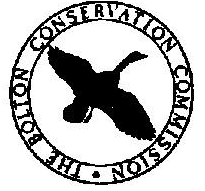




Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, October 6 th 2020
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, Emily Winner, William Payne, Kip McNamara, Jeff Bryan (Conservation Administrator, Rebecca Longvall)
Guests:	Richard Davis, Martha Remington, Seth Donohoe, Jim Gerghy,
Next Meeting:	Tuesday, October 20 th 2020 7:00pm, Zoom Remote Participation

Agenda Items

	Agenda Item	Action
1.	<p>Continued Notice of Intent – Lot 3 Long Hill Road, Map 4.D Parcel 102 – <i>construction of a single-family house, well, driveway septic system and site grading</i></p> <p>No representative present.</p> <p>Emily has inquired about the necessary information from last meeting specific to trees proposed to be removed over 6” dbh and the relation to associated plantings to replace/require native plantings.</p> <p>Brian stated there is a question of extending erosion control as well that is needed to be clarified.</p> <p>The applicant has not requested a continuation and there is no representative present.</p> <p>Roll call vote on motion to close: BB, EW, WP, KM, JB unanimous, YAY</p>	<p>Chair Brian made a motion to close the public hearing regarding Lot 3 Long Hill Road Map 4.D Parcel 102 DEP# 112-0692. Emily seconded; all unanimously agree.</p> <p>The commission will take a vote next meeting October 20th 2020 at 7pm regarding the order of conditions for the proposed project.</p>

<p>2. 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 Conservation Administrator gave a review of the site visit conducted with Chair Brian and Scott Goddard (the applicant) present. The required staking of the site for the site visit specific to language within the bylaw was not placed properly due to the time constraint of needing the area staked out within a weeks' time (from last meeting). The applicant stated they will have surveyors stake the property and the project is still awaiting a DEP file # and comments. Therefore, the applicant has requested a continuation until the next public meeting via email and verbally while on site. Chair Brian opened the public hearing to public comment: Martha Remington representing Bolton Historical Commission, historic area with railroad bed, conservation issues with Danforth brook, freedoms way landscape inventory and within the archeological reconnaissance report. Inquiry about landowner verifying the vernal pools, Conservation Administrator stated that this area was reviewed during the last proposed project for the subject property. Martha inquired whether this is a new filing. The Conservation Administrator clarified that that this is a new filing and the review was conducted during the previous filing that was denied for the same lot with relatively the same proposed work. Martha inquired when the vernal pool review took place. The Conservation Administrator stated she may send Martha the documentation for the vernal pool review from the last proposal. Martha inquired about the changes between last time and this time. Brian stated the applicant is responsible to explain the differences. The Conservation Administrator stated that the project and associated documents may be found under the "Current Projects" page of the Town of Bolton website. Then under "conservation" where a hyperlink may be found regarding the proposed work and filing. Richard of Hudson road was present to relay his concerns. The inquiries were related to floodplain restoration area specific to 1) a pile of material proposed to be removed, however this is an area that is significantly vegetated with mature trees. 2) Other areas that were altering jurisdictional areas to the conservation commission. 3) the porous driveway material proposed and related maintenance issues. 4) the area that was excavated in 2016 without permitting and note related to vernal pools. Concern related to the work only being brought to light within the last proposed project for the subject parcel, when Richard noted this to the commission during a public meeting. 5) concerns related to flooding of the proposed single-family homes and ongoing beaver activity. 6) concerns related to flooding and freezing associated with access and septic or well impacts. Although outside out FEMA 100yr floodplain, area has history of flooding at least twice within the past 15-20 years. Chair Brian stated he will consider the concerns</p>	<p>Chair Brian made a motion to continue the public hearing until October 20th 2020 at 7:00pm for the proposed project to be located at Map 3D Parcel 75. Jeff seconded; all unanimously agree.</p> <p>Roll call vote to continue: BB, EW, WP, JB unanimous, YAY</p>
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<p>and have the applicant address jurisdictional items at the next public meeting. Jim Gerghty inquired about the driveway and concerns related to the maintenance of the porous material. Chair Brian inquired about potential tools to ensure maintenance and responsibility. Conservation Administrator stated that HOA documents or other documentation may direct responsibility of homeowners/common driveway residents. The commission would have the ability to reference the inclusion of such a condition within the planning documents associated with maintenance of the driveway. Jim stated currently it is based on a percentage of the number of houses on the driveway. Currently, until the end of the permitting process, the applicant is responsible for maintenance of the driveway. Brian noted the issue of ensuring maintenance if the two owners were to disagree. Richard inquired about ortho and wetlands layer on page 39 of the notice of intent. Conservation administrator stated that although she does not have the map in front of her at the moment but that the overlays are to be utilized as a guideline and that is why it is encouraged and required to conduct an on the ground survey or a third-party review of such a survey. There is error in the overlay of the symbology of wetlands and the ortho photo in that it may not be georeferenced properly. Therefore, it is encouraged to be utilized as a guideline just as the online town GIS is to be utilized as such. Richard is referencing the wetlands symbology associated with the stream adjacent to his property, and the area does not show the excavated areas on the map he is looking and questioned the accuracy of the mapping. The Conservation Administrator explained that the mapping and associated layers are from the Mass USGS data layers. There are errors in their data that may be caused by dense canopy, available data, etc. Again, stressing the importance of the on the ground surveys. Richard stated he would like to review overlays of the maps together. Conservation Administrator encouraged the resident to review the Town GIS data layers and overlays as a guideline. Martha inquired about whether a private party who builds a development that floods the road, is there some way that the applicant would place funds within escrow to make good for environmental and inconveniences that may result from a development within a sensitive area. Conservation Administrator said yes, the commission has the ability to do so related to their jurisdictional areas to be held until work is completed within compliance. The planning department also has the ability to do so for their jurisdictional items. Martha inquired if there is a new driveway proposed. The Conservation Administrator stated that the applicant is proposing to work on the existing driveway to create a common driveway then new stretches of driveway will be coming off of the common driveway to the proposed single-family homes. The applicant will most likely be able to address this inquiry in further detail.</p>	
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	Agenda Item	Action
	Roll Call: Roll call vote on motion to continue: BB, EW, WP, KM, JB unanimous, YAY	

