

**Bolton Conservation Commission**  
**Minutes of Meeting**  
**October 3, 2006**

**PRESENT:** Karen Augustine, Scott Duhaime, Ed Englemann, Bill Fateiger, Sarah Greenough, and Administrator Carol Gumbart.

**1. Bazylido, Lot 5 Corn Road (112-520)** Scott Duhaime opened the public hearing on the Notice of Intent submitted by Terry Gensel of David E. Ross Associates, Inc., on behalf of Jamie Bazylido. No one was present for the hearing. Carol Gumbart said that she may not have sent them the date and time for the hearing and they did not inquire after submitting the application. The Commission continued the hearing to November 14, 2006, at 7:30 p.m. Ms. Gumbart will advise the applicant and his representative.

**2. Gilbert, 117 Century Mill Road (RDA)** Scott Duhaime opened a public meeting on a Request for a Determination of Applicability filed by Andrea and Andrew Gilbert. Ms. Gilbert was present to discuss the project. Ms. Gilbert said that they are proposing to construct a screen porch on sono-tubes and pilings. Ms. Gilbert said that area of the proposed porch is mostly dirt and covered with bird feeders. Carol Gumbart said that she visited the property and found that the Gilbert's have left most of the property in a natural condition providing good buffer to the wetland edge. Bill Fateiger said that he did not have any issues and did not see any adverse impact from the proposed work. In response to a question about roof runoff, Ms. Gilbert said the roof will be peaked and it will have gutters.

Bill Fateiger recommended the issuance of a Negative 3 Determination of Applicability. With no further discussion, a motion was made by Bill Fateiger, seconded by Ed Englemann to issue a Negative 3 and Negative 6 Determination of Applicability. VOTE: Aye, unanimous.

**3. Brody, 232 Green Road (RDA)** Scott Duhaime opened a public meeting on a Request for a Determination of Applicability filed by Seth Brody. Seth Brody was present to discuss the project, which included paving a driveway and replacing pipes in an adjacent upland resource area.. Resident Rona Balco was also present for the meeting. Mr. Brody stated the paving had not yet been completed, the pipe exists, but has been crushed. Mr. Brody stated he wanted to complete the paving. Ms. Balco claimed there is a certified vernal pool on the property. Mr. Brody stated he was choosing to remove the construction of the drainage swale from the RDA. A site visit was set up for 10/8/06 at 5pm..

**4. Meeting Dates** Bill Fateiger agreed to attend the Planning Board's upcoming hearing on the Century Mill Estates Subdivision. The Commission agreed to hold their meetings at 7:30 p.m. for a while to see if the change in time helped members arrive on time. The Commission agreed to hold its November meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month to accommodate the state election and the Administrator's vacation during Thanksgiving week. The Commission scheduled a meeting on October 24, 2006, to work on Bylaw regulations.

**5. Maillet, Forbush Mill Road (112-497)** Scott Duhaime opened the continued hearing on request to amend an Order of Conditions to incorporate changes to the drainage facilities proposed for the new single family dwelling being prepared for development on this lot. The Commission noted that they had driven past the stakes for the cul tec system and the location appeared satisfactory. A motion was made by Scott Duhaime, seconded by Bill Fateiger to close the hearing. VOTE: Aye, unanimous.

The Commission reviewed a draft Amended Order and discussed additional conditions relevant to the new work. A motion was made by Scott Duhaime, seconded by Bill Fateiger to issue an Amended Order of Conditions and drafted and discussed. VOTE: Aye, unanimous.

**6. Gaby, 84 Sampson Road (Enforcement Order)** The Commission reviewed the draft Enforcement Order prepared by Carol Gumbart. Scott Duhaime said that the Enforcement Order should include the removal of the brush hog, horse breeding device, and construction material located near wetland flags 18 and 19. The Commission recommended that the Order give Dr. Gaby notice that failure to comply could result in the Commission issuing tickets at \$300 per day of the continued violation.

A motion was made by Scott Duhaime, seconded by Ed Englemann to issue the Enforcement Order as drafted and with the revisions discussed. VOTE: Aye, Unanimous.

**7. Community Preservation Act** Resident Ken Swanton was present by appointment to discuss the Community Preservation Act. Mr. Swanton said that the Master Plan recommends that the town adopt the Community Preservation Act. Mr. Swanton said the Bolton Conservation Trust has decided to start gathering interested parties and preparing for an article at the spring town meeting. Mr. Swanton said he hopes to establish a ground swelling of interest and to hold a meeting with those interested. Mr. Swanton said that the first order of business would be to become educated on the Act, followed by collecting data and making decisions on what tax increase they should recommend for adoption. Mr. Swanton said that he feels there should be a sunset provision so that if the state stops funding their share the town can decide whether to continue with the tax or not. Mr. Swanton said the law that established the ability for towns to adopt the CPA requires a 5-year period before the sunset provisions can kick in. The Commission voted aye, unanimous, to support the CPA. Mr. Duhaime agreed to be the representative from the Commission to work with Mr. Swanton and others to bring this before a town vote.

**8. Conservation Goals** Carol Gumbart said she would send out copies of the Commission's goals for prior years in preparation for establishing goals for Fiscal 2007.

**9. Trail Grants** The Commission agreed that they would not apply for the Greenways Trail Grant this year.

Respectfully Submitted

Carol A. Gumbart  
Conservation Administrator