

**Carlisle Conservation Commission**  
**January 27, 2022**  
**Minutes**

7:03 p.m. Chair Parra Introduction to Remote Meeting: This meeting was conducted remotely pursuant to the Acts of 2021, an Act extending to April 1, 2022, certain Covid 19 measures adopted during the State of Emergency in order to mitigate the transmission of the virus. For this meeting, the Conservation Commission convened via Zoom web conference as posted on the town's web site identifying how the public may join. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings.

Members Present: Alex Parra (Chair), Lee Tatistcheff (7:08 – 9:25), Navneet Hundal, Brian Murphy, Nick Ognibene, Helen Young  
Members Absent: Dan Wells (Vice Chair)  
Conservation Staff: Sylvia Willard, Conservation Administrator  
Mary Hopkins, Asst. to Conservation Administrator

**Administrative Matters/Discussion Items:**

**Signatory Authorization:** On the motion by Ognibene and seconded by Hundal, it was VOTED to authorize the Administrator to sign documents discussed at this meeting on behalf of the Conservation Commission. Roll Call Vote: Hundal – aye; Ognibene – aye; Murphy – aye; Young – aye; Parra – aye.

**Approval of Bills:** On the motion by Hundal and seconded by Young, it was VOTED to approve the bills as presented. Roll Call Vote: Hundal – aye; Ognibene – aye; Murphy – aye; Young – aye; Parra – aye.

**Minutes:**

On the motion by Young and seconded by Ognibene, it was VOTED to approve the 10/28/2021 and 11/18/2021 as presented. Roll Call Vote: Young – aye; Hundal-abstain; Murphy – aye; Ognibene – aye; Parra – aye.

**CPA Applications:** Willard is in the process of preparing applications for an upgrade to the Cranberry Bog House fire alarm system and for the repair of Cranberry Bog Dam #1.

**7:17 p.m. (DEP 125-1130) 0 South Street**

**Applicant: Chris Buono, South Street Carlisle LLC**

**Project Location: 0 South St, Map 5 Parcel 54 & 56**

**Project Description: Construction of a single-family home, water supply well, tree removal, grading, construction of a driveway with wetland crossings, wetland fill and in the 100-foot buffer zone of a Bordering Vegetated Wetland**

Wetland scientist David Cowell of Hancock Associates was present on behalf of the applicant. Parra said the Commission has concerns about taking testimony because the abutters list submitted with the NOI is outdated. He suggested they continue the hearing until the abutters list is updated and notification is provided to any missing abutters. Mr. Cowell said the purpose of tonight's hearing is only to introduce the project and his preference is to proceed. Parra cautioned Mr. Cowell that if the Commission takes any testimony on the application and the notification to the abutters turns out to be incorrect in any aspect because of the outdated list, they will have to start over again; however, if they continue the hearing, they can verify the list and, if it is correct, can move on and avoid several weeks of delay.

Mr. Cowell said they are aware the Commission is seeking a peer review and several proposals have been received but not yet reviewed by the applicant. Parra asked Mr. Cowell if they have submitted the certified mail receipts for the abutter notification. Mr. Cowell said he believed they were scanned and submitted digitally. Willard said they had not yet been received. Tatistcheff pointed out the Commission has not allowed applicants in the past to provide testimony until green cards have been submitted. She said allowing this hearing to proceed

would be unfair to other applicants and could also leave the Commission open to litigation. Murphy agreed the hearing cannot be opened if the abutters list is incorrect and/or the green cards have not been received.

Mr. Cowell said they anticipate receiving the updated abutters list soon and will cross reference it against the expired list and send notification via certified mail to any abutters that were not included in the original notification. He agreed to request a continuance in advance of the February 10 meeting if they are unable to make the necessary notifications within the next day or two.

On the motion by Tatistcheff and seconded by Young, it was VOTED to continue the hearing to February 10, 2022 at 7:15 p.m. with the representative's approval. Roll Call Vote: Tatistcheff – aye; Young – aye; Hundal – aye; Ognibene – aye; Murphy – aye; Parra – aye.

**7:38 p.m. (DEP 125-1110) Notice of Intent, Continued Hearing**

**Applicant: Derek Zanga**

**Project Location: Off South Street: Map 5, Parcel 9, Lot A**

**Project Description: Construction of a paved driveway and replacement of an existing stone culvert that crosses an intermittent stream with work in the 100-foot Buffer Zone of a Bordering Vegetated Wetland**

On the motion by Young and seconded by Ognibene, it was VOTED to continue the hearing to March 3, 2022 at 8:00 p.m. at the representative's request. Roll Call Vote: Tatistcheff – aye; Young – aye; Hundal – aye; Ognibene – aye; Murphy – aye; Parra – aye.

