

Carlisle Conservation Commission
September 26, 2013

Pursuant to the notice filed with the Town Clerk, Chair Kelly Guarino called the meeting to order in the Clark Room at the Town Hall at 7:30 p.m. Vice Chair Luke Ascolillo and Commissioners Tom Brown, Tom Brownrigg, Peter Burn and Lee Tatistcheff and Conservation Administrator Sylvia Willard were also present.

Bills, Minutes, General Agenda Items & New/Pending or Old Business:

Minutes:

Tatistcheff moved to approve the July 11, 2013 minutes as amended, Burn seconded the motion and all voted in favor.

Burn moved to approve the July 25, 2013 minutes as amended, Tatistcheff seconded the motion and all voted in favor.

7:45 p.m. Trail Requests: Warren Spence of the Trails Committee was present to follow up with the Commission on several trail requests he had discussed at the previous meeting. After providing a description of the requests, he had been asked by the Commission to discuss the proposed projects with the Land Stewardship Committee. The projects include new trails at the Greenough Land and the Town Forest and bridge repair work at Towle Field.

Spence reported receiving a positive response from the Land Stewardship Committee. LSC Co-Chair, Debbie Geltner, was present to provide additional feedback on the proposals after having visited the sites at the Greenough Land and the Town Forest with Spence and several other LSC other members. She then made a follow up visit on her own. She said they did not visit the Towle Field bridge repair location because it was considered to be a modest repair. She said they will not have an opportunity to discuss their observations with LSC until their next meeting on October 8.

Greenough – Maple Trail: The proposal is to replace the existing trail that comes out on Maple Street in order to bypass most of Maple Street and come out near the Blueberry Trail. Geltner said the existing spur (an unofficial trail) could be decommissioned because it comes out at a blind curve on Maple Street and someone not familiar with the area might not understand safety issue of coming out to road. Spence said the plan is now to close this existing spur. Geltner said the only other issue LSC discussed relative to this proposal was the fact that the new Maple Trail and the Blueberry come out very close together and they were hoping they could exit at the same point avoiding the need for additional signs. However, she said it appeared to be wet in this area during certain times of the year. This approach would also require some alteration including relocating some of the rocks in the area and removal of some small saplings.

Brownrigg said he had walked the proposed trail and suggested an alternative exit location. Spence said they were trying to route the trail so as to come out as close to the Blueberry trail as possible. Guarino said it seemed to make sense to abandon the existing spur and that the proposed route for the new trail gets it as close as possible to the Blueberry Trail. There were no further comments on this proposal.

Town Forest – Coyote Rock Trail: The proposal is for a new trail which connects two existing stub trails to make a loop around a large rock formation and provide views of a small pond. Geltner said they had observed two areas during the site visit where they might look at reworking the proposed trail so as to follow the contour lines more closely in order to minimize erosion and to avoid skirting up against large trees.

Her other comment was that it may be beneficial for the Commission to take the time to analyze the habitat, which is an upland area surrounded by wetlands. She said it is largely undisturbed land and is unique in that it is not heavily visited, and it would be helpful to have an opportunity to look at what the habitat is serving before making a decision relative to the proposed trail. In response to Tatistcheff's question of how this study would happen, Geltner said she understood that, while the Trails Committee likes to do this type of work in the fall, it would take time to find volunteers with the appropriate experience in habitat assessment. Burn suggested there may be naturalists involved with the Carlisle Natural History Survey who may be interested in assisting with this study. Ascolillo said he thought it would be good to get a baseline evaluation before proceeding, as they are the stewards of the land and have an obligation to the town to evaluate the land they oversee. The Commission agreed it would make sense to defer making a decision on this until LSC has had an opportunity to discuss the proposal relative to the need for a habitat assessment.

Towle Field – Foot Bridge Repair: There were no issues identified with the proposed bridge work along the Bingham Connector Trail involving replacement of the 2 x 6 top boards using the existing support structure, as the repair of an existing bridge/boardwalk is exempt under the Wetlands Protection Act. *Tatistcheff moved to approve the Maple Trail as proposed, and to approve the proposed Towle Field bridge repair project in accordance with Trails Committee protocol, Ascolillo seconded the motion and all voted in favor.*

8:00 p.m. 105 Wolf Rock Road: Willard reported the property owner had requested a zoning variance from the ZBA for a proposed addition to the home because it was less than the required 40 feet from property the line. At that time there was a question of whether the proposed structure is located within the Buffer Zone, so the property owner agreed to have his wetlands delineated by Acton Survey & Engineering. Willard said the delineations show that the northeastern corner of the addition just touches the outer edge of the 100-foot Buffer Zone. She then suggested that the property owner come to a meeting to discuss whether or not the project will require a filing.

