

Carlisle Conservation Commission
May 28, 2009

Vice Chair Peter Burn called the meeting to order at 7:45 p.m. in the Clark Room at the Carlisle Town Hall. In addition to Burn, also present were members Jenifer Bush, Tom Brownrigg, Kelly Guarino (8:50), Diane Troppoli and Conservation Administrator Sylvia Willard. Chair Tom Schultz and Commissioner Tricia Smith were not present.

Bills & General Agenda Items:

ConsCom Office Staffing: As had been agreed when staff hours were reduced by twenty percent as of February 1, 2009 due to budget constraints, Burn suggested that the Commission reassess the decision with the possibility of reinstating the hours for FY10.

40B Draft Regulations Request from Planning Board: Burn congratulated the Planning Board for soliciting the Commission's input on their proposed 40B Regulation revisions and asked Willard to inform the Board that a response will be forthcoming shortly.

The amended Enforcement Order being issued to **Thomas and Barbara Bjornson of 38 Prospect Street** for unpermitted tree cutting was circulated for final signatures.

Towle Field & Benfield Mowing: After a review of the two proposals submitted in response to the RFP for the Towle Field and Benfield Annual Mowing, Brownrigg moved to award the contract to Jack O'Connor. Troppoli seconded, noting for the record that the Commission has historically given preference to bids submitted by contractors that have repeatedly demonstrated a commitment to excellence in fulfilling the terms of the previous year's agreement. In this case Mr. O'Connor had previously mowed both fields to the Conservation Commission's satisfaction, but also submitted significantly lower bids for each field. All attending voted in favor, with the exception of Bush, who had recused herself for the discussion.

8:00 p.m. (DEP 125-0860) Notice of Intent

Applicant: Geoffrey Freeman

Project Location: 210 Concord Street

Project Description: Installation of a new sewage disposal system, grading, small addition; removal of three sheds and a willow tree

Burn opened the hearing for DEP #125-0860 under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. Engineer George Dimakarakos of Stamski and McNary presented the Plan for the replacement of a failed septic system and associated components thereof as well as a small addition. The new septic system, which has been approved by the Board of Health, is being proposed for a location within the Buffer Zone due to inadequate pervious soil depth and shallow depth to refusal. The Plan also calls for the removal of a deteriorating Willow tree; which is being proposed due to the significant hazard it poses. The applicant noted that he has consulted with an arborist with regard to the possibility of saving the tree by removing the dead wood and to explore methods of eradicating the invasive vegetation overtaking the area surrounding the tree. He intends to pursue this course of action, while requesting that the complete removal of the tree be left open as an option in the event that they are unable to save it. Brownrigg noted that the plant list contained in the Plan cited native American Bittersweet and encouraged the representative to recheck this to be sure it is not actually the more common, but highly invasive, Oriental Bittersweet.

Since the plant removal would be undertaken within such close proximity to the wetland, Willard asked for clarification as to the method by which the invasives would be removed. Dimakarakos said it would require the use of small equipment in order to remove the Willow, with the method for removing the invasives not yet determined. The Commission agreed that a consultation with an arborist would be an appropriate requirement, noting that hand pulling would likely cause excessive disturbance and is not found to be an effective method of eradication. Willard inquired as to the plans for the disturbed area once the tree and plants are removed, noting that there will likely be a substantial amount of seed in the soil that will in turn become exposed and germinate in the years ahead. The applicant stated that they intend to extend the natural vegetation that exists in the wetland in attempts to bring it back as closely as possible to its natural state. At any rate, he does not intend to plant lawn or to “maintain” the area in any way other than perhaps mowing it to control the invasives over time.

With no further questions, Bush moved to close public hearing for DEP #125-0860. Troppoli seconded and all attending voted in favor. Troppoli moved to issue a Standard Order of Conditions with the Special Condition that the invasives be removed under the direction of an arborist, noting that no extensive spraying will be allowed. A long-term vegetation management plan will also be required. Bush seconded the motion and all attending voted in favor.

8:15 p.m. (DEP 125-0859) Notice of Intent, Continued Hearing

Applicant: Wilkins Hill, LLC

Project Location: Lot 7, 240 Hanover Road

Project Description: Construction of a portion of a single family home, associated grading, driveway, utilities and well.

