

## **Carlisle Conservation Commission**

**December 3, 2009**

Chair Peter Burn called the meeting to order at 7:40 p.m. in the Clark Room at the Carlisle Town Hall. In addition to Burn, also present were Commissioners Tom Brownrigg, Jen Bush, Kelly Guarino, Tricia Smith and Diane Troppoli and Conservation Administrator Sylvia Willard.

### **Bills, General Agenda Items, New Business:**

**Certificate of Compliance: DEP 125-0853; Location: 278 South St., Project: demolition and rebuilding of a single family home, Issued: 4/16/2009:** The issuance of the COC was postponed until such time the project area has become satisfactorily vegetated.

**Long Term Capital Requirements Committee:** Willard and Debbie Geltner of the Land Stewardship Committee will present the proposal for \$165,000 for funding Bog House repairs to LTCRC on December 16, 2009 at 9:45 a.m.

**FinCom Budget Meeting with Land Use Boards:** Burn and Bush agreed to represent the Commission at the FinCom Land Use Boards meeting on December 14, 2009 at 7 p.m.

**DCR Working Forest Initiative Program:** Bush, who is also a member of the Conservation Restriction Advisory Committee, had forwarded information discussed at a recent CRAC meeting relative to DCR's Working Forest Initiative Program, through which communities can qualify for funding of forest stewardship plans. Municipally owned parcels must be larger than 25 acres in size and may not have an existing plan. The Commission will request that LSC pursue funding through the Forest Stewardship Program as proposed by DCR under the Working Forest Initiative.

**Conservation Restrictions for Conservation Land:** Bush informed the Commission CRAC recently had a discussion with regard to putting CRs on existing conservation land. Among the questions raised by the Commission were whether this action would actually strengthen protection of a given parcel and whether particular parcels would be more appropriate for protection under a CR than others. A time to further discuss the topic with CRAC, LSC and CCF will be scheduled in January.

**DEP Update:** Willard informed the Commission that the DEP is eliminating its Regional Circuit Rider Program in January 2010 as part of an ongoing reorganization in response to state budget cuts. Immediate effects of the changes will include loss of training programs and elimination of regional support resources.

### **8:15 p.m. (DOA-272) Request for Determination**

**Applicant: Town of Carlisle Police Department, Chief John R. Sullivan**

**Project Location: 41 Lowell Street**

**Project Description: Repaving the driveway and rear parking area**

Burn opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Police Chief John Sullivan was present for the review of the proposed Plan. Willard, who had assisted with the preparation of the Plan, presented the details of the Plan, all of which met with the Commission's approval. *Smith moved to issue a Negative Determination B3 for DOA-272, with the condition that the location of the siltation barrier be modified so that it is installed along southerly edge of the project area only. Troppoli seconded and all attending voted in favor.*

**Foss Farm Update: Wells** – Willard informed the Commission that two new irrigation wells have successfully been installed at Foss Farm and a Well Completion Report will be issued to the Massachusetts Office of Water Resources. The Commission thanked Community Gardener Jack O'Connor and Lynn Knight of LSC for their efforts in helping to bring the project to fruition. The annual **Community Gardens Agricultural Burn** is tentatively scheduled for this coming Saturday, December 5 at 8:15 a.m. with December 12 being the alternate date should weather conditions require that the burn be postponed.

### **8:30 p.m. (DEP 125-0838) Enforcement Order Response**

**Owner: Greg Bruell**

**Location: 779 West Street**

**Project Description: Landscaping Project**

Contractor Jon Storer was present to represent the property owner in response to an Enforcement Order issued on November 9, 2009. The Enforcement Order was issued in response to multiple violations against an Order of Conditions issued August 20, 2008 for a Japanese Garden Landscaping Project. Storer had submitted a written response to the Enforcement Order dated November 23, 2009; however, the Commission found numerous inadequacies and had stated the following requirements were to be met by their next meeting: (1) a revised Garden Management Plan prepared by a professional landscape architect that includes details for both garden development and for ongoing management, with such plan being subject to approval from the Commission prior to any further work is undertaken; (2) a Remediation Plan for restoring the damage done to the BVW during the excavation of the pond to be prepared by a Certified Professional Wetland Scientist and submitted to the Commission, with such Plan being subject to a Peer Review at the Commission's discretion; 3) a complete list of contractors and/or other individuals, including names and addresses, who performed work on the site since the Order of Conditions was issued on August 20, 2008. In addition to the above requirements and in order to stabilize the site for winter, the Commission also required that the existing stockpiles be stabilized and that a haybale/siltation barrier be correctly established around the BVW. Given the efforts made thus far in addressing the requirements of the Enforcement Order, the Commission agreed to continue the suspension of the fines as outlined in the Enforcement Order until the representative reports back on December 17, 2009.

**Bylaw Fee Revisions:** In response to a recommendation from FinCom/BOS that the Commission review their current Bylaw Fee Schedule, Willard had prepared and distributed budget information supporting the claim that costs have increased from twenty to forty percent since the fees were last revised. The topic will be discussed in more depth in January in preparation for the Public Hearing and Legal Notice that will be required in order to implement a revised fee schedule.

**Community Garden Manager Resignation:** Willard informed the Commission that Bob Dennison, the Community Garden Manager for at least twenty years, has announced his retirement. She will work with the Land Stewardship to determine how best to proceed in filling the position, with Dennison agreeing to act as a contact person during the interim. On behalf of the Commission, Burn expressed his gratitude for Dennison's years of service.

**Benfield Project and Conservation Restriction:** Brownrigg received support from the Commission for his suggestion to send a letter to the ZBA informing them that the terms of the CR on the Benfield Land must be strictly adhered to in reviewing the proposed plans for a 40B development, specifically with regard to the location of the septic and well fields. Brownrigg will work with LSC Chair Warren Lyman in preparing a draft for the Commission's review.

**ConsCom Member Interview:** The Commission interviewed ConsCom candidate Debra Kimbrell-Anderson for the open position created when Tom Schultz stepped down after serving two terms. Impressed with her professional experience and education related to environmental protection, combined with her performance during the interview and her obvious enthusiasm for providing a service to the community by joining the Commission, a recommendation supporting her appointment as a member will be forwarded to the BOS.

**10:26 p.m. Smith moved to adjourn, Bush seconded and all attending voted in favor.**

Respectfully submitted,  
Mary Hopkins  
Administrative Assistant