

## ***Topsfield Conservation Commission***

**Minutes for April 13, 2016**

Topsfield Library Meeting Room

Present: Dodds Shamroth, Acting Chair; Jim Carroll, Holger Luther; Jen DiCarlo; and Lana Spillman, Administrator, Cheryl Jolley, Chair, joined the meeting at 7:45 p.m. (during the Towne Lane discussion)

Absent: none

In attendance: Melinda Gutman, Sean Ward, Dan Philpot, Kim Philpot, Jen Hutt, Paul Greenaway, Maija Scarpaci, Geoffrey Regan, Alex Tatum, Dick Gandt.

Acting Chairman Shamroth called the meeting to order at 7:04 p.m. with a quorum present.

### **HEARINGS:**

**Continuation ANRAD 307-0726: 21 & 9 Towne Lane, (Map 33, Lot 061, Map 41, Lot 073), LeClair/Gove Environmental Services, Inc.**

Spillman has drafted a letter agreement for a peer review to DeRosa Environmental per agreement to retain a peer reviewer at the last meeting. The Commission will review the letter for approval. Residents in attendance wanted to know the details of the agreement and the reason for this review. Spillman went over what had occurred at previous hearing segments and noted that the remaining issues relative to the Resource Area identification on lots 9 and 21 were the country drain along Towne Lane at its crest abutting 21 Towne Lane and an Intermittent stream on the south end of 9 Towne Lane. She expressed expectations that the peer review will be concluded on or before April 27<sup>th</sup>.

Luther moved to continue the hearing until April 27<sup>th</sup>. Carroll seconded. All voted in favor.

**RDA 2016-03: 116 Boston Street, (Map 69, Lot 013), Peirce Farm LLC.**

Dan Philpot presented the proposed project at the north-east corner of the lot – a septic leaching system site for the house and the party barn at the top of the hill at the southern portion of the property. Spillman reported that she had walked the site, and had found no jurisdictional areas near the proposed system site. There is a culvert that carries a sizeable intermittent stream, about 4 - 6 feet below the surface across the lot and from a box culvert under Boston Street, with an outlet and sizeable Intermittent Stream at the northwestern corner of the property. There is BVW associated with the Intermittent Stream, and a Bylaw (at least)-jurisdictional wetland adjacent to Boston Street (these Resource Areas were delineated under a now expired ORAD). There was some discussion about the need for a sleeve over the septic system pipe. Luther stated that the need for a sleeve is a determination that will have to be made by the Topsfield BoH.

As there were no questions, Luther moved to close the hearing, Carroll seconded the motion; all were in favor. Luther then moved to issue a Negative Determination of Applicability for this project. Carroll seconded; all were in favor of the motion.

### **OTHER:**

**Rail Trail (RT), Proposed work on the trail north of Washington Street, RT Committee (RTC), Joe Geller**

There is an Intermittent Stream of stormwater crossing the RT that creates a muddy depression on the trail. Geller requested a DNI to repair the crossing with stone fill covered by Marafi cloth and topped by stone dust. Spillman questioned the application for the lack of an endorsement by National Grid (NG) the owner of the RT property. In fact, Josh Holden of the NG, apprised of the project, e-mailed a response that National Grid was unaware of the proposal and would need to review it; he would need more information to concur. Geller noted that the contract with NG states that the RTC may conduct maintenance operations, and that, furthermore, the RTC is only allowed two consultations per year with NG. Luther noted that the meaning of “maintenance” wasn’t spelled out in any detail in the contract. The argument about the TRC’s contractual authority to proceed with such projects was further explored by DiCarlo who pointed out that permission to proceed shouldn’t devolve upon the TCC when the issue of that permission lies between the owner and the lessee. Luther stated that permission to proceed with the remediation should be resolved between National Grid and the RTC.

**7A Howlett Street, (Map 33, Lot 031), Gotts – update**

The RDA (after the fact) for the deck, deck extension, above-ground pool, and patio, and RDNI for an ice rink will be filed in time for the next meeting on the 27<sup>th</sup>.

**General Permit for Highway and Water Departments.**

Luther is in touch with the parties and working with them to formulate the application.

**Town Beach/Town Forest Property 131 Haverhill Road:** (Map 05, Lot 015) erosion/siltation and restoration – update.

Jim MacDougall has offered to assist in the design of a solution to the problem.

**Rail Trail Committee Activities: Update**

Other than the discussion of the RT remediation, there’s nothing new to report.

**Wetlands General Bylaws Regulations:** DiCarlo and Spillman are working on the amendments.

**Munis Update:** Tyler Technologies.

Spillman reported on phone sessions with Tyler Technologies for implement improvements to the filing of TCC data into the Munis system. Improvements were made to the setup format to make it more useful and accurate for the Conservation Department, and numerous errors in input were corrected. Unfortunately, the ability of populating Munis with historic data from the Conservation Department’s extensive Excel spreadsheet is not available; this would have to have been set up prior to Munis going live.

**MEETING MINUTES: March 23, 2016**

Luther moved to approve those minutes as amended. The motion was seconded and so voted.

**ADMINISTRATOR’S REPORT:**

**Vernal Pool explorations:** Spillman, Luther and the 2016 summer intern, Brian Gallagher, looked at a pool just east of the RR bridge on the RT. Findings included numerous wood frog egg-masses, caddis fly larva, other invertebrates, and a leech. Brian will prepare a report for

possible certification of the pool with the MA Natural Heritage and Endangered Species program.

**Trees in Topsfield:** At a recent site visit, Bill Whiting and Spillman discussed their mutual interest in an inventory of notable trees of Topsfield, such as the champion Pin Oak tree on 57 Perkins Row and the specimen large Ash in front of the Parson Capon House. Spillman thought a book with photos and facts about large Trees of Topsfield might be a good Masconomet senior intern project, and Whiting offered to prepare a proposal for related activities for the intern.

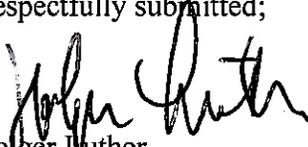
**Attorney Nysten Review:** The review is in connection with the denial of an Order of Conditions for a project at 57 Perkins Row. Nysten is currently reviewing all TCC NOI/OoC decisions back to 2006.

**Annual Town Meeting Tuesday, May 3, 2016:** Spillman reported that \$22K will be transferred out of the TCC Ch. 53-1/2 Bylaw Revolving Acct. to the General Acct. at the ATM, and \$10K is to be authorized for FY 2017.

**Beaver Activity at Betty's Pillow on Perkins Row, just north of the Stone Bridge at Mile Brook:** Spillman referred Greg Krom to the Mass Division of Fisheries and Wildlife for a State permit to remove the beaver dam.

**Next Meeting:** April 27, 2016 at 7:00 PM.

Respectfully submitted;

  
Holger Luther  
Conservation Commissioner

*Approved at the TCC meeting on April 27, 2016*

*Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Commission constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Commission as to the completeness or accuracy of such statements.*