<p>3. Request for Determination of Applicability – Bare Hill Road, Map 7.C Parcel 55 – <i>proposed single family home, septic and well</i></p> <p>Seth Donohoe was present to address inquiries related to the proposed project. Chair Brian and Conservation Administrator conducted a site visit on October 5th 2020. Inquiring about the location of the interceptor drains and clarification of the orange flagging. Seth clarified that the limit of work is the interceptor drains and the orange flagging is delineating the limit of clearing. Seth stated the interceptor drains are exposed and visible at the surface. Conservation Administrator noted that there was a pile of sand which is the location of the full interceptor drain as Seth described. One of the major concerns on site was the water coming off of the property into the resource area due to the relatively steep slope and natural small plateaus. Seth stated that the plateaus will be utilized, all work is outside 100' buffer zone and the existing conditions will be matched and allow for runoff to infiltrate prior to reaching the resource areas. Conservation Administrator stated the concern is that it is a relatively steep slope, appreciating that the majority of the work is outside the resource areas, the concern is during construction and after if there is sediment and silt migrating off the slope prior to being vegetated. Seth proposed riprap at the toe of the grading slope to intercept anything to continue in to the resource area clarifying that the toe of the graded slope associated with the septic. Chair Brian inquired about the purpose of the interceptor drains. Seth explained that these were used in the past to allow areas to perc, they are no longer allowed and the removal will not require machinery. The past condition required the interceptor drains to be manually removed. They are currently full of material and no longer intercepting anything. Emily inquired about the proposed work, last meeting it was stated that the drains would be capped. Seth stated that is an option as well to limit excavation in the area however the past determination allowed for the manual removal. The Conservation Administrator inquired about what the infrastructure actually consists of that is being proposed to be removed. Seth stated it is a schedule 20 PVC pipe (low grade), can be hand removed, crushed (but do not want to leave the material there), dig out what is there the length of the pipe. They are typically about 10' long sections. There may be two sections. Jeff clarified that they are not burying the pipe but they will manually remove. Emily asked for recap of suggestion to remove pipe. Chair Brian confirmed concerns about gullying and a water moving down the parcel and associated flow rate. He inquired about conditioning that would continue flow rate to feed resource area without adverse impacts. Seth stated the septic is a plateau in itself which would address the velocity concern, additionally the toe of slope with riprap would allow for reducing velocity and capture of sediment. Then the stone wall prior to the wetland resource area will allow for another natural barrier. Chair</p>	<p>Chair Brian makes a motion to close the public hearing for the Request for Determination of Applicability regarding bare hill road 7.C – 55 Emily seconded; all unanimously agree. Roll call vote to close: BB, EW, WP, JB, KM unanimous, YAY</p> <p>Chair Brian made a motion to issue a negative three determination for proposed work to be located at bare hill road 7.C – 55 with the special conditions of 1) the removal of interceptor drains to be removed by hand or hand tools. 2) riprap be placed at the toe of the slope related to the septic grading to ensure that the slope remains stable pre- and post-construction. 3) the prior conditions as drafted issued with the prior determination on the subject lot. William seconded; all unanimously agree. Roll call vote to close: BB, EW, WP, JB, KM unanimous, YAY</p>
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	Agenda Item	Action
	Brian inquired about the limit of clearing associated with the orange flagging. Seth clarified the limit of work is just outside the 100' buffer zone. Chair Brian opened the public hearing to the public. Martha inquired if 460 Main Street was discussed. The past determination included three special conditions.	
4.	<p>Notice of Intent – 265 Sawyer Road – <i>proposed inground pool</i></p> <p>Matt Marro applicant's representative requested a continuation until the next public meeting of the conservation commission via email prior to the meeting as they are still awaiting the updated plans.</p> <p>DEP number 112-0691 has been assigned with no comments. Roll call vote on motion to continue: BB, EW, WP, JB, KM unanimous, YAY</p>	Chair Brian makes a motion to continue the public hearing for the Notice of Intent regarding 265 Sawyer Road until the Commissions next public meeting on October 20 th 2020 at 7:15pm. Kip seconded, all unanimously agree.
5.	<p>Request for Certificate of Compliance – 460 Main Street – <i>regarding the work conditioned for repair and replacement of drain with a box culvert, repair to island and sidewalks.</i></p> <p>Nicole Hayes submitted the As-built.</p> <p>Conservation Administrator reviewed the plans and noted there is a discrepancy in the location of the resource area related to the original plan compared to the recently submitted As-built. She noted that the commission would need to review the site if the resource area had changed over the course of the project as shown on the As-built.</p> <p>The applicant's representative stated they would like to look into the discrepancy and requested a continuation of the discussion until the next meeting of the conservation commission via email. Martha is present and inquired about the work being required to ensure no pollutants reached the resource area. The Conservation Administrator explained that this was an after the fact notice of intent, where they conducted repair and replacement work. They have provided the updated narrative and maintenance log. Martha inquired about the letter that has been received related to a pre-mature letter noting that the island is within the town right of way and relaying that the description of work may not be a great relaying of the work that was done.</p> <p>Roll call vote on motion to continue: BB, KM, EW, WP, KM unanimous, YAY</p>	Chair Brian made a motion to continue the agenda item for 460 Main Street Request for Certificate of Compliance until the next meeting of the Conservation commission on October 20 th 2020 at 7:30pm. Emily seconded; All unanimously agree.

