

CONSERVATION COMMISSION

Rose Stanley, Chairman2005
William Fateiger2004
Karen Augustine (Groginsky) ...2004
Scott Duhaime.....2005
Joseph Myerson2005
Edward Englemann.....2006
Lori Stephenson2006

Carol Gumbart, Conservation Administrator

Membership: Joel Lindsay resigned in the fall after serving the Town for the past three years. Mr. Lindsay contributed generously with his time and knowledge. Edward Englemann was appointed by Board of Selectmen to fill Mr. Lindsay's term. The Commission is grateful to all the non-member volunteers that assist the Commission with their work, especially with land management tasks including: the *de facto* Bolton Trails Committee, Eagle Scouts, Boy Scouts, 4H Club, and many others.

Key responsibilities of the Bolton Conservation Commission include the administration of the State's Wetland Protection Act and the Rivers Protection Act, as well as the local Water Resource Protection District Zoning Bylaw and the Wetland Administrative Bylaw. The administration of these acts and bylaws occupy the bulk of the Commission's time and resources. The Conservation Commission Act charges the Commission with the responsibility to protect the Town's natural resources including "the promotion and development of natural resources and the protection of watershed resources." To achieve this protection the Commission routinely reviews and makes recommendations on projects submitted to the Zoning Board of Appeals, Planning Board, Board Health and the Board of Selectmen. Additionally, the Commission protects land by accepting gifts of land, conservation restrictions and acquisition of land in fee. The Conservation Commission Act places the care and custody of conservation land with the Commission.

Administration: The Conservation Commission consists of volunteer residents. Presently the Commission has 7 voting members. The Commission meets the first and third Tuesday of the month at the Town Hall. All meetings are open to the public. Formal meetings and public hearings are held to review specific projects involving impacts to wetland and water resources within the Town. Public hearings are advertised in the Bolton Common. During 2003, the Commission, held 22 public meetings and reviewed new applications including: 13 Notice of Intents; 4 Abbreviated Notices of Resource Area Delineation; 7 Water Resource Protection District Permits; and 10 new Requests for Determination. In addition, the Commission issued 3 Enforcement Orders; made site visits for each application and held numerous informational meetings with citizens, town boards, and developers.

Wetland Protection: In the administration of the State Wetlands and River Protection Acts and the local bylaws, the Commission serves the town in a regulatory as well as a conservation capacity. Under these laws, the Commission is charged with the review and control of activities in or near the town's fragile and valuable wetland and water resources to prevent any adverse impact on those resources. Through a public review and decision-making process, the Commission regulates the work done in these areas to ensure the protection of public and private water supply, the protection of the groundwater supply, flood control, storm damage prevention, the prevention of pollution, and the protection of fisheries and wildlife habitat. The local wetland bylaw provides additional protection wetlands for water quality and rare species habitat including rare plant species. The interests of the

bylaw extend to agriculture, aquaculture and recreation deemed important to the community. Additionally, the Commission is charged with the responsibility of confirming wetland delineations for all protected wetland resource areas.

During 2003, the Commission approved wetland delineations on several large tracts of land including future development sites such as: the Crystal Springs Campground off Main Street; the Northwoods Subdivision between Harvard and Warner Roads; the Fullam's 29.50 acre parcel on South Bolton Road and the Century Mill Estates, located between Spectacle Hill Road, Century Mill Road and Hudson Roads. The approval of the delineation provides the developers with a three year window to design plans without the protected resource areas changing. The Commission finds that the delineation approval provides the Commission with an opportunity to discuss the projects with the owners/developers in the early stages. The Commission's goal with these early discussions is to lead development away from wetland resources, look for trail linkage opportunities and establish where open space corridors should be maintained.

A large portion of the Commission's work during 2003 was devoted to reviewing plans for the development of individual lots and construction activities to repair or replace failed septic systems. The Commission's decision to approve the construction of a new single family dwelling at 40 Corn Road was appealed to Superior Court, by an abutter to the project in 2002. During 2003, the Commission held hearings on revised plans that were found to satisfy both the property owner, the abutter and the Commission. An amended Order of Conditions was issued by the Commission and the Commission looks forward to the dismissal of the court case. Another project, impacting rare species habitat, was denied by the Commission in 2002, and appealed to Superior Court. During 2003, the Commission reopened hearings on the project to consider new information with modified plans. The hearings have continued into 2004 and we hope to have resolution in the near term.

Representatives of the Commission continued to attend meetings of the Zoning Board of Appeals to provide input on the Comprehensive Permit entitled "Bolton Manor". The review and hearing process has continued into 2004. The Commission worked with representatives of the Bolton Conservation Trust, Planning Board and Board of Health to review the Farmland and Open Space Planned Residential Development Bylaw and to consider ways that make the bylaw more appealing to developers while providing greater control to the Town with respect to where the open space is located. The Commission met with the Bolton Housing Partnership to discuss affordable housing strategies for the Town. The Commission expressed support for affordable housing without compromising wetland protection, trail and open space corridor connections.

Open Space Preservation: The Commission formed a working group to update the 1998 Open Space and Recreation Plan. The Plan is used by the Commission to prioritize the protection of strategic land parcels; to evaluate the demographic trends in Town and determine strategic priorities of land preservation based on these trends; to show compliance with state initiatives enabling the Town to be eligible for state grants; and to set goals and objectives for the next five year period.

After consultation with the Board of Selectmen and the Bolton Conservation Trust, the Commission accepted an offer by the Stephenson family to acquire 77 acres of their family's land in the Rattlesnake Hill area. In anticipation of bringing an article to Town Meeting the Commission applied for Self-help funds from the state to assist with the purchase, had two appraisals performed and held numerous site walks with interested parties including a walk to introduce the public to the land. In support of the Bolton Conservation Trusts work to protect the Nicewicz and Schartner farms as working farms, the Commission sent letters of support for the acceptance of the farms into the state's Agricultural

Preservation Program. The Commission certified two Conservation Restrictions granted to the Bolton Conservation Trust indicating that the Restrictions are in the public interest.

