

Topsfield Conservation Commission
Minutes of Wednesday, July 16, 2014
Topsfield Library Meeting Room

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

Absent: Jennie Merrill, Chairperson

Other Attendees: Ray Lawton; John Morin, The Morin-Cameron Group; Chuck Johnson, C. G. Johnson Engineering; Laura Krause, DeRosa Environmental Consulting; Diane Gagnon, Meridian Associates; Robert Shamroth; and Dodds Shamroth.

The meeting was called to Order at 7:00 p.m.

HEARINGS:

AOoC #307-0708: 222 Boston Street, (Map 49, Lot 041), Lawton/The Morin-Cameron Group, Inc.

John Morin, from The Morin-Cameron Group, was present and represented the owner, Ray Lawton, who was also present. Morin submitted the green cards from the abutter notification. Luther read the legal notice aloud. Morin explained that the applicant would like to amend the Order to allow paving of the gravel driveway area and to put in a concrete pad. There will be an infiltration trench around the paved area. Morin stated that he had spoken to the abutter next door to the south who would like a retaining wall put in right up to the property line. He believes that the project with these changes will be better than what the original proposal was, because he believes it will be less of an impact.

Jolley asked what the purpose of the concrete pad was. Morin stated that it was for the forklift trucks that would be lifting materials to the second floor. The concrete pad stands up to the weight of a forklift better than pavement; a forklift makes grooves in the pavement.

Luther asked how the infiltration trench would be maintained. Morin stated they would do a visible inspection, and if anything should fall into it, they will rake it off. He also stated that they are proposing to use geo-textile fabric between the soil and stone. Spillman commented that trucks need to be kept off of the infiltration trench, and she suggested putting a white stripe on the edge of the pavement to mark it. The Commissioners agreed with the suggestion.

Jolley asked if there were any members of the public who wished to speak in regards to this application or to ask questions. There was no one.

A motion was made and seconded (Luther/Carroll) to close the hearing. So voted unanimously.

A motion was made and seconded (Luther/Carroll) to issue the Amendment to the OoC for 222 Boston Street for the work described and as shown on a plan entitled "Sanitary Disposal System Upgrade Designed for Lawton Welding Co., Inc., 222 Boston Street, Topsfield, MA",

amendment #2, dated July 1, 2014, and to include a special condition of a white stripe on the edge of the pavement to mark the infiltration trench to deter any trucks from entering into it. So voted unanimously.

NoI #307-___: 36 Alderbrook Drive, (Map 62, Lot 013), Jones/C.G. Johnson Engineering, Inc.

Chuck Johnson, from C.G. Johnson Engineering, was present and represented the owner. He submitted proof of abutter notification. Luther read the legal notice aloud. Johnson stated that the application is for a septic system upgrade within 100 feet of BVW; the septic system failed a Title 5 inspection. The location of the proposed leaching field is within the Commission's jurisdiction. There will be a 2" main with a high pressure force pump. The length of the pipe to the field is 263 feet. The design meets Title 5 criteria, but he hasn't submitted the plan to the BOH yet. The wetlands were flagged by Bill Manuell. Johnson stated that he needs to request a continuance of the hearing, because they don't have a DEP number yet.

Spillman reported that she had previously made a site visit with Johnson to review the Resource Area boundaries. There is a large pooled area behind the house that she believes is a large vernal pool, and most of the property is a large wetland system with a stream.

A motion was made and seconded (Luther/Carroll) to continue the public hearing to the August 20, 2014 meeting. So voted unanimously.

NoI #307-0716: 48 Candlewood Drive, (Map 43, Lot 021), Coughlin/DeRosa Environmental Consulting, Inc.

Laura Krause, from DeRosa Environmental Consulting, and Diane Gagnon, from Meridian Associates, were present and represented the applicant. Krause submitted proof of abutter notification. Luther read the legal notice aloud. Krause stated that the application is for construction of an attached garage, a portion of which will be in Buffer Zone of BVW, and outside of Riverfront Area on the site. She explained the plan and stated that there is invasive buckhorn, bittersweet and honeysuckle onsite. The rear portion of the lot is in the NHESP habitat area, and they have not heard back from NHESP yet. They will be enhancing the habitat for blue spotted salamanders. Plantings are proposed along the edge of the wetlands.

