

**INLAND WETLANDS COMMISSION
REGULAR MEETING
AUGUST 27, 2013
MINUTES**

The Bolton Inland Wetlands Commission held its regular meeting on August 27, 2013 at the Bolton Town Hall. Members present were Maryanne Edwards, Ross Lally and Jane Darico. Chairman James Loersch and alternate Krista Edwards were absent. Also present was Inland Wetlands Agent Joanna Shapiro. The meeting was called to order by Ross Lally at 7:03 P.M.

1. APPROVAL OF AGENDA

A motion was made by Maryanne Edwards, seconded by Jane Darico to approve the Agenda as presented.

2. NEW BUSINESS

A. 890 BOSTON TURNPIKE – DISCUSSION NOTICE OF VIOLATION AND PROPOSED WORK AT SITE

Joanna Shapiro, Wetlands Agent, provided background on the property, including the violation notices of 07/24/13 and 08/14/13. The first notice detailed how most of the eastern and western parts of the property had been cleared of vegetation and that no erosion control measures had been implemented. It instructed Ms. Wei to implement erosion control measures and to stabilize the exposed soil. The second notice explained what Ms. Wei has done and gave her clear expanded directions on erosion control measures.

Ms. Rui Ling Wei introduced herself and Mr. Paul Ninortis (resident and Property Manager). She stated that she purchased the property and just wanted to clean it up and make it look nice. So she hired a landscaper to cut some trees. Her motive is to beautify the property by removing old rusty metal items and clearing the old trees, bittersweet, and vines.

Mr. Lally asked Ms. Rui Ling Wei what her long term plan is. She stated that beyond the clearing, she had no immediate plans for the next 12 – 18 months. She replied that one option was to restore the beach between the house and lake. She was not sure what she might do with the cleared East and West lot areas. Both Maryanne Edwards and Jane Darico are concerned that the activity that has occurred should have been brought to the Inlands/Wetlands Commission as it is within 100 feet of Bolton Lake. All commission members agreed that the work that has been done was a regulated activity because it involved clear cutting. It went beyond maintenance of the property which would have been a use permitted of right.

The commission discussed if Ms. Rui Ling Wei should obtain a permit or not. The commission agreed with Mr. Lally that they would not have approved an application to clear the property as Ms. Wei had done. Given that she had no plans for the property other than to clear it, an application to do so would put Ms. Wei through unneeded effort and expense. Also, an applicant was free to not act on a granted permit, thus potentially allowing the violation to go un-remedied. Also the commission could not act on a permit for 65 days, leaving the violations unaddressed for that period.

Mr. Lally stated that the solution tonight is to make things right. We need to bring this to closure tonight. Mr. Lally also expressed concern over the work that has already been done. He was also concerned about the growing season and the few months that are left of the summer. He does not want any grading done.

A motion was made by Jane Darico, seconded by Maryanne Edwards to deem the activity a regulated activity of significant impact pursuant to section 3.6, A of the Inland Wetland Regulations. The motion was not seconded.

A second motion was made by Jane Darico, seconded by Maryanne Edwards to develop a landscaping plan working with the Inland/Wetlands Agent as appropriate on the East and West parcels for planting

and seeding of grass, shrubs and trees and leveling. Seeding should be done right away. The plan should be implemented by the October 22, 2013 Inland Wetlands Meeting. The motion was passed unanimously.

3. PUBLIC COMMENT

Mr. Peter Van Dine (resident 41 Vernon Road) spoke as the President of the Science Committee (part of Friends of Bolton Lake). They are working on a brochure which will outline the rights and duties of people that live around the lake. He questioned if he could work with Barbara Kelly, Inlands/Wetlands Agent. Members of the Commission thought that was a good idea.

Leona Crosskey resident of 4 Lynwood Drive and President of Friends of Bolton Lakes also spoke and mentioned that they would like to distribute information about how to do things the correct way around the lake. This brochure will be available at town hall. She emphasized that we need to education new residents prior to work being performed. It was suggested that she also work with Rodney Parlee, Conservation Commission. Mr. Lally thinks that this brochure will help.

Maryanne Edwards mentioned that residents have no responsibilities and or knowledge regarding Inland/Wetlands. It was suggested that the commission put together a listing of fees that residents would have to pay if they violate regulations. This information would be brought to the Board of Selectmen.

Ross explained that education is key. Residents need to know the process of Inland/Wetlands. A flowchart was distributed. His should help to education residents.

Leona Crosskey reported that in September that the Association will be working with the town legislators, the Conservation Committee and the Bolton Lake Association and networking with these organizations.

Mr. Van Dine asked if the commission had received a letter from Atty. Bruce J. Comollo addressed to Mr. James P. Loersch, Chairman, regarding Mr. Hathaway's quarry at 40 Quarry Road. Mr. Lally noted that the commission had received the letter. Since Mr. Hathaway is away and was not present at tonight's meeting, the letter will be on the September meeting agenda. Mr. Lally also stated that he had asked Joanna Shapiro to investigate the letter's claim that the commission possibly had not followed through on remediation related to a state DEP notice of violation (DEP NOV WR SW 08 095, July 14, 2008).

4. ELECTION OF OFFICERS

Motion made by Maryanne Edwards to appoint Mr. Ross Lally as Vice Chairman of the Inlands/Wetlands Commission, seconded by Jane Darico. Mr. Lally accepted no objections. Motion passed.

5. APPOINTMENT NEW WETLANDS COMMISSION MEMBER

This topic will be on the September 2013 meeting agenda. Ms. Edwards noted that Krista Edwards had declined being made a full commission member.

6. WETLANDS AGENT REPORT

Joanne Shapiro has been filling in for Barbara Kelly for the past two weeks. She investigated a complaint on 45 Vernon Road regarding removal of a tree. She informed the homeowners that if any additional work is to be done, a permit is required. She has also been working on the sewer hook-ups, noting reviews of the area. Nothing new has been happening at Bolton High School.

7. APPROVAL OF MINUTES

A. JULY 23, 2013 REGULAR MEETING

Motion to approve the July 23, 2013 regular meeting minutes with the following corrections:

Under 2. OLD BUSINESS, second paragraph, second sentence, wording should read *germinates* not *seeds*.

Under 4. PUBLIC COMMENT. Wording should read *Ross* not *Rossa*.

Under 8. ADJOURNMENT. Wording should read *Maryanne* not *Marianne*.

Motion was made by Maryanne Edwards, seconded by Jane Darico to approve the minutes as amended. Motion carried unanimously.

8. OTHER - None

9. ADJOURNMENT

A motion was made by Marianne Edwards seconded by Jane Darico to adjourn the meeting.

Motion passed unanimously. The meeting was adjourned at 8:55 P.M.

Respectfully submitted,

Janet K. Assard

Janet K. Assard
Board Clerk

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