

**Bolton Conservation Commission**  
**Minutes of Meeting**  
**June 6, 2006**

**PRESENT:** Bill Fateiger, Sarah Greenough, Amy Wilson, Lori Stephenson and administrator Carol Gumbart.

**1. Mail/Upcoming Meetings/Announcements** Carol Gumbart said that the Planning Board and Master Plan Committee are hosting a meeting to discuss mixed-use development. Ms. Gumbart encouraged the Commission to attend this meeting. Ms. Gumbart said that the Board of Selectmen is holding a meeting on June 21 to discuss the Master Plan and the forming of a Capital Planning Committee.

**2. Cultural Council Project** Pat Bensetler was present by appointment to propose a photography project. Ms. Bensetler said that she thought it would be great to involve the town with a cultural council project and that her idea is to have the town's conservation land photographed over a season. Ms. Bensetler described the project as a photo contest where photos would be judged in certain age brackets and class. Ms. Bensetler said that the photos could then be displayed in various municipal buildings around town. Ms. Bensetler said that she did not want to propose this to the cultural council without first getting input from the Commission. The Commission members indicated that it was a great idea and they fully support the project. Ms. Bensetler said that she would write up a proposal to submit to the cultural council for September.

**3. Hilton/Greenough, 80 Berlin Road (112-493)** Carol Gumbart reported that she and Lori Stephenson visited the site. Ms. Gumbart noted that Brandon Ducharme was in the audience but not particularly for this project. Mr. Ducharme was the landscape designer for the replicated areas of this lot. Ms. Gumbart said that they found that most of the trees were in good shape. One red maple near the top of the slope was not very stable and had been staked in place to help secure it into the ground. One red maple planted in the BVW was completely dead and one white pine had some dead needles but still looked viable. Ms. Stephenson concurred. The back yard was pretty well vegetated with grass but the cart path back to the leach field was not well vegetated perhaps due to water ponding in the area. The western slope of the leach field and top of the leach field was sparsely vegetated with no erosion. A large gully has formed on the southern side of the leach field and needs to be repaired and stabilized. Sediment has not yet breached the top of the haybales but it is close. It does not appear that quality topsoil was spread or perhaps the 4 inches required in the Order was not used. Ms. Gumbart recommended that the work be done manually so that no equipment would alter what was already stable. Ms. Stephenson asked if Judy Hilton (the former owner), was expecting a call from the Commission regarding the inspection. Ms. Gumbart was not sure if she was or not but said that she had previously told Ms. Hilton that they would inspect the site in early June. Ms. Gumbart said that the work that needs to be completed is Ms. Greenough responsibility.

**4. Bursaw, 27 Millbrook Road (112-511)** Bill Fateiger opened a public hearing on a Notice of Intent submitted by Jeffrey Bursaw for work at 27 Millbrook Road. Brandon Ducharme was present to represent Mr. Bursaw. Mr. Ducharme said that the property is located on a 4 house common driveway off Berlin Road. Mr. Ducharme said that the proposed work includes a 24x24 addition within the 100-foot buffer zone. Mr. Ducharme said that the plan was revised to include

a 4-foot wide deck on the rear of the addition. Mr. Ducharme said that the Riverfront Area (RFA) was located by determining the 1998 threadline of the stream, adding 35 feet to either side for bankfull conditions and pulling the line off the bankfull line. Mr. Ducharme said that he has not been successful using alternative methods for determining the RFA such as watershed size and the stream stats program. Mr. Ducharme said there is also a Conservation Restriction on the property that divides the permitted uses on the property. On the portion where the house was built the CR prohibits the use of herbicides and fertilizers. One the back part of the CR it prohibits structures. Mr. Fateiger said that it looked as if the fence is within the portion of the CR that prohibits structures. Mr. Ducharme concurred. Mr. Ducharme said that he would provide a copy of the at the site visit. Mr. Ducharme said that the septic system is in the front of the house and there is sufficient room for equipment to drive between the system and the addition. A site visit was scheduled for June 14, 2006, at 7:30 a.m.

**5. Monteiro/Latham, 1 Century Mill Road** Carol Gumbart said that Scott Duhaime met with David Monteiro and that he emailed her comments from the site walk. Ms. Gumbart said that Mr. Duhaime indicated that either a Request for a Determination of Applicability (RDA) might be appropriate and that he thought the work was just inside the buffer zone line. Ms. Gumbart said that she conducted a site visit and the wetland line is closer than Mr. Duhaime indicated. Ms. Gumbart said that in the front of the site a drainage swale runs within 15 feet of the driveway and that the trees that were cut are within 35 to 40 feet of the wetland. After discussion it was agreed that Ms. Gumbart would send Mr. Monteiro a letter requesting that he file a RDA.

**6. National Grid** Carol Gumbart said that she called Mr. Casse to inquire if trees that are serving habitat for cavity nesting birds and animals could be topped and the bottom left for habitat. Mr. Casse said that it can be done but that they will only do it in cases where the bottom of the tree is sufficiently far off the road that it will not fall onto the road and be a burden for the town, or if it is going to fall in the opposite direction of the street. Ms. Gumbart recommended that the Commission drive along the area to be cut and consider whether there are trees that fit these criteria.

**7. Lindsay, 104 Green Road (112-512)** Bill Fateiger opened a public hearing on a Notice of Intent filed by Joel Lindsay to construct an in-ground pool at 104 Green Road. Mr. Lindsay was present to present the project. Carol Gumbart said that she and Bill Fateiger have visited the site. Mr. Lindsay said that the pool would be located in the backyard all within active yard area. Mr. Lindsay said that the work would mostly be at grade but that if there were additional material they would use it in other areas of the yard. Mr. Lindsay said that he sketched in a stockpile location and has shown haybales and siltation fence along the rear tree line. Mr. Lindsay said that Snyder Pools will be doing the construction and they will do the erosion control installation. Mr. Lindsay said that there is an overflow line that they put in and it will be directed toward the gravel he has at the end of the driveway. Mr. Lindsay said that there is no backwashing required for this pump system and that he was informed that he does not need to draw the pool water down in the winter. Mr. Lindsay said that the pool will be 18x 38 and they will have a concrete patio around the pool with a fence.

A motion was made by Bill Fateiger, seconded by Lori Stephenson to close the public hearing. VOTE: Aye, unanimous.

A motion was made by Bill Fateiger, seconded by Amy Wilson to issue an Order of Conditions with the modifications made to the boilerplate Order of Conditions, at the meeting. VOTE: Aye, unanimous.

**8. Complaint, Vaughn Hill Road** Carol Gumbart said that she received a complaint from Dr. Tom Murtha that his neighbors had cleared vegetation and he was concerned that sediment would get into his pond. Ms. Gumbart said that she evaluated the GIS maps and did not see any wetlands upgradient of the pond but Dr. Murtha described an intermittent stream that flows out of a spring and across Vaughn Hill and then a common driveway. Ms. Gumbart said that she called the owner of the property, Ted Geiselman and that he explained that he and some of the neighbors have cleared trees for better site line along the driveway and that the area was clear when they bought the property but had gotten over grown. Mr. Geiselman did not think that the work he was doing was impacting the pond. Mr. Geiselman said that Ms. Gumbart could visit the property to see the area of concern. Ms. Gumbart said that she did and she found an intermittent stream flowing out of a spring across Vaughn Hill Road and through a landscaped area before it went under the driveway and was running along the surface through a disturbed area. Ms. Gumbart said that she did observe that other areas along the driveway were cleared where the soils looked hydric. Ms. Gumbart recommended that the Commission take a look at the situation. The Commission agreed and asked Ms. Gumbart to coordinate a visit.

**9. Pond Park, Mechanic Street (112-513)** Bill Fateiger opened the public hearing on a Notice of Intent proposing to lower the grades in Pond Park to improve the skating area. Eagle Scout, Zachary Simmons was present for the hearing. Carol Gumbart said that she made the filing at the request of Mr. Simmon's father, Peter. Ms. Gumbart said that the NOI was filed under the Wetlands Protection Act but not under the Bylaw since it met the exception for conservation and recreation purposes. Mr. Simmons said that he cleared the vegetation in Pond Park and now the tree stumps need to be pulled out and the area graded flat. Ms. Gumbart said that she found an earlier filing made by the Park and Recreation Commission that included an engineered plan of the area. Ms. Gumbart said that she and Mr. Fateiger visited the area where the work is proposed and found it to be just above the wetland. Ms. Gumbart asked the Commission if they would require the use of any erosion controls during the stump removal and regrading? Mr. Fateiger said that erosion controls are not needed. Ms. Gumbart said that the work should be completed at the driest part of the year. Mr. Fateiger asked Mr. Simmons if he was planning to seed the disturbed area. Mr. Simmons was not proposing to seed it but after further discussion agreed to stabilize it with seed. Mr. Fateiger said the "FACW Wetland Meadow Mix" seed was the appropriate seed mix for the area. A motion was made by Bill Fateiger, Seconded by Sarah Greenough to close the public hearing. VOTE: Aye, unanimous.

A motion was made by Bill Fateiger, seconded by Sarah Greenough to issue an Order of Conditions with modifications including to the boiler plate including the requirement to seed the disturbed area after regrading; the work be completed during dry conditions and that a letter requesting a Certificate of Compliance be required.

**10. Vernal Pool Brochure** Carol Gumbart said that she would make photocopies of the brochure prepared by the Minuteman Vocational School students under her guidance. Commission members said that they were unable to open brochure Ms. Gumbart sent via email.

**11. Henry, LongHill Road Chpt. 61 Release** Carol Gumbart said that she would contact Scott Duhaime to determine if the BCT or any other party is interested in pursuing acquisition of this parcel. Ms. Gumbart said that perhaps a site visit would be useful.

**12. Bowers Springs Conservation Area** Carol Gumbart asked the Commission if they had discussed with Harold Brown any work to take care of the large spruce tree that has fallen over

on the backside of the lower pond. Sarah Greenough said that they discussed having it cut so that it was not leaning on the other tree and to push off to one side anything that was cut.

**13. Year End Expenditures** Sarah Greenough said that she is waiting to hear back from a contact to purchase a trailer that could be delivered to town hall. Carol Gumbart said that she would walk Bowers Springs to determine if any poison ivy needs to be sprayed and round-up purchased. Commission members are still evaluating the condition of conservation area signs around town and discussed the need for some new ones and painting others. Carol Gumbart said that she will contact Karen Augustine again to determine what the trail committee needs for wood and supplies.

**14. Master Plan** Carol Gumbart said that she will email the Master Plan to everyone and asked that members send their comments to her

**15. Vinger Trail Easement off Berlin Road** Carol Gumbart said that she sent Jacqueline McGarry and email that outlined the steps that should be taken to follow up on the trail relocation. Ms. Gumbart asked the Commission if anyone had any concerns with the steps she outlined? No one had any issues with the outline.

**16. Wetland Bylaw Regulations** The Commission discussed their individual progress with the regulations. After discussion it was agreed to hold a meeting just on the regulations on June 27, 2006. Carol Gumbart will post the meeting.

**17. Meeting Dates** The Commission agreed to hold meetings on July 11<sup>th</sup> and 25<sup>th</sup> , August 8<sup>th</sup> and 22<sup>nd</sup> .

**18. Wastewater Treatment Facility and Lacrosse Field, at the Sheep Field** Carol Gumbart said that the questions she forwarded to Tata and Howard were unanswered as the contact she had at this firm has left his position. Ms. Gumbart said that she would follow this up with another person at the firm.

**19. Wilder Pond Tree Removal** Bill Fateiger said that he and carol Gumbart visited the Wards to discuss a tree they removed from the edge of the pond. Mr. Fateiger said that the property looked very good and the work they have done is within the scope of the Determination of Applicability. Carol Gumbart said that they were there after the week of heavy rainfall and she noticed that water is seeping from the dam. Ms. Gumbart said that she would check the engineers report on the dam to see if any work should be done to repair the seepage hole. Mr. Fateiger asked Ms. Gumbart to send him a copy of the report.

**20. Riverside Comprehensive Permit** Amy Wilson reported on the last Zoning Board of Appeals meeting she attended on behalf of the Commission. Ms. Wilson said that the ZBA read our letter and a letter from the Historic Commission. Ms. Wilson said that the ZBA asked Dick Heaton to perform an assessment on the feasibility of the 6 vs. 8 unit plans. Ms. Wilson said that Mr. Heaton's report addressed the advantages to the town and costs to the developer. The conclusion of Mr. Heaton's report was that the ZBA should not deny the project. Ms. Wilson said that Roxann Burney said if the ZBA permits 1 building they would not appeal the decision. Presently the plan shows 2 structures with one building having 2 units and the other having 4 units. Ms. Wilson said that the next ZBA meeting is scheduled for June 21.

**21. Minutes** After review of the minutes a motion was made by Bill Fateiger, seconded by Lori Stephenson, to approve the minutes of May 23, 2006. VOTE: Aye, unanimous.

Respectfully submitted,

Carol A. Gumbart  
Conservation Administrator