



Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, October 18th 2022
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, William Payne, James Geraghty, Paal Brandvold, Conservation Agent, Rebecca Longvall
Guests:	James Lambert (WoodPartners), Phil Cordeiro (Allen & Major Associates), James Morin (Northeast Classic Engineering), Samantha Walker (BSC Group), Shane Curcuru,
Next Meeting:	Tuesday, November 15th 2022 7:00pm via Zoom

- 1. Notice of Intent – Wetlands Protection Act only – 580 Main Street – DEPfile#112-0 – multi-family residential development consisting of a total of 229 residential units on 32.4 acres, including the construction of four (4) three (3) story residential buildings, a clubhouse, a mail center, an access road, parking areas, amenities and all supporting site features and infrastructure required to support the proposed development. The project proposed to be serviced by private drinking water supply wells, a private on-site wastewater treatment system and private underground utilities consisting of electrical service and underground tele communication/cable services from various utility companies.** Conservation Agent provided an update from the site visit carried out 10/18/2022 prior to the meeting. Phil Cordeiro and James Lambert were present to address questions or provide clarification. The commission members present at the site visit reviewed proposed parking areas at the north side of the pond, and structures within buffer zone. The proposed structure corners and resource areas were marked and staked out on site. Conservation Agent noted the updates to the plan requested at the last meeting, the plans were submitted 10/17/2022 which did not meet the submittal deadline of 12pm Thursday prior, therefore the commission did not discuss the plans and requested more time to review the revised plans. Commission members inquired about proposed vs existing square footage of parking areas on site, stormwater management recommendations and responses from ZBA process, and total riverfront area on site, proposed alterations, and existing alterations. Phil addressed the breakout of RFA alterations as 45,000 SF of existing alteration on site, no inclusive of 22,000SF the applicant classifies as degraded and shall be part of the remediation on site by reclaiming and naturalizing that area. Conservation Agent noted request from last meeting regarding a plan that shows entire parcel. The Conservation further clarified the purpose of the plan showing the entire parcel is to allow for the commission to better understand alternative analysis opportunities. She further highlighted to the commission as part of the alternative analysis and review of the project, they may require alternate materials to be utilized, shifting alterations outside of resource areas, and other items relative to the commission's jurisdiction. DEP file# has yet to be issued at this time.

Chair Brian made a motion to continue the public hearing for the notice of intent regarding 580 Main Street to the next meeting of the Conservation Commission on November 15th 2022 at 7:00pm via Zoom. Jim seconded, all unanimously AYE. Roll call vote: BB, WP, JG, PB, AYE.

2.	<p>Wetlands Protection Act only – Notice of Intent – South Bolton Road - DEPfile#112-0717 – for proposed Mallard Lane construction of 8 dwellings age restricted and all necessary infrastructure. Applicant James Morin of NE Classic Engineering was present to provide a summary of the proposed project, existing conditions, and history of the site to the commission. James Morin was present to address questions and comments. Conservation Agent provided summary of site visit. The Commission inquired about the gas tanks to be relocated outside of the buffer, move unit 7 out of the buffer, along with relocating the outfall to outside of the buffer, they pondered requesting a peer review of the site due to the scope and resource areas that have not yet been confirmed by the commission. James pleaded with the commission to waive the peer review due to process which took place at ZBA. Conservation agent clarified the commission withholds the right to request a peer review. James stated he was amendable to moving the gas tanks outside of the buffer. He expressed he would relocate the outfall to the existing DMH at the elbow of line, outside of the buffer. He expressed public safety requires all units to have 20' between structures, ZBA required driveways to be approx. 20' long therefore the back of unit 7 cannot be shifted. Conservation Agent inquired about grading and stabilization proposed. James inquired to the Conservation Agent whether she is determining the flagged areas on plans to be jurisdictional. She explicitly clarified that she alone does not make that determination, the commission does. Additionally, she is only reading what is shown on the plans and the applicant has placed on the plans the buffer and labeled the area as wetlands thus she is reading the plan as such. She advised the applicant if they wish the commission to make a determination on resource areas on site as well, they can make that inquiry part of the current project filing. The Commission requested a continuation to allow the applicant to provide revised plans and for the commission to review ZBA peer review as referenced in the meeting to be provided by applicant. Chair Brian made a motion to continue the notice of intent regarding S Bolton Road the proposed Mallard Lane to the next meeting of the Conservation Commission on November 15th 2022 at 7:20pm via Zoom. James seconded, all unanimously AYE. Roll call vote: BB, WP, JG, PB, AYE.</p>
3.	<p>Request for Determination of Applicability – 8 South Bolton Road – for proposed elevated 16' x 23' deck extending from rear of existing house. Chair Requested a site visit and the applicant to stake out corners of the proposed deck. Site visit carried out 10/18/2022. Proposed work is outside 25' no disturb. Stockpile requested to be contained on paved surface. Erosion control in the form of a wattle shall establish limit of work prior to construction.</p> <p>Chair Brian made a motion to close the public hearing associated with 8 South Bolton. Paal seconded; all unanimously AYE Roll call vote: BB, WP, JG, PB, AYE</p> <p>Chair Brian made a motion to issue a negative three determination with the following conditions 1) any stockpiled materials shall be kept within existing paved areas, 2) a wattle shall be installed between the proposed work area and existing resource area establishing a limit of work. William seconded; all unanimously AYE Roll call vote: BB, WP, JG, PB, AYE</p>
4.	<p>Request for Determination of Applicability – 223 Green Road – proposed placement of gravel and construction of shed. Robert Frost was present to provide a summary of the project and address questions from the Commission. Conservation Agent had reviewed site prior to the meeting. She expressed where resource areas were located on site and suggested permanently memorializing the limit of work with boulders existing on site.</p> <p>Chair Brian made a motion to close the public hearing specific to the RDA for 223 Green Road. James seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p> <p>Chair Brian made a motion to issue a negative 3 determination with the conditions 1) Limit of work shall be memorialized by the placement of boulders along limit of work to be approved by the Conservation Agent, 2) stockpiling may occur within existing lawn area. this evening specific to the RDA for 233 Green Road. Jim seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p>
5.	<p>After the fact Notice of Intent – 472 Sugar Rd – DEPfile# 112-0718 – coffer dam and spillway repair Shane Curcuru was present to provide a summary of the work that had been carried out under an Enforcement Order. This included the temporary coffer dam installation and replacement of rotted spillway boards. All work has been completed in compliance. Chair Brian made a motion to close the public hearing, Paal seconded, all unanimously AYE. Roll Call: BB, WP, PB, JG. Chair Brian made a motion issue an Order of Conditions as drafted for 472 Sugar Road under the Wetland Protection Act Chapter 131 Section 40 and associated regulations and under the Wetland Bylaw Chapter 233. Paal Seconded; all unanimously AYE. Roll Call: BB, WP, PB, JG.</p>

