

Topsfield Conservation Commission
Minutes of Wednesday, March 13, 2013
Topsfield Library Meeting Room

Present: Commissioners Mark Erickson (Chair), Holger Luther, Jim MacDougall, Cheryl Jolley, and Jim Carroll; Administrator Lana Spillman; Minutes Secretary Debbie Rogers; Selectman Liaison Dick Gandt.

Absent: Jennie Merrill

The meeting was called to order at 7:02 PM with a quorum present.

MEETING MINUTES:

A motion was made by Luther to accept the meeting minutes from **February 13, 2013** and **February 27, 2013** both as amended. Carroll seconded the motion and it passed unanimously.

HEARINGS:

NOI: #307-0697: 97 Ipswich Road, (Map 26, Lot 004), Granlund/Hayes Engineering

Present: Gordon Rogerson, Hayes Engineering Inc.

A Public Hearing was held to consider the request to replace a septic system within a Buffer Zone. Rogerson explained how the current system is backing up into the existing 1000 gallon septic tank and needs to be replaced. They would like to upgrade to a 1500 gallon tank to comply with new regulations. The proposed system will be gravity fed into a new 20' x 40' septic leaching field. Spillman visited the site and observed the proposed activities are at least 50 feet away from Wetlands. Sedimentation control will be placed along the limit of work line. There will be some grading involved and the finished grade will be as the existing grade. The soil from the existing system will be removed to offsite, and new sand and soil will be brought in.

Luther made a motion to close the hearing. Jolley seconded the motion and it passed unanimously.

Luther made a motion to approve the work as shown on the septic system plan for 97 Ipswich Road, Lot 18, prepared by Gordon Rogerson of Hayes Engineering, Inc., dated January 26, 2004 and revised February 12, 2013, and issue an Order of Conditions subject to the usual conditions. Jolley seconded the motion and it passed unanimously.

11 Hickory Lane/Lot 13, (Map 50, Lot 026) – discussion with Larry Beals of Beals Associates

Present: Larry Beals, Beals Associates; Jeff Rhuda, Property Owner

Beals explained how he filed for an Amended ORAD for this jurisdictional decision, as only the Bordering Vegetated Wetland on the property is jurisdictional under the Wetlands Protection Act. He passed out copies of his notes from a TCC meeting in November 2011, to explain his interpretation of the discussion that evening regarding the Buffer Zone Boundary and how it affects building on this lot. Beals' interpretation is not consistent with the Commissioners' collective memories and the minutes of the hearing, which indicate that the BZ boundary is to be drawn on either side of the intermittent stream from the outlet of the detention pond, starting perpendicular to the flow at the outlet and shown 100 feet from the stream centerline. The Beals Associates project plan now includes a 100-foot Buffer Zone area in consideration of the Bylaw Intermittent Stream that terminates at the BZ boundary from the BVW. There was discussion on the exact location of

the Buffer Zone Boundary, and on the location of the proposed building activity on the lot. The Commission concluded that there is BZ to the Intermittent Stream not shown on the newly submitted plan. There is an existing open OoC for the subdivision infrastructure and the natural Intermittent Stream is shown on the original ORAD plan as a “flow path.” There was concern about the accuracy of the drawing presented, and that the 100-foot BZ line to the stream should be corrected and may go into the septic system area. Luther summarized that if the septic system structure, would not be in the BZ, only grading, then a RDA filing may be sufficient. If the system structure is within BZ, then the Commission would have to waive conditions of the original OoC. Beals requested a release from the TCC to begin construction of the house foundation (only). The TCC decided the permit could be partially released if the project was split so the foundation work could begin in the area outside the BZ. Spillman will sign off on the construction of the foundation only. There will be no work allowed in the septic system area until revised plans are submitted, reviewed, and approved; a filing may be necessary. The existing fieldstone retaining wall could be incorporated into the plan. Construction of the foundation and related activities will be east of the stone wall. This will be further discussed at the next meeting on March 27, 2013. Beals will send revised plans prior to the meeting

NOI: #307-0698: 6 Gail Street, (Map 40, Lot 019), Chiachiarretta/Graham Associates
Present: Gerald McDonald

A Public Hearing was held to consider the NoI for the construction of a 20’ x 24’ addition and patio, and replacement of a failed septic system partly within Buffer Zone area. MacDougall recused himself from the hearing and left the room. Proof of abutter notifications were brought to the meeting by McDonald. The property is located in Riverfront Area and has a small area of BVW and Bordering Land Subject to Flooding. The present system needs to be upgraded from a 3-bedroom to a 4-bedroom system. The velocity of water that would exit the proposed drainage pipe is not a factor as the area is essentially flat. Spillman made a site visit, confirmed only certain top of bank flags, and has no concerns. A motion was made by Luther to close the hearing. The motion was seconded by Carroll and passed unanimously. Luther made a motion to issue an Order of Conditions for the work as shown on the presented plan titled “Subsurface Sewage Disposal System Repair Plan prepared for John J. Chiachiarretta” by Graham Associates, Inc., dated February 12, 2013, subject to the usual conditions. The motion was seconded by Jolley and passed unanimously.

OTHER:

OoC 307-0695, 224A & 230 Boston Street, (Map 49, Lots 043 &045), National Grid/AECOM Environment – minor modifications to plan
Spillman was informed that the current plan will be amended and submitted soon. The TCC will review the modifications when the plan is submitted.

State Ethics Certificates

The mandatory State Ethics Training and Testing is due soon, and a printed Certificate of Completion should be submitted to the Town Clerk upon completion. The training, testing, and printing of certificate are all available online.

362 Boston Street, (Map 26, Lot 001)

The NoI was filed this week and will be on the agenda for March 27th. The owner's proposal is to donate the property to the Town as Conservation Land. The Historical Commission's requirements have been met for demolition of all the existing structures. The original barn will be dismantled and removed from the property. There was discussion on how the property will be maintained. The right to place a sign on the property will be included in the deed. The Main Street Foundation will provide signage and will help maintain the area around the sign.

120 High Street/Hickory Beech Subdivision, (Map 49) – updates and discussion

The recently extended swale on Lot 7 at 18 Hickory Lane has not solved the drainage concerns. Water is flowing and seeping out of the hill and running into the cul-de-sac. Luther will visit the site following a storm to access the situation.

ADMINISTRATOR'S REPORT:

Updates – Current Projects

Summary of MACC Annual Meeting

Spillman and Jolley attended the MACC Annual Meeting. Jolley attended a session on Open Space Planning and explained how the Community Preservation Act helps to provide funds to purchase open space. The tax is added on to property tax and some of it is matched from a State fund. At least 10 percent must be allocated to specific areas including Open Space, Affordable Housing, and the Historic District. Spillman attended a National Heritage Talk on online certification for vernal pools. She explained how the online report is processed instantly, and the information collected includes endangered plants and animals. She currently is in the process of submitting documentation for the vernal pool between Ridgeview Road and Perkins Row.

PIE R-squared Conference, April 11, 2013, Coolidge Hall at the Fairgrounds

The impact of climate change will be discussed, including increased precipitation and the rising sea levels, and how these events may affect Resource Areas including the BZ. The free conference will be held on April 11th from 8:30 AM to 1:00 PM. Those interested are requested to preregister for the event.

Outdoor Concert

A proposed outdoor concert is scheduled at the Fairgrounds for June 27 or 29th. Up to five thousand people may attend. There was discussion on parking concerns.

Town Water – High Manganese Levels

Spillman spoke with Greg Krom of the TWD who informed Town staff that there are high manganese levels in the Town water supply. There was discussion on various methods of water treatment and how a new plant could address this problem so the manganese is removed from the water. A natural method would be preferred. Erickson explained how there is a system that incorporates highly oxygenated air into the water to remove the excess manganese; and he will research for more information on this method and feedback from towns that use this system.

ADJOURNMENT:

A motion was made by Luther at 9:15 PM to adjourn the meeting. It was seconded by MacDougall and passed unanimously.

Respectfully submitted,

Debbie Rogers
Minutes Secretary

Accepted at the TCC meeting on March 27, 2013

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.