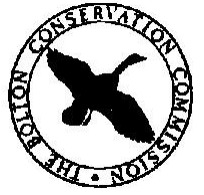




Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, July 11th 2023
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, James Geraghty, Lori Stephenson, William Payne, Paal Brandvold, Conservation Agent, Rebecca Bucciaglia
Guests:	Joe Milani, Chelsea Christenson (Nitsch), Tom Frontera, KBA, Matthew Marro, Richard Nysten, Daniel Motha, Frank McPartlan (Dillis and Roy), James Ackroyd, Johnathan Keep (Manor Rd)
Next Meeting:	Tuesday, July 25 th 2023 7:00pm via Zoom (<i>note – times are corrected in brackets</i>)

- Continued Abbreviated Notice of Resource Area Delineation – Map 6.B Parcel 12 - Kaestle Boos – 12 Green Road – Resource Area Delineation on parcel associated with Nashoba Regional High School**
Joe Milani, Chelsea Christenson (Nitsch), Tom Frontera (KBA), were present. Chelsea provided a summary of the existing site and bordering vegetated wetlands. She highlighted some of the DEP comments provided with the DEPfile#. She also highlighted that the Riverfront area was solely approximate and had not yet been surveyed as the perennial stream was within an adjacent property. Conservation Agent inquired whether the ANRAD application was meant to be for all resource areas on site or solely the western most wetland resource area. Joe and Chelsea clarified they are seeking confirmation of all resource areas on site. Conservation Agent suggested to the commission to require full delineation including but not limited to the riverfront area, mean annual high water, Isolated land subject to flooding, potential vernal pools, bordering vegetated wetlands, isolated vegetated wetlands as considered under the Wetlands Protection Act and Bolton Wetland Bylaw. The commission requested a site visit. The applicant confirmed Chelsea would be the party to coordinate that site visit with so that she may further coordinate with members of the applicant's team as applicable. Commission requested all resource areas under consideration of the ANRAD be flagged and delineated prior to the site visit for review. Chair Brian made a motion to continue the public hearing for the 12 Green Road project until July 25th 2023 at [7:15pm] via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, PB, WP, AYE
Conservation Agent to coordinate site visit.

2. **Continued Notice of Intent – 31 Manor Rd – Map 4.C Parcel 19 - submitted by Matthew Marro on behalf of James Ackroyd for the construction of a septic system and garage addition**
Two commission members (Brian and Lori) state they are abutters for the project and [will need to abstain from related votes]. Applicant's representative Matthew Marro was present to provide a summary of the project highlighting the request for the proposed septic system replacement/upgrade and new garage. DEP issued file number and made a comment about fees. Matt Marro presented a summary of the existing site conditions including the existing septic area that is proposed to be abandoned and left in place. The commission opened the hearing for public comment. Johnathan Keep of Manor Rd. was present and noted the pre-existing non-conforming status of the property in relation to local regulations. He further stated the property should not be allowed to be less conforming. He further expressed concern of project with proposed impacts closer to resource areas on site and that the impacts should be further away from resource area. He shared concerns related to potential impacts to the aquifer and his well as an abutter. The Conservation Agent clarified this hearing is specific to the jurisdiction of the conservation commission under the relevant laws and regulations of the Wetlands Protection Act and Bolton Wetland Bylaw. She further expressed performance standards related to the 75' adjacent upland resource area specific to increasing permanent impacts to this area vs the regulatory standard of limited with mitigation. Further, she expressed the commission has the ability to request an alternatives analysis for the work on site moving things further from bordering vegetated wetlands on site. The Applicant's representative noted the Board of Health has already approved the septic location. Conservation Agent clarified that they have a separate jurisdiction and at times the permitting process results in an applicant having to go back to another department or board due to revised plans. The Commission requested a site visit. James Ackroyd expressed concern about the length of the permitting process thus far and inquired about the process going forward. Conservation Agent clarified on behalf of the commission the wetland permitting process timeline, and the applicant's timeline thus far (who had already been into town hall inquiring the same since May). Vice Chair James made a motion to continue the public hearing for the 31 Manor Road project until July 25th 2023 at [7:30pm] via Zoom. William seconded, Roll call vote: JG, PB, WP, AYE [LS, BB, Abstain]. Conservation Agent to coordinate site visit.
3. **Discussion - Request for field amendment - 357 Main St – Map 4.D Parcel 21 - no increase to limit of work toward resource area, but utilizing area within limit of work to trench and add underground electrical utility line by national grid.**
Frank McPartlan (for Seth Donohoe) utility pole and underground service. The underground service will be trenched and allowed to naturalize. This proposed field amendment is to be located within the existing limit of work and not closer to the jurisdictional areas on site. The proposed amendment has been submitted to DEP central regional office. Chair Brian made a motion to authorize the field amendment for 357 Main Street as drafted and shall be incorporated into As-Builts upon completion of the project. Roll call vote: JG, LS, BB, PB, WP, AYE
4. **Notice of Intent – 283 Wattaquaddock Hill Road – DEPfile#112-0730 - installation of partial in-ground pool and associated grading. Matthew Marro, Crystal Isgro were present. Chair Brian made a motion to close the public hearing for the 283 Wattaquaddock Hill Rd project DEPfile#112-0730. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, WP, PB, AYE**
Chair Brian made a motion to issue an order of conditions as drafted for the 283 Wattaquaddock Hill Rd project DEPfile#112-0730. James seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, WP, PB, AYE

