



# Bolton Conservation Commission

## Meeting Minutes



<b>Date:</b>	<b>Tuesday, June 6<sup>th</sup> 2023</b>
<b>Time/Location</b>	7:00 p.m. Zoom (remote participation)
<b>Commissioners Present:</b>	Chair Brian Berube, James Geraghty, Lori Stephenson, Paal Brandvold, Conservation Agent, Rebecca Bucciaglia
<b>Guests:</b>	Eric Ohanian, Megan Woytik (Tighe & Bond), Jason Belsito, Frank McPartlan, Matthew Marro, Henry Rausch, Andrew Schaubhut, Erik Bettez, (Randall Heglin (Department of Public Works)
<b>Next Meeting:</b>	<a href="#">Tuesday, June 20<sup>th</sup> 2023 7:00pm via Zoom</a>

- 1. Notice of Intent – 360 Long Hill Road – DEPfile#112-0729 - replacement of a septic system within an existing lawn area.** Matthew Marro was present to represent the applicant. He provided a summary of proposed work that will replace the existing septic within existing lawn area. The new system will move closer to the house (away from the jurisdictional areas). **Chair Brian made a motion to close the public hearing for the 360 Long Hill Rd project DEPfile#112-0729. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE. Chair Brian made a motion to issue an Order of Conditions as drafted with the following amendment to be included as a condition: “Erosion and Sediment controls shall be installed and reviewed by the Conservation Agent prior to the start of work on site” for the 360 Long Hill Rd project DEPfile#112-0729. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.**
- 2. Request for Determination of Applicability – Jason Belsito – 95 Meadow Road – Installation of plantings/trees along property line.** Property owner Jason Belsito was present to provide a summary to the commission. He expressed the proposed work area is maintained as lawn. The proposed plantings include 11 native tree species approximately 7-8’ tall expressed in a quote from Arborworks. The species proposed is White Pine. The area will be allowed to naturalize following the plantings. The commission requested the applicant flag the limit of work on site to ensure no further encroachment into jurisdictional areas. Limit of work shall be no less than 30’ from the edge of bordering vegetated wetlands on site. **Chair Brian made a motion to close the public hearing for 95 Meadow Road project. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE. Chair Brian made a motion to issue Negative 3 determination with the following conditions:**
  - 1) Limit of work shall be marked on site prior to the start of work.**
  - 2) The marked LOW shall be reviewed by the Conservation Agent prior to work.**
  - 3) The limit of work may be marked utilizing temporary materials (wattle, tape, string, or rope)****Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.**
- 3. Request for Determination of Applicability – Silverio Silva – 101 Nashaway Rd – proposed new deck and playroom installation within area of existing greenhouse.** The applicant was not present. The Commission requested a site visit be scheduled to review the limit of work and proximity to resource area. **Chair Brian made a motion to continue the public hearing for the 101 Nashaway Road project until June 20<sup>th</sup> 2023 at 8:30pm. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.**

4.	<p><b>Notice of Intent – Department of Public Works — Forbush Mill Rd. - submitted by Tighe &amp; Bond on behalf of the Department of Public Works for the replacement of the existing undersized plastic pipe culvert with a bridge designed to meet the Massachusetts River and Stream Crossing Standards. Randall Heglin (DPW), Eric Ohanian, Megan Woytik (Tighe and Bond). Eric provided a summary of the proposed work that shall replace the previously installed temporary, emergency certification replacement of the culvert. The proposed crossing shall be a 16’ span concrete structure to meet FEMA requirements. The edge of the roadway will be armored upstream. Wetland Restoration work is incorporated within the proposal along with erosion/sediment controls and a cofferdam to assist with control of water during construction. The streambed within the culvert shall consist of riprap and riffle materials with fines washed in accordingly. The Resource Areas were delineated April 2022 including the bordering vegetated wetlands, bordering land subject to flooding, and stream. The team conducted a comprehensive hydraulic analysis along Forbush Mill Road and adjacent Still River Tributary to review flow. Ma Stream Crossing Standards are exceeded with the proposal. The Commission relayed no questions or opposition. The Conservation Agent noted the work will be carried out in the dry to the greatest extent practicable. Chair Brian made a motion to close the public hearing for the Forbush Mill Road project under DEPfile#112-0728. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE. Chair Brian made a motion to issue an Order of Conditions as drafted for the Forbush Mill Road project under DEPfile#112-0728. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b></p>
5.	<p><b>Notice of Intent - Mayflower Council BSA – Hudson Road - submitted by Mayflower Council BSA for the removal of small trees, shrubs, and invasives at and adjacent to swimming and boating facilities. Maintain sight lines for lifeguards and staff to supervise activity. Maintenance of drainage swale adjacent to Town Beach. Remove remnants of rinsing station at the CADC beach and associated corrugated pip discharging into Little Pond. Henry Raush was present to provide a summary and address questions from the commission. Brian and James provided a site visit summary. Chair Brian noted the conditions requested to be drafted into the Order associated with the area to the north east of the day camp dock and life guard tower; the specified tree shall be cut back from the waterway no more than 12 yards from the referenced tower. Additionally, woody vegetation may be removed and the herbaceous vegetation shall remain. The DEPfile# has yet to be issued at this time. Chair Brian made a motion to continue the public hearing for the Mayflower Council BSA off of Hudson Road project until June 20<sup>th</sup> 2023 at 7:50pm. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b></p>
6.	<p><b>Request for Determination of Applicability – Department of Public Works – submitted by the Department of Public Works for the proposed roadway re-surfacing consisting of milling and overlay as identified. Reclamation of existing bituminous pavement, installation of drainage and repaving (Sargent Road). Application of Chip Seal surface treatment (Harvard Road). Randall Heglin (DPW) provided a summary of the proposed work, highlighting the primary area is Sargent Road. Chair Brian inquired about the heat from machinery utilized for paving that has in the past impacted foliage along another roadway in town. Randall clarified what he believed was being referenced in a recycling process to reuse material from the roadway. He clarified that is not his current approach/proposal to utilize that same process in this current scope. Conservation Agent noted approach to erosion control encouraging the commission to condition that erosion and sediment controls by placed adjacent to moving or standing water vs the entire project. Chair Brian made a motion to close the public hearing for the proposed roadway re-surfacing consisting of milling and overlay as identified. Reclamation of existing bituminous pavement, installation of drainage and repaving (Sargent Road). Application of Chip Seal surface treatment (Harvard Road). Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE. Chair Brian made a motion to issue Negative 3 Determination with the following conditions:</b></p> <p><b>1) Erosion or sediment controls shall be installed adjacent to moving or standing water vs the entire project. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b></p>
7.	<p><b>Continued Notice of Intent – 40 Hudson Road – Map 4.D Parcel 09 – DEPfile#112-0726 – demolition and reconstruction of the “Fishing Camp” building, installation of a new 1,500-gallon septic tank &amp; 1,000-gallon pump chamber to an existing septic system. Chair Brian made a motion to close the public hearing for the Hudson Road project referenced by DEPfile#112-0726. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE. Chair Brian made a motion to issue an Order of Conditions as drafted for Hudson Road project referenced by DEPfile#112-0726. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b></p>

8.	<b>Notice of Intent – Department of Public Works – Map 4.D Parcel 09 – DEPfile#112- 0727</b> - proposed slip line of an existing deteriorating culvert with a new culvert. Additionally, the proposed project will include beaver fencing to prevent obstruction of the culvert. Frank McPartlan of Dillis and Roy Civil Design Group along with Randall Heglin of Bolton Department of Public Works were present to provide an update to the commission regarding the comments from DEP. There have been no follow up comments from DEP or Army Core at this time. The 36” dbh tree along the roadway will be protected during construction with sheeting. The new proposed work is considering a standard conventional replacement box culvert away from the drip line of the of the subject tree. The trees trunk is approximately 16’ from the center of the proposed culvert. The tree is not proposed to be removed and armoring during construction will be proposed. Frank requested a continuation until the next meeting to provide revised plans reflecting the changes. Conservation Agent reminded him of the bylaw submittal requirement deadline. She further reminded him to ensure the revised plans and associated narrative get submitted to DEP CERO Environmental Analyst as well. <b>Chair Brian made a motion to continue the public hearing for the Sawyer Road DPW project until June 20<sup>th</sup> 2023 at 8:00pm. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b>
9.	<b>Continued Notice of Intent – 711/713 Main Street – Map Parcel – DEPfile#112-0</b> - Applicant’s representative requested a continuation via email prior to the meeting, until the next meeting of the conservation commission in order to provide additional information requested by DEP and the commission. DEP has requested additional information and has yet to issue DEPfile# for project. The applicant requested a continuation via email until the next meeting, with no new information submitted. <b>Chair Brian made a motion to continue the public hearing for the 711/713 Main St. project until June 20<sup>th</sup> 2023 at 8:10pm. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b>
10.	<b>Continued Notice of Intent – 0 S. Bolton Road – Map 2.C Parcel 23 – DEPfile#112-0720</b> construction of a subdivision roadway and stormwater infrastructure. The Applicant was not present but provided information prior to the deadline for submittal to be considered at the meeting regarding a request for the commission to establish how they would prefer to address the restricted land. The Commission noted the town should hold the 16.77 acres as proposed in the associated plan provided by the applicant. The Local land trust should hold a CR over this land as well. No additional questions at the moment. The applicant should provide updated plans if the NHESP and MESA comments cause for change in limit of work, scope or impacts on site. <b>Chair Brian made a motion to continue the public hearing for the 0 S. Bolton Rd. project until June 20<sup>th</sup> 2023 at 8:20pm. James seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b>
11.	<b>Request for Partial Certificate of Compliance – 642 Main St – Duane Henry of First Parish – DEPfile#112-0721</b> The Commission discussed the request for partial certificate of compliance. They relayed the condition relative to 75% growth over two growing seasons is the only item to be reassessed after fall 2023 (second growing season) at which time a full certificate of compliance may be requested and considered. <b>Chair Brian made a motion to issue a Partial Certificate of Compliance for work carried out under DEPfile#112-0721, excluding condition 10(a) and ongoing conditions identified in the Order by the statement “This shall be a condition in perpetuity”. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b>
12.	<b>Discussion - Meadow Road – Request for Field Amendment for lots 5 &amp; 6, DEPfile#112-0703 and DEPfile#112-0704</b> submitted by Ryan Proctor. After discussion the Commission established the amendments shown on the revised plans submitted for conservation are substantial. The majority of these changes existing adjacent to the edge of resource area and relate to stormwater management on site. <b>The commission requires the applicant to submit an Amended Notice of Intent for consideration. All unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b>
13.	<b>Request for summit identification signs</b> Bolton Trails Committee request authorization to post identification symbol of summits on Town owned conservation land. Signs shall not be posted on private property unless prior written permission is granted by the property owner. Andrew Schaubhut was present on behalf of the BTC to request the summit signage to be temporarily placed during the Summit Series Challenge. The installation process will be a nail through a laminated sign attached to a tree. <b>Chair Brian made a motion to authorize Bolton Trails Committee to install requested signage as discussed at this meeting for the Summit Series across the 7 summits identified in Bolton. The signs shall not be larger than 1.5 diameter total. All unanimously in support, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b>

