

Carlisle Conservation Commission
December 13, 2012

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 7:30 p.m. Also present were Vice Chair Luke Ascolillo and Commissioners Tom Brown, Tom Brownrigg, Peter Burn, Jen Bush, and Lee Tatistcheff and Conservation Administrator Sylvia Willard.

Bills, Minutes, General Agenda Items, & New/Pending or Old Business:

Certificates of Compliance:

(DEP 125-0861) Owner: Wilkins Hill Realty, Location: 301 Hanover Rd; Home, driveway, grading, Issued: 8/9/2009, includes continuing condition. Based on Willard's recommendation that the project had been completed substantially in compliance with the Plan of Record, *Brown moved to issue a Certificate of Compliance for DEP #125-0861 with the following Continuing Condition: The area identified on the Plan of Record as the "A proposed Wildlife Habitat Augmentation Area" shall not be altered in a manner so as to interfere with the purposes identified on the Hanover Hill Subdivision Plan. This condition shall be a Continuing Condition and recorded as such in the Certificate of Compliance. Tatistcheff seconded the motion and all voted in favor. Willard noted there were several Special Conditions included in the Order of Conditions as follows: (1) the owner shall provide delineation of a no disturb area at the rear of the property from WF54 around to the property line with either a fence, wall or other method acceptable to the Commission; (2) a stone wall shall be constructed around from the temporary benchmark and arched around toward WF57, stopping 20 feet upland of WF57 to allow for upland migration; (3) prior to construction the owner shall provide the Commission with a revised Plan showing the location of the stonewall boundary for the WHA and the demarcation of the limit of work in the rear of the property*

(DEP 125-0894) Owner: Rainbow Builders, location; 51 Twin Beech Rd., Chestnut Estates, Issued: 11/23/2010. Based on Willard's recommendations that the project had been completed substantially in compliance with the Plan of Record, *Bush moved to issue a Certificate of Compliance for DEP #125-0894, Ascolillo seconded and all voted in favor.*

(DEP 125-0895) Owner: Rainbow Builders, Location: 52 Twin Beech, Chestnut Estates, Issued: 11/23/2010. Based on Willard's recommendations that the project had been completed substantially in compliance with the Plan of Record, *Tatistcheff moved to issue a Certificate of Compliance for DEP #125-0895, Brown seconded and all voted in favor.*

Boy Scout Camping Trip: Troop Leader Drew Kissinger and his son, Miles, provided the Commission with a brief recap on their recent overnight camping trip on behalf of Boy Scout Troop #135. The group departed from Curve Street early Saturday morning, hiking through to the Town Forest and then every trail in the Town Forest before reaching their designated campsite, earning their well-deserved Carlisle Trekker Badges. The weather proved to be very New England-like, with cold temps and snow on Saturday, followed by warm, sunny weather the following morning. Overall the trip was a big success and they are looking forward to planning for more overnight adventures in the future.

Elliott Land Grant: CCF President, Steve Tobin, was present to provide the Commission with an update on an alternative fundraising strategy in light of receiving notification from the Executive Office of Energy and Environment Affairs (EOEEA) that the Elliot River Preserve Project had not been selected to receive an award through its Local Acquisitions for Natural Diversity (LAND) grant program. The project team,

comprised of Carlisle Conservation Foundation (CCF) partners and Sudbury Valley Trustees staff and board members, as well as time and effort on the part of Sylvia Willard, has raised a total of \$462,455 through a combination of revenue sources including \$150,000 from the Carlisle Community Preservation Act Fund, \$45,000 from the Town of Carlisle Conservation Fund, \$20,000 from the National Park Service, and \$247,455 through private donations. Tobin said that although the team was greatly disappointed to learn that the project would not receive the grant funding, they believe it is just as important of a piece of property as it has ever been, and are regrouping and moving forward with a revised plan. After recalculating the amount of additional funding needed to cover the total purchase price of \$744,000, the team is now proposing an additional \$180,000 in Town of Carlisle CPA funds and an additional \$101,545 to be raised through private donations in order to meet the shortfall of \$281,545. He noted that the Option to Purchase will expire as of June 30, 2013. Addressing the proposed CPA component for additional funding, CPA Chair Luke Ascolillo, reported there is approximately \$380,000 in undesignated funds available for FY13. The Commission agreed to take the lead on the CPA funding proposal, with CCF/SVT focusing their efforts on the private fundraising piece. The Commission will also discuss providing additional funding through the Carlisle Conservation Fund.

Tatistcheff moved to support moving forward with a proposal for additional CPA funding in support of the acquisition of the Elliott River Preserve, with the amount to be determined. Burn seconded the motion and all voted in favor. The Commission will determine the amount to be requested in the FY13 CPA proposal and will further discuss potential additional funding from the Conservation Fund at their January 10 meeting.

