

**Carlisle Conservation Commission**  
**February 12, 2009**

Chair Tom Schultz called the meeting to order at 7:35 p.m. in the Clark Room at the Carlisle Town Hall. In addition to Schultz, also present were Vice Chair Peter Burn and Members Jenifer Bush, Tom Brownrigg, Kelly Guarino (7:55 p.m.), Tricia Smith (8:00 p.m.) and Diane Troppoli. Conservation Administrator Sylvia Willard was also present.

**Minutes, Bills & General Agenda Items:**

Burn moved to accept the **December 4, 2009 minutes** as amended. Brownrigg seconded and all attending voted in favor.

**FY'10 Budget Update:** Subsequent to having attended the most recent Fin Com meeting, Schultz provided the Commission with an update on the FY10 Budget. At the meeting, the BOS agreed to increase the Commission's 2010 base allocation by \$14k for a total budget of \$74,125. with \$6,000 coming from funds previously committed to the Commission's 2010 budget by the Fin Com. Because the funds would be put into the town's base budget and not obtained through an override, Schultz informed the Commission that it is likely that the 20% reduction in staff time will be reversed allowing office hours to be returned to standard hours of operation.

**Bow Tie Parcel** – Willard reported that the BOS voted to approve the inclusion of the Bow Tie Parcel on the upcoming Town Warrant and to support the transfer of the parcel to the Conservation Commission.

**Dam Inspection Update:** Subsequent to having received an order from the state in early December requiring the town to conduct a **Phase I Dam Safety Inspection at Cranberry Bog**, Willard had written to the agency for clarification as to whether the dam may be exempt under an agricultural exclusion. She informed the Commission that she recently received a response delaying the order until a representative from the Office of Dam Safety inspects it in order to make a determination as to whether the dam is actually exempt. Willard noted that the agency has also confirmed that the other two Carlisle-owned dams in its database are agriculturally exempt from the inspection process.

**MACC Conference:** Willard inquired as to whether the 53e1/2 Revolving Account funds could be used to cover the cost of the upcoming MACC Conference for those commissioners who were interested in attending. Although this has been a standard practice in the past, the expenditure needed the Chair's approval given current budget constraints. The determination will be made once the number of attendees is finalized.

**Bylaw Revision:** Representing Hanover Hill developer Grant Wilson, Rob West was present to inquire about the specifics of the local bylaw revision that is currently being undertaken by the Commission. He requested that he be informed of any changes being proposed that may have an impact on the permitting of the future house lots within the development. Schultz advised West that there is nothing being formally proposed at this point, rather the Commission is in the "discussion phase". Willard noted that there are some minor state regulatory changes that will need to be brought to the upcoming Town Meeting, but the major revision of the Bylaw is still in the early stages. The Commission agreed to keep him informed as the project progresses.

**8:00 p.m. Farmers Meeting:** Present to submit their annual Agricultural Land Use Reports were licensees John Valentine and John Bakewell. Valentine, who holds the license for Hutchins and Robbins, reported no appreciable changes from past years, although the alfalfa will need to be replanted, as typically needs to be done every three to five years. He also noted that he has been subleasing a portion of the land to Mark Duffy for corn production, with the arrangement working out exceptionally well. After reviewing his annual reports, Valentine said that there was a tremendous amount of brush around the fields due to the severe ice storm of this past winter, and asked for advice on how to best dispose of it. Willard offered to coordinate the chipping and removal of the brush with the DPW once the material is ready for pick up. In closing, Mr. Valentine thanked the Commission for allowing him to use the land. "I love it down there...that's the way Carlisle was when I moved here 54 years ago!"

Present to report on Fox Hill was lessee John Bakewell who discussed several proposed pest and invasive plant control measures including the use of herbicide applicators he referred to as the "Death Stick" and the "Paintinator", which met with the Commission's approval. Another proposal for the 2009 growing season involved improving his irrigation methods. Last season he and his business partner had used a cistern trailer, which was at the most, adequate; however, he is now requesting consideration of a proposal to install a small point well. Present for the discussion was LSC Chair Warren Lyman, who was in favor of the well because it would require less traffic on the access road and result in less soil compaction and in turn less erosion. With no further questions or comments on Bakewell's report, Guarino moved to encourage the appropriate use of the "DeathStick" and the "Paintinator" in controlling invasives at Fox Hill. Bush seconded and all attending voted in favor.

On a side note, Bakewell mentioned a proposal he is working on with the Garden Club for an Invasive Plant Gallery at Banta Davis. The preliminary details of the project met with the Commission's approval subject to approval by the BOS.

The remaining outstanding farmers' reports will be discussed on February 26, 2009.

**8:30 p.m. (DEP 125-0847) Notice of Intent**

**Applicant: John Merz**

**Project Location: 646 South Street**

**Project Description: Access to Construction Staging Area**

Schultz opened the hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Representing the applicant, engineers Russ Wilson and Drew Garvin presented the Plan for construction of an access road to an area that would be used for staging during construction of an addition. The NOI was being filed in response to an Enforcement Order that had been issued in January for unpermitted work in the Buffer Zone. Wilson stated that the temporary access road was needed during construction, as there is no alternative access route due to the location of the septic tank and leaching field. The Plan calls for using a 10-foot wide by 6-inch deep roadway comprised of 3-6" stone, which would be removed and the area restored to original grade after construction was completed. Brownrigg noted that the wetland delineations were done in January and inquired as to how they were done given the amount of snow cover at that time. Wilson stated that the new delineations were done using vegetation surveys and hydric soil samples-a practice, which Willard confirmed, was according to DEP standards. Willard noted that there are two Spruce trees in the Buffer Zone that appear to be in the process of succumbing to whatever has been killing off these trees over the last few years, and she suggested that the Commission consider giving permission for the owner to remove the trees should they die. With no further questions, **Burn moved to close the**

