

April 4, 2012 Meeting Minutes  
**Upton Open Space Committee**

Nipmuc High, 7.12

**Members present:**

Tom Dodd  
Alan Miano  
Mike Penko  
Marcella Stasa  
Bill Taylor

Discussion – Scenic Roads Bylaw (SRB).

National Grid and DPW can be exempt from hearings, could submit a cutting plan. National Grid exempt if maintenance plan is approved by the Tree warden, BT proposes same for SRB. What about other utilities?

Replacing of trees- compensatory action-tree fund?

Invite Robert Thorson for a talk on stone wall protection.

BT has spoken with John Johnson. Will ask Blythe Robinson who and how at DPW. Table of Right of way is variable according to JJ and Larry Bombara. Town has records but they are not organized. What would it take to make it electronic? We don't have as strong a case if we can't give a definitive RoW width. If there is any question about RoW it is assumed to be within the RoW until proven otherwise. Tree Warden has a system of determining RoW width but it may not be consistent.

SRB hearing and Tree Warden hearing is usually concurrent- SRB wouldn't be more work.

Will Mr. Kenniston continue as Tree Warden?

Has the town ever hired anyone to do tree work?

Tree Warden's budget is \$9000.

Could there be a concern that the Planning Board (PB) would rule inappropriately? Guidelines should be put in place.

Should cut trees be replaced with new plantings?

Replace with equivalent caliper measures? 4" DBH tree is big, 2" DBH is more reasonable. Keep it loose, work case by case as determined by PB and Tree Warden.

Applicant can propose compensatory action. Use "*reasonable*" in the wording. Present a list of options. As in wetlands- avoid first, then minimize, compensate as a last option.

BT will draft and send around.

Add FAQs if needed.

Most scenarios would be putting in driveways or roads and improvements, vista prunings or lawns.

Improvements using traditional methods of stone work or temporary breaks in the wall would require no hearing but simply a notification to the PB.

Most property owners are not aware of the town RoW.

Utilities like sewer lines may need to go through a wall or trees.

Garden may need more sunlight.

For website: Proposed bylaw, FAQ's, opportunity to comment.

Ask Denise Smith to create town Open Space e-mail

Make sure we can work on our own web page.

Make changes to SRB, get PB blessing & vote, then meet with Selectmen.

Denise monitors Con Com web page, & might be willing to do so for OSC.

Perhaps invite Selectmen to a less formal discussion.

Fund for purchase of new trees allows it not to be viewed as punitive. Include stone wall repair.

Where do fines go? A: Usually into the General Fund. BT will look into it and find out what tree funds other towns have.

Forestry fund might be used here.

Discussion- Chapter 61 –get a process in place. Checklist for evaluation of Chapter 61 lands.

By law owner must notify Selectmen, Con Com, PB and Assessors.

Rick Holmes suggested preparing an Open Space leaflet- we should follow through.

Need to organize OSC records and minutes and go through Con Com room.

Meeting adjourned 8.19 PM