

## ***Topsfield Conservation Commission***

**Meeting of Wednesday, March 14, 2012**

Topsfield Library Meeting Room

**Present:** Commissioners George Hall (Chair), Holger Luther (Vice-Chair), Jim MacDougall, Mark Erickson, Jim Carroll; Administrator Lana Spillman; Minutes Secretary Debbie Rogers.

**Absent:** Commissioners Cheryl Jolley and Jennie Merrill.

**Also in attendance:** Representing 30 Wildes Road, New Meadows Golf Course: Jim MacDowell, Planner/Consultant, Inc.; Frank Iovanella, owner, and Dana Williamson, Grounds Manager; Massachusetts Audubon Society, 87 Perkins Row: Carol Decker; Representing 18 Hickory Lane: Larry Beals and Joseph Falzone; TCC Liaison, Selectman Dick Gandt; Jeanne Li, Heidi Fox.

The meeting was called to order at 7:06 PM with a quorum present.

### **PUBLIC HEARINGS:**

#### **RDA 2012-01: 30 Wildes Road – New Meadows Golf Course, (Map 8, Lot 5), Iovanella/Eastern Land Survey**

The proposal is to cut forty-nine mature trees, some of which are dead, leaning, or storm-damaged, to keep the fairways safe and prevent the growth of fungus with better air circulation. Most are large white pines; others include a few red oak and ash trees. Some trees are located in buffer zone and riverfront areas. MacDowell stated that the plan is to remove the damaged trees in the winter when the ground is frozen, leave the stumps, and use organic products when possible for minimal environmental impact. Spillman walked the property with MacDowell in January.

Luther moved to close the hearing; the motion was seconded, and passed unanimously. A motion made by Luther to issue a Negative Determination of Applicability and permit the activity as proposed for New Meadows G.C. as depicted on the plan was seconded and passed unanimously.

#### **NoI 307-\_\_\_ : 87 Perkins Row/IRWS, (Map 51, Lot 21), Mass Audubon Society/Decker**

MacDougall recused himself and left the room.

There was discussion to consider the NoI requesting a general permit for maintenance, repair, and limited vegetation control in resource areas at the Ipswich River Wildlife Sanctuary. Decker explained that the intent was to include maintenance projects in one NoI. Currently, there are five water control devices at the sanctuary that allow water to flow through. Partial dam breeches and pipes have worked to control beavers. Larger pipes would help in some areas. Luther questioned if new water flow control devices at new locations could be included in a general permit. Alteration of resource areas is a concern that needs to be addressed. Material used, including those for temporary boardwalks and invasive plant control near wetlands and vernal pools were discussed. Hall suggested some

limitations on the use of gravel in resource areas so it is primarily used for stabilization and not for elevation changes and requested a map showing location of resource areas and portions of trails in resource areas at the sanctuary. A DEP file number will be issued once DEP receives a copy of the NoI.

A motion was made by Luther to continue the hearing until March 28. It was seconded by Carroll, and passed unanimously.

**RDA 2012-02: 18 Hickory Lane, (Map 42, Lot 43), Jedlin/Meeting Way Corp. /Beals Associates**

The proposed project is construction of a berm in the buffer zone to divert water that currently is flowing in a constructed swale and stream across a series of properties, and to not alter to any significant degree the wetland resource area. Beals summarized the situation and proposed the existing swale flow be directed into tracks already in the ground from heavy equipment, as a platform, with construction of a berm to direct the flow to an intermittent stream with a well-defined channel at the rear of lots 7 through 9. The design intent is to direct the water into the tracks to help address sedimentation control and soil erosion. The goal is to keep the water in an extension of the previously constructed swale, so it does not flow across Lot 7 and onto other downslope lots. It was emphasized that the proposed design deals specifically with surface water, not the water flowing within two feet of the surface. There is native material such as logs and stones available that will be used to divert and create a safety effect, not a dam effect, with the goal being to reduce the velocity of water.

Luther made a motion to close the hearing; the motion was seconded by Carroll and passed with a unanimous vote.

Luther moved to issue a negative determination and permit the project as proposed and shown on the Feb. 17, 2012 plan and require that any erosion or failure be corrected and stabilized and the completed project be monitored for a year to make sure that the cure has been achieved. The motion was seconded by MacDougall, and passed unanimously.

