

**Carlisle Conservation Commission**  
**March 10, 2011**

Pursuant to a 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. Also present were Vice Chair Peter Burn and Commissioners Luke Ascolillo, Tom Brownrigg, Jen Bush and Conservation Administrator Sylvia Willard. Debra Kimbrell Anderson was not present.

**Foss Farms Community Gardens:** Garden Manager Jack O' Connor and Asst. Garden Managers Carol Foster and Ed Humm were present for the continuing discussion of how best to address the recurring issue of gardeners tending multiple plots on behalf of absentee assignees. When the issue was brought to the Commission's attention during last year's growing season, it was determined that it would be addressed during the annual review of the garden rules. During that review of the rules, consideration was given to input received from both the garden managers as well as several gardeners representing both sides of the issue. The revised rules were accepted by the Commission in February and included with the 2011 plot application forms. Applicants were required to read the rules and indicate their acceptance by way of signing and dating the form.

At issue now for the garden managers is whether the clause contained in the garden rules stating, "*failure to comply with the rules may result in the loss of assigned plot without refund and the loss of future gardening privileges*", is applicable to previous violations or strictly to those that occur from this point forward. There was the suggestion put forth by the garden managers that they would want to consider enforcing the rules immediately if there are infractions early on by removing someone's gardening privileges. Responding to this suggestion, Guarino recounted the fact that the Commission had reviewed the rules at their previous meeting, including consequences for violations of such, and determined that they clearly applied to infractions of the rules occurring from this point forward- not retroactively.

Acknowledging that he is not a gardener himself, Brownrigg said he appreciated the fact that the garden managers are in a difficult situation and offered the suggestion that perhaps establishing a gardener advisory group may be helpful in addressing the more challenging issues that arise. He cited the model used by Mass Audubon's Birders' Advisory Group, to which he is a member, and said he has found it to be an effective means for implementing improvements to programs and expanding outreach to members of the birding community. It was noted that there is currently an on-line Foss Farm Gardener discussion group in place, but it may not be the appropriate venue for addressing the more challenging garden management issues.

Guarino recognized that, overall, gardeners are very happy with positive changes that have occurred under the new management of the community gardens, and she thanked the garden managers on behalf of the Commission for a job well done. She also reiterated the fact that they hope to keep the lines of communication open and that the Commission is available throughout the upcoming season should any issues arise that require their assistance.

**Potential Commercial Gardening Plots:** At the request of the Commission, the Land Stewardship Committee has been researching the possibility of leasing portions of town owned land for potential small-scale agricultural use. This effort is in response to an increasing demand for multiple plots at the Foss Farm Community Gardens. The Commission also recently received an informal proposal from Carlisle resident and former Farmer's Market Manager Gail Constable on behalf of a group of local gardeners relative to the possibility of leasing a portion of the Greenough Land for agricultural use. A brief discussion was held relative to Constable's request, with the Commission agreeing that they would follow up on the topic at the next meeting, at which time consideration will be given to recommendations from the Land Stewards.

**8:00 p.m. Land Use Request – Greenough Conservation Land:** Carlisle student Amelia Cox was present to request permission to undertake a Girl Scout Gold Award project involving raising *Galerucella* beetles and subsequently releasing them on the Greenough Conservation Land as a means of biological control for the

exotic wetland plant Purple Loosestrife. She reported that the Sudbury Valley Trustees in Concord, Wayland and Sudbury are currently using this method, and it has also been tested at Great Brook Farm State Park over the last several years. The project would entail collecting a small number of Purple Loosestrife plants from the Greenough Land to be used as host plants for the beetles. The mature beetles would then be released near Greenough pond, a location that was identified as an area of concern when Cox had volunteered to assist the Land Stewardship Committee in their efforts to map invasives at Foss Farm and Greenough Pond last summer. Cox agreed to provide the Commission with updates on her progress, which she will document over the next several years using digital photographs of the designated control areas. *Burn moved to permit Amelia Cox to collect Purple Loosestrife plants from the Greenough Conservation Land, Bush seconded and all attending voted in favor.*

**Land Use Permit:** *Burn moved to issue a Land Use Permit to Tom and D'Ann Brownrigg to conduct a Foss Farm Woodcock Walk on April 9, 2011 at 7:30p.m., with a rain date of April 16. Ascolillo seconded the motion and all attending voted in favor with the exception of Brownrigg, who abstained.*

**Minutes:** *Burn moved to accept the **June 24, 2010** and **July 8, 2010** minutes as amended, Brownrigg seconded and all attending voted in favor with the exception of Ascolillo, who abstained as he was not a member of the Commission at that time.*

### **8:15 p.m. (DOA-285) Request for Determination**

**Applicant:** Jay Acquaviva

**Project Location:** 193 Partridge Lane

**Project Description:** Removal of 18 Trees

Burn, who is an abutter to the applicant, recused himself from the discussion. The applicant presented a plan for the removal of 18 trees, all of which are located entirely within the Buffer Zone. The homeowner is requesting permission to remove the trees because of safety concerns relative to their close proximity to his house. The tree removal would be undertaken using a crane that will be staged in the driveway in the front of the property, thereby avoiding disturbance to the Buffer Zone and adjacent wetlands. It was noted that the plan included with the RDA was the original plan used in permitting the construction of the house in 1994.

Willard reported having conducted a site visit earlier in the day and finding that the trees identified on the removal plan were not marked in the field. In addition, during the course of surveying the area Willard found that many of the trees proposed for removal were not accurately located on the plan, with one tree possibly as much as 40' closer to the wetland than as shown. Willard also reported the existence of a large addition that had been constructed on the back of the house, entirely within the buffer zone, for which there were no filings on record with Conscom or the BOH. The property owner said that it had been his understanding that his builder had pulled all necessary permits for the construction of the deck.

Guarino noted that the Commission typically requires that a redelineation of the wetlands be done by a qualified wetland scientist if they had not been reviewed within the last three years for projects proposed within a jurisdictional area. Guarino also noted that in a case like this, where there is concern that the proposed work may not be accurately reflected on the plan, the Commission would require the applicant to revise the plan before proceeding with the review of the filing.

With all being favor of this course of action, the discussion was continued to March 24, 2011 at 8:15 p.m. in order to allow time for the field work and associated plan revisions to be conducted under the provisions of a "Friendly" Enforcement Order. Vote was as follows: *Bush moved to issue an Enforcement Order for 193 Partridge Lane requiring that the wetlands be delineated and reflected on a revised plan along with the addition before proceeding, Brownrigg seconded and all voted in favor.*

The Commission will give consideration at the continued discussion as to whether any restoration should be required due to the number of large trees being removed within close proximity to the wetland and the resulting wildlife impact on the resource area due to the loss of shading the existing tree canopy provides.

**9:10 p.m. (DOA-286) Request for Determination**

**Applicant: Claude and Gunilla LaCoche**

**Project Location: 766 North Road**

**Project Description: Installation of a Sewage Disposal System**

Ben Ewing of Stamski and McNary presented the plan through which they propose to remove the existing cesspool that exists in the back of the property within the 100' BZ and to install a septic tank, pump chamber and associated PVC piping. The system's septic field will be located completely outside of the BZ. There will be no grading or removal of vegetated associated with the proposed work. The resource areas are reflected on the plan in accordance with a wetland survey done in November, 2010. The plan has received approval from the BOH.

With no questions or comments from the Commission, *Burn moved to issue a Negative Determination B3 (the work described is within the BZ but will not alter an area subject to protection under the Act and therefore does not require the filing of a NOI), Brownrigg seconded and all attending voted in favor.* The applicant will be required to contact the administrator to schedule a check of the siltation barrier/limit of work line before proceeding with the project.

**9:00 p.m. Conservation Commission Position on Community Preservation Act Funding (CPA):** A discussion was held to discuss whether the Commission wanted to take a position relative to several Special Town Meeting Warrant Articles pertaining to CPA funding. The Commission's liaison to the CPC, Luke Ascolillo, provided a brief overview of the proposals relative to the future status of the CPA in Carlisle. Article 21 proposes to rescind the acceptance by the Town of the CPA; Article 22 proposes to increase the CPA surcharge from two to three percent. Ascolillo noted that CPC will not be taking a position on the issue.

Carlisle resident Ken Harte was present to highlight the financial benefits to the town of increasing the CPA surcharge to three percent. Included in his presentation was a chart reflecting current CPA surcharge rates in Massachusetts as well as an analysis of FY10 CPA reimbursement rates vs. annual surcharge rates. Hart estimated that the Carlisle would have received a 36.9% state match compared to a 27.2% match if the surcharge had been leveled at three percent. Citing the Town of Carlisle's demonstrated value of its open space, historic heritage, affordable housing and recreational programs, he urged the Commission to support the increase. Also present for the discussion was Carlisle resident Jay Luby, who conveyed strong support of retaining the CPA surcharge by Carlisle Conservation Foundation.

Following the public comments, the Commission conducted a poll on each member's position, with all but Guarino in favor of continuing the surcharge. The final vote went forth as follows: *Burn moved that the Commission publicly supports the continued existence of CPA in Carlisle and further believes that increasing the town's contribution to a three percent level will be financially beneficial. Brownrigg seconded and all present voted in favor, with the exception of Guarino who opposed.*

**MACC Annual Environmental Conference Report:** Subsequent to attending the recent conference, Willard reported that Massachusetts Association of Conservation Commission's (MACC) is seeking communities who are willing to sponsor a one-day training session on erosion control and stormwater management during construction. The training would include a morning informational session followed by a site visit to an active construction site. The Commission was in support of pursuing the matter with MACC.

**10:05 p.m.** *Burn moved to adjourn, Bush seconded and all attending voted in favor.*

Respectfully submitted,  
Mary Hopkins  
Administrative Assistant