



Bolton Conservation Commission

Meeting Minutes



Date:	Tuesday, December 7 th 2021
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, Gillian Glassanos, William Payne, Emily Winner, (Conservation Agent, Rebecca Longvall)
Guests:	Jim Geraghty, Richard Davis, Lauren Cilley, Rachel Watsky, Scott Hayes, Jem Wheeler, Carl Warren
Next Meeting:	Tuesday, December 21 st 2021 7:00pm via Zoom

- 1. Request for Determination of Applicability – 119 Sampson Road – kitchen and deck installation**
The applicant Jem Wheeler was present to provide a summary of the proposed work. The commission inquired about the location of the resource areas on site relative to the proposed limit of work, the footings for the proposed deck, roof runoff, and proposed a site visit. The applicant inquired about anything the commission could do to expedite the process. The Conservation Agent highlighted the required laws and regulations the commission are following. The applicant's contractor confirmed the footings for the proposed structure shall be precast footings about a foot wide. The deck will be enclosed and he was open to the commission's conditions relative to accommodating roof runoff. The commission requested a site visit prior to the next meeting of the conservation commission.
Chair Brian made a motion to continue the public hearing regarding 119 Sampson Road Request for Determination of Applicability for the proposed kitchen and deck installation to the next public meeting of the Bolton Conservation Commission to be held on December 21st 2021 at 7:00pm. Emily seconded; all unanimously AYE.
Roll Call Vote: GG, BB, EW, WP AYE
- 2. Request for Certificate of Compliance – 147 Long Hill Road Common Driveway – Norse Environmental Response to Horsley Witten Review**
Conservation Agent provided a summary related to Horsley Witten and Norse Environmental Reviews. Maureen of Norse Environmental was present to address any outstanding questions and concerns of the commission. The commission expressed the need for a monitoring period and receipt of monitoring reports for the wetland restoration area plantings in addition to resolution regarding the outstanding items related to slope 5. Abutter Lauren Cilley of 147 Long Hill Road was present to inquire about the procedure regarding removal of erosion and sediment controls. She also echoed the commission's concern regarding the monitoring period. Maureen stated her client would be happy to remove erosion controls as approved by the commission should they incorporate that into the partial COC consideration.
Chair Brian made a motion to issue a Partial Certificate of Compliance regarding 147 Long Hill Common driveway project not including; the monitoring period for the restoration work and site, as the monitoring period continues to be ongoing and the outstanding items associated with lot 5 associated slope. The applicant is permitted by the commission to remove erosion control barriers as part of this Partial COC except for the portion of erosion and sediment controls along the base of slope at lot 5. Maureen requested she and the conservation agent review and confirm erosion controls proposed to be left for the remaining portion of the work not included in this Partial COC. These items not included in the Partial COC issued this evening shall be reviewed under a public meeting process upon the completion of the two growing seasons specified this evening and the success of the plantings. This Partial COC is associated with DEPfile#112 – 620. Emily seconded; all unanimously AYE.
Roll Call Vote: BB, EW, WP, GG AYE
- 3. Minutes – Chair Brian made a motion to accept the minutes as drafted with amendments discussed this evening from the November 23rd 2021 public meeting of the conservation commission. Emily seconded; all unanimously agree. Roll Call Vote: WP, GG, BB, EW, AYE**

4.	Review – Events on Town Owned Conservation Land Draft Policy and Permit Conservation Agent provided a summary of fact finding thus far regarding fees and use. Further insights necessary.
5.	Vote – Conservation Commission to consider recommendation and respectful request to Selectboard to accept donation of land in Bolton off of Burnham Road from Atlantic Union College. The Commission took a vote to recommend the acceptance of the donation of land from the Atlantic Union College contingent upon proper due diligence conducted to ensure the land is not containing any materials that shall cause undue liability to the Town. All unanimously agree. Roll Call Vote: WP, GG, BB, EW, AYE
6.	Vote – Conservation Commission to consider authorizing the submittal of one (1) NOI drafted by Conservation Agent for one (1) wetland crossing for hiking pathway and allow for emergency access to Taggart Forestland Conservation Parcel. Conservation Agent provided a summary of location, size, and proposal for crossing onto conservation land from the Forbush Mill Road. The Commission took a vote to authorize the submittal of the NOI for the proposed crossing and 1-2 pervious parking spaces along the shoulder of the roadway. All unanimously agree. Roll Call Vote: WP, GG, BB, EW, AYE
7.	Request for Certificate of Compliance - 811 Main Street – DEP file # 112-0674 The Conservation Agent provided a summary of the project and an update related to the concerns and questions raised at the last meeting. The commission further inquired about mitigation plantings, vegetation management within jurisdictional areas and ongoing conditions to be incorporated into the requested certificate of compliance. The commission highlighted the need for ongoing maintenance within the jurisdictional areas to be reduced and that only natural vegetation be installed or planted within jurisdictional areas along with being allowed to naturalize outside of the approved work area. Brian requested the Conservation Agent draft the language for these ongoing conditions as discussed, this evening to be considered and issued at the next meeting of the conservation commission. Chair Brian made a statement stating that no action will be taken this evening and that the Request for Certificate of Compliance shall be continued until the next meeting of the conservation commission Tuesday, December 21st 2021.