5. **Conservation Land updates**

Learn to Fish Event cohosted with MassWildlife at Bower Springs Conservation Area off of Flanagan Road:
Thursday, July 13th 2023 at 5:30pm

Please Register by utilizing the google form link here: <https://forms.gle/N8EAimxcUpVNoeqD9>

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 created for ease of advertisement of work parties and related volunteer opportunities.*

Trail Stewardship Authorized Projects:

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.*

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

Ongoing 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.*

Welch Pond – *Trail extension to Sawyer Road*

Opportunity:

Administrative Assistant for Town Planner and Conservation Agent – *employment opportunity*

Volunteer Land Steward position – *available*

Conservation Commission – *available*

Open Space and Recreation Plan Update *Wildlife photography contest to assist with town wildlife inventory. Open Space and Recreation Plan Survey open for responses until October 1st 2023.*

Wildlife Inventory link [HERE](#)

OSRP Survey link [HERE](#)

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

6. **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. He further highlighted revisions to the plans as requested by the commission at their last meeting. Chair Brian made a motion to close the public hearing for the proposed project located at 578 Sugar Rd. James seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, PB, AYE.**
Chair Brian made a motion to issue an order of conditions as drafted and amended with the following two conditions added 1) Area west of split rail fence may be maintained as lawn. 2) Area to the East of the split rail fence shall be maintained as meadow [mowed 1-2 times per year to deter woody vegetation] or shall be allowed to naturalize for the proposed project located at 578 Sugar Rd. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, PB, AYE.

7. **Minutes – Chair Brian made a motion to approve minutes from the last meeting of June 20th 2023. James seconded, all AYE, Paal Abstain. Roll call vote: JG, LS, BB, WP AYE, PB abstain.**

8.	<p>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. Chair Brian made a motion to close the public hearing for the Sawyer Rd project DEPfile#112-0727. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, WP, PB, AYE</p> <p>Chair Brian made a motion to issue the Order of Conditions as drafted for the Sawyer Rd project DEPfile#112-0727. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, BB, WP, PB, AYE</p>
9.	<p>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 provided were that documents are to be submitted by the bylaw deadline for the July 25th meeting.</p> <p>Chair Brian made a motion to continue the public hearing for the 711/713 Main St. project until July 25th 2023 at [7:45pm]. William seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, PB, AYE.</p>
10.	<p>Discussion – Bowers mowing extent on site, doubled number of campers on site, previously approved to utilized larger tents in mowed area, inquiry to commission regarding mowing larger area for camp</p> <p><i>Dan Gaffney was present to represent the Tom Denney Nature Camp and Bolton Conservation Trust. Conservation Agent provided information related to the conservation property owned and managed by the Town Conservation Commission, past conversations, processes, 2005 management plan for the property and the migratory bird habitat that the commission previously wished to encourage at this location. She further highlighted the mowing contract that is budgeted each year for the entire property. She further highlighted the area the commission reviewed with the camp previously and authorized for camp use at that time. Dan expressed the camp use of the property, the tent (required by board of health) location, concerns about ticks from board of health, and the increase from the camp previously hosting 200-300 campers to the current 600 campers. Therefore, needing more space for activities between scheduled items during camp which is the reasoning for the request of expanse in mowed area during this time. Commission expressed their comfort with the area to be increased as discussed and noted if the conservation agent is comfortable with the space, then they are as well. Conservation Agent explicitly noted her concerns and reasons related to habitat availability, the property is first and foremost a conservation property, and highlighted the 2005 management plan identifies camp areas explicitly within the woodline and not within the meadows to ensure the two may co-exist without impacts to habitats and conservation values on the property. That all being said the Conservation Agent would support the commission in their decision but wanted to make clear she was not comfortable, [for the reasons stated above specific to conservation values and needs of the property previously identified] with increasing the mowable area. The commission noted the camp activities may already disrupt the nesting species during this time. The commission clarified the expanded mowable area to be approximately 1/3rd of the first meadow entering into Bowers as discussed and depicted at the meeting this evening. Chair Brian made a motion to authorize the allowable mowable area for Tom Denney Nature Camp to consist of 1/3rd of the Meadow this expanding the previously approved mowable area. Roll call vote: JG, LS, BB, PB, WP, AYE</i></p>
11.	<p>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, and Daniel Motha. Conservation Agent provided summary and noted the open space conveyance request has been made to the selectboard and will be considered at their next meeting (Thursday). Chip provided a summary as well. He further expressed they are awaiting stormwater review from the Planning Board. Chair Brian made a motion to continue the public hearing for the 0 S. Bolton Rd. project until July 25th 2023 at [8:00pm]. Paal seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, PB, AYE.</p>

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| 12. | <p>Enforcement Order update – 100 East end Road 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>3 John Powers Lane awaiting final stabilization/proof of 75% success of seeding in spring.</p> <p>Century Mill Estates reassess fines that will be issued, contact is being attempted by conservation department to developer.</p> <p><i>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.</i></p> |
| 13. | <p>Chair Brian made a motion to adjourn the June 11th 2023 meeting of the Conservation Commission at 8:45pm. James seconded, all unanimously, AYE. Roll call vote: JG, LS, WP, BB, PB, AYE.</p> |