

**Carlisle Conservation Commission**  
**February 8, 2018**  
**Minutes**

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. Also present were Vice Chair Melinda Lindquist, Commissioners Ken Belitz, Steven Smith, and Dan Wells and Conservation Administrator Sylvia Willard. Commissioners Lee Tatistcheff and Helen Young were not present.

**Enforcement Order -201 Prospect Street (Woodhaven Farm): Request by Dana Hannaford regarding release from the Enforcement Order issued 4/12/2016 for removal of a debris dump, including mitigation of contaminated soil (lead) and restoration of the site within Bordering Vegetated Wetland and the 100-foot Buffer Zone.**

Willard provided an overview of the circumstances that led to the issuance of the Enforcement Order (EO) to Dana Hannaford in April, 2016 since several Commissioners were not members at the time the violation was addressed. She said this property has since been sold by the Hannaford Trust No. 1/Dana E. Hannaford, Trustee in 2016, to new owners who have placed a Conservation Restriction (CR) on the property. The CR is now jointly held by Sudbury Valley Trustees and the Carlisle Conservation Foundation. During a routine site inspection that occurred prior to the sale and recording of the CR, an area of debris, approximately 1/4 to 1/3 acre in size was found, a portion of which was located within a Bordering Vegetated Wetland (BVW) and the remainder within the 100-foot Buffer Zone of a BVW.

Following the discovery of the waste dump, an EO was issued to the owner requiring the following: immediate cease and desist use of the unauthorized dump; contract with a Licensed Site Professional (LSP) to provide an environmental assessment to determine whether a Limited Removal Action is required in the event that contaminated soil is detected, including the extent of the disturbed area of debris and associated remediation if determined necessary; in consultation with a qualified Wetland Scientist: (1) develop a Remediation Plan for review and approval by the Commission addressing both the removal and the restoration of the contaminated area to natural conditions; (2) provide a monitoring and reporting schedule in accordance with the requirements as stated in the EO.

Willard noted the EO required that the wetland scientist submit a report on the status of the Resource Area restorations by October 31, 2016 and again by October 31, 2017 and, if by the second reporting at least 75 percent of the area is not established with native wetlands plants, additional planting must be provided and monitored for an additional year or until satisfactory to the Commission. In this case, Crossman's report of October, 2017 states the plantings "are becoming established satisfactorily", with the exception of one Highbush Blueberry that did not survive. The report also states there are numerous indicators of the area being used by the local deer population and there is still some glass emerging from the soil that will likely continue for several years. In conclusion, Crossman stated that at this point he was not making any recommendations. Willard reported visiting the site shortly following receipt of Crossman's report and again several weeks ago. She circulated photos documenting pre- and post- remediation conditions and said she believes the site is now adequately stabilized.

Upon receipt of Mr. Hannaford's request for a release from the terms of the EO, Willard said she contacted the current property owners and the joint CR holders to request their input on the matter. Willard reported all parties have requested that the Commission make the determination as to whether or not the previous owner has met his obligations.

Wells said it appeared that the previous owner has put forth good effort to comply with the requirements of the EO. There were no comments otherwise. *Verge requested a motion that the Commission provide Mr. Hannaford with a*

letter releasing him from the Enforcement Order. The motion was moved by Lindquist, seconded by Belitz and all voted in favor.

**Land Use Permit:** *Belitz moved to issue a Land Use Permit to the Carlisle Congregational Church to hold a Sunrise Service at Foss Farm on Sunday, April 1, 2018 from 5:30 a.m. to 7:30 a.m. Wells seconded the motion and all voted in favor.*

**Project Updates:**

**570 West Street:** Willard reported meeting with the new developer, Stephen Doherty of D. C. Development, who recently took the project over from Michael Kenney. Also present for the meeting was Planning Board Administrator George Mansfield. The purpose of the meeting was to discuss several issues needing to be addressed prior to the issuance of the Building Permit relative to several items within the Planning Board's Subdivision Rules & Regulations/Construction Management Plan that were not followed. Included in the list of deviations was the requirement that the roadbed, drainage system, and stormwater wetland be inspected by the Planning Board's engineer following excavation but prior to any paving. Willard said the Planning Board has requested that the now-paved roadway and associated drainage elements be evaluated by their engineering consultant to determine whether the appropriate methods and materials were used during construction.

