

## ***Topsfield Conservation Commission***

**MINUTES of May 25, 2011**

Topsfield Library Meeting Room

Present: Commissioners George Hall, Chair; Holger Luther, Vice-Chair; Jim MacDougall; Jud Pratt; Cheryl Jolley and Mark Erickson (arrived during the 435 Boston Street discussion); and Administrator, Lana Spillman.

Absent: Lisa Nihan-Demeule, Minutes Secretary

*Note: These minutes were prepared from the audio recording and Administrator's notes.*

With a quorum present, the meeting was called to order at 7:16 p.m.

### **OTHER:**

#### **435 Boston Street, MBK Realty Trust – discussion**

Sandy Patrican, owner of the building (formerly a glass company and now Gibraltar Pools), was present to discuss activities at the property. The TCC office had received a call that heavy equipment was grading the crushed stone parking area adjacent to BVW and Howlett Brook. Patrican explained that there is an old OoC from 1985 regarding normal maintenance; the TCC at that time did not want the area to be paved. He understands that he has a continuing right to grade the lot every year or so. Patrican added that they may wish to install a gravel swale and some kind of detention pond in the back. TCC has investigated the complaint and verified that the OoC allows for periodic maintenance. Patrican indicated that he may prefer paving and will meet with Spillman later this summer to discuss if there is a better way to control the drainage. TCC is open to a different way to manage this area as long as it is properly designed.

#### **427 Boston Street, Fairview Machine – discussion**

David Snow, Vice President of Operations for Fairview Machine, owned by 427 Boston Street Trust, presented. The TCC office had received a complaint of a big orange path with an oil-like sheen from behind the building from an outflow pipe to the BVW. An OoC for paving and drainage structures received a CoC a couple of years ago; the CoC requires that the owner(s) perform regular testing and maintenance of the stormwater management structures installed under the OoC. Snow explained that the water table is within a foot of the pavement and they have to pump the water out from underneath the building. Engineers designed the drainage so it is infiltrated before it goes into the wetland. Luther asked if the orange is iron oxide. Snow was having the outflow tested every six months, and after acceptable results asked to test every year due to the cost. He stated that there is virtually no oil in the water and that they don't have any chemicals per se. He added that they have chemicals hauled away. Snow has 20 years of records. Spillman added there was a lot of water being pumped, and the stormwater structure was installed when improvements were made to the parking area. Snow would like to pump it underground. Erickson pointed out that the BVW reduces the pH, causing the iron to precipitate out; the iron would clog a filtration system quickly. Conclusion: There is not a problem based on water testing. Snow commented that he infiltration structure is cleaned out once a year to get the accumulated sediment out of it.

**NoI TCC 2011-01: 4 Wenham Road, (Map 64, Lot 10), Patkin/Hancock Associates**

The hearing for the proposed soil testing with access across Wetlands Resource Areas was closed at the previous TCC meeting, and Spillman had distributed a draft OoC. Luther summarized the usual and proposed special conditions. A special permit is needed from the Planning Board to breach the stone wall. Before the work commences, they will need to have a conference with Spillman and John Dick and the operator of equipment in attendance. Only certain tracked vehicles can go in on mud mats. The area is to be staked out before beginning the work. A \$1,500 bond is to be placed in escrow to cover any damages that may occur. There are requirements of siltation fence on the high area that bounds the wetlands and complete cleanup at the end of the day. Holes that are dug are to be backfilled with no more than three foot lifts before they're compacted to final grade and a final inspection is needed prior to consideration for a CoC. Luther proposed two amendments. Luther moved to issue an OoC under the Bylaw with the usual and Special Conditions incorporating the two amendments. The motion was seconded and passed with five ayes and one abstention.

**REQUESTS:**

**RDNI 2011-04: 202 Haverhill Road, (Map 1, Lot 5), Ackerman**

The proposal is to replace an addition, including replacing 12 cedar stumps beneath the addition with 4-foot sono tubes, and 6' X 6' treated posts in Riverfront Area of Pye Brook (outside of BZ). Luther moved that the proposed project would not have a negative impact and to issue a DNI. Hall moved to amend the motion to include that the approval be subject to Spillman obtaining a sketch adequate to the proposed work. Both motions were seconded and approved unanimously.

**RDNI 2011-05: Essex Agricultural Society/Fairgrounds – request for Fireworks Display at 167 High Street, (Map 58, Lot 6)**

Luther concluded that if the area where the fireworks are proposed is left as it was found, the project will have no harm to the area. Erickson asked about the outstanding management plan that the TCC is still waiting for. TCC issued an EO after the inspection following the 2010 Fair; the EO prohibits parking in any wet area without a TCC-approved plan. It is about five months before the 2011 Fair, and the TCC will need time to review the proposed management plan. TCC would like to act on the RDNI at that same time as they review the parking permit application that the Fairgrounds has yet to submit. Luther moved to write a letter stating that their DNI request has been received, and asking the Fair to come in to TCC to discuss the farm plan, which TCC has concerns about, and this RDNI. The motion was seconded and passed unanimously. The discussion continued about how to help the Fair approach their parking issue and where the Wetland Resource Area boundaries are, and flood storage concerns.

