

Bolton Conservation Commission
Minutes of Meeting
January 17, 2006

PRESENT: Scott Duhaime, Sarah Greenough, Lori Stephenson, Amy Wilson and administrator Carol Gumbart.

1. Upcoming Meetings Amy Wilson agreed to attend the Zoning Board of Appeals meeting scheduled for January 25, 2006. Scott Duhaime said that Bob Roemer has contacted him with a request to attend a meeting to discuss the Mentzer acquisition. Mr. Duhaime said that the meeting was scheduled for January 20th but that it was unlikely to take place since not all parties could be in attendance.

2. Dixon, Bare Hill Road (RDA) Scott Duhaime opened a public meeting on a Request for a Determination of Applicability for Eileen Dixon, Map 7C, Parcel 55 Bare Hill Road. Gerry Buzanoski, of Ducharme and Dillis, was present to represent Ms. Dixon's project. Mr. Buzanoski said that Ms. Dixon has been working on for almost 20 years to develop this lot. Mr. Buzanoski said that around 1986 they installed an interceptor drain but it has not worked as it was designed too. They are proposing to remove a portion of the interceptor drain and let a portion be disconnected but remain in the ground. Mr. Buzanoski said that they have filed with the Bolton Board of Health and are asking for a perc rate variance, which is allowed by Title V. Mr. Buzanoski said that the sewage disposal design would require an impervious barrier and retaining wall to keep it out of the buffer zone. The only work proposed within the buffer zone is the removal of a portion of the interceptor drain. Mr. Buzanoski said that the interceptor drain was designed to lower the groundwater and is made of a 4-inch, flexible, corrugated, perforated tubing that is buried 8 to 9 feet in some places but more shallow as it approaches the wetland. Mr. Duhaime asked when were the wetlands flagged? Mr. Buzanoski said that they were flagged last fall and that there is a bordering vegetated wetland associated with a stream. Carol Gumbart asked if the site is wooded or open. Mr. Buzanoski said that the site is wooded. Mr. Buzanoski said that the site slopes toward the wetland and that the soil is poorest at the top and better at the bottom. Mr. Buzanoski said that the area of proposed disturbance is approximately 30' by 30' but it would be reasonable to keep it to 20' by 20'. Mr. Duhaime said that the Commission would like to visit the site and check the wetland flags and that they would like to work to be the least disruptive as possible. Lori Stephenson said that this might be a case where we require the haybales to be a double layer high with a siltfence behind the haybales.

A site visit was scheduled for Saturday January 21, 2006, at 8:00 a.m. With the consent of the applicant's representative the Commission continued the meeting to February 7, 2006, at 7:30 p.m.

3. Dragon, 412 Main Street (Bylaw NOI #3) Sarah Greenough opened the public hearing on the Notice of Intent filed by Harold (Joe) Dragon for the removal of a garage, construction of a driveway, installation of utilities and stabilization of the property. Mr. Dragon was present to discuss the proposed work and work that had already taken place at the site. Mr. Dragon explained that he had a partner, Steve Glover, who did not follow the agreement they had between them. Mr. Dragon said that Mr. Glover had pulled the permits and so he was unaware of the wetland issues until he received a letter from the Commission. Mr. Dragon said that as soon as he received the letter he installed a siltfence, contact Carol Gumbart for a site visit and filed the Notice of Intent. Mr. Dragon said that there was no intention of violating the wetland

bylaw and that there was no change in grade. Mr. Dragon said that during the excavation for utilities he hit a pile of tires that he has excavated. Mr. Dragon said that the old garage was located within the buffer zone and was removed and a portion of the old house fell within the buffer zone and has been moved back on the property away from the wetland. Mr. Dragon said the garage was falling down and at the time he removed it he was unaware of the nearby wetland. Ms. Gumbart said that when she signed off on the building permit to move the house she too was unaware of the nearby wetland and only noticed it after a significant rainstorm. The wetland appears to be an isolated system. Ms. Gumbart said that she found a prior wetland application on the neighboring lot and that the wetland was identified as isolated land subject to flooding. Ms. Gumbart said that a portion of the wetland now has cattails growing in it. Mr. Duhaime said that the Commission required the after the fact filing because they need to know what the plan is and what is going on at the site. Mr. Dragon said that the driveway is in place, the trench has been dug for the electrical utilities, that he is waiting for a pole to be brought in but the hole is dug (the place where he hit the tires). Mr. Duhaime said that the site is very flat and there appears to be a natural buffer. Mr. Dragon said that he like to put in some shrubs and seed the area, and finish the house. Mr. Dragon said that he is not paving the driveway. Mr. Dragon said that there was a driveway that went on the east side of the former garage and that he would seed that area. Mr. Dragon said that the property has 65 feet of frontage on West Pond. Mr. Duhaime asked if Mr. Dragon would object to the Commission stopping by to look at the site but not setting up an official site visit. Mr. Dragon did not object. The hearing was continued, with the consent of Mr. Dragon, to February 7, 2006, at 7:45 p.m.

