

Carlisle Conservation Commission
January 23, 2020
Minutes

Pursuant to the notice filed with the Town Clerk, Chair Dan Wells called the meeting to order in the Clark Room at the Town Hall at 7:03p.m. Also present were Vice Chair Angie Verge and Commissioners Ken Belitz, Alex Parra, and Helen Young and Conservation Administrator Sylvia Willard. Not present were Commissioners Melinda Lindquist and Lee Tatistcheff.

Minutes:

Verge moved to approve the August 22, 2019 minutes as amended. Young seconded and the motion was approved unanimously.

Young moved to approve the September 12, 2019 minutes as submitted. Verge seconded and the motion was approved unanimously.

Young moved to approve the September 26, 2019 as submitted. Verge seconded and the motion was approved unanimously.

Certificates of Compliance:

(DEP 125-765) 52 East Street: Owner: David Chaffin; Project: After-the fact filing for removal, by hand tools, of extensive purple loosestrife infestation within an intermittent stream and Bordering Vegetated Wetland and replanting with native wetland species; Issued: 9/2/2005

Verge moved to issue a Certificate of Compliance for DEP 125-765 with a Continuing Condition allowing the manual removal of invasive plant species within the 100-foot Buffer Zone. Parra seconded and the motion was approved unanimously.

(DEP 125-0791A) 337 Bedford Road: Owner: Nicholas Fohl; Project: Amendment of previously-approved plan to reduce the house size and septic system footprint and associated grading, installation of a geothermal well, gravel driveway with work within the 200-foot Riverfront area and within the 100-foot Buffer Zone of a BVW; Issued: 10/18/2006, Extension Permit to 10/18/2012, Permit Extension Act to 10/18/2019; Amended OOC issued: 9/16/2014

Wells confirmed finding the required monumentation has been installed in compliance with Order of Conditions. *Verge moved to issue a Certificate of Compliance for DEP 125-0791A, with the Continuing Conditions as stated in the amended OOCs, including the limitation of no more than 517 s.f. of future alteration within the 200-foot Riverfront Area. Young seconded and the motion was approved unanimously.*

Enforcement Order:

Arrowhead Lane: (125-1018), (125-1017), (125-1020): The property owners will be offered the opportunity to attend the next meeting to discuss the soil testing report submitted by Licensed Site Professional Richard Doherty of Engineering & Consulting Resources, Inc.

Project Updates:

Garrison Place/81 Russell Street (125-0966): Willard reported meeting with wetlands consultant Scott Morrison of EcoTec, Inc. and several representatives from Brendon Properties on the site this week to assess the status of outstanding requirements including the remaining work relative to the restoration of a filled BVW/BLSF by the previous owner. There is also a proposed revision in the plan for the removal of a sizeable stand of Japanese Knotweed that was included in the OOCs and the Superseding OOCs. Several members of

the Commission will be attending a site visit with MassDEP Wetlands Reviewer Gary Bogue to be scheduled for the following week.

FY21 Budget Update:

Cranberry Bog Warrant Article: The Finance Committee has requested that the Commission submit a request for the \$5k required for a Notice of Intent for a Wildlife Habitat Maintenance Plan for the Cranberry Bog through a Warrant Article vs through a General Fund disbursement as submitted with preliminary FY21 budget requests. Several representatives of the Commission will attend the next BOS meeting to provide additional information.

Along these lines Parra provided a recap of recent developments with regard to the newly identified alternative future use of maintaining the bog as open space/wildlife habitat. He reported meeting recently to discuss the concept with former Mass DEP Wetlands Reviewer Mary Ann DiPinto and separately with USFWS Wildlife Biologist Stephanie Koch who is a Carlisle resident, and herpetologist Dr. Brian Windmiller of Grassroots Wildlife Conservation, all of whom supported the proposal not only from a functioning wetlands perspective but also to enhance the bog as turtle habitat.

With regard to the concern regarding successional vegetative growth along the pathways and the now-expanding areas of phragmites, Belitz noted the current Agricultural Agreement with Mark Duffy was increased from \$10k per year to \$12k to include additional maintenance requirements. He suggested spot removal of saplings within the pathways may be within the scope of the agreement. The Commission will explore the parameters of the agreement further.

CPC Grant Submission for Greenough Dam Matching Funds:

Willard reported she and Land Stewardship Committee Chair Warren Lyman recently became aware of a potential grant funding source through the Dam, Levee and Seawall Repair and Removal Program offered by the Executive Office of Energy and Environmental Affairs. The grant category for a dam like Greenough is \$1m, with a 25% match requirement. The RFR period in 2019 closed in July. Willard reported that Warren Lyman has offered to help, and they are now in the process of preparing the application.

CPC liaison Verge noted the estimates for the repair of the dam obtained by the Commission in preparation for a CPC request for last year's budget cycle came in substantially higher than anticipated. She said she had personally not been supportive of asking the town to fund the entire project, knowing there were other grant opportunities available, but has reconsidered her position considering the recently identified potential funding opportunity. She said she now recommends the Commission vote to support the submission of a CPA grant application in the amount of \$250k, with the requirement that the CPA funding would be revoked if the Commission were unable to secure supplemental funding. *Parra moved to support the recommendation of the vice chair, Belitz seconded and the motion was approved unanimously.*

Staffing Requests:

Willard reported BOS liaison Luke Ascolillo has relayed their request for the Commission to provide additional information supporting the staffing requests and has reserved time for this purpose at their next meeting.

Wells reported on recent discussions he and Verge held separately with Willard and with Hopkins to discuss current office procedures relative to potential means of increasing efficiencies in the event the request for additional hours does not receive approval FinCom/BOS. Verge said she and Wells professions require interface with other ConsCom offices in the region, and she suggested one approach would be to allow staff to work from home one day per week, alternating days so the office remains staffed, as she has observed in other

towns. Another recommendation is to tighten deadlines for the submission of filings and amendments to no later than the Friday meeting mailings, noting there could be some flexibility for some minor requests. Verge said they also discussed the possibility of establishing drop-in hours, by appointment-only hours, and/or closing the office to the public one day per week to allow the staff to focus without constant interruptions. This concept is now being explored further in conjunction with the other Land Use Boards.

Belitz moved to accept the recommendations made by the co-chair. Young seconded and the motion was approved unanimously.

7:37 p.m. (DOA-360) Request for Determination of Applicability, Continued Meeting

Applicant: Marc Lamere, Carlisle Trails Committee

Project Location: 81 Russell Street/Garrison Place Conservation Land

Project Description: Construction of a 240' boardwalk within the 100-foot Buffer Zone and an up to 8-foot wide stone/gravel ramp and within the 200-foot Riverfront Area of Spencer Brook Road

Wells opened the continued meeting under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw and requested a motion to continue at the request of the applicant to February 13, 2020 at 7:15 p.m. The motion was moved by Verge, seconded by Young and approved unanimously.

7:38 p.m. (DOA-361) Request for Determination of Applicability, Continued Meeting

Applicant: Vintage Builders, Inc.

Project Location: 901 Concord Street, Map 4 Parcel 3-0 Lot 2

Project Description: Construction of a single-family dwelling and appurtenances outside the 100-foot Buffer Zone

Wells opened the continued meeting under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw and requested a motion to continue at the request of the applicant to February 27, 2020 at 7:30 p.m. The motion was moved by Young, seconded by Verge and approved unanimously.

7:39 p.m. (DEP 125-1065) Notice of Intent, Continued Hearing

Applicant: John Nelson for the John Power Trust

Project Location: Skelton Road

Project Description: Installation of an 8-foot high cedar fence within the 100-foot Buffer Zone and within the 200-foot Riverfront Area

Wells opened the continued hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw and requested a continuance at the request of the applicant to February 27, 2020 at 7:30 p.m. The motion was moved by Verge, seconded by Belitz and approved unanimously.

(DEP 125-1085) Abbreviated Notice of Resource Delineation, Continued Hearing

Applicant: Chris Buono, All Things Real Estate

Project Location: 0 South Street, Map 5 Lots 54 and 56

Project Description: Review of 6,500 feet of Bordering Vegetated Wetland Resource Area delineation

Wells opened the continued hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw and requested a continuance at the request of the applicant to February 13, 2020 at 7:30 p.m. The motion was moved by Verge, seconded by Young and approved unanimously.

