

Topsfield Conservation Commission

Minutes of Wednesday, November 5, 2014

Topsfield Library Meeting Room

PRESENT: Jennie Merrill, Chairperson; Cheryl Jolley, Vice Chairperson; Holger Luther; James Carroll; Dodds Shamroth; MaryAnn Tuxbury, Department Secretary; Lana Spillman, Conservation Administrator; Dee Wise, Minutes Secretary.

ABSENT: None.

Other Attendees: Frank Crowley, Aiden Crowley, Robert Shamroth, James O'Brien, Greg Hochmuth, Michael Walsh, David Santomenna, Jay Koliass, Joshua Holden of National Grid, Dick Gandt, Selectman.

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

REQUESTS:

RDNI 2014-22: 8 Brady Lane, (Map 17, Lot 034), Kornusky – No Person Present. Spillman stated that this was an “after the fact” application for a stone walkway and patio with fire ring in outer Riverfront Area of Pye Brook. Spillman suggested a motion to issue a DNI. Luther moved to issue the DNI. Motion was seconded by Merrill and passed unanimously.

Emergency Certification TCC 2014-05: Mile Brook adjacent to well field off Perkins Row; Review TCC Beaver Policy. The emergency certification authorized breaching a small section of the beaver dam just north of the Mile Brook Bridge at Perkins Row, to make noise to attract the beavers to be trapped. The public health threat was to the adjacent town well fields. Luther stated his disappointment in how the beaver issue is being handled. He stated that there needs to be a better solution in place since the beaver is critical to the wildlife functions and values. Spillman informed TCC that Greg Krom had investigated installation of a water flow control device and was told by an expert that it would not be possible at this location due to the shallowness of the water. Spillman stated that Greg Krom proposed to come back before the TCC with a NoI filing to remove the entire dam after the beavers have been trapped. Jolley suggested that Krom come before the TCC ready to discuss the NoI and the removal of the dam. Jolley moved to ratify the Emergency Certification. The motion was seconded and passed unanimously.

OTHER:

362 Boston Street/Conservation Property, (Map 26, Lot 001), Aiden Crowley, Presentation – Summary of Eagle Scout Project.

Crowley presented a slide show of his completed Eagle Scout project. The finished project shows a well-built bench that is well cordoned off from traffic. He stated that he called Dig Safe 48 hours before he started his project and in the end he, his friends and family spent 182 hours completing this project. Luther moved to issue a CoC (307-0699) for the site for a job well done. Carroll seconded and the motion passed unanimously.

Tree Committee Applicant - John Meinelt – No Person Present. Continued.

OoC 307-0678, Topsfield Fairgrounds, 207 Boston Street, (Map 57, Lot 004) - parking, follow-up Greg Hochmuth and Jim O'Brien were present. Spillman made a site visit soon after the Fair closed and already soil augmentation was being brought in. O'Brien stated that during the Fair, the lines (for limits of parking) had been adjusted and 3/4" plywood was put down in a muddy area. The parking attendant pointed fair visitors away from the area. Hochmuth offered to take elevations where the augmentations were placed, to document those areas/elevations for future reference. The October 23rd storm resulted in Field 1 being flooded up to the utility poles, and the hydro seed is now "in Ipswich".

Jolley stated that she thought the protocol went well and was happy that there was no parking in the problem areas. Jolley also stated that many people used the Rail Trail to get to the Fair. O'Brien and Hochmuth stated that they are working on closing all the old filings with the TCC so that they may clean up the old paperwork. Hochmuth added that some of the requirements may not be relative at this point in time. Luther stated he would like to review what the old requirements were.

Enforcement Order 2014-01: 34 Gail Street, (Map, 40, Lot 028), Cook – Update. Plantings were installed, on 34 Gail Street only, on Tuesday, October 21, 2014. The lot line needs to be re-staked by survey. Spillman explained that Christine Cook sent a message to her stating that she is working on getting the lot line survey done. The neighbor at 36 Gail Street proposes to file a RDNI to install a fence once the plantings are established.

Violation Notice 2014-04: RoW between Washington Street & Oak Road, (Map 40, Lot 017) – National Grid, update. Joshua Holden from National Grid was present. Holden stated that he visited the site and walked up by Oak Road near poles #s 152 & 153; he moved some of the mulch near pole #155; the catch basin was not visible. On October 23rd during the nor'easter (about a 25 year rainstorm) the water flowed west from Oak Road to the depression by pole #156, went towards the left side, and crossed the piece of land to the catch basin. On the East side it flows down by poles #s 152 and 153 or to catch basin by #155. Holden showed some pictures that indicate the flow of the water. Spillman will write a letter to close out this issue. Luther moved that the Commission has received the report and is satisfied that the work satisfies the remediation. Carroll seconded and the motion passed unanimously.

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

Spillman suggested sending a letter to the Planning Board and requesting to be included in the Peer Review of the property. Spillman offered there would be three reasons that the Planning Board might consider including the TCC.

1) Comparison to as-built, elevation, over-flows and drainage structure construction. Beals and Thomas has to look at the entire drainage built there.

2) In accordance with the OoCs, there is not supposed to be drainage from driveways to roadways and there are several that look as if that happens. OoC review with respect to compliance on 22 Evergreen (lot #18), Beech and Evergreen, steep driveway, flowing out into the road. On Evergreen a 3" berm diverts the water to a grate.

3) Snow removal, where will it go, is there a designated area on the plan, away from the wetlands? Luther stated that there are detention ponds and the snow can go there; they are on the plan.

Spillman stated that during a recent rainstorm the water that was flowing between 19 and 17 Hickory Lane (lots 10 & 11) was not clear. She took pictures.

Mike Walsh from the Homeowners Association stated that he was aware of some things but not all. Luther noted that on 3 Beech Place (lot #23) there is pervious pavement.

OoC 307-0714: 13 Pond Street, (Map 02, Lot 004).

DEP received payment. Bill Manuell was going to do some planting, Spillman suggested a strip of 10 ft. to plant as no-mow, for protection of the BVW and shore. Spillman did a sketch for the TCC to show this. Mr. Duffy has consented to the idea of not mowing a 10-foot area near the pond; wetland previously has been mowed. There was no specific planting plan received by Bill Manuell. TCC would like something from him that states what he has in mind. Luther stated that once the bushes are in it will be better.

Meeting Minutes: The minutes from **August 20, 2014** were accepted as amended with a motion by Luther and seconded by Carroll. Passed Unanimously.

Administrative Report:

Spillman introduced Dodds Shamroth as a new Commission member. Mary Ann Tuxbury is now the Department Secretary; Dee Wise is the Minutes Secretary.

Conservation Property Monitoring: 19 Pheasant Lane Conservation Land

Boardwalk may need to be moved, it looks as if it acts like a dam. Signage needs to be more visible. Luther suggested that they hire somebody to remove the Pine Tree that is across the trail on the Conservation Land in Pye Brook Community Park. TCC had no dumping signs made a few years ago and have put some up. Spillman would like to have one put up in Klock Park, there is some littering going on at the back end, adjacent to the certified vernal pool

Topsfield Pay and Compensation Study: The report was discussed at the BoS meetings. The Selectmen have accepted the study, which was the first step; now the implementation will take place.

CRs and APRs: Possibility of co-holding with Greenbelt. A discussion with Dave Santomenna. It was stated that there is a 2.5 million asking price for the properties for sale on Route 1 south. Luther stated that the figure was over stated. Spillman explained that it is a 23-acre lot with 2 parcels, one at 9.3 acres and one at 14 acres. The grassland/wetland is below, near the farmhouse. Santomenna explained that

Greenbelt has an interest level as a community partner. Santomenna added that at the meeting he attended there was a 1-½ hour discussion on various options and that they are in the scoping process. James O'Brien (Essex Agricultural Society/Topsfield Fair) has an interest in it as in an agricultural property. It is being used to grow corn at this time. Luther and Santomenna discussed the different types of soil on the property; most is not good. The property has major constraints. Santomenna stated that the TCC/Town had 120 days to make a decision. Shamroth is concerned about the use of the property. Appraisal for the property would cost about \$3-\$4 thousand dollars and in 6- 12 months it will be out of date; Santomenna suggested to do a summary appraisal, just as guidance. Santomenna mentioned the town seeking acceptance of the CPA but it was noted that the CPA had come before the town two previous times and it failed to make the Town meeting hurdle. Luther is going to have a discussing with Martha, Sean and Jamie to get a clearer idea. Luther will track this project for the TCC.

MACC Environmental Handbook: All Commission members were given access for the first year free. The handbook is still good at this point but there will be an annual fee. Commissioners can access it online.

Pye Brook Community Park: Steve Shepard wants to convert an irrigation pond in Pye Brook Community Park to a sports field. Spillman stated that the land is wetland but not of very high value. It has been filled in with clay liner, plastic liner and leaks. Spillman suggested that Shepard file a RDA for the TCC's review and determination.. Shepard is not in a hurry to do this; this is a long-term project.

Miscellaneous: Jennie Merrill stated that she will be resigning from the Commission due to personal matters.

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 9:11 PM

Respectfully submitted



Diane Wise

Minutes Secretary

Minutes approved at the TCC meeting on November 19, 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.