**7:39 p.m. (DEP 125-1129) Notice of Intent, Continued Hearing**

**Applicant: Kevin Belmonte**

**Project Location: 101 Arrowhead Lane, Map 26 Parcel 20 Lot 2**

**Project Description: Landscape improvements including patio, steps, walls, lawn renovation and new plantings**

Landscape architect Sally Hill was present to review the plan revisions based on discussions at the previous hearing. The new plans incorporate work that had not been completed under the previous OOCs for this property including the house construction and the applicant's portion of the common driveway OOCs. Other plan changes include a drainage adjustment, revisions to the planting plan to address unsuccessful plantings, and the addition of a line of boulders along the lawn/woods line. Ms. Hill reported that although it is not reflected on the lighting plan, the applicant is willing to go with dark-sky compliant path lighting vs up lighting.

Willard said there was a deck added to the house that was not shown on the approved plan for the previous OOC. Ms. Hill said it was her understanding that Mr. Belmonte was going to reach out to Willard to try to resolve the deck issue by obtaining a partial COC for the house construction. Willard explained that with the current filing, there will be a total of 3 OOCs: one for the applicant's part of the common driveway, one for the construction of the house, and one for the current landscape plan. Remaining work relative to the common driveway includes plantings and the Commission would need an as built for the deck in order to satisfy the OOC for the house construction.

Ms. Hill said it was her assumption that the revised plans would allow them to incorporate all three OOCs into the current filing. Parra said since they have wrapped everything else into the current filing, the as built for the deck appears to be the last outstanding piece. He suggested the as built could be submitted as part of the plan for this NOI. Willard reported that upon further investigation of her digital files, she has located the revised engineering plan dated 12/15/2021 and confirmed the deck is shown. Parra asked what the closest distance is between the deck and wetlands. Willard said the closest approach is at approximately 70 feet, which would have been considered an exempt activity if a request had been submitted to the Commission as long as erosion controls were in place.

Parra said the other question is regarding placement of boulders as a permanent delineation and he asked if the OOC included specifications relative to size and spacing. Willard said the OOC for this project did not include specifications, only the requirement for a line of boulders along the limit of work at the edge of the tree line. Ms. Hill said they had planned to use some of the larger boulders from the existing wall and to bring in others in order to mitigate costs and with the intention of making the line look more natural. Hundal recalled from the site visit that the stones in the wall are not very large, and the concern is that over time they can easily become less obvious. Parra agreed the size is considerably smaller than what the Commission has required in the past. Tatistcheff explained the intent of the requirement is to protect the wetland by making the limit of work clear to future owners and to be fair in applying this practice to all applicants. Ms. Hill asked if the Commission could include specifications for the boulders within the OOC. Hundal suggested the OOC could include the standard requirement for cubic yard boulders spaced at 50 feet apart, with smaller stones interspersed at 25 feet apart if that is amenable. Parra noted the landscape plan includes large boulders in the front of the property toward the common driveway. He suggested the applicant could consider relocating those boulders to the limit of work line. This modification was found to be acceptable to the Commission and to the applicant.

On the motion by Hundal and seconded by Ognibene, it was VOTED to close the hearing for DEP 125-1129.

Roll Call Vote: Tatistcheff – aye; Young – aye; Hundal – aye; Ognibene – aye; Murphy – aye; Parra – aye.

On the motion by Tatistcheff and seconded by Hundal, it was VOTED to issue a Standard Order of Conditions which includes uncompleted work permitted by DEP 125-1020 and DEP 125-1018, both now expired, with the following Special Conditions: (1) a line of 1 cubic yard boulders shall be spaced 50 feet apart along the limit of work at the tree line leading from the proposed granite steps at the northerly property line with Lot 3 to the steep slope located near the southerly limit of work, with smaller stones interspersed along the limit of work between the boulders; (2) replacement plantings of native, straight species along the common driveway, as needed, and subject to the approval of the Administrator (plant tags to be left in place until inspection); (3) amendment of the NOI includes approval of the deck as shown on the revised plan dated 12/15/2021; (4) drainage adjustments at the front of the property in compliance with DEP 125-1108; and with a Continuing Condition allowing the manual removal of invasive plant species within the Buffer Zone.

Roll Call Vote: Tatistcheff – aye; Young – aye; Hundal – aye; Ognibene – aye; Murphy – aye; Parra – aye.

### **Request for Red Line Change:**

**(DEP 125-1088) 868 Concord Street:** Paul Kirchner of Stamski and McNary presented the request. An amended OOC was issued approximately one year ago allowing construction of additions to the house and cabin, alterations to the driveway, and plantings. Work on the screen porch has been completed. The applicant would like to begin work on the house and is now requesting approval of a red line change to include the installation of two geothermal wells and connections within the existing limit of work.

Willard visited the site earlier in the day. She reported the erosion control barrier appeared to be newly installed and said she was never contacted for an inspection prior to the beginning of work. She reported finding the barrier was not installed in accordance with the approved plan and said it will need to be adjusted from the point where it diverts from the approved limit of work. In addition to the potential for erosion, there is the concern that the current limit of work does not exclude the large trees that are to remain standing. Tatistcheff said that while she is very supportive of the proposal, she too has concerns about protecting the large trees that are not subject to removal. Mr. Kirchner said he has spoken with the property owner to communicate the issues with the erosion control barrier. They are now in the process of contacting the installer to schedule relocation of the barrier in accordance with the approved plan. Mr. Kirchner said there is the concern they may be unable to relocate the barrier due to frozen ground conditions and they are requesting approval from the Commission to proceed with work contingent on relocating the barrier when site conditions allow.

Tatistcheff agreed that moving the barrier would not likely be not possible until there is a significant thaw. She suggested a line of construction fencing could be installed as a temporary limit of work until the erosion control barrier can be relocated and said she would be comfortable with allowing work to proceed prior to relocating the barrier provided the trees to be left are clearly marked. There were no further comments.

On the motion by Tatistcheff and seconded by Ognibene, it was VOTED to approve the red line change subject to the installation of temporary construction fencing to accurately define the limit of work until the erosion control barrier can be relocated and with the requirement that all trees that are to remain must be clearly marked. Roll Call Vote: Tatistcheff – aye; Young – aye; Hundal – aye; Ognibene – aye; Murphy – aye; Parra – aye.

### **Conservation Land Management:**

**Land Use Permit:** On the motion by Ognibene and seconded by Murphy, it was unanimously VOTED to issue a Land Use Permit to Alan Ankers to lead the annual Trails Committee Moonlight Walk on February 12, 2022. Roll Call Vote: Hundal – aye; Ognibene – aye; Murphy – aye; Tatistcheff – aye; Young – aye; Parra – aye.

**Proposed Towle Mowing Protocols:** Land Stewardship Committee (LSC) co-chairs Warren Lyman and Rhonda Michaud were present with members Debbie Geltner, Tom Brownrigg, and Judy Asarkof to discuss the revised Towle mowing protocols they would like the Commission to consider. Mr. Lyman noted Commissioner Nick Ognibene, who is also a member of LSC, was also involved in developing the proposal.

Mr. Lyman said the LSC had developed the proposal when issues arose last July regarding modifications and special considerations they had put forth to provide greater habitat diversity that the mower was not comfortable with. The initial LSC proposal as presented to the Commission in July was largely based on the protocol for managing small fields as recommended by the Sudbury Valley Trustees (SVT) in a recent publication. In selecting this protocol, the LSC also benefited from input from two individuals with expertise in flora and field ecology: Kay Hurley and Judy Asarkof. A limited discussion at the July 2021 ConsCom meeting indicated there were still unresolved issues with the recommended protocol and the LSC was asked to come back with a revised mowing protocol.

Mr. Lyman said the LSC is now seeking the Commission's support of the proposed mowing protocol revisions. He noted the proposal is consistent with the management goals set forth in the Baseline Assessment and the Management Plan for Towle Field. A key element of the recommended protocols is avoidance of mowing during the full growing season – late April to late October – unless special habitat requirements, control of unwanted plants, or recreational needs suggest otherwise. For Towle Field, a portion of the valuable field edge habitat is given some special protection.

Mr. Lyman said for 2022 and beyond, LSC recommends the consideration of three different protocols which, while all focusing on habitat protection throughout the growing season, they provide different degrees of simplicity/complexity and attendant need for management resources. The key element of each protocol is as follows: Protocol A: One mowing per year, in late fall; may be done in sections on a rotating basis. Protocol B: One early season and one late fall mowing per year. Protocol C: Bifurcate the field into two sections, one using Protocol A or B, and the other section getting 2- 3 mowings per year, as needed, to provide low grass areas for both birds and open-field recreation.

Mr. Lyman said LSC has identified a preferred protocol in their report based on Protocol A, which also includes recommendations for protection of some field edge habitat. The primary changes they are recommending is less frequent mowing and the exclusion of any mowing during the growing season. This recommendation is based on research of mowing protocols of other towns and organizations and is consistent with those recommended by other environmental organizations.

Steve Tobin of the Trails Committee said he has been mowing the trails on 12 properties in the summer and asked if the proposal includes the unofficial trails people use to cut across the field, which he does not maintain. Mr. Lyman said their intent is to only address the main trails. Kay Hurley pointed out that part of the field was fenced off last year and not mowed as an experiment to determine how woody growth will emerge in that location by delaying mowing for one year. She suggested this area should be evaluated in making a determination regarding future management practices for Towle Field.

