

Topsfield Conservation Commission
Minutes of Wednesday, May 13, 2015
Topsfield Library Meeting Room

Present: *Dodds Shamroth, Vice Chairperson; Holger Luther, James Carroll, Lana Spillman, Administrator; Dee Wise, Recording Secretary*

Absent: *Cheryl Jolley, Chair*

Other Attendees: Greg Krom, Topsfield Water Dept; Robert Shamroth, Greg Hochmuth, John Moran, Laura Krauss, Jeff Garber, Jim MacDowell, Dick Gandt.

The meeting was called to Order at 7:05 p.m. Dodds Shamroth chaired the meeting.

HEARINGS:

Continuation ANRAD 307-0720: 57 Perkins Row, (Map 58, Lot 025), New Meadows Development LLC/DeRosa Environmental. Review of Resource Area boundary Flags. Laura Krauss spoke for DeRosa Environmental and stated there were three flags moved, B1 was moved 5 ft., B3 was moved 25 ft., and B5 was moved 17.5 ft., all upslope from the wetland. Spillman stated that it was obvious where the water is. Luther asked how stable the wetlands line was for the coming years. Spillman stated that she is confident with the lines and that there may be change but very minimum.

Luther made a motion to close the ANRAD hearing; Carroll seconded. So Voted Unanimously

Luther moved to issue an ORAD under the Act and the Bylaw, accepting the revised plan, "Plan to Accompany Abbreviated Notice of Resource Area Delineation 57 Perkins Row Topsfield, Massachusetts, Prepared for New Meadows Development, LLC," dated Revision 1, 4-30-2015.

Amended OoC 307-0659: 19 High Ridge Road, (Map 65, Lot 027), Gillis/The Morin-Cameron Group. Luther read the public notice. The request is for an Amended Order of Conditions, to accept unauthorized modifications to the project. Spillman made a site visit and did not have any concerns about the proposed Amended OoC. The OoC was issued in 2010 for improvements to the property, which have been completed, however there were minor deviations from the approved plan. Morin stated there was some deviation from the original plan to build a patio and pool. The screened porch was never built and the extension was 100 sf. smaller than originally proposed. The pool was rotated counter clockwise and is 80 ft. not 84 ft. from the Stream. Spillman stated that she had no concerns, however, prior to consideration for a CoC, there is one Conservation placard that is missing and the other post is loose.

Luther moved to accept the amended plan, "Plan of Land In Topsfield, Mass. Showing Existing Site Conditions Lot 26 – 19 High Ridge Road Prepared for Laura & Kevin Gillis," dated April 23, 2015, and issue an Amended OoC as proposed in the 4-23-15 Plan of Land; Carroll seconded. So Voted Unanimously

NoI 307-0722: 250 Perkins Row/Perkins Row Well Field, (Map 35, Lot 004), Topsfield Water Department/ Greg Krom. The proposal is to replace drinking water wells at the Perkins Row well field, next to Mile Brook. Luther read the public notice. Spillman and Krom made a site

visit together and reviewed Resource Area boundary flags placed by Mary Rimmer; most flag locations were verified. Krom presented a series of maps and stated that the current wells would be replaced with gravel packed wells, which will have a higher capacity so they will be more efficient. Krom stated that the wetlands were delineated last summer. Krom stated that there are 20 driver wells in the fields that connect with manifold lines to the wells. The deepest well will be 25 ft.; you cannot go any deeper. The 2nd phase would be the connection station. It will be 50 feet deep whereas the current is 35 feet. The wells will still have to be cleaned; possibly with chlorine. They will still have the vacuum system at North Street.

Luther moved to close the hearing for NoI 307-0722, Carroll seconded. So Voted Unanimously

Luther moved to issue an OoC for the work as proposed by the Water Department, referencing the title and date as listed in the NoI, "Topsfield Water Department Perkins Row Gravel Packed Well Project 250 Perkins Row," Map #1: Work Zone map, Map #2: Existing Facilities, Map #3: New Facilities," dated April 29, 2015. So Voted Unanimously

REQUESTS:

CoC 307-0588: 20 Aaron Drive, (Map 12, Lot 008), Peacock. Nobody was present for the hearing. Spillman made a site visit and has no concerns.

Luther moved to issue a CoC under the Act and the Bylaw; Carroll seconded. So Voted Unanimously

CoC 307-0643: 16 Wildes Road, (Map 08, Lot 004), New Meadows Development/Atty. Jill Mann. Jim MacDowell represented. Spillman and Jolley made a site visit with Jim MacDowell last week. Spillman advised that there were no out standing issues or concerns related to the application/OoC. She stated that this is a condominium development. Spillman stated that the OoC requires an O and M plan approved by the TCC be attached to the CoC. Jim MacDowell, representing Jeff Garber, explained that it took 5 years and was finished in late December, Conservation markers were installed and they waited until spring to view. The detention pond is functioning well. Attorney Mann sent a letter in December proposing to allow Ca Chloride as a deicer when needed. Luther stated that Ca Chloride is reasonable. MacDowell explained that in 2008 the DEP recommended road sweeping 4 times annually. Mr. Garber is willing to have it swept twice a year, spring and fall.

