

Carlisle Conservation Commission
May 10, 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 7:03 p.m. Also present were Commissioners Steven Smith, Lee Tatistcheff, Dan Wells and Helen Young and Conservation Administrator Sylvia Willard. Commissioner Ken Belitz and Vice Chair Melinda Lindquist were not present.

Agricultural License Agreement for Grazing - Woodward Land:

Pursuant to the approval of the Agricultural License Agreement for the Woodward Land at the Commission's April 26, 2018 meeting, applicant Desiree Ball was present to sign the document and agreed to provide the Commission with a Certificate of Liability as required by the terms of the agreement.

Certificate of Compliance:

(DEP 125-694) 20 Judy Farm Road: Owner: Christine Chen, Project: Title 5 Septic System; Issued to Ivan Yeaton, Jr.; Issued: 7/2/2003

Willard said the property is being sold and the current owner has requested a COC in advance of the transfer. She said she found during a recent site inspection that the project had been completed satisfactorily in accordance with the Plan of Record/As-Built and the Order of Conditions and is well stabilized.

Tatistcheff moved to issue a Certificate of Compliance to Christine Chen for 20 Judy Farm Road/DEP #125-694.

Wells seconded the motion and all voted in favor.

Project Updates:

570 West Street: Willard said she received a call from the project engineer, Jeff Brem, confirming their intention to relocate the fire protection cistern to a revised location after discovering the originally proposed location will require extensive blasting. The Planning Board will require the applicant to obtain approval of a Plan Change Request.

The Commission determined this change will require engineering for the restoration work associated with the originally proposed and now excavated location that must be reviewed under the filing of a Request for an Amended Order of Conditions, since it is within close proximity to a wetland resource area. Willard said it was her understanding that the Planning Board's approval of the new location should coincide with the Conservation Commission's.

211 Bellows Hill Road: Willard reported the property owners have recently hired a new property manager with whom she will be meeting at the site on May 11 to discuss the recently revised Land Management Plan for work associated with invasive plant management. Willard noted the original Land Management Plan discussed last fall was not approved by the Commission and some of the work will occur in areas where the wetland line has not yet been reviewed and approved by the Commission.

7:15 p.m. (DEP 125-1046) Notice of Intent

Applicant: Thomas and Vanessa Brown

Project Location: 237 Stoney Gate

Project Description: Removal of approximately 30 trees within the 100-foot Buffer Zone of a Bordering Vegetated Wetland as well as removal of two fallen trees from within the Resource Area

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

Presenting the plan was property owner and former Conservation Commission member, Tom Brown. He said the Plan includes the removal of two trees – a 14-inch pine and a 12-inch Maple - that fell into a wetland. The removal work will be done by Marquis Tree, via crane. Brown said additional trees are being proposed for removal because they are dead and/or dying or due to the desire to clear around the house for safety reasons and to allow sunlight for planned raised garden beds. Verge asked if they would be providing a planting plan for areas close to the resource area, including plant species and density. Brown said they did not yet have a planting plan but would have one completed in the fall. Tatistcheff asked Brown if they wanted a Continuing Condition allowing invasive plant removal within the 100-foot Buffer Zone included in the Order of Conditions, which the applicant said would be helpful. Wells asked Willard if she had found the delineations were still accurate based on the delineation done for a Request for Determination of Applicability for the removal of 13 trees in 2013. Willard said she had confirmed this during her pre-hearing site visit.

With no further questions or comments, Verge requested a motion. Tatistcheff moved to close the hearing for DEP #125-1046, Wells seconded the motion and all voted in favor. Tatistcheff moved to issue a Standard Order of Conditions with the Special Conditions that stumps must be left in place following the tree removal and with the requirement that a Planting Plan must be submitted to the Commission for their review and approval of implementation for those areas within close proximity to the Bordering Vegetated Wetland (BVW) prior to the submission of a request for a Certificate of Compliance and with the Continuing Condition allowing the manual removal of invasive plants with the 100-foot Buffer Zone. Wells seconded the motion and all voted in favor.

