

Carlisle Conservation Commission
Minutes
May 24, 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. Also present were Vice Chair Melinda Lindquist, Commissioners Steven Smith and Helen Young and Conservation Administrator Sylvia Willard. Commissioners Ken Belitz, Lee Tatistcheff and Dan Wells were not present.

Plan Change Request: 81 Craigie Circle (DEP 125-1037)

Property owner Catherine Cole was present to discuss her request to amend the Plan of Record in order to relocate an existing dry well that had not been shown on the original Plan for this project. Cole said she suspects Stamski and McNary were not aware the dry well existed when drafting the current Plan for construction of a garage and mudroom, since the dry well was installed by an independent water treatment systems contractor in 2009 and it did not require engineered plans.

The proposed revised location of the dry well was noted on the Plan of Record and signed by the property owner. *Verge requested a motion to approve the Plan Change request for DEP #125-1037 as noted on the Plan of Record. The motion was moved by Lindquist, seconded by Young and all voted in favor.*

Minutes:

*Verge said she would accept a motion to approve the **March 22, 2018** minutes as presented. The motion was moved by Young, seconded by Lindquist and all voted in favor.*

Verge requested that the Commission should receive the minutes from the previous meeting prior to the following meeting when possible. Willard said turnaround times usually depend on other requirements in the office and, in this case, the Administrative Assistant had submitted the draft March 22 minutes to her in early April but she had been unable to review them until recently due to a surge in storm damage site evaluation requests and other pressing matters.

Certificates of Compliance (COC):

Willard said the three pending COC's are still not yet ready for issue due to outstanding requirements.

Outstanding Orders of Conditions Update:

Willard reported the ConsCom office had been assigned a Senior Worker for several months over this past winter who reviewed older files with outstanding Orders of Conditions from the late 1970's/early 1980's and who then went through the process to identify current property owners. The plan moving forward is to contact the current property owners and advise them there is an outstanding Order on their deed that may delay a future property transfer and to offer assistance with the process for obtaining a COC if they wish to do so.

7:15 p.m. (DEP 125-104X) Notice of Intent

Applicant: Neil Paris Properties, LLC

Project Location: 63 Hanover Road

Project Description: After-the-fact filing for work undertaken on a now-expired Order of Conditions, including an alteration of the previously-permitted home and driveway, driveway stone infiltration trench, addition of a patio, slope stabilization stone work and grading - all within the 100-foot Buffer Zone of a Bordering Vegetated Wetland

Verge opened the hearing under the Massachusetts Wetlands Protection Act and the Carlisle Wetlands Protection Act. *She requested a motion to continue the hearing to June 7, 2018 at 7:45 p.m. at the representative's request. The motion was moved by Young, seconded by Lindquist and all voted in favor.*

Storm Damage Cleanup Procedures:

Willard provided an update on the newly implemented Emergency Storm Damage Cleanup Policy approved by the Commission in April in response to a surge in requests for tree removal and storm damage cleanup work related to the March, 2018 storm. The new policy allows the Administrator to grant approval to remove up to five trees within a resource area if the property owner provides a report from a certified arborist stating the reason for each of the trees proposed for removal.

Willard said she has been taking tree removal requests on a case-by-case basis in assessing whether they fall under the Emergency Storm Damage Cleanup Policy guidelines or if they would be more appropriately addressed with an Emergency Certificate, an Administrative Approval or require a filing. She cited one request she is currently reviewing. The property owner has three trees located in close proximity to the house and their insurance company has stated they will not cover costs of damage if the trees were to come down. There is also a tree in the back of the house that is dying and another that is falling apart. Willard said that in this case, because there are other things going on at the site, she has advised the property owner to get the wetlands delineated before making a determination. At another site currently under review, Willard said the property owner has requested approval to remove six to seven trees that appear to her to be healthy but that are causing the homeowner to be concerned. In this case, Willard said she believes a filing will be required.

Lindquist said another issue for the Commission to consider is that when homeowners need to bring in a crane to do some tree work, they may want to get other work done at the same time, whether or not the other trees are damaged.

Willard said to her the issue is trying to maintain balance and fairness. She said there are people who go through the process and others who are not aware they are near wetlands who hire a tree contractor to remove trees and she has to issue a Stop Work Order. There are also homeowners who may try to see if they can just get away with removing the trees without first consulting with the Commission. Verge said this is an opportunity for the Commission to say that we understand you have a need and will consider up to five trees upon submission of a report from a certified professional, but anything over five trees will require a filing. She said each case is different and there are now several options for addressing these requests.

Young asked if the Commission requires a letter from an arborist for Administrative Approval to remove one or two trees. Willard said the Emergency Storm Damage Cleanup Policy requires a report but Administrative Approval is left to her judgement. Young said there is a certain cost of hiring an arborist to provide a report, so that is a bit of a counter incentive for people requesting approval to remove five trees when only two actually require removal.

Verge asked Willard to keep the Commission informed and to let them know if any situations arise where discussion is required.

Project Updates:

Cranberry Bog Water Supply Well: Willard reported having selected Skillings and Sons from the three quotes she received for the installation of the water supply well at the Cranberry Bog House. She said the well location has been staked and the well contractor is consulting with Dig Safe for clearance. Installation is slated to occur within the next two weeks.

570 West Street/Lion's Gate: A Request for an Amended Order of Conditions for the relocation of the fire protection cistern is in process.

7:30 p.m. (DEP 125-104X) Notice of Intent

Applicant: Town of Carlisle

Project Location: 80 Westford Street

Project Description: Installation of a self-supporting, 100-foot wireless telecommunications lattice tower within a fenced compound, including electronic equipment, emergency generator and an underground utility connection, with work within the 100-foot Buffer Zone of a Bordering Vegetated Wetland.

Verge stated the hearing for 80 Westford Street has been rescheduled to open on June 7, 2018 at 8:00 p.m. due to an error in the Abutter Notification process.

Committee Assignments:

Local Initiative Program Regulations Working Group (LIPR)

Willard will advise the Board of Selectmen that Young has agreed to serve as the Commission's liaison.

Lyme Disease Subcommittee: Willard will advise the Board of Health that Young is stepping down as committee liaison and that a representative of the Commission may attend future meetings as appropriate.

Election of Officers FY19:

Young moved to re-elect Verge as Chair and Lindquist as Vice Chair for FY19, Smith seconded the motion and all voted in favor.

Conservation Land Management:

Cranberry Bog/Chelmsford Conservation Commission Letter:

Verge presented a draft response to the Chelmsford Conservation Commission's letter to the Cranberry Bog Alternatives Committee (CBAC) dated March 26, 2018 in which they requested information on the impact to Chelmsford if there is a reduced need in Carlisle for water to support a future agricultural operation such as hay. Verge's response indicates there is a potential for a 50% reduction but there is no official determination by the Massachusetts Water Management Act at this time.

Also included in Chelmsford's letter is a request for an explanation of how reduced water requirements associated with the Cranberry Bog would affect the need for the Upper Pond in Chelmsford's Cranberry Reservation and how it would affect the management of the associated dam and flume if they continue to be necessary. Verge's response states that although these are important questions to consider, they cannot be addressed until the peer review of the CBAC reports has been completed.

The Commission's response also indicates the Commission would like to further discuss and compare records regarding the maintenance of an old flume in the dam located on the Cranberry Reservation and the flume's replacement, since there appears to be some misunderstandings needing to be addressed.

Lindquist suggested one revision to the draft for clarity. With no further comments, *Verge said she would accept a motion to approve the response letter to the Chelmsford Conservation Commission as edited. The motion was moved by Lindquist, seconded by Young and all voted in favor.*

The joint bi-annual Carlisle/Chelmsford Cranberry Bog meeting has been scheduled for June 4, 2018.

Benfield Conservation Land:

Willard said she is currently working with Town Counsel on a Memorandum of Understanding (MOU) between the town and the Neighborhood of Affordable Housing/Benfield Senior Housing in order to address maintenance and repair requirement procedures for the monitoring wells, the public water supply well and the leach field for the septic system that are located on the Benfield Conservation Land.

Willard said that the MOU project had been pending for some time until she was recently contacted by a representative of the Conservation Restriction Holder, the Carlisle Conservation Foundation (CCF), offering to assist in moving the project forward. Willard said former ConsCom member, current CCF Director Kelly Guarino is now in the process of reviewing the draft MOU and associated Conservation Restriction documents on behalf of CCF and the final draft will be presented to the Commission for their review shortly.

Towle Field and Benfield Conservation Lands - Mowing Agreements FY19:

Field mower Jack O'Connor and Towle Field Habitat Management project leader Tom Brownrigg have worked out the final details regarding the ongoing habitat management program at Towle Field as it relates to the field mowing schedule and parameters for the current season. Brownrigg has staked out a test area that will remain unmowed this season in order to encourage regrowth of native wildflowers/meadow habitat. The Annual Mowing Agreements approved at the Commission's May 10 meeting included a not-to-exceed amount of \$2,054 for Towle Field and a not-to-exceed amount of \$1,034 for the Benfield Conservation Land.

Rodgers Road Trail Easement:

Trails Committee Chair, Marc Lamere, was present to request the Commission's acceptance of the Rodgers Road Public Trail Easement being granted by Dudley Cunningham. Lamere explained there had been a trail easement in this location since 1991 when Rodgers Road was developed, but the trail has been washed out over the years due to runoff from the road. The new easement will allow the Trails Committee to reconfigure the trail to run through mostly dry upland and to locate it in order to maintain privacy for the neighbors.

Lindquist moved to accept the Rodgers Road Trail Easement as proposed by Marc Lamere, Young seconded the motion and all voted in favor.

Lamere noted the two original Trail Easement documents being presented for the Commission's signatures listed recently retired Commissioner Tom Brownrigg in error. The documents were revised to include current Commissioner Steve Smith on the signature page.

New Town Web Site Rollout/CivicPlus:

Willard directed Commissioners to a summary document provided in the meeting materials. She said the Administrative Assistant had participated in the training sessions and is now in the process of submitting information to be migrated to the new site.

ConsCom Goals and Objectives:

Verge asked Willard for suggestions on how the Commission might start to move forward on the items listed under "Goals and Objectives" on the agenda, since there has been no progress for quite some time. She asked Willard if progress is dependent on commissioners agreeing to take them on or otherwise. Willard said it is largely a matter of time constraints.

8:15 p.m. With no further business, Verge said she would accept a motion to adjourn. The motion was moved by Lindquist, seconded by Young and all voted in favor.

Respectfully submitted,
Mary Hopkins
Administrative Assistant

DOCUMENTS PRESENTED: (available for review in the Conservation Commission office upon request)
Rodgers Road Trail Easement