

# ***Topsfield Conservation Commission***

***Minutes of Wednesday, August 20, 2014***

Topsfield Library Meeting Room

**PRESENT:** Cheryl Jolley, Vice Chairperson; Holger Luther; James Carroll; Lana Spillman, Conservation Administrator; MaryAnn Tuxbury, Minutes Secretary.

**ABSENT:** Jennie Merrill, Chairperson

**Other Attendees:** Laura Krause, DeRosa Environmental; Jay Koliass, Joshua Holden, National Grid; Tim Sullivan, VHB; Selectman Dick Gandt.

**NOTE:** *These minutes were transcribed from the audio recording and/or the Minutes Secretary's and Administrator's notes.*

The Meeting was called to order at 7:00 PM with a quorum present.

## **HEARINGS:**

**Continued NoI 307-0717: 36 Alderbrook Drive, (Map 62, Lot 013), Jones/C.G. Johnson Engineering, Inc.**

Johnson was not present, but previously had reviewed the plan and shared a copy with the TCC. TCC was awaiting a file number from DEP. Luther moved to close the hearing. The motion was seconded by Carroll and passed unanimously. Luther moved to issue the OoC with the usual conditions referencing the plan submitted by Johnson, dated July 1, 2014, with no revisions. The motion was seconded by Carroll and passed unanimously.

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

Administrator, Spillman made a site visit with Laura Kraus and Tyler Ferrick from DeRosa Environmental. Spillman approved some of the BVW flags, including the most critical ones, closest to the proposed activities. The NHESP letter states that there would be no effect on the state-listed species habitat. DEP field data sheets for the BVW boundary were submitted this afternoon. Luther submitted a report for the TCC site visit. There will be native shrubs/trees along the edge to create a barrier to the habitat area. A revised planting list and data sheets were submitted. Luther stated that another waiver is required, to Bylaw Regulation 10-4 e. 2. (c). In accordance with the Bylaw Regulations, new lots created after May 2000 cannot build in Buffer Zone.

Luther moved, with a second Carroll, to continue the hearing to September 10, 2014. So voted unanimously.

**RDA 2014-03: 3 Beech Place, (Map 50, Lot 037), Nulsen**

The hearing was postponed to September 10, 2014 due to the legal notice not being published until August 15<sup>th</sup>, (must be at least 5 business days prior).

**REQUESTS:**

**RDNI 2014-14: 3 Juniper Lane, (Map 58, Lot 051), Horgan**

This is an after-the-fact filing for a 6'x12' pre-built shed in Riverfront Area of the Ipswich River. Luther moved to issue a Determination of Negligible Impact under the Bylaw. The motion was seconded and passed unanimously.

**CoC 307-0607: 244 Rowley Bridge Road, (Map 80, Lot 010) DeBernardo/Wetlands & Land Management.**

Spillman recommended issuance. Luther moved to issue the CoC for work completed substantially in accordance with the Order. The motion was seconded and passed unanimously.

**CoC 307-0702: 8 Brady Lane, (Map 17, Lot 034), Kornusky**

Spillman recommended issuance. Luther moved to issue the CoC for work completed substantially done in accordance with the Order. The motion was seconded and passed unanimously.

**CoC 307-0705: 107 Wenham Road, (Map 71, Lot 036), Kolias/The Morin-Cameron Group, Inc.**

Spillman conducted a site visit and found the property substantially in compliance; she recommended issuance. Luther moved to issue the CoC for work completed substantially in compliance with the Order. The motion was seconded and passed unanimously.

Jay Kolias was present for further discussion. He wants to extend the elevated section of rear yard farther into the Riverfront Area. He would like to alter the grade to make more of a level area go into Riverfront area, add plantings, and put up a fence. Of concern is that the size limits for activities/alterations in Riverfront Area of the Act Regulations may already have been met.

**OTHER:**

**Enforcement Order 2014-01: 34 Gail Street, (Map 40, Lot 028), Cook – Update.**

Authorization was not given for the removal of several trees in Buffer Zone/Bylaw Riverfront Area on the abutter's property. Restoration is Christine Cook's responsibility.

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

Mr. Yiakas called Spillman and she requested an e-mail from Charlie Wear, his representative/engineer, with an outline of the proposed restoration work, date to expect the formal plan/proposal, and date(s) of expected implementation. The response never arrived. This matter will be taken up at the next TCC meeting.

**Violation Notice 2014-04: Rail Trail, RoW between Washington Street and Oak Road, (Map 17, Lot 017), National Grid**

This discussion was concerning the violations along the Rail Trail/Topsfield Linear Common, in the RoW between Washington Street and Oak Road. Two reports from Josh Holden of National Grid and Luther's notes had been distributed to TCC.

Tim Sullivan, VHB, and Joshua Holden, National Grid discussed what had happened. Holden apologized for not contacting the Commission when a tree fell, resulting in a power outage. Fill was placed in the area, including in the wet areas adjacent to the rail bed, without notice or coordination with the TCC. VHB went out and did the initial assessment. Holden contacted the area operations manager and e-mailed all the supervisors. Luther worries that drainage around the ballast has been neglected. Someone put fill in so they could go across from Oak Road to Parsonage; that blocks the drainage area. That and ruts equipment left have led to wetlands on top of the ballast. He fears that in a heavy rainstorm there will be stormwater problems. Luther suggested that if someone could put a pipe in, it could drain. Holden stated that he would rather not put a pipe in, he would suggest that it be dug out and put a footbridge in, so it can flow. Luther stated that when you cross over at Parsonage the ditch is almost level with the ballast and suggested that Holden get together with Joe Geller (Rail Trail Committee) and come up with where and how to drain the area. They could go through anytime with their trucks. Holden suggested that closer to Washington Street they could remove some of the material so it can flow across the ballast, so it can go from the West to the East. Holden added that he would have Sullivan go with Geller. Spillman offered it would be helpful to have a sketch plan with methods to submit to the TCC office, and added that fewer pipes would be better. Luther reported that he walked the area and it looks good now.

**Violation Order 2014-02: 8 Evergreen Lane, (Map 50, Lot 028), Simones – update.** Bill Manuell of Wetlands and Land Management reported to Spillman that the restoration has been completed; monitoring will continue. Spillman will follow up with a site visit.

**120 High Street/Hickory Beech Subdivision, OoCs 307-0507, various properties – update.**

Spillman, Luther and Jolley made the recent site visit: 3 Beech Place (Lot 23) – they did clean up the mess around the silt fencing and put larger stone onto the causeway. Water had not receded from the area of the septic system. 18 and 20 Hickory Lane (Lots 7 & 8) look reasonable. TCC is waiting for the next storm, with concerns that the little ditches are not going to survive. Between 19 and 17 Hickory Lane (Lots 10 & 11) there is an enormous amount of stone. At lot 17 Hickory Lane westerly there is a sloping area where mulch has been placed; it needs to be stabilized with grass. Monitoring needs to continue.

**Authorized Signatures**

TCC signed the form from the Accountant's office.

**Prospective Commissioner:** Jennifer DiCarlo introduced herself and stated that she is a Real Estate attorney and had been on the ZBA in Wakefield. She recently moved to Topsfield and is interested in joining the TCC. TCC encouraged her to submit an application to the BoS.

**SUMMER INTERN:** Spillman reported that the newspaper article Ditson wrote had been published on August 15<sup>th</sup> in the Tri Town Transcript and she summarized other projects in progress.

**ADJOURNMENT:**

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

The meeting was adjourned at 8:21 PM

Respectfully submitted



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Diane Wise

Minutes Secretary

*Minutes approved at the TCC meeting on November 5, 2014*

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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.

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