

Topsfield Conservation Commission
Minutes of Wednesday, April 27, 2016
Topsfield Library Meeting Room

Present: Chery Jolley, Chair; Dodds Shamroth, Vice Chair; Jim Carroll (arrived at 7:11 p.m., 7A Howlett Street RDA), Jen DiCarlo, Holger Luther, Lana Spillman, Administrator, and Theresa Coffey, Recording Secretary

Other Attendees: Christian Clemson, Greg Hochmuth, Carol Lloyd, Jaime Walker, Maija Scarpaci, Brett Gotts, Maryanne Gotts, Sue Turner, and Ken Turner

The meeting was called to order with a quorum present at 7:04 p.m.

HEARINGS:

Continuation ANRAD 307-0726: 21 & 9 Towne Lane, (Map 33, Lot 061 & Map 41, Lot 073), LeClair/Gove Environmental Services, Inc.

A written request to continue was received from the applicant. Spillman reported that she sent a second set of materials to DeRosa and LeClair.

Luther moved to continue the hearing under the Act and the Bylaw, until May 11, 2016. Shamroth seconded. The vote was unanimous in favor.

RDA 2016-04: 7A Howlett Street, (Map 33, Lot 031), Gotts

Luther read the legal notice and abutter notice receipts were submitted by M. Gotts. Jolley noted for the record that this RDA is separate from the Building Department in terms of review and permitting.

Luther moved to close the hearing. Shamroth seconded. The vote was unanimous in favor. Luther moved to issue a DoA for the completed activities under the Act and the Bylaw. Shamroth seconded. The vote was unanimous in favor.

RDNI 2016-05: 7A Howlett Street, (Map 33, Lot 031), Gotts

The Gotts stated that the ice rink in Buffer Zone of BVW containing an Intermittent Stream has been removed and that the grass is green and undamaged. The water was removed from the rink by slashing the plastic, and the water was absorbed by the ground. When asked if the rink could be moved out of the Buffer Zone, the Gotts replied that there was no other place to put the rink. Spillman informed the Gotts that the fee for the DNI is \$75 and is good for three years. TCC asked the Gotts to inform them when and where the rink will be put up again.

Luther moved to issue a DNI under the Bylaw. Carroll seconded. The vote was unanimous in favor.

NoI 307-0733: 54 Brookside Road, (Map 27, Lot 002), Lucey/Williams & Sparages, LLC
Luther read the legal notice and abutter notice receipts were submitted by Greg Hochmuth, representing the Luceys. Hochmuth presented the plan. The proposal is for removal of some current small structures and construction of an in-ground pool, patio, shed and landscaping improvements within Riverfront Area of Mile Brook. Components of a new septic system would be in the front of the house and outside of TCC jurisdiction. Hochmuth said it is well drained soil and that the house has a dry basement. Because of challenges with the placement of the pool and needed repairs to the existing septic system, they will install a new septic system in a different location to the front of the house. All work to be done is on existing lawn, there will be no removal of trees. Configuration will have no impact on the brook and minimal impact on the Riverfront Area. The pool will have a cartridge filter so there will not be any backwash. The applicant is looking for guidelines on what to do with pool water in the event of repairs.

TCC will make a site visit before the next meeting on May 11, 2016.

Luther moved to continue the hearing until May 11, 2016. Carroll seconded. The vote was unanimous in favor.

REQUESTS:

Extension OoC 307-0647: Topsfield Trails, ECTA

Luther read the public hearing notice. Jaime Walker, of DeRosa Environmental and Carol Lloyd, head of trail maintenance of ECTA, attended the meeting. Lloyd reviewed the history of the management plan put into place in 2009. The majority of the relevant trail maintenance is in Buffer Zones and the filing for permits was cumbersome and expensive. This General Permit allows the ECTA to seek approval from conservation administrators if the work is within the maintenance plan. The request is to extend the current OoC for 5 years and for the Bylaw fee to be waived.

Spillman stated that she has not seen the entire new plan but has reviewed the proposal has some comments. She suggests that TCC issue an amendment and extension at the same time, as one document. There are three sections under culverts: maintenance and clearing, in-kind replacement, and new culverts within the State stream crossing standards. The last two types of activities may need separate Notices of Intent. Discussion ensued about culverts and Army Corps of Engineer and DEP regulations. It was agreed that this section needs to be worked on. Spillman offered to work on the wording.

Luther moved to waive the \$100 Bylaw fee. Carroll seconded. The vote was unanimous in favor.

