

**Carlisle Conservation Commission
Minutes
January 11, 2018**

Pursuant to the notice filed with the Town Clerk, Chair Angie Verge called the meeting to order in the Clark Room at the Town Hall at 7:00 p.m. Present were Vice Chair Melinda Lindquist, Commissioners Ken Belitz, Tom Brownrigg, Lee Tatistcheff (7:10), and Helen Young, and Conservation Administrator Sylvia Willard. Commissioner Dan Wells was not present.

Minutes:

*Lindquist moved to accept the minutes of **September 28, 2017** as amended, Young seconded the motion and all voted in favor.*

*Lindquist moved to accept the minutes of **October 12, 2017** as amended, Tatistcheff seconded the motion and all voted in favor.*

7:15 p.m. (DOA-350) Request for Determination of Applicability

Applicant: Claude & Delaine Williamson, C/O Sharon Hays

Project Location: 24 Milne Cove Road

Project Description: Removal of 4 trees to access construction for a failed septic system. Three trees are within the Riverfront Area and the 100' Buffer Zone, one tree is within the 100-foot Buffer Zone and all trees are within Land Subject to Flooding

Verge opened the meeting for DOA-250 under the Carlisle Wetlands Protection Bylaw. *She requested a motion to continue to January 25, 2018 at 7: 15 p.m., since site conditions prohibited a review of the proposed wetlands delineation due to the presence of snow. Tatistcheff moved to continue the meeting for DOA-250, Lindquist seconded the motion and all voted in favor.*

Land Use Permits:

*Tatistcheff moved to issue a Land Use Permit to Alan Ankers on behalf of the **Carlisle Conservation Foundation** for use of Carlisle Conservation Lands to conduct **Public Nature Walks and Programs** during day light hours from January 1, 2018 through December 31, 2018. Lindquist seconded the motion and all voted in favor. Ankers submitted a report of activities conducted on town conservation lands in 2017 for the Land Use records.*

*Young moved to issue a Land Use Permit to the **Carlisle Trails Committee** to conduct a **Public Moonlight Trek** at the Towle Conservation Land on Saturday, January 27, 2018 from 7 pm to 9 pm. Lindquist seconded the motion and all voted in favor.*

Emergency Certificate:

979 Concord Street - Removal of three large white pine trees located within the 100-foot Buffer Zone of a Bordering Vegetated Wetland (BVW) that are located within close proximity to, and leaning toward, the existing single-family home. This property was the subject of two filings last spring, including a Notice of Intent (DEP 125-1021) for major renovations including a septic system upgrade and a Request for Determination of Applicability (DOA-345) for expansion and paving of the driveway and landscaping. The house was recently sold and is not yet inhabited but is due for renovations under a recently issued Building Permit.

Willard said she had contacted MassDEP for guidance on this request, since two of the trees could have been removed under an Administrative Approval but this approach would have required a filing for the third tree. In this case MassDEP said the Commission could issue an Emergency Certificate allowing removal of all three trees at their discretion.

Verge requested a motion to issue an Emergency Certificate allowing removal of three white pine trees as described. The motion was moved by Tatistcheff, seconded by Lindquist and all voted in favor.

Project Updates:

570 West Street: Willard reported she had been in touch with the developer to discuss requirements for upgrading the erosion/siltation control measures that she determined were inadequate in light of the forecast for upcoming heavy rain events and given the fact that down sloping areas adjacent to the driveway have been completely cleared and disturbed.

63 Old East Street: A Snow Management Plan and a revised Landscape Plan is now in progress and will be submitted to both the Commission and MassDEP upon its completion.

7:30 p.m. (DEP 125-1026) Notice of Intent, Continued Hearing

Applicant: Stacy Scott

Project Location: 48 Bingham Road - Lot 1

Project Description: Filling 278 +/- SF of Bordering Vegetated Wetland to allow a driveway crossing serving a single-family dwelling, portions of the proposed driveway, construction of a single-family home, grading and installation of components, conduits for a septic system.

(DEP 125-1025) Notice of Intent, Continued Hearing

Applicant: Stacy Scott

Project Location: 48 Bingham Road - Lot 2

Project Description: Installation of a private water supply well and a septic repair for an existing single-family home with work including a wetland crossing with a temporary wetland alteration and grading within the 100-foot Buffer Zone of a Bordering Vegetated Wetland.

Verge opened the continued hearings for DEP 125-1025 and 125-1026 under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw.