8:10 p.m. (DOA-301) Request for Determination

Applicant: J. Thomas Brownrigg

Project Location: 5 Acton Street

Project Description: Removal of approximately 16 live and 10 dead trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland and within the 200-foot Riverfront Area

Guarino opened the meeting under the provisions of the Carlisle Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Commissioner Brownrigg recused himself and presented the proposal. Brownrigg said he is proposing the tree removal project after having surveyed the damage to his property following Hurricane Sandy, during which several trees fell dangerously close to the house and power lines. There is also a cluster of ten additional trees included in the proposal in that same general area that are dead or dying, and are also cause for concern. He described the lot location at the intersection of Acton and Westford Streets, noting a stream located to the east of the property that flows under Westford Street. Although portions of the lot have been landscaped with fruit and ornamental trees and a garden was planted to the south of the house, the area within approximately 100 feet west of the stream which has been left in its natural state. He acknowledged that some of the trees proposed for removal are potentially within the Riverfront Area, with the trees closest to the stream being located 60 to 100 feet from the stream. Although he said he is not contesting the USGS classification of the stream, located to the east of the property, he noted that USGS shows the section of the stream closest to his house is shown as perennial, and just a short distance up stream where there is a pond, the stream is shown as intermittent.

Brownrigg acknowledged that he did not have the wetlands delineated for the proposal, rather he provided estimated delineations using a 2008 aerial image from MassGIS and a modified version of a Mortgage Plot Plan dated April, 1983. It is his opinion that there will be no impact to the Riverfront Area. The only area of potential concern is a Certified Vernal Pool (CVP), but it is located at such a distance from the proposed tree removal that it is unlikely that the project will cause any disturbance. Removal would be undertaken with a crane staged in the landscaped front yard area. Stumps in grassy areas will be ground down and not removed, and the trees that are not located in previously disturbed area will be left as is.

Willard said she was uncomfortable with the fact that the delineations were estimated, but said she was able to confirm that the trees were at least 50' from open water during a recent site visit. Burn said the Commission will likely be seeing a number of people coming forward to address post-storm tree damage and therefore needs to be particularly consistent going forward relative to verification of wetlands delineations. Guarino did not see an issue with the trees proposed for removal that are within close proximity to the house and/or within previously disturbed areas. Tatistcheff noted that regardless of whether the proposal includes a wetland delineation, the proposed work is at least 60-100 feet from the stream or within previously disturbed areas.

With no further comments, *Brown moved to issue a Negative Determination B3 - the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following condition: The Commission is not accepting the estimated determination of the wetlands Buffer Zone. Tatistcheff seconded and all voted in favor.*

8:20 p.m. (DEP 125-) Notice of Intent

Applicant: Norma Read

Project Location: 103 Indian Hill

Project Description: Installation of a septic tank, pump chamber, distribution box and grading associated with a soil absorption system

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Act. George Dimakarakos of Stamski and McNary presented the Plan. The proposed work is located within the 100-foot Buffer Zone of a BVW. The proposal includes the installation of a septic tank, pump chamber, force main, distribution box and grading associated with a soil absorption system. The proposed system will replace an existing, failed system. Dimakarakos acknowledged that the grading associated with the project will require removal of several trees, but pointed out the fact that the replacement of the failed system within close proximity to the wetlands is an environmental improvement. Although there were no apparent issues with the proposal, the hearing was continued to January 10, 2013 at 8:00 p.m. pending a DEP number assignment and review.

8:30 (DEP 125-) Notice of Intent

Applicant: Grace Tilton

Project Location: 400 Concord Street

Project Description: Demolition of an existing garage, construction of a new, larger garage and associated paving and grading

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Act. George Dimakarakos of Stamski and McNary presented the Plan. The proposed work is located within the 100-foot Buffer Zone of a BVW. The proposal includes the replacement of an existing garage with a slightly larger structure and associated grading in a previously disturbed area. The limit of work will be set at the top of the steep slope in the project area. Fill material will be stockpiled in the center of the yard and outside of the Buffer Zone. Although there were no apparent issues with the proposal, the hearing was continued to January 10, 2013 at 8:00 p.m. pending a DEP number assignment and review.

8:40 p.m. Agricultural Conservation Plan for Clark Farm - 185 Concord Street: Andrew Rodgers was present to discuss the Farm Conservation Plan he has developed under the direction of the Natural Resources

