



Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, April 19 th 2022
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Emily Winner, William Payne, Lori Stephenson, Paal Branvold (Conservation Agent, Rebecca Longvall)
Guests:	Randy Heglin (DPW), Peter Nesbeitt, Rick Canavan, Tom Schutz, Lauren De La Parra (Linnean Solutions), Gillian Davies(BSCGroup), Jim Stevens
Next Meeting:	Tuesday, May 3 rd 2022 7:00pm via Zoom

- 1. Nashua River Communities Resilient Lands Management Project – MVP Program Action Grant Update**
Lauren De La Parra of Linnean Solutions and Gillian Davies of BSC Group provided a summary of the current NRCRLM project, and draft deliverables. Lauren expressed the process regarding the community insights, site visits, assessments, conducted by core teams and task groups. Gillian expressed the draft of the deliverable associated with the wetland bylaw and regulation language that will allow strengthening of climate resiliency. She further expressed the matrix created and requested the Commission's feedback on what has been drafted thus far. She highlighted the significant amount of expertise behind this project and volunteers directly working on this deliverable. They highlighted that the next Board of Selectman meeting is where they will be highlighting similar information but in relation to zoning and building regulations.
This project is funded by the Executive office of Energy and Environmental Affairs through the Municipal Vulnerability Preparedness Program Action Grant
- 2. Abbreviated Notice of Resource Area Delineation – 580 Main Street**
Conservation Agent provided a summary of the site visit, areas needing further review, and items highlighted on site needing further justification to the commission. She expressed the expansiveness of resource areas, amount of resource areas and size of site to review noting commission members who attended the site visit were unable to attend the entirety. Soils were not reviewed while on site. Tom Schutz of Goddard Consulting was present on behalf of the applicant to provide a summary of submittal information and resource areas delineated on site. He attempted to address the Agent and Commission's inquiries related to the delineation and associated justification. The Commission inquired about the soils throughout the site, areas within the floodplain, vegetation (primarily the invasive species at the edge of what is flagged as BVW), the basins/adjacent BVW areas, mean annual high-water line at southern most portion of the perennial stream, isolated wetlands, and area to the west on adjacent parcel or near adjacent parcel that was not delineated. The Commission noted no DEP file # has been issued as of yet. The Commission requested an additional site visit. The Conservation Agent noted the commission has the ability to request a peer review and thought it reasonable due to the size of the site and extensive overlapping resource areas being considered. The Conservation agent noted a reasonable request of the commission would be soil pits due to the inquiry from the commission regarding the soils depth and width which auger samples were extracted. The Commission requested a second site visit which the applicant's representative was amendable to. The applicant's representative was amendable to a continuation of the public hearing.
Chair Emily made a motion to continue the public hearing under the Wetland Protection Act Chapter 131 Section 40 and associated regulations and under the Wetland Bylaw Chapter 233 for the ANRAD of 580 Main Street until May 3rd 2022 at 7:30pm. Emily Seconded; all unanimously AYE
Roll Call: EW, LS, WP, PB

3.	<p>Request for Determination of Applicability – Forbush Mill Road <i>Randy Heglin DPW Director was present along with Wetland Scientist Rick Canavan of Tighe and Bond to provide a summary of the proposed geotechnical borings to be conducted within public paved right of way in relation to a future culvert replacement. Randy highlighted the Holistic Hydrologic analysis and assessment that will take place along the forbush mill road watershed to understand the necessary infrastructure for culvert replacements. He specified that the boring shall be 6-8” deep and 4” in diameter. Commission members inquired about erosion control and the location on site.</i></p> <p>Chair Emily made a motion to close the public hearing specific to the geotechnical test borings proposed within the Forbush Mill Road paved right of way. Paal Seconded, all unanimously AYE. Roll call vote: WP, EW, LS, PB Chair Emily made a motion to issue a Negative 3 determination with the following conditions:</p> <ol style="list-style-type: none"> 1) Wattle or equivalent erosion controls shall be installed prior to boring. 2) Stockpiling of material shall be located within paved right of way or outside of commission’s jurisdictional areas on site. Lori Seconded, all unanimously AYE. <p>Roll call vote: BB, WP, GG, LS, PB</p>
4.	<p>Request for Determination of Applicability – Still River Road <i>Randy Heglin DPW Director was present to provide a summary of the MADOT road resurfacing where 2” will be milled and 2” replaced along the surface of the existing paved right of way between the Lancaster and Harvard Town Lines along Route 110/Still River Road. Commission members expressed concern related to Still River crossing Forbush Mill Road just over the town line in Lancaster.</i></p> <p>Chair Emily made a motion to close the public hearing specific to the resurfacing of Rte 110/Still River Road by MADOT. Lori seconded, all unanimously AYE. Roll call vote: WP, EW, LS, PB Chair Emily made a motion to issue a Negative 3 determination with the following conditions:</p> <ol style="list-style-type: none"> 1) Wattles or similar erosion control shall be placed along the right of way where the roadway crosses a wetland or waterway specifically: <ol style="list-style-type: none"> a) South of Nashaway road on the East and Western side of ROW b) South of Bolton/Harvard town Line c) Wetland at the east of the ROW at the intersection of Vaughn Hill. <p>Lori seconded; all unanimously AYE Roll call vote: EW, WP, LS, PB</p>
5.	<p>Minutes – tabled until next meeting</p>
6.	<p>Vote – Consider issuance of Fines for expired order of conditions for Century Mill Estates 112-0526 <i>The Commission discussed the issuance of fines associated with the enforcement order of Century Mill Estates 112-0526 due to lack of response to notices of violation, enforcement order, and outstanding work in noncompliance on site. The Commission determined it is necessary to issue fines at this time at a rate of three hundred dollars (\$300) per day. The commission discussed re-assessing violations on site after a peer review of outstanding work under the expired order has been carried out.</i> <i>The Commission inquired about the cease-and-desist status (still in place), use of bond funds being held.</i></p> <p>Chair Emily made a motion to issue fines at a rate of \$300.00 per day for the expired order of conditions and outstanding work therein. Roll call vote: EW, WP, LS, PB Chair Emily made a motion to authorize the conservation agent to contract and coordinate an assessment/peer review of the outstanding work under the expired order through use of the filing fee collected and associated with DEPfile#112-0526. Roll call vote: EW, WP, LS, PB Chair Emily made a motion to authorize the conservation agent to coordinate use of escrow and/or funds held for the previously associated with DEPfile#112-0526 also known as Century Mill Estates. Roll call vote: EW, WP, LS, PB</p>

7.	<p>Conservation Property Updates: Maintenance and management items</p> <p>Discussion - Bowers Spring Conservation Area – review of Earthen Dam Assessment by GZA; maintenance and management priorities - <i>conservation agent waiting estimated cost of project related items</i></p> <p>Earth Day Week and Arbor Day Events:</p> <ul style="list-style-type: none"> • Week long (April 18th – 22nd) Trail/Town Wide Clean up • Friday, April 22nd 1pm STEM & reading at Bolton Public Library • Thursday, April 21st Trail Work Day Fyfeshire Dam Conservation Area starting at 12pm <p>MVP Program Current FY21-FY22: Nashua River Communities Resilient Lands Management Project https://climateresilient.wixsite.com/nashuariver Opportunity: Volunteer Land Steward position For all inquiries regarding this position please contact the Conservation Agent, call 978-779-3304 or email rlongvall@townofbolton.com</p>
8.	<p>Chair Emily made a motion to adjourn the public meeting of the Conservation Commission Tuesday, April 19th 2022 at 9:30pm. Lori seconded; all unanimously AYE. Roll Call Vote: WP, EW, PB, LS, AYE</p>