from draining.
- Modified salamander habitats.
- Concrete retaining walls.
- Didn't find ledge – did 7 test holes. Found large boulders –removable
- UCC asked if trees could be marked that are coming down.
- Current plan is a lesser design and has the least amount of disturbance.
- Schofield needs to hear back from all the town boards.
- Schofield will call when area is staked out and Con Comm will schedule site visit.
- Area of disturbance in resource area – 1,300 sq ft. - trees, back edge of field and replication area, fence area.
- UCC will provide written comments after site visit. Also interested in hearing other ideas on amphibian catch basin.

#### 8:35 General

#### 8:50 Cutter Wyman

- Wanted to apologize for the *confrontation* at the last meeting.
- UCC asked for the information Cutter has collected to date.
- BOS is involved in this matter and all information should be copied to them as well
- Site visit 6/5/08 at 6:45 (Thurs).

#### 9:10 Beaver Discussion re: policy

- MP referenced file.
- Possibly e-mail document to Bridget Lucy

#### 9:15 General

- MP – pursue 7<sup>th</sup> member for UCC
- JS – 69 North St no wetland issues

**9:30    Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, June 11, 2008

### Members Attending:

Chris Scott, Tom Dodd, Mike Penko, Sandy Lajoie, Marcella Stasa  
Debbie Sexton and John Savello

### Meeting Timeline:

#### **7:30 CoC 83 Main St. present: M. McAuliffe and Doreen**

- J. Savello site visit.
- Issues: 1) Cross drain at road 24" pipe 10" plastic pipe 2) Original NOI had no garage. 3) Proposed WL bounds to be set 30' off wl. Site plan shows them at BVW.
- Discharge pipe from lot 3 drive way was extended to cross drain. JS doesn't think it's a big deal.
- Asked to waive the as built. Plan doesn't show grading. No disturbance to resource area – everything is stabilized.
- 5 bounds are along the wetlands. Suppose to be 30' off wet.
- Stonewall is where the limit of no disturb is.
- All conditions were met except limits of grading. JS is fine with this.
- Chris will call the DEP for next step. Attach plan to CoC.

#### **8:00 108 Grove St. present: Thomas and Linda Moore**

- J. Savello site visit for building permit sign off.
- Proposed pool off rear of house. New area on lot. Unused forested area.
- Brook runs through the property (under Grove and through Centerbrook).
- JS has a quad map showing stream as perennial stream.
- Trees have been cleared and stumped and land has been graded.
- Rivers Act (1996) applies to this stream. 100' no disturb zone.
- 10% of total disturbance.
- The lot pre-dates the act.
- Ideas – UCC possibly regulate as intermittent stream. Keep pool outside of 100' and do some replanting.
- CS asked owner to come back with a proposal – planting trees plan.
- Document the stream drying. If stream is dry, call the commission.
- No more than 10% total disturbance
- Owners need to do a filing – NOI with engineered plans.
- MP - could be a rare species habitat. Will check with NHES.

#### **8:25 NOI(cont) West River St. present: Mike Weaver G&H**

- M. Weaver met with Army Corp. – Activity was beyond their easement. Can't do anything below the 269 elevation.
- National Heritage – too close to nesting area.
- Deed restriction – Nat'l Heritage - everything in North, back 3 and front 3 portions.
- Common driveway outside deed restriction with homeowners association to help maintain it.
- UCC looking to have water controlled in entrance. Structure maintained somehow. Possibly in deed restriction. Maintenance of crossing in perpetuity in deed restr.
- RDA's for house lots with conditions.
- Open Issues: 1) MP asked about a possible lawn in the center of the turn around. MW would ask the fire chief. 2) Deed Restr. vs. CR. UCC will look at wording in deed restriction at Pulte and CR at Kenneth Village.
- Continued to 6/25/08

**9:10 NOI 151 Mendon St. present: Dave and Chris Baldiga, Peter Lavoie G&H & Bill Jackson project manager**

- CS read notice
- P.Lavoie presented plans.
- 32 acres. WL runs in the middle.
- 7 acres out of 31 total disturb.
- 3.4 acres impervious.
- PL will get numbers for total disturb inside WL.
- JS asked about results from testing.
- J. Schmidt flagged the WL.
- Catch basins with pump into 4 bays.
- MP asked about using a green design. B.Jackson said they were considering most energy efficient possibilities.
- Site visit Tuesday, June 24<sup>th</sup> at 6:00pm
- JS asked to stake 30' no disturb section and limits of basin where discharge is going to be.
- Fence will be protecting most of the 30' wet. Snow will be plowed to grass area.
- Continued to 6/25/08

**9:40 General**

- CS proposed beaver policy with the BOS. They were supportive. CS – people who have problems should call DPW, BOH and Con Comm before doing anything.
- Motion to sign CoC of 7 Grove, 90, 92, 94 Milford St. – ALL IN FAVOR
- Site visit for West River Rd. – JS, M.Penko and C.Scott saw it.
- CS will write a letter to DiCarlo about their property.
- Metacomet mtg for CR on Rockwood Meadows. Upton Senior Center at 7:00 Wed. June 18<sup>th</sup>

**10:20 John Savello**

- 257 Milford St. wrote a letter to be sent to engineer.
- 14 Meadow Dr. – motion to sign CoC – All in favor
- 2 Glen Ave. – good
- Kenneth Village - K. Lobisser will show UCC the bounds.
- Signed off on 6 Glen Echo lots.

**10:30 Debbie**

- GIS training in July
- Asked about meeting minutes from last meeting – I don't have them.

**10:35**

- MP - Warren Brook – may have an encroachment. Should we hire someone to survey?

**11:00 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, July 9, 2008

### Members Attending:

Chris Scott, Tom Dodd, Mike Penko, Sandy Lajoie, Marcella Stasa, Scott Heim  
Debbie Sexton and John Savello

### Meeting Timeline:

#### 7:39 General

- Procedure issue – state law – Any requests for materials should be in writing 10 days in advance. Charge of \$.10 per page for any material. Post in office and on web (Open Space and Con Comm).

