



# Bolton Conservation Commission

## Meeting Minutes



<b>Date:</b>	Thursday, January 21 <sup>st</sup> 2021
<b>Time/Location</b>	7:00 p.m. Zoom (remote participation)
<b>Commissioners Present:</b>	Chair Brian Berube, Emily Winner, Jeffrey Bryan, William Payne, (Conservation Administrator, Rebecca Longvall)
<b>Guests:</b>	
<b>Next Meeting:</b>	Tuesday, February 2 <sup>nd</sup> 2021 7:00pm, Zoom Remote Participation

- Notice of Intent – “The Woods at Farm Road” intersection of Farm and Berlin Road Map 3.C Parcel 72 – proposed construction of two (2) single-family dwellings, private well, septic system and associated infrastructure subject to a Comprehensive Permit under the M.G.L. Chapter 40B along with the removal of the existing farm structures on the site.**

Chair Brian continues the public hearing and inquires to the Conservation Administrator for an update. The Conservation Administrator stated Seth was able to submit the revised plans as requested by the commission at the last meeting including all updates that were included in the discussion and requested at the last meeting. Seth Donohoe of Dillis and Roy (previously Ducharme & Dillis) provided a summary of the revisions; including the change to a straw wattle with silt fence detail in lieu of a haybale with silt fence detail, they showed the existing failed catch basin including a detail specific to the repair/replacement of the basin, the final item was callouts to install permanent markers at the limit of work it is Seth’s understanding that it may be any of the options the commission stated. This can be established in the order what the commission prefers. Seth stated he is happy to address questions or provide further detail on these items. Chair Brian opened questions to the commission and Conservation Administrator. Conservation Administrator noted that the applicant has been very willing to accommodate conditions that the commission has had throughout the public hearing process. Most have been incorporated as part of the recently revised plans. Brian opened the public hearing to the public and there were none. Chair Brian made along with Doug Deschene and Bob Pace were present to discuss the proposed project. Seth Donohoe provided a summary of the history of the project and what is Applicant confirmed they are comfortable to continue the public hearing until the next meeting. **Chair Brian made a motion to close the public hearing for Woods at Farm Road for the proposed project to be located at Map 3.C Parcel 72. Emily seconded; all unanimously agree.** **Roll call vote to continue: BB, EW, JB, WP, unanimous, YAY** **Chair Brian made a motion to issue an Order of Conditions for the proposed Woods at Farm Road for the proposed project to be located at Map 3.C Parcel 72. Emily seconded; all unanimously agree.** **Roll call vote to continue: BB, EW, JB, WP, unanimous, YAY** Conservation Administrator asked the applicant to clarify the appropriate address for the OOC. Seth stated he will send an email with the associated email.