Property owner Mark Levitan was present to discuss the proposed addition and also to request permission to remove trees several that were damaged during Hurricane Sandy, some of which came partially down during storm events of this past summer. Willard said she had confirmed during a recent visit that two of the trees proposed for removal are within the jurisdictional area and could pose safety concerns. *Ascolillo moved to issue an Emergency Certificate to allow removal of the severely damaged/falling trees related to storm damage as confirmed by the Administrator,, to be undertaken via crane with the stumps to be left in place, Tatistcheff seconded the motion and all voted in favor.*

Given the fact that a corner of the proposed addition is just at the 100-foot Buffer Zone line, the Commission informed the property owner that he is not required to file unless the project will require construction activity beyond the 100-foot Buffer Zone line. If it is determined that activity will need to occur beyond the 100-foot Buffer Zone line, the Commission recommended that a Request for Determination be filed in order to establish an appropriate Limit of Work to avoid inadvertent disturbance during construction.

8:30 p.m. (DEP #125-0947) Notice of Intent, Continued Hearing

Applicant: October Development, LLC

Project Location: 128 Log Hill Road

Project Description: Upgrade existing soil absorption system and associated grading and removal of an existing tennis court within the 100-foot Buffer Zone

Guarino opened the continued hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. The hearing was continued to October 10, 2013 at 8:00 p.m. at the request of the applicant.

(DEP #125-0940) Notice of Intent, Continued Hearing

Applicant: Luciano Manganello

Project Location: Elliott Farms – 291 River Road

Project Description: to address the requirements of an Enforcement Order for work undertaken in the jurisdiction of the Carlisle Conservation Commission

Guarino opened the continued hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. The hearing was continued to October 10, 2013 at 8:15 p.m. at the request of the applicant.

Benfield Conservation Land – Current Issues:

Tree Pruning/Removal: Jack O'Connor was present to request approval for the trimming of the lower branches of several white pines in the main field in order to provide sufficient clearance to resume mowing in those areas. He noted that the lack of mowing has allowed invasive plants to start growing up around the trees. He said he would need approximately 7-1/2 to 8 feet in order to allow tractor access for mowing, although his preference would be to completely remove the trees. Guarino asked whether the tree removal could be considered field maintenance under the open Orders of Conditions for the Benfield Farms Affordable Housing project. Willard said she would need to consult with DEP as to whether this would be allowed, since they had issued a Superseding Orders of Conditions for the project. In the meantime, the Commission approved the request for trimming: *Tatistcheff moved to authorize branch trimming on the several white pines in the Benfield Conservation main field as described, Burn seconded the motion and all voted in favor.*

Guarino raised the issue of whether it would be appropriate to request assistance from the DPW to undertake the trimming work or to use a portion of the Commission's FY14 Maintenance and Repair funds to hire a contractor to do the work. Willard said she would check with Gary Davis to see if the DPW would be willing to do the trim work.

Septic Testing Area: Willard raised the ongoing issue of the area that has become overgrown as a result of the testing for the septic field. She said she recalled there had been an agreement made during the permitting process with the Benfield Affordable Housing Project/NOAH, whereby this area would be returned to its previous condition by smoothing out the rocks and boulders. They also agreed to clear the vegetation back to the stone wall. Overturned rocks left behind following the testing has prohibited the area from being mowed since the testing was done, resulting in a stand of thick, successional growth along the stone wall.

Brownrigg said he had observed the area in question to be covered in large stands of invasives, but he also noted the presence of important native species. He suggested the Commission consider the option of selectively removing the invasives and leaving the native plants and trees, noting that successional habitat is becoming an endangered habitat for birds and the state is encouraging landowners to try to maintain it. He also acknowledged the fact that this approach would require treatment followed by periodic mowing, which could be an expensive process. Guarino suggested it might make sense to clear the area back to a delineated line and if it makes sense to retain some of the native vegetation. A planting plan could then be developed with a planned periodic mowing schedule. She said this could be part of the Commission's overall long-term maintenance goals for the field. Willard said LSC is in the process of creating a draft Baseline Assessment for the property, including field restoration work.

In the meantime, the Commission requested that Willard contact NOAH to arrange a time to discuss the terms and status of the previous agreement to return the septic field to its original condition prior to the site work and to clear the vegetation back to the stone wall while the necessary equipment is still on site.

9:00 p.m. 95 Hanover Road Update:

Septic Installer Michael Moreshead and property owner Chantal Nouvellon were present to provide an update on their progress subsequent to the issuance of an Enforcement Order on September 3, 2013. Moreshead said he was recently hired to do the septic system and had also agreed to assist the property owner in bringing the project into compliance by addressing the following requirements (abbreviated): repair sedimentation controls located between the end of the common driveway and the apple tree; an additional layer of haybales shall be added/filter fabric restored, and accumulated soil on both sides of the hay bales removed; the slope located between the home and the hay bales shall be stabilized with either jute matting or a layer of hay; the perimeter drain is not located according to the Plan of Record and needs to be relocated.

Following issuance of the Enforcement Order, haybales were doubled up in the area designated during a site visit with the owner. However, these haybales were old, having been taken from another area where they were needed, and unable to control runoff down the slope. As for the slope itself, it appeared that one or more haybales were taken apart and stuffed into the gullies made by stormwater. This did not seem to be working because water had gone through the haybales at the bottom of the slope.

Willard reported having met with Moreshead at the site earlier in the week. At that time, she noted that he had placed a double layer of new haybales partway along the base of the slope and in the gap in the haybale line made when the old ones were removed. She said she has asked him to continue the double line up to the apple tree as discussed with the owner on the previous site visit with her, and to stabilize the slope either with jute matting or straw. Moreshead reported that no work has occurred since her site visit.

Willard said she had visited the site the following week and noted that a pile of soil had been moved beyond the corner of the house to a location inside of the Buffer Zone. Nouvellon said this was done in accordance with instructions from her engineer, Kevin Martin, in order to evaluate another area on the project site, and it was not going to stay there. Moreshead said he intended to continue the double haybale line up to the apple tree and to stabilize the slope with jute matting as requested. He also agreed to remove the material from the corner of the house, but said he did not want to do any additional work until first discussing it with the Commission. Willard said she had also noted water being discharged into the Buffer Zone from the area being prepared for a swimming pool. Moreshead said he would encase it in haybales so the water is directed away from the Buffer Zone. Willard noted that the foundation drain was not installed according to the approved plan as noted in the Enforcement Order and that it could be aggravating the runoff problem. Moreshead said they would be reinstalling the drain in accordance with the plan. Willard asked Moreshead if he had any idea when he would be stabilizing the slope in order to install the jute matting and completing the haybale line so the Commission could consider lifting the Enforcement Order. Moreshead estimated the work would be done by the end of September or the first week in October.

Certificates of Compliance:

(DEP 125-0918) Kevin Quinlan; 10 Applegrove Lane: Tree clearing and grading; Issued: 6/7/2012; Amended OOC addition of an accessory structure: 8/20/2012. Based on Willard's recommendation that the project had been completed substantially in accordance with the Orders of Conditions and the Plan of Record, *Burn moved to issue a Certificate of Compliance for DEP #125-0918 with a Continuing Condition allowing the manual removal of invasive plants, Ascolillo seconded the motion and all voted in favor.*

(DEP 125-0912) Judy Asarkof; 362 River Road: Addition to an existing single family dwelling; Issued: 03/07/2012. Based on Willard's recommendation that the project had been completed substantially in accordance with the Orders of Conditions and the Plan of Record, *Burn moved to issue a Certificate of Compliance for DEP #125-0912, Ascolillo seconded the motion and all voted in favor.*

(DEP 125-0818) Chris Ridick, 36 Log Hill Road: Septic system repair, Issued: 10/18/2007; Amended 7/26/2012. Willard noted that this project had received an Amended Order of Conditions allowing a change in the septic system. Based on her recommendation that the project had been completed substantially in accordance with the Amended Orders of Conditions and the Plan of Record, *Ascolillo moved to issue a Certificate of Compliance for DEP #125-0818, Brown seconded the motion and all voted in favor.*