Walker will present a revised plan. Spillman said while the Act allows a 5 year extension, the Bylaw only allows 3 year extensions. Spillman suggests that the Extension also be an Amended OoC to incorporate the several modifications proposed and approved by the TCC.

Tree Planning Committee Applicant, Christian Clemson

Christian Clemson introduced himself and reviewed his background. He is a certified arborist. TCC discussed possible projects with Clemson and next steps for him after he is appointed to the Tree Committee. He will serve the remainder of another member's term that ends June 30, 2016 and then will be re-appointed.

Luther moved to appoint Christian Clemson to the Tree Planning Committee for 2016. Carroll seconded. The vote was unanimous in favor.

CoC 307-0140: 52 Candlewood Drive, (Map 43, Lot 044), Bunker

The Bunkers are selling their house and the TCC office cannot find evidence of a CoC for this old OoC. In addition, Spillman said she cannot find any evidence of work being done under the OoC.

Luther moved to issue a CoC under the Act and the Bylaw. Carroll seconded. The vote was unanimous in favor.

Luther moved to waive half the Bylaw fee (\$50) for the CoC. Carroll seconded. The vote was unanimous in favor.

RDNI 2016-06: 64 Central Street, (Map 41, Lot 115), Alberts

The proposal is for a potting shed in the outer Riverfront Area of School Brook. Spillman made a site visit on April 19 and does not have any concerns.

Luther moved to issue a DNI with usual conditions under the Bylaw. Carroll seconded. The vote was unanimous in favor.

RDNI 2016-07: 39 Wildes Road, (Map 13, Lot 14), Michalec

The proposal is to replace a large, wrap-around deck with stairs, adding additional supports, in Buffer Zone to BVW and inner Riverfront Area of Hobbs Brook. Spillman made a site visit on April 26 and does not have any concerns. The owners are relatively new and the previous owners may have put up the deck without the appropriate permits.

Luther moved to issue a DNI with usual conditions under the Bylaw. Carroll seconded. The vote was unanimous in favor.

Emergency Certification 2016-02: Mile Brook, just north of Perkins Row Bridge, (Map 35, Lot 004), Topsfield Water Department – ratification

The Emergency Certification, good for 30 days, was issued for breaching a section of the sizeable beaver dam just north of the Perkins Row Stone Bridge. The Water Department's long-term plan is to file a NOI for removal of the entire dam.

Luther moved to ratify the Emergency Certification for breaching the dam. Carroll seconded. The vote was unanimous in favor.

OTHER:

Nutter Farm Tree Harvest – Jim MacDougall has invited the TCC for a site visit.

MEETING MINUTES:

Minutes of April 13, 2016

Luther moved to adopt the meeting minutes of April 13 2016 as amended. Carroll seconded. The vote was unanimous in favor.

ADMINISTRATOR'S REPORT:

- **MSMCP Annual Meeting** – Spillman reviewed some highlights of the meeting. Most time was spent on discussion about Commissions providing for climate change in their bylaws and regulations. UMass is developing a climate action tool in which you can see the effect climate change has on different species. The tool is still in development and they are looking for input and feedback.
- **Interns** – Two interns started this week. James Murphy is working on a tree project in which the end result would be a booklet with information on Champion trees in Topsfield. This information will also be posted on the website. Dante Che is updating and combining maps of trails, walking trails on Conservation and other open space properties and taking pictures to identify animals, vernal pools, etc. His work will result in a booklet of trails in Topsfield. Jolley suggested in conjunction with this project, developing a trail with map for younger children with a scavenger hunt type of theme.

Spillman said they will be certifying the vernal pool at 47 Rowley Road, a private property. Brian Gallagher, the summer intern has enough information to certify the vernal pool by the Rail Trail Ipswich River Bridge.

- **General Permit for the Highway and Water Departments** – Luther had no update.
- **Town Beach/Town Forest, 131 Haverhill Road, (Map 05, Lot 015), restoration** – Spillman sent an e-mail to Jim MacDougall; there is no further update.
- **Wetlands General Bylaw Regulations** – DiCarlo had no update.

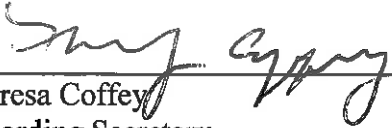
Next Meeting: May 11, 2016

ADJOURNMENT:

Luther moved to adjourn. Carroll seconded. The vote was unanimous in favor.

The meeting was adjourned at 8:57 p.m.

Respectfully submitted,


Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on May 25, 2016

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.