Luther stated that the Commission had spoken previously with Mike DeRosa in regards to a well-defined "hedge"/row of shrubs to prevent trespass onto the habitat area, and he doesn't see this on the plan. Krause stated they would add that to the plan. Luther also noted that they will need to monitor the plantings for two (2) years and anything not viable or dead will have to be replaced.

A motion was made and seconded (Luther/Carroll) to continue the public hearing to the August 20, 2014 meeting. So voted unanimously.

OTHER:

CoC #307-0700: 116 Perkins Row, (Map 51, Lot 011), Pawlowski/C. G. Johnson Engineering, Inc.

Chuck Johnson, from C.G. Johnson Engineering, was present and represented the owner. Spillman informed TCC that she had done a site visit, and everything is in order. She recommended that the Commission issue the CoC.

A motion was made and seconded (Luther/Carroll) to issue a CoC. So voted unanimously.

Enforcement Order #2014-01: 34 Gail Street, (Map 40, Lot 028), Cook – ratification and review of restoration plan

There was no one present to represent the owner.

Spillman explained that the tree planting restoration plan was not received today; the deadline was at noon today. She stated that she called the owner and did not receive a return call, and there has been no response to the Enforcement Order.

Jolley asked for any suggestions on how to proceed next. Spillman suggested that she continue to try and contact the owner, and that she could go to the house to try to speak to them in person. Luther agreed that Spillman should go to the residence and see if she can speak with the owner.

A motion was made and seconded (Luther/Carroll) to ratify the Enforcement Order. So voted unanimously. TCC signed the EO.

Enforcement Order #2014-02: 239 Boston Street, (Map 49, Lot 068), Yiakas c/o 239 Turnpike LLC/Meridian Associates – ratification and discussion

Diane Gagnon, from Meridian Associates, was present and represented the owner. She stated that she and Charlie Wear, also from Meridian, had been retained just this past week to do the plan. She asked for a continuance so that they could prepare the plan.

Luther stated that he has a concern over materials on the site not being covered, especially with the recent rain. He asked that these materials be sufficiently stabilized to prevent erosion and runoff during any rainfall. Gagnon responded that it would be done.

A motion was made and seconded (Luther/Carroll) to ratify the Enforcement Order. So voted unanimously.

MEETING MINUTES:

A motion was made and seconded (Luther/Carroll) to approve the **May 28, 2014** meeting minutes and the **June 25, 2014** meeting minutes, as amended. So voted unanimously.

ADMINISTRATOR'S REPORT:

120 High Street/Hickory Beech Subdivision

Spillman reported that she had gone out to look at the site, and she took pictures, which she showed to the Commission. She noted that recently placed sod at 18 Hickory Lane washed off the site in the next major rainstorm.

Luther stated that he was going to go out and check out the area to see what is going on out there.

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

There was no one present to discuss the site conditions.

Luther stated that there is still a pond forming during rainstorms in front of the entrance and the Harders's stream hasn't been dredged.

Spillman reported that she had spoken with Frank Iovanella, and he agreed to contact Paul Harder regarding the issues and to establish a time and method for removal of sediment from the stream.

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

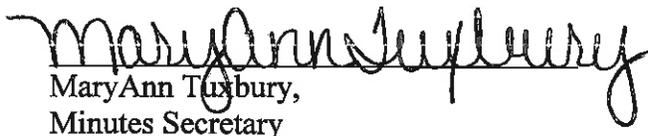
Spillman stated that she had received a message informing her that Mr. Simoes is out of the country. She will contact Bill Manuell to follow up on this.

ADJOURNMENT:

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

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,


MaryAnn Tuxbury,
Minutes Secretary

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.