Luther moved to issue a CoC with two provisions: The O and M plan is to specify CaCl deicers and street sweeping shall be twice annually at the appropriate times. Carroll seconded. So Voted Unanimously

Corrected CoC 307-0263: 96 North Street, (formerly 88 North Street, Lot 3, (Map 12, Lot 038), Hatfield. Spillman discovered that there are errors on the original CoC (no evidence of recording has been found). No fee was charged for the proposed corrected CoC, which is to correct numerical errors, (book and page number, which are incorrect) and to decrease the number of conservation post numbers and modify their locations. Findings will be added, referencing the error corrections and recording information for the CR on the adjacent property at 96R North Street.

Luther moved to issue the corrected CoC as proposed; Carroll seconded. So Voted Unanimously

RDNI 2015-06: 17 North Street, (Map 18, Lot 06), Radochia. This proposal is to install a 24-foot diameter above-ground pool in Riverfront area of Mile Brook. All activities would be in the outer Riverfront Area. Spillman made a site visit and has no concerns.

Luther moved to issue a Determination of Negligible Impact with the condition that there shall be NO EMPTYING OF CHLORINATED WATER INTO OR TOWARD THE BROOK. Carroll Seconded. So Voted Unanimously

RDNI 2015-07: 96 North Street, (Map 12, Lot 039), Hatfield. This proposal is to install a 14' x 22' shed in Buffer Zone of BVW. Spillman stated that this property is a building envelope and surrounded on three sides by a second lot with a recorded CR. Spillman stated that the proposed location of the shed would not be possible for several reasons. Luther asked what would the shed be used for and Spillman responded that it would be used for the usual – snow blower, lawn mower, etc. Luther stated his concerns with the proposed porous floor, such as crushed stone. Having products in the shed that can leak would need a concrete floor. There are concerns about the proposed proximity to the BVW (≤ 15 feet) and that as proposed it would be at least partly on the CR property (in conflict with the Restriction). Spillman suggested that the shed might be built on the paved area beside the garage.

Luther moved to deny the RDNI for the proposed shed without prejudice. Carroll seconded. So Voted Unanimously

OTHER:

Enforcement Order 2015-01: 199 Ipswich Road, (Map 20, Lot 055), DeLulis, ratification and discussion. Greg Hochmuth representing. Numerous unauthorized activities and alterations have taken place in Resource Areas on the site, including removal of numerous trees, construction of a patio with concrete wall, installation of several sonotubes and a \geq two-foot high rectangular area of crushed stone close to the BVW, disturbed soil, etc., resulting in the EO issued April 29th. Hochmuth stated that the applicants have contracted to submit a Notice of Intent to restore the areas that they were not supposed to disturb. Hochmuth stated that there are erosion controls in place and the NoI will be filed by the end of next week. Spillman confirmed that the applicant was very responsive.

Luther moved to ratify the EO, seconded by Carroll. So Voted Unanimously
Commissioners signed the second original EO document.

255 High Street/Towne Hill Conservation Area, (Map 65, Lot 001), discussion with John Morin/The Morin-Cameron Group. Morin discussed the open space and access to it. Spillman had discussed with Morin the possibility of marking, by survey, the boundaries of the Conservation property and had invited him to discuss this with the Commission. The Commission members were looking at the access points. The recorded access easement is 20 feet wide and a portion of the property extends in a narrow strip down to High Ridge Road. There was discussion about marking the lines with iron pins along the lot lines and southerly side of the easement. DiCarlo stated that she thought it was a very poorly allocated area, and there was no disagreement on this point. Morin suggested putting a nail in the driveway at 2 Morningside and a pin on the other side so it would not be obvious. DiCarlo stated that one could not have adverse possess against the town. Spillman stated that there was value in demarcation of the boundaries and it should not be abandoned all together. Luther asked for a cost estimate and John stated he would get the cost estimate. Morin stated that the stone wall

was gone up from High Street. The three proposed sections for estimates: If did A all along Morningside Road and High Ridge Road, B second section, and C along High Street.

Discussions:

- DiCarlo suggested that the TCC start to number the applications on the agenda. Morin was on the agenda earlier and had to wait until the end to present again.
- Shamroth wanted to know how the Commission members could go on more site visits. Spillman suggested that the appropriate time to make site visits is after the hearing has opened, and that there is value in having such visits.

Meeting Minutes

- April 8, 2015
- April 22, 2015

Luther moved to approve of the April 8, 2015 and April 22, 2015 minutes as amended; Carroll seconded. So Voted Unanimously

Administrator's Report:

78 Alderbrook Drive – Amended OoC is needed; no utilities are shown on the OoC plan prepared by Beals Associates, and nearly the entire property is Wetlands Resource Area and Buffer Zone.

Masco Senior Interns. The new Interns, Connor Whiffen and Mike Caputo, arrived and were introduced to the Commission members. They were asked what they have been doing and they explained that they colored in paper Assessor's topo maps with resource areas, organized plans for easier access, collected information and submitted documentation to certify a vernal pool – Willowdale Road, Mapped Pye Brook Park Trail with a GPS unit along with their own smart phone app to make sure it was all correct. They will also work at the Strawberry Festival and start a recycling program at Town Hall. The Internship will end the last week in May, with an Internship Fair at Masconomet High School.

ADJOURNMENT:

Luther moved to adjourn the meeting; Carroll Seconded. So Voted Unanimously
The meeting was adjourned at 8:48p.m.

Respectfully submitted,



Diane Wise,
Recording Secretary

Minutes approved at the TCC meeting on June 10, 2015

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.