

CONSERVATION COMMISSION

Town of Upton



Massachusetts

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1 Main St, Box 9
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 2/25/2015

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 and Alan Miano
Mary Overholt (Associate); Selby (Agent)

7:00 PM Beavers at Southboro Rd

- Tom Jango has offered to trap the remaining beavers for \$200 per beaver. He will make sure to trap them all unlike the previous trapper.
- Can trap until April 15th and will need a permit as he uses conibear traps.
- Chris will contact Blythe to see if it is a conflict for Tom to do the trapping.
- Motion to hire Tom Jango to trap out the remaining beavers at Southboro Rd contingent upon ok from the Town Manger and to remove the dams and lodge – 2nd and approved (2-yes, 1-no and 1-abstention). Tom Jango recused from the vote.
- Will need to contact DCR to let them know about this plan.

7:20 PM Agent's Report

- Per the submitted report dated 2/12 – 2/25/15.
- 4 Taft St – spoke w/ the DEP to discuss the process for issuing an Enforcement Order for the retaining wall that was built on either side of the stream bed. The owner will need to hire a wetland scientist to determine where the wetland line was so that appropriate mitigation or restoration can be imposed. Will need to determine the square footage of wetland involved. It was suggested that the Army Corp of Engineers “In-Lieu Fee” program may be applicable and allow owner to write a check to compensate for the area of wetland disturbance. Will need to check with the DEP and Corps to see if they would allow this. Also discussion of off-site mitigation, are there any areas in town with a need?
- Whitney Conservation Parking Area (easement): Mr Potheau is parking his plow truck in the parking area 24/7. Truck is parked parallel to the trail (Selby took photo). He has plowed a sufficient area for the public to park. MP concerned parking the plow on the lot is blocking or may deter public from parking at the area. There is currently no agreement for Potheau to plow the lot. He has plowed more than needed to just access his property. MP would like to get an opinion from Town Counsel about “prescriptive easements” to prevent any future (potential) issues. This is true for any town land or easements.
Related Topic: The Stefans parking lot has not been plowed by DPW this year. LSC to discuss whether private contractor should be hired to plow the lot next year.

7:55 PM Upton State Forest – bridge extension project B. Taylor & V. Stegemoen

- DCR is proposing to build a boardwalk style bridge on the existing trail (Bridge Trail) near Dean Pond; hoping to do the work this summer (July 2015).
- Will an NOI be needed or can they amend the OOC for the previous NOI?
- If the work is being done on the same parcels as the open NOI/OOC then they probably can do an amendment if not and the work is on new parcels a new NOI would be needed.
- Upon further discussion it was determined that no further alteration is necessary because this is an existing trail therefore they can file and RDA.
- Motion to waive advertising fee -2nd and approved (4-yes/1-no).
- Question was raised if the State is subject to local bylaw fees? Will need to investigate.
- Additional discussion with Val about removing the remaining beavers, the dams and the lodge. Need to make sure DCR is ok with doing this. NOI will be required.

8:30 PM General Items

Meeting Minutes – motion to accept and sign minutes from 2/11/15 – 2nd and approved.

OSC – the Committee was contacted by a Hopkinton resident to see if the Committee would be in favor of extending Crockett Rd. Doing so would mean the road would cross over Peppercorn Hill land so he was told that this would be extremely unlikely to be allowed. The Committee told him they would listen to his proposal and if there was a benefit to the Town then perhaps it might be approved but this is very unlikely.

LSC – Spoke with Mike Downey and he has agreed to extend the deadline for the Forest Stewardship grant to June 2015 due to the extreme snow conditions.

Finances - payroll signed; update on expense and salary accounts; Selby announced that Ashland has agreed to continue the contract for another year (keeping to the original timeframe of contract).

Rockwood Meadows – Town Council has reviewed the CR and easement documents and provided comments; Mike has forwarded to Kevin Lobisser’s attorney.

ATM – Warrant is open must submit articles by mid-March (16th). Will submit the usual articles for our revolving funds: Wetland Bylaw; Stormwater; Community Garden and Conservation Fund; will need to see about Selby’s salary for next FY (very low filing activity in FY15).

Maple Ave Landfill – Selby has contacted Ron Roux to discuss the error on the plans regarding town land vs state land.

8:55 PM Motion to Adjourn – 2nd & Approved

Minutes approved on: _____
