

Carlisle Conservation Commission
April 14, 2011

Pursuant to a notice filed with the Town Clerk, Chair Guarino called the meeting to order in the Clark Room at the Town Hall at 7:35 p.m. Also present were Commissioners Luke Ascolillo, Tom Brownrigg, Jen Bush, and Debra Kimbrell Anderson and Conservation Administrator Sylvia Willard. Vice Chair Peter Burn was not present.

Bills, General Agenda Items, New Business:

COC: (DEP 125-0875) Location: 491 Maple Street; Project: Repair of Failed septic system; Issued: 12/30/2009: Based on Willard's recommendations subsequent to a recent site visit, Bush moved to issue a Certificate of Compliance for DEP #125-0875, Ascolillo seconded and all attending voted in favor.

Potential Small Scale Agricultural Licensing: Subsequent to receiving an inquiry from Gale Constable with regard to potential locations for agricultural use on behalf of several interested Carlisle residents, the Commission had requested the Land Stewardship Committee consider the issue and provide their recommendations. Willard provided photographs of two potential sites at Greenough in which Constable had expressed particular interest, with one site being where the farmer's cottage had been located and the other between the barn and the poultry coops. Because the gravel driveway leading to the barn/cottage area leads through CCF land, there is currently no motorized vehicular access on the driveway leading to the barn/cottage area; therefore, permission would be needed before proceeding with the process. If access is granted, the applicant would be required to provide a detailed proposal to the Commission, including purpose (community gardens vs commercial use), crop plan, irrigation methods, pesticide use, number of gardeners and information on any potential structures that may be part of the overall plan. It was noted that the licensee should be made aware of the fact that the area has been subjected to incursions and vandalism in the past and that there is always the possibility of future theft and/or vandalism.

Consideration of Town-Owned Parcels: At the previous meeting, the Commission had briefly discussed the Board of Selectmen's request for a review a current list of available town tax title lands for possible transfer to the Commission's care and custody. The Board of Selectmen has also approached CCF to determine whether they may have interest in any of the available parcels. Willard reported that she is now in the process of clarifying the process with the BOS chair John Williams. Of particular interest are those parcels that are contiguous with existing, protected land and/or those that could provide access to existing trails. After conducting a brief review of each of the available parcels, the Commission identified several parcels of interest and determined they would continue the review once they have visited the sites.

8:05 p.m. (DEP 125-0900) Notice of Intent

Applicant: Wilkins Hill Realty, LLC

Project Location: Parcel A Curve Street

Project Description: Temporary access to an upland area crossing approximately 60 feet of Bordering Vegetated Wetland for exploratory soil testing and evaluation

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. Engineer Benjamin Ewing of Stamski and McNary, Inc. presented the Plan. The project area consists of vacant land approximately 69 ASK SRW acres in size

with access located on the east side of Curve Street. They are proposing exploratory soil testing in a small area of upland and evaluation for planning and tax assessment purposes. This will require construction of a temporary access route. A Notice of Intent filing was required due to the project area's close proximity to the BVW, and the length of the proposed crossing. It is also designated as within Priority Habitat by the Natural Heritage and Endangered Species Program. The representative reported that the proposal has received approval from NHESP in accordance with MESA requirements. The work would be undertaken using a mini tracked excavator in order to minimize disturbance while moving through the wooded area, across the wetlands and a ditch in order to access the upland area for testing. Wooden planks would be set over the ditch in order to maintain the existing bank and minimize disturbance.

Willard reported having discussed several issues relative to the proposal with the representative, including concerns relative to the accuracy of the BVW delineations, given the obvious potential for future development and the close proximity of the work to the wetland. She noted that any future development of the lot would require a wetland crossing of at least 70 feet in length and very likely a replication area of approximately 1000 s.f. Accordingly, she suggested that perhaps a peer review of the delineations would be in order as was done for all other wetland resource areas within the Hanover Hill development. Responding to her concerns, the representative suggested the Commission consider including a Special Condition stating they are not confirming the actual location of the wetlands. Finding this approach acceptable, *Brownrigg moved to close the hearing for DEP #125-0900, Ascolillo seconded and all voted in favor. Kimbrell-Anderson moved to issue a Standard Order of Conditions with Special Conditions limiting the delineations to exploratory purposes only and requiring that a new NOI be filed for any future development following a Certificate of Compliance issued for this filing. Ascolillo seconded and all attending voted in favor. Ewing agreed to an amendment to the motion put forth by Kimbrell Anderson and seconded by Ascolillo that additional planking would be installed should wetter conditions be present at the time the work is undertaken. All present voted in favor of the motion as amended.*

Present for the hearing, representative Rob West said that he was aware that a member of the Commission is interested in a potential vernal pool on the property and reiterated the fact that permission is required for access to the privately owned property to make such a determination.