(DEP 125-0941) Geoffrey Bentley, 282 Autumn Lane: Septic system repair, Issued 7/31/2013. Based on Willard's recommendation that the project had been completed substantially in accordance with the Orders of Conditions and the Plan of Record, *Brown moved to issue a Certificate of Compliance for DEP #125-0941, Tatistcheff seconded the motion and all voted in favor.*

Land Use Permit: *Burn moved to issue a Land Use Permit to Sally Zielinski to conduct field work related to management of a Britton's Violet population at the Greenough Land on September 28, 2013, Tatistcheff seconded the motion and all voted in favor.*

Camping Regulations: Debbie Geltner, Co-Chair of the Land Stewardship Committee, presented the proposed revisions to the Camping Regulations. The changes are intended to address inconsistencies between the *Rules and Regulations for Using Conservation Land* posted on the town's web site and the Camping Regulations, which are not currently posted on the web site. The revised document combines the two documents and also incorporates recommendations provided by Carlisle Boy Scout Troop #135 following an overnight camping trip to the Town Forest the previous winter. *Burn moved to approve the revised Camping Regulations as proposed by the Land Stewardship Committee, Tatistcheff seconded the motion and all voted in favor.*

Towle Field Invasive Plant Control Filing: Willard requested clarification relative to the type of filing the Commission preferred for the invasive plant control work that is being planned within jurisdictional areas at Towle. The Commission agreed with Willard's recommendation that a Notice of Intent would be appropriate in that it will allow work to be done over the course of three years, it will allow for Continuing Conditions, and it also can be extended for additional years, whereas a Determination of Applicability cannot be extended.

525 East Street Tree Removal: Willard reported receiving a call informing her that tree removal was underway at this location. Upon her inspection, she determined some of the work was occurring within the 100-foot Buffer Zone and work was stopped. She said she has since met with the property owner who is now in the process of having the wetlands delineated in preparation for a filing. The Commission determined that the issuance of an Enforcement Order would not be necessary, since the property owners are cooperating and intend to submit a filing shortly.

Lexington Bike Tour: Brown reported having investigated the large organized bike event that passed through town on a recent weekend. He said it had been co-sponsored by Ride Studio Café in conjunction with a high end custom bicycle manufacturing company. Details of the ride had been posted on line.

Brown agreed to contact the sponsors to let them know they will need a Land Use Permit for any future events planned on Carlisle Conservation Land and to encourage them to inform the Carlisle Police Department of any upcoming events as well.

Cranberry Harvest Day: Cranberry Farmer Mark Duffy estimates the harvest will begin on or around October 15, 2013.

Conservation Coffee: In response to a dramatic increase in tree removal inquiries, Willard will hold a Tree Removal Workshop on Tuesday, October 8, 2013 in order to educate interested residents relative to requirements for tree removal within jurisdictional areas.

FY15 FinCom Letter: Willard had distributed copies of a letter from FinCom Chairman Michael Bishop describing the preliminary FY15 budget development process , along with a list of the FinCom Liaison Assignments for the FY15 budget process.

Carlisle Conserves T SHIRTS: Guarino suggested the Commission consider purchasing conservation-themed t-shirts to be sold at Old Home Day. The topic will be considered further at an upcoming meeting.

Lyme Disease Sub Committee: Tatistcheff announced the next meeting of the Lyme Disease Sub-Committee is scheduled for Wednesday, October 23 at 7pm. She said the agenda includes a discussion of more outreach to the school as well as deciding on their next speaker. They will also consider deer control as a mechanism for tick-borne illness control. She said the committee is fairly alarmed about the increase in tick-borne illnesses and the differential between the funding of tick-borne illness research and that of mosquito-borne illnesses.

Cranberry Bog Agricultural Committee: Ascolillo reported that a letter requesting individuals with interest in a future lease of the Cranberry Bog will be posted in the Carlisle Mosquito as well as with the Massachusetts Cranberry Growers Association. He said the committee plans on getting out an RFP for the Cranberry Bog Agricultural Lease after this year's cranberry harvest has been completed.

9:55 p.m. *Tatistcheff moved to adjourn, Burn seconded the motion and all voted in favor.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant