

**BOLTON INLAND WETLANDS COMMISSION  
REGULAR MEETING, JUNE 23, 2020, 7:00 P.M.  
MINUTES  
VIRTUAL**

Lally called the meeting to order at 7:02 p.m.

		<b>Present</b>	<b>Absent</b>
Regular Member	Jane Darico	X	
Chairman	Ross Lally	X	
Vice Chairman	James Loersch	X	
Regular Member	David Ostafin	X	
Regular Member	Open		
Alternate Member	Andrew Gordon	X	
Staff	Barbara Kelly	X	

Also present:  
Hanah – Land Use Intern  
Sandra Pierog  
Josh Kelly  
Bill Phillips  
Andrew Bushnell

**1. Approval of Agenda**

**Motion:** The Bolton Inland Wetlands Commission approves the agenda as amended. Adding: New Business , item B - Beaver Dam issue on Deming Road; Josh Kelly will be presenting.

By: Loersch Seconded: Gordon

Voting:  
For: Loersch, Lally, Gordon, Darico, Ostafin  
Against: None  
Abstain: None

**2. Old Business**

**A. IWC #2020-5 – William Phillips – 1 Notch Road – Garage/Office Building; Equipment, Parking, & Storage; Driveway and Associated Improvements.**

Bill Phillips and Andrew Bushnell were present. The correct address is 17 Notch Road.

Staff reminded the IWC this matter was heard at a preliminary meeting. This is now the application to do the work at the site of the former quarry. A driveway crossing over wetlands is proposed along with a materials pile area, and enhancements to create a sediment basin.

Andrew Bushnell reported the wetlands on the site is manmade and the storm water from the lower part of Notch Road discharges to the East. Drainage from the upper part of the property will be captured in cisterns. The water will be used for dust control on the site. There will be processing of materials brought to the site with a crusher and screener. Some fill will be removed from the upper level of the previous quarry operation. The site was not restored when the quarry ceased to operate. The upper area of the property will not be used near where Ostafin reported there is a vernal pool loaded with frogs and tadpoles. The exit will be moved up Notch Road for better sight lines. There may be some blasting during the initial development only.

The rock face will be the limits of the disturbance. Some fill will be needed to get a solid surface for the materials area. Ledge is within a foot of the surface up there. This needs to be build up and graded to drain up Notch Road and the swale needs to be cleaned out and redefined. The material handling area will be graded to drain to the south. Bushnell suggested a grass vegetative swale to treat storm water and a permeant silt fence. Lally would like to explore options that required less maintenance than a silt fence that needs to be inspected and re-installed.

Bushnell can organize a time for a site walk for the Members. Lally cautioned the number of Members at any one time has to be limited so the site walk does not become a defacto meeting without inviting the public. Staff is also happy to walk the site with a Member.

Staff stated there are some storm water issues that have not been worked out. The current site plan is dated May 18, 2020. Bushnell commented more work is needed on the proposed sediment basin. The issue with a basin is the depth of the ledge. Swales, check dams, overland buffer strip, and filtering have to be determined for the best option. Close to 100% of the storm water currently runs off the site because of the rocks and ledge. There will not be an appreciable increase in the storm water to the Rail Trail.

Lally stated the main concerns still to be addressed are the storm water management details indication which way the water is flowing, the volumes, and treating and managing the flows. Staff added we have to be cautious of where this property ends and the Town property begins near the roadway. Also, notes pertaining to the management of the stockpiles are needed. Staff continued that a silt fence is not a good long term solution. The storage, repair, and maintenance of the construction equipment needs to be called out on the plan. If there is to be storage of oil on the site there should be a maintenance plan that using best practices.

Loersch stated in full disclosure that Bushnell is doing some survey work for him at his home.

### 3. New Business

#### A. IWC #2020-7 – Jose Acevedo – 526 Hop River Road – Building 20’ x 14’ Shed

Staff stated the owner came in to request a building permit prior to the last meeting. She visited the site to see if the work is in the review area. The new shed would be set right near the existing shed with a bit more gravel added to level the land. There is a brook or stream corridor to the south. There is existing significant disturbance with a well-established yard and lawn. There will be no significant amount of grading or digging needed. Lally previously felt this could be delegated to Staff; he still feels that way.

Ostafin asked that Staff have Rupert look at the plan for compliance with the back line setbacks.

