

CONSERVATION COMMISSION

Town of Upton



Massachusetts

508-529-6286
concomm@uptonma.gov

1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 5/22/2013

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

Members Attending:

Chris Scott, Mike Penko, Marcella Stasa, Tom Jango, Sandy Lajoie, Scott Heim, Alan Miano and Mary Overholt (Associate Member)

7:30 PM Mass DOT RDA – Rte 140/West Main St W. Clougherty/E. Grygorcewicz

- On-going flooding problem near the old rest area on Rte 140 near the Grafton town line. They have tried to fix this problem over the years.
- Need to locate an old drainage pipe and remove and replace it.
- Will work w/ the DPW to drawdown the lake in order to do this work. Not sure how far to draw down but probably 1 – 2 feet; need to determine where the old pipe is.
- Lake Wildwood is a rare species habitat thus will need to file w/ NHESP. Then may need to file and NOI especially if a draw down is used as the abutters on the lake will need to be notified.
- Con Com suggests using a coffer dam instead of drawing down the lake.
- Selby (Agent) suggests adding tree removal to the NOI as there are a couple that will need to be removed; also a second catch basin to the north (about 40') is failing and should be repaired or replaced.
- Hearing is continued to June 26, 2013 at 7:30 pm.

7:40 PM Cross Winds NOIs (10 lots) R. Poxon/V. Sarkisian/J. Antonellis

- NOIs for 10 lots were filed. R. Poxon explained each lot and what would be required in terms of the riverfront area or buffer zone.
- House locations are staked.
- Selby suggested setting up site walk for all 10 lots.
- Conservation Restriction (CR) needs to be in place prior to lots being sold. The Planning Board decision included: Lot 8 shall be used as Open Space (OS) as a garden-in-the-woods; and the Order of Conditions (OOC) needs to be issued on the amended plans to reflect the correct plans that were approved by the Planning Board.
- Planting plans & Replication Area need to be addressed.
- Roof drains and dry wells are shown as planned.
- OS & CR – ownership issues: if OS is deeded to the Town then Conservation Commission can't hold the CR a 3rd party will need to be brought in; OS does not have a CR on it which means the town can own it and hold the CR. CR is only on the house lots not the OS land.
- During the site walk need to determine where the bounds should go and what type are needed. CR and limit of disturbance is the same on most lots. Want to use the most restrictive.
- It is suggested that the plot plans need to be color coded to show the CR and no-disturb area; make it clear for the potential buyer.
- Frontage setback is at the minimum for all lots except 1. All lots conform to zoning for setbacks.
- Subdivision order does not allow for disturbance – waivers under the bylaw are needed.
- Lot 8 – Conservation suggest removing the CR from it and having it remain as OS only. Would need to go back to the Planning Board to remove this.
- Motion to support the recommendation of removal of the CR from Lot 8 was seconded and approved unanimously.

- Private Restrictive Covenant will be put in place to cover any future expansion of homes, driveway area, etc... within the subdivision.
- 3 Trustees from the neighborhood will be appointed.
- Site walk set for Wed, May 29 at 6 pm.
- Need an amended NOI so as to issue an amended OOC – Applicant will send a letter.
- Hearing continued to Wed, 6/12 at 7:30 pm.

8:50 PM Whitney Conservation Area – continued NOI LSC/M. Stasa

- Site walk was held (Selby) to review proposed work. Eight crossings are proposed.
- #7 will require work to be hand-dug; work will be done during the dry season; #8 grading is not critical; #s 6, 5 & 4 involve new culverts and 2 existing culverts; #3 is a short boardwalk (16' x 2') however, this crossing could potentially be longer (up to 80') if the existing cobblestones can't be used because of the horses; #2 is low priority crossing as the horses can get through w/o much trouble so will hold off on this one for now; # 1 will require stones thus will direct the horses away from this crossing.
- Priority of work will be: #7, # 3 then #6.
- As time goes on will consider trails for bike (bicycle) riders use.
- Hearing closed.

9:10 PM Agent's Report

- Per report dated May 9 – 22, 2013.

9:40 PM Mosquito Control

- Should we send a letter to the BOH encouraging preventative measures, education and surveillance?
- Would like to explore other mosquito districts that do allow choices of what we want (menu-based).
- Continued discussion to next meeting.

9:45 PM Forestry discussion

- Scott Heim made minor edits to the Draft Policy & Guidelines.
- Review for next meeting.

9:55 PM General/Office

Finances - Current vouchers/payroll signed.
Meeting Minutes – Motion to approve minutes from 5/8/13 – 2nd & Approved.
Motions to sign:
 - Complete COC for 250 & 262 North St – 2nd & approved.
Website - need to clarify fee schedule.
OSC – Some indication/info that Mr. Chase is correct about the property line.
LSC – Parking at SWF is almost done; hoping to open by summer.

10:15 PM Meeting Adjourned

Minutes approved on _____

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