**hearing for DEP #125-0847. Troppoli seconded and all attending voted in favor. Burn moved to issue a Standard Order of Conditions with the following Special Conditions: the access road shall be removed and returned to original grade upon completion of the addition; should it be deemed necessary, the applicant may remove the two Spruce trees in the area of vicinity of the silt barrier as noted on the Plan of Record.**

**8:45 p.m. (DEP 125-0844) Notice of Intent**

**Applicant: Luciano Mangarella**

**Project Location: 383, 389 River Road and Assessor's Map 1 Parcel 8A**

**Project Description: restoration of BVW and 100-foot Buffer Zone**

Schultz opened the hearing under the Massachusetts Wetland Protection Act and the Carlisle Wetlands Protection Bylaw. Willard reported having received a request for a continuance from the representative, which was granted for **February 26, 2009 at 9:00 p.m.**

**Agricultural Leases 2010:** It was agreed that the next round of RFP's for the agricultural leases due to expire in October 2010 should be made public as far in advance as possible, preferable sometime in early summer, in order to open up the field of applicants.

**9:00 p.m. Camping Regulations, Continued Hearing:** Several final edits and changes were suggested which will now be incorporated into the final document and voted upon at the continued hearing on February 26, 2009 at 8:15 p.m.

**9:15 p.m. 211 Bellows Hill Road, Peter George:** Property owner Peter George informed the Commission that his property had been on the market for quite some time and he has recently found a buyer. He had requested this time on the agenda to discuss a proposal for resolving the previously expired OOCs on his property, which were issued in March of 2002 in conjunction with a farm restoration project. The plan is to return for a previously scheduled public hearing on February 26 with a new NOI which includes construction of the wetland replication area that was not completed under the expired OOCs, the replanting of a previously constructed replication area that did not vegetate satisfactorily, and loaming and seeding an existing pathway.

As for working out the logistics under an extremely tight time frame, George offered the following scenario. Assuming they are granted an Order of Conditions on February 26 and, allowing for the required 10-day appeal period, they propose to begin working on the replication area on March 16, weather permitting, which would likely take several days to complete. The Commission could then review the status of the replication area and grant a COC with the requirement that the property owner deposit sufficient funds in a 53G Account in order to cover any additional planting and monitoring that may be found to be necessary.

At the conclusion of George's proposal, Willard noted that there was a portion of the access roadway that goes into the Buffer Zone. Smith recalled also having observed that the road was unstable to the point of sedimentation running of into the Buffer Zone and down towards the resource area. The concerns were duly noted by the applicant.

Another issue pertained to the type of fill that had been used during the construction of one of the crossings. Smith recalled having observed bituminous material in the fill as well as plastic debris contained in the topsoil amendment that had been hauled into the project area. George reported having

had the fill inspected by a representative from the Soil Conservation Service who had found the fill to be adequate.

Smith also noted that there remained some concern that the replication area that had been constructed may not have been graded to the correct elevations. George stated that the elevations had been checked and it was his understanding that they were accurate, acknowledging however that the vegetation would need to be reinspected to determine if additional measures will be necessary.

**9:30 p.m. (DEP 125-0848) Notice of Intent**

**Applicant: Theodore Mark**

**Project Location: 24 Bingham Road**

**Project Description: Demolition and reconstruction of an existing barn, addition of a deck and stairs to the rear of the existing house**

Present to represent the applicant were Attorney Roy Cramer and Wetland Scientist Lisa Standley of VHB Associates. Standley stated that they had filed an Abbreviated NOI for a small amount of Buffer Zone work at 24 Bingham Road for which the Commission had recently issued a COC, which cleared all of the previous work the site. They are now proposing the following "minor improvements" in an effort to expedite the sale of the property: 1) Demolition of the existing barn, which is actually a large shed/chicken coop built of plywood and is of no historical or structural significance. They are seeking to replace the barn with a smaller structure with the same footprint as noted on the Plan. No design plans have been made as the property owner wants to give a future owner the option to build again on that footprint with the understanding that they would need to return to the commission with design plans should they decide to rebuild. The proposed structure would be twenty feet from the edge of the wetland and would be separated by a haybale barrier, which would be installed ten feet from the footprint of the building to allow access during the demolition. The debris would be placed in a dumpster which would be placed on the existing gravel driveway. 2) The Plan also includes the construction of two decks at the rear of the existing house, with a larger, 320 sf deck to be constructed in a previously disturbed area on sona tubes, and the smaller, 120sf deck and stairs to be used as a back entry to the kitchen.

Willard asked if they planned to loam and seed the area once the barn has been demolished. The applicant stated that the area would probably be loamed and seeded in order to keep it stabilized. Willard also pointed out that the wetland delineation provided on the plan was conducted for the late 1990's filing for the original house. Although the other aspects of the Plan as presented were acceptable to the Commission, Schultz stated that they were not comfortable with permitting a new, 1200sf footprint closer to the wetlands at the top of a steep slope without seeing specific design plans. Following a brief conference, **the applicant and his representatives requested a continuance to February 26, 2009 at 9:15 p.m. to allow them to address the Commission's concerns.**

**Annual Report:** The Commission approved the 2008 Annual Report as drafted by Willard to be forwarded to the Board of Selectmen.

**10:00 p.m. Smith moved to adjourn. Burn seconded and all attending voted in favor.**

**Respectfully submitted,  
Mary Hopkins**