Darico asked about the need for a building permit for a pre-built shed. Staff replied if the structure is over 200 sq. feet a permit is needed. This was a change in the State building code some time ago.

**Motion:** The Bolton Inland Wetlands Commission delegates this application to the Inland Wetlands Agent as it is of minimal impact in the upland review area. Agent is to review with Jim Rupert that the plan meets the zoning requirements.

By: Loersch

Seconded: Gordon

Voting:

For: Loersch, Lally, Gordon, Darico, Ostafin

Against: None

Abstain: None

#### B. Beaver Dam on Deming Road

Joshua Kelly explained the issue. A beaver dam is on the right side of Deming Road with a 9’ x 6’ culvert under the road. The dam is on the north side and has stopped the flow of water. The dam is too close and too build up that if there is a major rain event that blew out the dam the road could be washed out. Bolton would like to avoid such costly destruction. The Bolton Land Trust owns the land. After speaking to many officials it has been discovered that trapping the beavers is the most common resolution. However, beavers cannot be relocated. The entire area north of Deming Road is easily flooded to a depth of 3’, which is the amount the beavers need to store their food. Gwen Marrion has found past instances of installing a water leveler with a beaver fence farther back from the road. The proposal from Beaver Solutions mentions two key items – the beavers will continue to live in the pond but in a location that does not overwhelm the culvert and placement of a fence 10’ around the perimeter of the culvert. The beavers will then build a new dam along the fence. This creates a larger spillway before reaching the culvert. The Town Engineer opined the fencing would allow

the beaver dam without overwhelming the culvert. A 30' pipe would be installed into the pond with a cage at the north end of Deming Road; the pipe would come through the cage and into the culvert allowing water to flow through the fence. The company has resolved 1,700 cases with this control method. Marrion has history with this company. Kelly is confident that this would be a good investment, keep the beavers as part of the natural landscape, provides a safe and effective manner of controlling the water table to protect properties and the wetlands. The desire of the Land Trust is this property be used as a pond. Kelly is asking the IWC to consider declaring this activity a conservation effort.

Gordon agrees with the method as long as we don't hurt the beavers. Lally confirmed with Kelly that the Town is asking this activity be in an exempt or as-of-right category for maintenance of the property. Kelly presented some installation plans from the company showing the work in the wetlands. Lally stated this should be covered under Section 4.2 of the regulations.

Staff looked at this area today and the beavers are obstructing the normal flow of the Blackledge River. The water on the north side is very turbid as the beavers are stirring up sediment of the bottom of this marshy area. Getting control of the beaver activity will be of a downstream benefit. Lally added the proposed work will eliminate the risk of flooding if the dam is breached.

**Motion:** The Bolton Inland Wetlands Commission finds the beaver control activity to be a non-regulated use under Section 4.2.A of the Inland Wetlands Commission regulations.

By: Gordon

Seconded: Darico

Voting:

For: Loersch, Lally, Gordon, Ostafin, Darico

Against: None

Abstain: None

#### 4. **Public Comment**

There were no speakers.

#### 5. **Approval of Minutes**

##### A. **February 25, 2020 Regular meeting**

**Motion:** The Bolton Inland Wetlands Commission approves the minutes of the February 25, 2020 meeting.

By: Darico

Seconded: Gordon

Voting:

For: Loersch, Lally, Gordon, Ostafin, Darico

Against: None

Abstain: None

**6. Wetlands Agent Report**

Staff reported that initially in the quarantine period work as a bit slow. Now everyone has found their way and she has been reviewing such activity as sheds and pools. Lally has delegated a number of permit to Staff. Sign off was given for a large shed on the Fire Department property, a small addition to a house on Vernon Street, and the reissuance of a permit for 310 Hop River Road. Staff is also following up on calls and activity near the lake.

**7. Other**

None

**8. Adjournment**

**Motion:** The Bolton Inland Wetlands Commission moves to adjourn the meeting at 8:15 p.m.

By: Darico

Seconded: Gordon

Voting:

For: Loersch, Lally, Gordon, Darico, Ostafin

Against: None

Abstain: None

Respectfully submitted,

Yvonne B. Filip

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Commission Clerk

PLEASE SEE THE MINUTES OF SUBSEQUENT MEETINGS FOR THE APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.