

Carlisle Conservation Commission  
November 18, 2010

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

**Bills, General Agenda Items, Minutes and New Business**

**Certificates of Compliance:**

**(DEP 125- 0887) 230 Concord Street;** Project: Replacing an existing stone retaining wall; Issued: 6/30/2010.

Based on Willard's recommendations that she found the project to have been completed satisfactorily in compliance with the Plan of Record, *Burn moved to issue a Certificate of Compliance for DEP 125-0887, Bush seconded and all voted in favor.*

**(DEP 125-0873) 155 Woodridge Rd.,** Project: basketball court; Issued: 9/21/2009.

Based on Willard's recommendations that she found the project to have been completed satisfactorily in compliance with the Plan of Record, *Burn moved to issue a Certificate of Compliance for DEP 125-0873, Brownrigg seconded and all voted in favor.*

**FY 2012 FinCom Budget Meeting - December 13, 2010 at 7:00 pm**

Guarino, Burn are in the process of working with Willard to develop the proposed FY12 ConsCom budget and will update the Commission on their progress at the December 2 meeting.

**Minutes:**

*Bush moved to approve the March 12, 2009 minutes, Burn seconded and all voted in favor.*

*Burn moved to approve the March 26, 2009 minutes as amended, Brownrigg seconded and all voted in favor.*

*Burn moved to approve the April 29, 2010 minutes as amended, Brownrigg seconded and all voted in favor.*

*Burn moved to approve the May 13, 2010 minutes as amended, Brownrigg seconded and all voted in favor.*

**Purple Loosestrife Mapping Project:** Carlisle resident and Concord/Carlisle High School Junior Amelia Cox was present to describe her the results of the Purple Loosestrife mapping project she had undertaken on the Greenough Land as part of a Girl Scout project. LSC member Lynn Knight, who has been working with members of SuAsCo/CISMA, a partnership of local organizations that work to manage and control invasive species in the SuAsCo watershed, provided assistance and guidance during the course of the mapping project. Cox presented a baseline map reflecting locations of the plants and highlighted areas of particular concern. The next step would be for the Commission to consider implementing a control method involving the release of *Galerucella pusilla* beetles. The maps could be used as a reference point to determine effectiveness of the release after the first year. Knight reported that SuAsCo/CISMA has raised and released beetles in five towns, including the town of Concord, and they would be willing to include Carlisle as a release site if the Commission chooses to participate. The Commission thanked Cox for her careful work on the mapping project and said they intend to follow up on the proposal once they have had an opportunity to give it further consideration in conjunction with LSC.

**8:00 p.m. (DEP 125-0893) Notice of Intent, Continued Hearing**

**Applicant: The Rachel Webster Elliott Trust – 2004**

**Project Location: 291 River Road, Map 1 Parcels1, 1A, 1B, 3, 3B**

**Project: Common Driveway project within 100-foot Buffer Zone of a Bordering Vegetated Wetland, within Bordering Vegetated Wetland and within the 100 & 200-foot Riverfront Area**

Guarino reopened the Continued Hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. George Dimakarakos of Stamski and McNary said they are giving consideration to several plan changes subsequent to site visits conducted by ConsCom and the Planning Board and are requesting input from the Commission before proceeding further. One of the potential changes of particular interest to the Commission would be the elimination of several turn out areas in the common driveway, resulting in a substantial decrease in impervious surfaces. Another change requested by the owner involves relocating the drive in order to preserve a grove of ten trees of varying species, ranging in diameter from six to thirty inches. Although relocating the driveway in order to avoid the trees would place it closer to the river, it would be located in an existing open area and would allow them to preserve the trees in the Riverfront Area.

The Commission reacted positively to the proposed Plan revisions and encouraged the applicant to pursue them as requested. Dimakarakos agreed to provide revised drainage calculations once the changes have been incorporated into the Plan. The hearing was continued to December 16, 2010 at 8 p.m. with the representative's approval.

**393 South Street: Right of First Refusal under MGL Chapter 61B for ~13+/- acres of land:**

Subsequent to the Commission's recent site visit to view the property, Willard learned that RecCom will be conducting a site visit to the property over the next week to evaluate the potential use of a large, open field on the property. The Commission's interest is in the potential trail connection to the Benfield Land. A decision on whether to pursue the purchase will be given further consideration once all appropriate boards and committees have had an opportunity to view the property.

