

**Bolton Conservation Commission**  
**Minutes of Meeting**  
**June 20, 2006**

**PRESENT:** Scott Duhaime, Ed Englemann, Amy Wilson, Lori Stephenson (for public hearings) and administrator Carol Gumbart.

**1. Vernal Pool Brochure** The Commission provided comments on the brochure that the Minuteman Vocational School students prepared. Some of the comments were that the importance of biodiversity should be highlighted; that filing with the Commission is required if conducting an activity with 100 feet of a vernal pool; that the section of "What is a Vernal Pool" seemed disorganized and that the definition should contain certain species that the public will recognize.

**2. Year End Expenditures** Scott Duhaime said that he spoke to Tom Parker and the Bolton Conservation Trust would be pleased if we would purchase picnic tables for Bowers Springs Conservation Area. Mr. Duhaime said that he restated the Commission's concern for potential wetland crossing at the Mentzer property and that Mr. Parker acknowledged the concern and said they would file if they thought it was required.

**3. Taylor, 46 Nourse Road (112-514)** Scott Duhaime opened the public hearing on a Notice of Intent (NOI) filed by David Favareau on behalf of David and Pam Taylor proposing to upgrade a septic system, relocate a well and improve drainage. Mr. Favareau was present for the hearing. Also present was abutter, Erik Schoepke, of 54 Nourse Road. Mr. Favareau said that it is a tight lot with an existing single family home on it. Mr. Schoepke said that he is concerned with the location of the well. Mr. Duhaime asked if the septic system was failed? Mr. Favareau said that it is a failed system and that they felt the best location for the replacement system was in the back of the house as this would be above the groundwater. Mr. Favareau said that the present system consists of a couple of pipes, a tank and a dry well. Mr. Favareau said that the home is a 3-bedroom dwelling. Mr. Favareau said that the new system will be a pressure system and the leach field will be elevated approximately 1 to 1 ½ feet above existing grade. Mr. Favareau said that they are able to maintaining the offsets in accordance with Title V and those they have relocated the well so it is 100 feet from the leach bed. Mr. Favareau said that the new system is within an existing lawn area. Mr. Favareau said that another project included in the NOI is to remove and replace the culvert pipes that run under two driveway entrances. Mr. Favareau said that the culverts have filled in over the years and they have heaved so they are no longer functional. Carol Gumbart said that she spoke with the Bolton Department of Public Works (DPW) Superintendent, Harold Brown and that he agreed that the drainage repairs would be good. Mr. Schoepke said that a few years ago the drainage swales were filled in with rock. Ms. Gumbart asked if an Operation and Maintenance Plan would be necessary for the cleaning and maintenance of the pipes and swale. Mr. Favareau suggested that maintenance would be the responsibility of the town. Ms. Gumbart suggested that since the culvert pipes are for the benefit of the property owner to gain access to their driveway the owners should maintain the culvert and swale. In response to a question Mr. Favareau said that the pipes would be sized at either a 10-inch or 12-inch pipe. Mr. Favareau said that the application will be before the Board of Health (BOH) at their next meeting and that Nashoba BOH agent, Bill Brookings, has reviewed the plan and is familiar with the nature of the lot. Mr. Favareau said that there are limited locations that stockpiling can take place. Mr. Schoepke said that when the DPW added the rock to the culvert the pipe that runs under Nourse Road was effected. The Commission scheduled a

site visit for June 24, 2006 at 9:00 a.m. Mr. Favareau requested that the hearing being continued. The Commission continued the hearing to July 11, 2006 at 7:30 p.m.

