

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday January 24, 2007

Members Attending:

Tom Dodd, Chris Scott, Scott Heim, Margaret Carroll, Richard B (newest member)
(John Savello, Debbie Sexton)

Meeting Timeline:

7:35 General

- Lamberts - potential buyers
- JS will look at Lamberts
- JS will look at erosion ctrl on 6 Shore Dr.
- Wait for MP before proceeding with WL marker
- 41 Milford St. – abutter sent letter to DEP too late
- Beavers @ Peppercorn – MC will call Milford Con Comm
- Glen Ave. well field – beavers being trapped
- JS will check out Stefans prop
- 83 Main St. – Mass Hwy drainage issues. Garage/barn not shown on approved plan #311-536. Mass Hwy thinks drain is clogged – drain not shown on plans.
- Mendon St. paved runway
- Pearl St. #311-411 – o.k.
- Deer Stand – Warren Brook – wait for MP. MP wrote up 3 options.

8:00 NOI 6 Meadow Dr. (cont) Present: Bob – G&H and Janet Goodfriend

- Trap sediment for dewatering
- Check dam 2/ hay bales
- UCC request bounds (already show on plan)

8:05 USF Beaver issue – No work till July next year

- Eagle Scout project – Bridge at Peppercorn
- Shinning Rock – CS spoke with Phil Nadeau – June 2006 – Strm should be cleaned up. Phil will check out reported erosion problems. Turnison & Smith e-mailed.
- Office update – laser printer approx. \$700, chair, desk accessory and paper, still need to set up Internet and PC.

8:20 NOI 6 Glen Ave. (cont) Present: Robert Lister

- Scott H. recused (did delineation)
- Revised plans presented
- Will close

8:25 Discussion Maple Ave. PVD Present: Ellen Chagnon, Ron Rioux

- Presented approved special permit plan (11 pages)
- Planning board requires: site plan review
Dimensions, in ground, architecture
- 32 acres, Trad 2 ac dump for 14 AC to state transaction underway with DCR

12 Con Comm issues: landfill, water feature

- Want to break ground in fall
- Very disturbed intermittent strm
- N. end, is more disturbed (cat of nine, purple loose str)
- Dealing with the pond as a potential VP
- Upton Fuel has cleaned the northern half – lots of road sand – suspect water quality not great.
- Reconfiguring banks, strm bottom, keeping as flowing strm – generally dries up in summer.
- Southern portion – intend to keep in much more natural area and augment with native
- Northern – nature and landscape features
- 20-25' veg buffer around pool and allow viewing
- Putting in a separate pond beside the strm, no hydraulic connection to strm, Japanese gardenish but more natural and accessible
- Strm is not to take any additional strwater – most will be infiltrate roof and strwtr
- 2 filings:
 - 1) Strm & 100' buffer – infrastructure
 - 2) WL impacts and dump clean up – limited proj.
- Limited infrastructure will be under Comm jurisdiction.
- Filing by Feb/Mar timeframe
- 2 WL crossings
- Discussion Feb 28 – 8:30 – 9:00
- Phragmites removal – look toward grants – plan is needed
- Project has huge visibility at state and fed level
- Landfill proj – working with state – ongoing, hope to start toward end of year – limited project

9:05 Glen Echo Soccer field discussion Present: K. Picard, D. Adams, Bruce I., Dan Boucher – Schofield Bros.

- Presented Concept plan 4 - Town is owner
- NHESP is prepared to write alter of no take – believed Feb 22 permit deadline
- Would like to go fwd w/ conceptual plan
- Need to: Soil borlugs, permeability tests, screen entire field – use soil on-site soil testing, irrigation questions – bedrock well, parking area & retaining wall, grading, pretty much designed, need to do soil testing for detention basin
- Feb 14 @ 8:00PM
- Reviewed MP's draft should meet state pesticide specs
 - 1) Plan for meadow mgmnt (mow after birds fledged)
 - 5) Strm crossing footbridge path – not sure where that would cross. Just sketch of location
 - 6) North of soccer field – fields or plant trees? Field will be fenced – chain link
 - 7) Sound and visual barrier – 2 rows 10' apart
 - 8) Construction timing – minimize turtles, salamanders
 - 10) Curbing barrier issues w/ salamanders

- Strmwtr design w/o CB's – would have outlets
- Town bylaw – flow, rate iners – will iners volume of wtr. – don't think can meet this would probably ask for waiver
- State and Upton filing
- Cumulative effects of Glen Echo det basin
- Would like to keep separate from this filing, UCC tends to agree
- CR – BOS have control over prop – UCC needs to go to BOS – beyond scope of this project
- Stake road, parking lot, det basin
- Requires a SWP? After OOC, not really a permit
- Other – Old Schoolhouse >10' from foundation not a UCC issue
- Would prefer natural stone wall – but Pulte may use otherwise
- Site visit Feb 10 – 9:00 AM

10:00 47 Southboro Rd. present: K. Picard

- Landscape plan was not for planting trees on upper level
- Change OOC to remove planting trees from upper level
- Native shrubs and trees at base of wall

10:10 6 Meadow Dr.

- Motion to close – all in favor

6 Glenn Ave.

- Motion to close and issue OOC for septic system and driveway – All in favor (Scott recused)

Reviewed UCC letter on Glen Echo soccer field, NOI in progress

10:25 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday February 14, 2007

Members Attending:

Tom Dodd, Chris Scott, Margaret Carroll, Mike Penko, Sandy Lajoie
(John Savello, Debbie Sexton)
No audio. Video taped.

Meeting Timeline:

7:45 83 Main St. Present: McCallaugh

- Garage no on original Con Comm plan
- Provided as-built 10/30/05
- Garage approx 20' from WL
- UCC will require an amended NOI with public notice – same DEP #

8:04 Glen Echo Soccer Field NOI Present: Bruce Ey and Dan Boucher – Schofield Bros., Dave Adams (rec comm.)

- Read Public notice
- Presented Concept 4 dated 2/14/07
- Retaining wall @ parking lot and screening at top and fence pines along wall
- Walkway around field to trail/boardwalk and to south end of field
- 6'high berm at south end – plant white pines 10' apart to tree line.
- WL rep area – 2x amount of crossing 2000 sq ft.
- Calcs for drainage basin – used 1" std., single compartment – shallow flat swale 2/ subdrain, 2 compartment tank
- Moved basin outlet away from WL's
- 2500 gal tank – wtr quality inlet (under parking lot) baffle in 1st compartment – can put a ladder for salamanders
- If use rock retaining wall in det basin wouldn't meet plan brd regs – more difficult to construct and maintain
- MP asked about possibility of modifying Pulte's det basin for improvement mitigation to limit warm water entering strm during a storm
- Would need more fencing if did this
- Slope would be vegetated, wouldn't recommend trees in basin
- Wildlife habitat enhancements are incorporated
- At the moment; town doesn't own the Pulte basin
- Could put a long window to allow salamanders to escape compartment of tank
- TURF – samples in 6 loc's – landscape Arch will determine what additions needed
- Stockpile at South end of site, anticipate adding more soil on field
- Not sure about irrigation – would go thru UCC
- Erosion control show on plan
- Remove Riverfront area on plan
- Should notify DEP that is not riverfront

- Reduce WL replication – UCC ok with smaller probably allow to revegetate naturally – same woods
- Possibly reduce width of soccer field
- Could survey where tree line is along side of field
- DEP requested doing an amended NOI – but before drainage calcs
- Amended NOI could be at UCC's judgement
- Crossing – open bottom – natural as possible gravel crossing – emergency and equip access avoid depressions in strm to prevent trapping fish
- Berm orientation to minimize sound. As well as turtle resting habitat. Plant trees on North slope if possible.
- Replant trees in North end of field? No mitigation for 4-toed salamander
- May be desirable to keep natural open field
- White pine trees may attenuate better than berm
- Drainage calcs will be reviewed by Plan Board tomorrow
- 83% TS removal
- Existing train will be maintained
- Winter access is important
- Appl request that close hearing
- Construction timing
- Impact to turtles/salamanders during construction
- Complete plans for WL crossing –for review by UCC
- DEP wtr quality permit 401C waived or required
- Motion to close hearing – ALL IN FAVOR
- Issue OOC by 2/21/07

9:30 Meeting tomorrow here at Town Hall 7:30

General

- Motion to accept meeting minutes of 1/10/07 and 1/24/07 – LL IN FAVOR (except Sandy who wasn't here)
- Motion to appoint Chris to CPC Comm – ALL IN FAVOR
- Stefans – Bob H. would do 2 – 3 hours to do a quick fix
- JS – RB said DPW could do some work up there
- Draft up a request to DPW
- Question of what's acct is coming from
- Bill for 1,400
- SR willing to have a site visit to look at restoration
- Snow property – 10 Acres donated
- Wanted "Snow Family Cons area" – maybe sponsor an article to name – as well as limit ATV's
- Education expenses for Mass Turtle Conf – ok
- Tenn Gas – Chestnut St. – Steve Morawski sent ltr
- Goss Pond – donation possibility of zoac to UCC with CR – retain right to name it, site visit – meet at Poirier Gravel Pits @ Sat @ 9AM
- Goss Pond – abutters ignoring bounds, B. Henderson disappointed in what abutter did. MP will try to research deeds to look for restriction

- Eval of Milford St. open spc acquisition, rectangle lot next to Rose Garden – abuts cave property – Is it buildable? E. Chagnon did some work ofn prop. Looks like WL. S will look at – 100 yr. Flood
- 41 Milford St. – UCC already stated that is neg determ – abutters missed appeal time. Rare species habitat along intermittent strm was listed in 2006 (Bridle Shiver). Not listed when John looked at. NHESP would only have been concerned about water quality – but they didn't need to look at that.
- Office all set up except printer
- GIS software for \$400 with 12 mo support
- 3 Merriam Way – cont to next meeting, sent a \$2,000 check for Eng Review.

