

Carlisle Conservation Commission
June 24, 2010

Pursuant to the notice filed with the Town Clerk, Vice Chair Guarino called the meeting to order in the Heald Room at the Town Hall at 7:30 p.m. Also present were Commissioners Tom Brownrigg, Jenifer Bush, Debra Kimbrell Anderson, Diane Troppoli and Tricia Smith (8:10 p.m.) and Conservation Administrator Sylvia Willard. Chair Peter Burn was not present.

Minutes: *Kimbrell Anderson moved to approve the February 11, 2010 and February 25, 2010 minutes as amended, Troppoli seconded and all attending voted in favor.*

COC: (DEP 125-819) Project: Single family home, driveway with crossing, well, and associated grading. Location: 129 Cross Street; Issued: 10/18/2007; amended 8/11/2008 for removal of rock and restoration of a Bordering Vegetated Wetland. Based on Willard's confirmation of the receipt of post-construction photographs confirming that the project had been completed in accordance with the OOCs and adequately stabilized, as well as her findings that the site work was completed satisfactorily in accordance with the Amended Plan of Record, *Bush moved to issue a Certificate of Compliance for DEP #125-0819A, Troppoli seconded and all attending voted in favor.*

Land Use Permits were circulated for signatures as follows: (1) To Wildlife Ecologist Bryan Windmiller and his assistant Rebecca Lowe for a second season of **Blanding's Turtle monitoring** at Greenough, with the Commission requiring that a sign be posted at Greenough informing the public of the study and a public notice be placed in the *Carlisle Mosquito*. Willard noted that a "Summary of Findings" was submitted as requested for the previous, 2009 monitoring season; (2) To Dennis Souto of the U.S. Forest Service for **Biosurveillance Training** relative to the parasitic ground nesting wasp *Cerceris fumipennis* that has been found to occur at Foss Farm and is thought to be an effective means of biological control for the (Emerald Ash Borer) beetle that is responsible for a dramatic decline in ash tree populations. Staff training will occur 7/6, 7/7 or 7/14 from 12:30 to 4 p.m. pending weather conditions.

Encumbrance for Mowing: *Kimbrell Anderson moved to encumber all remaining funds in the Commission's General Fund for the purpose of funding a portion of the Towle and Benfield mowing expenses in FY11. Willard estimates the remaining funds will be in the vicinity of \$900, pending receipt of a final invoice for trash pickup services. Brownrigg seconded the motion and all attending voted in favor with the exception of Bush, who abstained.*

Senior Helper – File Project: The Commission will be sending a thank you note and a copy of the newly revised Carlisle Trails Book in appreciation of his excellent work done in purging archival files of duplicate copies of materials. A request will be submitted to the COA for assistance in FY12 if it is available.

Election of Officers for FY11: *Bush moved to nominate Guarino as Chair for the upcoming term, Brownrigg seconded and all attending voted in favor. The nomination process for Vice Chair was deferred to July 8, 2010.*

Future Agenda Discussions: Guarino suggested the Commission reserve time on the next agenda to determine committee liaisons, including a designee for budget planning requirements.

Foss Farm Community Garden Update: Bush recused herself from the discussion. Garden Manager Jack O'Connor and Assistant Manager Carol Foster were present to update the Commission on the issue of gardeners maintaining multiple garden plots, contrary to the published Foss Farm Community Garden Rules, which require that plots be tended by the person/household to whom they are assigned. The Commission had previously requested that O'Connor contact the alleged offenders in order to ascertain whether there were extenuating circumstances that would require them to maintain additional plots. O'Connor said he had attempted to contact those gardeners and had learned that one of the absentee gardeners is handicapped and had requested assistance. Others said they routinely help each other out with garden maintenance. Because the Garden Rules were somewhat unclear with regards to consequences for violations, it was determined that this issue would be addressed during the annual review process of the rules in the late fall. In the meantime, a letter will be sent to each of the potential violators reminding them of the rules and encouraging them to participate in the upcoming review.

8:45 (DEP 125-0888) Notice of Intent, Continued Hearing

Applicant: George Lohrer

Project Location: 125 South Street

Project Description: Remediation of an oil spill

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 July 8, 2010 at 8:15 p.m. at the representative's request.

8:45 (DEP 125-0887) Notice of Intent

Applicant: Stephen and Jacqueline Hamilton

Project Location: 230 Concord Street

Project Description: Repair and replacement of a retaining wall

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Property owners Stephen and Jacqueline Hamilton presented the proposal to repair an existing stone retaining wall. It was noted that a NOI was prepared by Stamski and McNary in 1984, which served to establish the wetland delineations and provided a basis for the construction of a home on the agricultural property. The retaining wall they are now proposing to repair was constructed upland of the wetland line in order to establish a more permanent demarcation. Over the last decade, the boulders have been shifting with the seasons, and now pose a safety hazard for the homeowners. After hearing the details of the proposal including site prep, construction details and proposed drainage improvements, *Smith moved to close the hearing for DEP #125-0887. Troppoli seconded and all attending voted in favor. Smith moved to issue a Standard Order of Conditions, Troppoli seconded and all attending voted in favor.*

It was noted that the applicants also plan to remove a large boulder that sits approx ten feet from the boulder wall within the wet meadow that is creating an obstruction to their farming activities, with the work to be done in accordance with their existing farm plan under MGL Chapter 61A.

