

Carlisle Conservation Commission
February 14, 2013

Pursuant to the notice filed with the Town Clerk, Vice Chair Luke Ascolillo called the meeting to order in the Clark Room at the Town Hall at 7:30 p.m. In addition to Ascolillo, Commissioners Tom Brown, Tom Brownrigg, Peter Burn, Jen Bush and Lee Tatistcheff and Conservation Administrator Sylvia Willard were also present. Chair Kelly Guarino was not present.

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

Land Use Permit: Willard said the Agricultural License issued to Gaining Ground for Sugar Maple Tapping on the Towle Conservation Land had expired and suggested the issuing a Land Use Permit to allow the activity until the license is considered for renewal at the Commission's February 28, 2013 meeting. *Bush moved to issue a Land Use Permit to Gaining Ground to allow sugar maple tapping on the Towle Land through the end of March, 2013, Tatistcheff seconded, and all voted in favor.*

Joint Town Cranberry Bog Subcommittee Meeting Report: The discussion was postponed until Guarino is present to provide the report.

Benfield Conservation Land Maintenance: Brown reported having sent a follow up request to the Housing Authority relative to funding for the maintenance of the well and septic area being constructed on the Benfield Conservation Land. The Commission is asking for clarification as to whether the Housing Authority and/or NOAH will contribute to the ongoing mowing expenses associated with keeping the area open.

FY 14 Budget & Meeting with FinCom: Guarino, Brown and Willard attended the February 11, 2013 FinCom meeting, at which they requested an additional \$2,000 for the Commission's FY14 Repair and Maintenance line item. The increase would potentially provide funding for additional field edge maintenance on conservation lands and more frequent mowing that is needed at Towle Field in order to adequately address the proliferation of poison ivy and buckthorn.

Plan Change Request: (DEP 125-0913 - Lot 4 Hanover Hill (112 Johnson Road): The applicant was present to request a Plan Change allowing the use of wood chip material in place of organic mulch on a 30-40 s.f. area located within the Buffer Zone. The Commission allowed the change given the fact that the substitute material has been in place since October and that they have a statement from the engineer confirming that the area is satisfactorily stabilized.

2012 Town Report: *Burn moved to accept the 2012 Town Report prepared by Willard as amended, Tatistcheff seconded, and all voted in favor.*

Community Garden Rules: Garden Manager Jack O'Connor submitted a revised draft of the Garden Rules subsequent to the Commission's previous meeting during which they discussed potential revisions relative to the planting of perennials. The Commission reviewed and accepted the proposed revisions. The Rules and Application form will now be posted on the Town of Carlisle web site and a press release for garden applications will be sent to the *Carlisle Mosquito*.

Elliott Preserve - Determination of Uniqueness: In accordance with a recommendation from Town Counsel relative to the requirements of the Uniform Procurement Act, *Brown moved to accept the Determination of Uniqueness document, also stating the fact that the Commission has determined that advertising pursuant to G.L. c. 30B, Section 16 will not benefit the interests of the Commission because of the unique qualities and location of the Elliott Preserve located on Skelton Road known as Town of Carlisle Assessor Map 1, Parcel 1, Lot 6 and Map 1, Parcel 3, Lot B . Tatistcheff seconded the motion, and all voted in favor.*

CPC Meeting: The Commission's liaison to the Community Preservation Committee and CPC Chair Ascolillo reported that the Committee voted unanimously in favor of sending the Commission's request for \$150,000 in support of the Elliott Preserve purchase to Town Meeting.

MACC Environmental Conference: Registration forms were circulated for the Massachusetts Association of Conservation Commissioners' Spring Conference on March 2, 2013.

RIFLS Program Update: Leila Parker, a Watershed Ecologist from the Department of Fish and Game's Division of Ecological Restoration, will be conducting a site visit on February 20, 2013 to evaluate the Commission's request to establish a stream flow monitoring program for River Meadow Brook. The inquiry was initiated by LSC member Warren Lyman in order to better understand the potential impacts to existing surface and ground water from the installation of a public water supply well field recently under consideration by the Chelmsford Water District .

