

Bolton Conservation Commission
Minutes of Meeting
August 8, 2006

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

1. Geisleman/Mancini, Vaughn Hill Road Complaint Carol Gumbart said that she spoke with the complainant, and he was pleased that the Commission had followed up on his concerns. He said that he had not been down to the pond recently but if the area is stabilized now that is what he was concerned about.

2. Draft Bylaw Regulations The Commission discussed the definitions.

3. DPW, Hudson Road, Quaker Lane, Forbush Mill Road, Nourse Road (RDA) Amy Wilson opened the public meeting on the Request for a Determination of Applicability filed by the Department of Public Works (DPW). Shelly O'Toole was present representing the DPW. Ms. O'Toole said that the DPW is proposing to put a 2 inch overlay on Hudson Road, Quaker Lane, Forbush Mill Road, and Nourse Road. Ms. O'Toole said that the paving is a 1-inch binder and a 1" top coat. Scott Duhaime asked if there was any tree cutting or stone wall alteration? Ms. O'Toole said there is no tree cutting or stonewall alteration planned. Ms. O'Toole said that project is funded with state money and the DPW hopes to be able to complete all these roads within 1-2 weeks of each other. Ms. O'Toole said that Nourse Road will have the same topography, the contours of the road will follow the same drainage pattern and that there is no additional drainage proposed. Mr. Duhaime asked if the roads are swept and ready for the paving. Ms. O'Toole said that the roads have been swept already but if additional sweeping is needed it will be done prior to paving.

A motion was made by Amy Wilson, seconded by Scott Duhaime, to issue a Negative #2 and #3, finding that the work will not require a Notice of Intent. VOTE: Aye, unanimous.

4. Toll Brothers, Inc., Regency at Bolton, 893 Main Street (112-502) Scott Duhaime opened the public hearing on a request to amend the Order of Conditions. Present for the hearing were Bill Keaton (Toll Bros), Brandon Scott (Toll Bros), Tony Barrile (Barrile Construction (subcontractor to Toll Bros)), Craig Martin (Ducharme and Dillis Civil Design Group, Inc.), and residents Michael Goodman, Scott O'Connor and Carol Ehrlich. Mr. Duhaime asked Mr. Martin if they had received the Commission's letter with our comments to the Zoning Board of Appeals. Mr. Martin said they had and they had sent a written response. Mr. Duhaime asked Mr. Martin to walk through the Commission's letter and the responses. In doing this Mr. Martin said that the reason for the request to amend the Order of Conditions is to accommodate the drainage at the upper end of the project site by increasing the capacity of the pipes from a 10-year storm event to a 100-year event. The pipes will be increased from a 30' pipe to a 36" pipe. Mr. Martin said that the double catch basin inlet has been replaced with a stone/concrete headwall. There will be a riprap bowl in front of the inlet pipe and the pipe will have a grate over it. Mr. Martin said that they have also added foundation drains for numerous buildings that will be outlet through an 8" discharge pipe at the edge of the 100-foot buffer zone. Mr. Martin said that at the outlet of the foundation drain pipe they have proposed a swale. Mr. Martin said that they have modified the erosion controls to reflect the proposed changes and a full and complete set of plans have been submitted.

Mr. Martin said that they had to design the drainage so that they do not exceed the existing site conditions. Mr. Martin said that capacity of the pipe is .89 cubic feet per second (c.f.s.) and that with this additional discharge they do not come close to the pre-existing conditions. Mr. Goodman said that the discharge pipe and swale add more water into the wetlands. Mr. Goodman said that the swale behind his property has been improved and so the numbers have changed from pre-existing conditions. Mr. Goodman asked how could their numbers be accurate? Mr. Martin said that there are two watersheds on this site and the pre-existing run-off was 10 c.f.s. and the post construction run-off has been reduced to 6.08 c.f.s. but they are proposing to now add an additional c.f.s. Mr. Goodman said that this does not take into account the increase of drainage onto the site from Wattaquadock Hill and that the flooding has gotten worse. Mr. Martin said that the applicant does not have any control over what happens upstream in the watershed. Mr. Goodman said that he doesn't buy it. Mr. Duhaime asked if the detention pond was designed to handle the 100-year storm event. Mr. Martin said yes, that the pond is designed per the Planning Board regulations which is for a 100-year storm but the planning board regulations only require a 10-year storm event for the conveyance pipes and they have increased these to handle the 100-year storm.

