



# Bolton Conservation Commission

## Meeting Minutes



<b>Date:</b>	<b>Tuesday, December 7<sup>th</sup> 2022</b>
<b>Time/Location</b>	7:00 p.m. Zoom (remote participation)
<b>Commissioners Present:</b>	Chair Brian Berube, Gillian Glassanos, James Geraghty, William Payne, Conservation Agent, Rebecca Longvall
<b>Guests:</b>	Phil Cordeiro (Allen & Major Associates), Austin DeSantis, Seth Donohoe (Dillis & Roy), Lee Dalton, Daniel Motha, Brian Milisci (Hayley Ward, Inc), Duane Henry, Richard Nylen, Nick, Dan Wolfe (David E. Ross)
<b>Next Meeting:</b>	<b>Tuesday, January 10<sup>th</sup> 2023 7:00pm via Zoom</b>

- Request for Determination of Applicability – 455 Main Street – proposed tree removal**  
*Lee Dalton was present to provide a summary of the proposed project. Tree removal proposed by Elliot tree including stump grinding of 6 trees. Commission members inquired about the applicant's ability to leave the area within the 25' area as required in the no-disturb requirement, leaving the tree against the stone wall as an 8' snag. Conservation Agent highlighted the base of the trees, proximity to resource area and characteristics of resource area within the proposed limit of work. Chair Brian made a motion to close the public hearing for 455 Main Street. James Seconded, all unanimously AYE. Roll call vote: BB, GG, JG, WP, AYE. Chair Brian made a motion to issue a Negative 3 determination with the following conditions as discussed, this evening:*
  - 1) Trees beyond 75' from the BVW being 4 trees to be removed and may have stump grinding carried out.*
  - 2) The tree beyond 75' from the BVW against the stone wall shall be kept as a 6-8' snag.*
  - 3) The tree within 25' shall be left in whole, the area within 25' shall be left as its regulated no disturb area.*
  - 4) The Conservation Agent shall conduct a site visit to review limit of work and trees subject to removal before work begins.***Gillian seconded, all unanimously AYE. Roll call vote: BB, GG, JG, WP, AYE.**
- Notice of Intent – 0 S. Bolton Road – Map 2.C Parcel 16 – DEPfile#112-0720 construction of a subdivision roadway and stormwater infrastructure**  
*Daniel Motha property owner, Brian Millisci (Haley Ward, Inc.), and Richard Nylen were present to provide a summary of the proposed project. The subject parcel consists of about 30 acres the proposal includes 6 building lots in as part of a FOSPRD development. The project is specific to buffer zone only under the Wetlands Protection Act and The Adjacent Upland Resource Area. There is NHESP interest overlay requiring a MESA filing. Resource areas on site are delineated as vernal pools, isolated land subject to flooding, and bordering vegetated wetlands under the state regulations. The project is required to meet stormwater standards therefore the associated report was included with the submittal. There is also an incorporated erosion control plan. The construction of the driveway and common driveways are the primary alteration of buffer zone/AURA. The Commission requested a site visit; specifically staking out the edge of Buffer zone, limit of work, centerline of driveways, roadway, house boxes (lot 6, 2, and 1), and associated septic areas. Wetland Delineation and specialist on site during site visit. Conservation Agent further encouraged the applicant and their representatives to review the local bylaw regarding site visit requirements, and regulatory performance standards. Due to the FOSPRD approach, Richard Nylan inquired to the commission if they would entertain a preference of how the open space is to be held (CR, fee, APR, etc). Conservation Agent advised the commission they should table any comment on open space until the site visit and further review as is required by any acquisition or donation of land. The Chair requested the Conservation Agent to begin internal departmental conversations about the open space. Chair Brian made a motion to continue the public hearing for 0 S. Bolton Road DEPfile#112-0720 until January 10<sup>th</sup> 2023 at 7:00pm via zoom. William seconded, all unanimously, AYE. Roll call vote: BB, GG, JG, WP, AYE.*

3.	<p><b>Notice of Intent - 642 Main Street - Map 2 Parcel 20 – DEPfile#112-0720</b> replacement of existing cesspool with septic system. Duane Henry, and Daniel Wolfe (David E. Ross) were present to provide a summary to the commission. The closest grading of the proposed septic system will be 25’ away from delineated bordering vegetated wetland. The system itself is 50’ away from BVW. There is an existing cesspool on site adjacent to the BVW that does not meet state requirements therefore constitutes a failed septic. The existing pit and tank are proposed to be removed after the contents are pumped and disposed of properly. The pit will then be backfilled with a gravel material. Commission members inquired about the delineation, existing conditions on site, and mitigation proposed. Conservation echoed the delineation to be confirmed in the field by the commission, and proximity to resource area. The Commission requested a site visit. The commission requested additional information about the delineation and proposed mitigation. Duane Henry noted he would be ordering the erosion and sediment controls to store in the garage until permitted. He further noted a well casing being put in place. Conservation Agent noted existing well maintenance is not considered part of this order and the commission could consider to be routine maintenance if it is occurring within the existing footprint and location of well. The commission established the wellhead maintenance could be carried out if within existing footprint, no change in limit of work, as it is not part of this filing. The well work will be noted on the as-built plans associated with this project. <b>Chair Brian made a motion to continue the public hearing for the notice of intent regarding 642 Main Street DEPfile#112-0721 until the next public meeting of the conservation commission on Tuesday, January 10<sup>th</sup> 2023 at 7:20pm via zoom. Gillian seconded, all unanimously AYE. Roll call vote: BB, GG, JG, WP, AYE.</b></p>
4.	<p><b>Notice of Intent – Wetlands Protection Act only – 580 Main Street – DEPfile#112-0719 – 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.</b> Phil Cordeiro was present to address questions and provide insights into the revised plan and narrative submitted to the commission for this meeting. The revisions to the plan included; Snow removal plans annotated on the site plan, playground extent details incorporated into plans (30’x50’ area maximum) incorporating safety mulch and a double timber bar, well casing will be removed but lines proposed to be abandoned in place. Maintenance details specific to the dry hydrant, installation scope for the dry hydrant, related dewatering and restoration. Conservation Agent inquired about public access and connectivity to trails specific to the cross-town trails’ effort. Additionally, she inquired about the dog waste, riverfront area alteration totals. Phil responded that the management team of the development will be regulating the removal of dog waste and the urine will be filtered through a specific turf. She highlighted he would be happy to provide the Riverfront area alteration totals to be considered as a condition. Chair tasked Conservation Agent with drafting a decision based on public meetings thus far.</p> <p><b>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 January 10<sup>th</sup> 2022 at 7:40pm via Zoom. Jim seconded, all unanimously AYE. Roll call vote: BB, GG, JG, WP, AYE.</b></p>
5.	<p><b>Enforcement Order update – 175 Fox Run Road - The Commission tabled lifting the order until a written statement of the material to be used for memorialization from the required options is provided to the commission.</b></p>
6.	<p><b>Request for Certificate of Compliance – DEP file # 112-0636</b>  <b>Chair Brian made a motion to issue a Certificate of Compliance regarding DEP file# 112-0636 with ongoing conditions 1) the split rail fence shall remain in place in perpetuity (may be replaced in kind as necessary) 2) NHESP conditions shall remain part of these conditions in perpetuity. Gillian seconded, all unanimously AYE. Roll call vote: BB, GG, JG, WP, AYE.</b></p>
7.	<p><b>Minutes – Chair Brian made a motion to approve the minutes as drafted for November 29<sup>th</sup> 2022 Paal seconded, all unanimously AYE. Roll call vote: BB, GG, JG, WP, AYE.</b></p>

8.	<p><b>Conservation Property Updates:</b></p> <ul style="list-style-type: none"> <li>Bolton Trails Connectivity Improvement Project – <i>Initiation phase - MassTrails Grant program admin will meet with Conservation Agent to go over processes for grant including templates, purchasing policies.</i></li> <li>Upcoming Walk - Wednesday, December 21<sup>st</sup> at 12pm at Fyfeshire Dam Conservation Area off of Wattaquadock Hill Road</li> </ul> <p><b>MVP Program</b>  <b>Current FY21-FY22: Nashua River Communities Resilient Lands Management Project</b>  <a href="https://climateresilient.wixsite.com/nashuariver">https://climateresilient.wixsite.com/nashuariver</a> Lawns &amp; Landscapes Task Group</p> <p><b>Opportunity:</b> Volunteer Land Steward position, OSRP subcommittee member, Conservation Commission Member Open Space and Recreation Plan Subcommittee  <b>Please fill out survey</b> use this link: <a href="https://forms.gle/LZsdoXBiupcPscVV7">https://forms.gle/LZsdoXBiupcPscVV7</a></p> <p>For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email <a href="mailto:rlongvall@townofbolton.com">rlongvall@townofbolton.com</a></p>
9.	<p><b>Chair Brian made a motion to adjourn the public meeting of the Conservation Commission Tuesday, December 7<sup>th</sup> 2022 at 9:00pm William seconded; all unanimously AYE.</b>  <b>Roll Call Vote: BB, GG, WP, JG, AYE</b></p>