7:30 p.m. Invasive Plant Management Proposal:

Present for the discussion were Wayne Davis, Acting President of the Carlisle Conservation Foundation (CCF) and Malcolm Meadows resident and certified Master Gardener Alison Saylor. Davis said the proposed Plant and Wildlife Habitat Improvement Plan for the Malcolm Preserve received approval from the co-owners of the Malcolm Preserve Conservation Restriction (CR), CCF and The Trustees of Reservations (TTOR), following a site consultation with Saylor to review the Plan. Davis said the proposal is being submitted to the Commission in accordance with the provisions of CR 53, Section IIIA.4, which prohibits “cutting, removing or otherwise destroying trees, grasses or other vegetation” on the property without the prior written permission from the Town of Carlisle Conservation Commission, Grantee of the CR.

The plan proposes stewardship activities in the northern portion of the premises on the Malcolm Preserve involving the removal of invasive plant species and replacing them with native species. Included in the proposal is a list of “undesirable plants” (invasive/non-native) to be removed and a list of proposed replacements, as well as an aerial view site plan illustrating the location of the proposed work. Saylor confirmed she would be providing an annual report including photographs to TTOR, CCF and would provide the report to the Commission and/or the Conservation Restriction Advisory Committee if requested.

Verge requested a motion. Tatistcheff moved to approve the proposal for Plant and Wildlife Habitat Management on the Malcolm Preserve submitted by Alison Saylor/CCF as outlined, with the requirement of an annual report until removed or resigned. Wells seconded the motion and all voted in favor.

Emergency Certifications:

162 Nowell Farm Road – Eric Fleming: Willard said she inspected the property on April 30, 2018 after receiving a call from someone informing her that tree removal activity was underway that was potentially within the Resource Area. Upon her inspection and after speaking with the on-site tree contractor and issuing a verbal Stop Work Order, Willard said it was her understanding that the tree removal already undertaken included one tree that had fallen onto the unattached garage during a severe storm in March, as well as seven additional standing trees in the vicinity. Willard said the removal of those trees has caused the property owners to now be concerned about the two now-exposed, large white pine trees located within close proximity to the garage that could be subject to a blow-down in a future storm.

Willard said she later met with the property owner on site to discuss additional tree removal plans and to review previous filings for this property and she determined the issuance of an Emergency Certificate for the two pines located within the 100-foot Buffer Zone of a Bordering Vegetated Wetland was appropriate, particularly given the weather forecast for high winds. Willard noted she had not yet issued an Enforcement Order for the unpermitted tree removal, since the property owner had said he was eager to get through the permitting process for the previously undertaken work and for additional work they are planning.

Verge requested a motion. Tatistcheff moved to ratify the previously-issued Emergency Certificate for the removal of two white pines at 162 Nowell Farme Road, with the following requirement: the trees must be felled away from the BVW or removed by crane; no debris may remain within the nearby BVW; the removal of these two trees must be added to the upcoming Wetlands Protection Act filing to be submitted for unpermitted tree removal undertaken on April 30, 2018. Smith seconded the motion and all voted in favor.

896 Concord Street – Sally Macone: Willard said this Emergency Certificate is to allow removal of a large, multi-trunked white pine that lost two large limbs that fell approximately four feet from the home during a recent severe windstorm. The tree is now considered to be unstable and the owner wishes to remove it. Willard estimated the tree is located at approximately 100 feet from a pond on the site and within the 200-foot Riverfront Area. She noted observing another small tree that had fallen into the pond on the site that the owner has indicated she is not interested in removing it at this time.

Verge requested a motion. Tatistcheff moved to issue an Emergency Certificate for the removal of one white pine at 896 Concord Street as presented, with the requirements that the trees shall be felled away from the BVW or removed by crane and that no debris may remain within the BVW. Wells seconded the motion and all voted in favor.

Conservation Land Management:

Cranberry Bog House Water Supply Well: Following Town Meeting approval of Community Preservation Act funding for the replacement of the water supply well for the Bog House, Willard reported she is now in the process of obtaining two additional estimates from well installers in accordance with municipal procurement requirements.

Towle Conservation Land: Willard reported the Trails Committee was recently contacted by the Concord Carlisle High School regarding the potential for a community service project for a group of seniors. She said the inquiry was discussed at the previous Trails Committee meeting when she had suggested the project could include removal of trees and brush around the field edges at Towle and if time permits, the Bisbee Land as well. Two members of the Trails Committee have agreed to do chainsaw work prior to the community service workday, which has been scheduled for Saturday, May 25, 2018 and will be conducted under the direct supervision of Trails Committee members and CCHC staff.

