

**BOLTON INLAND WETLANDS COMMISSION  
REGULAR MEETING, JANUARY 25, 2022, 7:00 P.M.  
MOTIONS & MINUTES  
VIRTUAL**

Lally called the meeting to order at 7:00 p.m.

		<b>Present</b>	<b>Absent</b>
Regular Member	Jane Darico		X
Chairman	Ross Lally	X	
Regular Member	Andrew Gordon	X	
Vice Chairman	James Loersch	X	
Regular Member	open		
Alternate Member	Dave Lynn	X	
Alternate Member	open		
Staff	Barbara Kelly	X	

Lynn was seated. .

**1. Approval of Agenda**

**Motion:** The Bolton Inland Wetlands Commission approves the agenda as presented.

By: Gordon

Seconded: Loersch

Voting:

For: Lally, Gordon, Loersch, Lynn

Against: None

Abstain: None

**2. Old Business**

None

**3. New Business**

**A. Jurisdictional Ruling for Timber Harvest – William Anderson – 77 French Road**

Staff submitted the following comments:

**Dear Commissioners,**

I will not be present at the IWC meeting on 1/25/22. I walked the site of the proposed 27 acre timber harvest with Mr. Anderson on Friday 1/21/22 and have the following observations and comments.

- Mr. Anderson will be conducting the harvest himself over a period of time as site conditions allow, as both to fulfill demand for products and firewood needs.
- The harvest will remove diseased/infested trees while some commercial value can be salvaged and to remove hazards.
- Work will be done in frozen or dry conditions.
- A small stream runs north to south near the western property line. The proposed crossing is located at the stream's narrowest point, which is also a point where banks are the highest and most stable. Logs from the site will be used to create a temporary bridge and to protect wetland soils.
- Portions of the haul road currently exist. Newer portions have been laid out to avoid crossing wet areas and to provide a more gradual track up the hillside. As needed, any rutted portions of the road will be graded and seeded.
- This harvest will be done on a portion of Mr. Anderson's residential property complex and is well below the threshold for a commercial harvest.
- None of the proposed work that appears to involve an activity that would not be permitted as of right - filling, non-essential roads, etc.

Under Section 4 of our regulations, the Commission will need to:

- Determine if this is an agricultural use
- Rule if the activity/use is permitted as of right or non-regulated

Take care,  
BK  
Barbara Kelly, Agent  
Inland Wetlands Commission  
Town of Bolton  
860.649.8066, x6113

Bill Anderson was present. He walked the property and explained the plan with Staff. He went over the crossing design with the DEEP forester for his region. This is his property and he has an interest not to make a mess of the area.

Loersch: Has the applicant done this activity before? Anderson: Yes, he did apply for a permit previously. He had 35 acres at the time; he purchased an additional 25 acres recently. Some timber is dying due to disease.

**Motion:** I make the motion that the Bolton Inland Wetland Commission finds this proposed activity agricultural as-of-right under Section 4 of the regulations.

By: Loersch

Seconded: Gordon

Voting:

For: Gordon, Lally, Loersch, Lynn

Against: None

Abstain: None

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

No one was present to speak.

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

**A. October 26, 2021 Regular meeting**

**Motion:** The Bolton Inland Wetlands Commission approves the minutes of the October 26, 2021, regular meeting as presented.

By: Loersch

Seconded: Gordon

Voting:

For: Lally, Gordon, Loersch, Lynn

Against: None

Abstain: None

**6. Wetlands Agent Report**

Staff submitted the following report:

**January 2022 Wetland Agent’s Report**

**Bolton Lake**

Consulted with the Chair about the need for the homeowner at 57 Vernon Road to come before the IWC to install a temporary dock that does not impact the lakeshore. I let her know that she didn’t have to, but that she did need to contact the DEEP based on input obtained from DEEP’s Navigation & Boating Infrastructure Unit.

- Placement of docks and the like on DEEP owned waterbodies require permission from the DEEP’s Land Acquisition & Management Division. That is because we own the bottoms of these waterbodies unless specifically noted otherwise in a person’s deed. You should contact Nicole Lugli, the Director.
- Nevertheless, with regards to navigation, any structure must be placed reasonably and take up no more room than necessary. For example, there is no need for a 40 foot dock to dock one 20 foot boat. The same goes for swim floats. No need for a float in 25 feet of water – when 10 feet is safe for diving off it. These structure must be placed as close to shore as practicable. Also, docks or floats must not extend over the littoral boundary – which we define as the extension of the property line or a line perpendicular from shoreline – whichever is less.

A property owner along Boston Turnpike was advised that she does need to come before the IWC to reconstruct/repair a concrete wall along Bolton Lake (new footings, etc.)

**Beavers**

Beavers are causing a safety issue on Skinner Road, just east of Shoddy Mill Road. The beavers have created a dam on Burnap Brook. The beaver pond surface is only inches below the road surface and is also backing up a culvert. The landowner plans to address the beaver. Lance, Bolton’s Highway Foreman, wants to address the immediate threat to the road by removing some of the dam to lower the water level. He would access the dam with a rubber tracked vehicle and would slowly, carefully, remove enough to lower the water level without causing a big erosive scour. The dam is fairly recent and there is no large accumulation of sediment. He has permission from the landowner. In consultation with the Chair, we agreed that this is a safety issue and that remediation should proceed. The work will not alter the stream bank or channel.

**Activity near wetlands**

Followed up with a new Clark Road homeowner. The property abuts the Bolton Land Trust property at the corner of Clark and Camp Meeting. What appeared to be potential wetland filling is a pile of soil to level wet puddles in the front yard. No more material will be delivered. The branches are from around the homeowner’s property and she is being careful not to come near the yellow decals marking the BLT property

Cut brush is piled near the stream by 24 Clark Road. I left a message and will monitor and follow up as needed.

**DOT work**

DOT has been working on State Project #76-223, Rehabilitation of Bridge Nos. 06884 & 06885, I-384 over Porter Brook near the Manchester/Bolton town line. To address non-compliance on environmental protections a “Restoration & Supplemental Planting Plan Approval with Conditions” was recently issued.

**Other**

- Reviewed plans for Bolton Veterinary Hospital at 233 Boston Turnpike.
- Inspected E&S installation at 129 Boston Turnpike.
- Attempting to make contact with 11 Goodwin about pipe piled near the stream.
- Walked the site proposed forestry activity at 77 French Road. Notes submitted separately.

Loersch: Re: the property on Bolton Lake - what work is being there that they do not have to come before the Commission? Lally: She wants to put in a floating dock. There is to be no work on the shore. The State owns and regulates the lakebed where the float will be anchored. Loersch: Re: Removal of the beaver dam – what type of rubber tracked vehicle will be used? Lally: He went out to view the dam and determined it was a safety issue. He does not know the specific vehicle.

Questions for Staff: What is Bolton Vet Hospital doing? How is the DOT work progressing? What is happening with M & M Oil?

**7. Other**

Lally: Online training is available. He hopes the Members sign up for the courses. He will retake the courses because it has been a while and they have not offered courses in some time.

Gordon: A person expressed concern about the property for sale on Hebron Road going into the woods. Are there any wetlands back there? Lally: Suggested Gordon write a note to Staff on behalf of the person to get an answer. If there are wetlands any proposed work will have to come before the IWC.

**8. Adjournment**

**Motion:** The Bolton Inland Wetlands Commission moves to adjourn the meeting at 7:27 p.m.

By: Lally

Seconded: Loersch

Respectfully submitted,

Yvonne B. Filip

Yvonne B. Filip  
Commission Clerk

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