	Agenda Item	Action
6.	<p>Request for Determination of Applicability – 79 Nashaway Road – <i>proposed removal of vegetation, add fill to gravel, and minimal grading in the side yard of the existing single-family home.</i></p> <p>The Conservation administrator provides a summary of the site visit conducted with the Chair on October 5th 2020. The applicant was not present but was on site with the property owner. The resource areas are along the rear of the existing single-family home. The proposed work is to be carried out on the side of the existing single-family home. The area adjacent to the roadway is not of concern but rather the further back toward the resource areas are of concern as the land is acting as a natural swale. Chair Brian inquired that it would be beneficial to have the description written out better to relay distance from physical reference points on the property to be able to condition the project. Emily requested that the applicant submit a plan or a snapshot of an aerial photo and annotate the proposed work area inclusive of trees proposing to remove. The Conservation administrator stated she will relay this request to the applicant. Chair Brian noted the applicant is not present and is unsure of a continuation. Continuation of a meeting when the applicant not present is not encouraged when the applicant is not present, due to the applicant needing to provide more information it is at the discretion of the commission.</p> <p>Roll call vote on motion to continue: BB, EW, WP, JB, KM unanimous, YAY</p>	<p>Chair Brian made a motion to continue the public hearing for the proposed work to be located at 79 Nashaway Road. William seconded; all unanimously agree.</p>
7.	<p>Minutes – Chair Brian stated the minutes for September 29th 2020 meeting date will be tabled until the next meeting.</p>	
8.	<p>Volunteer Land Steward Position – position open, accepting applications</p>	

	Agenda Item	Action
9.	<p>Conservation Management and Maintenance Items:</p> <p>Vaughn Hill conservation Area report of an aggressive dog. The Conservation Administrator highlighted the rules and regulations associated with dogs on conservation land which requires the dog(s) to be under the direct control of the owner and/or individual walking the dog.</p> <p>Jeff inquired about the Annie Moore Conservation Area vandalism being addressed by Conservation Administrator; the trail blazes will be installed once again. If they are removed then the conservation administrator will be requesting for that property only, that painted blazes are utilized. Chair Brian inquired about use of cameras to document who is doing the work. The Conservation Administrator stated she is addressing the matter. Jeff concern with individuals removing the blazes. Conservation Administrator stated this is not only the efforts of the town through herself as staff, the commission as volunteers but also the Bolton Trails Committee Volunteers who are volunteering their time in maintaining these properties to install these markers. This is impacting not only the commission but also the BTC volunteers who are a valuable resource to the town who assist in managing trails within over 2,000 acres of conservation land throughout the town. Jeff agrees, Brian notes it is a health and safety concern related to wayfinding to ensure community members are able to find their way through the properties and not become lost which is no laughing matter.</p> <p>On October 17th 2020 at 9:00am RSVPs are required for the Winged Euonymus removal at Rattlesnake Conservation Area to ensure knowledge of necessary safety protocols, access will be from parking area off of Route 117.</p>	
11.	<p>Chair Brian made a motion to close the public meeting of the Conservation Commission on October 6th 2020. Emily seconded; all unanimously approve.</p> <p>Roll Call Vote on motion: BB, EW, WP, KM, JB unanimous, YAY</p>	