8:00 p.m. (DEP 125-1038) Request for a Plan of Record Change

Project Location: 75 Indian Hill

Property Owner: Adelaide Grady

Verge recused herself from the hearing since she is personally known and friend to the applicant.

Grady said the original project included a small addition at the rear of the home located just within the 100-foot Buffer Zone. She said that during construction, a level area was established to stage the equipment and rather than removing this level area now that construction is nearly complete, they would like to keep the level area located below existing slider doors and to add a short retaining wall, flagstones and steps. She said they would also like to remove a tree that came down during the March storm, now bridging an intermittent stream.. Grady provided photographs of the proposed patio area and of the downed tree on her tablet and agreed at the Commission's request to email them to the

Conservation Commission office for the permanent record in accordance with the Massachusetts Public Record Law. Grady said they would be using the trees proposed for removal for camp firewood.

Tatistcheff moved to accept the proposed Plan Change for DEP #125-1038, Smith seconded the motion and all voted in favor.

8:05 p.m. Storm Damage Tree Removal Discussion: Willard reported she had been called to several sites during the past several days to provide guidance on storm damage cleanup requirements. She said some of the proposed work is beyond the scope of the Administrative Approval program authorized by the Commission. She suggested it would seem prudent in this circumstance for her to have the ability to approve projects that are needed due to storm damage that are more extensive than the work allowed under the Administrative Approval process, which typically allows the removal of one or two trees within the 100-foot Buffer Zone. She said she contacted her counterparts in the towns of Bedford and Concord and learned that these Administrators have been given additional flexibility due to the extent of the widespread damage caused by the March wind storm. They are now authorized to approve the removal of one to four trees, with the requirement that a report be submitted prior to the removal process by a certified arborist stating the trees pose a safety hazard to persons/property. Willard noted these towns require replacement plantings for all tree removal requests.

Present for the discussion were Thornton and Kathy-Devivo Ash of Nowell Farme Road, who had recently received an Administrative Approval for the removal of two trees that came down due to storm damage and who have said there are additional trees they would like to remove at some point in the future.

Also present for the discussion were Duane and Signy Johnstone of Russell Street, who provided the Commission with a certified arborist's report specifying the work that is needed and how it will be undertaken. The proposed work includes removal of large limbs/leaders and an 8-inch diameter maple tree that have fallen into a pond located adjacent to the house. Also included in the proposal is the removal of a three-leader Gray birch located within close proximity to the pond and the removal of a large red oak leader that has a large break in one of its leaders that is located immediately above an existing canoe launch for the pond.

Willard noted the Wetlands Protection Act Regulations allow tree removal/pruning within the Buffer Zone if the work is located within a landscaped area of the yard, but this work is not considered to be exempt if it is proposed within a wetland resource area. Tatistcheff noted that in the past when the state has been heavily hit with storm damage, MassDEP has issued Emergency Declarations. She noted this did not occur following the damaging March storm, likely since not all parts of the state were hit as severely as this area had been. She suggested that Willard contact DEP to inquire as to whether the Commission could issue severe storm damage cleanup approvals for Carlisle property owners for a designated period.

Verge suggested in the meantime the Commission could consider relaxing the Administrative Approval process relative to storm damage cleanup to allow the removal of up to 5 trees, provided the request is submitted with a damage assessment report signed by a Massachusetts Certified Arborist and including a sketch of location and species identification of the trees proposed for removal. Wells said he personally supported this procedure as long as the request is documented by a professional arborist. There was unanimous support for the proposed modifications to the Administrative Approval process.

With no further discussion, Verge requested a motion. Tatistcheff moved to modify the existing Administrative Approval process allowing the removal of two trees, subject to the Administrators discretion, and up to five trees, including those within a Resource Area, if the request is accompanied by a damage assessment submitted by a Massachusetts Certified Arborist along with a sketch plan showing locations and species identifications. Young seconded the motion and all voted in favor.

The Commission agreed to give the implementation of Severe Storm Damage procedures additional consideration after further consultations with MassDEP. The Commission also agreed to provide the Johnstones of 80 Russell Street with a letter indicating their acceptance of the Tree Damage Assessment and Restoration Plan as submitted by John Bakewell of Carlisle Arboriculture.