Burn opened the continued hearing for DEP #125-0859 under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. Due to a Board of Health denial of the Septic Plan, the representative requested and received a continuance to June 18, 2009 at 8:00 p.m.

8:20 p.m. (DEP 125-0863) Notice of Intent

Applicant: Wilkins Hill, LLC

Project Location: Lot B, 11 Hanover Road

Project Description: Construction of a portion of a single family home, associated grading, driveway, and well.

Burn opened the hearing for DEP #125-0863 under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented an overview of the Plan for the construction of a portion of a single-family home, associated grading, driveway and well. Dimakarakos noted that the limit of work is greater than 50’ from the BVW, with the exception of the temporary work associated with the installation of the well, which will be greater than 25’. He also noted that retaining walls have been included in the Plan in an effort to reduce grading within the Buffer Zone. Observing the steep drop off in the rear of the house, Troppoli inquired as to whether the lawn area would be constructed in the front of the house. Dimakarakos said that the plan calls for a significant amount of lawn in front and only about 20’ or so in back due to the grade.

Burn asked whether there would be sufficient area in the back of the house for a swimming pool. Dimakarakos said that, technically there is sufficient area, but the grade drops fairly quickly so it would be highly unlikely that one would be desirable.

Willard noted that she had asked the representative to look at the well locations for all of the Hanover Hill filings as they are relative to the possible locations for constructing swimming pools and/or tennis courts in the future. Her point being that a well installation is a relatively benign activity in comparison to pool construction; therefore, this foresight may prevent a future property owner from installing a swimming pool within closer proximity to a wetland resource area in order to avoid drilling a new well. Brownrigg stated that although he is an abutter, he thought he could legitimately ask questions that are relevant. He then inquired as to how likely it is that a future owner would actually build a home on the property as it is shown, or is it intended to be strictly conceptual plan. Dimakarakos said that if a future property owner wanted to make any significant changes to the Plan, they would be required to refile. He noted that the conceptual plan allows a potential buyer to visualize what the lot could actually support. Willard inquired about the status of the Board of Health review. Dimakarakos said he had not yet seen the letter from their technical consultant informing them of what they may need to address, noting that the entire septic system is outside of the Commission's jurisdiction.

With no further questions or comments, *Bush moved to close the hearing for DEP #125-0863. Troppoli seconded and all attending voted in favor, with the exception of Brownrigg, who abstained. Troppoli moved to issue a Standard Order of Conditions with the requirement that the applicant provide the Commission with a revised plan subject to their approval should the Board of Health require any substantial changes to the septic system. Bush seconded and all attending voted in favor, with the exception of Brownrigg, who abstained.*

8:35 p.m. (DEP 125-0864) Notice of Intent

Applicant: Wilkins Hill, LLC

Project Location: Lot 13, 20 Gormley Way

Project Description: Construction of a portion of a single family home, associated grading, driveway, and well.

Burn opened the hearing for DEP #125-0864 under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented an overview of the Plan. He noted that the proposed dwelling would be located 50' from an intermittent stream at the closest point, with a substantial portion of the house within the 100-foot Buffer Zone. The driveway is entirely outside of the Buffer Zone, as is the septic system with the exception of some grading. The limit of work line is proposed at greater than 30' from the intermittent stream and 50' from the BVW. Bush commented on the percentage of the house that would be located within the Buffer Zone in comparison to the other Hanover Hill filings. Dimakarakos acknowledged that this is the case with respect to the intermittent stream but not with respect to the BVW, which is the more sensitive area. Willard suggested that the Commission consider requiring a setback from the intermittent stream, which could be memorialized with some of the fieldstones they will be removing during construction.

With no further questions, *Troppoli moved to close the hearing for DEP #125-0864. Bush seconded and all attending voted in favor, with the exception of Brownrigg, who abstained. Troppoli moved to issue a Standard Order of Conditions with the Special Condition that the stone wall be extended from the wing wall along the wetland side of the haybale line to the well in order to demarcate the setback from the intermittent stream. Bush seconded and all attending voted in favor, with the exception of Brownrigg, who abstained.*

8:45 p.m. (DEP 125-0861) Notice of Intent

Applicant: Wilkins Hill, LLC

Project Location: Lot 8, 301 Hanover Road

Project Description: Construction of a portion of a single family home, associated grading, driveway, and well.

