

Bolton Inland Wetlands Commission
Regular Meeting Minutes
Tuesday, May 21, 2024 7:00 p.m.
Virtual Meeting utilizing Zoom

Commission Members Present via Zoom: Vice Chair James Loersch, Diane Denunzio, David Lynn and Michael McDonnell

Staff Present via Zoom: Inland Wetlands Agent Cameron Covill

Others Present via Zoom: Susan Kinne, Keith Niziankiewicz, Barrett Quaglia and Mark Reynolds

Vice Chairman J. Loersch called the meeting to order at 7:00 p.m.

1. Approval of Agenda

D. Denunzio made a motion to approve the agenda as presented. D. Lynn seconded. The motion passed unanimously 4:0:0.

2. Public Comment: None

3. Approval of Minutes:

April 23, 2024 Regular Meeting

In all instances, correct the spelling of McConnell to McDonnell.

D. Lynn made a motion to approve the minutes as amended. M. McDonnell seconded. The motion passed unanimously 4:0:0.

May 7, 2024 Special Meeting

D. Lynn made a motion to approve the minutes as presented. M. McDonnell seconded. The motion passed unanimously 4:0:0.

4. New Business: None

5. Old Business:

5A. #IW-24-1: Town of Bolton – Lot Between 33 and 35 Keeney Dr. – Replacing Existing Catch Basin and Discharge Pipe Adjacent to 35 Keeney Dr.

M. McDonnell said that his questions had been answered but he has not received a formal response from Sean Bailey or Jim Rupert. C. Covill stated that he has been in contact with them and he feels that the town is qualified to handle the project and he thinks that the commission has enough information to take a vote tonight. It is a replacement of an existing drainage pipe that is failing and it will give some relief to the residents of Keeney Dr. C. Covill will not be supervising the work but Joanna from the EHHD may be available for a preconstruction meeting and as the work progresses. Erosion controls will be in place.

J. Loersch made a motion to grant a permit for IW-24-1 pursuant to Section 10 paragraph 10.1-10.2 of the Inland Wetlands Regulations with the following conditions: discussion with IWC before the work starts to clarify and address the points that have been made to date and follow the erosion and sediment controls that are in place. M. McDonnell seconded. The motion passed unanimously 4:0:0.

5B. #IW-24-3: Mark Reynolds – 26 West St. – Construction of a Fire Pond

Mark Reynolds spoke on his own behalf. The fire pond will be for protection of the buildings on the property. The permit is for the construction of the pond and associated grading.

J. Loersch made a motion to grant a permit for IW-24-3. All work is to be done in accordance with the plan submitted with the application and erosion/sediment controls must be in place. D. Denunzio seconded. The motion passed unanimously 4:0:0.

5C. Compliance Discussion Regarding Cease and Correct Order Issued May 1, 2024 – Keith Niziankiewicz – 20 Rocco Rd.

C. Covill noted that Mr. Niziankiewicz emailed him photos of the progress of the project to remove invasives, i.e. Japanese knotweed. Mr. Niziankiewicz didn't realize that he needed a permit for this project. He plans to replace the topsoil and hydro-seed this week. A silt fence is in place although there had been some leakage. Time and weather constraints have been an issue.

The IWC doesn't need to take action. C. Covill has an enforcement order that will be in place until the project is successfully completed and he and Joanna from EHHD will be monitoring the situation. Conditions include seeding, silt fence and finishing up the grading. C. Covill will look at the sediment leakage although Mr. Niziankiewicz indicated that he had moved it uphill. A final review will be done by C. Covill when the project is complete.

5D. #IW-24-5 Barrett Quaglia – 120 Birch Mountain Rd. – New Home Construction

Mr. Quaglia spoke on his behalf. The neighboring property has a small retention pond about 40 feet from his property. The home build is outside of the 100 feet. He just plans to grade, strip and replace topsoil and seed a small area that is in the upland review area. C. Covill looked at the property and indicated that an application for a permit would have to be submitted only for grading that area. The home build is not part of the application.

Rich Snarski, a soil scientist, stated that that area is not registered wetlands. C. Covill said that the silt fence area should be drawn on the plans along with another silt fence that will be installed just outside of the septic area. There are currently gaps in the wood chip berms. He would like to see silt fence in that corner of the 100' buffer. Mr. Quaglia had no problem with that and he added that he will beef up the wood chips and make sure there are no gaps. The under story is pretty dense so C. Covill doesn't have an issue with a contiguous wood chip line along the back side of the property. C. Covill will work through the issues that were discussed tonight without the commission further involvement.

M. McDonnell made a motion to delegate authority to the Wetlands Agent. D. Denunzio seconded. The motion passed unanimously 4:0:0.

5E. #IW-24-6: Septic Repair – 15 Rosewood Lane – Susan Kinne - Work is scheduled to begin on May 27, 2024

Susan Kinne spoke on her behalf. Documents were uploaded this afternoon. What C. Covill and Joanna thought was a brook is actually a drainage ditch. They will visit the property to see if wetlands are present and if so, a permit will be needed. The town will refund the application fee if there are no wetlands found. C. Covill asked about the proposed curtain drain. Ms. Kinne stated that according to Andrew Bushnell it is needed to prevent water from the adjoining property from going into the proposed leach field. The commission members are in agreement that work can start as planned on May 27, 2024 as long as erosion controls are in place and a silt fence is on the plan.

J. Loersch made a motion to delegate authority to the Wetlands Agent. D. Lynn seconded. The motion passed unanimously 4:0:0.

6. Wetlands Agent Report

C. Covill provided the report.

1. R. Lally and C. Covill have been in discussion with other town staff about a possible wetland/zoning violation at 37 Notch Rd. There was a violation a few years ago with a wood processing business. They may be doing a little bit of processing on the property which may be a zoning issue. The question is whether it is use and enjoyment of the property or is it a business. They had done some filling with wood chips and they had been issued a violation. They stated they were starting a mushroom and blueberry field. They have not used the land for that purpose. R. Lally and C. Covill will follow up.
2. J. Loersch asked about 270 Hop River Rd. C. Covill reported that earlier in May not too much had been done for the cleanup. The town doesn't want to issue any cleanup orders. There is debris in the tree line from the previous owners that needs to be cleaned out. That should have been done first but the cleanup has not been completed as of 2-3 months ago. C. Covill will contact the property owner for a cleanup timeline.
3. 9 Lyman Rd. A permit was issued at the end of last year. During the excavation for the foundation of the detached garage they had a bubble up of ground water and a good amount of it was flowing. They removed the silt fence to allow the water to flow into the wetland. C. Covill issued a notice of violation. The silt fence has been restored and the silt was hand removed and placed uphill.
4. 180 Bolton Center Rd. A single family home was permitted in 2022. The foundation is almost finished. There have been issues with the repair of the silt fence. Neighbors have been complaining about the silt fence. IWC members must not discuss this outside of a meeting. The soil stockpiles have been graded on site and are a good distance from the wetlands.

7. Other:

Ongoing Discussion Regarding Wetlands Regulation Updates

C. Covill will forward all IWC members a copy of the updates for their review. This will be added as an action item to next month's agenda.

8. Adjournment

D. Lynn made a motion to adjourn at 8:07 p.m. D. Denunzio seconded. The motion passed unanimously 4:0:0.

Respectfully submitted by Leslie Brand,

Leslie J. Brand

Please see minutes of subsequent meetings for corrections to these minutes and any corrections hereto.