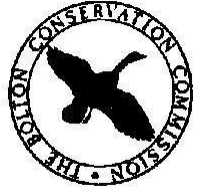




Bolton Conservation Commission Meeting Minutes



Date:	Tuesday, October 3rd 2023
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, James Geraghty, Paal Brandvold
Guests:	Brandon Ducharme (David E. Ross Associates, Inc.), Tom Schutz (Goddard Consulting), Pamela Duggan, Tim Hess (Studio InSitu), Nick King (Studio InSitu), Nathaniel Cataldo (Stamski and McNary), David Crossman (B & C Associates), Craig Bovaird, Brandon Carr (DiPrete Engineering), Jeffrey O'Neill, Mohammed Alhassan
Next Meeting:	Tuesday, October 17th 2023 7:00pm via Zoom

- 1. Request for Determination of Applicability-22 West Berlin Road-Map 4.B Parcel 4 -** Brandon Ducharme from David E. Ross Associates, Inc. was present on behalf of Stephen Daly. Brandon noted that Stephen Daly recently purchased the property, and the septic system needs to be upgraded for Title 5 and Bolton's Board of Health requirements. Both of the current septic systems are cesspools, which they are looking to upgrade to a more conventional type of leaching system. The property is mostly an agricultural field, and contains a house and barn, as well as a cottage and field in the back of the property. Behind the field in the back of the property is a wet meadow, delineated as a Bordering Vegetated Wetland (BVW). About half of the cottage, as well as an existing cesspool, fall within the 100' buffer zone of the BVW. They are looking to upgrade to a single septic system for the entire property, as opposed to the two current systems. They propose to place the conventional leaching system, which uses a GeoMat technology, about 300' from the wetland. In order for the leaching system to reach the cottage in the back of the property, they will pump out the existing cesspool that falls within the 100' buffer zone, and drop in a new contained septic system in that same location which would carry over to a pump chamber that is located outside of the buffer zone. It would then be pumped back up to the leaching system. In addition, they propose adding a generator to the side of the cottage within the 100' buffer zone, and converting the heating system to propane. The underground propane storage tank would also fall within the 100' buffer zone, about 10' away from the building. Above the propane tank would be maintained lawn. Once work is completed, they plan to reseed and return all land to current conditions. All of the proposed work is greater than 80' feet from the wetland. There is a stone wall between the cottage and wetland, so any runoff would go downhill, not toward the wetland. Brandon noted that the propane tank and generator could not be moved to another side of the house due to other utilities surrounding the building. Chair Brian stated he would like to schedule a site visit to check the flagging of the BVW. **Chair Brian made a motion to continue the public hearing for the 22 West Berlin Road project until the October 17th 2023 meeting of the conservation commission at 7:00pm via Zoom. Paal Seconded; all unanimously AYE. Roll Call: PB, JG, BB, AYE**

2. **Notice of Intent – 0 Butternut Lane – Map 6.E Parcel 37 - DEP#112-0734 - Tom Schutz from Goddard Consulting** was present, along with property owner, Pamela Duggan. Chair Brian noted that he and James Geraghty performed a site visit on the property earlier in the day to confirm where the wetlands were. He noted that the northern wetlands were very well defined, and that they had more concerns and questions regarding the pond that the horse paddock drained into, located on the south-west side of the property. Chair Brian noted that he and James discussed that the edge of the property would be allowed to naturalize where this property connects with the property in which the drainage ditch is on, and that there will be a retaining wall which will minimize the flow of water. They also proposed including conditions that the naturalized areas be maintained either by fence, boulders, or conservation markers so the new property owner knows not to mow those areas. They also suggested using a conservation seed mix on the naturalized areas. Pamela mentioned that the Town occasionally mows the naturalized area north of the site because of the poison ivy that grows there. She asked if there could be a condition that allows for mowing her property in order to keep it in the same condition as the Town's open space that is next to it. Chair Brian noted that the Town typically allows a once yearly mowing, and that they usually will add that into the conditions. Tom Schutz made a suggestion to write the condition that the property may be mowed on the same schedule as the Town's mowing schedule, in case it happens to be more than a once per year mowing. Pamela noted that her parents' property abuts her property, and that they plan to cross through the proposed naturalized area between the properties often, which is outside of the Conservation Commission's jurisdiction. Chair Brian noted that there are areas within the buffer zone that the Commission is allowing to be turned into maintained lawn, and in order to make up for that they often look for square footage to naturalize in other areas of the property, and that trade off is typically 2:1. Chair Brian asked Tom Schutz to create a new plan showing an extension of the lawn in order to create a path between the abutting properties before approving the plan, which will also allow for time to write up the conditions in advance of the next meeting. **Chair Brian made a motion to continue the public hearing for the 0 Butternut Lane project until the October 17th 2023 meeting of the conservation commission at 7:15pm via Zoom. Paal Seconded; all unanimously AYE. Roll Call: PB, JG, BB, AYE**

