



Bolton Conservation Commission Meeting Minutes



Date:	Tuesday, March 19th 2024
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	James Geraghty, Paal Brandvold, Lorraine Stephenson
Guests:	Jack Maloney (Dillis & Roy), Matthew Marro (Matthew S. Marro Environmental Consulting), Timothy Hess (Studio InSitu Architects, Inc.), Gordon Taylor.
Next Meeting:	Tuesday, March 5th 2024 7:00pm via Zoom

- Notice of Intent - 98 Berlin Road - Map 4.C, Parcel 1 - DEP File #112-0742 - Submitted by Dillis & Roy Civil Design Group for the proposed construction of a replacement septic system, removal of an old railroad tie wall near the proposed system & the removal of another railroad tie wall and replacement with “Big Block” concrete blocks. Jack Maloney of Dillis & Roy was present. Jack discussed an open OOC on the property from 1991, amended in 1995 (DEP File #112-149 and #112-149A). The applicant has submitted a request for Certificate of Compliance which will be on the agenda at the next Conservation Commission meeting on 4/2/24. The OOC must be closed out before the Commission is able to take a vote on the current NOI. The current project includes the proposed replacement of the collapsing railroad tie wall with 2ft x 2ft x 4ft concrete blocks, to be placed within the same footprint of the wall. Jack noted some grading may need to occur during the installation process in order to create the crushed stone foundation for the concrete blocks. They are also proposing to remove an additional railroad tie wall on the property located between the house and the shed within the 100ft buffer zone, and then regrade the land when they add the new septic system in, creating a grass slope. Jack noted DEP’s comments recommending that the Applicant consider extending erosion controls toward the existing house to completely separate work on the septic system from downgradient resource areas. There is a well and suction pump located within the house. Paal Brandvold inquired about the location of the new septic system. Jack stated that the proposed location is currently lawn area level with Berlin Road, which will be loamed and seeded back to lawn after installation. The applicant intends to do the work this spring or early in the summer, weather dependent. Lori Stepheson asked if they are proposing to raise the grading in the back near the old tie wall higher than it currently is. Jack stated they are not, however there is one low spot location by the railroad tie wall that they intend to raise to create a more even slope for the concrete block installation. Paal asked how they plan to mitigate any damage to the wetlands during the installation of the rock wall, because it is right on the edge of the wetland. Jack stated that the erosion control will need to be installed right at the base of the wall, and they will need to pull some of the earth back and pull the wood pieces out carefully. They anticipate using a medium sized excavator for all of the work.**

James Geraghty made a motion to continue the public hearing for the 98 Berlin Road project until the Tuesday, April 2nd 2024 meeting of the Conservation Commission at 7:10pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.

2. **Notice of Intent - 272 Harvard Road - Map 6.C, Parcel 15 - DEP File #112-0741 - Submitted by Matthew Marro Environmental Consulting for the proposed construction of a septic system (leach field only).** Matthew Marro was present. The proposed new septic system will be placed into the same footprint as the existing field previously installed. The current septic system was installed in 2013. There was a leak in the home from a fixture that was undetected and as a result it blew more water in than it was originally designed for, blowing out the leach field. They are proposing to remove the top of the leach field, replace the leach field in-kind, and then place the top back on. The grading shown on the plans was from the original install, and they are not proposing any further grading. There are wetlands on the north and south sides of the septic system. Erosion controls are proposed on both sides. There is no stockpiling proposed, and any soil removed will be taken off the property on the day of installation. Matthew Marro noted that they are not interested in confirming the resource area delineation with this current NOI.
James Geraghty made a motion to close the public hearing for the 272 Harvard Road project. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.
James Geraghty made a motion to issue an Order of Conditions for the 272 Harvard Road project. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.
3. **Continued Notice of Intent - 160 Still River Road - Map 6.A Parcel 14 - DEP File #112-0740 - Submitted by Thomas Broomfield for the proposed construction of a single-family home within the 100' buffer zone of the BVW.** The applicant has requested a continuation until the next meeting, as they are waiting to receive a finalized septic plan. **James Geraghty made a motion to continue the public hearing for the 160 Still River Road project until the Tuesday, April 2nd 2024 meeting of the Conservation Commission at 7:20pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.**
4. **Request for Determination of Applicability - 715 Main Street - Bolton Town Common – Map 1.0, Parcel 42 - Submitted by W. Timothy Hess of Studio InSitu Architects, Inc., on behalf of the applicant, Craig Bovaird, for the proposed removal of 5 trees on the Bolton Town Common property.** Tim Hess was present. This project is related to the project located at 711-713 Main Street, Order of Conditions DEP File #112-0735. The proposed 5 trees are depicted as #2-4, and #7-8 on the submitted plan. The applicant submitted an updated plan revised 3/8/24 showing an additional crane, chipper, and lay down area location on the Town Common parking lot area. They are proposing two crane locations, one in the parking lot, and one on the Town Common driveway, per the recommendation of their subcontractors. Tim Hess noted that the timeframe of this project may take 1 day to 2 weeks. Tim noted the northern crane would be located entirely within the parking lot. James Geraghty noted that the tree replacement shall be a 1 for 1 like replacement, meaning if an oak is removed then the replacement tree must be an oak as well, etc.
James Geraghty made a motion to close the public hearing for the 715 Main Street project. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.
James Geraghty made a motion to issue a Negative 3 Determination for the 715 Main Street project, with the following conditions: (1.) Trees shall be removed as proposed as identified on plans created by Stamsky and McNary dated 3/4/2024, revised 3/8/2024; (2.) Mitigation shall be in accordance with a replacement ratio of 1:1 plantings using native species. Applicant shall coordinate with the tree warden regarding planting locations on town land. Tree plantings shall also be in compliance with the WPA and Wetland Bylaw; (3.) Structural integrity of the stream channel and enclosure shall be maintained on town land. Any adverse impacts to the stream channel or enclosure located below town common to the east of the entrance drive to town common shall be the responsibility of the applicant. The applicant shall immediately repair any and all damage to said structure and resource area following tree work. (4.) Applicant must be in compliance with any and all other Town bylaws. (5.) Issuance of a Determination by the commission does not confirm the property boundary survey's accuracy nor structural locations. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.