2.	<p><b>Inquiry toward Letter of Support:</b> Emily Winner highlighted there is some legislation has been sitting at the state house since January 2019. It was fully supported by Dean Tran during his time in office. It has been stagnant for about two years; it is basically in regard to 40B developments and loopholes that exist within the 40B laws that make it possible for certain wetlands regulations to be waived. We are seeing a lot of sensitive areas, that may have not otherwise been able to accommodate such development if not under the 40B. She has not had the opportunity to read through them all. It was brought to her attention from a resident along still river. She inquired to share with the commission then to see if the commission would like to send a letter regarding less development of sensitive lots. Conservation Administrator highlighted the important note, it is not against 40B development as a whole, in every town under what is required, there are places for this type of development. What this bill is focused on is within these sensitive areas that local regulations may protect, it gives another opportunity for how it goes around those regulations and is there a happy medium basically. Emily highlighted yes, this is not against 40B in general, but more so of protecting natural resources and sensitive areas, habitat, groundwater, stormwater, streams, and wetlands. Basically, if this bill were to get passed the local regulations would still hold and she believes the bylaws would still hold. She has not been able to review all regulations within the bill however she shared the link with Rebecca and from what she understands it has not made it through review or signatures currently. She also reached out to Bolton local who will also be reviewing the document if they will review and submit a letter individually or as a group. Conservation Administrator stated Emily provided a wonderful introduction. If the commission would like to vote at the next meeting to submit a combined letter focused on the regulations themselves and the bill, that may be suitable. However, if there are personal interests and the commission feels it is therefore better represented individually that is acceptable. Conservation Administrator highlighted that if it comes from the commission it should remain fairly general. Chair Brian stated he remembers when it first came around, he asked the Conservation Administrator to share the link prior to the next meeting and to place on the following agenda. He clarified that coming from the commission it would be fairly general about the bill and regulations but personal letters may supplement. Emily stated she had difficulty navigating the site website. Conservation Administrator stated she will try to provide assistance on that matter to the commission. Chair Brian inquired about if State Rep. Kate Hogan was in support or not. Emily stated she did not think she signed it. Conservation Administrator stated that we would need clarification from the representatives but that maybe this is a good opportunity for the commission to inquire to the representative.</p>
2.	<p><b>ANRAD – 460 Main Street Map Parcel</b>  The commission has conducted a site visit to clarify an item that was brought up during the last meeting Nicole Hayes, applicant’s representative was present as well. Chair Brian stated with that addressed he had no strong feelings about this. Chair Brian opened the hearing to the public and there were none to comment. <b>Chair Brian made a motion to close the public hearing for the proposed project located at 460 Main Street. Emily seconded; all unanimously agree.</b>  <b>Roll call vote to close: BB, EW, JB, WP, unanimous, YAY</b>  <b>Chair Brian made a motion to issue an Order of Resource Area Delineation for 460 Main Street as submitted this evening explicitly establish the Bordering Vegetated Wetlands as delineated by the wetland flagging on the plans titled “Plan of Land in Bolton, Massachusetts prepared for David Kane signed and stamped by Alfred M. Berry, PLS. with the revision date of 1/12/2021 and a scale of 1” = 40’.</b> William seconded; all unanimously agree.  <b>Roll call vote to close: BB, EW, JB, WP, unanimous, YAY</b>  <b>Roll call vote to issue ORAD: BB, EW, JB, WP, unanimous, YAY</b>  Conservation Administrator requested a confirmation of address for the final ORAD.</p>

3.	<p><b>Continue Deliberation Still River Road, Map and Parcel 8.B Lots 32 &amp; 33 (formerly 8.B-32).</b></p> <p>Chair Brian summarized the draft of the decision last from last meeting and opened comments from the commission about the draft decision. Chair Brian seeing no further comments from the commission on the draft decision and noted that there are no further comments to be received at the public meeting was closed previously.</p> <p><b>Chair Brian made a Motion to deny the Project proposed in the Notice of Intent filed by David Russell of Turn Left, LLC for the proposed “Still River Commons” the construction of four (4) single-family dwellings, access driveway, and supporting infrastructure subject to a Comprehensive Permit under the M.G.L. Chapter 40B. The location of the proposed project is located at Assessor’s Map and Parcel 8.B Lots 32 &amp; 33 (formerly 8.B-32) due to a lack of sufficient information and expertise to review the NOI to determine the extent of impacts on jurisdictional areas, in particular a possible perennial stream on the Project site and a perennial stream to the north of the proposed Project area, and due to a refusal by the Applicant to fund a necessary peer review, and (ii) order that that work on the Project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information. Emily seconded; Roll call vote to issue denial: BB, EW, JB, WP, unanimous, YAY</b></p> <p>Jeff inquired the deadline for signatures and the location where the commission may sign.</p>
6.	<p><b>Chair Brian made a motion to close the public meeting of the Conservation Commission Thursday, January 21<sup>st</sup> 2021. Jeff seconded; all unanimously approve.</b></p> <p><b>Roll Call Vote on motion: BB, EW, JB, WP, unanimous, YAY</b></p>