



Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, October 5 th 2021
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, William Payne, Gillian Glassanos, (Conservation Agent, Rebecca Longvall)
Guests:	Greg Roy (Dillis and Roy), Joe Brazeau (Berlin Rd), Kim Degutis, Chad Cox, Matthew Smith (GZA), Susan Ruch, Zhanna Davidovitz, Oleg (DCAMM), Jessica and Michael Healy, Kyle Nitzsche
Next Meeting:	Tuesday, October 19 th 2021 7:00pm via Zoom

- Notice of Intent – Forbush Mill Road Map 5.A-17 – interim auxiliary spillway and brook crossings repair of the swimming pool dam filed by GZA GeoEnvironmental Inc on behalf of the Massachusetts Division of Capital Asset Management & Maintenance– shared driveway, grading and associated drainage**
Kim Degutis, Chad Cox, Matthew Smith (GZA), Susan Ruch, Zhanna Davidovitz, Oleg (DCAMM), were present. Kim Degutis, Chad Cox were present to provide a summary of the proposed work and site consisting of the “swimming pool dam, access road, auxiliary spillway, brook crossings, bordering vegetated wetlands, bank, LUWW. The main goals of the project are to stabilize, improve access and protect the resource areas on site. Office of Dam Safety has approved the proposed project as addressing the low hazard condition of the earthen dam. The team has deployed compost filter tubes on the property to retain sediments within the Limit of Work and contain flow within channel by the conduit replacement. The applicant has requested a waiver specific to remediation due to permanent alterations within resource areas significantly under 500 sq. ft. The proposed restoration for temporary alterations consists of raking soil and utilizing native wetland seed mix. The team has also proposed to manually remove non-native material that has accumulated from the roadway erosion event. They also stated that in the future for long-term plans they will be proposing to decommission the earthen dam all together and restore to a stream with associated wetland resource areas. The Commission members inquired about if it was necessary to decommission the dam. The Conservation Agent clarified that at this time that is not being considered as part of the project and reminded everyone present that once the current proposed project is complete the applicant will be required to file a new Notice of Intent with their proposed project which at that time will be discussed and alternative analyses presented. The Commission further inquired about the impacts to the undersized culvert under Forbush Mill Road and whether the DPW Director was made part of this discussion by the applicant. Susan Ruch (DCAMM) stated she did have this discussion with the DPW Director. Conservation Agent stated she would follow up with him. She clarified her inquiry, would the improvements upstream as part of the current proposal cause increased negative impacts to this downstream undersized existing culvert. Chad Cox (GZA) provided a summary related to the inquiry presenting that the improvements will actually cause a sustained flow that would lessen the occurrence of a dam failure which would otherwise negatively impact or alter the downstream culvert under Forbush mill road. Also noted, was the fact that this does not preclude impacts from extreme precipitation events having an impact downstream.
Chair Brian made a motion to close the public hearing for the proposed project located along Forbush Mill Road. William seconded; all unanimously AYE.
Roll Call Vote: BB, WP, GG AYE
Commission noted their Agent will draft the decision to be read into the record and voted on at the next meeting.

2.	<p>Request for Determination of Applicability – 2 Wheeler Road – <i>trees proposed to be removed</i> Kyle Nitsche was present to provide a summary of his proposed project consisting of removal of trees between an existing driveway and his home within the outer portion of the 100’ buffer and Adjacent Upland Resource Area to allow more sunlight on solar panels he hopes to install. The Commission requested a site visit. The applicant was amendable to the site visit and a continuation. Chair Brian made a motion to continue the public hearing until Tuesday, October 19th 2021 at 7:30pm for the proposed project located at 2 Wheeler Road. Gillian seconded; all unanimously AYE. Roll Call Vote: BB, WP, GG AYE</p>
3.	<p>Request for Determination of Applicability – 257 Main Street – (8) <i>eight trees to be removed</i> Greg Roy of Dillis and Roy was present to provide a summary of the proposed work and revised plan consisting of final grades, limit of work and swale. Conservation Agent provided a summary of the site visit. Other commission members provided comments and stressed the need for utilizing native vegetation within the AURA (75’ area adjacent to the 25’ no disturb). The commission also confirmed with the applicant’s representative that no fill would be brought in, rather there would be a cut and fill balance on site within the work area. The Commission inquired about the benefit the trees may have to address uptake of water on site. The Conservation Agent suggested a barrier of native shrubs along the limit of work to assist in keeping the performance of this vegetation to accommodate some water uptake. Chair Brian made a motion to close the public hearing for the proposed project located at 257 Main Street. William seconded; all unanimously AYE. Roll Call Vote: BB, WP, GG AYE Chair Brian made a motion to issue a negative three determination with the following conditions: <ol style="list-style-type: none"> 1) Upon completion of work, the limit of work will be memorialized by shrub, fence, or boulders of 18” diameter or greater. 2) The two large diameter pine Trees annotated on the approved plans South of the swale may have their stumps ground. The two large diameter pine Trees annotated on the approved plans North of the swale shall be left as a 6-8’ snag for wildlife habitat. 3) The area from the 50’ buffer toward the bordering vegetated wetland resource area shall be left to naturalize and seeded with a native seed mix or plantings. 4) The use of herbicides and pesticides within the resource areas under the bylaw and wetland protection act shall be prohibited. 5) Erosion and sediment controls shall be installed prior to work to establish the limit of work. for the proposed project located at 257 Main Street. William seconded; all unanimously AYE. Roll Call Vote: BB, WP, GG AYE</p>
4.	<p>Notice of Intent – Meadow Road (Lots 7 & 8) Map Parcel 101 – <i>shared driveway, grading and associated drainage</i> Applicant requested a continuation via email prior to the public meeting. Chair Brian made a motion to continue the public hearing until Tuesday, October 19th 2021 at 7:45pm for the proposed project located at Meadow Road. William seconded; all unanimously AYE. Roll Call Vote: BB, WP, GG AYE</p>
5.	<p>Request for Determination of Applicability – 304 Still River Road – <i>extension of fencing along the western parcel line.</i> The Commission requested a site visit. Chair Brian made a motion to continue the public hearing until Tuesday, October 19th 2021 at 8:00pm for the proposed project located at 304 Still River Road. Gillian seconded; all unanimously AYE. Roll Call Vote: BB, WP, GG AYE</p>

6.	<p>Request for Determination of Applicability – 243 Berlin Road - <i>proposed garage extension to replace lean tube structure</i></p> <p>The applicant Joe Brazeau was present. The commission provided a summary of their observations while on site. The Commission noted needing conditions:</p> <ol style="list-style-type: none"> 1) Roof runoff shall be directed away from the resource areas and allowed to infiltrate. 2) 25' no disturb area shall be allowed to naturalize and not be altered 3) Areas outside abutting the proposed foundation shall not be regraded and allowed to naturalize 4) Erosion and sediment controls shall be installed and approved by the conservation agent prior to start of work. <p>The commission finds that this project is replacing an existing open sided structure and therefore does not require a notice of intent at this time any and all future work within the jurisdiction of the conservation commission shall require a new filing.</p> <p>Chair Brian made a motion to close the public hearing for the proposed project located adjacent to 243 Berlin Road Map 3.C Parcel 12. William seconded; all unanimously AYE.</p> <p>Roll Call Vote: BB, WP, GG AYE</p> <p>Chair Brian made a motion to issue a negative three determination with the conditions as stated above for the proposed project located adjacent to 243 Berlin Road Map 3.C Parcel 12. Gillian seconded; all unanimously AYE.</p> <p>Roll Call Vote: BB, WP, GG AYE</p>
7.	<p>Continued Notice of Intent – Century Mill Road Map 3D Parcel 75 – <i>proposed construction of three single family homes and widen and pave an existing gravel driveway</i></p> <p>The Applicant has requested a continuation via email. The arborists would like to conduct a site visit to address the commissions concerns relative to the impacts of the proposed common driveway. Commission members (2) requested to be present during the site visit.</p> <p>Chair Brian made a motion to continue the public hearing until Tuesday, October 19th 2021 at 8:15pm for the proposed project located at Map 3.D Parcel 75. William seconded; all unanimously AYE.</p> <p>Roll Call Vote: GG, BB, WP, AYE</p>
8.	<p>Request for Certificate of Compliance – 580 Main Street – <i>work never completed/carried out under DEP#112-0608</i></p> <p>The Conservation Agent provided a brief summary.</p> <p>Chair Brian made a motion to issue a certificate of compliance for the work that was not completed or carried out as part of the DEP file #112-0608. William seconded; all unanimously AYE.</p> <p>Roll Call Vote: GG, BB, WP, AYE</p>
9.	<p>MVP – Nashua River Communities Resilient Lands Management Project update by the Conservation Agent. If members of the community are interest in participating in the project, please contact rlongvall@townofbolton.com or call the Conservation office 978-779-3304</p>
10.	<p>Minutes – Chair Brian made a motion to accept the minutes as drafted from the September 21st 2021 public meeting of the conservation commission. Gillian Seconded; all unanimously agree. Roll Call Vote: GG, BB, WP, AYE</p>

11.	<p>Conservation Property Updates: Maintenance and management items</p> <ul style="list-style-type: none"> • New Story Walk to be installed at Bowers Springs Conservation Area <p>Still River Trail – Guided Trail Walk Thursday, October 22nd 2021 *The funding for this opportunity is provided by the Nashua, Squannacook, and Nissitissit Rivers Wild & Scenic Stewardship Council through the National Park Service under CFDA: 15.962 – National Wild and Scenic Rivers System*</p> <p><u>Master Plan</u> Reminder: Bolton Master Plan Steering Committee would like to invite you to the inaugural forum of the Bolton Master Plan on Sunday, October 17th from 2 to 4 PM to be held at Florence Sawyer Chair Brian stressed the importance of the community participating in these larger town wide plans as it directs opportunities and projects going forward. These plans also support defensible narratives in grant funding opportunities.</p> <p><u>MVP Program</u> Current FY21-FY22: Nashua River Communities Resilient Lands Management Project <i>FY20: Apple Country Natural Climate Solutions completed information is available via the project website:</i> https://climateresilient.wixsite.com/applecountry/project-data-viewer <i>Final report may also be found using the project website or this link:</i> https://3673b23c-7171-47f0-b91c-8baa749785c4.filesusr.com/ugd/29afe1_877358fd47e943f793248d84655948e5.pdf</p> <p>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>
12.	<p>Chair Brian made a motion to adjourn the public meeting of the Conservation Commission Tuesday, October 5th 2021. William seconded; all unanimously AYE. Roll Call Vote: GG, BB, WP, AYE</p>