10:17 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday February 28, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie
(John Savello, Debbie Sexton)
Video taped.

Meeting Timeline:

7:50 Boy Scout Project – Eagle Present: Patrick Bedard (Scout) and troop leader

- Building bridge and mark trails
- Possibly modify existing NOI
- 7 section bridge – constructed off site: 42' x 4' – outlet of cedar swamp
- Allow space for horses to travel through
- Manage by stewardship comm. – Tom contact
- Local donations and vendors
- Projected cost approx. \$800
- Construct by summer
- ATV's to transport materials

8:05 NOI 85 Crocket Rd. Present: David Krawiec

- Read notice – upgrade septic system
- Doesn't believe have to upgrade
- Withdrawing NOI – will keep existing system
- Same # of bedrooms
- Really a BOH issue
- MP – would like a letter from BOH saying is o.k.
- Don not need a retaining wall
- Had a enforcement order (Sept. 13, 2006) - drive to digging – required NOI
- No more excavating – any areas not vegetated need to be stabilized
- John S. walked property today – why no NOI? Technically a rebuild, but no foundation, work taking place done to resource area and in buffer zone.
- Believes a NOI was filed in 1996
- Put stone wall along water years ago
- UCC should check our files for any NOI's on this property
- This NOI should continue. Amended plan with system as is.
- Enforcement order is still active. So need to carry through with NOI.
- App will talk with BOH
- UCC requests a letter on septic system
- Continue to Wed. 3/14/07 at 8:00pm
- Site visit on own time
- UCC received a couple of e-mails on this

8:25 PVD Present: Ron Roux, Lisa McIntosh (Wiltier and Curren)

- Dump Assessment – effect on water

- Temp Wells. Will have a closure plan eventually for DEP.
- Require 7 wells for long term monitoring
- Well couplets 10' shallow(s) and 15-20' deep (d) and 2" diameter
- Used to develop a closure plan and for monitoring
- Approaching all wells from east
- Use a track machine to get to drill location
- Proposed time – 2 – 3 days to do
- Apps willing to absorb cost of someone to oversee
- UCC requests RFD for WPA and Bylaw
- Look into equipment that has less impact, VOC, heavy metals, PH, POB's pesticides

8:45 General

- Motion to accept meeting mins of 2/14/07 and 2/15/07 – ALL in favor
- WL marker update \$34ea. @ 100pc price (4" diam). Use them on a case by case basis
- Motion to order 100 pcs. – ALL in favor
- Beaver Dam at Peppercorn Hill
- Stefan's mowing – paid bill
- Tree Stand policy
- Shinning Rock – site visit postponed
- Tennessee Gas – Chestnut St. – willing to tackle Phrag is, UCC contacts owner
- Goss Pond – no update – JS can check deeds for restrictions
- Need to do accounting
- Large lot variance on Pearl St. – approached Planning brd to put in cul-de-sac. Planning board wants to see the subdiv plan to see that can do a 3 lot develop and that could still build under existing WL's. Planning brd wants a review from UCC and send letter. JS will review plan.
- Milford St. prop eval (open space eval). JS will eval after snow goes.
- Article for town meeting (closes March 23) Glen Echo's. Altern to CR on Glen Echo – under UCC management. Article for CR on Glen Echo Snow property Trails, Signage – Motion to add article to upcoming Town Meeting – ALL in Favor
- East St. Building permit (216) – cut down 12 trees close to house (yrs old). Greater than 24" diameter around WL – taking down in case of trees falling and causing damage. No grubbing. MP and SL will visit.

9:20 Discussion on Merriam Way Present: Marsha Paul

- BOS Marsha Paul advised not to continue with NOI – Town owns land

9:30 Open Space meeting

- Posted meeting with UCC and OS Comm
- Review of zoning bylaw, open space bylaw
- Potential developer will not use existing bylaw
- K. Picard is working on Special Permits and Opens Space bylaw
- Planning board not in favor of going with special permit (no discussion on this bylaw).

- Question of whether to tweak existing bylaw vs. a special permit based on the states' OS bylaw.
- Proof of yield – preferred by calc or by sketch plan by Town's special permit
- Minimize size – 10 acre desired
- Developer/neighbors wants a fair and predictable process
- Water/Sewer engineering minimizes upfront developer resources
- Use a yield calc on some existing subdiv to prove
- No other towns are using by-right OS bylaw
- States model is spec permit
- List of properties that are likely to be built out
- Deadline for submittal of articles is march 23
- March 8, 2007 meeting – OS UCC, PB at 7:30 @ TBD
- OS in perpetuity
- OS discussion continued also at UCC meeting on March 14, 2007

10:30 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission

Cc: Upton Town Clerk

From: Tom Dodd

Re: Minutes of meeting Wednesday, March 14, 2007

Members Attending:

Tom Dodd (arrived late), Chris Scott, Sandy Lajoie, Mike Penko, Margaret Carolle, Scott Heim

John Savello and Debbie Sexton

Meeting Timeline:

7:45 Pearl St. discussion present: P. Lavoie (G&H) and Maryanne Tamagni

- Reviewing conventional plan because planning board wanted to know if Con Comm thought the conventional was buildable. Con com approved the large lot special permits. 2 acres vs 5 acres conventional disturbance

7:55 Merriam Way – Cullinane has been told to stop. Mr. Drexel requested continuing to date uncertain. UCC has held check for engineer.

8:00 NOI 85 Crockett Rd. D. Krawiec not present – present: Mike and Donna Lanchansky from 83 Crockett Rd. (abutters)

- Filed NOI in 1994 to restore stone walls.
- Removed stones from bank of WL – enfor order
- Another enfo order from Fall 1996
- Both enfo order still listed
- CS read e-mails rec'd from BOH 12/14/06, 1/11/07 – not approved 30' setback to WL's –recommend see UCL 1st might need a tight tank
- Needs to pass title 5 and no increase of design flow
- 3/8/07 code enfor – remains in violation of title 5 notice
- Obtain variance of shed
- Building permit revoked until BOH and UCC provide letters that state in compliance
- JS on septic plan
- Tank and pving chamber should be moved (in case of failure)
- 34' to pond
- Existing well prevents putting septic system in another location
- UCC wants tank 25' off pond and leach field 50' off pond - UCC will send letter on 2 requirements.
- 7' wall to support septic system
- Tight tank could be possible but requires state permit and maintenance requirements are high

8:30 Brook St. filing – 2 lots

- New owner wants above ground pool – wants building permit
- Have owner come in showing pool on plan
- Milford Con Comm – UCC can file with Milford and not have to pay filing fees
- Town WL's bylaw – UCC not following all properly (PWD sending certified abutter for RFD)
- UCC needs to review bylaws to ensure we are following through

8:40PM Open Space Residential Development Bylaw Meeting

- Reviewed bylaw

- Next meeting – Monday 3-19-07 @ 7PM – Town Hall

9:55PM Conservation Meeting resumed (C Scott left)

- Discussed draft article for Glen Echo Conservation Management

10:20PM Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Debbie Sexton
Re: Minutes of meeting Wednesday, March 28, 2007

Members Attending:

Chris Scott, Mike Penko, Margaret Carroll
John Savello and Debbie Sexton

Meeting Timeline:

7:40 Chris Scott signed off on Patrick Bedard's Eagle Scout project.

7:50 Peter Lavoie from G & H discussion regarding Lots 2 and 4 North St.

- Peter went to the site 3/28/07
- Owner (Mr. Capabianco) put in 8 – 12' high berm – not part of original plan
- House needs to be relocated on Lot 2
- Overall disturbance is closer than proposed
- Some parts are closer than 30' – some are as close as 6'
- May need to file an amended notice – UCC says needs to do this.
- C. Scott suggests he could move the berm outside the 30' buffer on Lot 2. Pull back from permanent bounds.
- Appl agrees to fix silt fence
- P. Lavoie will show on amended NOI the new location of house and berm for Lot 2.
- P. Lavoie will show on amended NOI for Lot 4 just the added berm.

8:00 NOI Lot 2A Mendon St. informal discussion due to no quorum present: Karen Keagan and Mickey Connearney

- Rescheduled herring to 4/11/07 at 7:45 due to no quorum
- 52' closest disturbance
- JS says lot is cleared – not a wooded site
- UCC scheduled a site visit for Tuesday April 3, 2007 at 6:30pm.
- Existing well – no need to install one
- Sq. footage 6,142 total disturbance
- 80,000 sq ft lot – zoning set back is 80,000 sq ft
- Applicant going to flag it

8:10 7 Brooks St. discussion present: Mike Curley

- Above ground pool
- House was built
- Silt fence there
- Grading is the same
- Applicant will use special filter for chlorine
- 20' behind the house
- There is a permanent bound
- Minim grading keeping pool and deck tight to house
- Pool is 21' round 40' house to silt fence
- Trees and brush behind silt fence
- O.K. for pool UCC says

General

- Update on 85 Crockett Rd. – D. Krawiec want to use compost toilets
- Everyone's e-mail is accurate
- Unofficial meeting

8:20 PM Meeting Adjourned

8:30 Open Space By-Law and Discussion

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Todd and Debbie Sexton
Re: Minutes of meeting Wednesday, April 11, 2007
No Audio/video

Members Attending:

Chris Scott, Mike Penko, Margaret Carroll, Tom Dodd, Scott Heim, Sandy Lajoie
John Savello and Debbie Sexton

Meeting Timeline:

7:45 NOI Lot 2A Mendon St. present: M. Connearney and K. Keegen

- Read Notice – proposed single family home
- JS visited and checked line, augured A5, A6, A7 – looks o.k.
- Probably no cutting – just grading
- 3 bounds on map
- Plan presented – existing well
- No work within 50' of WL's
- Motion to close hearing – ALL IN FAVOR

7:55 9 Fowler/9 Meadow Dr. discussion present: Isaac Low – app/potential buyer

- Keeping same footprint – adding farmer porch
- No bounds on orig plan – but required in OOC
- Added 3 bounds to plan

8:15 Lot 8 South St. New Shed discussion present: Julian Cox

- 10' x 14' shed, no foundations, store canoes, lot has dam for Taft Pond
- UCC requests: Place shed where already cleared and provided information sheet

8:25 Low Impact Development Bylaw Discussion present: Adam Burny CMRPC

- Rain gardens, swales instead of catch basins
- Detention ponds
- Met with DPW. To meet Phase 2 storm water mgmt. Needs to be completed by mid – June. Draft bylaw in 3 weeks. We'll meet w/ PB, DPW, Con Comm. State model is 37 pgs. Typically strmwtr authority responsible for permitting. Swales require mowing, raking? More maintenance, reduce road width, limit curbing.
- Question – How can swale infiltrate and retain in winter?
- Adam will e-mail a draft.

8:55 General

- Motion to accept meeting mins of 3/14/07 – ALL IN FAVOR
- Tenn Gas – Chestnut St.
- Annual Town meeting won't include Snow and Glen Echo articles.
- Acct – waiting from Fin Comm
- 252 North St. – waiting for revised Berm Drawing
- Earth Day walk
- Bylaw details – Question of certified mailing for bylaw – abutter notification. All RFD's will require certified abutter list. Do this when complete WL bylaw regs. Motion – don't require notification until get bylaw regs – ALL IN FAVOR.
- Establish local Comm Housing Partnership comm.
- Pulte – 5 houses to sign off
- Prop abuts state forest (across street) 40 ac offering to town MAP 32 39.98. On a disused public way Miscoe Hill Rd. Abuts White's prop at least >\$450K. recently logged.
- Shinning Rocks concerns (M. Samarco) – a lot of banks have eroded since replicated – stream still needs to be cleaned up.

- Fisk Mill Rd. – Afonso developer – last new house on left. Lawn washed away – Enforcement Order.
- 19 Plumly filled in drainage easement. No WL's on site or affected any WL's. JS will look into this. UCC did not approve this.
- Motion to issued OOC Lot 2A Mendon St. – ALL IN FAVOR
- Motion to issue CoC Lot 8 North St. – ALL IN FAVOR
- Carol – was clerk for many years, mall gift certificate/ plaque or certificate/ something useful

9:50 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Todd and Debbie Sexton
Re: Minutes of meeting Wednesday, April 25, 2007
No audio
Video tapped session

Members Attending:

Chris Scott, Mike Penko, Margaret Carroll, Tom Dodd @ 7:55, Scott Heim @ 8:30, Sandy Lajoie
John Savello and Debbie Sexton

7:30 10 and 12 Grafton Rd. present: Ellen Gagnon and Bill & Kristin Hubley

- Significant sand and gravel from neighbor
- 2 1/2" of rain – damaged their (Gagnon) driveway wet land
- UCC recommended for the Hubleys to fix it
- He doesn't understand what he has done or how to fix
- E. Gagnon recommends an EO and for him to hire a engineer for drainage issue.
- Wants UCC to help formulate a concrete formula to fix
- Sheet Flow vs. concentrated flow – so it will not create erosion.
- EO – maintenance, stabilize gully and any unveg site portions, hire and engineer, fines for WL, maintain erosion control
- EG driveway is just outside the 100' buffer.
- Put up silt fence and haybales
- Hubley's hired an environ engineer J. Bridges. Water is coming from their woods.
- J. Savello to inspect temporary EO
- Their stream is an intermittent stream.

7:55 55 Fiske Mill present: Sam Pietroforte

- Silt fence, replication area already done – fixed the fence.
- JS will see Friday @ 6:00

8:00 Enforcement Order - 19 Plumbley Rd. present: Robert Magliaccio Jr.

- Chris handed out DPW memo an de-mail from JS
- Drainage easement thru property
- Spoke with DPW last year to cover over drainage
- Prev owner covered CB's
- JS had looked at last year
- UCC require stable banks and on left side of driveway require NOI – slow flow and stabilize on side of drwy
- UCC needs to check with DPW to ok putting in a pipe
- Clean silt from WL's
- Safety issue with open banks
- EO – stabilize 1st
- NOI is required afterwards
- Already have hay bales and silt fence along drvway
- Believe 14" pipe from CB
- Add plastic fencing for safety

8:25 Glen Echo Discussion present: Mike Scott

- Problems at pond 1 coming down North St. into pond
- Mickey Marcus was out at 2pm and reduce flow following day – water quality back to normal
- Create sediment pond on access rd and bleed water off in a controlled manor
- A ditch has channeled water from isolated WL into pond 1 (This was done by adjacent owner) (off property).
- This didn't go down thru development before – it went down North St.

- Design would pipe water to North St.
- 95% of erosion control failure is due to this ditch
- MP – 5/14/06 – similar event occurred then
- Unstabilized slope along Howarth Dr. – no hydro mulch
- Sediment deposits in detention basin – want to have material removed from ponds to prevent resuspension.
- App can commit to removing sediment outlet struct – restored and wrapped with filter fabric
- Sediment removal at rip rap in fore bay
- Main source of sediment is from station 8
- Potential for catastrophic failure
- 3 central det basins – poor wtr quality in these areas created large berms with outlet pipes and by passing det basins.
- UCC requests 53G money for independent review of potential changes.
- UCC would like to see NEE be on site faster in rain events.
- UCC may want some mitigation.
- Request report on stream condition – temporary impacts to fish and aquatic life – check WL area immediately down stream (4-toed salamander habitat)
- Damage to abutters property (may be from abutters changes)
- Continue to May 9, 2007 at 8:30pm
- Contemplating changes to det basin 26
- UCC requests a written summary of proposed changes

9:15 NOI for LLD Land Development – Rockwood Meadows present: K. Lobisser, Mark Allen

- JS has worked for app at this site within last 3 years so cannot participate
- Got 61 of 63 green cards
- 78 ac – 25ac in Hopkinton
- WL resources flagged thru Anarad
- Plans have not changed dramatically
- Senior housing – 62 units
- Very little tree cutting ,1 acre
- 61.5ac will be CR
- Have special permit already
- WL fill on entrance 3,270 sq ft
- Replicate @Zil wet marsh w/ tall grasses
- Because associated with existing culvert, may not need to report
- 401 water quality permit required
- Remove Endangered Spec
- Possibility of trail access outside of developed area - would require a boardwalk
- Max fill is around cul-de-sac 7 ft.
- Septic 9,800 gals/day
- 250' radius zone 2 well site
- Project not phased
- Replication plan – list what's there
- Town bylaws – create and flow – strmwtr treatment and recharge
- 89% TSS removal
- Requires 600 ft, 3 have 12,000 ft
- CR comments – no removal of stone walls, maintain open fields – allow mowing
- Private ways under homeowners association
- Divide up OS to allow gardens
- Possibly have a secondary overseer (Land Trust)
- No allowance for non-residents on trails
- Stake roadway, replication area, disturbance along WL buffer BASIN 2,3

- Schofield doing planning board review
- Have Schofield pay more attention to WL's and erosion control also site visit May 5th – Sat @ 9AM continue to May 23 @ 7:45.

10:15 General

- OS articles will be in clean up town meeting
- No info on Low Impact development
- 30 Fiske Mill Rd. – lots of fill being brought in- some within 100' buffer – have affected drainage in area – CS will do EO
- Afonso fixed Fiske Mill Rd. problems
- Tress –removed Norway Maple and Callary Pear
- Deb keeping database of open EO, NOI's map and parcel or Lot#, address to allow sorting
- Logbook to record any site visits for each member – including phone conversations - #ered pages – write in rain.
- MP will order WL markers
- EO – Glen Echo – UCC write letter about problems found only – no EO. Primarily for documentation because of trench off-site.

10:45 Executive Session

- Roll call vote – ALL YES
- 12 Grafton Rd. – issues with Ellen Chagnon swaying UCC about problems as abutter.

10:55 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Todd and Debbie Sexton
Re: Minutes of meeting Wednesday, May 9, 2007
No audio

Members Attending: Chris Scott, Sandy Lajoie, Tom Dodd, Mike Penko

7:35 30 Fiske Mill Rd. present: Priscilla, Wayne Senegal

- Fill and sedimentation discussion (Enforcement Order)
- Dave Therien handling WL's flagging
- Blackstone Engineering
- UCC will check files for NOI
- UCC will expect to see WL data forms

7:45 95 Elm St. present: Seth and Kelly Wood

- Stream stats lead to not perrenial
- JS believes site is ok
- JS suggest length of silt fence or hay bales on site
- Developing outside of 100' WL's

7:50 CAP Builders North St. present: Peter Lavoie G&H

- Lot 2 & 4 – Amended NOI
- App constructed 2 earth berms that weren't on orig NOI (noise abatement)
- Did disturb area within 30' "no disturb"
- Moved location of house
- Moving berm fram current location outside of 30' no disturb and replanting

7:55 JS – Brookside Rd. (off South St.)