Concerns from the Commission were largely based on the unknown budgetary impacts of changing the mowing protocols for Towle and how the other fields in town could be managed with an already significantly limited maintenance budget. It was agreed that a more in-depth view of the economic impacts of the proposal is needed. LSC members agreed to investigate potential mowing costs by consulting with other towns and seeking cost information from the current mower and from other commercial mowers. In the meantime, a site visit will be scheduled at the beginning of the growing season to evaluate site conditions to assist further evaluating the proposal.

Parra expressly thanked the LSC for their work in preparing and presenting the proposal and asked them to return to continue the discussion when they can provide budgetary impact projections.

**Greenough Dam Repair Project:** On the motion by Tatistcheff and seconded by Hundal, it was VOTED to accept the Greenough Dam dedication plaque as proposed by the engineering consulting firm, Stevens Associates, identifying this as a CPA funded project and recognizing the primary project contributors, including Administrator Willard for her many years of service in support of repair efforts. Roll Call Vote: Hundal – aye; Murphy - aye; Ognibene – aye; Tatistcheff – aye; Young – aye; Parra – aye.

**Towle Conservation Land - Beaver Dam Flooding:** Trails Committee Vice Chair Steve Tobin was present to share the results of his recent investigations of beaver activity on the Towle Land since the fall:  
-Beavers took advantage of the heavy summer rains to construct six new dams in the southern part of Towle which have flooded large areas of former red maple/shrub swamp.  
-The ponds have flooded a bridge on the Inner Loop Trail (recently rerouted to higher ground) and intermittently the south end of the Bingham Connector Trail; In terms of public trails, he believes things are in fairly good shape at this point.

-A large number of trees have been killed by beaver felling, flooding, and girdling of hardwoods along the shore, particularly white oaks

Mr. Tobin shared site photographs and an annotated map illustrating the locations of the beaver activity. There are three distinct ponds created by the beaver dams: Pond 1 contains an active beaver lodge; Pond 2 is created by Dam 2 just north of the Towle property line and the new access on private property; no beaver lodges have been found on this pond; Pond 3 is created by Dams 4, 5 and 6; it does not impact any trails and is primarily on private property; no beaver lodges have been found in this pond.

Mr. Tobin said in his experience in dealing with beavers near trails, as long as the beavers are around, the dams will be well maintained until they deplete the food supply and move on. He encouraged people to visit these locations if they are interested in ecological change. The Commission thanked Mr. Tobin for documenting and presenting his findings.

### **Project Updates:**

**Enforcement: 42 Bingham Road, Michael Napier:** Wetland scientist David Crossman of B & C Associates provided an update on site work undertaken since the last meeting: the access and house area have been levelled out; the large rocks located within the proposed pool location have been broken up and relocated on site for future use; the steel plates have been installed across the second stream crossing.

Parra recalled there had been some discussion at the previous meeting about how best to support the steel plates. Mr. Crossman described the installation and confirmed it provides sufficient stability and a minimum of one foot of clearance over the stream. He said it is a small stream that is not currently flowing due to beaver activity upgradient of the crossing.

Willard said there is a pile of debris on the downstream side of the crossing, and she is concerned about the potential that spring snow melt may cause an issue. Mr. Crossman said the debris has been there all along and is now frozen in place. Siltation fencing is in place on both sides of the crossing running back and forth. He suggested allowing Mr. Napier to get the equipment over to the other side of the crossing to remove stumps while the ground is frozen would cause the least amount of potential erosion issues on the site.

Willard identified numerous locations on the site where erosion control barriers need to be installed and where the construction fencing/limit of work needs to be extended or adjusted. Mr. Crossman made several recommendations regarding site stabilization measures and adjustments to the limit of work. Parra asked if they were proposing any additional work beyond stumping the septic field. Mr. Napier said he is presently seeking permission to proceed with the stumping only. Parra asked Willard to meet with Mr. Crossman on site to make a determination as to what additional erosion control/limit of work adjustments must be made before moving forward with the stumping. Mr. Murphy said he had been to the site several times and offered to assist them in evaluating requirements.

On the motion by Hundal and seconded by Young, it was VOTED to modify the Enforcement Order to permit stumping to occur for the septic system only after a determination is made regarding additional erosion control/limit of work requirements and after the adjustments have been inspected and approved by the Administrator. Roll Call Vote: Young – aye; Ognibene – aye; Murphy – aye; Hundal – aye; Parra – aye.

**Subcommittee/Liaison Reports:**

**Cranberry Bog Working Group:** The NOI for phragmites control will be presented to the Commission on February 10.

9:50 p.m. On the motion by Young and seconded by Hundal, it was VOTED to adjourn. Roll Call Vote: Young – aye; Ognibene – aye; Murphy – aye; Hundal – aye; Parra – aye.

Respectfully submitted,  
Mary Hopkins

**All supporting materials that have been provided to members of this body can be made available on upon request**