

Carlisle Conservation Commission
February 10, 2022
Minutes

7:00 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; Dan Wells, Vice Chair (7:00-8:07) ; Lee Tatistcheff (7:16); Navneet Hundal; Nick Ognibene (9:34) Brian Murphy,
Members Absent: Helen Young
Conservation Staff: Sylvia Willard, Conservation Administrator

Administrative Matters/Discussion Items:

Signatory Authorization: On the motion by Hundal and seconded by Murphy, 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; Wells – aye; Murphy – aye; Parra – aye.

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

Review of Carlisle Special Orders of Conditions: Murphy agreed to work with Willard in further revising the Conditions; Wells will review the revised document prior to distribution to the Commission.

Greenough Dam Dedication Plaque: Willard requested the Commission consider adding the name of former member Angie Verge to the plaque in recognition of and appreciation for her work spanning several years in advocating for the project.

On the motion by Wells and seconded by Tatistcheff, it was enthusiastically VOTED to recognize Angie Verge on the dedication plaque. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Wells – aye; Murphy – aye; Parra – aye. Motion passed.

CPA Applications:

Cranberry Bog House Fire Protection System: The application has been submitted to the Municipal Facilities Committee (MFC) for their review as co-applicant. The MFC had previously agreed to assume responsibility for maintaining the bog house and will be overseeing the fire protection system upgrade process.

Cranberry Bog Dam #1 Repair: Parra said the Commission is continuing work on a proposal to undertake the maintenance that needs to be done according to the last inspection report from the Office of Dam Safety (ODS). The inspections are required on a 10-year cycle for Low Hazard dams like this one, with the next inspection to occur in 2024-2025. Willard has obtained preliminary cost estimates for the materials and site work and has received a quote for the engineering from Stamski and McNary. It is unknown whether or not a Hydrologic and Hydraulic (H&H) Study will be required by the ODS as part of the permitting process and will be addressed in phase two of the process once it is known whether the CPA funding request for phase one will be accepted. The Commission hopes the CPC will accept submission of a request based on the cost estimates received to date that could go out to bid if they are willing to go further.

7:19 p.m. (DEP 125-1130) Notice of Intent, Continued Hearing

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.

Willard reported she has verified signatures of the owners. The NOI forms will now be revised if required and additional information will be provided relative to the deeds. Willard confirmed the applicant obtained an updated abutters list following the previous hearing and all notification requirements have since been met.

On the motion by Hundal and seconded by Wells, it was VOTED to continue the hearing at the applicant's request to March 3, 2022 at 7:45 p.m. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Wells – aye; Murphy – aye; Parra – aye.

7:33 p.m. (DEP 125-1131) Notice of Intent

Applicant: Cranberry Bog Working Group, Ken Belitz, Chair; Project Location: 750 Curve Street; Project Description: Ecological restoration of approximately 15,465 sf of bordering vegetated wetland by herbicide treatment stands of *Phragmites australis* and approximately 8,268 sf of Riverfront Area.

Willard presented the NOI which she had prepared on behalf of the Cranberry Bog Working Group (CBWG). The project has been proposed as an Ecological Limited Project, which requires publication in the MEPA Environmental Monitor at least 10 days prior to the opening hearing. Willard confirmed the notification was published on 1/26/22; there were no comments or requests for additional information.

The proposed work includes treatment and removal of three defined stands of the non-native, invasive *Phragmites australis* (Common Reed), hereafter referred to as Phragmites, within approximately .36 acres of the Cranberry Bog. Work requested in the Notice of Intent is aimed at encouraging native plant and wildlife diversity and preventing the further establishment and spread of this non-native, invasive species within the Carlisle Cranberry Bog freshwater wetland complex prior to the eventual commencement of a wetland restoration plan currently being developed by the CBWG.

Two populations of Phragmites were identified in the western portion of the property in an area that recently has been under commercial operation. A third population of Phragmites is found in the northeastern bog area which has been in renovation over recent years but not recently in cultivation. When these populations became established has not been documented, but they were present in 2016 during an extensive plant documentation project. If unchecked, these populations will likely multiply and spread, as cranberry bogs across the property contain extensive suitable freshwater-dominated habitat conditions preferred by this species. Eradicating Phragmites from the site to prevent spread to adjacent wetlands prior to the initiation of planned wetland restoration activities is a high priority goal for the Conservation Commission.

The proposed treatment protocol was developed by licensed applicator John Bakewell of Carlisle Arboriculture, who was present to address questions. Initial treatment will be made after staking the three stands with a ten-foot boundary perimeter in the event the treatment area warrants future expansion due to emerging individual plants. Prior to the growing season, Phragmites stems will be cut, bagged, removed from the site, and properly disposed of. Any surface rhizomes will be pulled away at that time. Once the growing season is underway and the Phragmites begins to reach vegetative maturity and flower, herbicides will be applied with a backpack sprayer. The three stands of Phragmites will be monitored to document treatment success and evaluate the need for re-treatment when knee high. Mr. Bakewell will provide the Commission with a written report documenting the results of this work during the fall of 2022 and 2023.

Wells asked how the treatment areas will be identified for the public. Mr. Bakewell said he would be willing to bound and post any signage the Commission wishes to provide in advance of treatment applications. Wells asked how the cut stalks will be disposed of. Willard suggested covering the stalks with weighted black plastic to allow them to compost in an existing cleared sand pit area. Wells noted a technical error in the WPA Form 3 relative to resource area impacts that will need to be updated.

Murphy asked when native plants will be likely to begin emerging following treatment. Mr. Bakewell anticipates the surrounding native plants and shrubs will have extensive root systems and regrowth and will begin to appear during treatment as the phragmites starts to thin out.

Present for the discussion was Chelmsford Conservation Commission Former Chair David McLaughlin, who asked that they be notified in advance of treatments.

Also present was Jeannie Geneczko of Maple Street, who asked how long the toxins persist. Mr. Bakewell said that in the spectrum of herbicides and their application, they are rated not only by toxicity to any number of life forms but also to their propensity to leach, and neither of the proposed herbicides are rated as being troublesome.

On the motion by Tatistcheff and seconded by Wells, it was VOTED to close the hearing for DEP 125-1131. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Wells – aye; Murphy – aye; Parra – aye.

On the motion by Tatistcheff and seconded by Wells, it was VOTED to issue an Order of Conditions with Special Conditions as follows: (1) the contractor shall notify the Carlisle and the Chelmsford Conservation Commission in writing at least 5 days prior to start of work; (2) a notice shall be published in the Carlisle Mosquito at least 5 days prior to work; (3) the contractor will install staking at the limit of work approximately 10' out from the edge of each of the three patches of Phragmites and contact the Conservation Commission for inspection prior to the initiation of treatment; (4) signage shall be located at the three treatment areas to clearly notify the public where treatment will be occurring; (5) all plant material removed shall be moved to a site identified by the Conservation Commission, covered with weighted down heavy plastic, and allowed to compost in situ; the area shall be monitored to confirm that the materials remain adequately covered; (6) all herbicide treatments shall be undertaken by a licensed applicator; (7) the approximate date of the first herbicide treatment shall be noted on the sign, identifying the chemicals to be used and their concentrations; (8) a report including location photographs of each stand shall be provided to the Commission showing the conditions prior to work being started and at the conclusion of the growing season; these reports shall include approximate phragmites coverage and regrowth; (9) should the project area show less than 50% regrowth of native species within the first two years and six months of this permit, the applicant shall consult with the Conservation Commission regarding supplementing the area with native plantings or seedlings. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Wells – aye; Murphy – aye; Parra – aye.

Parra thanked Willard for preparing and presenting the Notice of Intent on behalf of the CBWG.

8:07 Wells left the meeting

Enforcement Update: 42 Bingham Road, Michael Napier: David Crossman of B & C Associates reported there has been no activity since the previous meeting. Mr. Crossman and Willard will be going out as soon as site conditions allow in order to evaluate erosion control measures before stumping can occur.

Conservation Land Management:

Community Garden Rules Annual Review: Foss Farm Community Garden Manager Jack O'Connor was present for the annual review of the garden rules for the upcoming season. Mr. O'Connor had proposed a few minor editorial updates but there were no substantive changes.

Mr. O'Connor reported hearing from a number of gardeners last year wanting to consider the possibility of managing the gardens with no-till agricultural practices. He said he would be further investigating the request with those who are interested followed by opportunities for all gardeners to provide input.

Mr. O'Connor said the garden fees primarily fund well maintenance including routine back flushing. Fees have also been used over the last several years to modify some of the wells to be more accessible for gardeners who wish to hook up auxiliary pumps as opposed to hand pumping and carrying water.

Parra thanked Mr. O'Connor for his work in managing the gardens. On the motion by Tatistcheff and seconded by Hundal, it was VOTED to approve the 2022 Foss Farm Community Garden Rules as distributed. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Murphy – aye; Parra – aye.

Cranberry Bog Dam #1 Beaver Control: Willard reported having received further guidance from the Mass Division of Fisheries and Wildlife furbearer biologist Dave Wattles: the beavers must be trapped and removed prior to the lodge removal; the trapping must be done prior to the end of the trapping season on April 15. Willard

noted receiving approval from Mass Wildlife for beaver trapping and lodge removal is highly unusual, but it is being allowed in this case due to directives from the Office of Dam Safety. Wells asked what is to prevent beavers from rebuilding on the dam. Willard said the dam repair plan includes armoring the dam with rip rap to discourage rebuilding. Wells said that although he had been opposed to trapping when the Commission discussed the issue previously, he is now willing to support it because the beaver activity has become more problematic.

Following further discussion, the Commission deferred voting on the request for a 10-day Emergency Permit until the next meeting in order to allow time for follow up with the trapper regarding procedures and preparation measures.

Land Use Permits:

On the motion by Hundal and seconded by Tatistcheff, it was VOTED to issue a Land Use Permit to Alan Ankers of the Trails Committee to lead public walks through 12/31/2022. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Murphy – aye; Parra – aye.

On the motion by Hundal and seconded by Tatistcheff, it was VOTED to issue a Land Use Permit to Marlies Henderson of Hike Beautiful Billerica to lead an annual walk on the Greenough Land on Saturday, February 19, 2022. Roll Call Vote: Tatistcheff – aye; Hundal – aye; Murphy – aye; Parra – aye.

9:34 p.m. Ognibene joined the meeting

9:36 p.m. On the motion by Hundal and seconded by Ognibene, it was VOTED to adjourn. Roll Call Vote: Ognibene – aye; Tatistcheff – aye; Hundal – aye; Murphy – 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