- Motion – ALL IN FAVOR

#### 7:41 NOI(cont) 151 Mendon St. present: Peter Lavoie, Dave and Chris Baldiga

- PL Made changes after site walk – new set of plans.
- Added 100' buffer around pond (potential vernal pool) to plans. (See Judy Schmidt's letter). 100' from high water line.
- Road shifted over 18' to the right. Removed parking along wet (30' buffer). Reconstructed driveway and parking lot.
- 43,000 sq ft., 20,000 impervious.
- Submitted changes to PB –filed Tuesday. Drainage didn't change.
- Waiting for Schofield review of stormwater mgmt. UCC is good with current plans.
- Bounds will be needed.
- Continued to 7/34/08 at 8:00.

#### 8:00 Stormwater Regs

- Currently out for other boards to review and make their comments – continue to next mtg. – 8:15pm
- Deadline for comments is 7/21/08
- General – review of meeting minutes from June 25, 2008

#### 8:03 EO 9 Walker Dr. present: Gary Pizzolozzo

- Last Tues 7/1/08 there was a fire. Wet lands nearby. Some discharge from fire could affect it.
- Dumpsters and trailer 50' away from wet.
- Fire could have started in dumpster.
- In dumpster: motors, tires etc. GP scrapping most of everything. Looking to stop his business.
- Took 4 truckloads of debris away.
- UCC wants him to clean it up.
- Cleaning under and around second trailer. Motorcycle parts.
- Granite should stay where it is and not move closer.
- Next step: Keep EO in place, have Gary call when it's cleaned up and UCC will take a site visit. NO NOI or RFD needed at this time.

#### General:

- Motion to pay bills – everyone signed.

#### 8:15 Discussion for Con Comm regs

- Part 3 – Scott reviewed comments and updated.
- UCC discussed various by law and wetland protection laws.
- UCC to record meeting minutes from last year's town meeting on Glen Echo and Snow Conservation land.
- UCC needs to review section 4 next – meeting 7/23 at 8:30.

#### 8:50 General

- Motion to ratify EO on 9 Walker Dr. – All in favor
- Motion to accept meeting minutes from 6/25/08 – All in favor

- Beaver control policy – CS talked with Pare Corp on ideas. MP – if state says rare species habitat, then applicant has to coordinate with National Heritage.
- RR update – According to Bridget Lucy Mass Wildlife didn't think beaver deceiver would work. Bridget Lucy (RR) still is expected to come back to UCC for an update. Haven't heard from her yet.. MP would like second opinion on beaver deceiver.
- Upton roads are being paved.
- 19 Plumbley EO – Mr. Maglio is working on the drainage issue.
- 147 Milford St. – grass has been mowed twice. Motion to issue CoC – All in favor.
- 83 Main St. issue – CS talked to circuit rider. Recommended: Amend OOC – include site plan with correct bounds. Motion to sign OOC – All in favor

**9:30 Warren Brook Conservation present: Cutter Wyman**

- MS – how many lots on 8 ½ acres are you looking for frontage? CW – he thinks Upton should develop a road.
- MP – UCC needs to consider secondary impact.
- CW – public interest in putting in a road on the south side.
- CS – liability for town due to “self help” funding rules – a public road to conservation land.
- MP - Construction of road for residential access would be a change in use and would trigger Article 97 process (CW disagreed).
- SH – 2,000 sq foot easement – loss of acre of habitat land for road. Having road could open conservation land to ATV's– Grafton side.
- CW – state land not Upton land because of “self help” money.
- UCC – state holds easement but deed holder is town of Upton.
- CW – towns are limiting use of conservation land. State wants to maximize access.
- UCC - Upton has no intention of limiting use.
- CW – what do you consider access points to land?
- UCC – sign on Grafton Rd. and Glen Echo open space parcel (Eleanor Howarth). Glen Echo open space land and Oak Knoll Lane since 1996.
- CW – look at the deed. Upton's “self help” land has no access. He suggests purchasing Oak Knoll Lane property for access.
- UCC – Mr. Glowacki indicates ownership of Grafton Road access is uncertain and is working on the Oak Knoll Lane entrance. We do have access through Glen Echo. We have had functional access to the property since 1996.
- JS – In answer to general question posed by MP for benefit of CW - there are lands/parcels that have no owners/owner unknown.

**9:50 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, July 23, 2008

### Members Attending:

Chris Scott, Tom Dodd, Mike Penko, Marcella Stasa, Scott Heim (8:00pm)  
Debbie Sexton and John Savello  
Cutter Wyman audio recording meeting

### Meeting Timeline:

#### 7:40 Discussion – Rob and Doreen Bruno

- Pool to be installed in mostly existing lawn.
- 36 x 18' plus decking, fence and French drain
- Lot 9 Merriam Way
- Drainage easement
- Big Tress – less than a dozen to be removed
- Regarding needed, vegetation being cleared
- Propose within 22' of wl's

#### 7:50 Discussion – Abutters to church on Mendon St. present: Mike Poirier, Doug Paris and Pam Taylor-Paris

- Church meeting scheduled next week
- Concern about water drainage potentially going into their property from parking lot.
- Also worried about septic system getting saturated – had problems in past
- Planning board may require a bond

#### 8:10 NOI amended Peppercorn Hill present: Erik Rapp

- Chris read notice
- 45' bridge over wetland
- Spot 7 on Mill River. 30 minutes out.
- Area floods and can't use the trails
- CS asked for cert mailed to abutter – Eric sent but not certified.
- Also not sure if Eric received the correct abutters list. People were missing from the list.
- Using cement footings, pre-made.
- Bridge will be 3' or 4' above water.
- Ramps on each side of bridge 40 – 45' long.
- UCC suggests some kind of lip/edge along the edge of bridge.
- Didn't officially open the hearing because of assessors map and certified mailing.
- Continued to August 13, 2008 at 7:30pm

#### 8:35 NOI cont. West River Rd. present: M. Weaver and Mr. Afonso

- MW revised drawing that Nat'l Hert wanted. Iron rod set bounds, some signs (29 for NH).
- CR vs. Deed restriction – MW – there will be controls over most of the area because of where it's located. Nat'l Hert recommended deed restriction.
- MP – EOEE puts out the CR
- UCC – not sure if activities and encroachments of homeowners will be monitored. CS believes CR will alert homeowners more and give land trust/Con Com yearly inspections.
- UCC would rather the CR in perpetuity.
- Proposed to close hearing. MW agreed.
- UCC will be in touch with BOS re: legal council and then in touch with MW.