Since the previous hearings for this property, the Planning Board has issued the Common Driveway Special Permit; the Board of Health has approved the septic system plans; the Conservation Restriction Advisory Committee has reviewed the Conservation Easement document pertaining to the 40-foot wide strip abutting the Towle Conservation Land and has recommended it for approval by the Commission and the Town once it is signed by the owner.

Molly Obendorf of Stamski and McNary presented revised plans (representative Dan Carr of Stamski and McNary who has been the lead engineer for this project was unavailable) dated January 10, 2018 for both Lot 1 and for Lot 2 that include the following changes: a construction entrance off Bingham Road is shown on the proposed common driveway; several locations have been identified as native woody shrub planting areas; plan notes have been clarified relative to "Excavation Procedure" and "Erosion and Sedimentation Control"; there was also a slight revision to the haybale line in order to locate it farther from the wetland in several areas as requested by the Administrator.

Willard said that upon her review of the files in preparation for drafting the Orders of Conditions, she determined there were several documents that were submitted to the office during the hearing process that she believed should be noted in the record as follows: Memorandum from the Planning Board's technical consultant, Nitsch Engineering, dated January 5, 2018 relative to the peer review of the common driveway in which there were two comments relative to matters within the Commission's jurisdiction; email correspondence from Commissioner Wells subsequent to his review of the Certified Vernal Pool located on the adjacent Towle Conservation Land in which he states the proposed temporary crossing is within 500 feet and therefore may be subject to the Army Corp of Engineers' General Permit process; correspondence from Dan Carr of Stamski and McNary relative to changes in Plan notes; schematic drawings on photographs of the crossings to be used during construction to access the site of the septic fields;

detail of a permanent footbridge/boardwalk showing dimensions of 24 feet long by 5 feet wide (Lot 1); photo-documentation including preconstruction existing conditions to assist the Commission in evaluating post construction restoration work; revised WPA Form 3, Page 3 to include Resource Area Impacts to "Bank" and to "Land Under Water Bodies and Waterways" in addition to BVW (Lot 2);

With no further questions or comments, the Commission discussed the fact that the required minimum of four members were not present for all hearings during which testimony was taken. Steve Hinton of the Zoning Board of Appeals (ZBA), who was present for the meeting, informed the Commission that Town Counsel has advised the ZBA that a quorum deficiency can be addressed if the member listens to the portion of the recording pertaining to the missed hearing, noting this can be done for one hearing only. Commissioner Lindquist, who was present for all but one of the hearings, will listen to the recording prior to the next continued hearing.

Verge requested a motion to continue the hearing to January 25, 2018 at 7:30 p.m. with the representative's approval. The motion was moved by Tatistcheff, seconded by Lindquist and all voted in favor.

Sorli Farm South Fields Conservation Restriction (CR) - Memorandum of Understanding (MOU):

At their December 14, 2017 meeting, Steve Hinton of the Carlisle Conservation Foundation (CCF) and Ken Harte of the Conservation Restriction Advisory Committee (CRAC) had provided the Commission with an overview and draft of the proposed MOU that had been developed in accordance with state requirements that the administration of jointly-held CRs be clearly defined. In this case the Sorli Family Land Trust and the Marjorie V. Sorli Trust have named CCF and the Carlisle Conservation Commission as co-grantees of the CR.

Hinton and Harte were again present for the discussion to answer any questions and to request that the Commission take an official vote of approval of the MOU as proposed. Harte noted the one change to the version that had been provided at the previous meeting was changing the date of the final signing of the document from 2017 to 2018.

With no questions or comments from the Commission, *Verge requested a motion to approve the MOU between CCF and the Town of Carlisle Conservation Commission as amended. The motion was moved by Tatistcheff, seconded by Lindquist and all voted in favor. The MOU was then signed by Verge.*

Cranberry Bog Update:

The Finance Committee recently distributed the Commission's FY19 Guideline Budget which includes an additional \$10,000 for Bog Maintenance. The Commission agreed there would therefore be no need for a Warrant Article for this purpose at this year's Spring Town Meeting.

