

Carlisle Conservation Commission
January 28, 2010

Chair Peter Burn called the meeting to order at 7:40 p.m. in the Clark Room at the Carlisle Town Hall. In addition to Burn, also present were Commissioners Jen Bush, Kelly Guarino, Debra Kimbrell-Anderson, Tricia Smith and Diane Troppoli and Conservation Administrator Sylvia Willard. Tom Brownrigg was not present.

Bills, General Agenda Items, New Business:

*Guarino moved to accept the **Minutes October 8, November 5, and November 19, 2009** as amended.*

Troppoli seconded and all attending voted in favor, with the exception of Kimbrell-Anderson, who abstained, as she was not a ConsCom member at the time of the meetings.

Cranberry Bog House Repair: LSC Co-Chair Warren Lyman was present to request the Commission's formal endorsement of the application to the Community Preservation Committee for funding of the Cranberry Bog House repairs as drafted by LSC. *Troppoli moved to endorse the application to the CPC in the amount of \$165,000 for the purpose of Cranberry Bog House preservation work, Bush seconded and all attending voted in favor.*

Curve Street/Cranberry Bog Dam Inspection: Willard reported having received one reply so far from one of the engineering consultants she had contacted in researching cost estimates for the Phase I Dam Inspection required by the MA DCR Office of Dam Safety. The suggestion was made that the Commission first consult with Town Counsel as to the legal implications of a dam that is for agricultural use but classified as non-agricultural and a significant hazard. Willard stated that the Town Administrator was in support of a request for Town Counsel opinion pending a vote by the Commission. *Guarino moved to refer the matter to Town Counsel. Troppoli seconded and all attending voted in favor.*

Kimbrell-Anderson suggested the Commission consider submitting application to the Office of Dam Safety requesting that the status of the Bog Dam be reevaluated. It was agreed that this will be further considered after receiving an opinion from Town Counsel with regard to its present classification.

8:00 p.m. Towle Conservation Land Management Plan - Public Hearing: Liz Carpenter and Warren Lyman were present for a preliminary discussion of the Draft Towle Field Management Plan. The document was based on some of the recommendations put forth in the Baseline Assessment produced by LSC and approved by the Commission in April of 2007, which included background information on the acquisition history, historic uses, and natural history inventory, identifying management units within the property and associated goals for each unit. Several suggestions were made with regard to the management of the field in order to preserve the conservation values and passive recreational uses of the area, with the final version of the Management Plan to be reviewed at the continued hearing on February 25, 2010 at 8:30 p.m.

8:40 p.m. (DEP 125-0854) Notice of Intent, Continued Hearing

Applicant: Thomas and Barbara Bjornson

Project Location: 38 Prospect Street

Project Description: Removal of approximately 60 trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland

Burn opened the continued hearing for DEP #125-0854 under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Willard informed the Commission that she had that afternoon been contacted by the applicant requesting a continuance until the spring. With the Commission's approval, the hearing was continued to May 13, 2010 at 8:30 p.m., with a letter to be sent to the applicant informing him that this is the final continuance that will be granted and restating the requirements that were previously determined by the Commission with regard to Plan deficiencies.

8:45 p.m. (DEP 125-) Abbreviated Notice of Intent

Applicant: Margery & Edgar Berube

Project Location: 784 North Road

Project Description: Removal of 18 trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland

Burn opened the continued hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. *At the applicant's request and pending the issuance of a DEP File number, the hearing was continued to February 11, 2010 at 7:50 p.m.*

Conservation Land Use Permit Requests:

Fox Hill - John Bakewell presented a request for a Land Use Permit in order to perform a brush burn at Fox Hill in association with his Agricultural Lease. Based on the details of his proposal, *Smith moved to issue the permit as proposed. Troppoli seconded and all attending voted in favor.*

Trails Committee Annual Moonlight Walk - A Land Use Permit was issued for the event scheduled to take place on Saturday, January 30 at 7pm., with participants to meet at the Foss Farm parking lot and trek to the Greenough Land.