#### 8:50 Stormwater Regs

- Margaret Carroll suggested to define 'stormwater authority' then use the term 'stormwater authority' in regs. vs. Con Comm.
- CS sent a copy for 2 engineering firms to review – haven't heard back.

**9:05 Con Comm Regs. Section 4 – Scott Heim**

- UCC reviewed and shared their comments.
- General standard for performance.
- All residential lots set back should be the same.
- 30' wetland, 50' stream
- 200' buffer for VP – no disturb or no building zone.
- Next review filing fees etc.
- 8/13/08 at 8:15 Con Comm regs.

**9:33 Warren Brook Conservation Area present: Cutter Wyman**

- CW wondering if we had any new documents. MS – working on draft to selectman.
- CW – wondered about wet lands on trail map. MP downloaded it from Mass GIS data.
- CW – areas of concern for UCC: 1) Easement was supposed to be used and to develop town roads. 2) Development of property – not certain what that would be at this time. He would like to use it to its full potential.
- UCC – there are consequences for town by developing a road.
- UCC – road would be 'converted' if it was a public road for Grafton. Change of use.
- July 28<sup>th</sup> to BOS meeting Executive Session.

**General:**

- Motion to sign OOC fro West River Rd. – ALL IN FAVOR
- Motion to accept Meeting Minutes from 6/11/08 – ALL IN FAVOR

**10:00 Letter to BOS regarding Warren Conservation Area**

- Marcella made copies
- UCC reviewed letter
- Easement – you can't build a road on it. It would have to convert ownership.
- TD – need to still hear back from the state as to what would happen if it was to change to a public/private road.
- Add town council review and DCR review.
- CW there is a public interest in building a public road.

**General**

- Stables on Rte. 140 – take off
- Wireless towers – Doug Harris is meeting with the applicant
- Upton Roads – Williams St. and Mendon St. are paved.
- Firewood lottery letter – put on web, keep in office.
- 57 Williams St. in ground pool – needs NOI
- 13 Station St. – can cut the tree and nothing else, no stumping.
- Kenneth Village follow up on missing bound
- 108 Grove St. – Chris went to take pictures for 4 days. Stream was dry. NOI, planting plan, certified mailings. JS – they only need specialist no need for engineered site plan.
- John Savello  
257 Milford St. – drafted a new letter to owner.  
Glen Echo – signed building permits. Need to do street sweeping on Phase II.

**11:00 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, August 13, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Scott Heim, Sandy Lajoie  
Debbie Sexton and John Savello  
Cutter Wyman audio recording meeting  
Town video recording

### Meeting Timeline:

#### 7:35 General

- Chris introduced Bob Frascatore as a potential new con Com member. Everyone introduced themselves.

#### 7:38 Discussion Ken Picard

- New site plans for fishing jetties (part of the OOC).
- Plans show erosion controls for handicap access.
- Details of paving.
- Do work in fall. Looking for CPA funding and MA Fish and Game money.
- He has everything from Con Comm.
- Parking lot was not on original plan. It will be paved for wheelchair access.
- Trees still need to be taken down.

East St.:

- DPW wants to repave via chapter 90 funds.
- Are there issues with stormwater from Con Comm?
- UCC - No catch basins there now. Possible vegetated swale. Water run off is fast.
- KP – town will do what is proper and required but can't afford more. J. Johnson will work with Con Comm.
- UCC – Rip Rap will help slow the water down along with swale.
- J.Johnson – no current beaver issues. KP – Southborough Rd. is ready to flood. Water level is high.

#### 7:52 NOI Peppercorn Hill present: Erik Rapp

- CS read notice – opened hearing.
- Footbridge for hikers, 4 wheelers, horses etc. Bridge will be over Mill River (#7). Bridge will be 44' long. Erik went out with a builder to the site.
- Footings will be 6' – 8' apart.
- Bridge will be 2' from water line.
- Will make a practice bridge first.
- Targeted to start in fall.
- Closed hearing.

#### 8:00 Warren Brook conservation Area present: Cutter Wyman

- CS presented letter to BOS regarding Cutter Wymans' proposal and overall comments to Con Com board.
- MS – asked if BOS could take a site visit
- Still not sure about Article 97
- CS would like to get on BOS next agenda.
- Next steps: Send CS letter out, talk with Jim Bates (agenda), Mike will draft letter.
- CS polled everyone for a vote on letter and next steps – ALL IN FAVOR.

#### 8:19 21 Pearl St. EO present: Dale

- Erosion control issues – J. Johnson of DPW expressed concerns.

- M. Tamagni – sold all 3 lots. There were 3 OOC issued. Now there are 3 different projects going on. Problems with this now.
- Driveways for Lot 3 and Lot 2 are cut in. Water flow is heavy and coming down driveway going into street and wetlands. It is filling up with silt.
- Needs to be stabilized ie. Driveways being surfaced.
- Dale - lots of digging for water ties. Need to get 12” pipe in.
- Replication is for lots 2 and 3 via lot 1. Lot 1 has lawn in already.
- Possible check dams with rip rap and jute to help stabilize flow.
- Dale believes gravel and fresh haybales can help stabilize flow.
- Move forward – develop plan ex. Interceptor swales check dams, temporary silt pond.
- JS will meet Dale Thursday at 10:00am. J. Johnson may come.

**8:45 NOI 57 Williams St. present: Danielle and Vincent Ellero**

- CS read notice.
- Putting in a inground pool.
- 35’ to wet, needs 15’ to disturb, needs to bring in fill.
- 40 x 20 pool size.
- JS – concerned that water will be a big issue in the hole that is dug for pool.
- Silt sacks may be necessary and need to be monitored. Have pool company run hose far up towards Williams St. into a siltation sack.
- CS – notify con Com when pumping going on.
- JS – there will need to be erosion controls ex. silt fence and haybales. Messy.
- Continued to 8/28/08 at 8:xx. Js would like to look at original file to confirm wetlands lines.

**9:00 Con Comm Regs. Board reviewed Section 5 and 6**

- Fee schedule for ANORAD
- Scott will update document.

**9:30 Stormwater Regs**

- No response from engineering firms.
- EP requires the town have stormwater bylaw. Looking to have done by Sept.
- UCC – suggested dry wells

**John Savello**

- Site visit at Maspenock dam in Hopkinton. Looks good. Cutting went well, grass is growing.

