



# Bolton Conservation Commission

## Meeting Minutes



<b>Date:</b>	Tuesday, January 4 <sup>th</sup> 2022
<b>Time/Location</b>	7:00 p.m. Zoom (remote participation)
<b>Commissioners Present:</b>	Chair Brian Berube, William Payne, Emily Winner, Gillian Glassanos, (Conservation Agent, Rebecca Longvall)
<b>Guests:</b>	Ryan Proctor (Dillis & Roy), Doug Storey, Brian Boyle, Nan Schnitzler, Jim Geraghty, Richard Davis, Rachel Watsky, Dean Charter, Paal
<b>Next Meeting:</b>	Tuesday, January 18 <sup>th</sup> 2022 7:00pm via Zoom

- 1. Request for Determination of Applicability – 59 Sampson Road** – conversion of existing barn to an in-law apartment  
Ryan Proctor of Dillis and Roy was present to represent the applicant Brian Boyle and provide a summary of the proposed project. Doug Storey was also present as the general contractor. The existing barn on the property located at 59 Sampson Road shall be converted into an in-law apartment. The proposed work shall take place within the outer riparian area with new alteration of 407 SF. This new alteration including the trenching of a connection from the existing barn to the existing septic, and the construction of a covered entrance with deck to the south west corner of the barn structure. The riverfront area and BVW is associated with the perennial stream of Still River that is across Route 177/Main Street from the proposed project. No alterations are proposed within the AURA and Buffer. The area proposed to be altered is existing lawn/landscaped areas associated with the existing single-family home and barn structures.

**Chair Brian made a motion to close the public hearing regarding 59 Sampson Road Request for Determination of Applicability for the proposed conversion of the existing barn to an in-law apartment. Gillian seconded; all unanimously AYE.**

**Roll Call Vote: BB, EW, GG, WP AYE**

**Chair Brian made a motion to issue a Negative 3 Determination with the following conditions:**

  - 1) Erosion controls shall be installed and approved by the Conservation Agent prior to the start of work,**
  - 2) A covered entrance/deck on the south western corner of the existing barn shall be no greater than 115 SF total.**

**Emily seconded; all unanimously AYE.**

**Roll Call Vote: BB, EW, WP, GG, AYE**
- 2. Notice of Intent – Lot 5 Meadow Road** – proposed construction of single-family home and shared driveway  
Ryan Proctor of Dillis and Roy was present to represent the applicant and provide a summary of the proposed shared driveway with two single family homes (lot 5 & Lot 6). Chair Brian was amendable to opening both Lot 5 and Lot 6 due to the shared driveway and associated resource areas. Ryan stated that no DEP file# has been issued as of yet for either lot. He also provided a summary of the proposed stormwater structures at the base of the driveway by Meadow Road and a grass swale along the northern edge of the proposed shared drive. The resource areas on site consist of the Vernal pool habitat, bordering vegetated wetlands and Adjacent Upland Resource Area. The work proposed within the jurisdictional areas of the commission are the driveway and the breakout grading associated with the septic. The Commission expressed concerns about mitigation, alterations within resource areas under the WPA and Bylaw and requested a site visit.

**Chair Brian made a motion to continue the public hearing until January 18<sup>th</sup> 2022 at 7:30pm. Emily Seconded; All unanimously AYE.**