Land Management: The *de facto* Bolton Trails Committee with representatives from both the Bolton Conservation Commission and the Bolton Conservation Trust continued to actively maintain, improve and expand the Bolton trail system. They supported the maintenance of existing trails in conservation areas throughout town in conjunction with over 25 volunteers. Its main focus is to develop a 15 mile cross-town connection trail, called the Bolton Loop Trail, connecting Bolton conservation areas to those in neighboring towns of Stow, Harvard, Berlin, Hudson and Lancaster. New trails were cleared and marked for public use in the Danforth Open Space that connects to the Barrett Hill Conservation Land, and at the Oaks Subdivision off Ballville Road.

The Bolton Trails Committee continued their effort to map existing and potential conservation trails using plot plans to identify boundary marks supplemented with GIS data overlaid onto town assessors data and topographic maps. New maps produced by the Trail Committee include Lime Kiln, Phillips/Rattlesnake, Bower Springs, Vaughn Hill and Powder Hill trail guides. These maps will become available on the town web site and installed at critical locations within the trails. Thanks to the Boy Scouts, map posts were installed at critical cross points throughout the Lime Kiln and Phillips/Rattlesnake Hill Conservation Areas to help guide visitors.

The Commission approved two Eagle Scouts projects that will improve conservation areas although much of the work will be accomplished in 2004. One project involves replacing and improving the signs posted along the Bob Horton Trail at the Lime Kiln Conservation Area. These signs identify 120 plant species along this interpretive trail. An existing guide for this trail encourages people stop and look more closely at their surroundings. Another Eagle Scout project involves replacing and improving the telephone pole fencing at the Bower Springs parking lot, repairing and repainting the entrance sign, pruning back some of the overgrowth around the parking lot and planting new trees.

During the summer months Bowers Springs continues to be used by the Tom Denny Nature Camp. The camp is run by the Bolton Conservation Trust and provides children the opportunity to explore their natural surroundings. The property remains open to the general public during this time. The Nashoba Regional High School's Cross Country Team also used Bowers Springs for meets and practice sessions.

Due to the extreme winter, the Commission needed to replace the beaver control pipes at Bower Springs. The Commission hired Beaver Solutions, a company that specializes in the construction and installation of beaver management devices. Beaver Solutions was given a one year maintenance contract to monitor the conditions of the pipes and their associated wire cages intended to keep the beaver from blocking the pipes. Without the beaver flow devices the upper pond has overtopped the man-made dike threatening the collapse of the dike. The Commission received complaints concerning beaver activity in two other areas of town stemming from beaver dams on town owned land. In one case, after a determination of the Board of Health, that there was the threat to public health or safety, the Commission permitted a property owner to breach and then remove a dam located on Town conservation land. In the other case, the Town has routinely monitored water levels but a public health or safety threat has not been determined. The Commission continues to mow fields in the Bower Springs and in the Butternut Farm Open Space areas for wildlife habitat. Monitoring of the bird nesting boxes, installed by Janet Pesaturo and members of the 4H Club, at Bower Springs and at Butternut Farm helps to determine the quality of habitat in these areas. Reporting of wildlife sightings

at these and all the conservation lands in town is encouraged to assist the Commission with management strategies.

**Financial Statement
July 1, 2002 to June 30, 2003**

Wages

Appropriated	\$29,498.00
Expended	\$26,286.91
Unexpended balance returned to general fund	\$ 3,212.09

Expenses

Appropriated		\$35,481.00																		
Expended	<table> <tr> <td>Land Maintenance</td> <td style="text-align: right;">\$3,090.00</td> </tr> <tr> <td>Training</td> <td style="text-align: right;">205.00</td> </tr> <tr> <td>Vernal Pool Study</td> <td style="text-align: right;">474.00</td> </tr> <tr> <td>Adv./Legal Notices</td> <td style="text-align: right;">3,637.33</td> </tr> <tr> <td>Supplies</td> <td style="text-align: right;">200.14</td> </tr> <tr> <td>Travel/Mileage</td> <td style="text-align: right;">30.38</td> </tr> <tr> <td>Other</td> <td style="text-align: right;">11.05</td> </tr> <tr> <td>Equipment</td> <td style="text-align: right;">2,400.00</td> </tr> <tr> <td>Conservation Fund</td> <td style="text-align: right;">6,500.00</td> </tr> </table>	Land Maintenance	\$3,090.00	Training	205.00	Vernal Pool Study	474.00	Adv./Legal Notices	3,637.33	Supplies	200.14	Travel/Mileage	30.38	Other	11.05	Equipment	2,400.00	Conservation Fund	6,500.00	<u>\$29,602.19</u>
Land Maintenance	\$3,090.00																			
Training	205.00																			
Vernal Pool Study	474.00																			
Adv./Legal Notices	3,637.33																			
Supplies	200.14																			
Travel/Mileage	30.38																			
Other	11.05																			
Equipment	2,400.00																			
Conservation Fund	6,500.00																			
Unexpended balance returned to general fund		\$ 8,478.81																		

Unexpended balance	\$18,933.10
Encumbered for Capital Expenditure	\$15,000.00
Unexpended balance returned to general fund	\$ 3,933.10

Additional Expenses paid by State Wetland Filing Fees:

Purchase of Service	\$ 223.50
Supplies	\$ 384.87
Travel/Mileage	\$ 94.24
Dues/Membership	\$ 255.00