



Bolton Conservation Commission Meeting Minutes



Date:	Tuesday, March 5th 2024
Time/Location	7:00 p.m. Zoom (remote participation)
Commissioners Present:	Chair Brian Berube, Paal Brandvold, James Geraghty, Lorraine Stephenson
Guests:	Paal Brandvold, Timothy Hess (Studio InSitu Architects, Inc.), Craig Bovaird, Ryan Proctor (Dillis & Roy), Muhammed Alhassan, Rasheed Tijani.
Next Meeting:	Tuesday, March 19th 2024 7:00pm via Zoom

1. **Continued Notice of Intent - 160 Still River Road - Map 6.A Parcel 14 - DEP File #112-0740 - Submitted by Thomas Broomfield for the proposed construction of a single-family home within the 100' buffer zone of the BVW.** Chair Brian noted that the applicant has provided the wetland delineation methodology from Goddard Consulting, as requested by DEP. The applicant has requested a continuation until the next meeting, as they are waiting to receive a finalized septic plan. **Chair Brian made a motion to continue the public hearing for the 160 Still River Road project until the Tuesday, March 19th 2024 meeting of the Conservation Commission at 7:20pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: PB, LS, JG, BB, AYE.**
2. **Minutes – Chair Brian made a motion to approve minutes from the February 20th 2024 meeting. Paal seconded, all AYE. Roll call vote: PB, LS, JG, BB, AYE.**
3. **Continued Discussion regarding DRAFT Wetland Bylaw Regulations Revisions.** *The Commission voted on several specific changes to the draft Wetland Bylaw Regulations during the 2/6/24 and 2/20/24 meetings. At this evening's meeting, they took a vote to finalize the remaining draft changes.* **Chair Brian made a roll call vote to accept all of the proposed changes of the Wetland Bylaw Regulations as currently drafted. Roll Call Vote: PB, LS, JG, BB, AYE.**
4. **Request for Determination of Applicability - 19 Autumn Lane – Map 8.B, Parcel 21 - Submitted by Paal Brandvold for the proposed removal of 18 pine trees in the eastern corner of the property.** *The Conservation Agent conducted a site visit on 3/4/24. She reviewed the proximity of the 18 trees to the resource area, and the trees fall outside the edge of the 100' buffer zone. The Conservation Agent has no issues with removal as long as the removal process does not cause adverse impacts to the resource area. Chair Brian proposed leaving snag trees as a ratio of 1:4. Paal Brandvold agreed to leave 4-5 trees as snags.* **Chair Brian made a motion to close the public hearing for the Request for Determination of Applicability for 19 Autumn Lane. Roll call vote: LS, JG, BB, AYE. PB abstained.**
Chair Brian made a motion to issue a Negative 3 Determination for 19 Autumn Lane with the following condition that 4 or 5 of the trees to be cut be left as snags on the property. LS seconded. Roll call vote: LS, JG, BB, AYE. PB abstained.

5.	<p>Discussion - Quaker Lane Conservation Property - <i>The Conservation Agent seeks permission from the Conservation Commission to file a Notice of Intent to remove a failed culvert and stone beneath the trail, and install a trail crossing for pedestrian use. Chair Brian made a roll call vote to instruct the Conservation Agent to file a Notice of Intent for the Quaker Lane Conservation Property culvert removal and trail crossing installation. Roll Call Vote: PB, LS, JG, BB, AYE.</i></p>
6.	<p>Enforcement Orders - <i>Meadow Road, 100 East End Road, Century Mill Estates. There are no updates on 100 East End Road or Century Mill Estates. 100 Meadow Rd (Lot 4) has submitted actions via email to stabilize however there has been no physical activity on site. Cease and Desist remains in place related to activity outside of addressing the violations. Meadow Rd 7&8 has taken actions to stabilize the site temporarily, and may be coming before commission to propose leaving stump grindings permanently. They have submitted plans for sediment, stormwater, and erosion control as well. Cease and Desist has been lifted but will be put back in place if ongoing issues occur.</i></p>
7.	<p>Request for Determination of Applicability - 715 Main Street - Bolton Town Common – Map 1.0, Parcel 42 - <i>Submitted by W. Timothy Hess of Studio InSitu Architects, Inc., on behalf of the applicant, Craig Bovaird, for the proposed removal of 5 trees on the Bolton Town Common property. Tim Hess was present. This project is related to the project located at 711-713 Main Street, Order of Conditions DEP File #112-0735. The proposed 5 trees are depicted as #2-4, and #7-8 on the submitted plan. An updated engineered plan and mitigation memo were submitted earlier in the evening, but the Commission had not had a chance to review prior to the meeting. The Commission reviewed the plan that was submitted 5 days prior to the meeting. There was a question over the boundary lines on the plan and whether trees #2 and #4 were located on Town property or on the 711-713 Main Street property. Chair Brian noted the plan shows trees #2 and #4 to be located on the 711-713 Main Street property, but the Tree Warden has determined those two trees to be located on the 715 Main Street Town property. Tim Hess noted the land surveyor who prepared the plan determined the two trees to be on the 711-713 Main Street property. Tim Hess stated that suitable timber from the cut trees would be donated to Parks and Recreation for the nature playground. Tim clarified that the “lay down area” noted on the plan would be the stockpiling location. Tim contacted Randall Heglin of the DPW, and the Police Chief regarding safety measures needed during the removal process. He stated that Mr. Heglin had concerns about leaky equipment and suggested that the applicant have an insurance binder from the contractor which indicates that the municipality is an additional insured. Tim noted that on 2/29/24 the Board of Selectmen granted them permission to bring equipment onto the property, should the project be approved by the Conservation Commission. The duration of the project would take a maximum of 2 weeks. The Police Chief advised having a detail during all active hours of operation. Chair Brian noted the Conservation Commission generally has a 2:1 ratio for replanting, but that in this case he is comfortable with a 1:1 ratio. Lori Stephenson inquired about the location of the new trees to be replanted. Tim stated that it would be appropriate for the Town or Tree Warden to determine the location and species of the new trees since the project is on Town property. The submitted plan states that trees shall be cut flush to grade. They are not proposing any stump grinding. Chair Brian reminded the Commission that the Order of Conditions for 711-713 Main Street, DEP File #112-0735, approved all of the proposed work including tree removal, except for any portion located on Town land. If trees #2 and #4 are determined to be located on the 711-713 Main Street property, then they would have already received approval for their removal. Chair Brian made a motion to continue the public hearing for the Request for Determination of Applicability for 715 Main Street until the Tuesday, March 19th 2024 meeting of the Conservation Commission at 7:25pm via Zoom. Paal seconded, all unanimously, AYE. Roll call vote: PB, LS, JG, BB, AYE.</i></p>
8.	<p>Continued Request for Certificate of Compliance - 147 Long Hill Road - Maps 3.D & 4.D, Parcels 33.1 & 52 - DEP File#112-620 - <i>Submitted by Walter Eriksen of Applewood Construction. A partial Certificate of Compliance was issued on 12/23/2021. The applicant is now seeking a full Certificate of Compliance. The Conservation Agent conducted a site visit on 2/21/24 and noted that the vegetation is alive, and they are in compliance. Chair Brian made a motion to issue a Certificate of Compliance for 147 Long Hill Road with the following Ongoing Special Conditions from the original Order of Conditions: #25, #26, #56, #59, #64, #65, #66, #67. Paal seconded, all unanimously, AYE. Roll call vote: PB, LS, JG, BB, AYE.</i></p>

