

CONSERVATION COMMISSION

Town of Upton



Massachusetts

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1 Main St, Box 9  
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 5/8/2013

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

**Members Attending:**

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

**7:30 PM Continued RDA – 11 Christian Hill Rd D. Therrien**

- Selby and Dave Therrien visited the site, tested soils to confirm isolated wetland.
- Dave revised the plan to show the isolated wetland and moved the driveway and septic.
- This lot is a wooded wetland area.
- 3 bounds will be installed 30' from the isolated wetland on the side toward the house.
- Need to revise the plan to show the location of the bounds and need to add the arc.
- Hearing closed; determination will be issued.

**7:50 PM Con't RDA - Westboro Rd Mud Run R. Thompson**

- Selby did a site visit to review wetlands; he determined that no action was necessary to prepare the trail prior to the race but he will make another site visit after the race to re-inspect.
- Race has been set for September 21, 2013.
- Hearing closed; determination will be issued.

**7:55 PM Agent's Report**

- Per report dated 4/25/13 – 5/8/13

**8:05 PM RDA – Chestnut St E. Bernat**

- Limited wetland/stream crossings (2) on existing cart paths; one has a collapsed culvert that needs repair.
- Selby visited the site and reviewed both crossings.
- 1<sup>st</sup> crossing Gene was looking to double the size (24") of the existing pipe (12"); it is up gradient of the ponds and will keep the bottom elevation the same. Commission recommends going to 18" pipe not 24".
- 2<sup>nd</sup> crossing will simply replace the existing 12" pipe with a new 12" pipe.
- Work will be done this spring; will require sandbags in the stream then will use straw wattles or wood chips for erosion control.
- Hearing closed; determination will be issued.

**8:15 PM Whitney Conservation Area Land Stewardship Com./M. Stasa**

- Marcella Stasa recused herself from Con Com to present project for the LSC.
- Wetland crossings and trail enhancement (8 small projects); up to 5 stream crossings may be needed.
- Most work is along the existing cart paths.
- 1 of the areas will require wetland alteration; a 16' x 5' boardwalk will be built.
- There is an old existing cobblestone area that may still be sufficient to use but if not a new causeway may need to be built by using some type of fill that would need to be brought in.
- LSC has discussed trail projects with some equestrienne users to get their feedback.
- Wetlands are flagged.
- Discussion of erosion controls – straw bales/wattles and sandbags as needed.

- Hearing continued to May 22 @ 8:30 pm.
- A site visit will be Wed 5/15 at 4 pm.

(Marcella Stasa rejoined meeting.)

### **8:30 PM Mosquito Control**

- For the record Mike Penko sent several emails containing scientific papers and materials from other towns relative to mosquito control.
- Shirley Smith and Ann Mazur from Mendon spoke of Mendon's experience and concerns with the Central Mass Mosquito Control District.
- Specific concerns: Nuisance spraying; double paying for services the town may already be doing or implementing; claims that they (the CMMCD) is doing things but they never do (such as education programs).
- Scare tactics regarding instance for West Nile virus and EEE.
- Concerns w/ the chemicals.
- Discussed the possibility of joining a smaller district (40 towns is too many) would be more effective and working w/ another district that would be willing to do a "menu based" system.
- Towns could do many things on their own such as: education programs, tire collections, treat/clean catch basins, and other preventative measures.
- Motion was made to not support this article – 2<sup>nd</sup> - discussion was held and Alan Miano suggested we give BOH a chance to present their reasoning for joining this district; motion of no support was approved (6 yes – 1 no).
- Major concern of the Commission is that Central Mass. Mosquito Control is exempt from Wetland Protection Act review.
- Other issues: nuisance spraying, education awareness.
- Con Com suggests that we pass over the article due to lack of info and to give the BOH/Town a chance to get info out to the residents; perhaps a committee should be formed to further study. There are things the town can do now. CS authorized to draft a statement to be read at town meeting.

### **9:15 PM Goss Pond Trail discussion**

- Land deeded by Bob Henderson with a 41' access strip from Green Ln.; a plaque would be installed recognizing the Henderson family. There are some property bounds as this is not a conservation area.
- LSC currently manages this land and is looking to build a walking trail around the property which could connect to the existing trails at West River. They are looking to make a 3' wide foot path (no vehicles). Residents have concerns about encroachment from the South St gravel pits. LSC hasn't seen any signs of this encroachment to date; LSC has talked w/ neighbors about their concerns.
- Owner at 1 Green Ln has a restriction on his property about cutting 50' from the pond; Access would come off Green Ln at the strip of land the Town owns. Currently the path does not circle the pond and it is not the intent of the LSC to have it do so.
- Neighbor concerns about who uses the trails; trash on the trails and people ending up on private property. AM provided some personal experiences about living next to a trail as he does in Glen Echo; presented a positive picture.
- LSC feels this trail area will only be about 2 miles long thus won't generate a lot of traffic.
- LSC was given the management of the property in 2010.
- Resident expressed his concern that this trail is being built as retribution for the South St vote (referring to the South St land that was voted down at Town Meeting last fall). The Land Stewardship Committee was extremely offended by this remark. Mike Penko explained that this item was in fact tabled until the South St gravel pit issue was decided to see if the Town would have other access to this land so as to avoid access from Green Ln.

### **9:40 PM Forestry discussion**

- Review of Mike Downey's comments to the Draft Policy & Guidelines.
- Comments from resident's letters
- Motion to authorize Scott Heim to amend the language regarding cutting in wetlands – 2<sup>nd</sup> & approved.
- Continued discussion to next meeting (5/22/13 at 9 pm).

**9:50 PM      General/Office**

**Finances** - Current vouchers/payroll signed.

**Meeting Minutes** –Motion to approve minutes from 4/24/13 – 2<sup>nd</sup> & Approved.

**Appointments:**

- Motion to recommend the BOS re-appoint those who are up this year (Tom, Sandy & Marcella) – 2<sup>nd</sup> and approved.
- Motion to nominate Mary Overholt to the LSC and to be an Associate Member of the Commission – 2<sup>nd</sup> and approved.

**Motions to sign:**

- 11 Christian Hill Rd Determination – 2<sup>nd</sup> & approved.
- Westboro Rd Determination (Thompson) – 2<sup>nd</sup> & approved.
- 56/58/60 Pleasant St Certificate of Compliance – 2<sup>nd</sup> & approved.
- Re-issue Partial COC for 250 & 262 North St – 2<sup>nd</sup> & approved.

**10:10 PM      Meeting Adjourned**

**Minutes approved on** \_\_\_\_\_

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