

Meeting Minutes – Wednesday 5/23/12

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

Members Attending:

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

Meeting Timeline:

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

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

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

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

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

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

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

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

9:10PM Agent's Report

- Per report 5/10 – 5/23

9:30 PM General/Pending/Active

Website

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

Motions:

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

Finances – current vouchers signed.

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

OSC

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

LSC

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

Other

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

10:10PM Meeting Adjourned

Minutes approved on _____

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