**General:**

- DPW roadwork – needs to give Con Comm a list of road projects they want to work on in advance. Filing will depend on resource areas. The board can poll the data in the area and then go through each road individually.
- Motion to accept meeting minutes from 7/9/08, 7/23/08, 5/14/08 – ALL IN FAVOR
- Women’s Club – may do some walks and beautification project.
- Stanton property – motion to pass over opportunity. – ALL IN FAVOR
- Fowler St. – abatement because of wetland. UCC - Need to know map and parcel of lot, has it been flagged for wet, need to provide plans of resource area.
- Haven’t heard back from Kevin Lobisser regarding Kenneth Village.
- JS – Glen Echo – phase II building permits are signed off.
- Motion to sign OOC for Erik Rapp – ALL IN FAVOR

**10:30 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, August 27, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Scott Heim, Sandy Lajoie, Tom Dodd  
Debbie Sexton

### Meeting Timeline:

**7:47 NOI 28 Grove St. present: Fred Laphan for Bob Danforth**

- CS read legal notice.
- Plan on selling their house and need to be in compliance with Title V. Want to install a septic.
- BVW and 100 year flood.
- Steep backyard. House is within 100 ft of the wetland.
- 3' wide trench, 65' long – sits behind house. Narrow structure.
- Looking for an approval of 40' setback (50' is required).
- Property line is shown incorrect. They will change.
- Cesspool close to ground water.
- It is before the BOH now.
- Abutter – Brad Toothman 26 Grove St. – concerned that the cesspool and septic MAY contaminate the drinking water.
- 30' to his house where the proposed septic system is.
- CS – 1/8 of a mile on Glen Ave. have been upgraded to town sewer.
- More than 5' over ground water, filtration to natural soils.
- Tying to town sewer would be costly for homeowner.
- Impervious barrier on Glen Ave.
- Septic system is outside 100 year flood.
- Site visit – mark property line. Monday, September 8<sup>th</sup> at 6:30.

**8:20 NOI(cont.) 151 Mendon St. present: Peter Lavoie, Chris Baldiga and see list of abutters**

- P.Lavoie showed snow storage on plan
- PB meeting on 9/9
- CS – need to wait for PB in case anything changes the plans.
- Applicant hasn't added a cistern to plan. They are willing to look at it.
- Abutter Pam Taylor Harris – concerned about water from the catch basin. Plumbly Rd. has water problems already. She believes they are adding water to an already problematic area. She put a 12' trench across the back of her property. They needed to replace their septic due to water problems.
- CS – Asked PL - could the location of the snow be shifted? Also, could snow be taken off site if it gets to a certain size?
- Peter illustrated drainage before and post construction. He decreased the run of volume to Plumbly Rd.
- Rate and run off flow won't be increased to any of the flow basins.
- Above ground water by 2 feet.
- PL – will consider an impervious barrier to address Plumbly Rd. water concerns (manhole – 4 bay – large basin).
- It is critical to the drainage system to maintain operations and regular maintenance.
- G&H - Sent a geographical engineer out to site. Performed 27 test pits. Has a report.
- UCC – asked for 3 copies.
- Continue to 9/10/08 at 8:00.
- Site visit 9/2/08 at site 6:30pm. Site visit will include Plumbly Rd.
- 

**9:30 NOI(cont.) 57 Williams St. present: V.Ellero and Ed from Dolphin Pools**

- Digging 8' for pool plus 2' more

- Under pool – ¾ stone, pipe and 1’ stone on top of pipe
- When they dig they put the dirt on property. The excavated material will be used for grading.
- Portion of the yard, which is now grass is in the wetlands. Shed is also built in the wetlands.
- CS read J.Savello’s letter of findings and recommendations.
- CoC states project was built to specifications for lot. Need to pull the file 311-311 to see plans.
- VE shows a different wetland line from the registry of deeds.
- Need to figure out where the wetlands line truly is.
- Erosion control – 15’ from the waters edge out from pool.
- Question as to what to do with the loss of wetland.
- Site visit – Tuesday 9/2/08 at 5:30. Will do soil testing.
- Continue to 9/10/08 at 7:50.

**10:00 Con Comm Regs**

- Scott Heim handed out updated regs for Con Comm
- UCC to read and get back with comments.

**10:10 General**

- Motion to accept the mm from 8/6/08 – All in Favor
- Pratt Hill wireless may be moving to Pearl St.
- Stones have been disturbed on Pratt Hill
- TD – update on beavers – maybe a EO – potential overflow on to the road.
- General Beaver policy – CS contacted several towns and asked about their beaver policy.
- Firewood Lottery – pull 5 winners, send everyone else notification about who won. E-mail Mike’s comments.
- Send letters to 19 Plumbly Rd.

**10:50 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, September 10, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Sandy Lajoie, Tom Dodd  
John Savello and Debbie Sexton

### Meeting Timeline

#### **7:30 RFD Upton State Forest present: John Dwinell DCR and David (for Ellen Arnold)**

- CS Read notice for RFD
- Replace and existing footbridge over an intermittent stream on the Hopkinton Spring Trail in Upton State Forest.
- Bridge will be made from pressure treated wood. It is used for trails, horseback ridding etc.
- Reconstruction – remove old bridge, replace with new.
- 40' long, 5' wide.
- Materials will be removed from the site and disposed of elsewhere.
- Closed hearing.

#### **7:40 Beaver Issue discussion present: Ken Picard and John Dwinell**

- Tom Dodd was on site with DCR and DPW. DPW lowered the water on Friday, beavers came back and built it back up. Need to get it down 2' otherwise the road will be damaged.
- Beaver deceivers need to go in. Both that are in now are blocked.
- National Heritage suggests drawing down the water 3"/week to safely protect the dragonfly and their larva.
- CS made an emergency order for 10 days.
- CS asked BOH if there is any paperwork that needs to be done for them.
- K. Picard concerned about road damage from water not being lowered in time before winter. October 1<sup>st</sup> could be first frost.
- Nov – Apr hunting season – may be able to trap beavers to prevent water from damming up more.
- Emergency Certificate needed to install a new beaver deceiver – 30 days.
- John Dwinell suggested Jeff from DCR could help with this issue (being a state park).

#### **8:10 28 Grove St. present: F.Lapan and B.Danforth**

- Site visit – F. Lapan – created new set of plans to correct property line issue.
- Added 3 boulders 200 lbs. each for wetland markers.
- UCC didn't see project as having a negative impact on about abutter's pool or foundation.
- Bounds are to be put in for future reference. Will give pond protection also.
- BOH did approve the 40' variance.
- UCC – good solution for project.
- Closed Hearing.

#### **8:20 57 Williams St. present: Danielle and Vincent Ellero**

- Site visit. Did soil testing to evaluate where wet is.
- Ellero's were not aware of where the wetlands were in their yard.
- Their property didn't have WL bound markers (concrete).
- The wet was lawned over and was actually closer to their driveway and house than originally shown. There was a difference from the Ellero's map and plan vs. Con Com's file from the original builder's map and plan.
- CS – bounds would be 15' away from wet (upland soil).
- UCC – would need a new plan for pool and show some mitigation of original wetland line and also move the shed.
- Ellero's not sure if there is any room for a inground pool.
- No as-built required on OOC.

- UCC – suggested hiring an engineer to help with this project – in ground or above ground pool, mitigation, footings etc.
- Ellero’s will keep NOI open. Not sure what they want to do at this time.

**8:30 Discussion with Hue and Elizabeth Kiristy and John Savello**

- High St. and Stoddard St. – potential septic.
- J. Savello presented plans
- Minimal disturbance, septic repair
- Improvement to what is there
- 50’ off wet.
- CS suggested NOI filing would be appropriate.

**8:40 Stormwater Regs**

- Nothing new at this time.
- CS – called engineers for review. Waiting to hear back.

**8:45 General**

- Motion to accept meeting minutes from 8/27/08. All in favor.
- Rick from Industrial Communication to come in for informal discussion before his filing 9/24/08.
- Beavers – Mike to get quote for new pipes. UCC – whose job should it be for beaver maintenance?
- Deb - e-mail Con Comm regarding 5 winners to firewood lottery.
- MP delineated some wet on the Elm St. Park. Asked JS for additional help.
- 54 Fiske Mill Rd. – Janine Baynham – needs to send in request for CoC for her file.
- Motion for a negative determination for Upton State Forest. – All in favor
- Motion for OOC for 28 Grove St. – All in favor

**9:50 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, September 24, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Sandy Lajoie  
John Savello and Debbie Sexton

### Meeting Timeline

- 7:40 Shinning Rock/Glen Ave. update present: Ben**
- Bank still owns property. No longer a potential buyer.
  - Bob Bellanger from bank is located on site.
  - As-built plans – site has been flow and plans are in process (current as of three weeks ago).
  - Evaluating drainage – Con Com concerned that vineyard stream is running dry relative to two other streams.
  - Engineer indicated only 5% of the stream watershed was within Shinning Rock.
  - Looking to be done with as built and drainage analysis in approximately 2 months (before the holidays).
  - UCC will receive update sometime in December.
- 8:00 Industrial Communications Discussion present: Rick Vocci and**
- RV Presented plans to put wireless towers on Pearl St.
  - Tennessee gas line on boarder of property.
  - 1,300 sq ft. of wetland proposed to fill. No tree cutting.
  - Willing to replicate.
  - Proposing a gravel driveway along the gasline easement.
  - Tower would be well outside the 100' buffer.
  - Approximately 12 acre lot. Official frontage is the wetland area.
  - IC has wetlands flagged by a botanist.
  - CS two to one replication would be appreciated.
- 8:15 NOI 2 Dairy Dr. present: Tom and Gretchen Keville**
- CS read the legal notice.
  - Tom talked about the pool.
  - Wetland bounds are in 30' no disturb.
  - Plan on putting the gravel that is dug up on the side of property or hauling it away.
  - If hit water they will pump water down driveway towards the street in a silt sock.
  - UCC – o.k. with location of pool.
- 8:25 Enforcement Order Lots 1 – 5 Mendon St. Discussion present: D.Afonso and Domingos**
- Demolished existing house and installed silt fence.
  - Problem #1 – site needed to be inspected before any demo or construction took place.
  - JS – reports of debris being buried on site.
  - Mr. Afonso – denies burying materials. Explains that foundations walls were knocked down into a hole. Mr. Afonso says they removed rubbish. UCC would like a copy of the manifest.
  - Problem #2 – didn't install erosion controls properly and still went forward with construction.
  - JS – need to put trench in with hay bales.
  - Mr. Afonso says they will install hay bales properly.
  - To lift the EO Mr. Afonso will need to: #1. Install the erosion controls properly. #2. Remove the debris from the site. #3. Have the site inspected before moving forward with any construction.
  - UCC would also like to see the trucking slips.
  - CS asked about the hook up town sewer or have they changed their mind to install septic. CS explained that they would need to amend their NOI and receive a new OOC before they moved forward.
  - Mr. Afonso isn't sure at this time if they want to do septic or town sewer.
  - CS advised them to see the BOH.

**8:15 NOI 108 Grove St. present: Mark Allen representing Tom and Linda Moore**

- CS read legal notice.
- Owners own 20 acres of land on Grove St.
- Mark made a presentation.
- Owners relocated the pool. Not in area where they originally cleared the trees.
- MA presented precipitation findings in July.
- Pool is 60' off the stream. Hay bail line is at 30' line.
- Riverfront and perennial stream.
- Did the tree clearing have any effect on the wildlife in the stream?
- Possible wetland mitigation. White pine trees – 20 were cut.
- Possibly let the trees re-grow. 4 – 6' trees, 12' centers. UCC says they could mix up the kind of trees (native trees).
- Mark will update plans and get to UCC.
- Continued to 10/8/08 at 7:30pm.

**9:05 Discussion - Mark Allen reviewed Stormwater regs.**

- UCC discussed some issues about what was written.

**9:20 Con Comm regs.**

- Marcella had a question about no build vs. no disturb.

**9:35 Buffer Zone Policy**

- M. Penko handed out policy template (table) for UCC to review. John Savello to further develop template.

**9:45 General**

- CS motion to correct John Savello's title from administrator to Con Com agent. - All in favor.
- Two meeting in Oct., one in November, one in December. CS asked if UCC wanted any additional meetings before the end of the year. UCC – not at this time. Call a meeting if activity warrants it.
- Motion to sign OOC for 2 Dairy Dr. - All in favor.
- Pratt Hill update – M.Penko. A meeting sponsored by Open Space was held to try to revive Pratt Hill Communications tower plan. Goal was to find a way to permit tower and preserve stone features. Owner of property may have disturbed stones. Doug Harris (Tribal SHPO) to visit site in early October with TFPL representative. As reported to Con Com previously, owner reportedly upset with Historical Commission/Con Com for visiting site in 2006 and allegedly getting tribal authorities involved in review. Note: site was well known for years and tribal review is routine pursuant to National Historic Preservation Act and the FCC NEPA process. Nonetheless, there is potential for HC and Con Com to receive negative press.
- Warren Brook – on hold.
- MS – looking to find donations for beautification projects – Home Depot has a crew to do this.
- J. Savello CoC list:
  - Motion to issue CoC for Lot 1/170 South St. – All in favor.
  - Motion to issue CoC for 23 Taft St. – All in favor.
  - Motion to issue CoC for 75 Williams St. – All in favor.
  - Motion to issue CoC for 83 Main St. – All in favor.

**10:10 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, October 8, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Sandy Lajoie, Tom Dodd  
John Savello and Debbie Sexton

### Meeting Timeline

**7:40 NOI(cont) 108 Grove St. present: Mark Allen**

- M.Allen presented updated plans.
- Tom and Linda agreed to tree replanting – native tree plantings. 4 – 6' tall, 12' on center, w/in 30' of wetlands.
- Closed hearing.
- OOC will be issued

### General:

- MA Stormwater Reg. Update/review
- NOI 57 Williams St. – waiting to hear (no show)

**7:50 NOI 9 Merriam Way present: Glen Odone for Robert and Doreen Bruno**

- 18 x 36 in-ground pool.
- French drain/tree line in backyard.
- 2,000 square feet of buffer
- 900 square feet of cleared lawn area. JS – small scrub white pine and maples.
- New French drain to drain further away from house.
- 14' closest point to wet.
- JS – drainage along driveway and down and across road. Shallow backyard, 18 – 20' going from where the edge of lawn is now back 5'.
- Pool deck will be 4 ½' off of pool, plus 5' high metal fence to separate deck from French drain.
- UCC would like to see perm bounds (at least 3) put at edges of clearing/erosion controls.
- Three points where there is area of disturbance to wet: 14', 20', 15'.
- CS would like to see bounds on plans.
- Site visit – JS
- Continue to 10/22 at 7:30.

**8:05 NOI Maple St. present: Dave Therrien and Gene Bernat**

- Constructing the trench.
- Gene Benard presented plan to cap the Upton landfill using a Gas Migration Trench. This is an organic matter which traps methane gas that will seep out of soils. Trench is 120' wide.
- Wetlands were delineated in 2003.
- RDA on limits in September 2005.
- UCC – area should be flagged – CS would like to have it checked.
- Liner will be 20' below surface of ground.
- Low strength concrete material used to encapsulate. It is a process material made on site.
- Needs to go to where there is water.
- As they are digging the trench – the landfill has grown. Found pockets of waste almost an acre large than originally estimated.
- CS – How long will it take to dig the trench? Will begin next summer.
- First they will excavate, install the liner then backfill.
- Landfill capping should be ready in Feb/Mar.
- Climbing Fern mapped with natural Heritage. UCC – not sure what it is.
- This is Phase I. Phase II will be for capping of the landfill – in December of 2008.
- Complicated area near the cell tower.

- Site Visit – Saturday October 18<sup>th</sup> at 1:00pm.
- DEP contacts are John Regan (Landfill closure) – design of closure and Dianne Bellibou – Wasteside cleanup.
- Continued to 10/22/08.

**8:45 Discussion Ken Picard – Beaver Issue**

- Southborough Rd. – not enough outflow to get the water level down.
- Larger pond isn't draining well.
- DPW put more pipes in. Still a blockage.
- Beaver fence to prevent beavers from getting to the culvert.
- Could be debris, fence would be low for water to flow.
- Pipes are being regulated on top of the berm.
- MP – This is a 2 step process: 1<sup>st</sup> let pipes get water down some, 2<sup>nd</sup> dig down 6 – 8" to increase more water flow. Step 2 needs to be done.
- KP – DPW has been allocating one man for beaver control – they don't have the manpower to continue this.
- Old Grafton Rd. and West River Rd. are two other roads where there are beaver concerns.
- Pratt Pond shore cleanup – OOC is done. Notify John Savello.
- Southborough Rd. (his own home project) – asked if he can take out the hay bales – JS said he would take a look at it.

**9:25 General**

- CS – Jim Bates wants comments on Humane Society letter. MP – work has already been done – letter dated 9/15/08. Paperwork needs to catch up. CS – would be a good maintenance plan for town.
- Possibly an article for a budget for this continuing problem.

**9:35 Pending Concerns:**

- JS items – Glen Echo meeting with Mike Risotti and Dan Boucher this week – stabilize site for winter.
- Glen Echo: All building permits have been signed off on.
- General:
- Motion to issue OOC for 108 Grove St. – ALL IN FAVOR

**10:05 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, October 22, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Tom Dodd  
John Savello and Debbie Sexton

### Meeting Timeline

#### 7:35 General

- Tim Brundrett (Boy Scout) working on Eagle Scout project. Made proposal for a bridge at Peppercorn near Camp St. extension.
- Needs to find another site to build. Another Scout is working there.
- MP suggested another site at Peppercorn that needs a 10' bridge or North St., which needs a bigger bridge over a stream.
- Marcella suggested other projects at Stephans. She will follow up with Zac Gustaveson to see if he still wants to pursue his Eagle Scout project at North St.

#### 8:50 NOI (cont) 9 Merriam Way present: Glen Odone

- Granite bounds added to mark out the limit (UCC is o.k. with concrete bounds)
- G.Odone added 4 adjacent to shed, 2 behind the pool, 4 up near the clearing.
- JS – wetland flagging looks good.
- Everything is down slope from the wet.
- JS – have client call for erosion control inspection. G.Odone – excavation probably won't happen till spring.
- Closed hearing.

#### 8:55 Beaver Discussion present: Ken Picard

- Tom Dodd drove by – culvert looked like water was flowing. Didn't see any pooling. Spoke with Beaver Solutions and got pricing: \$1,200 beaver deceiver, \$1,000 beaver fencing, \$240 yearly maintenance.
- Estimate \$3,000 – \$5,000 for town warrant/town article.
- K.Picard wants to work together with everyone through the process. He believes UCC should manage this project. He wants UCC to be the management entity. Outsource and manage outsource.
- CS shared DPW hasn't contacted her in 6 weeks (phone or e-mail).
- KP said all contact to DPW should come through him.
- BOS and DPW don't have responsibility for dams and beavers. KP would like to outsource this.
- CS – what would the cost be to repave and fix the roads if flooding was to occur?
- Water height is ½ the problem along with the beavers.
- Water is too high – it would be nice if DPW could lower the pipes to reduce water level.
- KP anticipates coming in Dec/Jan with wish list from DPW.
- Article due 10/24. Need a rough estimate on dollar amount for outsourcing.
- KP - beaver should be part of Con Com budget line item for 2010 budget.
- KP will send BOH a memo.

#### 8:25 NOI(cont) Maple St. Present: Gene Bernat and Dave Therian

- Site walk went well.
- DT - NHES didn't mention the fern in their report. They did mention the wood turtle (March 15 – Oct 1<sup>st</sup>).
- Need to have a turtle plan by the 15<sup>th</sup>.
- UCC will put it in the OOC.
- DT received letter and consent form NHES and gave UCC a copy.
- DT gave Chris updated plans. Will reference two plans on OOC. DT will get two more copies to office.

- Closed hearing.

#### 8:50 General

- Motion to accept meeting minutes from 10/8/08 and 9/24/08 – All in Favor.
- Motion to grant OOC extensions to Glen Echo lots 4,5,6,7,8,9,10 – All in Favor.
- Motion to sign OOC for 9 Merriam Way – All in Favor
- Motion to sign OOC for Maple St. – All in Favor
- Special conditions in OOC for turtle management plan if work is done between March 15<sup>th</sup> and November 1<sup>st</sup>.
- Pratt Hill update (M.Penko) – Doug Harris visited the site and confirmed ceremonial structure had been destroyed. Passed on purchasing property.
- Meeting with BOH – bring up discussion of Warren Brook water quality.
- TD – will draft a warrant for beaver money and present at the BOH meeting tomorrow.
- MP – will write a letter to DCR about earthen dame at state forest.
- Pending Concerns:
  1. Letter from 85 Crockett Rd./D.Krawiec – is looking to do a septic now (vs. composting toilets).
  2. JS – Elm St. Park wetland delineation – went out. Wanted to know what is being proposed. No perennial stream.
  3. Endangered Species on site. Not sure which.
- Mr. Afonzo – erosion controls are good – debris needs to be removed. EO is still in effect.
- West River St./G&H M. Weaver issue – Individual lots to file. File when common driveway is complete and inspected. OOC states they can't build until the common driveway is complete.
- UCC wants to see slopes are stabilized.
- Should file RFD after driveway because it is done in a disturbed area.
- Check meeting minutes about what UCC said about RFD vs. NOI for each individual house lots.
- Ask Scott to send updated e-document of updated bylaw regs.
- CS discussed letter to 57 Williams St. – Not sure if they want to close their NOI filing or move forward with their pool project. DS wrote letter asking them to respond to UCC in writing.

#### 10:10 Meeting Adjourned

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, November 12, 2008

### Members Attending:

Chris Scott (arrived at 7:55), Mike Penko (left at 7:55), Marcella Stasa, Tom Dodd, Sandy Lajoie, Scott Heim John Savello and Debbie Sexton

### Meeting Timeline

#### 7:35 Discussion West River Rd.

present: M. Weaver, D. Afonso

- MW - submitted one RDA for all three house lots. How does UCC want to proceed? When can they file?
- UCC – No lot work should be done before common driveway is approved.
- Would like fill brought in during driveway construction.
- JS – RDA is fine after common driveway is built. Driveway needs to be approved first before granting determination on house lots.
- UCC could have recourse on house lots by not granting building permits if driveway is not approved.
- UCC – fill can be brought in to an appropriate spot on lot 1.
- Driveway can be done up till binder coat.
- Nat. Herti. Timing of silt fence should be done in the winter for migration.
- Deed restriction would take place of CR for construction purposes. CR is in OOC to be done prior to construction. CR has to be in place before sale of lots.
- MW – CR is taking longer than anticipated.
- #1. Re-file RDA for each of three lots with requirements that no building permits be filed. #2. Base coat of driveway be done. #3. Side slopes need to be stabilized. #4. Do negative determination with conditions.
- UCC – reminded applicant an EO could be issued if driveway isn't done and inspected.

#### 8:00 NOI (amend) Lots 1 – 5 Mendon St.

present: P. Lavoie, D. Afonso

- Chris read notice
- Did soil testing on all 5 lots
- BOH approved all 5 lots.
- Lot line stayed the same.
- Septic is outside of 100' buffer
- Peter showed plans – will dig a trench and a line.
- CS read all lot notices.
- Houses and lots stayed the same.
- Perks – 2 mins per inch, 10' ground water
- Only change is the septic systems.
- Drainage analysis – 2 wetlands/resource areas.
- Force main and septic tank
- Bounds on lot 4
- UCC had no other questions – opened up to abutters
- Chris Schimp (abutter) concerned about flooding on his property. His lot is at a lower level than the Mendon St. lots.
- Marsha Paul – BOH – disapproved the septic. She lives on Josiah Dr. Her yard is being flooded she believed because of the current construction going on at Mendon St. She'd like to see the drainage analysis
- Septic is not going to affect ground water.
- P. Lavoie – dug 15 holes. Soil was consistent.
- M. Paul spoke with DEP. They have concerns.
- ANR lots don't usually need drainage analysis.

