



# Bolton Conservation Commission

## Meeting Minutes



<b>Date:</b>	<b>Tuesday, June 20<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, William Payne (joined at 7:30pm) Conservation Agent, Rebecca Bucciaglia
<b>Guests:</b>	Ed Snyder, Matthew Marro, Richard Nylen, Glayton/Dale, Ryan Proctor (Dillis and Roy), Frank McPartlan (Dillis and Roy),
<b>Next Meeting:</b>	<a href="#">Tuesday, July 11<sup>th</sup> 2023 7:00pm via Zoom</a>

- 1. Notice of Intent – 283 Wattaquaddock Hill Road – DEPfile#112-0730 - installation of partial in-ground pool and associated grading.** Ed Snyder, Matthew Marro, Crystal Isgro were present. Matt Marro provided a summary of the proposed work and distance to resource areas on site. He highlighted areas the pool will be located, patio, and erosion control barrier/limit of work on site. The limit of work proposed is 75' away from wetland resource areas on site as shown on plan. The Commission requests a site visit and requests the applicant mark out the four corners of the pool, patio, and treatment system location. He highlights a typical condition of the commission being draining of pool shall be away from resource area. Conservation Agent highlighted that another condition typically utilized by the condition expands upon that language and gives an option to truck pool water off site. **Chair Brian made a motion to continue the public hearing for the 283 Wattaquaddock Hill Rd project DEPfile#112-0730 until July 11<sup>th</sup> 2023 at 7:45pm via Zoom. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, AYE**  
*Conservation Agent to coordinate site visit.*
- 2. Request for Determination of Applicability – Andrew Schaubhut – Horsering Field trail extension to Berlin Rd.** – trail from existing horse ring field to Berlin Road through Town owned land (project has received authorization by Selectboard) Drew Schaubhut was present to provide a summary of the proposal. The Commission inquired about the location of the trail avoiding the existing cleared field area. Drew clarified this was to keep trail users away from the field itself and structures on site. It is noted that for this project there is to be minimal vegetation removal and no earth work. **Chair Brian made a motion to close the public hearing for Mechanic Street Fields Trail extension project. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, AYE. Chair Brian made a motion to issue Negative 3 determination with the following conditions:**
  - 1) The location of the trail and site shall be inspected by the Conservation Agent or the commission prior to construction of the trail.**
  - 2) No woody vegetation over 6" dbh shall be removed.****Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, AYE.**

3. **Discussion - Meadow Road – Request for Field Amendment for lots 5 & 6, DEPfile#112-0703 and DEPfile#112-0704 submitted by Ryan Proctor.**  
*The Applicant and representative were present for this meeting and apologized for missing the last meeting. Ryan Proctor of Dillis and Roy Civil Design Group, Inc. reviewed and compared the original approved plans with the revised plans. The highlighted revisions included rip rap swales, changed to grass swales with check dams along the driveway, changing the house box location and reduction of its footprint overall on site, stone swales along grade from septic on rear lot. Stormwater infrastructure and operation and maintenance were identified previously. These changes still incorporate components of that original documentation with no change to limit of work within resource areas on site. The applicant requested the commission made a determination whether the revisions may be a “red line”/field amendment that shall be incorporated into the as-built documents or if the revisions require an amended Notice of Intent to be submitted. Due to the clarification provided by the applicant and their representative (after not being present at the last meeting) The commission took a roll call vote to establish the revisions are acceptable as a “redline”/field amendment and that the revised documents must be sent by the applicant to DEP Central Regional Office as well. All AYE except one abstention due to joining meeting late. Roll call vote: JG, LS, BB, AYE. WP abstains.*
4. **Notice of Intent – James Morin — 578 Sugar Rd. - submitted by James Morin on behalf of the property owner for the construction of a single-family dwelling, driveway and sewage disposal system; including installation of a well, installation of underground service utilities, site grading and landscaping (applicant wishes to use NOI submittal to amend the existing Order of Conditions referenced under DEPfile#112-0713). James Morin was present to provide a summary of revisions to the previously permitted project under DEPfile#112-0713. He highlighted a reduction in impacts to resource areas. The riverfront area alteration for this lot originally permitted by the commission consisted of 11,777sq ft. which he has now reduced on the revised plans to 4,683 sq. ft. This was able to be improved upon by utilizing an exact house footprint to be built, shifting everything southeast on the lot toward the driveway, adding mounded screen of evergreen trees and shifting the septic forward while keeping the drywell roof recharge areas. The Commission had no significant concerns. The Conservation Agent highlighted the lengthy discussions regarding resource areas and limits of work from the past public hearing process for this lot. She inquired about runoff on site, drainage from the driveway (currently proposed to runoff toward the boulder retaining wall and eventually to resource area), She inquired about grading on site clarifying that no grading work behind the boulder wall was to take place and that area to remain at existing grade excepting the well installation. She inquired about the footings required for the deck construction. The applicant’s representative noted the footings will be precast concrete footings for deck at existing grade. Conservation Agent suggested to the commission to require the applicant to move the erosion control barrier south/toward the home reducing the limit of work due to no work proposed within that area. She additionally suggested to the commission to require the applicant to move the split rail fence and extend the limits of it on site to further delineate areas on site to be maintained as meadow and otherwise unmanaged for the protection of the resource area itself. The Commission required the applicant to move the erosion control barrier and split rail fencing as discussing during the meeting moving both closer to the proposed single-family home. Chair Brian made a motion to continue the public hearing for the proposed project located at 578 Sugar Rd project until July 11<sup>th</sup> 2023 at 8:00pm. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.**  
*Conservation Agent to draft decision(s) for commission.  
Applicant to submit revised plans reflecting requests of the commission from this meeting.*
5. **Notice of Intent - Mayflower Council BSA – Hudson Road – 112-0731 - 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. Chair Brian made a motion to close the public hearing for the Mayflower Council BSA off of Hudson Road project. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.**  
**Chair Brian made a motion to issue an Order of Conditions for the Mayflower Council BSA off of Hudson Road project referenced by DEPfile#112-0731. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.**

- |    |  |
|----|--|
| 6. | <p><b>Notice of Intent – Department of Public Works – Map 4.D Parcel 09 – DEPfile#112- 0727 – revised plans submitted for culvert replacement open cut construction with armoring for adjacent tree root system. Frank McPartlan of Dillis and Roy Civil Design Group was present to provide a summary of revised plans and address concerns of the commission. The revised plans shall incorporate installation of the 24” culvert with a headwall made of concrete blocks. The incorporation of fencing to deter beaver damming will be part of this project. The armoring proposed for the area closest to the tree (of interest to tree hearing) will protect the root system during construction, restoration of the bank and resource areas are proposed as previously highlighted. Conservation Agent inquired about the stream bed within the culvert, upstream and downstream. The smooth inside of the culvert shall require a condition for roughness at the outlet. Frank will provide outlet protection methods to the Commission to be incorporated as part of the project. Chair Brian made a motion to continue the public hearing for the Sawyer Road DPW project until July 11<sup>th</sup> 2023 at 8:15pm. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.</b></p> <p><i>Conservation Agent will draft decision(s) for commission.</i></p>  |
| 7. | <p><b>Continued Notice of Intent – 711/713 Main Street – Map Parcel – DEPfile#112-0 - 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 prior to the meeting until the next meeting, with no new information submitted. Updates were not provided either.</b></p> <p><b>Chair Brian made a motion to continue the public hearing for the 711/713 Main St. project until July 11<sup>th</sup> 2023 at 8:20pm. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.</b></p>  |
| 8. | <p><b>Continued Notice of Intent – 0 S. Bolton Road – Map 2.C Parcel 23 – DEPfile#112-0720 construction of a subdivision roadway and stormwater infrastructure. The Applicant’s representatives were present, Richard (Chip) Nysten, Brian Milisci. Chip expressed the breakdown of open space deed restrictions and proposed conservation restriction. He noted the applicant was open to the commission’s preference of holding the 18.16 acres of open space in fee vs a conservation restriction as originally proposed. He further expressed approximately 3 acres proposed as deed restrictions to reflect interests of the NHESP requirements. The deeds restrictions would be held over lot 6, and lots 1-3. As a result, approximately 2/3 of the entire 30+ acre site will be protected in perpetuity. Brian Milisci provided clarification on where the process is with other departments and organizations thus expressing the request for a continuation still. They are finalizing the Conservation management plan with fish and wildlife nature heritage endangered species program, updating plans to express the restrictions on site, awaiting a peer review of stormwater system from planning board. Conservation Agent highlighted for the commission the methods of holding the land in fee vs conservation restriction. She further noted the extent of resource area on site. She highlighted the need for the deed of the open space if/when turned over to the town to expressly include prohibitions or allowable uses in the document itself. The Commission took a roll call vote to establish they would prefer to hold the land outright/in fee 18.11 acres as proposed then in the future work with the local conservation trust to acquire a conservation restriction over the land held by that entity. This preference will be relayed to the planning board and Selectboard for further authorization. Chair Brian made a motion to continue the public hearing for the 0 S. Bolton Rd. project until July 11<sup>th</sup> 2023 at 8:35pm. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.</b></p> <p><i>Conservation Agent will request an item for the Selectboard meeting to confirm interest of holding land by the conservation commission and seek authorization.</i></p> |

