

Carlisle Conservation Commission
July 25, 2013

Pursuant to the notice filed with the Town Clerk, Chair Kelly Guarino called the meeting to order in the Clark Room at the Town Hall at 7:35 p.m. Vice Chair Luke Ascolillo and Commissioners Tom Brown, Tom Brownrigg, Peter Burn and Lee Tatistcheff and Conservation Administrator Sylvia Willard were also present.

Minutes:

*Burn moved to approve the **May 9, 2013** minutes as amended, Ascolillo seconded and all voted in favor.*

*Ascolillo moved to approve the **May 23, 2013** minutes as amended, Burn seconded and all voted in favor, with the exception of Brownrigg and Tatistcheff, who were not present for the meeting.*

*Ascolillo moved to approve the **June 13, 2013** minutes as amended, Brown seconded and all voted in favor.*

*Brownrigg moved to approve the **June 27, 2013** minutes as amended, Burn seconded and all voted in favor with the exception of Brown and Tatistcheff, who abstained.*

7:45 p.m. **Eagle Scout Report:** Eagle Scout Candidate Michael Drinkwater was present to provide a report on the invasive plant removal project he had conducted on the Greenough Conservation Land. The project had required the filing of a Request for Determination because some of the proposed work was located within the Commission's jurisdictional area. It is also within Priority and Estimated Rare Species Habitat. A Land Use Permit was issued as well in order to allow and to document the proposed work on town-owned conservation land.

Drinkwater reported on what he considered to be a successful day on May 11, 2013 when a group of 21 people spent about five hours on the Buckthorn removal project. The group removed the plants on either side of the existing trail and around the pond using a combination of hand tools, including the Commission's recently purchased Weed Wrench®. The pulled plants were then placed roots up approximately 15-to-20 feet from the trail. They had originally planned to attempt to pull the Buckthorn at the beginning of the trail at the edge of the parking lot, but the dense poison ivy prevented them from doing so.

8:00 p.m. (DEP #125-0941) Notice of Intent, Continued Hearing

Applicant: Geoffrey Bentley

Project Location: 282 Autumn Lane

Project Description: Repair of an existing septic system within the 100' Buffer Zone of a Bordering Vegetated Wetland

Guarino opened the Continued Hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. The previous hearing had been continued pending a BOH review, which has now been completed. With no further comments or questions from the Commission, *Burn moved to close the hearing for DEP #125-0941, Tatistcheff seconded the motion and all voted in favor. Ascolillo moved to issue a Standard Order of Conditions, Brown seconded the motion and all voted in favor.*

8:05 p.m. (DEP #125-0942) Notice of Intent, Continued Hearing

Applicant: Brian and Meghan Wells

Project Location: 155 Woodridge Road

Project Description: Construction of a garage, retaining wall and associated grading and installation of a propane tank

Guarino opened the Continued Hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Ben Ewing of Stamski and McNary presented the Plan for the construction of a proposed detached garage in an existing lawn area, to be accessed via concrete pavers off of the existing driveway. The Plan includes an infiltration trench on the wetland side of the proposed garage. The project will require relocating the existing water line from the existing well. They are also proposing the installation of an underground propane tank.

Willard reported having conducted a recent site visit and subsequently requested that the wetlands be reflagged and refreshed, since the delineations were from a 2009 filing and conditions appeared to have changed. She also said she had observed several recently constructed structures that were not on the Plan, including an arched footbridge over a stream, a large patio, and a large swing set area on a prepared pad, all of which are located well within the Buffer Zone. It was also evident to Willard that some tree removal had taken place since the 2009 filing. Property owner Brian Wells, who was present for the hearing, said the homemade arched footbridge is temporary/removable, and the tree removal/cleanup work was required due to storm damage. The Commission agreed with Willard's recommendation that the Plan be updated to reflect the structures and to show an existing pond on the property. In response to Guarino's statement that the homeowner should have filed with the Commission for the patio and play area projects, Wells said he was not aware of the fact that he should have submitted a filing for these projects and apologized for not doing so.

The hearing was continued to August 8, 2013 at 8:00 p.m. pending the submission of a revised Plan.

