

Topsfield Conservation Commission **Minutes**

Meeting held January 11th, 2012, Topsfield Town Library Meeting Room

Present were: George Hall, Cheryl Jolley, Jennie Merrill, Jim MacDougall, Mark Erickson, Jim Carroll (during the Fairgrounds hearing), and Holger Luther – Commissioners, Lana Spillman – Administrator.

Attending the meeting: James O'Brien, Greg Hochmuth, Kathleen Connolly, Kurt Schmakel, Joe Geller, Roy Baessler, Selectman Dick Gandt, Richard and Sandra Philpot, Isaac Row, Robert Lynch, and Chief Evan Haglund.

1. Hearings:

Continuation NoI 307-0678: 207 & 233 Boston Street (Topsfield Fairgrounds) and 37 River Road (South Main Street frontage), (Map 57, Lots 4-1, 4-2, & 7; Map 48, Lot 13; & Map 49, Lot 82), Essex Agricultural Society and Aftandilian/Hancock Associates Representing

Greg Hochmuth (Hancock Associates, formerly of The Neve-Morin Group) opened the discussion by referring to his letter of Dec. 27th, 2011 in which he recapped the experiences of the parking protocol during the 2011 Fair. He also noted improvements that he suggested in the letter: (1) A designation of emergency contacts. (2) Having available a stockpile of washed gravel to enable extrication of stuck vehicles. (3) A protocol for camper's evacuation from the back field where they are located during the Fair, and (4) emergency erosion control materials on hand in the event of heavy rains. TCC expressed concern about the system of repeatedly adding material to the fields for parking and prefers that the focus be on prevention.

MacDougall presented a series of pictures that related the "bank-full" condition of the Ipswich River to the water level in field #1 of the Fairground seen to be close to the row of telephone poles across the field. This bank-full condition would be the *Mean Annual High Water mark* for the purpose of determining the edge of the river.

All agreed that it will require one more continuation of the hearing to allow the TCC to assemble information to formulate an Order of Conditions (OoC). Luther moved to continue the hearing to Jan. 25th, seconded by MacDougall. All voted in favor.

Continuation RDA 2011-05: Boston Street (Map 81), Mass. DOT.

Andrea Norton of MA DOT has requested an extension to Jan. 25th, at which time she will have the material requested by the TCC at the last meeting. She signed a request to continue. Luther moved to continue the hearing to January 25th at the request of the applicant; the motion was seconded and passed unanimously.

NoI 307-0683: 108 Perkins Row, (Map 51, Lot 9), Philpot/Mill River Consulting Representing.

Merrill recused herself for this hearing and left the room for the duration of this hearing.

This is an application for the replacement of an existing septic system in a buffer zone and near an intermittent stream and BVW's. Spillman has made a site inspection and, with three minor exceptions in an area not critical to setbacks, found the wetlands to be as flagged by the Consultant. The system will be replaced by a Toto recirculating pumped system that exceeds

the performance of standard Title V ones. Only the existing tank will be retained. Hall asked for comments; none were offered. Luther moved to close the hearing, seconded by Jolley. Luther then moved to issue an OoC for the proposed work subject to the usual conditions. Erickson added a requirement that the applicant reappear before the TCC in the event of circumstances that would alter the plan. He then seconded the motion. All present voted in favor of the motion.

2. Requests:

Continuation: RDNI: 2011-18, Maple Street, (Map 4, Lot 82), Geller, Rail Trail Committee.

Roy Baessler submitted and presented his work relative to the determination of grades in the Fairgrounds field at 233 Boston Street, in the vicinity of the Rail Trail crossing of Maple Street. He determined that there is a high point between Maple Street and the middle of field 3 of the Fairgrounds. Thus, the wetlands on the east end of the field are isolated. And, there are not any drainage systems that could mitigate the flooding of the Rail Trail at Maple Street. Baessler then presented the proposal for the culvert under the Rail Trail near its intersection with Maple Street. MacDougall moved to approve the proposed work and issue a Determination of Negligible Impact. Luther seconded the motion. All voted to approve the motion.