3.	<p>Continued Notice of Intent – 711/713 Main Street – DEP File#112-735. Nick King and Tim Hess of InSitu Architects, Nathaniel Cataldo of Stamski and McNary, and David Crossman of B & C Associates were present. Chair Brian noted that he and Jim Geraghty performed a site visit on the property earlier in the day to inspect what was being proposed and how it was laid out. They had questions regarding how some of the guttering works, and where the proposed runoff was to go, as well as a question about the construction schedule for removing some of the existing foundation that abuts the area where the stream is. Tim Hess noted that they have answers to both of those questions. Regarding the stormwater, the porch on the 713 Building is guttered along the south and east edges, and it will drain to the proposed roof drywell, which is located west of the proposed boardwalk. Regarding methodology for the removal of material, the original NOI had detailed information and language regarding removal of the barn wood, but not the foundation material. The updated NOI now addressed methodology for removal of the foundation. They are now indicating that any equipment brought down adjacent to the resource area and down in the barn would weigh below 10,000 lbs. Any machinery between 5,000 lbs. and 10,000 lbs. that was brought down adjacent to the resource area would be operated over a ½” ground protection mat pack, or an equivalent. Any machinery exceeding 10,000 lbs. would be located and operated from within the courtyard. At this time, they are unsure of what exact machinery they intend to use on site. Chair Brian mentioned that Tim Hess submitted an updated planting plan, which is one of the items that DEP was asking for, and that it seemed to contain everything they were asking for. Tim Hess made note of the updated plan to incorporate a pollinator meadow as the default planting scheme on the property. He continued to note that one of the comments from DEP referred to a manicured apple orchard as being inappropriate, and he clarified that they do not intend to have a manicured orchard. Their intent is to have a small area of manicured lawn, surrounded by a pollinator meadow, with 4 crab apple trees located within the pollinator meadow, and to include a single path that loops around to the back of the property. They also intend to plant several shade tolerant species beneath and adjacent to the barn. All other areas that do not have a specific design intent are proposed as pollinator meadow and wildflowers. Chair Brian stated he would like to discuss “riverfront redevelopment” regulations with Town Counsel before voting on a decision. He offered to either close the hearing and take a vote at a later time after discussing with Counsel, or to continue the hearing until the following meeting to allow for a response from Town Counsel, should they have any questions or comments. Tim Hess noted that he understood the Commission’s need to discuss with Town Counsel, and that they would prefer to keep the hearing open to allow for ongoing discussion once Town Counsel is able to give their input. Chair Brian made a motion to continue the public hearing for 711/713 Main Street until Tuesday, October 17th 2023 at 7:25pm. James seconded, all unanimously, AYE. Roll call vote: PB, JG, BB, AYE.</p>
4.	<p>Minutes – Chair Brian made a motion to approve minutes from the September 19th 2023 meeting. James seconded, all AYE. Roll call vote: PB, JG, BB, AYE.</p>
5.	<p>Discussion regarding FY24 Budget - Chair Brian gave a reminder to Commissioners to review the FY24 budget if they have not done so already, which was previously sent out by the Conservation Agent.</p>
6.	<p>Discussion regarding DRAFT Bylaw Regulation Revisions - Chair Brian gave a reminder to Commissioners to review the revisions if they have not already, which can be found in Town Hall Conservation Department or online under “current projects” on the Conservation webpage.</p>

7.	<p>Conservation Land updates</p> <p>Forest Legacy Project - <i>has been fully funded.</i></p> <p>Bolton Trails Connectivity Improvement Project: <i>Ongoing.</i></p> <p>Trail Stewardship Authorized Projects: 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> Vaughn Hill - <i>re-route steep section with restoration work to include switchback</i> Ongoing 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> Welch Pond – <i>Trail extension to Sawyer Road</i> BTC Extension – <i>Trail from Horse Ring Field to Berlin Road</i></p> <p>Opportunity: Volunteer Land Steward position – <i>available</i> Conservation Commission – <i>available</i> Open Space and Recreation Plan Update <i>Wildlife photography contest to assist with town wildlife inventory. The deadline for responding to the Open Space and Recreation Plan survey was October 1st 2023. The survey is now closed.</i></p> <p>Wildlife Inventory link HERE OSRP Survey link HERE</p> <p>For all inquiries regarding these opportunities please contact the Conservation Agent, call 978-779-3304 or email rbucciaglia@townofbolton.com</p>
8.	<p>Continued Notice of Intent – 580 Main Street - Map 4.C, Parcel 24 - <i>Submitted by Jeffrey O'Neill on behalf of the property owner Bolton Office Park, LLC. Brandon Carr of DiPrete Engineering and Jeffrey O'Neill were present. Brandon noted that a DEP file number has not yet been created, but should be issued within the next few days. He noted that they did receive comments from Planning and DEP, which they have responded to. Since the last hearing, they have received approval from the Board of Selectmen, the Zoning Board of Appeals, and Planning. Brandon noted they recently submitted plans addressing comments received from Planning staff and DEP, regarding clarification on adding screening around the dumpster, clarification on the electric vehicle chargers, and modifications to bring the height of the lighting fixtures down several feet below the 20' requirement. There were also some changes made to the landscape plan to increase the size of some of the proposed trees and shrubs from 2" caliper and 3" caliper. There were no changes to the proposed landscape layout or species. He noted that there is a requirement in the planning regulations that all shrubs be 18". There were also some questions from Planning related to parking agreements between this development, the residential development, and any abutters. They have proposed to add signage as well as detailed information in the agreements between the parties specifying the parking zones. Brandon continued to note that there were comments from DEP regarding the NOI fee, which is why a DEP file number has not yet been issued. He reiterated that the two substantial comments they received were to clarify the different buffers zone locations on the plans, which have now been added, and also that field data forms need to be submitted for calculations for the wetland delineation as part of the NOI. They have since followed up with DEP and clarified that the wetlands were all delineated as part of separate NOI in 2021. All DEP comments have been responded to. Chair Brian made a motion to continue the public hearing for the 580 Main Street project until Tuesday, October 17th 2023 at 7:35pm via Zoom. Paal seconded, all unanimously, AYE. Roll Call: PB, JG, BB, AYE</i></p>

9.	Ratify the Enforcement Order of Lots 7 & 8 of Meadow Road - DEPFile #112-699 - <i>submitted by Dillis & Roy Civil Design. Property owner, Mohammed Alhassan was present. In addition to this enforcement order, Mohammed mentioned that he is looking for approval on his driveway permit. Chair Brian noted that he believes it had already been approved, but the Administrative Assistant to the Conservation Agent noted that she would look into whether the driveway permit still needed approval. Chair Brian made a roll call vote to ratify the enforcement order on Meadow Road, Lots 7 & 8. Roll Call: PB, JG, BB, all unanimously AYE.</i>
10.	Enforcement Order Update - 100 East End Road, 3 John Powers Lane, Century Mill Estates. Chair Brian noted that a site visit has been scheduled with Commission members for 3 John Powers Lane later in the week. There are no other current updates.
11.	Conservation Commission Update - Chair Brian noted that Bolton Conservation Commission member, William Payne, will be resigning from the Commission, as he will be moving out of state. There are open seats available on the Conservation Commission, either as a voting member, or as an associate non-voting member.
12.	Chair Brian made a motion to adjourn the Tuesday, October 3rd 2023 meeting of the Bolton Conservation Commission at 8:36 pm. Jim seconded, all unanimously, AYE. Roll call vote: PB, JG, BB, AYE.