9. **Request for Field Amendment to Site Plan - Lot 7&8 Meadow Road - Map 4.D Parcel 101 & 101.1 - DEP File #112-0699** - *This request is for a field amendment to the site plan to show utility pole locations designed and prepared by National Grid. Ryan Proctor of Dillis & Roy, Muhammed Alhassan, and Rasheed Tijani were present. Ryan Proctor noted that in December, the Planning Board approved the removal of 12 trees to allow for the installation of 3 utility poles by National Grid. The following evening, the Select Board also approved the installation of the 3 poles. They are proposing to have National Grid install 3 new utility poles. One is immediately adjacent to the BVW, one would be located inside the previously approved limit of work off the shoulder of Meadow Road, and the third would be located outside of the 100' buffer zone on the opposite side of the driveway. There is an existing utility pole shown as #16 on the submitted 'Shared Driveway Plan', which they are unable to use. In order to utilize it it would have required an additional guy wire on the property to the north, which would have required an easement from National Grid. The property owner to the north was not willing to work that out with National Grid. The proposed project is to remove the existing utility pole #16, and reroute the electric from down the street to connect to the proposed new pole adjacent to the BVW. Ryan Proctor noted that the plan was drawn and scaled in from National Grid's plan, which shows the utility pole to be within the wetland area, but it is in fact located behind the guardrail outside of the wetland area. A guy wire support would need to be drilled in adjacent to the water down within the wetland, which is marked out in the field. Ryan noted that National Grid had responded to some questions submitted by the Conservation Agent, and that they have submitted erosion control guidelines. Ryan noted that National Grid's standard procedure is to cut tree stumps flush to the ground. Paal inquired as to why they are using telephone poles instead of digging into the ground. Ryan Proctor noted that there is a culvert shown on the plan that they were trying to avoid, and also trying to avoid cutting into the road. Chair Brian made a roll call vote to approve the proposed field amendment to the site plans for Lot 7&8 Meadow Road as discussed at this evening's meeting with the qualification that any changes will show up on the final as-built as originally required by the Order of Conditions. Roll call vote: PB, LS, JG, BB, AYE.*

10. **Conservation Land updates**
Forest Legacy Project - has been fully funded.
Bolton Trails Connectivity Improvement Project: *Ongoing.*
Trail Stewardship Authorized Projects:
 Vaughn Hill Woodside Drive Trail Head – *removal of post, sand trail sign, repaint trail sign, install water bars utilizing material from site as previously approved locations.*
 Vaughn Hill - *re-route steep section with restoration work to include switchback*
 Ongoing Bowers Spring Flanagan Road Trail Head – *Invasive Species removal, maintenance of Norway spruce line/removal of invasives and encroachments, maintenance of tree islands within field areas.*
 Welch Pond – *Trail extension to Sawyer Road*
 BTC Extension – *Trail from Horse Ring Field to Berlin Road*
Opportunity:
Volunteer Land Steward position – *available*
Conservation Commission – *available*
 For all inquiries regarding these opportunities please contact the Conservation Department, call 978-779-3304 or email concom@townofbolton.com or landuseadmin@townofbolton.com.

11. **Chair Brian made a motion to adjourn the Tuesday, March 5th 2024 meeting of the Bolton Conservation Commission at 8:11 pm. Paal seconded, all unanimously, AYE. Roll call vote: PB, LS, JG, BB, AYE.**