



Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, September 5th 2023
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, James Geraghty, Lori Stephenson, Paal Brandvold, Administrative Assistant to the Conservation Agent, Lauren Ducat
Guests:	Timothy Driscoll (Cedar Grove Contracting, Inc.), Steven Erat, Pat Bensettler, Tim Hess (Studio InSitu), Nick King (Studio InSitu), Daniel Carr (Stamski and McNary), David Crossman (B & C Associates), Gordon Taylor (Trails Committee), Keith Silver (Trails Committee)
Next Meeting:	Tuesday, September 19th 2023 7:00pm via Zoom

- 1. Request for Determination of Applicability – 76 East End Road - Map 5.E Parcel 88 -** *The Request for Determination of Applicability was submitted by Timothy Driscoll for the proposed building of a new deck. Timothy Driscoll of Cedar Grove Contracting, Inc. and property owner, Steven Erat were present. Timothy provided a summary of the project. The proposed new deck is to be on helical piles and techno posts. It will be in line with the existing bump-out on the house and will not go beyond what is currently there. Timothy confirmed that the deck will be built over the existing lawn, and also over a patch of ¾" stone. The entire deck, including the existing portion, is to be 76' long, and 9'5" wide. The deck will not be covered and there are existing gutters already installed. It will be a composite deck on pressure-treated framing with composite rails. Any water seeping in will go through the deck. Timothy confirmed that all of the plans have been submitted to the Commission. Chair Brian requested that the Administrative Assistant to the Conservation Agent set up a site visit with Timothy prior to the next meeting. Timothy will ask the homeowner to mark out the deck dimensions and limit of work on the property prior to the site visit. Chair Brian made a motion to continue the public hearing for the 76 East End Road project until the September 19th 2023 meeting of the conservation commission at 7:15pm via Zoom. James Seconded; all unanimously AYE. Roll Call: PB, JG, LS, BB, AYE*
- 2. Ratify Emergency Certification for flow device and breaching dam on Town owned Land by Mechanic Street.** *Chair Brian discussed the flooding situation by Mechanic Street which required an emergency certification. The Commission is required to take a vote on issuing that emergency certification even though the work had already been completed. Pat Bensettler raised questions to the Commission regarding where the flow device was being installed, and why the project required a special certification. Chair Brian stated that he did not have the plans in front of him, but asked the Conservation Administrative Assistant to forward a copy of the plans to Pat Bensettler following the meeting. Chair Brian explained that the Town's Conservation Agent can authorize an emergency certification to the DPW in an emergency situation, such as flooding, which allows the DPW to do the necessary work. They can then do the full filing after the work is completed and confirm that all work was done correctly, and that if anything needs to be fixed or mitigated, then it can be dealt with at that point. Chair Brian made a vote to ratify the emergency certification for the flow device and breaching dam on Town owned Land by Mechanic Street. All unanimously AYE. Roll Call: PB, JG, LS, BB, AYE*

3. **Continued Notice of Intent – 711/713 Main Street – Map Parcel – DEPfile#112-0 .** Nick King and Tim Hess of InSitu Architects, Daniel Carr of Stamski and McNary, and David Crossman of B & C Associates were present. Daniel Carr provided an overview of the sewage disposal plan and stormwater design. They proposed a new septic tank and a pump chamber to pump wastewater up where it will then flow by gravity into the leaching system. The current septic system, located behind the 711 Main Street building, is to be replaced with a new system in the “courtyard” at a higher elevation than the current system. The area of the old septic system is to be turned into a green space with additional trees being planted. The leaching bed is also to be relocated up closer to Main Street, as opposed to its current location next to the exposed stream. The new leaching system is a Presby Pipe System, with a 1’ pipe with fabric around it. Daniel Carr notes that this type of system treats wastewater better than a typical system because it allows more surface area for bacteria to grow and eat the waste that flows through it. Daniel stated that the material covering the leaching field was included as impervious in the stormwater calculations for worst case scenarios, but may actually include pervious material. Daniel noted that the proposed septic system cannot be driven on, and they are proposing a hard pack, or some type of gravel surface, or paver surface over the system. They are also proposing a curb along the front of the courtyard to allow at least one car to pull in front of the system. In regards to stormwater, they are proposing a stone drip edge trench next to the barn which will allow water to fall directly onto the trench to be infiltrated into the ground. This would require building up the grade around the trench to allow for appropriate separation of groundwater, given that the site has the stream underground. They are proposing another drip edge trench along the 711 Main Street building as well. The final stormwater piece is more a typical roof drywell. They are proposing a boardwalk, which will be roofed and have gutters. The roof downspouts of the boardwalk will join with the roof downspouts from the 713 Main Street building, where runoff from both will be directed to underground chambers to reduce the volume and rate of runoff leaving the site. There is an emergency overflow proposed for the roof drywell, so in the event the chambers fill up there is a pipe with riprap at the exit for the excess runoff beyond what the drywell can store. The proposed parking spaces off the Town Common entrance road are to be pervious parking spaces, including the walkway next to it. David Crossman discussed the progress on the Riverfront Area requirements. He proposed to label this project as a “Riverfront Redevelopment.” David noted that under Riverfront Redevelopment guidelines, they are required to improve the area over the existing conditions. David stated that he believes they have met all the criteria, and have slightly reduced the amount of development. The foundation of the barn is currently collapsing along the north side of the stream, and they are proposing to remove the foundation and elevate the barn on piers. David stated that elevating the barn will open up 892 sq. ft. of riverfront area, which will open up a protected wildlife corridor underneath the barn, and provide additional flood control and storm damage prevention. The barn has a bridge on the west side which is to be raised above the ground as well. David stated none of the work is being proposed any closer to the stream than it was previously, and that they do not exceed the amount of degraded area that is currently degraded. Chair Brian inquired about an increase of traffic due to the two single family homes being turned into a commercial zone, and how the area by the stream will see a lot more human activity in a commercial zone than it would for the single family houses. He would like to discuss any questions to the legal team or to peer review to confirm that the proposed changes meet the Riverfront Redevelopment criteria before approving. Jim Geraghty raised a question regarding “Riverfront Redevelopment,” and whether that means it supersedes the requirement about how much riverfront can go disturbed. David Crossman confirmed that because this site was developed prior to the Rivers Act, the area that is currently developed is the maximum amount of area that can be developed, and that the point of redevelopment is to try to reduce it where they can. Tim Hess stated that they had submitted a letter from Mr. Crossman the previous week which contained updated information and relevant citations and Mass General Law. Paal Brandvold raised a question whether the Commission was still waiting on commentary from DEP. Chair Brian asked the Conservation Administrative Assistant to look into whether DEP comments were received. Chair Brian inquired about the infiltration trench off of the back of the barn, and whether land will need to be excavated and filled with crushed stone or other material. He asked whether it makes sense to gutter off the barn rather than to dig a trench. Daniel Carr stated that there are new regulations for commercial stormwater, and when piping stormwater, it becomes an underground injection well, and there are certain requirements for that type of stormwater system. These requirements could not be met on this site because it is constrained, so the reason they are proposed as drip edges is because the water can fall directly onto them from the roof and infiltrate into the ground. **Chair Brian made a motion to continue the public hearing for the 711/713 Main St. until Tuesday, September 19th 2023 at 7:30pm. Jim seconded, all unanimously, AYE. Roll call vote: PB, JG, LS, BB, AYE.**

4.	Notice of Intent – 580 Main Street - Map 4.C Parcel 24 - Submitted by Jeffrey O’Neill on behalf of the property owner Bolton Office Park, LLC. No applicant or representative appeared at the hearing. The Commission is waiting for DEP comments and File No. Chair Brian made a motion to continue the public hearing for the 580 Main Street project until Tuesday, September 19th 2023 at 7:45pm via Zoom. Paal seconded, all unanimously, AYE. Roll Call: PB, JG, LS, BB, AYE
5.	Enforcement Order Update - 100 East End Road, 3 John Powers Lane, Century Mill Estates Chair Brian states that there are no current updates. 100 East End Road and 3 John Powers Lane were both moving toward compliance. The Commission is waiting for the growing season before visiting the sites.
6.	Discussion regarding DRAFT Bylaw Regulation Revisions - The Conservation Agent sent draft revisions to the Conservation Commission members for review. Chair Brian stated he has felt comfortable with the revisions and does not have any major concerns. As there is still time remaining to make changes, Chair Brian made a recommendation to Committee members and to the public to look through the revisions if they have not already, which can be found in Town Hall Conservation Department or online under “current projects” on the Conservation webpage.
7.	Minutes – Approval of August 15th 2023 meeting minutes tabled until next meeting.
8.	<p>Conservation Land updates</p> <p>Bolton Trails Connectivity Improvement Project: Gordon Taylor and Keith Silver from the Trails Committee were present. They were recently looking into implementing the first bridge on the Conservation Agent’s list and had come up with a number of discrepancies when comparing the instructions with the original grant proposal. The ordered materials were not the same as those listed on the original proposal. The original proposal included materials such as FRP, fiberglass reinforced plastic, but the Trails Committee received instructions from the Conservation Agent stating that the materials contained pressure treated wood. An item called Triax, which is a material used to prevent pea stone from sinking into the mud, was also not included in the ordered materials. Geotextile was ordered, however there are concerns that this material is not a sufficient replacement to the Triax. The grant is a reimbursement grant, and Gordon and Keith inquired whether the grant would still be reimbursed if the ordered materials differ from the originally proposed materials. They also raised concerns about the timeline of the project if new materials will need to be ordered. Keith explained that the grant states they have two years from the approval date to complete the project. They may need to ask for an extension if the state requires them to use the originally proposed materials. Chair Brian states he will look into the requirements of the grant and whether it is necessary to pursue an extension on the grant.</p> <p>Trail Stewardship Authorized Projects: Vaughn Hill Woodside Drive Trail Head – removal of post, sand trail sign, repaint trail sign, install water bars utilizing material from site as previously approved locations. Vaughn Hill - re-route steep section with restoration work to include switchback Ongoing Bowers Spring Flanagan Road Trail Head – Invasive Species removal, maintenance of Norway spruce line/removal of invasives and encroachments, maintenance of tree islands within field areas. Welch Pond – Trail extension to Sawyer Road BTC Extension – Trail from Horse Ring Field to Berlin Road</p> <p>Opportunity: Volunteer Land Steward position – available Conservation Commission – available Open Space and Recreation Plan Update Wildlife photography contest to assist with town wildlife inventory. Open Space and Recreation Plan Survey open for responses until October 1st 2023. Wildlife Inventory link HERE OSRP Survey link HERE</p> <p>For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email rbucciaglia@townofbolton.com</p>

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| 9. | Chair Brian made a motion to adjourn the Tuesday, September 5th 2023 meeting of the Conservation Commission at 8:05pm. Paal seconded, all unanimously, AYE. Roll call vote: PB, JG, LS, BB, AYE. |
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