8:00 p.m. (DEP 125-0934) Notice of Intent, Continued Hearing

Applicant: Peter Casserly

Project Location: 509 South Street

Project Description: Raze existing dwelling and sheds, installation of a well, construction of a new dwelling and sewage disposal system

Ascolillo opened the Continued Hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Kevin Ritchie of Civil Solutions, Inc. was present to review the revised Plan that included changes based on comments from the Commission at the opening of the hearing on January 24, 2013. The following revisions were included: 1). The location of the proposed house has been adjusted and moved to from 19 to 31 feet from the wetlands, maintaining the minimum setback distance of 20 feet to the leaching fields; 2). The proposed well has been moved 8 feet farther from the wetland and also relocated so as to avoid a large boulder located in the originally proposed location; the boulder has also been added to the revised Plan; 3). the haybale line has been adjusted so as to allow access to the well; 4). The proposed driveway has been realigned to accommodate the revised house location and is now farther from the wetlands; 5). The revised Plan now reflects the existing Right of Way providing access to 493 South Street, existing interior stonewalls behind the shed, and abutters names; 6). Two roof drain recharge trenches have been added.

Willard raised the concern that the relocation of the haybale line could result in the lawn being expanded by future owners of the property. Bush suggested installing the haybale line in accordance with the original plan, allowing that it be moved for one day to allow for decommissioning of the existing well, then reinstalling it at the original location in front of the stone wall. The Commission also requested that a revised Plan include landscaping measures for providing a permanent limit of yard. Brownrigg suggested including 25 feet of native vegetation between the haybale line and the wetland.

The representative asked about potential tree removal requirements, and after a brief discussion, the Commission requested that trees being proposed for removal be added to the Plan.

Jane Bassett of 545 South Street was present to obtain feedback on her letter to the Commission dated February 9, 2013. Bassett's concerns relative to the proposed development of 509 South Street included the close proximity of the proposed house to the wetland and resulting potential adverse environmental impacts of the development to wetlands and wildlife habitat due to contamination and/or runoff. Bassett is also questioning the fact that the Commission is allowing development of a lot that she considers "unbuildable" under the present proposal. Ken Ashe, a friend of Bassett's, also expressed concern with the close proximity of the proposed house to the existing stone wall near the wetland line. Ascolillo tried to address these concerns, explaining that the Commission does not have a "no build zone" at the present time, but they normally prefer a minimum of a 25' buffer from the wetlands. He noted that the Plan has been revised so as to locate the proposed house approximately 30 feet from the wetland. Relative to Bassett's concerns about any potential wetland fill associated with the proposal, Ascolillo said the only fill associated with the project will be related to the decommissioning of the well. He acknowledged that it is a "difficult lot" given the zoning requirements and the wetlands, but said it is not within the Commission's jurisdiction to prohibit building on the lot. Bush noted that the law requires both a septic area and a replacement septic area to be included in the plan, further limiting the placement and location of the house. Ritchie added the fact that a larger system was required due to soil composition and topography. Bush thanked them for their concern and encouraged them to come forth with any additional suggestions they may have.

The hearing was continued to February 28, 2013 at 8:30 p.m. with the applicant's approval pending a revised Plan including the above stated requirements.

8:55 p.m. (DEP 125-0935) Notice of Intent

Applicant: Russell Ruthen

Project Location: 136 Pine Brook Road

Project Description: Expansion of an existing lawn

Ascolillo opened the hearing under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Jonathan Boland of Stamski and McNary provided an overview of the Plan. The purpose of the project is to grade the back yard and a portion of the wooded area to create a flat lawn area. The work includes clearing, grading and some fill. The area to the south of the driveway, which is outside of the 100' Buffer Zone, shall be used as the soil stockpile area. The access area will be from the existing driveway. The disturbed areas will be loamed and seeded. A siltation barrier is proposed between the work area and the BVW and will also denote the limit of work. Willard reported having done a site visit during which she found the Plan to be accurate. She asked whether they would be pulling the stumps following the proposed tree removal, to which Boland replied they would. With no further questions, *Burn moved to close the hearing for DEP 125-0935, Tatistcheff seconded, and all voted in favor. Brown moved to issue a Standard Order of Conditions, Tatistcheff seconded. Tatistcheff then moved to amend the motion to include a Special Condition to allow manual removal of invasives within the Buffer Zone, Brown seconded the amendment and all voted in favor.*

9:05 p.m. (DOA-302) Request for Determination

Applicant: Thomas Brown

Project Location: 237 Stoney Gate

Project Description: Removal of 18 trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland

Ascolillo opened the discussion under the provisions of the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Brown recused himself as the applicant. He then provided an overview of the project location and work description. The proposal includes removal of a total of 42 trees, with 18 located within the Buffer Zone. He is putting forth the request due to concerns that the trees constitute a danger to the house as evidenced by a fallen oak that hit the house during a recent storm. All of the tree work would be undertaken by a licensed tree professional, with most of the work being done by crane. They are not proposing to grind any of the stumps that are within the Buffer Zone. Following the tree removal, the proposal includes manual removal of invasives, allowing the natural flora to regrow, augmenting this with plantings of native, regional shrubs. With no further questions, *Brownrigg moved to issue a Negative Determination B3, some of the work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions: the trees are to be felled away from the wetland and all remaining stumps located within the Buffer Zone shall be left. Tatistcheff seconded the motion and all voted in favor.*