8:10 p.m. (DEP #125-0940) Notice of Intent, Continued Hearing

Applicant: Luciano Manganella

Project Location: Elliott Farms – 291 River Road

Project Description: To address the requirements of an Enforcement Order for work undertaken in Resource Areas that are outside the scope of the Orders of Conditions for DEP #125-0893

Guarino opened the Continued Hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. The hearing was continued to August 8, 2013 at 8:15 p.m. at the applicant's request.

Certificate of Compliance:

(DEP #125-209) Clark Farm Road; Applicant: House Three Realty Trust; Project: Construction of 4 single-family dwelling units and gravel access drive; Partial COC Issued: 10/06/1992.

Willard said this was an old project involving close to 4,000 s.f. of wetland fill and two replication areas. The applicant proposed to include some of the replication area as part of a pond project application that was eventually denied. Willard said she needed to confirm that the Wetland Replication Areas had been constructed in accordance with the original plan. Willard reported that when the request for a COC was submitted, Stamski and McNary had submitted the original Plan as evidence that the project was now eligible for a COC.

During a site visit with Wetland Biologist David Crossman of B & C Associates, she learned that the wetlands were reflagged and a new plan made but not submitted as an As-Built. Willard subsequently requested the new plan and was able to confirm that the project met DEP requirements by providing 4,900 s.f. of Wetland Replication Area against the total wetland fill of 3,760sf and therefore recommended to the Commission that a COC be issued. With no further discussion, *Tatistcheff moved to issue a Certificate of Compliance for DEP #125-209, Burn seconded the motion and all voted in favor.*

Camping Rules and Regulations: The Land Stewardship Committee's proposed revisions to the *Rules and Regulations for Use of Carlisle Conservation Land* and to the *Camping Regulations for Carlisle* documents will be discussed at the August 8, 2013 meeting in order to allow time for a more thorough review. The revisions are based on feedback received from a local Scout troop which camped on the Town Forest conservation land under the new camping permit process.

Camping Permit Request: Willard said she had been contacted by Carlisle resident Chris Gounaris, who was interested in camping for four nights each at the Towle Land, the Cranberry Bog and Foss Farm. He said he planned to write an article about his experiences for the *Carlisle Mosquito*. Willard said this individual had contacted her last year relative to camping for a period of about thirty days. She said she had referred him to CCF to see if they would allow someone to camp for this length of time, as he was interested in the Spencer Brook Reservation. Willard she had recently checked with CCF Board Member, Steve Tobin, relative to Gounaris' extended camping last summer, and he said they had no issues. Regarding the current inquiry, Willard said she had asked Gounaris if he would be taking his tent down during the day, because he will be camping on public land. She also asked him if he would be lighting campfires, which he said he was not. She suggested to the Commission that if they allow the camping, they could require him to notify the Carlisle Police Dept. and to put a copy of his permit in his vehicle and perhaps even attached a copy to his tent if it is visible from the trails.

Guarino said conceptually, she did not have a problem with the request, but the Commission has never had a request for someone camping for this long, so they will need specifics. Willard said the existing *Camping Regulations for Carlisle* address groups of individuals for one or two nights, but this is a request for an individual camping for four nights each in several locations. Burn noted that long-term camping will have an effect if the tent is left in the same location for an extended period of time. Tatistcheff said she was happy to see the town's conservation lands being used and *moved allow Chris Gounaris to camp on conservation lands pending additional information, including specific locations and dates, Burn seconded and all voted in favor.*

Red Pine Drive - Paving Request:

Willard reported having received a call from a contractor, who had been asked by a resident of Red Pine Drive to determine what would be required by the Conservation Commission in order to allow him to repave the road. She said the road, which is adjacent to a pond and passes over wetlands in at least one location, is paved but in poor condition. The contractor indicated that they would be paving over the existing paved surface after smoothing out any bumps and after grinding the surface to improve the binding potential of the new and existing materials.

Guarino addressed the questions of whether a Request for Determination of Applicability should be required and whether the wetlands should be delineated. She said she believed that because the project involves maintenance of an existing roadway in a previously disturbed area, new delineations are not needed. There were no objections to this.

Burn said he believed a filing should be required in order to condition such details as equipment and material staging, and all were in agreement that a Request for Determination would be the appropriate filing for this project. They will not require a new delineation, but will accept a previous plan of the project area in order to determine where the approximate wetland lines are located without actually approving them as delineations when the final Determination is made.

