

Carlisle Conservation Commission
February 26, 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, Members Jenifer Bush, Tom Brownrigg, Kelly Guarino, and Tricia Smith (8:50 p.m.) and Conservation Administrator Sylvia Willard. Diane Troppoli was not present.

Minutes, Bills & General Agenda Items:

Burn moved to accept the minutes of the **December 18, 2008** meeting as amended, Bush seconded and all attending voted in favor.

Burn moved to accept the minutes of the **January 8, 2009** meeting as amended, Guarino seconded and all attending voted in favor with the exception of Bush, who abstained.

Certificates of Compliance:

DEP #125-739 Project: Applegrove Lane, including Wetland Crossing and Replication Area; Issued 12/18/2004, Extension to 12/18/2009: The review of the request for a COC was postponed until site conditions allow for a thorough inspection.

DEP #125-738 Project: Hobblebush Lane; Issued 12/9/2004, Extension to 12/10/2009: The review of the request for a COC was postponed until site conditions allow for a thorough inspection.

New Business:

Open Space and Recreation Report: Willard announced that she is in the process of determining costs associated with the production of the 2010 report. Guarino, who is a member of the Community Preservation Committee, will investigate whether CPC funds can be used to cover the cost of producing the Plan.

Town Forest Baseline Assessment: The public hearing was scheduled for April 23, 2009.

Great Brook Farm State Park – Pond Project: Willard informed the Commission that she received an Environmental Notification Form (ENF) with regard to a proposed pond excavation project at Great Brook Farm State Park, with a Notice of Intent to follow shortly. It is her understanding that the work is being proposed in order to improve water quality and to increase capacity for fire protection purposes.

Town Meeting: Guarino volunteered to represent the Commission at the May 4, 2009 Town Meeting to discuss the Bow Tie Lot and to provide an update on the status of the Carlisle Wetlands Bylaw revision.

Town Forest Tree Cutting Request: Willard informed the Commission that the recently received request to cut trees for firewood on Town Forest Land is being reviewed by the Land Stewardship Committee. The Committee will also evaluate what benefit, if any, a possible large-scale Forest Stewardship Plan could provide to the Town.

8:15 p.m. Revision of *Camping Regulations on Town Conservation Land, Continued Hearing:* Guarino moved to continue the hearing with regard to adopting the amended *Town of Carlisle Camping Regulations* as

amended to March 26, 2009 at 8:15 p.m. in order to allow for the revision of the *Rules and Regulations for Use of Conservation Lands* in order to achieve consistency between the two documents.

8:30 p.m. (DEP-125-0849) Abbreviated Notice of Resource Area Delineation

Applicant: Joseph Topol

Project Location: 879 Concord Street

Project Description: Confirmation of Wetland Resource Area Boundaries.

Schultz opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. In attendance for the hearing were the applicant and his representative, George Dimakarakos of Stamski and McNary, who presented the details of the request for approval of the wetland resource area delineations. It was noted that although Smith was not present, she had previously recused herself from the hearing. At the conclusion of Dimakarakos' presentation, Willard noted that she had previously informed the representative that a peer review of the delineations will be required, a standard practice of the Commissions when reviewing this type of filing.

When the question arose as to whether Buttrick Pond should be classified as Riverfront, Dimakarakos stated that it is classified as a pond in accordance with current regulations, adding that he had not seen any compelling evidence to suggest that it has riverine characteristics. He also said that, although technically his client should not be required to pay for this determination, Wetland Consultant John Rockwood will likely address this in the course of undertaking the general peer review of the ANDRAD.

The hearing was continued to March 12, 2009 at 8:30 p.m. in order to allow for a site visit with the Commission's Wetlands Consultant.

8:45 p.m. (DEP 125-0850) Notice of Intent

Applicant: Peter George

Project Location: 211 Bellows Hill Road

Project Description: Construction of a replication area, planting of an existing replication area and loaming and planting an existing pathway

Schultz opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Present for the hearing were the applicant and his representative, George Dimakarakos of Stamski and McNary. The applicant is proposing that the Commission grant a COC for his original filing, with all additional work to be allowed under the new NOI. Dimakarakos stated that the Plan for the new NOI had recently been revised subsequent to a discussion with Willard during which the suggestion was made to bring the replication area closer to the crossing. It was noted that the proposed changes will also result in a reduction of the number of trees to be removed within the project area.

COC: (DEP #125-666) Location: 211 Bellows Hill Rd. Project: Land clearing and driveway wetlands crossings; Issued: 4/2/2002: *Smith moved to issue a Partial Certificate of Compliance for DEP #125-666*

for the completion of wetland crossings and clearing of approx 5.9+/- acres of forested land for agricultural use, referencing the Order of Conditions for DEP #125-0850 issued on February 26,2009 to permit the uncompleted work required under #125-666. Burn seconded and all attending voted in favor.

NOI: DEP #125-0850: *Burn moved to close the hearing for DEP #125-0850. Smith seconded and all attending voted in favor. Smith moved to issue a Standard Order of Conditions with the following Special Conditions: 1. the applicant shall establish a 53g account for all costs associated with the construction and monitoring of the replication area; 2. the wood chip stockpile located near the remains of WF-62 shall be removed after a line of construction fence has been satisfactorily installed in order to delineate the limit of work; 3. An As-Built Plan must be submitted at the time of the request for a Certificate of Compliance upon completion of the project.*

The Commission instructed the applicant to obtain a cost estimate for the construction and monitoring of replication area and to then coordinate the establishment of the 53g fund through Conservation Administrator.

9:00 p.m. (DEP 125-0844) Notice of Intent, Continued Hearing

Applicant: Luciano Manganella

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 continued hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. *The hearing was continued to March 26, 2009 at the applicant's request.*

9:15 p.m. (DEP 125-0848) Notice of Intent, Continued Hearing

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

Schultz opened the continued hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Present for the hearing was the applicant and his Attorney Roy Cramer. The representative informed the Commission that Wetland Consultant Lisa Standley had a conflict and would be unable to attend the hearing.

Cramer stated that they had produced a slightly revised Plan in response to concerns expressed by the Commission at the previous hearing with regard to the lack of detail on the proposed structure. Because the applicant plans on marketing the property for sale in the near future, the application did not specify details of the proposed structure in order to allow a future owner to build according to his individual preferences. The revised Plan now shows the topography in the vicinity of the barn and proposed erosion and sedimentation controls proposed in order to demolish the existing structure and dig the new foundation from landward side. Cramer noted that although they were not proposing a basement as part of the new structure, a foundation would be required in order to satisfy building code.

Smith asked for clarification on the grade of the existing slab as to whether it was elevated above 199. Cramer stated that they are not proposing any change in grade, just a permit that would allow them to take the barn down with the option of removing slab if the present owner chooses to do so.

*Smith moved to close the hearing for DEP #125-0848. Burn seconded and all attending voted in favor. Burn moved to issue a Standard Order of Conditions with the following **Special Conditions** 1) Double haybales and siltation fabric must be installed at the siltation barrier located on the slope behind the existing barn; 2) No heavy equipment shall be allowed north of the northerly face of the structures north*

Findings: *1) the structure is being allowed at this location only because it will replace an existing structure. The building's removal and rebuilding shall be accomplished in accordance with the procedures outlined in a letter dated 2/26/2009 from the applicant's representative, Lisa Standley of VHB Associates; 2) the wetland delineation for this project is per the Plan dated June 1999 for DEP #125-585, which is being allowed because the BVW limit is at a toe slope*

It was noted that any proposed enlargement or relocation of the footprint must be done through a Request for an Amended Order of Conditions.

9:55 p.m. Burn moved to adjourn, Smith seconded and all attending voted in favor.

Respectfully submitted,
Mary Hopkins, Administrative Asst.