**MEETING MINUTES:**

Luther moved to accept the minutes of **April 13, 2011** as corrected and amended. The motion was seconded and passed by a vote of five, with Hall abstaining.

**OTHER:**

**Stream Crossing Inventory Training, June 23**

The training will take place at the Topsfield Town Library Meeting Room from 5:00 to 9:00 p.m. on June 23. Support materials, forms, etc. will be discussed; data will go into the UMASS CAPS

(Conservation Assessment and Prioritization System) computer. They will assess which culverts are the greatest threat to wildlife. The watershed is sending out the word to all towns in the watershed. For any town that wants to motivate volunteers to avoid expenses related to EPA Phase 2 evaluations, this training will be good to attend. Registration is with MacDougall.

### **Summer Intern**

Spillman introduced Heather Darrah, a civil engineering student at Trine University in Angola, Indiana, who is volunteering as a summer intern in Town hall departments. Heather is interested in Conservation department work, especially the surveying work that would be involved with the stream crossing inventory. MacDougall commented that the Water Department and TCC have survey equipment.

### **Conservation Property at 255 High Street**

This Town property is under the management of TCC. There is a very long, narrow portion of the Conservation property extending down between 14 and 18 High Ridge Road and there is an easement over the property at 1 Morningside Drive. Currently, the sliver of the Town property is being maintained as private property at 14 High Ridge Road. There is no signage to indicate that it is Town Conservation property to be used as an access pathway to the main area of conservation land. Baseline documentation of the Conservation Property, boundary documents, and a management plan are needed. MacDougall suggested a parking area along the High Street boundary of the property and added that there are some good maples on the property for tapping. There is a Town trail inventory that ECTA maintains; TCC has a copy of that. MacDougall commented that locally there are some eyes and ears for conservation land and for this property. The Planning Board has had some interest in it. Hall would like to get all interested people to talk to each other and recruit others. Heather Darrah offered to assist with baseline documentation on the property. There was further discussion about trails in Topsfield and how to get citizens involved.

### **ADMINISTRATOR'S REPORT:**

#### **Cross Street, Nash**

The required plan was not submitted y May 12, 2011. EPA sent another warning letter May 13<sup>th</sup> with a new deadline of May 31 for receipt of the final revised plan.

#### **Vernal Pools**

Lydia Erickson has nearly completed the certification application for the vernal pool at 262 Ipswich Road (Bradley Palmer State Forest).

Town Hall Intern Heather Darrah is nearly ready to submit certification information for a vernal pool on the property behind her house on Kinsman Lane. The pool is within BVW on the property at **20 Arrowhead**. Spillman and Darrah visited the property last week and found > 10 spotted salamander egg masses, numerous salamander hatchlings, and some tadpoles that look like wood frog.

#### **Minutes Secretary**

Nihan-Demeule is resigning from the Minutes Secretary position. Notices for the position are being distributed internally for seven days, then on the Topsfield home page, bulletin boards around town, etc.

**Pheasant Lane**

Hall has written the petition to the State for the proposed land exchange.

**270 Boston Street Enforcement Order – Albright**

TCC has not received the required monitoring report yet.

**116 Perkins Row – unauthorized fence in BZ, near Intermittent Stream**

There was an inquiry by abutters. Selectman Gandt explained that it is a group home owned by a corporation. Luther made a site visit and took photos. He summarized that they did not take trees down but, the fence was installed within 10 feet of the brook; it probably should have had a TCCAP. Luther suggested that Spillman send a notice and request an after-the-fact review.

**HIGHWAY AND WATER DEPARTMENTS – OoC**

The OoC expires in July of this year (taking the MA Extension Act 2-year extension into account). A new NOI or an extension to the current OoC is needed.

**Asian Longhorn Beetle, etc.**

Jolley gave a report on the Asian Longhorn Beetle program she attended at the Ipswich River Wildlife Sanctuary. One should watch for exit holes in trees. It is a pest of regulatory concern. If someone sees one, they should take a photo and call Mass Department of Agricultural Resources at 1-866-702-9938. Maples are their tree of choice. The main focus of control efforts is to not move firewood.

MacDougall relayed that a Glyceria infestation had shown up at the Audubon Sanctuary and was eradicated. Before it was eliminated, it had killed all the other vegetation near it.

MacDougall moved to adjourn at 9:03 P.M. The motion was seconded and approved unanimously.

Respectfully submitted,



Lisa Nihan-Demeule, Minutes Secretary

*Accepted at the TCC meeting on February 8, 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.*