

Bolton Conservation Commission
Minutes of Meeting
August 22, 2006

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

1. Cultural Council Grant Application Pat Bensestler was present by appointment to discuss her proposal to submit a joint application to the Bolton Cultural Council for a photography contest and show of Bolton Conservation Properties. Ms. Bensestler said that she would need a letter of support from the Commission to submit with the application. Ms. Bensestler provided a draft application for discussion. Ms. Bensestler said that she is not looking for any money from the Commission but if we decide to do prizes she may look for a gift. Ms. Bensestler said that she believes the Town would own the photographs. Ms. Bensestler said that she would encourage the photographs to be accompanied by a digital copy. Ms. Bensestler said that she would need to refer to maps of the properties. Scott Duhaime said that the Open Space and Recreation Plan references all the maps. Carol Gumbart said that the Town website has a link of maps and lists the properties. Ms. Bensestler said that the contest would begin January 1 and run through early November to include all the seasons. The Commission discussed the need for publicity and wondered if photo clubs at the schools would be interested. Ms. Bensestler said that she expected that there would need to be publicity for each quarter that the contest runs. Ms. Bensestler proposed to place seasonal fliers every quarter and place an announcement in the Bolton Common once a month for a year. The Commission agreed to bring it to a vote when they have a quorum and to draft a letter of support.

When a quorum arrived the Commission recapped the discussion held with Ms. Bensestler. A motion was made by Scott Duhaime, seconded by Ed Englemann to prepare a letter of support that could accompany the Grant Application.

2. Town of Bolton, Wastewater Treatment Facility (WWTF), between 50 Mechanic Street and Sheep Field (112-517) Scott Duhaime opened the public hearing on a Notice of Intent filed by Tata and Howard, to construct a Wastewater Treatment Facility with associated sewerage lines within wetland resource areas. Kristine Chestna, of Tata and Howard was present to represent the Bolton Wastewater Treatment Committee. Residents Pat Bensestler and Martha Remington were present for the hearing. Ms. Chestna said that Tata and Howard had not distributed the notices to abutters and requested the Commission continue the hearing. The hearing was continued to September 5, 2006 at 7:30 p.m. Ms. Remington said that the two waterways were not named on the plans. Ms. Remington said the waterways are named Great Brook and Whitcomb Waterway.

3. Land Management

Fyfeshire C.A. Carol Gumbart said that the debris needs to be removed from the outlet of the lower dam. Ms. Gumbart said that additional maintenance is necessary to ensure the integrity of the dam. Ms. Gumbart said that some small saplings are starting to sprout and should be cut. Scott Duhaime recommended that Ms. Gumbart put together a list of maintenance needs at Fyfeshire. Ms. Gumbart described some of the maintenance solutions that Rona Balco has proposed to her. This included filling the hole at the lower dam with concrete. Mr. Duhaime said that Ms. Gumbart should confirm with Ms. Balco that she is comfortable with her recommendation and she should go forward and pull out the slash.

Rocky Dundee Open Space Scott Duhaime said that the field behind the Rogers barn is growing in fast and needs to be mowed,

Trail Easement on West Berlin Road Scott Duhaime said that a resident has sent the Commission an email concerning a fence in a Right of Way (ROW) that is used as a trail. Mr. Duhaime said that the fence is probably in the right location but the trail may not be. Mr. Duhaime said that the ROW is on private land and there may also be an underground dog fence across the ROW. Mr. Duhaime recommended that the town survey the ROW in order to protect the town and keep it open and useable. Mr. Duhaime recommended that the Commission get estimates for the survey work.

Trail Grant Ms. Gumbart said that the Greenways Trail Grant application needs to be in this fall. Ms. Gumbart said that one possible use of grant money could go toward obtaining a trail easement around the backside of Fyfeshire. Scott Duhaime asked if the money could be used on the repair of the dam. Ms. Gumbart said that she did not believe that work would fit the criteria for the Greenways Grant.