Mr. Martin said that in the vicinity of the proposed headwall and drainage inlet the soils are very tight and there is very little chance of wetlands being lowered with this revised design.

Mr. Martin said that the foundation drainage swale would be maintained. Carol Gumbart said that it should be part of the Operation and Maintenance Plan. Mr. Martin said that they have proposed that the swale be stabilized with New England Erosion Control Mix to provide a biofilter. Mr. Martin said the swale would not require frequent mowing. Ms. Gumbart recommended that the swales not be mowed more than twice a year. Ms. Gumbart also recommended that the buffer zone area (a.k.a. adjacent upland resource area) behind the septic system not be mowed more than twice a year.

Mr. Martin said that the ZBA is requiring as-builts of the drainage prior to paving. Mr. Martin said that they have agreed as a courtesy to the town, to study the drainage contributing to Nourse Road. Mr. Martin said they are in the information gathering stage and they might have a report in the 45 days. Mr. Englemann asked Mr. Martin what the purpose of the study is? Mr. Martin said that it has been reported by the abutters that there has been flooding on Nourse Road and they are going to interview individuals such as Harold Brown, DPW Superintendent. Mr. Martin said that they would look at the carrying capacity of the 12-inch pipe under Nourse Road. Mr. O'Connor asked if the project is going to contribute more water or not? Mr. Goodman said that the numbers are static. Mr. Goodman said that improvements were made by DPW and to the swale behind his house, which he said he is happy about, but they made it worse for the wetlands. Ms. Gumbart said that the application before the Commission is for an amendment that contributes less than 1 c.f.s. to the wetland system.

Ms. Gumbart said that in order to construct the outlet drainage, expand the pond and install the pipe for the hydrant the applicant wants to lower the pond water level. Mr. Barrile said that they propose to use a 4" pump and will discharge the water through a silt sack over a period of 10 days. Mr. Barrile said that they need to lower it by approximately 5 feet for a period of about 2 weeks while they get the work completed. Mr. Barrile said they could use some of the pumped water for dust control and could pump it directly into a 2500-gallon pump truck.

Mr. Barrile said that he also wants to relocate some of the existing shrubs that are in the vicinity of the detention basin. Mr. Barrile proposed to create a loam pile and transplant the shrubs. Ms. Gumbart recommended this work.

In conclusion, Mr. Martin said that they have developed the method to handle the drainage in the best possible way. Mr. Englemann said that it is clear that the town's engineer found that the runoff would decrease. Mr. Goodman asked if when it is all said and done if there

is a problem what is the town's recourse. Ms. Gumbart said that at that point the recourse would likely be legal action.

A motion was made by Scott Duhaime, seconded by Sarah Greenough to close the public hearing. VOTE: Aye, unanimous.

Later in the meeting in the Commission returned to this item to consider issuing an Amended Order of Conditions. A motion was made by Scott Duhaime, seconded by Ed Englemann to issue an Amended Order of Conditions with added conditions including: 1) include the new plans; 2) require that the new swale be mowed no more than twice a year and at 4 inches in height; 3) that the field be mowed no more than twice a year and be maintained as a meadow; and 4) that the contractor use two 2-inch pipes to perform the dewatering/drawdown of the pond (as recommended by Ms. Trudeau) and that it be done for a minimum of ten days, that the water be filtered through silt sacks prior to discharge into the wetland resource area, that the water can be used for dust control, that the location of discharge in the wetland be an agreed upon location with the Commission, that the velocity of water not impact the wetland, that the construction work be completed within 2 weeks of when the pond has been sufficiently lowered and that if the schedule needs to be amended that the Commission must be notified; and that dewatering methodology be included as a boiler plate condition. VOTE: Aye, unanimous.