4. Boots, 584 and 588 Sugar Road (112-469) Carol Gumbart read a letter the Commission received from Terry Boots requesting a one-year extension permit to his Orders of Conditions. Ms. Gumbart noted that the Bylaw allows for incremental one-year extensions. Ms. Gumbart said that she created an extension permit form for use under the Bylaw. After a brief discussion, a motion was made by Scott Duhaime, seconded by Lori Stephenson, to extend the Orders of Conditions by one year, (May 29, 2007). VOTE: Aye, unanimous.

5. Bylaw Discussion The Commission reviewed Carol Gumbart's suggestions for revisions to the town bylaws where the Water Resource Protection District (WRPD) would be replaced by language referring to wetlands as defined in the Wetland Bylaw, 1.18. This lead to a review of the revisions being proposed to the Wetland Bylaw, 1.18. After a lengthy discussion it was agreed that the definition was redundant and should be revised further. In conclusion, it was agreed that Carol Gumbart would make the changes to the Bylaw for review at the next meeting. In addition, Ms. Gumbart will make changes to the suggested revisions throughout the bylaw where the WRPD is referenced.

6. Welch Bog Management Carol Gumbart said that it was the recommendation of the Fish and Wildlife representative, Pat Huckery that the beaver should not be allowed to remain in the bog. Ms. Gumbart said that the biggest threat to the bog is the nutrient loading from the animal waste and the breakdown of the debris they bring into the pond. After discussion, the Commission agreed that because of the unique plant community associated with the bog that a trapper will be hired to trap the beaver out.

7. Wilder Pond Management Carol Gumbart said that a dam safety engineer had visited the dam on Wilder Pond and submitted by email a recommendation for management. The Commission reviewed the recommendations, including removal of the trees on the dam but leaving the roots. After discussion, the Commission agreed that Ms. Gumbart should meet with

the tree warden and get a cost estimate for the work. It was also agreed that Ms. Gumbart should put together a Notice of Intent for the work. Scott Duhaime said that at the meeting on the Notice of Intent he hoped to tie in with the neighbors for other management work.

8. Powder Hill Road Trail Easement The Commission asked Carol Gumbart to follow up with the homeowners on the letter she sent last December alerting them to the requirement for a trail easement in the Order of Conditions.

9. Winter Carnival Carol Gumbart said that the trail committee volunteers were putting together another winter carnival. Ms. Gumbart asked the Commission if they would be willing to pay for the use of a “port-a-potty”. A motion was made by Scott Duhaime, seconded by Sarah Greenough, to provide \$100 for a port-a-potty. VOTE: Aye, unanimous.

10. Land Acquisition Scott Duhaime said that Bob Roemer is planning to have a meeting to discuss the various options the Trust has with the acquisition of this property. As, noted above, Mr. Duhaime said that the meeting was planned for Friday, January 20th but he did not think it would take place because not all the parties need for the discussion were available.

Carol Gumbart agreed to follow up with Karen Augustine to see where negotiations were with the Galeski family.

Carol Gumbart agree to call Paula Aschittino to determine if she was still interested in selling her land.

11. Open Space and Recreation Plan Actions The Commission discussed the plan to put together a land group. It was noted that this would be an interdisciplinary group. Carol Gumbart said that some towns have used such a group as a precursor to a Community Preservation Committee.

12. Fox Run Conservation Restriction and Trail Easement Carol Gumbart said that Town Counsel confirmed with Irene Del Bono that to correct the deed references does not need approval from the Secretary of Environmental Affairs. Ms. Gumbart said that Counsel could prepare a corrective document. The Commission agreed that this should be done.

13. Open Space Preservation Scott Duhaime asked whether the open space at the Oaks has been deeded yet. Carol Gumbart said that it was her understanding that the Planning Board questioned whether Town Meeting needed to approve it if it was being deeded to the Town and not the Commission. Ms. Gumbart said that she would check on the status again with Nat Tipton the Town Planner.

Ms. Gumbart told the Commission that she discussed the requirement for the Farm Restricted land in the Northwood’s Subdivision to be preserved with an Agricultural Preservation Restriction with the Town Planner and that he indicated that the Planning Board was not pursuing this requirement.

Respectfully submitted,

Carol A. Gumbart
Conservation Administrator