**Emily seconded; all unanimously AYE.**

**Roll Call Vote: BB, EW, WP, GG AYE**

3.	<p><b>Notice of Intent – Lot 6 Meadow Road</b> – <i>proposed construction of single-family home and shared driveway</i>  <i>The Chair was amendable to opening both public hearings for Lot 5 and Lot 6. Projects are awaiting DEP file #. The Commission expressed concerns about mitigation, alterations within resource areas under the WPA and Bylaw and requested a site visit.</i></p> <p><b>Chair Brian made a motion to continue the public hearing until January 18<sup>th</sup> 2022 at 7:40pm. Emily Seconded; All unanimously AYE.</b>  <b>Roll Call Vote: BB, EW, WP, GG, AYE</b></p>
4.	<p><b>Continued Notice of Intent – Century Mill Road Map 3D Parcel 75</b> – <i>proposed construction of three single family homes and widen and pave an existing gravel driveway</i>  <i>Conservation Agent provided an update: the applicant and commission are awaiting response from Tree Warden and site visit schedule. Rachel Watsky was present to represent the applicant and provided a summary. She also stated Scott Hayes the representatives engineer is revising site plans to incorporate all trees to be removed within the current limit of work. Dean Charter was also present on the applicant’s behalf to address any outstanding concerns or questions from the commission. The Commission inquired about whether the arborist was able to provide species specific numbers to calculate the transpiration rate of water from the existing mature stand to a smaller stand created by development impacts. Dean stated he does not have this number. He did address some of the inquiry by stating the difference between a mature white pine and a mature red maple. He further commented on the driveway area potentially increasing evapotranspiration by reducing the shade within that corridor from the removal of the trees within the limit of work which may allow for other species to grow. Chair Brian opened the public hearing for public comment. Jim Geraghty was present and inquired about the number of trees that will die due to the construction and clarified not just trees to be removed, but trees that will be impacted by the construction. Rachel and Dean expressed information about the critical root zone of a tree and understanding what percentage of damage would stress a tree to the point of potential failure. Conservation Agent clarified that the purpose of the tree inquiry and its relation to the performance standards of relevant resource areas defined under the Wetlands Protection Act and local wetland bylaw. Rachel stated it would be excessive to have an applicant mark all potential trees outside the limit of work. Conservation Agent stated she appreciated the remark and clarified the commission is not requiring at this time all trees outside the limit of work to be marked, rather that all trees that shall be impacted within and outside the limit of work inform the mitigation effort required by the performance standards of the relevant local and state regulations. Richard Davis inquired about the number of additional trees that may be impacted. Dean once again referred to the 1’ by 1’ ratio and further stated a tree that has had greater or equal to 50% of its critical root zone impacted, then it would be an increased risk of decline or death. Chair Brian highlighted items that the commission was waiting for; the plans referred to at this meeting, and tree warden statement with a site visit. The applicant’s representative was amendable to a continuation.</i></p> <p><b>Chair Brian made a motion to continue the public hearing regarding the NOI Century Mill Road, map 3.D parcel 75 Common driveway project until the next meeting of the conservation commission on January 18<sup>th</sup> 2022 at 7:50pm. Emily seconded; all unanimously AYE.</b>  <b>Roll Call Vote: BB, EW, WP, GG AYE</b></p>
5.	<p><b>Vote - Request for Certificate of Compliance – 811 Main Street – <i>Ongoing Conditions Drafted</i></b>  <b>Chair Brian made a motion to issue a Certificate of Compliance with the following Ongoing conditions as drafted:</b></p> <ol style="list-style-type: none"> <li>1) <b>Maintenance within the jurisdictional areas of the conservation commission shall be allowed to naturalize.</b></li> <li>2) <b>Areas approved by the conservation commission for alteration shall be landscaped with native vegetation.</b></li> <li>3) <b>Areas that exist as lawn currently within 100’ from wetland resource areas shall be allowed to naturalize and be maintained as meadow. This entails mowing once a year in order to meet performance standards specific to the local Wetland Bylaw. This area shall not be maintained as lawn</b></li> </ol> <p><b>Emily seconded; all unanimously AYE.</b>  <b>Roll Call Vote: BB, EW, WP, GG AYE</b></p>

6.	<p><b>Vote – Request for Release of Escrow – 285 Still River Road – DEP file# 112-0600</b>  <i>Commission members inquired about how to enforce ongoing conditions if funds are released. Conservation Agent and Chair clarified what the funds were held for and what terms are in the OOC for their release. Conservation Agent clarified the enforceability applies still even if there were not ongoing conditions as the area is jurisdictional.</i>  <b>Chair Brian made a motion to release funds held for the project associated with DEPfile#112-0600 as the Certificate of Compliance with Ongoing Conditions has been issued for 285 Still River Road.</b>  <b>Emily Seconded, all unanimously AYE.</b>  <b>Roll Call Vote: BB, EW, WP, GG AYE</b></p>
7.	<p><b>Minutes – Chair Brian made a motion to accept the minutes as drafted this evening from the December 21<sup>st</sup> 2021 public meeting of the conservation commission. William seconded; Emily, Brian, William AYE.</b>  <b>Roll Call Vote: WP, BB, EW, AYE, Gillian Abstains.</b></p>
8.	<p><b>Conservation Property Updates:</b> Maintenance and management items  <b>Guided Trail Walk – Rattlesnake Conservation Area Tuesday, January 25<sup>th</sup> 2022, 12:00pm starting at TH1 (off of Main St/Rte 117)</b></p> <p><b><u>MVP Program</u></b>  <b>Current FY21-FY22: Nashua River Communities Resilient Lands Management Project – Forest Task Group December 9<sup>th</sup> and Forest Task Group Site Visits (Bolton &amp; Clinton)</b>  <b>Community members interested in learning more or interested in participating in this project please contact the Conservation Agent.</b></p> <p><b>Opportunity:</b> Volunteer Land Steward position  For all inquiries regarding this position 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, January 4<sup>th</sup> 2022. Emily seconded; all unanimously AYE.</b>  <b>Roll Call Vote: WP, BB, EW, GG, AYE</b></p>