

**Carlisle Conservation Commission
December 1, 2011
Approved 10/25/2012**

Pursuant to the notice filed with the Town Clerk, Chair Peter Burn called the meeting to order in the Clark Room at the Town Hall at 7:33 p.m. Also present were Commissioners: Tom Brown, Luke Ascolillo, Jenifer Bush, Kelly Guarino (Vice Chair), and Conservation Administrator Sylvia Willard. Tom Brownrigg was absent.

7:33 Bills, General Agenda Items, and New/Pending or Old Business

Emergency Certificate: 194 Nowell Farm Road

A potentially hazardous tree was identified on the property just before the late October, 2011 storm. Permission was previously granted by the commission through an Emergency Certificate to remove this tree, but due to the storm there was no tree service available to remove the tree during the 30 day emergency certificate time period. It expires today, Dec. 1. A tree service company is available tomorrow. Kelly Guarino moved to reissue the emergency certificate for an additional 30 days. All voted in favor.

New Trail for Foss Farm

The commission examined a plan submitted by Joseph Campagna, of 964 Bedford Road, to install a trail from Rt. 225 near the intersection with River Road, and abutting the Campagna property, then traverses the wooded area of Foss Farm and intersects with the existing trails there. Police Chief Fisher is planning to do a site visit with representatives of the Trail Committee and the Land Stewardship Committee in order to advise the safest crossing point in the area.

Mannis Land Survey

Sylvia Willard met with Joe March from Stamski and McNary. Their surveyor and Sylvia will visit the land tomorrow to show Sylvia where the iron pins are located. It was noted that there was some problem installing some of the pins due to the fact that an abutter installed fencing on portions of the town land.

Chelmsford Wells

Kelly Guarino attended a recent Selectmen's meeting where she reported to them about the issue of Chelmsford Water District potentially installing water supply wells on their property that abuts Chelmsford's Cranberry Reservation. She noted that this issue also came up in 1999 and 2000. She recommended hiring the same attorney who successfully represented Carlisle's interests the last time. This is Attorney Frank DiLuna. Kelly reported that the Selectmen saw this as not an open ended issue, and they chose to define this as a limited scope of work. Attorney DiLuna will represent Carlisle's water rights. He will work with Guarino to send a letter to the Chelmsford Selectmen expressing our interests. It was noted that Carlisle Selectmen Scavongelli and Gorecki are the liaisons to the ConsCom. Also, John Williams was the Selectman liaison during the last time this issue came up, and he is willing to help out.

Cranberry Bog Dike Failure

Sylvia Willard reported that Mark Duffy spoke with the United States Department of Agriculture (USDA) district director yesterday, and there will be a site visit from the USDA on Dec. 9. Mark will know more about whether there can be any financial assistance for repair of the dike after that date.

Cranberry Bog Benches

Janet Lovejoy has donated three stone benches for the Cranberry Bog Conservation Land, and 2 of these are now in position. The 3rd one is on the property, but is to be relocated near the dike breach following

the repair of the dike.

Cranberry Bog House Construction update

There were some signs of a possible leak at the bog house which was determined to be coming from a water heater on the 2nd floor. The Community Preservation Act (CPA) funded bog house renovation project has just a few items remaining to be done. These include exterior trim painting and some punch list items.

Skating Shed at Greenough

Sylvia Willard reported that she had received some complaints about “non-family oriented activity” taking place at the Greenough Skating shed located off Maple Street, along with inappropriate drawings on the shed. Willard reported that the Land Stewardship Committee has also explored what to do with the very well built structure, now that no skating can be done on the ponded area in front of the shed. Tom Brown suggested that the sides of the shed be removed so that it is less private. The topic will be discussed in more detail at the next Conservation Commission meeting.

MASS DEP Reform

Kelly Guarino attended a seminar about the regulatory reform changes that are coming to Mass. DEP. She said that the DEP is still welcoming input, and there are many details that are still being worked out. Tom Brownrigg also submitted a letter.

Richardson CR #64: 121 Skelton Road

Sylvia Willard reported that she had received the recorded CR document for this property on November 18, 2011. The terms included notifying the town when the property changes hands. The property was in fact sold to Skelton Rd. LLC. An attorney is listed as the contact name in the files.

8:00 – 8:15 DEP 125-0906, Notice of Intent, Romie Taylor, 125 Bellows Hill Rd, Continued Hearing.

Chair Peter Burn reopened the public hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. The hearing was immediately continued to December 15, 2011 at 8:00 pm.

DEP 125-0909, Notice of Intent, Constance Wright, 56 Peter Hans Road

Chair Burn opened this hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Bylaw. Kevin Richey, of Civil Solutions represented the applicant. The existing septic system is in Title 5 failure. The house is currently for sale. The house was built in the 1960’s and the original septic system has long been abandoned. It is the second system that has failed. Richey explained that there are very few options on this lot made tight by the presence of Bordering Vegetated Wetlands and required setbacks. They considered placing the septic field in the front of the house, but this would have required a retaining wall. At the side of the house there is a fingerlike projection of wetland that could potentially be filled in to achieve the 50-foot setback required under Title 5. This would require replication, however. Mrs. Wright, the homeowner, noted that there is a culvert under Brook Street that used to be cleaned out by her husband and by a neighbor. The fact that this task is no longer being done may be contributing to the extent of wetlands. Mrs. Wright said that the wetlands remain wet for a much longer period nowadays compared with before. The hearing was continued until December 15, 2011 8:15 pm.

8:15 – 8:30 DEP 125-0908 Notice of Intent, Andrew Sims, 127 Tophet Road, Continued Hearing

Chair Burn reopened the hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw and immediately continued the hearing to Dec. 15, 2011 at 8:30 pm.

Carlisle Public Schools Landscape Plantings

Kelly Guarino offered to attend a Carlisle School Building Committee meeting and express the Commission's concern about the types of plants that may be allowed in a plant nursery or garden. This was inspired by the Doug Tallamy lecture given several weeks ago at the school auditorium.

Fiscal Year 2013 budget discussion

Tom Brown distributed a spreadsheet. He explained that the Commission needs to figure out the non-wage expenses for the 2013 budget and to figure out the non-wage expenses for the 2012 budget because we will likely need a supplement. Sylvia Willard pointed out that there can be a lot of variation from year to year due to expenses related to trainings, dues, required legal public notices, etc. Brown explained that getting the budget numbers correct is very important so that we do not have to ask for a supplement. Brown is going to put together a presentation. Kelly Guarino noted that we should include a memo for Mary's hours, and that we should closely examine the maintenance items in the budget for things such as field edge maintenance.

8:30 – 8:45 DEP 125-09-- Notice of Intent, Elizabeth Barber, 100 Aldershot Lane

Chair Peter Burn opened this hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Bylaw. George Dimakarakos from Stamski and McNary showed a plan of the property which is approximately 4 acres and abuts the town property known as the Mannis Conservation Land. There are 3 boardwalks crossing wet areas on the property. Wire deer fencing, about 5' high surrounds the property, and in some cases crosses onto the conservation land, an abutter's land and through Bordering Vegetated Wetland. There are pathways, benches, beehives, and water spigots just over the property boundary, on the town land. These were pointed out on the plan. Rhododendrons that had been recently discovered planted on conservation land last spring have already been removed. The plan also shows some pine trees which the owner would like to cut down. Discussion focused on the degree of "development" that has taken place on the property. George Dimakarakos explained that the property is in fact quite natural, with native plantings throughout. The boardwalks were constructed 14-17 years ago. Asked whether the boardwalk extends into the water, Dimakarakos answered that it did. Sylvia Willard said there is likely a vernal pool on the property. George Dimakarakos pointed out that there is precedent for moving the fence off of town property, and that there is precedent to allow boardwalks on conservation land. A site visit was scheduled for 9:00 am on Saturday, December 10, 2011. The hearing was continued to December 15, 2011, at 8:45 pm.

At 9:00 pm the meeting adjourned.
Minutes submitted by Jenifer Bush

Document register contents:

12/1/2011 letter from Carlisle Board of Health with respect to 56 Peter Hans Road
11/21/2011 Technical Consulting Group, LLC review letter with respect to above.
11//29/2011 MACC letter to Commissioner Kenneth Kimmel relative to Draft Action Plan for Regulatory Reform at MassDEP
Comment letter on same subject generated by J. Thomas Brownrigg
CR #64 folder for 121 Skelton Road.
Budget material provided by Tom Brown of the Conservation Commission
Notes for Conservation Commission members generated by the Administrator.