

Bolton Conservation Commission
Minutes of Meeting
April 18, 2006

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

1. Mail/Upcoming Meetings Ed Englemann reviewed the Landscape Proposal submitted for (112-497) Maillet's site on Forbush Mill Road and found it satisfactory. Carol Gumbart said that someone that is developing the lot W-3 on Green Road inquired about removing approximately 5 trees within the Riverfront Area. The Commission advised Ms. Gumbart that the developer should file a Notice of Intent for the proposed work.

2. Annie Moore Conservation Area, Boardwalk (112-510) Ed Englemann opened the public hearing on the application to extend a boardwalk on an existing trail in the Annie Moore Conservation Area. Carol Gumbart was the applicant and filed the application on behalf of the trail committee. Ms. Gumbart said that there is a very long boardwalk through a low-forested swamp and the trail committee recommends that it be extended another 30 feet. Ms. Gumbart said that the area where the boardwalk would be extended is seasonally wet and presently is rutted from traffic. Ms. Gumbart showed the Commission photographs of the area where the boardwalk will be extended. Ms. Gumbart said that she discussed the use of alternate trails with Becky McEnroe and it was Ms. McEnroe's opinion that due to the steep slopes this trail location was in the best location and the boardwalk would lessen the damage to the wetlands. After a brief discussion a motion was made by Ed Englemann, seconded by Scott Duhaime to close the public hearing. VOTE: Aye, Unanimous.

3. Huckery, 95 East End Road (RDA) Ed Englemann opened the continued meeting on the Request for a Determination of Applicability filed by Patricia Huckery. Carol Gumbart said that Ms. Huckery left a message on the phone tonight saying that she has moved things outside the buffer zone and that she may come to the meeting but was not sure if she would. Sarah Greenough said that at the site visit the barn was staked and it was 84 feet from the wetlands. Ms. Greenough said that she and Lori Stephenson conducted a site visit. Ms. Greenough said that the trees that were cut in the vicinity of the barn are not being stumped and that the area at the end of the driveway is like a big bowl. Ms. Greenough said that the vernal pool, located in the wetlands is about the size of the hearing room and that the yard is bermed before it drops off to the wetland. Ms. Greenough said that Ms. Huckery intends to protect the vernal pool and use it to educate the 4-H Club members. Ms. Greenough said that Ms. Huckery keeps chickens, sheep, a dog and horse on the property. Ms. Greenough said that Ms. Huckery would pasture the sheep in the back and the horse up front and keep manure up front. Ms. Greenough said that the barn would not have a foundation since Ms. Huckery wants to store a cart for the horse underneath it. Ms. Greenough said that there was not a lot of grass in the pasture area instead it was matted with pine needles. After further discussion, a motion was made by Lori Stephenson, seconded by Sarah Greenough, to issue a Negative 3 Determination of Applicability with the conditions that haybales be installed as shown on the plan; blueberry bushes be planted as shown on the plan; no heavy equipment be used to install the fence and no additional trees be removed for the project. VOTE: Approved Aye (Englemann, Greenough, Stephenson, and Wilson), Abstained (Duhaime).

4. Town of Bolton, Wilder Pond (between Wilder Road and Route 117) (112-509) The Commission reviewed the Orders of Conditions for the removal of trees from the dam. After discussion, a motion was made by Ed Englemann, seconded by Sarah Greenough to issue the Orders of Conditions. VOTE: Aye; unanimous.

Carol Gumbart said that a resident contacted her complaining that a large tree that was overhanging Wilder Pond was removed by an abutting property owner. The Commission requested that Ms. Gumbart contact the abutters and conduct a site visit.

5. Land Management Scott Duhaime said that someone cut trees on Randall Road and ground the stumps within the buffer zone of a wetland abutting conservation land known as McGourty and left the trees piled on the stonewall and blocking the trail.

6. Vegetation Management Plan for DPW The Commission reviewed the Department of Public Works (DPW) Vegetative Management Plan (VMP). Ed Englemann said that he thought that DPW uses round up but the application lists lots of other herbicides. The Commission recommended that the DPW Superintendent, Harold Brown, be invited to our next meeting to discuss the plan and provide fact sheets for the additional herbicides.

7. Sunset Ridge Comprehensive Permit Ed Englemann said that he attended the MEPA meeting at Ducharme and Dillis' office. Mr. Englemann said that MA Natural Heritage and Endangered Species Program were represented at the meeting, as well as, an abutter and the project engineers. Mr. Englemann said that the plan as it was explained would take road runoff from the street, put it into a sediment forebay and then into the wetland bordering on Welch Pond. Mr. Englemann said that he expressed his concerns with the plan. Mr. Englemann said that the MEPA reviewed, Nicholas Zivolas, indicated that any hydrologic change impact could the Pond. Mr. Englemann said that there are still questions about the isolated wetland and whether it is truly a wetland or not. Carol Gumbart said that she spoke with Brandon Ducharme at Ducharme and Dillis and he was hoping to have Bill Fateiger go out and look at some of the wetlands with him to reach a consensus on jurisdiction. After discussion the Commission agreed that Mr. Fateiger should not go out until we have an application before the Commission. The Commission agreed that they want an Abbreviated Notice of Resource Area Delineation (ANRAD) to be filed before the Commission spends time evaluating the wetlands. Ms. Gumbart will forward this to Mr. Fateiger.

8. Moss, Harvard Road (112-498) The Commission discussed the letter Rob Oliva of Hemway Engineering, sent to Bob Moss noting numerous deviations from the approved plan. The Commission asked Carol Gumbart to send Mr. Moss a letter notifying him that any change to the plan requires the Commission's review and approval and any substantive change may require an amendment to the Orders of Conditions. Ms. Gumbart will also ask him how he plans to remedy the situation. It was noted that the Commission does hold escrow money on this project.

8. Town Meeting Preparation Ed Englemann said that he attended the Planning Boards public hearing and that he understood he was supposed to provide the public with an educational overview of what the Commission was proposing but the Chairman cut him off in the middle of the presentation. Mr. Englemann said that the Planning Board Chair, Larry Delaney was concerned with how the Commission defines vernal pool habitat and seeps. Mr. Englemann said that Chris Slade raised a concern about designating the Riverfront in the ACEC differently than other places in town. Mr. Englemann said that Mr. Slade said that the ACEC area was a political decision by the state. Mr. Englemann said that Mr. Slade felt this would be political suicide on

the floor of Town Meeting. Mr. Englemann said that it seemed that people felt that this was proposed to stop Riverside and that others would try to have rare species habitat designated as ACEC's to stop development.

Mr. Englemann went through the presentation again. The Commission modified some of the Power Point slides. Carol Gumbart said that she would contact Larry Ducharme to try and get a price for updating the zoning base map.

9. Riverside Comprehensive Permit The Commission discussed the email from the Zoning Board of Appeals asking for their input on the most recently revised plan. After review of the plans the Commission agreed to send a memo indicating that they hope the MA Department of Housing and Community Development will find that the town complies with it's affordable housing plan so the pressure is off to maximize affordable lots on this property. The Commission said that in the event that the ZBA has to approve 4 more affordable lots in 2006 they should accept the 8 unit proposal over the 6 unit proposal since it would give them the 4 affordable units they need and the area of alteration would not be much different than the 6 unit proposal. Carol Gumbart will send a memo to the ZBA on behalf of the Commission.

Respectfully submitted,

Carol A. Gumbart
Conservation Administrator