Soil Conservation Service (NRCS). Willard explained that the plan was developed in accordance with the provisions of the Wetlands Protection Act, which require agricultural operations performing work in or adjacent to wetland resources to file a Notice of Intent with the Conservation Commission or to develop a Farm Conservation Plan with that agency. Included in the draft Plan are aerial maps with overlays for the Property Layout, Soils Map, Vegetable Crop Areas Map, proposed Maintenance of Farm Drainage System schematic as well as a Soils Inventory Report. Rodgers said his previous lease involved running a farming operation in Hamilton that was located near water supply wells and along the Ipswich River, providing him with a greater appreciation of environmentally sensitive farming practices. He reported that the Clark Farm had recently been certified organic through the USDA National Organic Program. Rodgers said that work to improve drainage has been underway since this past spring, including cleaning out drainage ditches and some brush clearing – all of which has been done in consultation with Dan Lenthal of the NRCS. He said expanding the operation is a work in progress involving experimenting with different crops on a trial and error basis in accordance with the varying soil types and growing conditions. Future plans also include introducing additional livestock including chickens and pigs, and they are also looking at the possibility of sheep grazing in order to control successional growth along the field edges and to control invasive plants, noting that his goats have been helping control the buckthorn along Clark Farm Road. Upon hearing this, the Commission was interested in discussing the possibility of allowing grazing at Towle Field and other properties where invasives are proving particularly difficult to get under control. In concluding his presentation, Rodgers agreed to advise the Commission if and when any changes are going to be implemented into the present Plan.

9:10 p.m. Brem Conservation Cluster - 100 Long Ridge Road: Guarino opened the discussion by stating that the primary purpose of including this item in the agenda was to provide an update on the status and timeline of the review of the proposed Subdivision Conservation Cluster submitted by Jeff and Lisa Brem. Willard reported having attended a site visit with members of the Commission and Planning Board last week. It is her understanding that the Planning Board will make a decision as to whether or not to go forward with the concept of the four lot Conservation Cluster vs. the by-right alternative to develop 3 lots in accordance with the ANR Plan once they have input relative to the Open Space parcel from other boards. In addition to the Commission, also yet to weigh in on the Open Space portion of the proposal is the Land Stewardship and Trails Committees. Also, the land proposed for a Conservation Restriction on the back of 2 of the lots will need to be reviewed by the Conservation Restriction Advisory Committee (CRAC). The Commission plans to make a determination relative to the value of the proposed open space as a natural resource once they have received feedback from the above mentioned subcommittees. Guarino asked the Commission for questions or comments. Brownrigg inquired about the Wildflower Sanctuary located on the property, and he requested additional information relative to the parcel, including the types and locations of wildflowers. Willard said it was her understanding that this deed restriction has technically expired because there was no grantor /grantee and therefore expired after 30 years. John Ritchie of Long Ridge Road, whose father-in-law owned the property prior to the Brems, said he was in the process of researching whether or not there is additional documentation relative to the deed restriction. He said it was his understanding that it was a state-sanctioned restriction that the town of Carlisle was aware of. Burn asked for clarification relative to the Suffolk Lane easement. Tatistcheff said it was her understanding that the issue involves two different property owners who are currently working with the Planning Board in order to clarify the location. Bush recalled that CRAC had been requested to rank all properties in town that are larger than 10 acres for the next OS&R Report. At that time, it was given a rank of 4 based on several categories, including connection to other conservation land, vista, wildlife habitat diversity, recreational use and agricultural use. Willard noted that several properties were rated at a rank of 4 because there was a lack of information about the properties.

Citing Section 5.5.3 of the Conservation Cluster Bylaw which requires the Planning Board to allow the Commission a reasonable amount of time to inspect and comment on a conservation cluster proposal, Debbie Geltner of the Land Stewardship Committee asked the Commission if they are comfortable only having seen this property in a very narrow sliver of time and not across all seasons. Specifically, she wanted to know if the commission wanted to wait to make a determination relative to the Wildflower Sanctuary until which time they are able to see what species are present on the parcel.

Guarino thanked the Commission and those in the audience for their comments and said these issues will be discussed further at the Commission's January 10, 2013 meeting.

Carlisle Cranberry Bog Farming Agreement Committee: Willard updated the Commission on the status of establishing an ad hoc Cranberry Bog Farming Agreement Committee, which will be charged with developing a new farming agreement, as the current lease is due to expire in June 2015. She has published a request for committee members and so far received letters of interest from Warren Lyman and Debbie Geltner of the Land Stewardship Committee and from CRAC member and former ConsCom member Carolyn Kiely. Commissioners Ascolillo and Brown have also agreed to help with the effort, as well as former Commissioner Steve Hinton, who worked on the two previous agreements.

FY 14 Budget Process: Tom Brown will present the FY14 budget on behalf of the Commission. A preliminary budget request is due by January 11, 2013. The Commission is planning on addressing several additional expenses with FinCom relative to finding appropriate funding sources for the following: costs associated with the Rapid Response System installed in the Cranberry Bog House as required by the Carlisle Fire Department; field edge maintenance expenses; surface improvements to conservation area parking lots in accordance with ADA requirements and another year of additional mowing Towle Field to control buckthorn and poison ivy. The Commission also plans to inquire about the possibility of getting funding from the NOAH and /or the Housing Authority to assist with field maintenance expenses associated with the Benfield Conservation Land, where the water supply well and septic system for the Benfield Affordable Housing project will be located.

Meeting Schedule Early 2013: January 10 and 24; February 14 and 28; March 14 and 28; April 11 and 25

10:10 p.m. *Burn moved to adjourn, Bush seconded and all voted in favor.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant