

Carlisle Conservation Commission

Minutes
4/26/12
revised 5/10/12

Vice-chair Kelly Guarino opened the meeting at 7:37 PM. In addition to Guarino, members Luke Ascolillo, Tom Brown, Tom Brownrigg, Jenifer Bush, Lee Tatistcheff and Conservation Administrator Sylvia Willard were present. Chair Peter Burn was absent.

7:37 – 7:45 PM Bills, General Agenda Items, and New/Pending or Old Business

Land Use Permit: David Kern & Amanda Hammond Wedding – Willard reported that Kern and Hammond requested a permit to have their wedding ceremony near Greenough Pond on August 18, 2012; the reception would be at the bride's house. Tatistcheff moved to issue a permit, Ascolillo seconded, and all voted in favor.

Town Meeting – Willard stated that Steve Tobin, president of the Carlisle Conservation Foundation, will give one Town Meeting (TM) presentation for both Articles 23 & 24 related to the Elliott Preserve. The manager of the state land grant program, Celia Riechel has reviewed and approved the wording of the articles and the motions. Burn has agreed to attend Town Meeting and voice ConsCom support for approval of Articles 23 & 24.

Board of Health Letter to Finance Committee – Willard distributed a letter from the Board of Health (BOH) regarding Finance Committee's (FinCom) opposition to Article 22, regarding the latter's position on the Community Septic Loan Program. She noted that she had just received the memo late that afternoon. After discussion, the commission felt that there was not adequate time or information to evaluate the arguments for and against the article, and thus did not take a vote. Guarino noted that individual ConsCom members could comment at Town Meeting if they chose to do so.

Elliott Acquisition Update – Willard reported that a second appraisal of the Elliott property scheduled to be purchased by Sudbury Valley Trustees has been completed; a second appraisal closer in time to Town Meeting is required for a state grant, as the first one was conducted last year prior to negotiations with the land owner. Willard said that that it had been advised that the Conservation Commission request \$300,000 from the state LAND Grant Program. Guarino asked about the chances of getting a state grant. Later in the meeting, Selectman John Gorecki, present in the audience, said that the success rate is about 30%.

7:50 – 8:05 PM Foss Farm Land Use Permit: Matthew Gorecki

Boy Scout Matthew Gorecki and his father John were present for the discussion. Willard said that she met with Matthew and two members of the Land Stewardship Committee at Foss Farm in regard to a proposed trail. The trail will be wide enough to accommodate both people and people on horseback. Willard will obtain a Certificate of Liability from the insurance agency for the Boy Scouts of America prior to installation of the trail. The Certificate of Liability Insurance

assures that the town will not be held responsible for any injuries as the Boys Scouts of America organization has liability insurance coverage for this type of activity. Work on the trail is scheduled to begin the weekend of May 5 & 6, but could extend to the following weekends depending on weather and other factors. Matthew Gorecki stated that approximately 20 “helpers” (mostly Scouts) would remove small trees and shrubs along the trail. Brownrigg reported that he had attended the Land Stewardship Committee Meeting on April 15, and several members expressed concerns about the project. The major concern was safety, since the trail exits on a busy street (Bedford Rd.). The other concern was whether the Trails Committee had inspected the proposed trail location. Willard stated the Trails Committee had inspected the location, and thought it was acceptable. John Gorecki suggested that the trail stop about 10 feet short of Bedford Rd. until a crosswalk is in place. Willard suggested that Matthew Gorecki speak to the Police Chief regarding the crosswalk. After discussion, Brown moved to issue a Land Use Permit, with the condition that Matthew Gorecki speak with the Police Chief regarding a crosswalk, and that the crosswalk is established prior to opening the trail to the public. Tatistscheff seconded the motion and all voted in favor.

8:05 – 8: Foss Farm Land Use Permit: Old North Bridge Pony Club

Ingo Szegvari was present for the discussion. The activities include riding lessons and an all-day event, scheduled for May 5 and June 2. Szegvari expected about eight vehicles in the parking lot for the riding lessons. Willard asked if the Pony Club was planning to post a sign at the entrance to the parking lot to inform the public of the Two Phase event. Szegvari said that they had not planned on a sign, but a sign could be provided. He said that some vehicles will park near the riding ring, and that there will be a port-a-potty, courtesy of the Pony Club, in the parking lot. After discussion, Ascolillo moved to issue a permit, Bush seconded, and all voted in favor.

8:15 – 8:30 PM Notice of Intent, DEP 125-0915. Applicant: Sidney MacRae Trust; Project Location: 545 South St.; Project Description: Installation of a septic field and a well for an existing single family home.

Matt Waterman of LandTech Consultants represented the applicant. Waterman said that variances have been granted by the Board of Health, but that the applicant still must provide narratives for the waivers. The septic system will utilize “innovative technology” that will compensate for a slow percolation rate. Bush asked if the proposed septic system will be designed for more bedrooms, and Waterman said that the number of bedrooms (three) will not change. Willard noted that there are several large ornamental trees, probably crab apple trees, near the work area, and she asked if they plan to preserve these trees. They were quite spectacular when she visited the property. Waterman stated that they intend to preserve the trees. Willard said that she found plastic refuse and at least 24 cement blocks and some bricks in the wetland near WF 8B, and that the wetland border consists mostly of invasive plants. Guarino suggested that there be a condition that allows the new owner to remove the invasive plants without submitting a new filing. The permit would allow continued removal of invasives, provided the owners notify the commission before removing the plants. Brownrigg suggested that the shrub border near the proposed septic field be cleared of invasive plants, and replanted with native plants after work is complete. Jack O’Connor, speaking from the audience, spoke in regard to protecting trees during construction. He said that digging should be kept as far away

from tree roots as possible, and that tree roots should be pruned prior to construction to avoid injury to the tree.

Hearing no further questions, Ascolillo moved to close the public hearing, Brown seconded, and all voted in favor. Brown moved to issue a Standard Order of Conditions, with the following Special Conditions: the wetland area will be hand cleared of trash, the aforementioned trees to be preserved will be marked, protected and their roots pruned after construction. A Special Continuing Condition will allow removal of invasive plants and replanting with native plants after a plan is submitted to the Conservation Commission for review and approval. Bush seconded the motion, and all voted in favor.

7:37 – 7:45 PM New/Pending or Old Business, continued

Towle and Benfield Mowing Agreement documents –The commission discussed the draft agreement written by Willard. Bush recused herself from the discussion. Willard raised the question as to whether the portion of the field that had been used for bobolinks could be mowed earlier in the spring if no bobolinks returned (they did not last year). Brownrigg said that, according to what he had read about bobolinks, they should be back on territory by early June. He requested permission from US Fish & Wildlife Service to visit the Kennelly Farm in Billerica, where he had seen bobolinks several years ago. If the bobolinks are at Kennelly, one would expect them to also be at Towle if they would be returning. The discussion focused on how to modify the mowing agreement if no bobolinks appeared by June. Guarino suggested that a “Phase 3” mowing be added to the agreement, wherein the “bobolink” area would be mowed several times between June and August. This would help discourage poison ivy and glossy buckthorn.

After discussion, Tatistscheff moved that the Towle agreement specify five mowings of the entire field, exclusive of the areas under a haying agreement with Mill Iron Farm. Ascolillo seconded the motion and all voted in favor, except for Bush, who abstained. Brownrigg agreed to calculate the area being hayed by Mill Iron Farm.

Regarding the Benfield mowing agreement, the commission decided to remove a sentence regarding protection of certain plants and wildlife habitat as this could be fine tuned with the mower once contracted. Brown moved to accept the agreement as revised, Ascolillo seconded, and all voted in favor except Bush, who abstained.

Other Power-Driven Mobility Devices (OPDMD) – Willard stated that Town Administrator Tim Goddard requested a copy of the OPDMD regulations adopted by ConsCom. The regulations apply only to town-owned land under ConsCom supervision and management. Willard said that Dwight DeMay of the Land Stewardship Committee has offered to attend a Board of Selectmen’s (BOS) meeting to discuss the regulations. Other town-owned lands, such as Conant Land, may need similar regulations, but these lands are under the management of the BOS.

There was discussion as to how to publicize the OPDMD regulations. These could be posted on the kiosks of larger conservation lands such as Foss Farm. Another possibility would be to post the regulations on the Town website. Willard reported that according to a previous Police Chief,

if the regulations are not posted at the site, they cannot be enforced. Tatistscheff suggested that the signs posted on conservation lands stating “no motorized vehicles” could be modified to include a reference to OPDMD regulations.

US Fish & Wildlife Service Burn – Tom Eagle of USF&WS has obtained a permit from DEP to burn approximately 50 acres of fields at the former O’Rourke property, now part of Great Meadows National Wildlife Refuge, and located off Maple St. Condition 12 on the permit states that “any alteration or destruction of vegetation (undertaken) within a wetland or within the one hundred (100) foot buffer zone requires the prior written permission of the local Conservation Commission...” After discussions with Ed Pawlowski of DEP, Willard concluded that the burn does not require the filing of a Notice of Intent. Eagle and Pawlowski will tour the areas scheduled for burning, and members of the commission will be invited to attend. Willard said that according to Pawlowski, firebreaks will be provided by mowing vegetation, and not by plowing the ground (a concern in wetlands and buffer zones). Carlisle Mosquito reporter Virginia Lamere expressed concern about trail users and how they will be notified when the burn occurs. Eagle has told Willard that the burn will not occur now, since there had been a drought that delayed the burn, and now most of the plants have leafed out.

Cranberry Bog Coordination Committee update – Committee member Guarino said that the next meeting is scheduled for May, and there was nothing new to report. She has been working with Attorney Frank DiLuna on a letter to the Chelmsford Water District regarding the proposed wells.

Cranberry Bog Dike failure - Willard said that Lynn Ann Vozniak of the Farm Service Agency of the US Department of Agriculture requested photographs of the break in the Cranberry Bog dike that Willard had reported had been sent to her by passersby at the time of the dike break. The USDA needs more information before reaching a decision as to whether it will fund the dike repair.

Maintenance of field edges – Jack O’Connor noted that this topic was on the agenda, and asked for clarification. Guarino said that because of the absence of Mary Hopkins, Assistant Administrator, the commission has additional money that might be used for other purposes, such as removal of brush along field edges. Willard mentioned that the Foss Farm field along Bedford Road and close to the river has many invasive plants growing near the road. Tatistscheff volunteered to research information on brush removal and Brown volunteered to consider which conservation lands would benefit. Guarino suggested that Brown review the Land Stewardship Committee Baseline reports for conservation lands. These are posted on the Commission’s website.

Ben’s Woods RDA – Willard stated that Lynn Knight of the Land Stewardship Committee and also CCF will submit two Requests for Determination of Applicability (RDA) for invasive plant control at Ben’s Woods, owned by CCF; the Town of Carlisle holds the Conservation Restriction (CR). Willard suggested that the filing fee be waived since the town holds the CR. After discussion, a vote was taken, and all voted in favor except Brownrigg, who was opposed.

Carlisle Library septic system – Willard reported that the Gleason Public Library is “under orders” from the Board of Health to investigate their septic system as it has backed again since the emergency repair. The library is in the process of finding a qualified engineering firm to explore and to remove the cleanout pipe installed in the wetland during the recent emergency sewer line repair.

At 9:50 PM, Brownrigg moved to adjourn the meeting, Brown seconded, and all voted in favor.

Minutes respectfully submitted by Tom Brownrigg.

Minutes approved 5/10/12