9:15 p.m. Update on Plans for the Benfield Housing Project – DEP #125-0878: Mark Beaudry of Meridian Associates and Gregg Ferrelli of Dellbrook Construction were present to discuss recent revisions to the project Plans. Ferrelli outlined the changes made to the Construction Management Plan dated February 6, 2013, most of which were based on discussions with the Commission at their January 24, 2013 meeting. These changes include the addition of the Conservation Commission and the Board of Health to the contact information, clarification of the section relative to the pedestrian walkway designation to the existing cart path, the addition of provisions for a neighborhood representative who will act as a liaison for the abutting residents and Dellbrook, the addition of the DEP to the public notification clause, revisions to the Conservation Land clause relative to public access and mowing access during construction, provisions for photo documentation of the existing stone wall prior to construction, and protection measures incorporated into the Plan relative to the reported ceremonial rock located adjacent to the cart path. Willard recommended that the project manager obtain permission from CCF relative to pedestrian parking being designated at the Spencer Brook Trail.

Beaudry then provided an overview of the changes to the revised Site Development Plans dated February 1, 2013, based largely on Fire Department comments and project evolution as building permit plans were developed as follows: 1) revised pump house and fire department turnout area relative to layout, grading and utility information; 2) Detention Basin 1 has been reconfigured behind the pump house with no loss in volume; 3) revised detention basin volume calculations to ensure adequate storage capacity; 4) revised edge of pavement, guardrail and gate layout at existing cart path access area to better accommodate emergency vehicles; increased site lighting locations in coordination with Electrical Engineer information; 5) Landscape Plan now includes note indicating 18' strip of washed river stone along building foundation in areas where drip edge treatment is not proposed; 6) well casing vault detail now included.

Beaudry referenced the draft Stormwater Pollution Prevention Plan (SWPPP) dated January 24, 2013. He said their intent is to finalize the Plan once a site contractor has been selected, with the process estimated to be completed by mid March.

Tatistcheff moved to acknowledge that the Plan revisions included in the final Site Plans dated February 1, 2013 for DEP #125-0878 were received and reviewed by the Commission and do not require an Amendment to the Orders of Conditions or the filing of a new Notice of Intent, Brown seconded and all voted in favor.

Tatistcheff moved to amend the motion to state that this decision was made pursuant to the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw, Brown seconded the amended motion and all voted in favor.

776 East Street – Removal from Chapter 61A: The Board of Selectmen received a notice from Edward and Beverly Humm indicating their wish to withdraw their seven acre property from Chapter 61A Agricultural status. They have acknowledged that they will be required to pay back property taxes and that the BOS has the right to exercise its option to acquire the property under the statute. As is their policy regarding potential town purchase of a property, the BOS has requested recommendations from other appropriate town boards. The Commission determined that they will need additional information relative to the parcel before making a recommendation.

Open Space and Recreation Plan Update: Willard provided an update on the status of the OS&R Plan. She explained that towns are required to have an ADA Transition Plan for properties that do not currently meet ADA requirements. A draft template has been prepared by Louise Hara and circulated to the Commission for comments as well as a request for assistance with the “Survey Complete” section dealing with estimated completion dates for compliance with the ADA requirements. Burn suggested the Commission request assistance from the Land Stewardship Committee in estimating the completion dates. Willard asked the Commission whether they would recommend including the Camping Regulations in the Plan. All were in agreement that the Town Conservation Land Regulations would need to be revised based on previous discussions before they are included in the Plan, therefore, they will not be included in the 2013 submission.

Open Space Parcel Names: Willard had presented a list of several conservation properties that were acquired through the Conservation Cluster Bylaw, suggesting that the Commission may want to rename them to replace the suffix “Open Space Parcel” with “Conservation Land”. The Commission requested that the discussion be continued to the February 28, 2013 meeting after giving the matter further thought.

10:20 p.m. Willard requested direction relative to an inquiry she received from the owner of the property at 554 River Road. He had contacted her requesting advice relative to replacing a deck off his house that is severely deteriorated. Because the potential project is located approximately 45 feet from the wetland, the Commission determined that a filing will be required.

10:22 *Tatistcheff moved to adjourn, Burn seconded and all voted in favor.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant