

CONSERVATION COMMISSION

Town of Upton



Massachusetts

508-529-6286  
concomm@uptonma.gov

1 Main St, Box 9  
UPTON, MASSACHUSETTS 01568

Meeting Minutes – Wednesday 5/13/2015

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

**Members Attending:**

Chris Scott, Mike Penko, Sandy Lajoie, Alan Miano, Tom Jango, and Marcella Stasa.  
Mary Overholt (Associate); Selby (Agent)

**7:05 PM Beavers at Southboro Rd**

- Tom Jango updated the Commission that he trapped the remaining beavers and took out a large section of the dam. While we were waiting for approval from DCR to completely remove the dam new beavers moved in and rebuilt/repared the dam. These beavers will need to be trapped at some point but we should wait a little longer provided the road isn't in danger of flooding. Tom can trap them in November. He does not recommend hiring the trappers that were used in the past as they charge a premium for incomplete work.

**7:15 PM 4 Taft St**

**T. Birdsey**

- Selby met w/ Tom on 5/8; they discussed where the wall will need to be removed to allow the water to pass through. Tom presented a hand-drawn plan. The Commission originally wanted the bridge to be removed but Tom has concerns about safety should one of his kids get hurt on the other side of the stream.
- After reviewing his plan a motion was made and seconded to allow the bridge to stay – approved.
- Tom will contact the Commission when he has made the cuts to the wall; Selby will make a site visit and if ok a letter will be issued.
- The Commission thanked Mr. Birdsey for his prompt response to this matter.

**7:25 PM General Business/Active Items**

**Meeting Minutes** – motion to accept and sign minutes from 4/22/15 – 2<sup>nd</sup> & approved.

**Website** – Alan will look at the feedback/comments we received from a citizen regarding our page on the website; he will also review the material the person provided to see if it is suitable for our website.

**OSC** – Met with Jodie Naze of Crockett Rd about her possible donation of land; she doesn't want to allow hunting; this is a buildable lot but would have wetland impacts; there is turtle habitat and NHESP will allow us to use some of the wood turtle fund on this site; Jodie will contact a surveyor to see about dividing the land.

**7:30 PM NOI -- Lot 1 Glenview St**

**P. Lavoie of G&H**

- Application of John & Kathryn Fox for construction of a new single-family house on this lot (Map 22/Lot 16) on the corner of Glenview St and Tyler Rd; lot has a line of sight easement (from original subdivision plans) as to where the house can be built on the lot; it will have town water.
- Proposing a pool that will be within the buffer zone.
- Mulch socks will be used and 7 wetland markers will be installed.

- Agent noted that there was a discrepancy in the wetland line that was flagged so the line was re-delineated and flagged.
- Wetland markers will be attached to concrete posts; language will be in the OOC and must be referenced in the deed. Commission will review the language prior to signing the OOC.
- Hearing closed.
- Motion to issue OOC -2<sup>nd</sup> & approved; Selby will prepare the OOC and submit to the Commission for review and signatures at our next meeting.

#### **7:50 PM Agent's Report**

- Discussion of submitted report dated 4/23/15 thru 5/13/15.
- Site visit to 270 Mendon St as it was brought to the Commission's attention that wetlands were being filled; Selby asked Mr. Anderson (property owner) to attend tonight's meeting to discuss; Mr. Anderson explained that he was trying to clean up the front of the property and was moving material from his property as fill; he was clearing trees and branches that had fallen in order to neaten the property but has impacted the wetlands; Upon reviewing photos of his property the Commission explained that he needs to pull back or remove the fill material to the existing driveway, which was actually Old Mendon Rd; he can use rocks to help stabilize the grade/slope from the driveway to the wetlands; Need to let the plants grow back in; Selby will monitor this work; fill materials can be moved away from the wetlands and used elsewhere on the property; Commission thanked Mr. Anderson for his cooperation in this matter.
- BVT field off Chestnut St – discussion with Jim Brochu of BVT; when site was being cleared they discovered more granite than anticipated that needed to be blasted thus used up the money; need to clean up the site as not sure when they will be able to complete the project; suggestion that they re-spread the top soil that is stockpiled on the site and then re-seed; brief discussion if the property could be used for other projects.

#### **8:30 PM General Business/Active Items (continued)**

**LSC** – kiosks and signage will use grant money for this; community garden all plots taken; Forester (Rupert) has done the inventory and will submit his report by email; we want the other consultants to have input on his report; perhaps schedule an additional meeting to discuss; Marcella will forward the report to the Commission and the consultants then determine if a meeting is needed.

**Finances/Admin** - payroll signed; reminder as we are getting near the close of the FY that invoices/vouchers need to be submitted; provided current account balances.

**Whitney Conservation Area Parking Lot** – still waiting to hear back from Town Counsel on our questions regarding easement; a boat is now partially parked in the parking area; it is a limited encroachment and bounds are not marked, but the boat does impact public use of 2 of the 5 parking spaces; signage has been ordered.

**Rockwood Meadow** – CR document is being finalized by owner's attorney.

**Warren St town parcel** – existing trails have been mapped along with the location of wooden structures built on the property and vernal pools. Questions: 1) does the Commission have authority to manage this town owned property per the 1969 town meeting vote? and 2) could this property be used for mountain biking including the structures if they stabilized or removing them but what are the liability issues for the town? On a positive note the property is very clean with little to no trash. The Commission has requested town counsel review status of the property.

**Turtle Project** – Dan has been out and so far has found one male with the receiver.

**MassDot Rte 140 Culvert Project** – Letter received regarding this project claim that they are exempt from filings; we should find out from Town Counsel if State projects are exempt. We are still waiting for an opinion from Town Counsel on this matter.

**Appointments** – all set.

**State Ethics** – reminder.

**9:15 PM Motion to Adjourn – 2<sup>nd</sup> & Approved**

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

---

---

---

---

---

---

---

---

**Document List – 5/13/15**

- Con Com Agenda & Action Item Checklist
- Agent's Report (4/23 – 5/13/15)
- 4 Taft St plan
- Revised plans for Lot 1 Glenview St NOI
- Expense reports
- Warren St town property map showing trails, vernal pools, and location of ramps and other structures.