Wells asked Willard for her opinion of the overall condition of the site at this point. Willard said she had met the site manager, Ken Olsen, at the site several weeks ago prior to a heavy rain event in order to review erosion controls that were inadequate/missing and needing to be addressed immediately. She said she would be continuing monitoring erosion controls during the Planning Board's evaluation process and throughout the typically heavy spring rain season.

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

**Applicant:** Claude & Delaine Williamson, c/o Sharon Hays

**Project Location:** 24 Milne Cove Road

**Project Description:** Removal of four 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 Continued Meeting under the Carlisle Wetlands Protection Bylaw. *She requested a motion to continue the hearing to March 8, 2018 at 7:30 p.m., since the wetland delineation is still under review. The motion was moved by Wells, seconded by Lindquist and all voted in favor.*

**FY19 Budget Update:** Verge reported she, Lindquist and Willard had attended the February 6, 2018 Personnel Committee meeting during which Lindquist had provided an excellent presentation supporting the Commission's request for a grade change for the Administrative Assistant position. She said the Personnel Committee is now reviewing the request and will advise the Commission of their decision at their next meeting scheduled for February 15. Both Verge and Lindquist said they will be unable to attend the meeting since they will be out of town on that date.

Willard said she had been advised by the Planning Board Administrator, George Mansfield, following their meeting with the Personnel Board that a change in title would require that the position be posted. Since the Personnel Board had not commented on this during the Commission's presentation, Lindquist asked Willard if the Commission would be required to meet with them again to discuss the issue of title change, which she said had been presented as "optional". Willard said she had been unable to discuss the matter with Personnel Board Administrator, Tim Goddard, at their scheduled time since he was not in the office and said she would try to reschedule a meeting to speak with him to clarify requirements moving forward.

**7:20 p.m. (DEP 125-1042) Notice of Intent, Continued Hearing**

**Applicant:** Nancy Weinstein & Robert Lieb

**Project Location:** 136 Hartwell Road

**Project Description: Expansion of an existing driveway for a single-family home, reconstruction of a brick sidewalk, filling sinkholes and after-the-fact tree removal all within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. This project opened at the last meeting, was submitted to the Commission as a result of an Enforcement Order for tree and shrub removal within the 100-foot Buffer Zone.**

Verge opened the Continued Hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Bylaw. Smith recused himself as an abutter to the project location.

William Hall of Stamski and McNary said the Plan had been revised since the previous hearing to reflect the following changes: 1) Wetland Flag #s 101-104 have been added to the plan following a site consultation with the Wetland Scientist, David Crossman, since some of the tree clearing had unknowingly occurred on the abutting property that projects a Buffer Zone onto the corner of the property; 2) a note has been added to the plan to specify that existing stumps shall be ground flush with existing grade to allow for easier maintenance of the property; 3) a location of proposed planting has been specified.

Verge said the Commission would need a list of proposed plants for the restoration. Weinstein said they had created a preliminary planting plan but did not move further ahead due to the issuance of the EO. Willard noted there was a considerable amount of understory that was removed and what remains is primarily Sweet Pepperbush (*Clethra alnifolia*). She suggested there should be plan that would encourage native plants vs invasives moving in and taking over, including a plan for the area that was cleared on the abutting property, which belongs to newly appointed-ConsCom member, Steve Smith. Willard reported Smith has now signed the Notice of Intent as required.

Wells said that from what he observed during a site visit with Willard, the revised delineations are now accurate. He said he understood the applicants were going to propose a method for revegetating some of the cleared area. Weinstein said Crossman has suggested waiting to see what vegetation reemerges before finalizing the planting. She said the area had consisted primarily of dead pines that had fallen over or were leaning on other trees with little understory, so once the trees were removed there was little to no remaining vegetation. She said they are now proposing planting in this area that had not been included in the initial submission, including transplanting some existing plantings from the front of the property and supplementing those with new, additional plantings.