**LTCR Committee Request:** The Long Term Capital Requirements Committee had recently sent a letter to the Commission requesting their submission of projects for potential funding. In addition to including the Greenough Dam in their request, the Commission is considering whether to add the next phase of the Cranberry Bog House restoration project. The issue will be included in the next agenda to allow the Commission an opportunity to consider additional projects.

**8:15 p.m. (DEP 125- ) Notice of Intent**

**Applicant: Emily Williams**

**Project Location: 28 Concord Street**

**Project: installation of a footing for an existing barn under renovation and sonatubes for a deck and expansion of a room with all work within the 100-foot Buffer Zone of a Bordering Vegetated Wetland**

Guarino opened the Hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Bush recused herself as an abutter to the project location. It was noted that DEP has not yet acknowledged receipt of the filing nor issued a DEP number. Property owner Emily Williams, who recently purchased the property, was present to describe the project and to provide any additional information the Commission may require. The filing was submitted in accordance with an Emergency Certificate issued to the property owner to work to begin on construction of the foundation due to safety concerns relative to the structural integrity of the barn cited by the Building Inspector. Williams said she had consulted with Willard during the application process and had been encouraged at that time to consider any future improvements she may want to undertake within the next three years. As a result of this exercise, the Plan includes details for a proposed deck, construction of an addition, installation of a stockade fence along Westford Street and some landscaping in addition to the construction of the barn foundation. Acknowledging that virtually the entire lot is within the Commission's jurisdiction, Williams said she was aware that she would need the Commission's approval of the Plan prior to initiating the permitting process with other town boards and departments. In order to evaluate the proposal for fencing along Westford Street, the Commission requested that the applicant consult with DPW Superintendent Gary Davis in order to determine property lines relative to the town's right of way. With the applicant's approval, the hearing was continued to December 2, 2010 at 8:15 p.m.

**8:30 p.m. (DEP 125-0894) Notice of Intent**

**Applicant: Rainbow builders**

**Project Location: Lot 2, Chestnut Estates**

**Project: Construction of a portion of a driveway for a single family home, breakout grading for a proposed soil absorption system and other grading associated with a single family home with work within the 100-foot buffer zone of a bordering vegetated wetland**

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 Plan. The existing site is on a tract of land previously approved for a Conservation Cluster with a Common Driveway known as Chestnut Estates. The project requires minimal site work within the Buffer Zone consisting of construction of a driveway off of the common drive Twin Beech Road. In addition, although the proposed soil absorption system will be constructed outside of the 100-foot Buffer Zone, it will require breakout grading that will blend with the grading in front of the dwelling approximately 10' in the BZ.

Given that the lot line located behind the dwelling runs along the Chestnut Estates Open Space Parcel granted to the town under the provisions of the Chestnut Estates Conservation Cluster, Guarino asked whether there were any plans for adding conservation boundary markers along the property line. Willard suggested the Commission might authorize a letter to be sent to the project owner suggesting conservation boundary markers be added not only on Lot 2 but also on Lots 6 & 7. Dimakarakos said that nothing has been proposed at this point, and although it is outside the scope of this particular hearing, he would discuss the possibility of adding boundary markers with the applicant. *Burn moved to close the hearing for DEP 125-0894, Ascolillo seconded, and all voted in favor. Burn moved to issue a Standard Order of Conditions, Bush seconded and all voted in favor.*

**(DEP 125-0895) Notice of Intent**

**Applicant: Rainbow builders**

**Project Location: Lot 4, Chestnut Estates**

**Project: Construction of a driveway to a single family home and breakout grading for a proposed soil absorption system with work within the 100-foot buffer zone of a bordering vegetated wetland**

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 Plan. The existing site is on a tract of land previously approved for a conservation cluster with a common driveway known as Chestnut Estates. Dimakarakos described several minor changes that were required by the BOH and are now reflected in the revised Plan. Work within the BZ would involve construction of a driveway with associated grading. Although the proposed soil absorption system is located outside of the BZ, it would require breakout grading approximately 25' into the BZ.

*Burn moved to close the hearing for DEP 125-0895, Bush seconded and all voted in favor. Burn moved to issue a Standard Order of Conditions for the Plan dated November 18, 2010, Bush seconded. Guarino asked whether the Commission wanted to discuss the possibility of amending the motion in order to address the edge of yard issues that exist at the rear of the property where the grading slopes down significantly toward the wetland. Brownrigg moved to amend the motion to state that the area between the haybale line and the wetland be left in it's natural condition to the greatest extent possible in order to encourage native vegetation to prevent encroachment of lawn area. A vote was taken on the amendment with Brownrigg voting in favor and Burn, Bush Ascolillo and Guarino voting against. A vote was then taken on the original motion on the table to issue a Standard Order of Conditions. All voted in favor and the original motion passed.*

Guarino noted that although the amendment failed, the Commission would be giving consideration to adding a continuing condition to their Standard Orders of Conditions relative to requiring the preservation of native vegetation that exists within close proximity to wetlands.

**(DEP 125-0896) Notice of Intent**

**Applicant: Rainbow builders**

**Project Location: Lot 6, Chestnut Estates**

**Project: Construction of a portion of a driveway and associated grading in the 100-foot Buffer Zone of a bordering vegetated wetland  
(confirm if Lot 5 or Lot 6)**

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 Plan. Proposed work within the Buffer Zone would involve grading along with the construction of a turnout for the driveway to provide access off the common driveway. Grading for the driveway will extend into the BZ approximately 25'. A haybale/siltation barrier will act as the limit of work and provide erosion control on the site. Dimakarakos described several minor changes that were required by the BOH and are now reflected in the revised Plan. Because a portion of the property runs along conservation land, Dimakarakos said he would be discussing the possibility of installing conservation boundary markers with the applicant.

*Burn moved to close the hearing for DEP 125-0896, Bush seconded and all voted in favor. Ascolillo moved to issue a Standard Order of Conditions referencing the revised Plan dated November 18, 2010, Bush seconded and all voted in favor.*

**(DEP 125-0897) Notice of Intent**

**Applicant: Rainbow builders**

**Project Location: Lot 7, Chestnut Estates**

**Project Description: Construction of a portion proposed single family home, a roof drywell, and associated grading within the 100-foot Buffer zone of a Bordering Vegetated wetland**

Guarino opened the Hearing 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. Work within the Buffer Zone includes a portion of the proposed dwelling

Dimakarakos described several minor changes that were required by the BOH and are now reflected in the revised Plan. A portion of the proposed dwelling will encroach into the BZ and will be 79' from the Bordering Vegetated Wetland. A roof drywell is proposed 85' from the BVW with associated grading 55' from the BVW. A haybale siltation barrier will act as the limit of work and provide erosion control on the site. Because a portion of the property runs along conservation land, Dimakarakos said he would be discussing the possibility of installing conservation boundary markers with the applicant (along with Lots 2 and 6.)

Bush inquired as to whether the house could be relocated outside of the Buffer Zone. Dimakarakos said that the property was challenging from an engineering standpoint due to the amount of ledge that exists on the property. He also said that that the setback requirements further reduced alternatives during the preliminary engineering process. Bush asked whether a reduction in the size or rotation of the house footprint and septic system would result in the ability to move the house footprint outside of the BZ. Dimakarakos again cited the setback requirements and site constraints related to the location of the septic system. He also said that the house is the size it needs to be from a profitability standpoint.

When asked for questions or comments from the audience, several residents expressed frustration with the level of noise associated with the ledge removal and rock processing taking place on the Chestnut Estates construction site. For the record Willard reporting having received a call from an abutter who requested information to assist him in addressing the noise level from the equipment being used on the job site. She told the caller the Commission would be unable to address the issue because the blasting and ledge removal work was not located within their jurisdiction. Dimakarakos said that the town would need to enact a local noise bylaw in order to have any voice in the matter.

*Burn moved to close the hearing for DEP 125-0897, Ascolillo seconded and all voted in favor. Burn moved to issue a Standard Order of Conditions referencing the revised Plan dated November 18, 2010, Ascolillo seconded and all voted in favor with the exception of Bush, who opposed.*

**9:30 p.m. Anthony Pisani, 41 Skelton Road:** Architect Anthony Pisani was present to request guidance from the Commission on behalf of a client who is interested in purchasing the 10.6 acre property. The intent is to replace the existing single-family house, which was built in the early 1960's, in its existing site. The applicant is interested in replacing the existing 3746 square feet building with a 3980 sf house, adding 235sf to the overall footprint. The new house would have only one story but will have a slightly higher roofline as seen from the river. It is also anticipated that renovation and updating of the existing garage will take place to include a guest house. The existing swimming pool would be filled in. Pisani said he had requested time for the discussion in order to be sure that he was "doing my due diligence" in representing his client and in order to determine where there are any things that may not be obvious. He stated that Ross Associates had flagged the wetlands and did the soil testing. It is the intent of his client to enter into a CR on at least 2.6 acres and that they are also looking at other areas based on conversations with local attorney and CCF member Greg Peterson.

Aside from the fact that there may be a Riverfront Area issue, which would require an alternatives analysis, and concerns about possible clearing down to the Riverfront, the Commission did not see anything in particular to add or suggest that they would not expect to see in the forthcoming Notice of Intent. Guarino thanked Pisani on behalf of the Commission for coming to discuss his client's intentions and said they would look forward to the submission of the filing.

**9:45 p.m. (DOA-280) Request for Determination**

**Applicant: Yongdeng Chen**

**Project Location: Lot 6 Maple Street**

**Project Description: Presentation of a concept plan for crossing a perennial stream with a 20-foot driveway with work in Bordering Vegetated Wetland, Bordering land Subject to Flooding and the 200-Foot Riverfront Resource Area**

Brian Butler of Oxbow Associates was present along with the applicant, Yongdeng Chen to discuss the conceptual plan. He stated that he and his client have met with the BOS and the Planning Board to discuss the project. He had also consulted with Willard relative to submission requirements for the Commission, at which time he was instructed to submit an RDA in order to give abutters an opportunity to provide input.

They are showing the current concept plan for the purposes of disclosure, but no request is being made for review of the buildings, utilities and landscape activities associates with the project, according to the representative. The parcel consists of 4.2 acres with forty feet of frontage on the northerly side of Maple Street. The access to Maple Street is a pan-handle that crosses a tributary of Pages Brook as well as areas of Bordering Land Subject to Flooding and BVW. Riverfront Area is presumed to exist on the site based on USGS mapping. Wetland resources have been flagged and reflected on the conceptual drawing. The activities of concern in this submittal are strictly related to the crossing of the Pages Brook tributary and associated resource areas to provide access to the rear of the lot. They are not requesting approval of any resource areas that are located off the property site. They intend to construct a driveway off Maple Street, with a bridge at the stream crossing over Pages Brook.

Following his overview of conceptual drawing, Butler opened the discussion for questions and comments. Guarino reminded those in attendance that the purpose of the discussion is for the Commission to determine whether the proposed work would impact the wetlands enough to require an additional filing. The Commission provided suggestions relative to addressing potential stormwater management issues, compensatory flood storage, as well as confirming that the applicant had consulted with the fire department relative to the proposed driveway width.

Several members of the audience expressed concerns relative to how the proposed project may impact the project site and downstream properties relative to future flooding events, including: Jonathan Stevens of 871 Maple Street, Ronnie Green and Steve Mierau of 35 Milne Cove Road, Lois D'Annunzio of 136 Laurelwood Drive, Carolyn Wilson of 811 Maple Street and Dorothy Milne of 845 Milne Cove Road. Responding to these concerns, Butler said that the Performance Standards would require any flood storage capacity that is precluded by the roadway and associated structures would need to be compensated for in hydraulic connection to this whole system. He also acknowledged that

the project would need to be sufficiently engineered so that the conditions in the pre-and post-construction circumstance are not going to negatively affect the wetlands interests of the property. *Bush moved to issue a Positive Determination for DOA-280, including the following findings: B1, B2, B3, B5, B7. Burn seconded and all voted in favor.*

**Carlisle Energy Taskforce Proposal:** Steve Hinton was present to discuss the committee's proposal that the Town of Carlisle adopt Zoning Bylaw Section 5.8 for the purpose of establishing a solar photovoltaic facilities overlay district and that the Town amend the Zoning Map to show the designated location. The proposal for establishing an overlay district is being put forth in order for the Town to meet the requirements for being designated a "Green Community". This designation would provide state funding to invest in energy conservation initiatives that the Town had previously identified, including expansion of the energy management within the school and improvements to Town Hall HVAC systems. After having looked at several potential locations for the overlay district, Hinton said they are considering locating it at the perimeter of the Transfer Station, as it is as far away from residences as possible compared to other parcels of town-owned land they have considered. Acknowledging that the project would occur within the 100-foot Buffer Zone of a wetlands resource area, Hinton asked the Commission for their thoughts on what sorts of restrictions or design limitations they might impose if they chose this location. The Commission agreed to continue the discussion at their next meeting and encouraged Hinton to look at the Banta Davis land as an alternative location for the project.

*10:45 p.m. Brownrigg moved to adjourn, Burn seconded and all voted in favor.*

Respectfully submitted,  
Mary Hopkins  
Administrative Assistant