- Received call requesting an RFD instead of NOI
- Enlarging garage 3' longer
- Project within 200' riverfront 117' of WL's (185' of bank)
- Already disturbed area
- Within Priority Habitat – MESA not required if increasing building size by 25% and within lawn area
- Lot predates Rivers Act
- Trash along WL's – wants to remove – will remove by hand
- Septic system will probably need a filing
- JS suggests RFD – UCC agrees
- JS also mentioned problems with sign – off at code enforcement that end up being a much bigger project than was stated.
- MP suggested adding in comments when signing off

8:05 NOI (3) 7 – 11 Grove St. present: Realty Trust , Paula Foley, Graz Eng. (Shaun)

- Read Notice (3) – sewer system extension
- Connect from Thompson to Foley and Connor & Thorpe
- Resource areas – BVW, floodplain – subje to flooding
- Pkg into DPW – no filling
- Checked endangered species map on-line recently
- MP would like latest map
- Sewer manhole is 20' from Centerbrook
- Mostly lawn – proposed for driest possible time
- Removing septic systems or disconnect of existing septic systems – part of NOI
- Possible time to avoid turtle nesting season
- Stake sewer line, manhole – WL;s flagged
- Site visit: Sat 5/12/07 8:00am (Drill ledge probes)
- Continue to 5/23/07 at 8:00pm

8:30 10-12 Grafton Rd. Discussion present: Ellen Chagnon and Ed, Joe Marquedant and Bill (owner)

- Water across 10 Grafton Rd.
- Bill will stabilize area
- Scouring from recent storm event
- Overland flow from neighbors above his property suggest a berm at edge of lawn to slow flow
- JS visited site – poorly drained area
- Plans to change material being used in driveway and pitch driveway
- Add erosion control in correct place - suggest more toward street
- Everything is outside of buffer zone
- Original berm may have been contributing factor erosion
- What assurances that site will be fixed
- App wants to complete by September
- App says 1 –time event
- Ed Bohtoh – says has occurred at other time and didn't cause any damage in past – This time caused damage to driveway
- Requests to UCC ask for a plan for temporary EO well as final changes
- Engineering report identified the flooding problem due to lawn and berm along gravel access road.
- Asks for a permanent solution
- MP – Evidence that there was a discharge in WL's (faint trace)
- Picture of additional erosion and flow during June 2006
- UCC recommends an NOI be done for the work
- There are parts of property that are still not stabilized
- UCC will move discussion to pending issues – UCC expects an NOI by early July

8:55 Glen Echo discussion present: J. Engdahl and Mike Rossetti

- MP drafted a ltr to Pulte Homes
- Mike presented a plan with what he believes was cause of erosion dc
- Ditch on adjacent prop increased drainage system
- Pulte will meet with Howarth's to address issue.
- Temporary solution to spread out flows
- Cleared silt by outlet and sediment above waterline
- Lot of water still coming into pond
- Summer – remove sediment and build a higher forebay
- Alternative to chg detention basin outlet on lot 27
- Forebay could be considered mitigation
- Silt sacks need to be cleaned
- Currently insufficient info to work on soccer field – J. Endhahl

9:25 Abbr NOI Peppercorn Conservation – Boy Scout Patrick Bedard

- Read notice
- NOI for additional info
- UCC should amend NOI at later time for other Peppercorn projects
- 42' bridge over stream crossing
- Remarking trail and making maps
- Question of how to mark tails
- UCC would like to have land stewardship do maps and marking
- Approved by Boy Scout council
- Plan to start early July
- Will get some donations and UCC will pay for remainder of project
- Change design to (2) 10' length sections

10:00

- Motion to issue OOC's for Peppercorn project – ALL in favor
- Peppercorn Beavers

- Bakers Pond Beavers – DPW has been removing dam – road flooding
- Motion to accept minutes of 4/25/07 – ALL in favor
- JS doesn't believe UCC has any jurisdiction to have him file a NOI at 10/12 Grafton Rd.
- MP believes sediment was released to WL's (faint trace)
- CS will call MACC to see if this is o.k.
- 35 Fiske Mill Rd.
- Open Spc Bylaw – met with planning board – went well
- Miscoe Hill Parcel – 40A parcel, appraised @ \$450K
- Willing to give town a shot – good connecting piece
- Max self help is 58%. Town would need approx. 200K
- Master plan and open space target area
- If combined with white's prop, then could be approx 160ac
- 8ac Taft Mill open spc abuts prop
- School comm. Interested?
- Talk to Jennifer Soper @DCR to see if worth applying
- Warren Brook Cons fire – 8ac fires?
- 1/3 acre?
- Bounds – 50% up front

10:40 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, May 23, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie (John Savello, Debbie Sexton)
No audio

Meeting Timeline:

7:35 Eagle Scout Project present: Parker Mitchell Troop 132

- Proposed bridge on #17.1 prop on assessors map
- Owned by Robert Gilchrist
- Town owns lots 20, 28
- Provide access to town property
- Building path and bridge
- Path – crushed stone – handicapped accessible
- Sono tubes w/ concrete and posts
- Question how close can have it to water
- Bridge and railings make of correct deck (similar to Trex)
- Approx 50' max length
- UCC suggest NOI, UCC will do delineation
- R. Gilchrist will have to sign and
- Historical society is app

7:50 85 Crockett Rd. EO discussion present: Dave Krawiec

- Not installing leach field
- Using composting toilet (biolet 60xL)
- Using existing cesspool for gray water
- JS – cesspool not compliant. Less than 10' from foundation.
- UCC needs set of plans
- UCC needs NOI from last EO
- Cesspool w/ gray water would be 34' from water
- Flat land to water (2' elevation difference)
- MP would possibly get nutrients into water
- Title 5 system doesn't process phosphates
- Only impact MP can see is potential eutrophication
- BOH and DEP has to hash this out
- MP – motion to poll commission to get sense of vote
- SL – put enforcement order on hold bath testing done

8:20 NOI(cont) Rockland Meadows present: Kevin Lobisser and Mark Allen

- Planting and rep area
- Trail behind units (within 30' area)
- CR
- Received review from Schofield
- JS – OP and maint report clean sand and gravel in sediment basin – every 2 years
- During construction after every major storm event
- All under ownership of homeowners association
- Make OP and maint as part of continuing compliance
- Rep area – materials will be kept and moved
- Blueberries and WL seed mix
- Phragm control – MP offered to do for no charge
- UCC to add into OOC

- Monitor for re-occurrence
- Trail would be approx 20 – 30' of WL's (at closest) and 10' to lawn. Approx couple hundred feet along trail 2 – 3 ' wide wood chips on foot trail
- Keep interior trail (along side walk) go back-up
- CR – restrictions:
- Requirement about keeping field open
- Budgets plan go to how to keep property
- Mow fields after 1 x time/year after nesting season
- Maintaining walking trails and bridge and parking area
- Control invasive plants
- If homeowner not doing moving – Town could – Kevin will check with lawyers
- UCC will review CR's requirements
- Continue to June 27th @ 7:45

8:45 Lot 3 Breton Rd. RFD discussion present: Kevin Lobisser and Mark Allen

- WL's w/in 100' of prop
- JS –if >75' from WL's – then file an RFD
- Doesn't think needs filing – UCC ok with RFD

8:50 NOI(cont) 7 – 11 Grove St., 7 Grove St., 11 Grove St. present: Shaun F. from Graz Engineering and the Thompsons

- New set of plans – shows well removal
- Steve Soma still reviewing
- Received Heritage letter
- Notify UCC if borings are done
- Work probably done between July – September time frame
- UCC will close

9:00 NOI Hartford Ave. North present: Chris Lupinski and Kimberly

- Read notice – construct rear/side addition, deck and garage
- Back of house foundation failing
- Garage is now 4' from intermittent stream – want to remove it
- JS – has been on site
- Dirt on site – old paved area would be lawn
- No grade changes
- Erosion control (hay bales and silt fence) is in place
- UCC will close hearing

9:15 – Motion to issue amended OOC for Lot 2 & 4 North St. – ALL IN FAVOR

- Motion to issue for 7 Grove St. – OOC – ALL IN FAVOR
- Motion to issue for 7-11 Grove St. – OOC – ALL IN FAVOR
- Motion to issue for 11 Grove St. – OOC – ALL IN FAVOR
- Motion to issue for 9 Hartford Ave. – OOC – ALL IN FAVOR
- JS – propose bounds along 30' buffer at Rockwood Meadow (along trail area)
- SL – UCC should draft a letter to BOH about cesspool issues and check with DEP
- Motion to accept meeting minutes of 5/9/07 – ALL IN FAVOR
- Open space bylaw update – met with Planning board
- Planning board will probably support it
- Using yield plan
- Minimum ID acres (B, C, AR)
- Public information meeting – Town Hall – next Thursday 5/31/07
- Miscoe Hill property – 40 ac parcel
- Deadline for town warrant – This Friday
- Prop is possibly linked to other props
- OS and master plan ID as OS protection

- Town's cost \$450K – 250K (self help) approx 200K
- Self Help deadline – July 21st
- Motion to put appraisal cost on to town warrant
- Warren brook cons area – 10 yards gravel to fill ruts – ALL INFAVOR
- Old Grafton Rd. beavers – CS will talk to Steve Soma
- Station St. –concerned with road sand getting into WL's
- Hold off until pave road
- JS will flag Milford St. parcel
- Open Space Comm appointments
- R. Holmes appointed as CPC's open space
- Motion to have all open space members to be appointed – ALLINFAVOR
- 30 Fiske Mill Rd. – Alfonso removing sedimentation
- JS – has a building permit sign – off book, GIS – interested in purchasing
- Deb – putting together list of open OOC's and CoC's

9:55 Executive Session

- Roll call vote – ALL YES

10:05 Stefans gravel

- Site ward – culverts – what is needed to draw plans – sketch plans with NOI
- Motion to spend up to 460.00 for up to 200 yd gravel transport to Stefans – ALL IN FAVOR

10:10 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, June 13, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Scott Heim, Sandy Lajoie (John Savello, Debbie Sexton)
Videotaped

Meeting Timeline:

7:35 RFD July 05 - 98 High St. Discussion present: Amy Correia

- Only deck has been completed
- Brook has started to flood
- Want to pave driveway (less than previously wanted)
- Want to replace concrete runway with stone (starting to crumble)
- Originally had a negative determination
- CS – app write a letter to indicate would like to extend
- CS – will look into seeing if can extend an RFD with just a letter. Will have to re-file if not legal.

7:45 Enforcement Order 165 South St. Discussion present: Rick Morrill

- Activity near vernal pools. Planned on taking some trees down. Provided a sketch plan of trees would like to have cut down – closest tree is 70' to VP.
- 14 Pine trees – has had squirrel problems for a number of years – will allow it to overgrow. Are there any wl's? UCC may not have any jurisdiction. Have site visit. Trees are flagged
- 6:30 pm Monday 6/18/07

8:00 NOI's Lot 1 – 5 Mendon Rd. D&F Alfonso present: Peter Lavoie, Judy Schmidt

- 5 Single family homes
- Read notices for Lot 2 3.8 acres
- WL along RR & man-made channel w/ WL's
- Lots are approx 15,000 sq ft & Lot 5 is 90,000 sq ft.
- 30' no disturb except for lot 5 driveway – fill 169 sq ft.
- Using open –bottom culvert 12' wide driveway
- Public water, proposed 2" forced main to Pleasant St.
- Replication on Lot 5
- Stream currently has existing flooding problems
- Could not see a way of
- Talked with abutters. They are willing to provide easement
- Recharge roof run – off
- Town WL bylaw applies
- Bylaw allows UCC to look at cumulative impacts
- No increase of flow volume
- UCC would like app to pay for consultant under 53 G
- Judy Schmidt not a potential VP
- Mowed up to WL's of stream
- Check to see if can run a driveway either between 2 lots of along RR (WL's there is almost isolated). Look at alternative designs
- Site Visit – 6/25/07 at 6:30
- Lots approved by Planning board
- Read Notices for lots 2 – 5
- M. Paul "experiencing huge problems with water".
- Pleasant St. not the only development
- Developers need to be doing a better job of storm water mgmt.
- Continue to Wednesday June 27, 2007 at 8:00pm

8:35 RFD Roadway for Mass Turnpike Authority present: **Rick McCal**

- Read Notice – Road within 100' of WL's
- Spray Program – Roadside mgmt program
- Primarily for safety reasons
- Spray pattern 30" under guardrail (only) using a truck
- Filed vegetative and yearly op plan
- Prohibited from spraying w/in 10' of WL's
- Red/Grn guard rail delineation
- Approx 1 mile in Upton
- Have no – no spray areas in Upton – field verified
- There are a few WL's along roadway
- Similar to round-up – oust extra or accord concentrate – Request for MSDS sheet (will e-mail sheet)
- Done in summer July (at earliest)
- Each year – only growing vegetation
- 5 yr. Vegetative mgmt plan
- Need MSDS sheet and product label and copy of map along with highway #'s
- 1 application/year
- Continue to 6/27/07 at 7:40

8:55 ANoRAD Parcel #37, 41 Westboro Rd. present: **Jennifer Thompson and Judy Schmidt**

- Read notice
- Very large lots – provide open space of 26.3 acres
- May have access from Pulte – but grades may be tough
- Total parcel is 76 acres
- Both ends of prop within NHESP's habitat map
- Bank is pretty obvious
- Don't believe there are any potential VP's
- Some amphibian breeding activity in meadow areas
- Area within ACEC
- J. Savello will look at site over next few weeks
- Continue to July 25, 2007 @7:45pm

Noble Vista/Shining Rock Discussion present: **Fred Ruland, Marsh Paul and Bill McCormick**

- Outstanding issues: 1)WL's relating previous pond (major) 2) Drainage into Stagecoach retention basin.
- Removal of pond was under DEP jurisdiction.
- CS – still not cleaned out stream. Walked length of stream to be removed. 2 site visits with UCC – 1st to flag clean up areas and 2nd to verify it was cleaned up.
- Piles of sediment not being protected from erosion concern.
- Noble Vista will not encroach upon this stream
- FR – If Phil Nadeau would issue direction to clean this up, it wouldn't be a problem. FR doesn't own property. FR has no problem with this. Wants the direction to come from DEP to resolve this problem (in writing).
- MP – storm a few weeks ago checked water and it was turbid – maybe fire sediment
- Cleaning now versus later.
- Seems to be adj connect since its stated that the vegetation is 90% and silt fence has been removed.
- Hartford Ave. drainage: When development at Golf course was built, there were 2 CB's put in – not connected. 2 CB's not connected
- UCC only reviewed the sewer line at WL's area only.
- Development has increased water 400% (Heritage Design Group)
- UCC had no jurisdiction to review plans
- Stagecoach receiving more water than 5 years ago.

- Came up with a plan after many meeting: 1) Water to retention basin (in Northbridge). 2) Recreate swales to capture some of water. 3) Divert water down road.
- Problem: FR no longer owns detention basin.
- FR – would like to get Tunnison Smith and V. Bosyt to come up with some alternatives.
- CS – maybe tie into Noble Vista retention basins.
- Try to give relief to the Stagecoach residents.
- Rufin V. Bosyt owns another prop up there that may be an alternative.
- In 2 weeks with specific ideas – June 27th @ 8:45pm

10:15 CoC 6 West River St. Lot 9 (very old NOI)

- CS and Sandy looked at – ok
- Motion to issue – ALL IN FAVOR

9 Hartford Ave. OOC – resigned

- Applicant did not file with DEP in time
- Peppercorn Hill Beaver pond – continue
- CS spoke with Steve Soma about Beaver problems
- Open Space bylaw voted by Planning Board to accept it 5 – 0.
- Replaces the previous bylaw (10 acres min)
- Conserv Fund money for Miscoe Hill parcel on next town meeting article.
- Road was discontinued (diff between discontinue and abandonment)
- Abandoned actually causes the land to revert to original prop lines.
- UCC may have town Counsel look at easement to access
- A real hub that may connect Mendon St. to West River St.
- Only 1 appraisal if project cost < \$500k
- Milford St. lot - MP flagged

10:45 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, June 27, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Scott Heim (arrived at 8:00)
John Savello

Meeting Timeline:

7:40 No Quorum

- Discussion Only - Tennessee Gas – Steve Marowski responded
- Open Space bylaw update – MP asked Town council to review
- Old Grafton Rd. beavers – CS and Steve Soma will discuss. Set up a site visit.
- Milford St. parcel – Boy Scout Project – Barbara Burke. Met with architect and have design sketches. Materials: correct deck, pressure treated, framing $\frac{1}{4}$ " crushed stone, possibly 2 WL's to be bridged. Grip Tape. Use tape measure to sketch where bridges will go.

8:00 Quorum

- WL's on Elm St. 7 acre parcel
- MP suggests Historical Comm doing an RFD or NOI – MP could flag WL's. Weed control and clearing – RFD. Canoe Launch – NOI (maybe). Possibly drain the cave to keep dry (unless grd water).

8:15 Mass Turnpike Authority present: Rick Mecala

- UCC should have received the info on chemical name. On file in Y.O.P. WL's >10' away in Upton.
- Provided spray zone map.

8:25 Rockwood Meadows present: Mark Allen

- Meadow on left and right of entry road. Questions on conservation restriction
- Approx 2 acres for gardening area.
- Replanting – WL seed mix and cattails, high bush blue
- Added walking path along back of units
- Add 2 growing seasons to replication
- Storm water comments – Basin size changed
- JS – Erosion control add matting on basin #2, add matting on basin #3.
- No sequencing as part of project
- Approx 2 acres of tree clearing
- Approx 20 acres will be disturbed during construction
- Minimize the disturbed areas
- Silt fence at East St. entrance and crushed stone.
- 20 units connected to foundation drains
- CB design change to provide ramps for trapped amphibians – look into
- Connect erosion control @ flag 23 (@ 100' buffer)
- Believe not too much fill coming on site.
- Extra erosion control on site
- Continue to July 11, 7:45.

8:45 Lot 1 – Lot 5 Mendon Rd. present: Peter Lavoie

- Rec'd hydrologic report – revised lot 5
- Try to relocate driveway on lot 5
- Bldg inspector says has to access legal frontage
- Try to go for variance
- Less impervious after construction than before
- Roof run off into chambers (a soil)
- Moved replication area to save trees
- Swales along long driveway

- Each house has its own pump chamber for sewer
- Meeting with DPW tomorrow – request information from DPW on sewer line connections.
- UCC strongly recommends a variance
- Continue to 8:00 on July 11th.

9:10 Noble Vista/Shinning Rock present: Fred Ruland & Ben Smith Tunison and Smith Engineering

- Trying to set up site visit with Mr. Samarco along storm
- Would like to settle lawsuits.
- Propose completing some drainage work on Hartford Ave.
- Approx 10- 10 acres of water draining into Hartford Ave. Channeled by berms on Hartford Ave.
- Disconnect drainage from 1st set of CB's to 1st swale.
- Capture up to 10 ft3/sec into tap 2 BC's wooded area w/ type B& C soils.
- Discharge within right of way from pipe onto South side of road.
- Any permissions for discharging into USF prop entry road – any permission required.
- May need to provide some rip rap at discharge
- Would need to design
- UCC would like to do a pre-site visit to ID areas of silt to remove and then a post-site visit
- There are still fines being moved in water (60 NTU).
- DEP enforcement is 50NTU

9:45 Miscoe Hill Parcel

- Running out of time to continue with appraisals
- Spoke with Mr. Burrills WGB –said he would not give easement over small triangular parcel.
- What happened in 1800's concerning road?
- 1850 – 1900 recommended road to be discontinued but residents could use as private way - Don't have town record.
- App to state needs to be in by July 31st
- Try to survey prop for cold water frost storm, rare species in WL's
- Look to make more viable to state for purchase.

10:15

- Motion to accept meeting mins for May 23, 2007 – With revisions – ALL IN FAVOR
- Motion to accept meeting mins for June 13, 2007 – With revisions – ALL IN FAVOR
- Motion to issue negative determination for Mass Turnpike spray plan – ALL IN FAVOR
- Record OOC & CoC – UCC will pay from expenses/general fund
- USF filing for sign/planter (at 100' from WL's) – Have UCC visit before doing work. Crushed stone in parking lot and loop road. Maintenance OK – no culverts.
- Stefan's – B. Henderson regarded all ruts. Need \$50 for grass seed or meadow mix and cable across roadway. Saturday meeting to put in water bars.
- Cook fire – call him to visit site.
- 10 & 12 Grafton Rd. – letter – proposed 7/11/07 meeting.

10:20 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, July 11, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie
Debbie Sexton
Videotaped

Meeting Timeline:

7:40 Open Space – Miscoe Hill Parcel present: Marcella, Chip present

- Executive session

8:05 RFD 98 High St. present: Amy Correia

- Correct lawn slope, pave driveway and landscaping w/in 10' of WL
- Similar to RFD to 3 years ago
- Brook was channeled – want to clean out
- Had an EO on previous owner
- Sand is in brook (maybe from horse farm upstream)

8:20 Elm St. Park

- MP started delineating WL's
- A lot may be allowed w/out a filing (lawn area and field). Removing debris and Autumn Olive.
- Don't believe a filing would be needed (developed area).
- Possibly compost invassives to Christian Hill Rd.
- No Quorum (MP recused – on Park Comm)
- Park Comm should proceed at own risk – UCC will vote next week
- DPW may help with work and Sheriff's work group

General

- Rockwood Meadow continued to next week
- Lots 1 – 5 Mendon St. – Peter Lavoie waiting for response from planning Board. Continued to next week.

8:30 85 Crockett Rd. Update present: Dave Krawiec

- Received Title 5 approval to use existing septic system for gray water.
- CS spoke to DEP –maximum compliance to Title 5
- Concern is water quality of lake
- Same # of bedrooms
- EO still in effect
- Will file to state to allow to use composting toilet
- Issue a letter to allow interior work ONLY (install windows) from UCC. No landscaping, digging, filling.
- Cover cesspool back up

8:50 General

- Worldband is setting up UCC e-mail account
- No meeting minutes.
- USF – Bog site (Beaver deceiver) – set up site visit (Mon. or Wed.)
- Women's Club Offer – Deb following up on
- Cook fire – site visit
- Motion to have partial CoC for 5 Brook St. – ALL IN FAVOR
- Glen Echo Update – BOH had cease and desist due to fill material. Pond maintenance and mitigation. Received Letter from Mike Rosati. When are trees and shrubs going to be planted on detention basin? Fall sometime.

- 20 Taft St. driveway with drainage swale want to remove ½ acre of trees (not in WL's buffer). 30 X 30' riding maybe within 100'
- Shining Rock – schedule a site visit (weekend or week night)
- 10 and 12 Grafton Rd. working on plans
- 19 Plumbley EO – did DEP visit site?
- Pratt Pond weed control – Mill Pond water level is really low. Next time we should inquire about water levels. Also Mill Pond has lots of purple loose strife.
- Stefans – seeded with clover, buckwheat and perennial rye.
- Open Space by law – no updates
- RFD 98 High St. – notice for negative determination – same conditions as previous RFD – ALL IN FAVOR

9:30 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, July 25, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko, Sandy Lajoie
Debbie Sexton and John Savelo
Videotaped

Meeting Timeline:

7:40

- USF bog site visit 7:15am, 7:30am Thursday Steve Soma
- Milford St. Boy Scout Project – working on NOI
- Deb drafted UCC information letter
- Wetland markers cost – our cost includes shipping
- Glen Echo update – BOH cease and desist – looking at a bimonthly review
- **DPW Update: CS created a list of problems from Steve Soma and CS's meeting**
 - **55 Fiske Mill Rd.** – JS reports a number of problems and silt is getting into WL's – An EO maybe warranted. Schedule a site visit – Wed. August 1st 6:30pm
 - **14 Pleasant St.** – Letter to remove landscaping materials from 4 ft of stream.
- Shining Rock – ok to do a site visit, still working on plans for Hartford Ave.
- Noble Vista – sidewalk was removed from project – UCC should try to attend the ZBA meeting. Raising road??

8:15 **NOI 41 Milford St. for Hollerbrook Builders**

present: Peter Bemis

- CS read notice
- Filed in response to UCC's EO
- Has filed for NPDES JS – any changes to plans need to go back through UCC for additional review.
- Negative determination was issued November 2006 and plans have been updated without UCC review.
- Added retaining wall to plans without review
- UCC has bylaw for isolated wetlands
- Hay bales were put in as part of storm water management plan (not for isolated WL)
- Retaining wall is present
- Any damage to trees – not aware of

Glen Echo update:

- BOH had cease and desist due to fill material. Pond maintenance and mitigation.
- Received letter from Mike Risotti. When are trees and shrubs going to be planted on detention basin? Fall sometime.

20 Taft St.

- Driveway with drainage swale. Want to remove ½ acre of trees (not in WL's buffer)
- 30 x 30' riding may be within 100'
- Shinning Rock – schedule a site visit (weekend or week night)
- 10 & 12 Grafton Rd. working on plans
- 19 Plumbley EO – did DEP visit site
- Pratt Pond weed control – Mill Pond water level is really low. Next time we should inquire about water levels. Also Mill Pond has lots of Purple Loose Strife.
- Stefan's – seeded with clover, buckwheat and perennial rye.
- Open Space by law – no updates
- RFD 98 High St. – Motion for negative determination – same conditions as previous RFD – ALL IN FAVOR

9:30 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, August 8, 2007

Members Attending:

Tom Dodd, Chris Scott, Mike Penko
Debbie Sexton and John Savelo
(No quorum)

Meeting Timeline:

Rescheduled NOI for lots 1 – 5 Mendon St. to August 22nd

8:05 55 Fiske Mill Rd. – Discussion present: Sam Pietroforte

- Issues with siltation
- Presented water showing recent work to prevent problems
- Site visit: Wed. 8/15/07 at 6:30pm

8:20 128 Fowler St. – Moving barn to different location

- UCC needs a revised set of plans.

8:25 NOI (cont) 41 Milford St. present: Peter Bemis

- Provided updated plans (approved by P.B.)
- Provided mitigation planting plan
- UCC requests 2 yr. monitoring and replace.
- Plants going in buffer zone (resource zone hasn't been touched).

8:30 NOI 5 Glen Ave. present: Peter Bemis

- Can't open without quorum
- Septic system replacement
- Continue to 8/22/07
- Site visit 8/15/07 at 6:55

8:35 EO - 10 and 12 Grafton Rd. – Presented plan Present: Joe Marquedant and Bill

Hubley, Ellen Chagnon and Ed Boiteau (abutters)

- Would like to create a 1 – 1 ½ tall berm on each side of property
- Re-grade driveway section and utilize better packing material. Also pitch driveway toward their own property.
- Abutter initial concern about redirecting flow by using berm. Doesn't believe solution is adding another berm. Either re-establish sheet flow or on-site retention.
- Create a permeable berm
- Believe need to have some containment.
- Stake out berm
- Site visit Tues 8/14/07 at 6:30.

9:30 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, August 22, 2007

Members Attending:

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

Meeting Timeline:

7:40 General

- Margaret Carroll appointed as member until Oct. 1st.
- 3 North St. – needs to rebuild stonewall – access with Bobcat – NOI or RFD needed? Con Com - RFD would be needed.