Verge said she would like to see a proposed plant list that includes spacing and density. Wells suggested they include a mix of woody shrubs, ferns, wildflowers. Weinstein said she would be selecting native plants and would be consulting with her neighbor to discuss their preferences. Hall said it was his understanding that the Order of Conditions could include a Condition requiring that proposed plant species would need to be approved by the Commission.

Wells asked if the Commission would recommend that they provide a means of permanently delineating the edge of lawn /Buffer Zone for future owners so it would be clear that any additional clearing would require a permit. Verge explained to the property owners that the Commission often requires a method for delineating the edge of the existing lawn such as a stonewall, spaced boulders, or some other type of permanent demarcation. Verge said she had not had an opportunity to visit the site and she asked Wells and Willard if the tree line would be sufficient. Wells said he believed the line is pretty well defined now but the concern is whether it would be clear to future owners. Belitz said the shrubs should likely prevent mowing beyond the existing lawn area.

Willard suggested that in addition to the requirement of a planting plan, the Commission might also consider including a Continuing Condition allowing the manual removal of invasive plants.

*With no further questions or comments, Verge said she would accept a motion to close. Lindquist moved to close the hearing for DEP 125-1042, Belitz seconded the motion and all voted in favor. Verge requested a motion to issue a Standard Order of Conditions with a Continuing Condition allowing the manual removal of invasive plants within the 100-foot Buffer Zone and with the following Special Conditions: (1) the applicant shall provide the Commission for its review and its approval a list of native plants to be used for restoration of the cleared area located within the 100-*

foot Buffer Zone, including species, quantity, size and spacing density of plants proposed for use in the restoration; (2) existing tree stumps at the lawn edge may be cut flush to soil level, but not pulled, due to potential for soil disturbance within close proximity to the protected Wetland Resource Area. The motion was moved by Wells, seconded by Lindquist and all voted in favor.

**7:45 p.m. (DEP 125-xxxx) Notice of Intent**

**Applicant: Emily & Patrick Reardon**

**Project Location: 1075 Curve Street**

**Project Description: After-the-fact landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland, hydro seeding the exposed area, restoration of any wetland alteration that may have occurred, and replacing plantings required under a previous filing.**

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

This filing was submitted following the issuance of an Enforcement Order (EO) in October 2017 for landscaping work underway in the 100-foot Buffer Zone of a Bordering Vegetated Wetland and likely within the BVW itself according to existing property plans on file in the office. A Stop Work Order was issued immediately following the discovery of the unpermitted work and the siltation barrier was installed proximate to the edge of the disturbed area as required.

Maureen Herald from Norse Environmental Services presented the Plan. She said this filing was submitted following the issuance of an EO in October 2017 for landscaping work underway in the 100-foot Buffer Zone of a Bordering Vegetated Wetland and close to the wetland. The landscaping work included planting of large, mature trees at various locations around the property outside of the Buffer Zone, but in order to avoid the septic system, the trucks travelled through the lawn area for access to the planting area. Willard noted that the property owners had installed erosion controls immediately following the issuance of the EO and were allowed to seed and cover the disturbed area with hay in the fall to stabilize the area for winter.

As background, Willard said this property has been subject of multiple filings by different owners dating from 1999, with the first wetland delineation dated 12/16/1998 provided by David E. Ross Associates. The limit of work on that approved plan hugged the now-existing driveway. That plan and the subsequent plans submitted since for other wetland projects and also flagged by others show a very distinct upside-down "V" extending toward the driveway. The plan submitted with this project is a photocopy of the most recent filing submitted on April 14, 2011 under an RDA. The DOA was approved on April 28th, 2011 and due to the Permit Extension Act in effect at that time, the wetland delineation is still valid until 4/28/2018. In addition, she noted there was a previous filing where the planting of Highbush Blueberry was required, but these plantings did not survive.