Willard reported she had recently met with farmer Mark Duffy to discuss specific bog maintenance needs for the next year. During their conversation, Duffy informed Willard that the tenants currently living in the bog house are having increasing difficulty with the water supply well, which has had a history of being erratic, and he recommended the town consider replacing the well. Willard said she had then discussed the issue with Chair Verge, who is also a member of the Community Preservation Committee (CPC), and with FinCom liaison Victor Liang. She said Liang's initial recommendation was that this expense may be more appropriately funded through the Long Term Capital Requirements but he said there was also a possibility for Community Preservation Act (CPA) funding and recommended the Commission might want to pursue both funding vehicles.

Willard reported she contacted a representative from Skillings & Sons, Inc. to discuss requirements and to obtain an estimate for use in preparing a Community Preservation Committee (CPC) Grant Application, since the deadline was Friday, January 12. The estimate came in at \$9,825 and noted the final cost cannot be calculated until the well is drilled, the proper pump size is selected, and services are calculated based on well depth and flow rate. Willard said she had discussed the estimate with Building Inspector, John Metivier, who recommended some specific additional expenses that would be required to fully implement the new well; the application should include a contingency of approximately

\$6,000 given the obvious variables.

The draft CPC Grant Application form prepared by Willard was distributed to the Commission for their review and approval. Several minor edits were suggested but otherwise the application was determined to be adequate. *Verge requested a motion. Tatistcheff moved to submit the CPC Grant Application as amended for the \$16,000 required to install an adequate well to service the historic Cranberry Bog House grant request to the Community Preservation Committee and to simultaneously submit a request for \$16,000 to fund the well replacement to the Long Term Capital Requirements Committee. Lindquist seconded the motion and all voted in favor.*

FY19 Budget Update:

Verge, Lindquist and Willard are scheduled to meet with the Personnel Board on January 16, 2018 to discuss the supporting documentation previously provided in support of the Commission's request that the Administrative Assistant position be reevaluated on the Wage and Classification schedule implemented in 2016.

The Commission will also be meeting with the Finance Committee on a date yet-to-be determined to discuss their request to increase the Administrative Assistant's hours to 35 hours per week from the current 27 hours per week funded through the General Fund. The Personnel Committee had approved an increase to 35 hours per week for FY18 but the increase did not receive approval from FinCom. Positive action by the Personnel Committee relative to reclassification of the position will then also need to be approved by the Finance Committee.

Upcoming Meeting Dates 2018: Accepted as proposed - February 8 & 22; March 8 & 22; April 12 & 26

Open Space and Recreation (OS&R) Plan: Since the Town of Carlisle's current OS&R Plan is valid through November 1, 2020, Willard said it would be appropriate if the Commission were to begin reviewing the goals that were set, to assess progress on these goals, and to address those that may be possible to achieve this year. Willard noted as an example that some of the work identified in the report relative to accessibility compliance could be achieved by working with the DPW to relocate boulders and lower signage.

In the meantime, Willard said now would be a good time to establish a committee to work on the 2020 OS&R Plan. She said she has already received tentative commitments from some who worked on the existing OS&R plan Young agreed to join the committee and other commissioners said they would give further consideration to joining the committee.

Committee Liaison Reports - Deer Committee: Tatistcheff provided an update on the Deer Committee's public outreach efforts to establish deer hunting regulations in Carlisle that would allow bow hunting on designated public lands. Following a presentation at the December 12, 2017 Conservation Coffee, Tatistcheff said they had presented the proposal to the Board of Selectmen and are now working with them to schedule a public hearing. She said she believes it is the BOS' intent to go forward with a trial hunt next year pending the outcome at this year's public hearing.

Sudbury, Assabet, Concord River Stewardship Counsel (SUASCO-RSC): The SUASCO RSC was established to coordinate the conservation of the 29-mile Wild and Scenic River segment of the Sudbury, Assabet and Concord Rivers. The Council functions as an official advisory committee to the National Park Service on federal permits affecting the rivers' outstanding resources. The Council also raises awareness of the rivers through events and publications, including RiverFest, an annual celebration of the Sudbury, Assabet, and Concord Rivers, and facilitates efforts to preserve and improve river resources. Willard reported the town of Carlisle is now the only community within the watershed without a representative following the retirement of Carlisle resident Steve Pearlman. She estimated the council meets 2-3 times per year. Tatistcheff said she would be willing to represent Carlisle.

Upcoming Meetings: February 8, 2018 - Annual Foss Farm Community Gardens Rules Review; February 22, 2018 - Annual Farmers' Meeting

8:28 p.m. With no further business, *Verge requested a motion to adjourn. The motion was moved by Tatistcheff, seconded by Lindquist and all voted in favor.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant