

Topsfield Conservation Commission
Minutes of Wednesday, April 12, 2017
 Topsfield Library Meeting Room

Present: Chery Jolley, Chair; Dodds Shamroth, Vice Chair; Jen DiCarlo, Holger Luther, Heidi Gaffney, Administrator and Theresa Coffey, Recording Secretary

Absent: Jim Carroll

Other Attendees:

Name	Project
Philip Knowles	BOWC
John Sarkis	470 Boston Street
Ryan Bianchetto	470 Boston Street
Greg Krom	Water Treatment Plant
Brian Montejunas	Wright-Pierce / Water Treatment Plant
Jim Cray	Wright-Pierce / Water Treatment Plant
Mark Marshall	9 New Meadow Lane
David Larson	470 Boston Street
Brian McAdams	41 Surrey Lane
Bobby Brennan	41 Surrey Lan
Bill Manuell	81 S. Main Street

The meeting was called to order with a quorum present at 7:02 p.m. Cheryl Jolley, Chair, announced that the meeting was being audio recorded.

HEARINGS:

Continuation NoI 307-0745: 470 Boston Street, (Map 03, Lot 003), Sarkis Development Co./Allen & Major Associates, Inc.

Ryan Bianchetto, Allen & Major Associates, Inc. presented on behalf of the applicant, Sarkis Development. A formal request was made to close the Public Hearing. The items updated in the response letter dated April 10, 2017 were outlined including the Pet Signage and Waste Stations as requested by the TCC. Formal request was made to act on the waiver requests in the original application for proposed work within 100 feet of the Buffer Zone at the entrance to the existing driveway that accesses the site, the drainage outlet pipe and the emergency access road.

Discussion followed on the necessity of the waiver. Luther stated his opinion that the pipe that goes through the Resource Area was a temporary disturbance. The emergency access road is already disturbed ground that is being fixed up and, therefore, did not require a waiver. The pavement on the existing main driveway will be saw cut for electrical utility work for lighting at the front. No work being done in the bordering wetlands in this area. The emergency access road already exists, the work being proposed there could be considered maintenance, improving the already disturbed area.

Sarkis reviewed on the plan the work being proposed in the Buffer Zone: extending electrical on the established road, saw cutting into the pavement and resurfacing the entire roadway. Luther stated that he considered this maintenance. Also proposed is signage on both sides of the entrance in the bank of the constructed way.

Points reviewed from previous meetings:

- The drainage pipe will have a riprap apron and some sort of grate at the end of the pipe to prevent animals from getting caught in the pipe.
- Luther stated he reviewed the material previously discussed, Magic Salt, and agrees with the use and would like to put it into the OoC. Sarkis responded that it is not possible to use this particular product for the entire road as it is very expensive and hard to get. It could be used for walks and drives. Luther suggested it be put in the OoC as the "use of Magic Salt or equivalent, as feasible."

DiCarlo expressed concern on exempting a waiver requirement, particularly for the demolition of the existing house. The four criteria for waivers were reviewed and a lengthy discussion followed with a consensus reached on a motion.

Shamroth moved that a vote be taken whether a not the waiver is exempted with regards to the existing home structure being demolished. Luther seconded.

Jolley read aloud from the Bylaw under No. 6.

The vote was 3 in favor and 1 opposed (DiCarlo).

There was no further public comment.

Luther moved to close the hearing on NOI 307-0745. Shamroth seconded. The vote was unanimous in favor.

Luther moved to grant the permit on the basis of the Notice of Intent subject to certain requirements that the details of the discharge pipe, the emergency roadway and any work relative to the improvement of the way is done in accordance with the plans received and updated since the most recent revision date of April 10, 2017. In addition, any removal of dead and decrepit vegetation and invasive material is conducted in accordance with Seekamp Environmental Consulting Memorandum of Understanding dated March 6, 2017 and that any tree that is removed from any resource areas that are required to be worked in will be replaced on a one to one basis. Shamroth seconded. The vote was unanimous in favor.

NoI 307-0750: Topsfield Water Department, Caron Environmental/Greg Krom, water treatment plant and water main improvements

Jim Cray, Wright-Pierce, presented and reviewed additional clarification that was requested by TCC at the last hearing. Wright-Pierce submitted a copy of the memo that described the evaluation of alternatives for pipe routes and WTP location, a revised narrative to NOI and revision to DEP form 3. The TCC had also requested a formal waiver request to remove requirement of ANRAD. Luther added that a waiver would also be needed to move equipment across intermittent streams and resource areas. Gaffney confirmed that this waiver could be requested verbally in a public forum.

Cray formally requested a waiver to the work in the resource areas and will follow up in writing.

DEP comments were outlined.

- Plans should clearly show where all wetland alteration will occur. Response: wetlands will not be altered, only a temporary disturbance.
- Alteration to banks should be quantified on both sides of the intermittent stream. Response: wetlands will not be altered, only a temporary disturbance.
- Altering more than 50 linear feet of bank requires a simplified wildlife habitat evaluation. Response: less than 50 linear feet.
- Proponent must also provide in written detail how resource areas will be restored since any alterations are temporary. Response: the timber boards that will be used will not cause any alteration.

Gaffney added that in the review of the delineation under this NOI, only the wetland delineation in the immediate area of the crossing has been confirmed, no other delineations on the plans on private property have been confirmed.

Luther moved to close the Hearing for NoI 307-0750. Shamroth seconded. The vote was unanimous in favor.

Luther moved to approve the Notice of Intent as shown by the plan dated and revised April 7, 2017 by Wright- Pierce, subject to the further condition that the Administrator be kept current on a regular basis of work in progress by the contractor. In particular, the Administrator should be present at the first crossing of wetlands and be advised when the work is completed and the premises restored to the previous condition to the Administrator's approval. Shamroth seconded. The vote was unanimous in favor.

NoI 307-0751: 81 South Main Street, (Map 49, Lot 004), Wetlands & Land Management, Inc./Klapprodt

With no abutters present, the legal notice was deemed read, Gaffney confirmed that proof of abutter notice has been received.

Bill Manuell, Wetlands & Land Management, Inc., representing the applicant, Klapprodt, presented the proposal to construct a 38' x 24' garage within a Buffer Zone area. There was discussion on the following points:

- Location of proposed work in the Buffer Zone was pointed to on the plan, the only alternative location outside of the Buffer Zone is where the septic system is located.
- Framing will be constructed off site and the foundation is concrete slab and frost walls.
- Plan for roof run-off and mitigation including eradicating invasive species, cleaning up dirt and brush piles left behind from previous owner and digging out a patch of knotweed. The total mitigation is about 6300 sq. ft.

There was discussion on the criteria for granting a waiver for this project. For the record, Jolley read aloud from the Bylaw Section 10.4.e.2(a). Gaffney stated her interpretation that the waiver was grantable based on (a) through (c). In addition, Gaffney stated she has researched previous filings and found a precedent for approval of accessory structures for single family homes and waivers issued under 10.4e.2, most recently in 2014.

Gaffney suggested that existing conservation posts from previous work should be replaced. It was agreed this will be included in the OoC.

Luther moved to grant a waiver for the construction of the garage in addition to the mitigation proposed based on Bylaw Section 10.4e.2(a).

DiCarlo expressed her concerns about granting this waiver and stated for the record, that she will more closely scrutinize waiver requests going forward. Discussion ensued and the TCC agreed that waiver regulations need to be reviewed and revised.

Luther revised his motion and moved to grant the waiver subject to the mitigation efforts that are shown on the plan for this project. Shamroth seconded. The vote was unanimous in favor.

Luther moved to close the Hearing. Shamroth seconded. The vote was unanimous in favor.

Luther moved to approve Notice of Intent 307-0751 as shown on the plan dated March 22, 2017, with the mitigations that are included, and, in addition, the replacement of the existing conservation posts. Shamroth seconded. The vote was unanimous in favor.

RDA 2017-02: 9 New Meadow Lane, (Map 23, Lot 003), Marshall

With no abutters present the legal notice was deemed read. Gaffney confirmed that proof of abutter notice has been received. Gaffney has visited the site and reviewed the proposal to remove an existing deck and put in pervious paver patio where the deck was located. The proposed patio is under 400 sq. ft. and over 50 feet from the Buffer Zone at the closest corner.

Gaffney suggested that photos of the gravel base be submitted before the pavers are installed.

Luther moved to the close the hearing. Shamroth seconded. The vote was unanimous in favor.

Luther moved to issue a Negative Determination of Applicability provided that the stone foundation prior to the construction of the patio is inspected by the administrator or photos submitted. Shamroth seconded.

The vote was unanimous in favor.

RDA 2017-03: 41 Surrey Lane, (Map 74, Lot 007), Benjamin C. Osgood Jr./ McAdams

With no abutters present, the legal notice was deemed read, Jolley confirmed that proof of abutter notice has been received.