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| 5. | <p>Discussion - Request for Rocky/Vinger Trail Work Authorization - <i>The Bolton Trails Committee is requesting authorization to clear an existing trail, and for authorization to file a Request for Determination of Applicability or a Notice of Intent if work is found to need a new trail through wetlands or reroute to avoid wetlands. Gordon Taylor of the Trails Committee was present. The clearing of existing trail/maintenance is exempt from Bylaw and WPA. The creation of the trail and clearing in wetlands would be new work and thus require an associated permit. Gordon Taylor prepared a presentation for the Commission. The Vinger-Venable and Rocky Dundee conservation area is located between Randall Road and Berlin Road. The path connects through the conservation area. Gordon noted 3 issues on the trail. 1.) There is a newly appeared brook crossing over the path, partly because of the recent weather, and also because of a beaver dam upstream. Trail users have made a makeshift bridge. 2.) Existing marked trail is overgrown and impassable. 3.) Current route is very close to nearby houses. It crosses a lawn between two houses, but is technically on conservation land. Gordon noted a few options, including possibly clearing the path, or creating an alternate route which would cross over an existing driveway, which the Trails Committee does not currently have permission to use. Another possibility is to reroute the trail close by to wetlands which would require a permit. Gordon stated that at this meeting they are currently proposing to clear the existing trail and build a bridge over the newly appeared brook. If they need to extend the trail, then the Trails Committee will file a permit application at a later date.</i></p> <p>James Geraghty made a roll call vote to authorize the Conservation Agent to file a Request for Determination of Applicability or a Notice of Intent if the work is found to need a trail through the wetland, or be rerouted to avoid the wetlands. Paal seconded, all unanimously, AYE. Roll call vote: LS, PB, JG, AYE.</p> |
| 6. | <p>Enforcement Orders - <i>Meadow Road, 100 East End Road, Century Mill Estates. There are no updates on 100 East End Road or Century Mill Estates. The Conservation Agent conducted a site visit at 422 Still River Road. Resource areas have been delineated by Dillis & Roy. As of right now, there is no compliance issue with the work done to date. A NOI will be submitted if they want to do any additional work that is jurisdictional to the Conservation Commission. 100 Meadow Rd (Lot 4) has submitted actions via email to stabilize however there has been no physical activity on site. Cease and Desist remains in place related to activity outside of addressing the violations. Meadow Rd 7&8 has taken actions to stabilize the site temporarily, and may be coming before the Commission to propose leaving stump grindings permanently. They have submitted plans for sediment, stormwater, and erosion control as well. Cease and Desist has been lifted but will be put back in place if ongoing issues occur.</i></p> |
| 7. | <p>Minutes – James Geraghty made a motion to approve minutes from the March 5th 2024 meeting. Paal seconded, all AYE. Roll call vote: LS, PB, JG, AYE.</p> |

8. **Conservation Land updates**

Forest Legacy Project - *has been fully funded.*

Bolton Trails Connectivity Improvement Project: *Ongoing.*

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*

Opportunity:

Volunteer Land Steward position – *available*

Conservation Commission – *available*

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

9. **James Geraghty made a motion to adjourn the Tuesday, March 19th 2024 meeting of the Bolton Conservation Commission at 7:55 pm. Paal seconded, all unanimously, AYE. Roll call vote: PB, LS, JG, BB, AYE.**