8:25 p.m. (DOA-285) Request for Determination, Continued

Applicant: Jay Acquaviva

Project Location: 193 Partridge Lane

Project Description: Removal of 18 trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland, within Bordering Vegetated Wetland and within the 100 and 200-foot Riverfront Area

As requested at the previous meeting, the applicant presented a revised plan reflecting the wetland delineation conducted since the previous hearing and with all trees proposed for removal accurately located in accordance with the delineation. Given that the revised plan and proposed tree removal procedures were found to be acceptable, *Brownrigg moved to issue a Negative Determination B3, confirming the fact that the proposed work is within the Buffer Zone as defined in the Regulations but will not alter an existing area subject to protection under the WPA, with the Special Condition that future plantings would be allowed contingent upon submission of a plant list that would be subject to review by the Commission. Bush seconded the motion and all attending voted in favor.*

Addressing the requirements of the Enforcement Order that had been issued to the property owner for the unpermitted construction of a sunroom that is within close proximity to the wetlands, a revised property map reflecting the addition was provided.

Being that the revised plan was found to be acceptable, *Kimbrell-Anderson voted to issue a letter of compliance to the property owner, Ascolillo seconded and all attending voted in favor.*

8:40 p.m. (DEP 125-0893) Notice of Intent, DECISION

Applicant: The Rachel Webster Elliott Trust – 2004

Project Location: 291 River Road, Map 1 Parcels 1, 1A, 1B, 3, 3B

Project: Common Driveway project within the 100-foot Buffer Zone of a Bordering Vegetated Wetland, within Bordering Vegetated Wetland and within the 100-and 200-foot Riverfront Area

Guarino opened the discussion subsequent to the closing of the hearing on March 24, 2011. The Commission conducted an in depth review of the draft Order of Conditions that had been previously circulated relative to all components of the common drive construction project, including a wetland crossing with an open box culvert, a replication area including planting plans, water supply well, fire protection cistern, stormwater management features including raingardens, and the general construction sequencing and management plan for the wetland crossing. The following Findings will be included in the Orders of Conditions: (1) Alternative #1 of the five alternatives provided in the NOI is the preferred Riverfront Area alternative for this project providing optimal resource areas protection; (2) Only the Bordering Vegetated Wetland identified within 100 feet of the work area has been confirmed by the Conservation Commission and only riverfront area within 200 feet of the work area has been confirmed by the Conservation Commission.

Kimbrell-Anderson moved to issue the Orders of Conditions for DEP #125-0893 as outlined in the draft OOCs and in accordance with the amendments as discussed, Ascolillo seconded and all attending voted in favor, with the exception of Kimbrell-Anderson who abstained due to her absence from the previous hearing.

Boardwalk/Wildlife Viewing Platform Complaint: Property owners Kirk and Kathleen Metcalf of 121 Hartwell Road were unable to be present to discuss their previously documented concerns relative to the recently constructed wildlife viewing platform. It was noted that the property owners were also invited to a recent Trails Committee meeting during which their concerns were to be addressed, but they were unable to be present for that meeting as well. The Administrator will contact the Metcalfs in order to attempt to reschedule time for the discussion on a future agenda.

9:10 p.m. (DEP 125-) Notice of Intent

Applicant: Greg Mackintosh

Project Location: 303 Russell Street

Project Description: Addition of a second story, grading for a walk-out basement, construction of a patio, walkways, crushed stone parking space and relocation of overhead lines to underground

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. Engineer Ben Ewing of Stamski and McNary, Inc. presented the Plan for renovating the existing dwelling with the addition of a second floor and removing and replacing sections of the existing dwelling for the addition of a screened porch. Additional site work includes grading and construction of a stone retaining wall in order to provide a walk out basement, patio, walkways and a crushed stone parking area. The plan also includes relocation of overhead power lines to underground. Most of the existing dwelling is within the 100' Buffer Zone of the BVW, which was flagged by B & C Associates. The plan is currently being revised subsequent to a site inspection during which the Administrator raised concerns with regard to the accuracy of the delineations of the BVW.

The representative will provide the Commission with a revised Plan prior to the continued hearing scheduled for April 28, 2011 at 8:00 p.m., at which time the hearing will likely close pending the issuance of a DEP file number.

9:20 p.m. MacAfee Land Restoration: Project Coordinator Steve Hinton was present to provide the Commission with an update relative the restoration of an area where logging had been unknowingly undertaken within town owned land. The restoration requirements imposed on the property owner included tree planting in accordance with an approved planting plan. Based on Hinton's recommendations subsequent to a recent site visit, the property owner will need to plant several additional hardwood species and will be required to replace several of the newly planted trees that did not survive the winter.

Plan Change Request: (DEP 125-0889)
Applicant: Carlisle Trails Committee
Project: Spencer Brook Wildlife Viewing Platform
OOCs Issued: 10/1/2010

Representing the applicant, Steve Hinton was present to request two field changes to the Plan for the recently constructed viewing platform. The first deviation was implemented as a result of a request put forth by Native American representatives who had visited the project site and requested a circular or oval platform in accordance with their ancestral traditions. The completed platform was constructed in the shape of an ellipse versus the square shape that had been depicted on the Plan of Record, although the change did not result in a change to the square area. The second change would allow the installation of a crushed stone ramp to access the field edge to the end of the platform in order to provide access. The representative indicated that this detail was not included in the original plan in order to allow for assessment of the approach area following completion of the boardwalk.

The Commission considered whether the proposed changes should require a Request for An Amended Order of Conditions versus a Plan Field Change, with the former requiring abutter notification and the posting of a legal notice for a public hearing. Given the fact that the proposed changes were not found to be significant enough to require a new filing in accordance with the WPA Regulations, *Brownrigg moved that the Commission accept the two proposed field changes including the shape of the platform and the construction of the access ramp. Ascolillo seconded and all attending voted in favor with the exception of Bush, who abstained.*

Plan Change Request: (DEP 125-0892)
Applicant: Catherine Cole
Project: Reduction in size of deck
OOCs Issued 11/3/2010

A proposed plan change was found to be acceptable at the previous meeting but quorum issues prevented the Commission approving the request so the decision was postponed. With the quorum available at this meeting, *Bush moved to accept the proposed change to allow a reduction in the dimensions of the deck size, Brownrigg seconded and all attending voted in favor.*

Intents Transfer Request: *Ascolillo moved to request an Intents Account Transfer through the Board of Selectmen in the amount of \$8,485.74 for the purpose of funding wages for the Conservation Administrator for the remainder of FY11, Bush seconded and all attending voted in favor.*

Conservation Land Trash Removal: Responding to significant increases in trash removal expenses as well as contact from a competitor for the current trash hauler, the Commission will be placing an advertisement in the *Carlisle Mosquito* in order open the bidding for FY12. Along the lines of cutting expenses, Brownrigg suggested the Commission might consider discontinuing the current practice of providing trash barrels at Greenough and Towle on a trial basis in order to determine whether the service is needed at those locations. The commission advised requesting for quotes on trash removal on an as needed basis.

Funding for Open Space and Recreation Plan: Willard recently became aware of a Grant Program for OS&R Plans made available through the EOEA Department of Conservation Services. The grants are available to towns with a population of less than 5,000, and any funds awarded through the program would require a local match. Carlisle is on the list of qualifying communities and Willard will pursue further information on the program.

Sheep Grazing Proposal/Request: The Commission recently received an inquiry from Carlisle resident Judy Asarkoff relative to the possibility of grazing her small herd of sheep on the Towle Field conservation land. Brownrigg noted that grazing could potentially provide a cost effective means of dealing with invasive plant management, as long as it does not conflict with the Bobolink nesting season, which runs from mid May through August 1. The Land Stewardship Committee had discussed the proposal at a recent meeting and has provided some general guidelines for the Commission's use in considering the proposal. In the meantime, the applicant will be informed that her request received a positive response and that the Commission would welcome a written proposal.

10:40 p.m. *Bush moved to adjourn, Ascolillo seconded and all attending voted in favor.*

Respectfully submitted,
Mary Hopkins

DOCUMENT REGISTER

1. LSC response to proposal to lease a portion of Greenough Land for agricultural use dated 4-11-11
2. Written request and field sketch relative to Spencer Brook Viewing Platform dated 4-14-11 submitted by Steve Hinton
3. Site restoration photo documentation submitted by Sylvia Willard relative to two Plan Changes to Spencer Brook Viewing Platform permit dated 4-14-11