14.	<p><b>Scout Troop 1</b> Request to utilize conservation properties (Bower Springs, Taggart Forestland) for backpacking and overnight camp activity/event. Erik Bettez was present representing Scout Troop 1 and their request. The commission inquired about camp fires and number of participants expected. Erik clarified the event will take place September 2023 cook stoves only would be utilized on site for meals as necessary, no fire pits will be constructed, approximately 25 or less (inclusive of scouts, leaders and related parents) individuals shall be on site. The mapped areas presented at the meeting proposed by Erik are the only areas considered as part of this request. The Conservation Land Rules and Regulations require “advance permission needed in writing from the Bolton Conservation Commission for the following: ... camping”. The Commission is comfortable with the locations proposed and the use as the BSA mission directs respect for the land, leave nothing but footprints and related policies echoed and in line with the commission land management approach. <b>Chair Brian made a motion to authorize Scout Troop 1 coordinated by Erik Bettez to utilize Bowers or Taggart at the designated areas for the requested Scout Camp event. There shall be no more than 25 attendees (inclusive of troops, leaders, and related parents). This event shall not have open fires at Taggart, if Bowers is utilized instead there is potential to use the existing fire pit. Scout Troop 1 must apply for and receive all other necessary permits including but not limited to approval from the Fire Chief. Erik shall notify the Conservation Agent and/or the commission of the finalized date and location at least two months prior to the event. A letter will be issued from the Commission relaying this authorization once location and date have been finalized by the troop. All unanimously in support, AYE. Roll call vote: JG, LS, PB, BB, AYE.</b></p>
15.	<p><b>Minutes – Chair Brian made a motion to approve minutes from the last meeting of May 2<sup>nd</sup> 2023. James seconded, all AYE, Paal abstains. Roll call vote: JG, LS, BB, AYE, Paal Abstain.</b></p>
16.	<p><b>Enforcement Order update – 100 East end Road</b> Conservation Agent conducted a site visit to review site. Reminded applicant that the area between the boulder line toward the stream shall not be maintained as lawn. This area is to be left as meadow and may be mowed 1-2x per year only to manage encroachment of woody vegetation within the meadow area. Additionally, noting nothing may be stored within the area between boulder line toward the stream. 3 John Powers Lane awaiting final stabilization/proof of 75% success of seeding in spring. Century Mill Estates reassess fines that will be issued, contact is being attempted by conservation department to developer.</p>
17.	<p><b>Bower Springs Mowing and maintenance authorization</b> Jim Henderson/Henderson Striker submitted an estimate with breakdown of work proposed. The Commission is comfortable with the scope and approximate cost. The commission request that the opportunity is advertised to at least 3 parties advertised to the public.</p>

**18. Conservation Land updates**

Bolton Trails Connectivity Improvement Project: *Continue coordination, confirm volunteers interested in activity days, Limit of work has been flagged in field at Vaughn Hills Conservation Area crossings, Annie Moore will be flagged in field, Media package/toolkit being created for ease of advertisement of work parties and related volunteer opportunities.*

**Learn to Fish Event: Thursday, July 13<sup>th</sup> 2023 at Bower Springs Conservation Area 5:30pm co-hosted by MassWildlife (Please register prior to event)**

**Trail Stewardship Project Days:**

June 2023 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.*

June 2023 Vaughn Hill - *re-route steep section with restoration work to include switchback*

June 2023, July 2023, August 2023, 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.*

June 2023 Welch Pond – *Trail extension to Sawyer Road*

**NRCRLM MVP** <https://climateresilient.wixsite.com/nashuariver>

**Final Event at Clinton Central Park Thursday, June 29<sup>th</sup> 2023 from 6-8pm**

**Opportunity:**

**Volunteer Land Steward position** – *available*

**Conservation Commission** – *available*

**Open Space and Recreation Plan Update** *Wildlife photography contest to assist with town wildlife inventory, Draft Survey to be finalized and open for responses by June end and deadline for response will be October.*

For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email [rbucciaglia@townofbolton.com](mailto:rbucciaglia@townofbolton.com)

**19. Chair Brian made a motion to adjourn the June 6<sup>th</sup> 2023 meeting of the Conservation Commission at 9:30pm. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, PB, BB, AYE.**