DEP 125-0934: 509 South Street (Casserly): Willard said she had conducted a site visit recently in order to inspect the haybale siltation barrier because there is a tremendous amount of work being done within a very tight space and within extremely close proximity to the resource area. Upon her inspection she found that the haybale siltation barrier is in substantial need of repair in several places around the project site. She sent a letter requesting that the property owner repair the barrier immediately and contact her for another inspection. She received a message earlier in the day informing her they have repaired the haybale /siltation barriers as requested and are now ready for a re-inspection.

DEP 125-0927: 95 Hanover Road (Nouvellon): Willard reported having learned that this project had been underway for quite some time but she had not been notified prior to the initiation of construction as required in the Orders of Conditions. She said that upon her inspection, there appeared to be numerous additional violations, including but not limited to: failure of haybale/ siltation barrier during a period of heavy rains; failure to post DEP number; failure to provide accurate site contractor and engineer contact information; failure to place a copy of the OOCs and Plan of Record on site. Willard had drafted a letter for the Commission's review, to be sent to the property owner as a first-response alternative to issuing an Enforcement Order. This approach was suggested with the goal of getting a quicker response from the property owner in getting the site stabilized in order to prevent further damage to the resource areas.

Burn moved to authorize Willard to send the proposed letter as drafted, Tatistcheff seconded and all voted in favor. The Commission agreed that an Enforcement Order should be issued shortly if the property owner does not respond to the requirements as outlined in the letter in a timely manner.

(DEP #125-0938) 82 Johnson Road: Plan Change Request

Builder Paul Gaboury was present to request approval of a change to the grading associated with the installation of a soil absorption system. He said the Board of Health had completed a preliminary review of the proposal and had come back with requirements involving a reduction in the length of the polybarrier, which in turn affects the grading requirements relative to contour lines. He said he had submitted a revised plan to the Board of Health, involving a different technology (Cultech) that had been prepared by a different engineer than the Plan of Record, and it is now under review by the Board of Health's technical consultant. Guarino suggested the Commission accept the proposed changes in grading as a field change because this is the only portion of the Plan that would affect the jurisdictional area and in her opinion is not significant enough to require an Amended Order of Conditions. With no further discussion, *Tatistcheff moved to accept the proposed plan changes as field changes, Burn seconded the motion and all voted in favor.*

9:00 P.M. (DEP #125-791) 333 Bedford Road

John Bakewell – Request to discuss plan regarding proceeding with invasive removal work

Applicant: Ed Fields, Project Location: Bedford Road, Parcel 88-1

Orders issued 10/18/2006; Ext Permit - Extended to 10/18/2012; Permit Extension Act - Extended to 10/18/2016;

Current owner: Nicholas Fohl

Arborist John Bakewell had requested time on the agenda for the Commission to discuss his written proposal for removal of invasive plants within the existing Orders of Conditions. (Bakewell was unable to be present for the preliminary discussion.) Willard said the lot had been on the market for quite some time and has now been purchased. It is her understanding that the new owner does not plan to build right away, rather he would like to get started on getting a handle on the invasives. She said she has not had an opportunity to give the Orders of Conditions for this project a thorough review yet, and encouraged the Commission to review them as well (copies of the OOC's were distributed at the meeting).

Guarino quoted from the Special Conditions, noting that they provided for the removal of non-native, invasive trees and/or shrubs in conjunction with a Restoration Landscape Plan. Guarino noted that this had long been an agricultural field that was abandoned and has now become completely overgrown with invasives. She said she felt that the proposal that had been submitted was very cautious and careful and that there had clearly been a lot of thought put into minimizing disturbance to jurisdictional areas.

Brownrigg said he wanted to see the proposal revised to clearly show the location and species of the plants proposed for removal and that he would also like to see the site before making a decision. He also noted that, when he was working with Amanda Weise from the New England Wildflower Society on invasives removal at Towle Field, he recalled she said she would not apply a salt formulation of Triclopyr closer than 100' from wetlands.

All were in agreement that a site visit would be helpful once a revised proposal has been submitted, including locations and identification of all proposed invasive plant removal work. They will also request that the wetland flags be refreshed prior to the site visit.

9:15 p.m. *Tatistcheff moved to adjourn, Burn seconded the motion, and all voted in favor.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant