

***Topsfield Conservation Commission
Minutes of Meeting March 14, 2018
Topsfield Library Conference Room***

Present: Cheryl Jolley, Chair; Dodds Shamroth, Vice Chair; James Carroll, Jennifer DiCarlo, Holger Luther, Heidi Gaffney, Administrator, and Theresa Coffey, Recording Secretary

Other Attendees:

Name	Address	Agenda Item
Greg Hochmuth	Williams & Sparages, LLC	26 Coppermine
Chris LaPointe	Essex County Greenbelt	Donibristle Farm
Don Cragg		
Robert & L.Skeffington	82 North Street	57 Candlewood

Jolley called the meeting to order at 7:02 p.m. with a quorum present.

HEARINGS:

Continuation NoI 307-0761: 26 Coppermine Road, (Map 74, Lot 001 & 002), Lopes/Williams & Sparages – pool, septic, addition, pump chamber, and landscape improvements.

Greg Hochmuth, Williams & Sparages, representing the applicant, presented revisions to the plan that we made based on feedback at the last hearing on this NoI application. Hochmuth stated that the changes were all positive from an environmental perspective. He provided a description of the changes to the patio, fence, boulder wall and pool. The major change is the patio which was scaled down and moved further away from the resource area. The spa was eliminated. The pool has been enlarged slightly but is not closer to wetland. Hochmuth reviewed the planting list of shrubs that was added to the plan. He noted that the applicants agree to have the vernal pool certified this spring. Luther requested a two year commitment for the plantings to ensure that they grow properly; this will be included in the OoC.

The plan for discharged pool water was discussed. Hochmuth stated that a non-backwash filtration system will be used and that no water will be discharged into the resource area. Gaffney added that the standard conditions for pool installations and water discharge will be included in the OoC.

Luther moved to the close the hearing for NoI 307-0761, 26 Coppermine Road. Carroll seconded. The vote was unanimous in favor.

Luther moved to grant the permit to proceed with the project, NoI 307-0761, 26 Coppermine Road, in accordance with the drawing dated March 7, 2018 (final revision) entitled "Sanitary

Disposal System Upgrade Plan, 26 Coppermine Road, Topsfield MA”, and that all operations relative to the pool be controlled by standard operating procedures for pool management; that the planting of the shrubbery and bushes in accordance with the plan on the drawing be revisited for two years to make sure there is proper success in growth; to allow access for determination of the vernal pool; and that markers be repaired or reposted to mark conservation restriction areas. The applicant shall submit an approved septic plan at the pre-activity meeting. Carroll seconded. The vote was unanimous in favor.

Continuation RDA 2018-01: 87 Perkins Row, (Map 51, Lot 21), Mass. Audubon – Ipswich River Wildlife Sanctuary removal of two sections of mostly non-native trees adjacent to an existing field as part of a wildlife habitat enhancement project.

Luther moved to continue the hearing for RDA 2018-01, 87 Perkins Row to March 28, 2018, at the request of the applicant. Carroll seconded. The vote was unanimous in favor.

REQUESTS:

RDNI 2018-01: 49 Main Street (Map 41, Lot 29), Gerard McDonald, P.E., install walk in cooler, walkway and accessible ramp.

The applicant was not present. Gaffney provided an overview of the proposed plan to install a walk-in cooler, walkway and accessible ramp. The cooler would be 130 feet from School Brook. Gaffney recommended a DNI.

Luther moved to issue a Determination of Negligible Impact. Carroll seconded. The vote was unanimous in favor.

MEETING MINUTES: None.

ADMINISTRATOR’S REPORT:

Copy of revised plan for Riverwood Estates Definitive Subdivision at 303 – 333 Perkins Row has been received

Luther informed the TCC that a certificate of approval has been issued by the planning board.

Signature page for Corrected Bylaw Order of Conditions MA DEP #307-0638 (correction of wrong lot number only)

No action needed, new signature page not necessary.

OTHER:**Review Draft Conservation Restriction for Donibristle 43.57 acre parcel****CR assignment of previously approved and recorded CR for Hill Street lot for Donibristle**

CR for 43.57 acre parcel and CR assignment of 1.825 acre Hill Street lot were discussed together. Gaffney informed the TCC that the comments provided by the TCC at the February 14, 2018, and following the meeting related to the 43.57 acre parcel, were incorporated in the Conservation Restriction (CR). The CR has been reviewed by Town Counsel, approved by the State and was ready for approval and signature by the TCC.