2018 Mowing Agreements

Towle Conservation Land:

Present for the discuss was Jack O'Connor, who said there are a lot of issues relative to mowing at Towle and Benfield that he is aware of after mowing fields for the town for over 20 years. Also present for the discussion was former longtime ConsCom member Tom Brownrigg, who initiated invasive plant management discussions and research for Towle Field in 2011 and who has been the primary driver since that time in continuing efforts to improve wildlife habitat values through a multi-year, management program. For those members who had recently joined the Commission, Brownrigg provided some background on the project. Following the receipt of a SuAsCo Cooperative Invasive Species Management Area (CISMA) grant that provided funding for the initial treatment phase, a Community Preservation Act grant was approved by Town Meeting in 2016 to continue the program. Brownrigg said at this point there is approximately \$3,400 left in the CPA grant that will be used to treat areas that may have been missed or that have regrown. He said John Bakewell of Carlisle Arboriculture will be restarting treatment by the end of May.

Brownrigg said he wanted to mention to O'Connor that there are some areas in the southwest section of the main field where white flags were placed in order to indicate areas where poison ivy needs additional treatment. He suggested to O'Connor that he might consult with Bakewell about treatment areas he may not want mowed. Brownrigg said the main field appears to be in pretty good shape and the poison ivy seems to be heaviest along the field edges, likely due to bird "activity". He asked O'Connor if he could mow a fifty-foot perimeter strip around the field since that is where most of the poison ivy still exists and this would also encourage regrowth of wildflowers in main field by waiting until fall to mow this area. O'Connor asked why he would do just fifty feet around the edge and not the entire field. Brownrigg said his personal thought was that he would like to see the field mowed so as to encourage more wildflower growth. He said his personal preference would be to do just one late mowing of the area where Bobolinks previously nested. O'Connor said he is not interested in this schedule since it would require cutting the tall grass down in a single mowing which requires a different type of equipment.

Brownrigg said he was hoping to find a compromise where they could allow part of the field to remain unmowed, perhaps in the north/central part where it is not heavily grassed. O'Connor said he has been working with Bakewell for years in coordinating areas and timings of mowings. Verge suggested perhaps they could designate an "experimental area" to try something other than two mowings per season. Wells said that, although this may not be the right time to change the plan for this season, he is curious as to whether the trees located in the middle of the main field could be causing fragmentation and encouraging cowbirds/predators and preventing the bobolinks from returning to the field to nest.

Verge suggested continuing discussions at a future meeting of a potential test plot for the current season and also looking at possible changes for next year including the potential of removing the tree islands to improve the habitat for Bobolink and other grassland birds.

Benfield Conservation Land:

Tatistcheff moved to enter into the 2018 Benfield Mowing Agreement with Jack O'Connor for a sum not to exceed \$1,034.00, Wells seconded the motion and all voted in favor.

Committee Assignments:

Chelmsford/Carlisle Cranberry Bog Committee: Verge

Community Preservation Committee (CPC): Verge

Conservation Restriction Advisory Committee (CRAC): Lindquist

Cranberry Bog Alternatives Committee (CBAC): Belitz

Deer Committee: Tatistcheff

Dog Control Committee: Wells

Land Stewardship Committee (LSC): Wells

Local Initiative Program Regulations Working Group (LIPR): Young

Lyme Disease Committee (LDC): Commission may withdraw from participation due to change in focus of LDC

Open Space & Recreation Plan Committee (OS&R): t/b/d

SUASCO River Stewardship Committee: Tatistcheff

Conservation Land Naming - Woodward: *Young moved to name the land comprised of Lots 1 and 2, 767 Bedford Road that was acquired by the Special Town Meeting in October, 2017 the Woodward Conservation Land, Tatistcheff seconded the motion and all voted in favor.*

9:25 p.m. With no further business, *Verge requested a motion to adjourn. The motion was moved by Tatistcheff, seconded by Wells and all voted in favor.*

Respectfully submitted,
Mary Hopkins
Administrative Assistant

DOCUMENTS PRESENTED:

- 75 Indian Hill: Photographs of proposed patio area (to be submitted via email post meeting)