**REQUEST:**

**Extension ORAD 307-0480: 120 High Street/Hickory Beech Subdivision, (Map 49, Lot 56), Hickory Beach Realty Trust/Beals Associates**

A request was received from Beals Associates, Inc. for an extension to the ORAD for wetland delineation until April 30, 2014 as there are still several undeveloped lots within the project. TCC had extended the ORAD to April 30, 2012 to allow review of the resource areas in the subdivision, especially boundaries that have changed since or are not listed in the original ORAD. Hall summarized that when the subdivision was created, lots were to be laid out so that all would have sufficient areas outside of buffer zones and during the review process there was a lot of argument about stream channels and where water flows on the site. Concerns were discussed on the accuracy of the previous ORAD and the importance of proper water management to protect resource area hydrology. A walk through the affected areas with the TCC was proposed so problematic areas could be observed and taken into consideration before granting an extension. Spillman will notify Beals of areas where wetland resource area flags should be refreshed. A site visit will be scheduled before the

April meeting to gather information on resource area boundaries and water flow on the site. Luther, Spillman, and MacDougall will be part of a subcommittee to pursue this issue. The matter was continued to the April 11 TCC meeting. No vote is required at this time.

**PUBLIC HEARING:**

**NoI 307-\_\_ : 15 Kinsman Lane, (Map 31, Lot 78), Whyman/Magnus**

Representative John Whyman presented plans for a septic system repair with a pump system and a mound for a project located in a buffer zone to a bordering vegetated wetland. A fieldstone wall will be built at the edge of the system. The plan shows the closest wetland flag to the proposed system at about 90 feet. DEP has not issued a file number, waiting for the fee check to clear.

A motion made by Luther to continue the hearing until March 28, was seconded, and passed unanimously.

**REQUESTS:**

**CoC 307-0365: Off Cross Street/41 Cross Street/Meredith Farm**, (Map 62, Lot 2) Nash  
**CoC 307-0368: Off Cross Street/41 Cross Street/Meredith Farm**, (Map 62, Lot 2) Nash  
Christopher Nash (present) requested CoC's for two work involving cleanup of two dump areas, one near the Ipswich River (307-0368) and one in Buffer Zone at the center of the property known as Meredith Farm. Spillman made a site visit with Nash and John Dick of Hancock Associates on March 12 and recommended issuance.

A motion made by Luther to issue CoC's for the two remedial efforts, DEP file numbers 307-0368 and 307-0365, was seconded, and passed unanimously.

**MEETING MINUTES:**

A motion made by Luther to accept the minutes, as amended, from **February 8, 2012** and **February 22, 2012** was seconded, and passed with a unanimous vote.

**OTHER:**

**NoI 307-0678: 207 & 233 Boston Street (Topsfield Fairgrounds) and 37 River Road (South Main Street frontage), (Map 57, Lots 4-1,4-2, & 7; Map 48, Lot 13; & Map 49, Lot 82), Essex Agricultural Society and Aftandilian/The Neve-Morin Group**  
Hall stated that the presumption is that it is not appropriate to park in wetland areas and floodplains unless there is unanimous agreement that the land area is stable enough to support parking without environmental damage. Test wells should help determine stability. Monitoring should start one month prior to the Fair and continue daily during the Fair. The continuing condition about parking vehicles should state, "except as is expressly authorized."

A motion made by Luther to approve the Order of Conditions as amended, was seconded, and passed with a unanimous vote.

**Bylaw Regulation Amendments**

The TCC has been coordinating information with the Planning Board to update soil maps, etc. Luther and MacDougall are working on an update to the regulations for an amendment to indicate soil conditions using data collected on the maps.

**ADMINISTRATOR'S REPORT:**

**Bare Hill Road/Haverhill Road and Main Street/Normandy Row areas**

A NoI for water main work is expected any day for these areas.

**Highway and Water Departments, General Permit Consideration**

Water main work is being proposed and a general OoC would help keep them from having to come back. Luther will call Dave Bond or Greg Krom about this issue.

At 9:38 PM a motion made by Luther to adjourn was seconded, and passed with a unanimous vote.

Respectfully submitted,

*Debbie Rogers*

Debbie Rogers  
Minutes Secretary

*Accepted at the TCC meeting on March 28, 2012*

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.