

Brem-074-10.03.2014

RECEIVED
OCT 03 2014

MEMO

TOWN CLERK CARLISLE
CHARLENE M. HINTON

TO: Zoning Board of Appeals, Peggy Wang, Secretary,
FROM: Carlisle Conservation Commission, Sylvia Willard, Administrator
CC: David Freedman, Chair, Town Advisory Group (TAG)
Charlene Hinton, Carlisle Town Clerk
DATE: October 3, 2014
RE: Wetlands (NOI) hearing & Wetland Peer Review status for 100 Long Ridge Rd.

The Carlisle Conservation Commission opened their Wetlands Protection Act (WPA) hearing for a Notice of Intent (NOI) submitted by Jeffrey Brem, Lifetime Green Homes, LLC for 100 Long Ridge Road on Thursday, August 28, 2014 at 9:00 pm. At the hearing the applicant reviewed the work to be undertaken in the 100-foot Buffer Zone of a flagged, but not yet peer reviewed and confirmed Bordering Vegetated Wetland (BVW). The Plan submitted with the Notice of Intent includes tree and other vegetation clearing, grading, 4 houses, driveways, stormwater discharge, a sewer pump station, two wells and numerous utility underground connections in the Commission's jurisdictional area.

The filing was submitted on August 1, 2014 along with WPA fees for the 4 houses as well as \$500 fee under the Carlisle Wetlands Protection Bylaw. Mr. Brem stated that he intended to request the ZBA to return the bylaw fee at the completion of the process. Mr. Brem had also submitted a note allowing the Conservation Commission to open the hearing beyond the 21-day time period required under the Act and Bylaw. At the time of submission, Mr. Brem said that he had decided not to submit a filing with a plan only showing the wetland resource areas, Abbreviated Notice of Resource Delineation (ANRAD). These types of filings are generally peer reviewed by a wetlands consultant. He did say that he expected the wetlands on the submitted NOI to be peer reviewed.

During the hearing, the members of the Conservation Commission requested a plan showing the entire property and wetland resource areas. Mr. Brem provided 2 hard copies of such a plan the following week. The Conservation Commission will provide the ZBA with a copy of their minutes, once approved, for a more thorough presentation of the Commission's concerns at the first hearing.

During the hearing it was learned that the applicant intended installing water softeners. The location and discharge for these were not shown on the plan, but the Commission members considered that discharge of water softener backwash should not be located within their jurisdiction areas. Concerned was expressed about how close work was proposed near the Bordering Vegetation, to which Mr. Brem suggested that he could replace larger houses planned for that area with smaller houses proposed elsewhere in the project. Also at the hearing there was a discussion of conducting the Peer Review of any Wetland Resource Areas as Mr. Brem had anticipated. After a discussion among the Commission, they

selected Dr. John Rockwood of EcoTec, Inc. The hearing was continued to September 25, 2014 at 8:00 PM.

Following the hearing, I held an informal conversation with Mr. Brem concerning the WPA fee he submitted with the project. After my initial review of the plan and communicating with MassDEP, I had learned that the fee should be increased by \$500.00 for one well located between houses 5 and 6, and another \$500.00 for the stormwater discharge feature located between houses 15 and 16. Mr. Brem said that to avoid this additional fee, he would move both out of the 100-foot Buffer Zone.

The ZBA may wish to follow up with Mr. Brem on these potential plan changes as this could affect the peer review of the stormwater report.

After submitting a scope of work to Dr. Rockwood, on September 2, 2014 I received via email a not-to-exceed quote of \$3,290.00. The scope was consistent with what would be asked for the usual ANRAD application for wetland confirmations: review of the filing application, on-site inspection of the property's wetland resource areas facilitated with applicant's wetland scientist, Leah Basbanes; inspection from site boundaries and public ways for wetland areas on adjacent parcels that may project resource area or additional Buffer Zone onto the site; preparation of a letter report that outlines the findings of the document review, site plan review and site inspection; provision of recommendations for the draft Order of Conditions and review of the draft Order of Conditions that is prepared for the project, attendance at One Conservation Commission hearing on the matter.

Dr. Rockwood's quote was forwarded to the applicant upon receipt and was rejected. Two more quotes were sought and both were higher and this information transmitted to Mr. Brem.

On Friday, September 19, 2014 Mr. Brem contacted me, and, after a discussion of the process for returning to him any funds not used pursuant to the peer review, he agreed to both the original peer reviewer and the scope of the Review. Peer Review inspection of the Bordering Vegetated Wetlands and any other wetland resource areas that may be present on the property was scheduled for 9:00 AM, Wednesday, October 1, 2014 with Dr. Rockwood, Leah Basbanes, the wetland scientist who flagged the wetland for Mr. Brem, and with myself.

At 8:00 PM, September 25, 2014 the continued public hearing on this project was reopened and continued without testimony to November 6, 2014 in order to be able to undertake the delayed peer review and to accommodate travel schedules of applicant, the Chairman of the Conservation Commission, Luke Ascolillo, and a conflict with a previously scheduled hearing for Dr. Rockwood.

Due to inclement weather forecast for the October 1, 2014, the peer review was rescheduled to Friday, October 3, 2014 and undertaken.