Herald said they are proposing to replace the missing wetland flags by survey based on the existing Plan of Record prior to hydro seeding in order to stabilize the area of exposed lawn. They are also proposing to replace the Highbush Blueberry plants ( as required under DEP #125-672) that did not survive with six native shrubs as noted in the submission, with the specific species to be based on cost and availability at the time of planting in the spring. Erosion controls that were installed following issuance of the EO will be maintained for the duration of the project.

Verge recommended removing the *Viburnum dentatum* from the list of potential plantings since as a landscape professional she has been finding that *Viburnum* leaf beetles have been compromising this particular species.

*Verge requested a motion to continue the hearing to March 8, 2018 at 7:15 p.m. pending the issuance of the DEP File Number and pending the review of the wetland boundary once it has been staked by survey. The motion was moved by Lindquist, seconded by Wells and all voted in favor.*

**8:00 p.m. Foss Farm Community Garden Rules Review**

**Jack O'Connor, Garden Manager**

Garden Manager Jack O'Connor was present to review the 2018 Garden Rules and to discuss any comments/suggestions that may have been submitted in response to the posting in *the Carlisle Mosquito* several weeks ago. Willard said she

received only one comment, which was from existing gardener Julie Meier, who suggested the practice of plowing the plots before staking should be discontinued, since in her opinion this damages the soil by killing off the microbes in the soil and it also brings the weeds to the surface. The Commission agreed that while this is something that could be explored, soil management is not a topic that is addressed in the Garden Rules.

Lindquist asked why the entire garden is plowed at the beginning of the season. Jack O'Connor said this is a practice that has always been followed since the community gardens were established in Carlisle, well before he took over as Garden Manager. He said no-till agriculture is a concept that has different ramifications in different applications. He suggested that if the Commission would like to explore this further, they might hold a meeting with current gardeners to obtain their input. Lindquist suggested this could be a topic of an upcoming Conservation Coffee to focus on the Foss Farm Community Gardens including existing gardeners to share their ideas and suggestions.

With no further comments, *Verge requested a motion to approve the 2018 Foss Farm Community Garden Rules as presented. The motion was moved by Lindquist, seconded by Belitz and all voted in favor.*

#### **Land Stewardship Committee:**

Land Stewardship Committee (LSC) members Debby Geltner and Tom Brownrigg and Carlisle resident Judy Hodges presented a proposal for signage at the Cranberry Bog intended to remind visitors to clean up after their dogs. Geltner said Hodges had approached the LSC with suggestions on ways to further address dog waste control at the Bog. As a result of their brainstorming, they incorporated the "Burma shave sign style" into the signage and presented the Commission with several mockups. The signs were very well received and the Commission thanked the group for their efforts.

An official vote, required since the Bog is under the care and custody of the Commission, was taken as follows: *Verge requested a motion to accept the proposed signage for the Cranberry Bog as approved by the Land Stewardship Committee. The motion was moved by Lindquist, seconded by Belitz and all voted in favor.*

*Carlisle Mosquito* reporter Sally Zielinski, who was present for the meeting, suggested the LSC place an article in the paper in order to reach a larger audience with regard to the importance of cleaning up after pets.

#### **FY19 Budget Update:**

***Cranberry Bog Water Supply Well:*** Willard said the Finance Committee has suggested the Commission seek funding for replacing the well through both a Community Preservation Act grant and through the Long Term Capital Requirements Committee simultaneously.

***Staffing Requests:*** Willard said the Commission would be scheduled to meet with the Finance Committee once the Personnel Committee has reached a decision.

**Annual Farmers' Meeting – Land Use Reporting and Planning Reports:** Scheduled for Feb 22, 2018

8:40 p.m. With no further business, *Verge requested a motion to adjourn. The motion was moved by Belitz, seconded by Lindquist and all voted in favor.*

Respectfully submitted,  
Mary Hopkins  
Administrative Assistant