**4. Bursaw, 27 Millbrook Road (112-511)** Scott Duhaime opened the continued 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 he met Amy Wilson at the site for a site visit and that they located a place outside the buffer zone to stockpile soil if it is needed. Mr. Ducharme provided a copy of the Conservation Restriction to the Commission noting that there are two zones a Zone A and a Zone B. Mr. Ducharme said that the Zone A is the wetland side of the property and that the CR prohibits the construction of any structures and the Zone B allows for structures and limits the use of pesticides and fertilizers on the grounds. Mr. Duhaime asked if the CR location was marked in the field. Mr. Ducharme said that it is not. Mr. Ducharme said that the project is for the construction of a 24'x24' addition. Resident, and Chairperson of the Historic Commission Martha Remington was in the audience and said as a Historic Commission member that there should not be any additions allowed in the conservation restricted area. Ms. Remington gave a brief overview of the permitting of these lots, including the removal of a historic house. Ms. Remington said that cumulative impact should be a concern of the Commission. Mr. Ducharme said that only one zone of the CR prohibits additions. Mr. Ducharme said that he has shown the property owner the line and that he knows he needs to relocate a picket fence out of the Zone A. Carol Gumbart asked if the deck would lead out to a patio or walkway and Mr. Ducharme said that other than deck stairs he was not aware of any other work. Mr. Duhaime asked what alternatives had been explored. Mr. Duhaime asked if the addition could be pulled further out of the buffer zone or relocated to the other side of the house? Mr. Duhaime asked if there was any mitigation proposed for drainage or roof run-off. Mr. Ducharme said that the builder usually ties the roof drainage into the existing roofline and that he would explore whether the addition could be pulled forward. Mr. Duhaime asked if the addition could be smaller? Mr. Ducharme agreed to continue the hearing so that he could explore alternatives with his client. The meeting was continued to July 11, 2006, at 8:00 p.m.

**6. Nashoba River Watershed Association (NRWA)** Martha Remington said that she attended a NRWA meeting on invasive plants. Ms. Remington said that there is GEIR for lakes and ponds. Ms. Remington said that she believes she has found parrot feather in Great Brook. Ms. Remington said this might have been dumped by someone into the fire pond by Sugar Road and Rt. 495. Ms. Remington said that she also has some purple loosestrife and she plans to remove it manually. Ms. Remington said that she learned that beetles that eat purple loosestrife will be distributed near 110/117 and that we should be expecting a call about the release in the near future.

**7. Complaint, Vaughn Hill Road** Carol Gumbart said that she and Amy Wilson and Sarah Greenough met with Ted Geiselman and his neighbor Gary Mancini. Ms. Gumbart said that they told them that the Commission does have jurisdiction over the activity in this wetland under the Bolton Wetlands Bylaw and that they should file a Request for a Determination of Applicability for the work that they have already performed and any additional work that wishes to perform. Ms. Wilson said that really did not have anything left but to stabilize the area. Ms. Gumbart said that Mr. Geiselman mentioned yolk raking the area first. Ms. Gumbart said that they recommended installing a row of staked haybales where the overland flow channelizes into the dense vegetation. Mr. Geiselman said that he would not file with the Commission and Mr. Mancini did contradict this statement. Scott Duhaime asked what options we have to deal with this situation? Ms. Gumbart said that we should follow the policy the Commission established

for dealing with violations and that since we've met with them informally and they have not agreed to proceed as recommended that the Commission should now put it in writing. Mr. Duhaime said that he would call Mr. Geiselman since he knows him a little and that Ms. Gumbart should draft a letter requesting that they file a Request for Determination of Applicability within a defined period of time and that the Commission should discuss it at the next meeting when they have a quorum. Ed Englemann said that he checked the site and that he agrees that it is defined as an intermittent stream. Ms. Wilson said that the letter should reflect that it has not only affected the pond but other wetlands. Ms. Gumbart said that she would draft the letter requesting the filing be made so the Commission could hear the project at its first meeting in August.

**8. Agricultural Preservation Bylaw** Carol Gumbart said that the Committee working on the Right to Farm Bylaw has put out a draft Bylaw called the Agricultural Preservation Bylaw and that they are seeking comments. Ms. Gumbart said that she has given them a copy of the "Farming in Wetlands" document to help them understand the Commission's jurisdiction over farming in wetland situations.

**9. Trails at Future Electronics** Carol Gumbart said that she received an email from resident Martha Remington concerning the use of the trails behind Future Electronics that connect with the Delaney Project open space. Ms. Gumbart said that Ms. Remington said that it would be unfortunate if another company purchased the property and would not allow public access. Scott Duhaime recommended that Ms. Gumbart bring this to the attention of the Town Administrator and let her know of both passive and active recreation interests at this property.

**10. Wheeler, S. Bolton Road Gift** Amy Wilson and Scott Duhaime recommended that Carol Gumbart send the draft deed to Town Counsel.

**11. Discussion with Bolton Conservation Trust** Scott Duhaime said that he will contact Ken Swanton to discuss the Henry property on Long Hill Road, the Crispen property on Green Road and the Galeski property around Fyfeshire Conservation Area.

Respectfully submitted,

Carol A. Gumbart  
Conservation Administrator