8. **Continued Notice of Intent – Century Mill Road Map 3D Parcel 75 – proposed construction of three single family homes and widen and pave an existing gravel driveway**
Conservation Agent provided a summary of comments and concerns that had been relayed to the applicant. The conservation agent highlighted the diversity of species was appreciated, she noted the mitigation plantings were relatively isolated to the western side of the driveway, she further noted the performance standards within the bylaw relative to the Adjacent Upland Resource Areas needing to be incorporated. The commission opened the public hearing to public comment. Jim Geraghty of 21 Century Mill Road inquired about the comments regarding the trees marked. He noted the trees marked were not all trees that would be impacted by the proposed project. Scott Hayes through the Chair provided clarification on what was marked in the field. He stated not all trees have been flagged, the trees flagged at this time in the field are those that are being added to the plans within the limit of work. Chair Brian summarized the trees marked for removal by the applicant. Conservation Agent highlighted some items that may have directed the number of trees marked; >6" dbh, and within the limit of work associated with the driveway. Jim summarized the answer from the engineer and arborist. Chair Brian summarized the trees being marked relative to the driveway only. Richard Davis inquired about the marked trees on site asking through the Chair for the applicant to have the abutter clarify his question. Jim clarified his inquiry was relative to protective root zone due to the excavation, specifically stating 80 trees were of concern. Scott Hayes stated what was marked in the field were the additional trees, not a fully representation of all trees proposed to be removed. Chair inquired if anything within the root zone shall be removed. Scott summarized Dean's findings from the last public meeting where he presented information regarding structural hazard, proximity to excavated zone, highlighting that smaller diameter trees have smaller impacts. The identification in the field was relative to the highest risk within root zone. Richard inquired if there could be a map of all trees to be removed on site to depict the whole picture. He also noted his concern that the white pines with similar structural conditions will be impacted if removing trees around them. Richard inquired about the jurisdiction on of the conservation commission relative to the removal of trees. Chair Brian highlighted top three considerations avoid alterations to resource areas when possible, minimize alterations when they cannot be avoided, and mitigate the loss of resource and performance standards. Conservation Agent highlighted the commission must take Brian's comment in the context of the local bylaw and wetlands protection act. The bylaw does not state no tree shall be removed, rather looking back at the performance standards of the Wetland Bylaw and Wetland Protection Act. That is why the commission is asking how the applicant is mitigating the proposed alteration on site. The commission must always tie these conditions, or mitigation requirements back to the performance standards expressed in the regulations and local bylaw and WPA. Jim inquired further that the commission inquired to the applicant what trees were to be impacted by the proposed driveway alterations. Chair Brian highlighted that was the question to the applicant not the arborist. Conservation Agent highlighted the applicant is contracting their own work and the commission had the Tree Warden review the driveway area. Bill inquired about whether or not the applicant had been out on site and if the tree warden has seen the final report. The tree warden has been on site during the site visit but he has not provided written comment. Bill stated if the arborist and the tree warden are in agreement then this discussion is a moot point. Conservation Agent stated she will ask the tree warden to provide a written response to what the applicant's arborist has provided relative to the removal of the trees to be impacted and mitigation. Richard inquired about the total number of trees proposed to be removed. Conservation Agent highlighted the specification that at this time the proposed removal is within the proposed limit of work associated with the driveway alterations and the local regulations dbh. Jim inquired about the response from BSC group relative to the peer review related to stormwater report. Conservation Agent will locate the response and share via the website. Rachel Watsky stated she would be happy to share the questions and comments to the applicant's arborist to be addressed before the next meeting. Chair Brian inquired to the applicant's representative if she would be amendable to continuing the public hearing until the next public meeting. She noted they were amendable to this continuation as they expected this evening to address questions brought up from the submittal of materials and presentation during the last meeting. Bill inquired if the tree warden and arborist will meet on site and if they do can commission members meet with them. Conservation Agent stated the tree warden and arborist have already been out on site but that she would be willing to coordinate a site visit.
Chair Brian made a motion to continue the public hearing until Tuesday, December 21st 2021 at 7:15pm for the proposed project located at Map 3.D Parcel 75. Emily seconded; all unanimously AYE.
Roll Call Vote: WP, GG, BB, EW, AYE

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| 9. | <p>Conservation Property Updates: Maintenance and management items</p> <p>Guided Trail Walk overview – Gould White Conservation Area December 20th 2021, 12:00pm</p> <p><u>MVP Program</u></p> <p>Current FY21-FY22: Nashua River Communities Resilient Lands Management Project – <i>Forest Task Group December 9th</i> Team is looking for community members to participate (please contact Conservation Agent if interested).</p> <p><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> |
| 10. | <p>Chair Brian made a motion to adjourn the public meeting of the Conservation Commission Tuesday, December 7th 2021. William seconded; all unanimously AYE.</p> <p>Roll Call Vote: WP, GG, BB, EW, AYE</p> |