Certificate of Compliance 307-0661: 198 Central Street (Map 50, Lot 1) McCarthy, North Shore Heritage Association, Inc./Atlantic Engineering Representing

Bob Lynch of Atlantic Engineering reported on the rain garden status. He pointed out that the rain garden/bioretenion area had been constructed smaller than designed, so he ran calculations and put a weir at the end, raising it two inches to restore the storage capacity. The Conservation posts have been installed and some of the parking was constructed farther from the wetland than proposed. Lynch explained that he upgraded the as-built plan, adding the sidewalks that were installed. One concern is that plantings in the rain garden have been in for only a month. Although the OoC requires more than one year of monitoring, Spillman noted that it is customary to require at least satisfactory viability and growth following a growing season and a winter before certifying that the work is substantially in compliance with the OoC. She will write a letter of evaluation to HUD stating that the work has been completed generally (except for vegetation) in lieu of a CoC. TCC will consider further action if that is deemed insufficient by HUD. Spillman will make a site visit with Lynch on January 16. No further action on this request was taken.

Certificate of Compliance 307-0667, 190 Perkins Row, (Map 34, Lot 68), Guadagno.

The project was construction of a house addition in buffer zone. Spillman reported the property to be in compliance with the OoC and recommended to issue a CoC. MacDougall moved to issue a CoC with standard Continuing Conditions. Erickson seconded the motion, which passed with a unanimous vote.

Certificate of Compliance 307-0677, 28 Wilmor Road, (Map 10, Lot 6) Harvey, Hayes Engineering Representing.

Spillman recommended that the TCC table issuance of a CoC until the grass on the work site is growing sufficiently. No action was taken on this request.

3. Other:

FY-2013 TCC Budget.

Luther went over the several budgetary options that he formulated to deal with the shrinking Wetlands Fund. He did recommend option 3 that provides for a 40-hour work week of the administrator but eliminates the minute secretary's position. Hall indicated that he would involve the Commission more in future evaluations of the office. Carroll moved to adopt option 3 as the FY-21013 budget, seconded by MacDougall. All voted in favor of that option.

4. Administrator's Report:

1. Buttercup Cottage, 362 Boston Street.

Spillman reported that EBSCO is considering buying the property on the corner of Ipswich Road and Boston Street, to clean up the property, put up a sign and, in the future, to construct a small structure to store records on that site.

2. FEMA FIRM Letter.

Spillman reported receiving a letter relative to the latest revisions of the FIRM. The TCC advised Selectman Gandt to review the letter for any possible required Town Meeting action relative to those revisions.

3. Letter of Beals Assoc.

A letter from Beals Assoc. was received relative to the expiration date of the OoCs for the Hickory-Beech subdivision and lots within the subdivision. Spillman replied that the General Court granted a two-year extension on all of these and she provided the resulting new expiration dates.

4. DEP Forms.

The current DEP forms used to file applications etc. cannot be modified as they are received from the Department. Luther will attempt to remedy that.

5. Office Help.

TCC will get office help through the Senior Tax Write-off program.

6. Pheasant Hill Land Swap (O'Malley).

The bill has gone through the third reading. Spillman reported that as soon as a new chair is appointed to the committee, the bill is expected to be sent to the Senate. Senator Berry's office is prepared to support it in the Senate.

7. Amended EO, Cross Street/Meredith Farm -- Remediation.

Bill Manuell reports more modifications and progress on field 17. EPA has scheduled a site inspection for January 20.

5. Adjournment:

MacDougall moved to adjourn the meeting, seconded by Erickson; all voted in favor of adjournment.

APPROVED

Respectfully submitted,



Holger Luther
Vice-Chair, Topsfield Conservation Commission

Accepted at the TCC meeting on January 25, 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.