



Bolton Conservation Commission

Meeting Minutes



1.

Date:	Tuesday, January 10th 2023
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, Gillian Glassanos, James Geraghty, Paal Brandvold, Conservation Agent, Rebecca Longvall
Guests:	Phil Cordeiro (Allen & Major Associates), Gregory Roy (Dillis & Roy), Matthew Marro, Daniel Motha, Jeff Motha, Brian Milisci (Hayley Ward, Inc), Duane Henry, Jeffrey Nichols, Dan Wolfe (David E. Ross), Jacob Aschettino,
Next Meeting:	Tuesday, January 24th 2023 7:00pm via Zoom

- 1. Notice of Intent – 0 S. Bolton Road – Map 2.C Parcel 23 – DEPfile#112-0720** *construction of a subdivision roadway and stormwater infrastructure*
Jeff Motha, Daniel Motha, and Brian Milisci (Haley Ward, Inc.) were present to provide a summary of the proposed project. The Commission and Conservation Agent provided a summary of the site visit. The Conservation agent noted no issue with the current delineation of resource areas. She noted clarification is necessary regarding the orange plastic snow fencing accompanied by the Town of Bolton Conservation Boundary markers within the middle of the subject parcel. The applicant and their team was unable to provide clarification on this item. Conservation agent will continue reviewing materials in search of answer. Brian M stated he will reach out to MESA & MEPA to inquire about review needs and timeline for their processes. Chair Brian made a motion to continue the public hearing for 0 S. Bolton Road DEPfile#112-0720 until January 24th 2023 at 7:30pm via zoom. Jim seconded, all unanimously, AYE. Roll call vote: BB, GG, JG, PB, AYE.
- 2. Notice of Intent - 642 Main Street - Map 2 Parcel 20 – DEPfile#112-0721** *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. Conservation Agent and commission members provided site visit summary. Conservation Agent highlighted requested information from the site visit and last meeting being proposed mitigation and the extension of proposed erosion controls to the garage adjacent to the floodplain area. Commission requested 25' from 98 elevation floodplain on plans to be established as mitigation area. Chair Brian made a motion to close the public hearing for the notice of intent regarding 642 Main Street DEPfile#112-0721. Gillian seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE. Chair Brian made a motion to issue an Order of Conditions for the notice of intent regarding 642 Main Street DEPfile#112-0721 as drafted and presented this evening with the following two conditions: 1) erosion controls shall be installed up to the garage to establish and enclose limit of work 2) the area within 25' from the 98 elevation for floodplain on site shall be considered the mitigation area where only native species shall be permitted and the area shall be limited to mowing ONLY once a year if at all. Paal seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE.*

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| 3. | <p>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. Phil Cordeiro was present to address questions. Conservation Agent provided an overview of the MEPA review consultation meeting and associated issued certificate/document(s). The documents were received by the agent a half hour before the meeting and forwarded to the commission. Items specific to Wetlands highlighted within the review document were associated with mitigation areas using native wildflower mix, quantifying resource area impacts specific to sf. NOI supplemental information to demonstrate the projects compliance with the RA performance standards. Then the statement noting the south fire pond to be no longer used as a fire pond and allowed to naturalize. This last statement contradicts what was stated and heard by both the applicant and the conservation agent during the MEPA review meeting therefore the Conservation Agent will be seeking clarity on this particular item from MEPA staff. The commission confirmed submitted landscaping plan as acceptable with native vegetation to carry out on site and will be referenced in the OOC. Chair Brian made a motion to close the public hearing for the notice of intent regarding 580 Main Street to the next meeting of the Conservation Commission on January 10th 2022 at 7:40pm via Zoom. Jim seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE. *Vote was tabled until next meeting January 24th 2023 which was acceptable to the applicant*</p> |
| 4. | <p>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.</p> |
| 5. | <p>Notice of Intent – 19 Whitcomb Road – DEP# 112-0723 proposed septic renovation and construction of a new barn/garage structure – Gregory Roy of Dillis and Roy, and Mitchell Dutcher property owner were present to address questions from the commission. They also provided a summary of the proposed project. The proposed garage structure has a significant portion in the 75’ adjacent upland resource area. The new septic system location includes some grading within the 75’ adjacent upland resource area. Greg Roy established there is riverfront area on site but the project area is well outside of that resource area. The closest area of disturbance to the BVW is 75’ away from flag A21. Chair Brian requested a site visit where the applicant shall at minimum flag the barn/garage corners, limit of work, septic, wetland flagging and 100’ buffer extent. Conservation Agent reminded the commission of their regulatory requirements and when on site to be reviewing areas that may accommodate the applicant’s same goal with less impact to resource areas. Chair Brian inquired about the barn/shed square footage and requested the applicant’s representative to provide this measurement to the commission prior to the site visit. Abutter Alison Morgan (abutter) inquired about erosion controls on site with concerns specific to flooding. Greg and Conservation Agent clarified the erosion controls proposed to be used are straw bales, silt fencing that shall be in place temporarily during construction. A typical condition of the commission is to install erosion controls that are inspected by the agent prior to any work on site, then inspected again before removal upon conclusion and final stabilization of projects. Chair Brian made a motion to continue the public hearing for 19 Whitcomb Road DEPfile#112-0723 until January 24th 2023 at 7:20pm via zoom. Gillian seconded, all unanimously, AYE. Roll call vote: BB, GG, JG, PB, AYE.</p> |

6.	<p>Request for Determination of Applicability – 707/709 Main Street – proposed tree removal</p> <p><i>Jacob Aschenttino property owner was present to inquire about removing one (1) large diameter pine, four (4) <6" dbh pine, and one (1) apple tree. Six trees total are proposed to be removed and stump grinding carried out on site. Commission inquired about distance between the limit of work and brook, if any trees proposed for removal were along the bank, remediation proposed. Applicant stated they were open to replanting the area. Abutter Craig Bovaird interjected stating replanting with large trees would contradict the purpose of removal, further stating that weeds were a problem in this area. Chair highlighted that what was being perceived as weeds actually served a ecological value within the resource area itself which is what the commission is tasked with permitting/conditioning. The Commission requested a 2:1 planting ratio of native vegetation to be incorporated as mitigation. The Native Plant Trust was named as a good resource for the applicant to conduct research on what species would qualify. Chair Brian made a motion to close the public hearing for the RDA regarding 707/709 Main Street. Paal seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE. Chair Brian made a motion to issue a negative three determination regarding 707/709 Main Street as with the following two conditions: 1) no vegetation removal shall take place within 20' of bank 2) Native vegetation shall be placed at a 2:1 rate (immediately following removal and stump grinding) with a mix of trees and/or shrubs. Gillian seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE.</i></p>
7.	<p>Notice of Intent – 727 Main Street – 112-0720 proposed septic upgrade replacing failed system Matt Marro was present to represent the applicant, the property owner was also present Robin Bonazzoli to address questions from the board. There is no floodplain delineated within the limit of work, the applicant is seeking to replace the existing system with a geomat design and install a new well at the front of the existing structures. 1-2 trees may be removed during the installation process. The site and work is within riverfront area. Erosion controls consist of straw wattle. The existing tank will be abandoned in place. Conservation Agent established the enforcement order required the removal of the entire pipe that was within the brook's bank and has since been capped. Matthew stated he will phase the project to address the items under the enforcement order first then continue to the septic replacement. Chair Brian made a motion to close the public hearing for the Notice of Intent regarding upgrade of septic system located at 727 Main Street. Jim seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE. Chair Brian made a motion to issue an Order of Conditions as amended during the meeting this evening. Gillian seconded, all unanimously AYE. Roll call vote: BB, GG, JG, PB, AYE.</p>
8.	<p>Minutes – tabled until next meeting 1/24/2023</p>
9.	<p>Conservation Agent Updates:</p> <ul style="list-style-type: none"> Bolton Trails Connectivity Improvement Project – <i>Initiation phase – awaiting signatures from state on contract documents</i> Upcoming Walk Summit Series – Tuesday, January 31st 10am at Welch Pond Conservation Area off of Wattaquadock Hill Road by Sunset Ridge <p>MVP Program Current FY21-FY22: Nashua River Communities Resilient Lands Management Project https://climateresilient.wixsite.com/nashuariver Lawns & Landscapes Task Group</p> <p>Opportunity: Volunteer Land Steward position, OSRP subcommittee member, Conservation Commission Member Open Space and Recreation Plan Subcommittee Please fill out survey use this link: https://forms.gle/LZsdoXBiupcPscVV7</p> <p>For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email rlongvall@townofbolton.com</p>
10.	<p>Chair Brian made a motion to adjourn the public meeting of the Conservation Commission Tuesday, January 10th 2023 at 9:15pm Paal seconded; all unanimously AYE. Roll Call Vote: BB, GG, PB, JG, AYE</p>