8:50 (DEP 125-0881) Request to Amend Orders of Conditions

Applicant: Applewood Construction Corp.

Project Location: 142 Bedford Road

Project Description: Reduced size single family home, associated grading and installation of a septic field and well

Guarino opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary presented the proposal for several modifications to the original design which would increase separation from the Resource Area and reduce work within the Buffer Zone including a reduction in overall house size and construction of a front loading garage, eliminating the need for a retaining wall, guard rail and sediment sump. *Smith moved to close the hearing for DEP #125-0881, Troppoli seconded and all attending voted in favor. Smith moved to amend the OOCs referencing the revised Plan dated June 10, 2010 and to accept the proposed wooden split rail fence line as a delineation of the yard area, Troppoli seconded and all attending voted in favor.*

9:00 (DEP 125-0878) Issuance of Orders of Conditions for Closed Hearing

Applicant: Philip Giffie, Neighborhood of Affordable Housing, Inc. (NOAH)

Project Location: South Street

Project Description: Residential community consisting of 26 residential rental units & associated site improvements including drives, parking, stormwater management, on-site septic and water supply

Guarino opened the discussion of the Orders of Conditions subsequent to the hearing that that had been closed on June 10, 2010. Willard had included a draft of the OOCs as they are currently constructed with the meeting materials. The Commission reviewed the document item by item, requesting changes relative to sequencing and formatting of the document, fine tuning of construction details to ensure adequate resource area protection measures, pre-construction conferencing requirements and the finalization of the Findings and Special and Continuing Conditions as discussed at the previous hearing.

Relative to the construction process, it was determined that the applicant will be required to provide the Commission with a copy of the Construction Management Plan and the Construction Maintenance Schedule submitted to the ZBA for their review and comments. The Commission will also require a Dewatering Plan subject to their approval in the event that dewatering becomes necessary. During construction, the applicant will be responsible for maintaining wetland flagging within 200' of the disturbed site. Snow stockpiling shall not occur within 50' from a protected Wetland Resource Area and not within the stormwater management features.

The applicant will be required to request an Amendment to the Order of Conditions once a revised plan reflecting minor changes required by the ZBA is finalized.

The Orders of Conditions will be issued as required within 21 days of the close of the hearing June 10, 2010.

9:15 Potential Subdivision of 291 River Road:

George Dimakarakos of Stamski and McNary was present for an informal discussion relative to a potential subdivision within a 40-acre property located at 291 River Road. Also present were members of the Elliott family, Elizabeth Elliott Platais and Maris Platais and others. They are presently considering their development options and are looking for feedback from the Commission early in the planning process. It was noted that they had recently had an informal discussion with the Planning Board relative to the Special Permit process and that the Planning Board looked favorably upon their overall concept.

Dimakarakos stated that the family has been looking at various alternatives for the development of the property with a very strong sense towards potential conservation buyers. The property owners believe that there is a very important town resource here in its scenic value; its status under Chapter 61A; and many activities that are beneficial to the town to preserve.

They are now looking at two possible options, one would divide the property into eight lots and the other, a preferred option, would include six lots, four of which would be accessed by extending an existing common driveway off Skelton Road that serves an adjacent property. This option would allow the property owners to retain over 7 acres on each of two lots which would remain in the family and continue to be under Chapter 61A. The remaining 4 lots are proposed to be 11 acres, 7 acres, and two 4-acre lots. This option, however, would require crossing a perennial stream.

Relative to the mitigation that would be required for work associated with the construction of the stream crossing included in the preliminary plan, they are proceeding with the understanding that the 2 to 1 mitigation ration required by the regulations can be achieved by placing a Conservation Restriction on a portion of the property that is within a Riverfront Area and would have a potential development capacity otherwise. It was proposed that this would be consistent with 310 CMR 10.58 (5)(g).

Smith recommended that the representative have an informal discussion with DEP as they had previously visited the property as part of the Wetlands Change project. The DEP had found the site in compliance with existing regulations, as the wetland change was consistent with the agricultural practices on the property. Willard inquired as to whether a CR would cover potential future development. Dimakarakos reported that the property owners would be willing to restrict future development in order to prevent further subdivision.

On a high level overview, the Commission preferred this option to the alternative. Although plans were available for the discussion, none were left by the applicants or their representative for the files.

10:40 p.m. Smith moved to adjourn, Troppoli seconded and all attending voted in favor.

Respectfully submitted,
Mary Hopkins
Administrative Assistant