- 4 acres (maybe 3.5 acres) total. Upton doesn't usually have 5 septic on 4 acre lots (vs. tying into public sewer).
- M.Paul – believes there is ledge underneath. She disagrees with PL testing and would like an independent test.
- CS – Has questions about water going back into ground, 5 lawns, 5 septic, stormwater.
- M.Paul - BOH wanted a meeting with BOS. BOS didn't agree to meet. MP believes tying into sewer would be better for town.
- CS reminded them of their EO and the OOC. Discussed the order of construction. They can't start in the middle and work out. Even though outer lots are under UCC jurisdiction.
- Mr. Alonzo – tying into sewer would be costly.
- CS - How is the 2,000 gallons of water going to impact the land? What will the cumulative impact be with 5 house lots and 5 septic be on the 4 acres?
- Scott Heim – pre and post calcs. Peter used grass when determining land calcs. Added impervious for each lots.
- Grades did change – Peter will give UCC 3 copies of updated drainage analysis.

**9:00 Con Com Regs.**

- UCC discussed updates.

**9:10 General**

- Beaver Discussion – Fin Com wanted to know what the cost savings would be vs. the cost to road damage. UCC needs to have it ready.
- Fin Com also wanted to know why DPW couldn't do the work. Chris told them K. Picard wanted DPW to be relieved of this because it takes too much time and manpower. (ex. 3/4 of a day with 3 people).
- Boy Scout – Marcella told Tim Brundrett he could have the Glen Echo bridge project. Zac Gustaveson backed out. Tim needs to file an NOI.
- UCC – what is the status of the soccer filed? It is with the planning board.
- CS has questions for our circuit rider about e-filings. CS may ask her to come and do a training.
- JS – Need a letter to him and building dept. to EO on 21 Pearl St. Goodfellas Construction – nothing has been done regarding the EO.
- Sign CoC for 54 Fiske Mill – JS will lot at it.
- Send list of roads
- Motion to sign CoC for Tennessee Gas – all in favor
- Motion to sign CoC for 54 Fiske Mill – all in favor.

**10:10 Meeting Adjourned**

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## Meeting Minutes

To: Members of Upton Conservation Commission  
Cc: Upton Town Clerk  
From: Debbie Sexton  
Re: Minutes of meeting Wednesday, December 10, 2008

### Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Tom Dodd, Sandy Lajoie, Scott Heim  
Debbie Sexton

### Meeting Timeline

#### 7:45 NOI Westborough Road present: Dave Therrien

- CS read notice
- Dave Therrien for Alicia Kabir – ERM
- Put an anchor behind pole. Maneray anchor.
- No excavation. May have to trim branches no trees removed.
- 10' – 15' of public way.
- JS looked at site has no problems with project.
- Not in a habitat area
- UCC - No need for site visit
- Closed hearing.

#### 7:55 General

- Meeting Minutes – motion to accept minutes from 11/12/08 – ALL IN FAVOR
- CS – emailed Kelly McElreath re: by law regulations. She responded by e-mail as to what UCC should do. UCC meeting on 14<sup>th</sup> or 28<sup>th</sup>.
- UCC – agreed on the 28<sup>th</sup> of January to have by law reg meeting.
- Hard copy should come to the office and one to Kelly.
- Possibly put on the web.

#### 8:04 RDA High St. present: Dave Therrien

- CS read notice – telephone repair project.
- Wires are in different directions – need a guy wire and then use an anchor.
- Augur it in.
- 30' pole.
- Would like to start after first of year.
- Bottom of pole may be below elevation of water.
- Will put extra material around the pole to tap in back in ground.
- Closed hearing. Call Dave Therrien to pick up neg. determination and OOC for Westborough Rd.

#### 8:12 Discussion for Noble Vista

- BOS talking with Fred Ruland
- CS – heard from them in Feb and hasn't heard anything since.
- Issues with the road – UCC previously talked with Ken Picard about engineering review.
- 8 months on our agenda
- Waiting for them to review drainage analysis
- Report hasn't been reviewed – DPW never got back to us. (Steve Soma)
- MP – maybe UCC could hire someone (Mark Allen?) to review – not sure who to pay for it.
- We have money in escrow for Noble Vista - \$6,917.04.
- CS will draft a letter to BOS
- MP made a motion to hire M. Allen to review report and to first contact the BOS regarding this. – ALL IN FAVOR.

#### General

- Warren Brook – BOH Al Homan will look into this more.
- Beavers – Emergency Cert for trap rock on Southborough Rd.
- \$5,000 was approved for beaver maintenance for both BOH and UCC.

- Baker's Pond culvert blocked up.
- Mass Highway said they would clean out the culvert.
- CS suggested drawing up a letter to BOH to approve beaver deceivers for Southborough Rd. and Bakers' Pond.
- T.D. will see if he can find someone closer and less expensive.
- Run beaver policy by BOH - get their input.
- M.Penko – For the record: Southborough Rd. wasn't a communication error on Con Comm. DPW didn't do what they said they were going to do.
- MP worked up a draft to DCR asking for help with the problem on Southborough Rd.
- May need to ask Ellen Arnold to see who to send letter to.

**8:40 NOI(amend) Lots 1 – 5 Mendon St. present: Peter Lavoie**

- Revised lot lines.
- Each septic is on its own lot.
- BOH didn't realize this when they initially approved. Rescinded their approval on Lot 5.
- BOH didn't want 3 septic on one lot.
- ANR – Planning Board approved new lot lines on 11/25.
- Took a little off Lot 3.
- Lot 5 still needs approval from BOH.
- P.Lavoie anticipates lot 5 approval. Will hear from BOH on Friday.
- No increase in run off.
- Silt fence
- 1,5, 4 will have bounds.
- Closed hearing for lots 1,2,3,4,5 Mendon St.

**8:50 Stormwater Regs**

- CS will e-mail Dan Boucher

**8:51 Beavers**

- MP suggests an information sheet in paper for beaver policy.
- TD will draft an article for paper
- Recent orders in .PFD – need to get Adobe Professional – approx. \$300.
- MP made a motion to purchase Adobe Professional if not otherwise available through town offices.
- Want to schedule walk/site visit to Vineyard Stream on Shinning Rock. It is flowing.
- Asian Longhorned beetle information on web.
- Motion to sign OOC for Westborough Rd. – ALL IN FAVOR
- Motion to sign OOC Lots 1, 2, 3, 4, 5 – ALL IN FAVOR
- Motion to sign negative determination on High St. – ALL IN FAVOR

**9:20 Meeting Adjourned**

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