Benjamin Osgood, representing the applicant McAdams, presented the proposed plan for a septic system repair. Wetlands have been delineated and the system is not in the Buffer Zone. However, access through the Buffer Zone is needed.

Luther moved to the close the hearing. Shamroth seconded. The vote was unanimous in favor.

Luther moved to issue a Determination of Negligible Impact subject to normal conditions and that any manmade objects be removed (TV in the woods). Shamroth seconded. The vote was unanimous in favor.

MEETING MINUTES:

March 8, 2017 – this item was tabled to the next meeting.

ADMINISTRATOR'S REPORT:

Discussion was held on the following items:

- Open Space Plan - The current open space plan expires in January 2018, work should begin on the new plan. Town must have an Open Space Plan to be eligible to receive grants. Luther pointed out in the past, the BOS appointed the Open Space Committee, it is not initiated by the TCC. Discussion was held on TCC involvement, new requirements and next steps.
- Donibristle – The BOS requested that the TCC take a vote on the approval of Donibristle. Discussion ensued on the content and tone of a support letter. The TCC agreed to hold a vote of support instead of a letter of support.

Luther moved that whereas the acquisition of the Donibristle parcel of land is consistent with the effort in town to preserve open space and whereas the Donibristle property serves the recreational value of town citizens, therefore, move that the TCC recommends positive action on the warrant article at town meeting. Shamroth seconded. The vote was unanimous in favor.

- Reserve Fund – The Reserve Fund increase is not on the Town Meeting warrant. If an increase is spending is needed, it will be brought to the Finance Committee.
- Hickory Beech / Order of Conditions – No action will be taken at Town Meeting.
- Tree Removal Policy and Private Ice Skating Rink Policy (for temporary rinks) – The Tree Removal Policy will be worked to simplify and be “user friendly”. Ideas of how to get information distributed to citizens were suggested.
- Signage for stream crossings – Shamroth reminded the TCC of her suggestion to use Boy Scouts or interns to create signage for stream crossings.

OTHER:

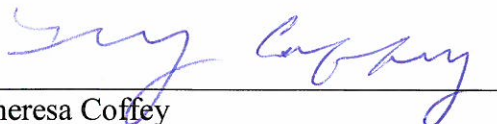
Next TCC Meeting – April 26, 2017

ADJOURNMENT:

Shamroth moved to adjourn the meeting. DiCarlo seconded. The vote was unanimous in favor.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,


Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 5/10/17 (insert date).

Documents used at or for the meeting:

- NoI 307-0745: 470 Boston Street
 - Allen & Major Associates, Inc. Response Letter, Topsfield Planning Board, dated March 16, 2017
 - Full Site Plan Set dated April 10, 2017
 - Allen & Major Associates, Inc. Response Letter, Topsfield Conservation Commission, dated April 10, 2017
 - Revised Pre-Development Watershed Plan dated April 10, 2017
- NoI 307-0750: Topsfield Water Department
 - Drawings titled Topsfield WTP Water Main Improvements Contract #2 updated April 7, 2017
 - NOI Narrative updated April 2017
 - Massachusetts WPA Form 3 updated April 2017
 - Wright-Pierce Memorandum to Topsfield Conservation Commission dated April 7, 2017
 - Caron Environmental Consulting Waiver Request dated April 10, 2017
- NoI 307-0751: 81 South Main Street
 - Complete NoI Application received March 29, 2017
 - Plan titled: "Proposed Plot Plan, 81 South Main Street, Topsfield, Massachusetts", Prepared by LeBlanc Survey Associates, Inc., 161 Holten Street, Danvers, MA 01923, stamped and signed by Vernon J. LeBlanc, P.L.S., No. 33600, dated: January 3, 2017, revised: March 22, 2017.
- RDA 2017-02: 9 New Meadow Lane
 - Complete RDA application received March 28, 2017
 - Pervious paver installation guide: Techo-Bloc Installation Guide Interlocking Concrete Pavement
- RDA 2017-03: 41 Surrey Lane
 - Complete RDA application received March 29, 2017
 - Plan titled: "Proposed Subsurface Sewage Disposal System, 41 Surrey Lane, Topsfield, MA"
 - Prepared, stamped, and signed by Benjamin C. Osgood, Jr., P.E. Civil No. 45891, Dated March 25, 2017, Revised 4/10/17.

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.