Burn opened the hearing for DEP #125-0861 under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented an overview of the Plan. He noted the location of a potential vernal pool in an area where they were required to do some "wildlife enhancement" work in accordance with the preliminary subdivision approval, including several Wildlife Habitat Augmentation (WHA) areas, one of which is to be constructed on this lot.

Noting that this is the tightest lot presented thus far, Dimakarakos stated that they are proposing a retaining wall in order to keep the grading away from the wetland. He also noted that although the septic tank is actually located in the BZ, this is the better alternative in order to keep house farther away from the wetland resource area. The plan also calls for roof drain drywells that would run under the driveway in order to help infiltrate roof runoff.

Brownrigg inquired as to why there was only a reference to the proposed WHA area on the plan as opposed to showing the details. Dimakarakos stated that the details for these areas are contained in the Hanover Hill Subdivision Plan, not on the individual plans, which would prevent any confusion as to who is responsible for the work.

Troppoli asked whether there should be a requirement of some form of barrier in the back of the property, and it was agreed that given the close proximity to the wetland, there should be continuing conditions relative to the limit of work that would prevent encroachment. Along these lines, Willard suggested using some of the stones from the wall that will be removed during the course of the proposed site work.

Noting that the proposed house is located almost entirely in the Buffer Zone, Bush asked whether reducing the size of the septic system could provide an alternative location. Dimakarakos stated that the way in which the Board of Health regulations were written would not result in a significant benefit if the number of bedrooms were to be reduced, reiterating the fact that the Plan includes retaining walls behind the driveway in order to limit grading.

Troppoli asked why the driveway was designed to include a large turnaround area near the garage. Dimakarakos said that, because the lot is so tight with a limited yard area, removing the turnaround area would likely affect the saleability without gaining any significant reduction in clearing.

With no further questions, *Bush moved to close the hearing for DEP #125-0861. Guarino seconded, with Burn and Troppoli voting in favor, Bush opposing and Brownrigg abstaining. Troppoli moved to issue a Standard Order of Conditions with the following Special Conditions: (1) a rock wall shall be constructed around from the temporary benchmark and arched around toward WF 57, stopping short 20' of WF 57 to allow for upland migration; (2) the applicant shall provide a delineation of a "no disturb area" at the rear of the property, extending from WF 54 around to the property line with either a fence, wall or other method that is found to acceptable to the Commission; (3) prior to construction the applicant shall provide the Commission with a revised Plan showing location of the stonewall boundary for the WHA and the demarcation of the limit of work in the rear of the property; (4) as a Continuing Condition, the Wildlife Habitat Augmentation area shall not be altered in a way that interferes with the*

purpose as identified in the Hanover Hill Subdivision Plan. Guarino seconded the motion, with Burn, Guarino and Troppoli voting in favor, Bush opposing and Brownrigg abstaining.

9:10 p.m. (DEP 125-0862) Notice of Intent

Applicant: Wilkins Hill, LLC

Project Location: Lot 21-A, 41 Hanover Road

Project Description: Construction of a portion of a single family home, associated grading, driveway, and well

Burn opened the hearing for DEP #125-0862 under the provisions of the Massachusetts Wetlands Protection Act and the local Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented the Plan for which the proposed dwelling will be located 85” from the BVW at the closest point and the limit of work line is proposed greater than 50’ feet from the BVW.

Being that the plan was acceptable as proposed, *Bush moved to close the hearing for DEP #125-0862. Troppoli seconded and all attending voted in favor, with the exception of Brownrigg, who abstained. Troppoli moved to issue a Standard Order of Conditions with the Special Condition that the applicant return with a revised plan should the BOH require any significant changes that occur as a result of reengineering. Guarino seconded and all attending voted in favor, with the exception of Brownrigg, who abstained.*

9:20 p.m. With no further business, Troppoli moved to adjourn, Brownrigg seconded and all attending voted in favor.

Respectfully submitted,
Mary Hopkins
Administrative Assistant