Chris LaPointe, Essex County Greenbelt was present and participated in discussion about the CR and the assignment of interest to the town which will give the town enforcement rights. Discussion continued about the grant application that was submitted for the purchase of the CR. The grant was not awarded for this purchase. Shamroth questioned whether a grant could be applied for after the fact. LaPointe explained that the grants could be applied for toward improvements, but not for the purchase. Luther discussed that stormwater issues have been raised over the past several years since the development of the other three parcels immediately west of the 1.825 acre Hill Street parcel.

Luther moved to accept the Conservation Restriction as written and amended, and hereby certified and endorsed and to approve and accept the foregoing Conservation Restriction from the Essex County Greenbelt Association, Inc. pursuant to M.G.L. Chapter 184 Section 32 and Chapter 40 Section 8(C) and hereby accept the foregoing Conservation Restriction. Carroll seconded. The vote was unanimous in favor.

Further discussion of the Hill Street parcel and the assignment of the CR ensued.

Luther moved to approve and accept the foregoing assignment of the CR. Carroll seconded. The vote was unanimous in favor.

Citizen Letter regarding 57 Candlewood Drive

Don Cragg was present and reviewed his past appeals to the TCC to take enforcement action regarding the culvert at 57 Candlewood Drive. The TCC discussed the history of this issue and Gaffney's findings after reviewing the files. Gaffney stated that, in response to previous similar requests from Mr. Cragg, in 1999 a prior TCC commission as well as in 2010 MA DEP determined that there is not sufficient evidence to support the TCC in taking enforcement action. Discussion continued with Cragg related to possible resolutions. All were in agreement that action under the Order of Conditions for the property is likely the only option for the culvert to be replaced with one that meets the stream crossing standards.

ADMINISTRATOR'S REPORT:**Continued discussion of mosquito spraying exemption for Town Conservation Properties**

Gaffney updated the TCC on her findings that public properties are not covered under the mosquito spraying exemption application. DiCarlo suggested providing opt-out information on the TCC webpage for private citizens.

Ipswich River Watershed Association – Paddle-A-Thon 2018

Gaffney informed the TCC that the Ipswich River Watershed Association has contacted her regarding this year's Paddle-A-Thon which will be a repeat of the last year's activity with the same put in and take out areas, parking, etc. The commission confirmed if all activities are the same as last year a filing will not be necessary.

ADJOURNMENT:

Luther moved to adjourn. Carroll seconded. The vote was unanimous in favor. The meeting was adjourned at 8:10 pm.

Dodds Shamroth, Vice Chair, reconvened the meeting at 8:16 p.m. with a quorum present.

Present: Dodds Shamroth, James Carroll, Jennifer DiCarlo, and Holger Luther.

Absent: Cheryl Jolley

Shamroth reconvened the meeting for the purpose of discussion regarding stump grinding at Nutter Farm now that the trees have been removed under the forest cutting plan.

Luther moved to allow the Administrator to grant permission to grind stumps at Nutter Farm. Carroll seconded. The vote was 4 in favor, 1 absent (Jolley).

Luther moved to adjourn. Carroll seconded. The vote was unanimous in favor. The meeting was adjourned at 8:20 pm.

The next meeting will be held March 28, 2018 at 7:00 pm, Topsfield Library Meeting Room.

Respectfully submitted,



Theresa Coffey
Recording Secretary

minutes approved at the TCC meeting on 3/28/2018

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.

Documents used at or for the meeting:

Notice of Intent Application 307-0761: 26 Coppermine Road with attachments

- *Drawing dated March 7, 2018 (final revision) entitled "Sanitary Disposal System Upgrade Plan, 26 Coppermine Road, Topsfield MA"*

Request for Determination of Applicability Application 2018-01: 87 Perkins Row, (Map 51, Lot 21), Mass. Audubon with attachments

Request for Determination of Negligible Impact Application 2018-01: 49 Main Street (Map 41, Lot 29), Gerard McDonald, P.E with attachments

Grant of Conservation Restriction to Town of Topsfield, Address: Rowley Bridge Road, Topsfield MA

Conservation Restriction, Property Address: 120 Hill Street, Topsfield MA

Citizen Letter dated February 14, 2018 from Don Cragg regarding 57 Candlewood Drive, stamped received February 16, 2018