6.	<p>Request for Determination of Applicability – Wilder Conservation Area – <i>proposed placement of woodchips along existing trail within AURA/Buffer Zone. Conservation Agent provided a summary of proposed work and location.</i></p> <p>Chair Brian made a motion to close the public hearing specific to the RDA for Wilder Conservation Area. James seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p> <p>Chair Brian made a motion to issue a negative 5 determination due to Bylaw 233 s 1.03(h) & 1.03(k). Jim seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p>
7.	<p>Request for Determination of Applicability – Fyfeshire Conservation Area – <i>proposed replacement of sonotube footing within resource area associated with existing bridge along trail adjacent to Wattaquodock hill road. Conservation Agent provided a summary of proposed work and location.</i></p> <p>Chair Brian made a motion to close the public hearing specific to the RDA for Wilder Conservation Area. Paal seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p> <p>Chair Brian made a motion to issue a negative 5 determination due to Bylaw 233 s 1.03(h) & 1.03(k). William seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p>
8.	<p>Request for Determination of Applicability - BSC Group for National Grid regarding the replacement and minor relocation of utility pole near Map 3.C Parcel 01 – <i>Samantha Walker of BSC group was present to represent the applicant. She provided a summary of the proposed project. The existing utility pole will be removed from its current location. The new pole shall be located 3' further away from its existing location and away from resource area. approximately 4 SF shall be disturbed, machinery shall be located along the town right of way paved surface, sediment controls shall be established prior to construction.</i></p> <p>Chair Brian made a motion to close the public hearing specific to the RDA utility pole replacement along Berlin Road. William seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG. Chair Brian made a motion to issue a negative 3 determination with the conditions 1) erosion controls shall be installed prior to construction and subject to review by the conservation agent. Jim seconded, all unanimously AYE. Roll call vote: BB, WP, PB, JG</p>
9.	<p>Minutes – Chair Brian made a motion to approve the minutes drafted for October 4th 2022. Jim seconded, all AYE. Roll call vote: BB, WP, JG, PB, AYE.</p>
10.	<p>Conservation Property Updates:</p> <ul style="list-style-type: none">• Bolton Trails Connectivity Improvement Project – <i>MassTrails Grant program representatives have reached out to remind project team that no match can be accrued until contracts have been initiated. Additionally, they have requested any updates to the project scope and budget if relevant.</i>• Conservation voted to establish support of submitting an application to MVP program Action Grant, PARC grant and/or LWCF grant for renovations to Derby Field and Park Area. Roll call vote: BB, WP, PB, JG• Seaport Academy request rattlesnake conservation area <i>Conservation Agent provided summary of emails exchanged between Seaport Academy staff and conservation office requesting students to remove, review and study rocks/minerals from the quarry at rattlesnake conservation area. The Conservation Commission prohibits the removal of material without prior written permission. The commission members asked what past practice has been with these requests. The Commission determined this proposal and request to be denied. They did encourage the school to still visit the property to see what is present without any alteration, excavation or damage to the existing property.</i> <p>MVP Program</p> <p>Current FY21-FY22: Nashua River Communities Resilient Lands Management Project</p> <p>https://climateresilient.wixsite.com/nashuariver <i>Lawns & Landscapes Task Group presently active, the first round of site visits for year 2 will be held October 21st from 10am – 2pm.</i></p> <p>Opportunity: Volunteer Land Steward position, OSRP subcommittee member, Conservation Commission Member</p> <p>For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email rlongvall@townofbolton.com</p>
11.	<p>Chair Brian made a motion to adjourn the public meeting of the Conservation Commission Tuesday, October 18th 2022 at 8:50pm Paal seconded; all unanimously AYE.</p> <p>Roll Call Vote: BB, WP, PB, JG, AYE</p>