4. Land Acquisition Carol Gumbart said that the Wheeler gift is close to being completed.

5. Skinner, 367 Main Street (ANRAD) (112-518) Scott Duhaime opened the public hearing on a Notice of Resource Area Delineation (ANRAD) for Skinner Inc., to confirm the wetland boundaries on their property. Brandon Ducharme of Ducharme and Dillis Civil Design Group, Inc., was present to represent the applicant. Residents Danielle Obeirne and Ed Shankle were present for hearing. Mr. Ducharme gave an overview of the location of the site. Mr. Ducharme said that they are interested in having the wetlands confirmed so they can design a new septic system. Mr. Duhaime said that the site contains Great Brook, a perennial stream, bank, land under water and bordering vegetated wetlands (BVW). Mr. Ducharme said that the Riverfront Area or Riparian Zone was based on the mean annual high water and the bank. Mr. Ducharme said that the BVW is flagged in separate series: the B-series is associated with Great Brook; the C-series is associated with an intermittent stream in Great Brook Estates that branches off and continues to a culvert at 117; and the D-series is associated with an isolated wetland. Mr. Ducharme said the isolated wetland was delineated based on hydrology and soils. Mr. Ducharme said that the site had been flagged by EcoTec and later by Ducharme and Dillis. Mr. Ducharme said that all the flags are now his and they were hung in June of 2006. Mr. Ducharme said that he has data forms for the flags. The Commission discussed the length of the line and set two separate dates for viewing the wetlands. Ed Englemann asked how the stream was determined to be intermittent. Mr. Ducharme explained the definition of intermittent and said that in this case the stream is shown as intermittent on the U.S.G.S. Topographic Maps. A site visit was scheduled for August 29, 2006 at 6:00 p.m. and September 10, 2006, at 8:00 a.m. The residents were invited to join the Commission on the site walks. The hearing was continued to September 26, 2006, at 7:30 p.m.

6. Maillet, Forbush Mill Road (112-497) Tom DiPersio Jr. was present to represent the owner Al Maillet. Mr. DiPersio said that they have been trying to find ways to manage the water flowing off the site while avoiding the brook. Mr. DiPersio said that the Department of Public Works does not see the need for a catch basin to handle an area where water runs off of Forbush Mill through riprap and into the brook. Mr. DiPersio presented a plan and said that there is a ditch that flows toward the road but it does not appear that any water flows from it onto the road that they might be able to utilize to detain and infiltrate the water. Mr. DiPersio said that they do not know what the soils are like in the vicinity of the ditch. Mr. DiPersio proposed that they dig a test hole in the vicinity of the swale on their property to find out what the soil conditions are.

Carol Gumbart agreed to show the plan to Harold Brown, Department of Public Works (DPW) Superintendent. Further discussion was continued to September 5, 2006, at 8:00 p.m.

7. Nashoba Builders, Inc., 244 and 248 Harvard Road (112-448) Carol Gumbart said that the Commission received a request for a Certificate of Compliance (COC) for work performed by Nashoba Builders, Inc., under an Order of Conditions (OOC). Ms. Gumbart said that she visited the property and found the work was completed in substantial compliance with the plans and OOC. Ms. Gumbart showed the Commission members photographs that were submitted with the request for COC. A motion was made by Scott Duhaime, seconded by Ed Englemann to issue a Certificate of Compliance. VOTE: Aye, unanimous.

8. Nashoba, Builders, Inc., 111 Coventry Wood Road (112-479) Carol Gumbart said that the Commission received a request for a Certificate of Compliance (COC) for work performed by Nashoba Builders, Inc., under an Order of Conditions (OOC). Ms. Gumbart said that she visited the property and found the work was completed in substantial compliance with the plans and OOC. A motion was made by Scott Duhaime, seconded by Amy Wilson to issue a Certificate of Compliance on the WPA form. VOTE: Aye, unanimous. A motion was made by Scott Duhaime, seconded by Amy Wilson to issue a Certificate of Compliance on the Bylaw form. VOTE: Aye, unanimous.

9. Policy for Naming Conservation Land After review and discussion the Commission accepted the policy as drafted and amended tonight. The amendment being that if the grantor requests a particular name be used it will be given top precedent.

10. Next Meeting Dates The Commission agreed to meet on 9/12 and 9/19 to discuss the wetland bylaw regulations from 7:30 to 9:30 p.m. Amy Wilson said that she would not be at the meeting on 9/12.

11. Capital Planning Committee Carol Gumbart said that the Board of Selectmen are putting together a Capital Planning Committee that would review capital purchases \$25,000 or more or for items that have a useful life of 5 years or more. Ms. Gumbart said that land purchases would be included as items to be reviewed. After discussion, Ms. Gumbart agreed to get a copy of the charge for the Capital Planning Committee and distribute it to members.

Respectfully Submitted

Carol A. Gumbart
Conservation Administrator