7:45 Rockwood Meadows

present: Kevin Lobisser and Mark Allen

- Env meeting added to design plans
- Added construction sequencing notes
- Dbl row of staked hay bales and at connection between 2 basins
- Erosion control at entrance
- Met with PB – wanted drainage study into 3 catch ment areas
- Met with Hopkinton PB – need special permit (approved) with 2 conditions: CR runs with Hopkinton side.
- Added a 4th basin (small) to break up drainage area
- Looking to start in early spring
- UCC would require monitoring during storm events
- Continue to September 12, 2007 at 8:00pm

8:10 NOI (cont) Lots 1, 2, 3, 4, 5 Mendon St.

present: Peter Lavoie (G&H)

- Provided updated plans
- ZBA granted a variance to access Lot 5 over an easement from Lots 2 & 3 – no more WL crossing
- Reduced impervious area
- Concrete bounds on Lot 1, 4 and 5
- App would like to close all 5 Lots

8:20 General

- USF beavers – water drop needs to be lowered slowly – lower 1 – 1 ½ feet
- Performance standard of no more than 2"/week
- Put in a staff gauge to monitor water level
- Glen Echo – CS signed 2 bldg permits (dry)
- Dredging 1 basin being planned
- Large pipe stays until 2nd phase of road completed
- Added stone berm in basin
- Pump station looks complete
- Special bylaws submitted to town attorney – comments back next week
- UCC needs to resubmit 3 articles (open space)
- New special Order of Conditions – to stabilize driveways and remove DEP signs and silt fences.

Shining Rock – G. Tunnison contacted M. Samarco to allow permission for inspection.

- Requested Joan Shanahan be present – Tue, Wed Oct 2 or 3

30 Fiske Mill Rd. – Dave Therrien working on NOI

10 –12 Grafton Rd. - CS sent letter to Bill Hubley w/ recap

19 Plumbley EO - CS sent letter asking for update

General

- WL marker will sell for \$36.72/100. Money will go back into WL Protection Fund.

257 Milford St. CoC – JS many large differences from as-built to original design.

- Request documentation that shows drainage calcs
- Check meeting minutes 8/13/04 and 7/5/04
- JS will put letter together.

General

- 177 North St. – CoC – JS will look at
- Mass Electric called on 145 Milford St. – App needs to provide map and letter to add poles/utilities onto plan (if not in WL's)

OOC for Lots 1 – 5 Mendon St.

- Motion to issue OOC for lot 5 – ALL in favor
- Motion to issue OOC for lot 4 – ALL in favor
- Motion to issue OOC for lot 3 – ALL in favor
- Motion to issue OOC for lot 2 – ALL in favor
- Motion to issue OOC for lot 1 – ALL in favor

- Reviewed Deb's Certificate of Compliance letter to applicants
- Motion – request proposal from JS to survey ROW at Stefans

9:30 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, September 26, 2007

Members Attending:

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

Meeting Timeline:

7:55 General

Stefans Land Use Plan

- Marcella Stasa presented plan
- Met with Rec and Historical Comm
- Rec interested on East side – Tennis, basketball, volleyball, skating rink
- JS wrote up a quote to survey Stefan's R.O.W. for \$900 (only along Mechanic St.)

8:10 RFD 3 North St. present: Ann MacDonald

- Read notice
- Stone retaining wall 27 years old
- Crumbling – want to rebuild
- 14' from house, 10' from WL's
- Start approx. end of Nov.
- Putting in silt fence, 10' from wall (no hay bales)
- Wall approx 4' high
- Storage area for loam will have silt fence
- Access from driveway (no from North St.)

8:20 NOI 23 Taft St. present: K. Lobisser and M. Allen

- Read notice
- Demolish garage and new garage
- Existing lawn area – cutting 1 – 6" tree
- Building is 28' from WL's

8:30 Rockwood Meadows OOC discussion

- 34A – per construction sequencing on plans
- Change bi-weekly to monthly and rain events
- 29 – line with silt fence when outside buffer
- Concrete posts 42" with "W"
- Also 61 1/2 acre open space will be bounded
- 41 – MP will e-mail Glen Echo deed restriction language
- There are 2 references
- Street sweeping once/week
- Add condition to eradicate phragmites on property
- 35 – No swale on prop
- 32 – 33 during construction not prior
- 31 – delete
- Need to add replication details – monitor 2 growing seasons
- Require monitoring report from WL specialist
- MP had the state's new CR template (model)
- App o.k. with closing today

8:55 Continue Milford St. parcel to 10/10/07 at 7:30pm

8:56 NOI(cont) 30 Fiske Mill present: Wayne and Pricilla Senecal, D. Lunny and D. Therien

- UCC jurisdiction questions

- Prevent impact to buffer zone
- D. Therrien provided topo maps
- Water coming off driveway – some goes to North and some south of house. Possibility 1) Berm along prop line 2) streamline area between houses maybe – maybe add a small swale
- Proposed to do grading on fill area to direct drainage toward North
- Water draining off road
- App believes rainfall has been higher in the last few years.
- D. Therrien will stake out where a swale or berm will go
- Site visit: Friday 10/5/07 at 6:00pm
- Continue to 10/10/07 at 8:40pm

9:25 General

- Motion to accept meeting minutes of 9/12/07 – ALL IN FAVOR
- Southboro Rd. water down 2" since gauge installed. Eventually will use original outlet DPW will need to repair breach.
- Site visit 10/6/07 at 8:00am at parking lot
- Tree Stand Policy – schedule public hearing for 10/10/07 just prior to meeting. MP will e-mail updates around. Amend land use regulations.
- CS signed 5 building permits for Glen Echo
- Lot 8 South St. wants to get tax abatement due to WL's.
- Some cutting occurring at south St. gravel pits. Site visit 10/6/07 after 8:00am at Southboro Rd.
- Motion to close RFD 3 North St. – ALL IN FAVOR
- Motion to close NOI 23 Taft St. – ALL IN FAVOR
- Motion to issue CoC for 177 North St. – ALL IN FAVOR
- Motion for OOC for Rockwood Meadows – ALL IN FAVOR

10:00 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, October 10, 2007

Members Attending:

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

Meeting Timeline:

7:05 Public Meeting present: Mark Jango,

- Tree stand and land use regs
- CS read public notice
- Reviewed both regs
- Comments were on Tree Stand policy
- October 15th – December 31st is the hunting season
- New policy to be implemented next year
- M.Jango was concerned about visibility of tree stand. Doesn't think people can see them. People from out of town come to Upton to hunt and they may not know about the new regs.
- Put a note (reg's in a sealed clear envelope) on a tree stand about the regs.
- Have them down in 30 days.
- Put name and address on stand. Because of so many trails being cut in the forest it is hard to know if you're 100 from something.

7:45 NOI(cont) 41 Milford St. present: Parker Mitchell

- Architect has a rough sketch
- Using a switchback from street
- Pressure treated vs. concrete – life, cost, looks, maintenance
- ADA stone dust
- Remove multiform rose if possible
- Silt fence and hay bale placement on plans
- Continue NOI hearing – October 24, 2007 at 7:40pm

7:55 NOI(amended) 83 Main St. present: Mikey MacAullife and J. Teachout

- CS read notice
- Presented an updated plan showing garage
- Added bounds every 75' along WL
- Applicant will close hearing

8:00 NOI West River St. present: Tim Alibozek

- CS read notice
- Irrigation project – Gravel packed well to 400', Electric ditch to well, Irrigation piping
- MESA filing for wood turtle
- All outside of 100' buffer (WL's) and outside 200' riverfront
- Applicant will close hearing

8:20 RFD 64 Main St. present: Rick Mantha

- CS read notice
- Abandon shallow dug well within 100' of WL's
- Contaminated by road salt
- Have dug a bedrock well
- Dug well is 30' from lake
- Install silt fence
- Using a bobcat to fill with gravel
- Well is 3' x 27'
- Area is wooded

- Applicant will close hearing

8:25 **Glen Echo plantings discussion** present: **John Engdahl**

- Planting mitigation
- Site visit Saturday October 13, at 8:00am
- Preparing to start phase II
- Starting in next weeks
- Clear area
- 4 lots designated for topsoil storage
- Lot 36 will have a temp sediment basin
- Basin will handle water from Howarth's at well (black pipe)
- Approx 1 year to complete phase II
- Exposed working area Phase I and II is 16 acres
- JS questions the drainage easement between 2 lots – Lot #4? Never existed?

8:55 **ANoRAD 37-41 Westboro Rd.** present: **Judy Schmitt**

- Made all revisions that J.Savello requested to plans.
- App. Will close hearing
- UCC didn't get plans today – Should get tomorrow

9:00 **NOI(cont) 30 Fiske Mill Rd.** present: **Wayne and Pricilla Senecal**

- D. Therrien sent letter
- Added changes from site visit
- Re-grading and winter rye
- Remove tree of Heaven
- App will close hearing

General

- Meeting minutes – motion to accept minutes for 9/26/07 – ALL IN FAVOR
- Peppercorn Hill dam water was running over dam
- CS will ask Milford Con Comm
- Bridge at Peppercorn hill was completed
- Tree stand policy was reviewed at public meeting. Changes: #2) Mapped Trails #3) 30 Days after #4) Max size of branch 1 ½". Suggest put name and address on Tree Stand. Leave copy on any tree stand in improper areas. Guidelines should be on web site.
- Motion to accept Tree stand guide within changes and land use regs – ALL IN FAVOR
- Motion to authorize John S. to do surveying and bounds for Stefan's easement on Mechanic St. – ALL IN FAVOR
- Shining Rock site visit – Apr/May of next year will remove stock – piled silt and remove walls
- 85 Crockett Rd. – CS to BOH meeting to discuss composting toilet.
- South St. gravel pit – sometimes cutting in riverfront and along WL's – State forester is checking to see if a forest cutting plan.
- Reviewed Rockwood Meadow OOC's
- Motion to issue OOC for Fiske Mill Rd. – ALL IN FAVOR
- Motion to issue negative determination for 64 Main St./Wildwood – ALL IN FAVOR
- Motion to issue CoC for West River soccer field – ALL IN FAVOR
- Motion to issue OOC for West River Rd. – ALL IN FAVOR
- Motion to issue OOC for 83 Main St. – ALL IN FAVOR