9.	<p><b>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. Chair Brian provided a summary of the site visit from June 15<sup>th</sup> 2023 where Silverio, himself, and Conservation Agent were present. He highlighted that there will be no increase to the existing footprint. The roof runoff will be captured in a drywell system. Chair Brian made a motion to close the public hearing for the 101 Nashaway Road. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE. Chair Brian made a motion to issue a Negative 3 determination with the following conditions:</b></p> <ol style="list-style-type: none"> <li><b>1. Roof runoff shall be captured and directed into a drywell that shall be constructed within the existing limit of work.</b></li> <li><b>2. All material and machinery shall be stored outside of the resource areas.</b></li> <li><b>3. No vehicles of machinery shall enter the resource areas on site.</b></li> <li><b>4. Limit of work shall be isolated to the upper lawn/terrace immediately adjacent the existing single-family home. (No work may take place in the lower terrace toward resource area).</b></li> </ol> <p><b>for the 101 Nashaway Road. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.</b></p>
10.	<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.</p> <p><b>3 John Powers Lane</b> awaiting final stabilization/proof of 75% success of seeding in spring.</p> <p><b>Century Mill Estates</b> reassess fines that will be issued, contact is being attempted by conservation department to developer.</p> <p>Encroachment and violations on Conservation Restriction/Open Space of Century Mill Estates Subdivision. The Conservation Restriction is held by the Town’s Conservation Commission and thus enforceable by such party inclusive of the Conservation Land Rules and Regulations. Due to recent violations and encroachments the Conservation Department will be sending a mailing to all residents of Century Mill Estates to remind parties of what is acceptable use of the Conservation properties relayed through the Conservation Restriction documents and the Bolton Conservation Land Rules and Regulations. Please be respectful of our open spaces to ensure they remain open to the public and conserve the sensitive natural resources that exist within these areas.</p>
11.	<p><b>Bog Bridge at Rattlesnake</b> proposed Bog bridge construction over wet area that continues to be widened by trail users attempting to avoid wet area</p> <p>Conservation Agent provided summary from the Bolton Trails Committee member of the wet area and associated proposed bog bridge construction. Due to its proximity to resource area the project will require a filing therefore the ask this evening is whether or not the Commission will authorize the filing of a wetland permit for this purpose. Representative of the BTC was present to express his support for the project. The Conservation Commission took a roll call vote to authorize the submittal of a wetland permit for related project. All unanimously AYE. <b>Roll call vote: JG, LS, WP, BB, AYE.</b></p>
12.	<p><b>Land Interest</b> The Bolton Conservation Commission will take a vote as to whether or not there is significant Conservation related interest in the two parcels currently owned by the Town of Bolton; Map 2.C Parcel 08 (off of Quaker Lane), and Map 5.C Parcel 20 off of Main Street and thus requests the Selectboard to transfer ownership to the Conservation Commission to be managed under Section 8.C with specifications related to Article 97.</p> <p>The Conservation Agent provided visuals and summary of the resource areas on site in addition to the criteria that is reviewed when properties are of interest to the commission. After reviewing both parcels with minor discussion the commission voted unanimously to recommend to selectboard to turn over the land to the Conservation Commission to be held under article 97 for the purposes granted to the commission under chapter 40 section 8.c Massachusetts General Law. <b>Roll call vote: JG, LS, WP, BB, AYE.</b></p> <p>Conservation Agent will request an item for the Selectboard meeting to confirm interest and further authorization of holding land by the conservation commission.</p>

13.	<p><b>Minutes – Chair Brian made a motion to approve minutes from the last meeting of June 6<sup>th</sup> 2023. Lori seconded, all AYE. Roll call vote: JG, LS, BB, WP AYE.</b></p>
14.	<p><b>Conservation Land</b> <i>updates</i></p> <p><b>Learn to Fish Event</b> cohosted with MassWildlife at Bower Springs Conservation Area off of Flanagan Road:  <b>Thursday, July 13th 2023 at 5:30pm</b>  <b>Please Register</b> by utilizing the google form link here: <a href="https://forms.gle/N8EAimxcUpVNoeqD9">https://forms.gle/N8EAimxcUpVNoeqD9</a></p> <p><b>Bolton Trails Connectivity Improvement Project:</b> <i>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.</i></p> <p><b>Trail Stewardship Project Days:</b>  <u>June 2023</u> Vaughn Hill Woodside Drive Trail Head – <i>removal of post, sand trail sign, repaint trail sign, install water bars utilizing material from site as previously approved locations.</i>  <u>June 2023</u> Vaughn Hill - <i>re-route steep section with restoration work to include switchback</i>  <u>June 2023, July 2023, August 2023,</u> Bowers Spring Flanagan Road Trail Head – <i>Invasive Species removal, maintenance of Norway spruce line/removal of invasives and encroachments, maintenance of tree islands within field areas.</i>  <u>June 2023</u> Welch Pond – <i>Trail extension to Sawyer Road</i></p> <p><b>NRCRLM MVP</b> <a href="https://climateresilient.wixsite.com/nashuariver">https://climateresilient.wixsite.com/nashuariver</a>  <b>Final Event at Clinton Central Park Thursday, June 29th 2023 from 6-8pm</b></p> <p><b>Opportunity:</b>  <b>Volunteer Land Steward position</b> – <i>available</i>  <b>Conservation Commission</b> – <i>available</i>  <b>Open Space and Recreation Plan Update</b> <i>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.</i></p> <p>For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email <a href="mailto:rbucciaglia@townofbolton.com">rbucciaglia@townofbolton.com</a></p>
15.	<p><b>Chair Brian made a motion to adjourn the June 20<sup>th</sup> 2023 meeting of the Conservation Commission at 9:16pm. Lori seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, AYE.</b></p>