



Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, December 5th 2023
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, James Geraghty, Paal Brandvold
Guests:	Greg Roy (Dillis & Roy), David Russell, Glenn Gleason, Anne Hart, Phil Cordeiro (Allen & Major Associates), Jon Palaima
Next Meeting:	Tuesday, December 19th 2023 7:00pm via Zoom

- Continued Request for Determination of Applicability - 115 Wilder Road – Map 5.B Parcel 34 - Submitted by Dillis & Roy Civil Design Group, Inc. on behalf of the applicant, David Russell.** Greg Roy and David Russell were present. Chair Brian noted that Dillis & Roy submitted a response letter earlier in the day to the Conservation Commission addressing questions that the Commission had at the last meeting. The Commission had not yet reviewed that letter. The Commission noted they feel comfortable proceeding with this application as an RDA, as opposed to an NOI. Paal inquired as to whether the stormwater calculations for individual driveways were included in the original plan for the overall housing development. Greg noted three questions discussed at the last meeting including: (1) was there a condition in the original approval that either required the driveways to be kept as gravel surfaces or to prohibit paving; (2) whether the applicant had considered permeable pavement; and (3) was there a drainage analysis performed when the driveway was initially permitted, and if so, what were the driveway surfaces considered as. Greg gave a summary of his results to these questions, which were included in the response letter to the Commission. Greg noted he reviewed two Orders of Conditions on the development from 1989 (DEP File #112-112) and 1997 (DEP File #112-298). The OOC's did not include any conditions regarding driveway surfaces, or whether there was a requirement for driveway surfaces to be gravel, or prohibiting pavement of driveways. He also noted stormwater calculations were done in 1997. Greg reviewed the 1997 analysis and noted the driveways were modeled with a curve number of 98, meaning the calculations presupposed the driveways would have paved surfaces, even though they currently have gravel. Greg noted the applicant had not considered using permeable pavement due to functionality and cost. Chair Brian inquired as to whether there were calculations for total square footage of disturbance area for this property within the calculations for the overall development. Greg noted that this lot was part of the original development, and believes the driveway was permitted under the Order of Conditions file #112-298. He noted no increased disturbance is being proposed, as the footprint of the driveway would remain the same. The difference would be a paved driveway as opposed to compacted gravel. Chair Brian noted that a gravel surface is defined as a pervious surface, and pavement is considered impervious. Jim Geraghty noted he is comfortable with the fact that the driveways were modeled with the curve number of 98, meaning they were modeled with impervious pavement. Chair Brian requested a continuation of the hearing to give the Commission time to review the response letter and other materials. **Chair Brian made a motion to continue the public hearing for the 115 Wilder Road project until the Tuesday, December 19th 2023 meeting of the conservation commission at 7:15pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: PB, JG, BB, AYE.**

2.	<p>Continued Notice of Intent – 36 East End Road – Map 5.E Parcel 16 - DEP File#112-0__ - Submitted by property owner, Glenn Gleason, for the proposed demolition of the existing garage, and building a replacement 2-car garage, farmer's porch, and connection to the house. Glenn Gleason and Anne Hart were present. Jim Geraghty attended a site visit on 11/22/2023. Jim shared a plan of the house on his screen and informed the Commission that the new footprint of the garage will not be expanding closer to the wetland resource area, and will only be expanding toward the house and the street. Jim noted the applicants will be removing a portion of the deck, which is an uncovered deck made with pervious wood material. Anne Hart noted the area between the existing garage and the home is currently a brick walkway. Jim said that the landscape does slope downward toward the brook, but is relatively flat as it gets closer to the brook. The applicants agreed to stockpiling materials within the front yard. The Commission is still waiting for a DEP file number. Chair Brian made a motion to continue the public hearing for the 36 East End Road project until the Tuesday, December 19th 2023 meeting of the conservation commission at 7:25pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: PB, JG, BB, AYE.</p>
3.	<p>Notice of Intent - 0 Berlin Road - Map 34, Lot 4, C-4 - DEP File#112-0__ - submitted by Phil Cordeiro on behalf of the Town of Bolton for the proposed replacement of an existing wooden bridge crossing with an aluminum arch culvert. As part of an agreement made with the Town of Bolton to endorse the Alta Nashoba Valley project at 580 Main Street, one of the conditions was to improve upon the existing culvert crossing that is on the land of the Florence Sawyer School. The culvert crossing provides access to the wastewater treatment plant for the Florence Sawyer School, and is located under a gravel access road, which trucks utilize to haul sewage. Resource areas involved in the project include BVW, land under water body, bordering land subject to flooding, bank, and riverfront. The Great Brook passes through the culvert. Phil noted that the Bolton bylaw exempts culvert work under condition 1.03(h), and therefore the application is sought solely under the Wetlands Protection Act. Concrete footings would be installed on both sides of the river to anchor the culvert. A guardrail would also be installed to protect trucks from falling. Erosion controls would include a silt fence on the outer limits of the workzone. The applicant is seeking permission to install a temporary sandbag cofferdam to allow for a temporary culvert installation which would allow the water to flow around the workzone. Any disturbed areas along the banks would be sprayed with the New England wetland seed mix to revegetate it. Phil noted all areas to be altered during construction would be temporary and restored after project completion. The restoration area of the BVW would be increased after construction through spraying of the seed mix. Chair Brian suggested a site visit. Because it is on town land there is no need to schedule a visit with the applicant. The applicant hopes to start the work in July or August 2024 when the water level is at its lowest point. The construction would take about 30 days, and the temporary diversion would be installed for about 2 weeks during that time. The limit of work is denoted on the plans, but not currently marked on the property. The Commission is still waiting for a DEP file number. Chair Brian made a motion to continue the public hearing for the 0 Berlin Road project until the Tuesday, December 19th 2023 meeting of the conservation commission at 7:35pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: PB, JG, BB, AYE.</p>
4.	<p>Continued Discussion - Request for Certificates of Compliance - 72 Golden Run Road - Map 5.C Parcel 60 - DEP File #112-0170 and DEP File #112-0178. Chair Brian, Paal Brandvold, and Jim Geraghty attended a site visit on 11/27/23. Chair Brian and Paal Brandvold noted that everything was in compliance with what was in the Orders of Conditions. Chair Brian made a roll call vote to issue Certificates of Compliance for 72 Golden Run Road. Roll call vote: PB, JG, BB, all unanimously, AYE.</p>

5.	<p>Discussion - Request to remove a metal tank from the woods off trail in Bowers Springs – Jon Palaima was present. Jon found a 5’ cylindrical metal tank, about 18” in diameter, about 10 yards off a path in Bowers Springs. The tank is half buried in the ground. He is not sure whether it is a water tank or another type of tank. He is interested in using it for a project and is requesting permission from the Conservation Commission to remove it from the ground. He would use his ATV and a cart to pull it out of the muck using ropes and chains. The assistant to the Conservation Agent shared a photo of the metal tank with the Commission. Chair Brian stated it looks to be trash, and that he did not have any issues with removing it from the property. However, powered vehicles are not currently allowed on town conservation land, but he could consider making a one-time exception. He would like to make a site visit before making a decision, and would also like to double check that an exemption could be allowed. If the Commission were to approve the removal, he suggested they make a condition that the gas powered vehicle should remain on the trails, and could only be used one-time for this situation. Chair Brian noted that once a site visit has been done, a letter would be issued to Jon stating the Commission’s findings, and there is no need to carry over the discussion to a later meeting.</p>
6.	<p>Discussion regarding DRAFT Bylaw Regulation Revisions - Draft bylaw regulation revisions need to be submitted by February 26, 2024 for the Select Board’s meeting on March 2, 2024. Chair Brian gave a reminder to Commissioners to review the revisions if they have not already, which can be found in the Town Hall Conservation Department or online under “current projects” on the Conservation webpage. Jim Geraghty noted it seemed like there were some open questions redlined on the draft revisions. He said he would highlight them for the other Commission members.</p>
7.	<p>Minutes – Chair Brian made a motion to approve minutes from the November 21st 2023 meeting. Paal seconded, all AYE. Roll call vote: PB, JG, BB, AYE.</p>
8.	<p>Conservation Land updates</p> <p>Forest Legacy Project - has been fully funded.</p> <p>Bolton Trails Connectivity Improvement Project: Ongoing.</p> <p>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 BTC Extension – Trail from Horse Ring Field to Berlin Road</p> <p>Opportunity: Volunteer Land Steward position – available Conservation Commission – available</p> <p>For all inquiries regarding these opportunities please contact the Conservation Department, call 978-779-3307 or email landuseadmin@townofbolton.com</p>
9.	<p>Chair Brian made a motion to adjourn the Tuesday, November 21st 2023 meeting of the Bolton Conservation Commission at 8:23 pm. Paal seconded, all unanimously, AYE. Roll call vote: PB, JG, BB, AYE.</p>