10:10 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, November 28, 2007

Members Attending:

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

Meeting Timeline:

7:40 RFD Maple Ave. present: **K. Lobisser, Alison Cohen**

- Chris Scott read notice
- 7 ground water monitoring wells
- Phase 2 site assessment to close dump
- 4 locations, 3 deep (25')/shallow (12'), locked steel standpipe
- 2-3 days of drilling using ATV
- Believe minimal disturbance
- Minor vegetation clearing
- Hope to start in 2 weeks
- Track mounted auger will use 8' mats
- Tailings will be backfilled if possible
- Hearing will be closed

7:55 RFD 75 Crockett Rd. present: **Ron Atkinson**

- 4' high retaining wall along shoreline 63'
- Chris Scott read notice
- House built in 1959 – house and “sea” wall poured
- Wall has 1 1/2' footing with rebar
- Wall has fallen over this past week
- Water is 10' from wall right now
- Looking at using 2500 lb blocks
- Approx 1 week job
- 4' wide gravel footing, replacing existing wall
- 4 blocks high 16" H
- Fieldstone Construction, Milford suggest consulting engineer about footing. Wall and extra soil is being removed from property.
- Hay bales – move to top of wall when completed
- Hearing will be closed.
- JS will check hay bale placement.

8:20 NOI West River St. present: **D&F Afonso Bldrs, Mike Weaver, Jennifer Phillips from 169 West River(abutter)**

- CS read notice
- 16 acres total site
- 500' long common driveway to service 3 house lots within wetland buffer
- Use existing dirt road entrance 18' road
- Water shed away from pond
- Wood turtle nesting site toward back of property
- Common driveway meets PB requirements
- 269' ACOE will constrain development
- Closet point is 10'
- Spotted turtle was present in 90's (not listed), but of interest to bylaw. Could be using pond and would have to cross road to get to rest site.
- Oxbow made no mention as it being a VP. He will check with them.

- Will get copy of NHESP letter
- Subdivided in spring
- PB has approved lots and driveway
- Small possible WL behind pond – JS will check soils
- Town also has R.O.W. for well-field
- Possibility of moving fill for compensation of 269'
- Abutter has concern with road approaching the gate and removal of trees from lots in back.
- Site visit scheduled for 12/1/07 at 9:00am. Abutters are welcome. No wetlands fill. Meeting continued 12/12/07 to 8:00pm.

9:10 General

- Troop 4 Milford – request camping out on January 5, 2008. 15 Scouts, Notify fire department, and Give them the regulations.
- MP suggests jazzing up the UCC website.
- H. Trask wants extension on project on Walker Dr.
- Motion to accept meeting mins of 10/24/07 and 11/14/07 – ALL IN FAVOR
- Grafton stables site visit – Upton resident complaints
- Cell tower (Pratt Hill) – PB had meetings and gave appl town/state agreement.
- Easement would be chg. Of use and trigger 97 process
- Stefan's Stewardship – Marcella presented
- MP read letter to Rockwood Meadows pertaining to Item #44.
- DPW beaver policy – UCC may be writes up a SOP. Beaver deceivers, removing dams.
- Con Comm regs.
- Possibly get a GPS (off ebay)
- 257 Milford St. CoC –still waiting for info as-built design meets storm water regs.
- Glen Echo preconstruction meeting – Phase II
- Glen Echo pumping station – erosion problem from town flushing – why didn't direct into basin?
- Goss Pond encroachments
- Motion to issue neg determination for 75 Crockett Rd. – ALL IN FAVOR
- Motion to issue neg determination for Maple Ave. – ALL IN FAVOR

10:15 Meeting Adjourned

Meeting Minutes

To: Members of Upton Conservation Commission
Cc: Upton Town Clerk
From: Tom Dodd and Debbie Sexton
Re: Minutes of meeting Wednesday, December 12, 2007

Members Attending:

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

Meeting Timeline:

7:30 General

- NOI - Main St. Parker Mitchell Continued to 1/9/08
- Crosswinds is extending project – Motion to extend – ALL IN FAVOR
- 20 Christian Hill Rd. wants to waive as-built plan for pool construction. Motion to issue CoC based on John's site visit. ALL IN FAVOR
- 188 Westborough Rd. Bob and Elizabeth Knox CoC – JS will look at this.

7:45 84 Glen Ave. Discussion present: Richard Gaudette

- Addition to house 30' x 30'
- Presented plan. Hope addition doesn't affect the septic.
- Lawn maintained to top of bank
- UCC would require NOI. WL's should be flagged
- JS questions actual 269' contour
- Placement of silt fence/hay bales

8:00 101 Main St. Discussion present: Linda and David Jones

- Concern that WL's were filled
- Lived there for 27 years
- Leveled out backyard – 1999
- Town sewer easement across backyard
- Clean fill was brought in 9 years ago – Nothing since then
- M. Penko had been asked about this in 1999 and was said to have ok'd the fill (Mike did not recall)

8:25 General

- Motion to accept meeting minutes of 11/28/07. ALL IN FAVOR (except Sandy not present)

8:30 West River Rd. NOI (cont) present: M. Weaver, D. Afonso, Brett Manson

- MP suggest summary of first meeting (since Sandy wasn't present at last meeting)
- Pond was dug approx. 1939
- 16 acres, 3 lots
- Cul-de-sac has been shifted 50' away from WL's
- Pond approx 2.9 acres
- ACOE 269' Contour (flagged in 2005)
- Mapped flood plain
- NHESP rare species – submitted Wood Turtle
- Rec'd response from NHESP
- UCC could make argument that prior to splitting parcel, it could have been developed using open space bylaw.
- 70' to pond, 40' to WL at cul-de-sac
- JS visited site – pond WL's looked o.k.
- MP and SH saw mottling in isolated WL, JS didn't see it.
- Brett provided habitat assessment. Did find pre dated wood turtle nesting sites.
- Pond doesn't have typical V.P. characteristics according to applicant. More typical of green from/bullfrog's, marsh habitat no defined basin (can't rule out wood frog or spotted salamander). Marsh are/shrub would be conducive to spotted turtles. Spotted turtle reported from area by abutters in late 1990's and at hearing.

- 3 Lot subdivision vehicle trips would be minimal
- No turtle egg fragments (applicant). Con Com found egg fragment during site visit. Could just as easily move across driveway and lawns.
- NHESP mentioned scarifying some parts.
- MP concern with current driveway – could the wood area near the pond be aestivating habitat? Bret – a lot of times aestivate in dry WL's potentially they could use this. Brian Butler - long term studies aestivate use leaf litter, dried WL's sphagnum. Applicant claims wooded is not good aestivating habitat
- MP vernal pool question – Upton by law boundary as resource area 100' could include road area - no assessment for spotted turtle.
- Spotted turtles have been seen in the area. Used to be hornpout in the pond (would rule out being a VP).
- MP – abutters hear bullfrogs and peepers – don't know wood frog calls. MP believes applicant needs to determine if it is a VP this spring (egg mass and aural surveys).
- Alternatives analysis – town by law allows UCC to ask for minimum resources area impacts.
- MP still possibility to create and open space project. Never came before UCC for discussion.
- Would like to see applicant consider other alternatives, including a concept open space plan with less impact to resource area.
- MP how is dam maintained to protect resource are? Maybe part of homeowners association.
- MP cumulative impact not looking at applying this relative to the town well project..
- Would like to know total disturbance – 3 ½ acres
- MP-NHESP request deed restrictions
- Who enforces?
- MP suggested a CR. Applicant reluctant.
- CS – NHESP report – construction plan – UCC wants to see
- Deed restriction once/year UCC I permitted to walk site
- Possibly look into moving road into 269' area to see impact on pond area
- Compensatory storage
- MP Bylaw Performance STD – minimal impact: 1) Move road back further 2) Open Space design 3) Current design.
- M.Weaver – open space would require 50' roadway – wider crossing
- MP – PB may waive some of those requirements.
- MP – changes would be for perpetuity. We need to take the time to get this right.
- Abutter question about culvert crossing. Turnaround area because near town line. Private drive vs. road (town would own)
- M.Weaver – proposing common driveway (18') would change entry to be more narrow
- Abutter – impact on wildlife (numerous ponds down to river)
- UCC requests: 1) VP study (habitat spotted turtle assessment) 2) Plan for construction 3) Planning board discussion (alternative analysis) 4) NHESP items 5) CR?
- Questions of what Upton's by law VP definition is (says fishless) in most years.
- Brian Butler – believes most fish would be introduced. Have put in minnow traps to look for fish.
- Continue 1/9/08 at 7:45pm

9:50 General

- Stefan's Stewardship Plan on website
- Pratt Hill wireless towers – Planning board meeting in Jan.
- Shining Rock – M. Samarco had questions about a retention pond connected to his stream. Wanted drainage calcs, really dry year and his stream was running.
- JS – Rte. 140 next to Madame's – flagged
- Deb – completed GIS survey – probably get software within next month – Deb could take the course – UCC would pay time. MP suggests backup drive and scanner (look at costs).

10:20 Meeting Adjourned