7:46 p.m. (DOA-362) Request for Determination of Applicability

Applicant: Timothy D. Goddard

Project Location: Bedford Road

Project Description: (1) Bedford Road Crosswalks - reconstruct two existing crosswalks with new wheelchair ramps, pavement markings, and signage; (2) Route 225/Lowell Street Roundabout - rotary redesign to include realigned approaches, truck apron and crosswalk improvements; (3) Bedford Road Sidewalk Construction - construct sidewalk to fill network gap between East Street and Library Crosswalk

Wells opened the meeting under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw.

John Michalak of Nitsch Engineering presented the plan on behalf of the town's Complete Streets program which encompasses the goals of integrating the needs of all users with a priority on safety and usability. Wetland resource areas were delineated by LEC Environmental Consultants on September 6, 2019. The project includes three components as follows:

- (1) Bedford Road Crosswalks – reconstruct two existing crosswalks with new ADA compliant wheelchair ramps, restriping crosswalk markings, and advanced pedestrian warning signage. The two crosswalks are located at 141 Bedford Road and at the Banta Davis Fields entrance near 321 Bedford Road
- (2) Route 225/Lowell Street Rotary (no work within the 100-foot Buffer Zone – redesign with minor geometric changes to include realigned approaches to encourage vehicle yielding, construction of a flush, cobblestone truck apron around the existing landscaped center island, advanced pedestrian warning signage and crosswalk restriping; no reduction in size or damage to the existing vegetative circle; two deep sump catch basins are proposed at low points to collect and filter stormwater before tying into the existing drainage system;
sediment control will be established at all existing basins during construction
- (3) Bedford Road Sidewalk Construction – constructed sidewalk to fill network gap between East Street and the Gleason Public Library crosswalk. This project includes the construction of approximately 465 feet of new sidewalk along the north side of Bedford Road, reconstructing three driveway aprons, roadway curbing and other incidental work.

The Commission found the proposal to be acceptable contingent on the requirement that the Commission be included in a Pre-Construction Meeting with the site contractor and a representative from Nitsch Engineering, the Carlisle Traffic Safety Committee and the DPW. *Wells said he would entertain a motion to issue a Negative Determination/B3 for DOA-362, the work described within the Request is located within areas subject to jurisdiction but will not alter the areas subject to protection under the Act, with the Condition that a Pre-Construction meeting be held as discussed. The motion was moved by Verge, seconded by Parra and approved unanimously.*

Conservation Land Management:

Land Use Permit:

*Verge moved to issue a Land Use Permit to Victor Ausilio allowing **Metal Detecting at Foss Farm** From April 1 through December 31, 2019, with the requirement that a report of findings be submitted to the Commission at the end of the permit period, in addition to providing all historical artifacts to the Historical Society. Belitz seconded and the motion was approved unanimously.*

Committee Liaison Reports:

Cranberry Bog Working Group: Next meeting has been scheduled for February 3, 2020 at 7 p.m. to review the public survey results compiled by Commissioner Young. The group will also review the draft CBWG submission for the Annual Town Report submitted by Commissioner Lindquist.

8:01 p.m. (DEP 125-108x) Notice of Intent

Applicant: Carol Peters

Project Location: 80 Carleton Road

Project Description: Construction of a 150 square foot addition to the existing single-family home within the 100-foot Buffer Zone of the Bordering Vegetated Wetland and the removal of up to 20 trees within 50 feet of the house

Wells opened the hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Act.

Kurtis Platteel of Stamski and McNary presented the plan. Architect Molly Tee of Tee House Design and property owners Carol and Eric Peters were also present. The plan includes modifications to the existing house including the removal of a covered deck extension, greenhouse and slab that exists under six feet of roof overhang. The addition will include an extension of a portion of the living room floor and a four-foot bump out bay to the lower floor. The modifications will result in a net reduction of impervious surface area. The plan also includes removal of up to 20 trees located within 50 feet of the house that are considered hazards to the house and property.

Willard said she visited the site recently but was unable to confirm the wetland delineations due to field conditions and limitations caused by her existing injury. She noted the trees proposed for removal are flagged on site but are not included on the plan, with some possibly located within ten feet of the wetland. Options for the Commission's consideration include the requirement that a list of trees, size and distances from the house be provided or that the trees be added to the plan by survey.

Wells noted the Commission often requires replanting as mitigation for the tree removal. Mrs. Peters said they have owned the property for over 40 years and the site is heavily forested. She said they are proposing thinning and removal of the larger white pines for safety purposes and suggested replanting may not be necessary. She agreed to submit photographs to provide documentation of such. Wells suggested a site visit in order to allow further evaluation of the trees proposed for removal and to determine if additional submission requirements will be necessary.

Mr. Peters noted the applicant on the NOI is shown incorrectly as Carol Peters, when in fact the deed is in a trust for which he is trustee. Platteel agreed to revise the WPA Form 3 to reflect the correct owner information.

Verge moved to continue the hearing for 80 Carleton Road to February 13, 2020 at 7:15 p.m. Belitz seconded and the motion was approved unanimously.

8:17 p.m. (DEP 125-108x) Notice of Intent

Applicant: Peg Schafer

Project Location: 67 Heald Road

Project Description: Repair of a failed septic sewage disposal system within the 100-foot Buffer Zone of the Bordering Vegetated Wetland

Wells opened the hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw.

Kurtis Platteel of Stamski and McNary presented the plan for the repair of a failed sewage disposal system. The replacement soil absorption system will be constructed at 82 feet from the BVW in replace of the existing system located at 38 feet from the BVW. The system has been oriented to limit the amount of tree removal required by construction. Platteel said the proposed location of the new system is in an existing cleared area in an effort to preserve large trees and existing vegetation in potential alternative locations.

Willard noted the applicant will be required to obtain a waiver from the BOH because a large portion of the proposed system is located within the 100-foot Buffer Zone.

Verge suggested a site visit to allow the Commission to consider what would be of greater impact to the Buffer Zone - removal of mature trees vs location of a portion of the septic system.

Wells requested a motion to continue the hearing for 67 Heald to February 13, 2020 at 7:30 p.m. with the applicant's approval. The motion was moved by Verge, seconded by Young and approved unanimously.

Goals and Objectives:

Open Space and Recreation Plan Revision Initiation (Expires Sept 2020)

The commission began an in-depth review of its 2013 Seven Year Action Plan/Conservation Initiatives at the request of the OS&R Committee to provide updates and additions as appropriate. Verge noted the exercise provided an opportunity for the Commission to realize significant accomplishments as well as progress toward numerous previously stated goals and objectives in the last seven years. Time constraints required the Commission to defer completion of their review to their February 13 meeting.

8:30 p.m. Carlisle Conservation Commission Public Hearing: Carlisle Wetlands Bylaw Fee Revision

The Commission conducted a final review of the existing and proposed fee schedule based on an approximate 17% increase average per filing type, representing the increase in costs associated with wetlands permitting since 2014. Adjustments were recommended for several WPA filing categories in order to better reflect accurate staff time requirements for larger projects. The revised fees are to be posted on the town website and to take effect immediately.

With no further discussion and with no public comments, *Wells requested a motion to approve the revisions to the Carlisle Wetlands Protection Bylaw Fees as discussed. The motion was moved by Young, seconded by Verge and approved unanimously.*

ConsCom Member Resignation: Wells announced the Commission has received a letter of resignation from Commissioner Lindquist effective as of the end of February due to professional reasons. She has indicated her intention to continue serving on the Conservation Restriction Advisory Committee and the Cranberry Bog Working Group. The Commission will place a notice in the Carlisle Mosquito announcing the vacancy.

9:05 p.m. Belitz moved to adjourn, Parra seconded, and the motion was approved unanimously.

Respectfully submitted,
Mary Hopkins
Administrative Assistant

All documents discussed can be viewed in the office of the Conservation Commission upon request