5. Gaby, 84 Sampson Road Mary Trudeau was present to represent Dr. Gaby. Ms. Trudeau apologized for not having a filing yet before the Commission. Ms. Trudeau showed the Commission 2 plans that Dr. Gaby's staff has said they would submit with the Notice of Intent. After discussion the Commission recommended that she get the filing in for the September 5th meeting so they can begin to evaluate the restoration of the area.

6. Maillet, Forbush Mill Road (112-497) Tom DiPersio Jr., an engineer from Thomas Land Surveyors and Consulting Engineers, Inc., was present to represent Al Maillet and Sons, Inc. Mr. DiPersio said that they have ground water bleeding out of the hill but not a lot of silt. Mr. DiPersio said the other problem is that the drainage system will not work as designed. Mr. DiPersio said that in the vicinity of the leaching catch basins, the soils are sand with a 3 to 4 foot silt layer on top. Mr. DiPersio said that along the driveway stone infiltration is proposed and that it should be fine until it gets to the bottom of the site. Mr. DiPersio said that the design plan does not give a lot of elevation information and where the outlet pipe is going from the leaching catch basins will not work because it is going up hill. Mr. DiPersio said that it is logical to collect the runoff at the bottom but if they do this they need to discharge it across the street. Scott Duhaime asked if this would go into the brook? Mr. DiPersio said that there is no formal drainage in the road now and that they could correct a problem in the road drainage with a catch basin. Carol Gumbart said that she asked Harold Brown about this idea and he did not feel he has a problem in with the road drainage. Ms. Gumbart asked whether angling the pipe so it went further down the street and into a catch basin was evaluated? Mr. DiPersio said that this is another possibility. Ms. Gumbart said that Mr. DiPersio's Sr. had talked about creating a rain garden further up on the site and that the more water that can be infiltrated before it gets to the bottom the better. Ms. Gumbart said that whatever modifications they come up with should be included in an Operation and Maintenance Plan for the future homeowner. Mr. DiPersio said that they would put together a schedule for work, include Best Management Practices (BMP's) and find both short term and long-term solutions by the next meeting, August 22nd.

7. Minutes A motion was made by Scott Duhaime, seconded by Sarah Greenough, to accept the minutes of June 6, 2006, with the revisions discussed. VOTE: Aye, unanimous.

A motion was made by Scott Duhaime, seconded by Sarah Greenough, to accept the minutes of June 20, 2006, with the revisions discussed. VOTE: Aye, unanimous.
Respectfully submitted,

8. Upcoming Meetings Amy Wilson said that she will not be available on September 5 and September 12. Ed Englemann said that he would not be available for August 22nd meeting. The Commission agreed to schedule their second meeting in September for September 26, 2006.

9. Nicewicz, 116 Sawyer Road (Trail Easement) (112-516) Scott Duhaime opened the public hearing on a Notice of Intent filed by Carol Gumbart on behalf of the trail committee. No one from the public was present for the hearing. Ms. Gumbart explained the proposed location of the board noting that the easement is only 10 feet wide so there is very little room for alternatives. Ms. Gumbart described the wetland system and work involved in constructing the boardwalk. After a brief discussion, a motion was made by Scott Duhaime, seconded by Sarah Greenough to close the public hearing.

A motion was made by Scott Duhaime, seconded by Sarah Greenough, to issue an Order of Conditions with special conditions limiting the tree cutting to a single track; distributing brush and cuttings in an even distribution; placing appropriate signage to reflect the width of the trail, the need to stay on the trail, and that it dead ends until the Schartner trail is completed. VOTE: Aye, unanimous.

10. Tax Delinquent Lands Carol Gumbart said that she would send a list of tax delinquent parcels to the Commission.

11. Trail Grant Carol Gumbart said that she would distribute the Greenways Trail Grant to the Commission.

Carol A. Gumbart
Conservation Administrator