

***Topsfield Conservation Commission
Minutes of Wednesday, June 11, 2014
Proctor Elementary School Library***

Present: Cheryl Jolley, Vice Chairperson; Holger Luther; Jim MacDougall; Jim Carroll; Lana Spillman, Conservation Administrator; and MaryAnn Tuxbury, Minutes Secretary.

Absent: Jennie Merrill, Chairperson

Other Attendees: Louis Soracco, Stantec Consulting Services; Ben Mangan, Stantec Consulting Services; Greg Krom, Water Department Superintendent; Bill Whiting; Mike Walsh; Jim Wilkinson; Paul Harder, Tree Planning Committee; Reggie Lockwood, Tree Planning Committee; Kerry Ditson, Summer Intern; and Selectman Dick Gandt.

The meeting was called to Order at 7:05 p.m.

HEARING:

NOI 307-0????: 39 – 196 Washington Street, (Public Right of Way), Town of Topsfield Water Department/ Stantec Consulting Services, Inc.

Greg Krom, the Water Department Superintendent, was present, along with Louis Soracco and Ben Mangan, from Stantec Consulting Services Inc.

Luther read the legal notice aloud. The project is a water main replacement for Washington Street. They will be starting at Colrain Road and going all the way to River Road. All the proposed work is within the existing right-of-way. From Colrain Road to Lockwood Lane will be half-width pipe, then it will be full width from then on. This will restore the water line to its original width. They will be crossing only one (1) culvert. The old water line is going to be abandoned.

Luther stated that there is a stream at the corner of Boxford Road, and that it has been identified as perennial under the Wetlands Bylaw. He asked how deep a trench they would be excavating. Krom replied that they are looking to have five (5) feet over the pipe, so they will dig down to about six and a half (6 1/2) feet. If the excavated material is good, they will put it right back in. Any excess soil will be hauled offsite, as part of the contract.

MacDougall asked how long the project would take and how long they would be working in the Buffer Zone. Krom replied that the project would take about two (2) to three (3) weeks, and that depends upon the experience of the pipe-laying crew. Mangan explained that they would be in the jurisdictional areas about four (4) days. Bill Whiting, 119 Washington Street, asked if there would be any impact on the surface drains. Krom replied no, and stated that they will mill around those, and then pave back to the original grade.

Jolley explained that the Commission could not close the hearing because a DEP number had not been issued.

A motion was made and seconded (Luther/MacDougall) to continue this hearing to the June 25, 2014 meeting. So voted unanimously.

REQUESTS:

RDNI 2014-10: 15 Perkins Circle, (Map 27, Lot 016), McNamara

There was no one present to represent the applicant.

Spillman stated that the request is for a patio, shed, and gazebo in the Riverfront Area of Mile Brook. The area is partly Buffer Zone, but mostly Riverfront Area of Mile Brook. There will be a patio; the gazebo will be at the top of slope; the shed will be placed on crushed stone and blocks; and the proposed treehouse will be on the side of the hill going to the river, all in Riverfront Area. She presented photos of the area to the members and recommended that the Commission issue a Determination of Negligible Impact with conditions.

A motion was made and seconded (Luther/Carroll) to issue a Determination of Negligible Impact. So voted unanimously.

RDNI 2014-11: 10 Hickory Lane, (Map 50, Lot 019), Walsh

Mike Walsh, the property owner, was present. He explained that the proposed work involves some downed trees resulting from a storm two (2) years ago. The trees are a huge oak tree plus a couple of smaller trees. These trees are in the BVW and an Intermittent Stream.

Spillman recommended that the Commission issue a Determination of Negligible Impact with the condition that all heavy equipment be restricted to the bridge crossing and the rear yard.

A motion was made and seconded (Luther/Carroll) to issue a Determination of Negligible Impact with the condition that all heavy equipment be restricted to the bridge crossing and the rear yard. So voted unanimously.

CoC 307-0703: 34 Gail Street, (Map 40, Lot 028), Morrison

There was no one present to represent the owner.

Spillman summarized that there has been a new owner of the property since February, whom she has spoken with, and they don't understand what an OoC is. They don't have an understanding as to what a resource area is or a Buffer Zone.

Spillman explained that the as-built plan does not show the rip-rap side slope/drainage swale in the eastern side of the house, which is wider than the pipe shown on the plan. The pipe is covered with crushed stone, and she could not tell where the outlet is.

Spillman informed the Commission of the violations on the site – unauthorized cutting of a maple tree 50 feet from the BVW; and there has been lots of dumping (including recently) of grass debris and lawn debris in the woods by the landscaping company, to within 15 feet of BVW.

Luther asked if it was a perforated pipe that was covered with the crushed stone. The as-built plan doesn't show what type of pipe it is. Luther concluded that since there is a question about whether or not this pipe is perforated or not, the Commission needs to have Gordie Rogerson come in and find out what has been installed and what type of drainage system is in place, because it's not obvious on the as-built plan. MacDougall commented that the plan is inadequate and the Commission needs more information. He agreed that the Commission needs

to have Gordie come in. Spillman added that she intends to ask the landscaper to come in with a filing after the fact.

OTHER:

Amended Enforcement Order issued on 7/20/2012: 70 Haverhill Road, (Map 17, Lot 045), DiBartolomeo – update and proposed modification of monitoring requirements

Spillman explained that the recent restoration plantings include a row of arborvitae, and this is a deer favorite. She asked the Commission for a recommendation for an alternate planting type. Luther suggested white pines.

120 High Street, Hickory Beech Subdivision – request to waive the stormwater/drainage inspection report requirement – vote

Jim Wilkinson, from the homeowner's association, was present.

The TCC discussed the importance of regular monitoring, including inspections, and that a waiver would be limited to this year. Following the discussion, a motion was made and seconded (Luther/MacDougall) to waive the requirement for the stormwater/drainage inspection report for this year only. So voted unanimously.

Tree Planning Committee – updates and TCC appointments (one year terms)

Paul Harder and Reggie Lockwood were present. Harder stated that they have looked into control of invasive plants, and there is no money in Town for such a project. He added that the Peabodys are still taking care of Arbor Day with the schools. Lockwood stated that he had not seen anything for this year for Arbor Day. Jolley added that the Peabodys usually did Arbor Day for the school, and she would check into it to see if it was done.

MacDougall informed the TCC that the Town no longer has a certified arborist, and that there are some nice trees in Town that need an advocate. MacDougall suggested having some sort of educational program on trees where people could go and view a specific tree to see what it would look like in 50 years, so as to give more of a visual of specific trees to plant.

OoC 307-0678: 207 & 233 Boston Street and 37 River Road/Topsfield Fairgrounds - discussion

Jolley lead the discussion. Parking at the Fairgrounds was an issue raised at Town Meeting. Not only is the Fair there, but there are also other activities taking place on the Fairgrounds throughout the year. She added that any time there is an event there that requires the use of any area under TCC jurisdiction, the TCC should be notified. It was noted that the current OoC is only for when the Fair is in session.

The Commission instructed Spillman to contact the Fairgrounds in regards to notifying the TCC when events are taking place in jurisdictional areas.

Work at Ipswich River Bridge, (Map 58, Lot 052), Rail Trail Committee – update

Spillman reported that Joe Geller had submitted a report. He is still working on a plan for the wing wall, and he still wants to take down the large tree near the bridge. She added that although the Emergency Certification was written and ready to be issued, work was done in the resource area before the Emergency Certification had been issued, so it was never issued. She requested that Joe Geller file a NOI and include the proposed wing wall installation and tree removal in the request. She asked if the Commission wanted to set a deadline for the NOI to be filed.

Summer Intern – update

Kerry Ditson was present and introduced herself to the Commission. She stated that she wants to work on an outreach program for the residents of the Town and new residents of the Town. This would enable people to learn about the TCC and what it does as well as what assistance is available to them.

ADMINISTRATOR'S REPORT:

DoA 2013-11 & Violation Notice 2014-01, 124 Hill Street, (Map 68, Lot 049) - update

Paul Harder, an abutter, was present.

Spillman informed the TCC that Glenn Ritter is no longer working at this site; he is now working in Cambridge. Someone else is going to be assigned to look at the water issues on the Harder property at 125 Hill Street. Harder stated that he is still having issues with the water, and that something was supposed to be done by May 15; it's now almost June 15 and still nothing has been done. The culvert is 80% full and there is no more drainage ditch.

A motion was made and seconded (Luther/Carroll) to set a date of June 30, 2014 for all the work related to the Violation Notice completed, to inform the owner in writing of the Commission's decision, and to let the owner know that they can be fined if the work is not completed by the deadline. So voted unanimously.

8 Evergreen Lane, (Map 50, Lot 028), Simoes, Violation Notice 2014-02 – update

The Commission had received a restoration plan from Bill Manuell of Wetlands and Land Management. Spillman recommended that the Commission approve this restoration plan.

A motion was made and seconded (Luther/Carroll) to approve the restoration plan submitted by Bill Manuell. So voted unanimously.

MEETING MINUTES:

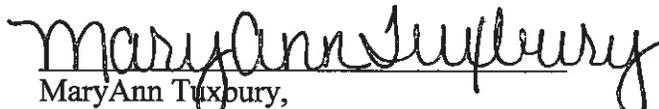
A motion was made and seconded (Luther/Carroll) to approve the **April 23, 2014** meeting minutes, as amended. So voted unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, a motion was made and seconded (Luther/Carroll) that the meeting be adjourned. So voted unanimously.

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,


MaryAnn Tuxbury,
Minutes Secretary

Minutes approved at the TCC meeting on September 24, 2014

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.