8:45 p.m. (DEP 125-718) Order of Resource Area Delineation, Request for Extension Benfield Farms, South Street - Map 5, Parcel 7: Mark Beaudry was present to discuss the request put forth by the applicant in December for a second Extension of the ORAD originally issued in 2003, extended to 2007, and now set to expire in January 2010. Beaudry reported having consulted with several state offices and being informed that an extension would be allowable provided that it is requested at least thirty days prior to the expiration of the original ORAD.

Addressing the previously stated request by the Commission that the wetland delineations confirmed before further considering the request for an extension, Beaudry reported that they had recently obtained the digital file containing the delineations from the previous engineering firm associated with the project. The ORAD was superimposed onto an aerial photo from MassGIS taken in 2008, and in his opinion, the lines "followed closely". Upon inspection of the image, the Commission determined that the issuance of a six-month extension on the ORAD would allow the applicant to confirm the delineations and incorporate any necessary changes into a Plan to be resubmitted for their review, thereby making the applicant eligible for either another ORAD Extension or an Order of Conditions.

Guarino moved to extend the existing ORAD for DEP #125-718 for a period of six months, with the Special Condition that written confirmation by a professional with relevant expertise that the Resource Area delineations remain accurate be submitted to the Commission prior to the end of the six-month period and prior to issuance of the Order of Conditions for Benfield Farms. Troppoli seconded and attending voted in favor.

9:25 p.m. (DEP 125-) Notice of Intent

Applicant: Sharyl and Scott Stropkay

Project Location: 173 Rockland Road

Project Description: Installation of a sewage disposal system, well, culvert and associated grading; repaving an existing driveway

Burn opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Troppoli stated for the record that although she is not an abutter, she is a neighbor. Because the project has not yet been acknowledged by the DEP, the Commission informed the applicant they would be unable to make a final determination until the project received a DEP File Number. George Dimakarakos of Stamski and McNary presented the Plan for the replacement of a failed septic system, installation of a replacement well, and driveway/drainage improvement work. He informed the Commission the Plan had recently received approval from the BOH. Subsequent to a recent site visit, Willard reported having observed several flags were now missing and several may need to be reset in their original location based on the original flagging done in 2008. *The hearing was continued to February 11, 2010 at 7:45 p.m.*

MACC Announcement: Burn formally announced that Willard had been named “Conservation Administrator of the Year” by the Massachusetts Association of Conservation Commissions for her outstanding work in protecting the Massachusetts environment. The award will be presented at the 2010 MACC annual Environmental Conference at Holy Cross College on Saturday February 27, 2010.

Meeting Dates: The regular meeting schedule for March and April, 2010 was revised as follows: March 18, April 1, April 15, and April 29. The regular meeting schedule will resume in May.

Foss Farm Garden Manager –Willard reported they are in process in placing Press Release in the *Carlisle Mosquito* announcing the recently vacated position of Manager of the Foss Farm Community Gardens, with the Commission determining that a two-year term would be appropriate.

Memo to BOS re Waiver of Fees: Responding to a request put forth to the Board of Selectmen by NOAH that the wetlands fees associated with the review of the Benfield Farms project be waived, the following votes were taken: *Guarino moved to recommend to the ZBA that the Town of Carlisle’s portion of the Wetlands Protection Act fees associated with the Benfield project not be waived. Bush seconded; all attending voted in favor. Guarino moved to recommend to the ZBA that the Carlisle Wetlands Protection Bylaw fees associated with this project should not be waived. Smith seconded and all attending voted in favor.*

FY11 Budget: Burn provided an update on the status of the FY11 Budget process. The Commission will request \$9,000 from the General Fund in order to decrease the amount of Revolving Funds that would be required in order to meet expenses. A level funded budget will also be submitted as required by the Finance Committee.

10:05 p.m. *Guarino moved to go into an Executive Session without returning to a Regular Session for the purposes of discussing matters pertaining to potential for litigation. Troppoli seconded all. Burn called for a Roll Call Vote: TS – yes; DKA – yes; Bush – yes; Guarino – yes; Troppoli – yes; Burn – yes.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant