

## ***Topsfield Conservation Commission***

**Meeting of Wednesday, May 23, 2012**

Topsfield Library Meeting Room

**Present:** Mark Erickson (Chair), Holger Luther (Vice-Chair), Cheryl Jolley, Jim MacDougall, Jennie Merrill, Jim Carroll; Administrator Lana Spillman; Minutes Secretary Debbie Rogers.

**Absent:** None

**Also Present:** Heidi Fox

The meeting was called to order at 7:00 PM.

### **HEARINGS:**

#### **Continuation NoI 307-0688: 78 Alderbrook Drive, (Map 68, Lot 023), Masterson/Beals Associates - Request for Continuance to June 13 Received**

A written request was received for a continuation of the hearing to June 13. A motion was made by Luther to continue the hearing of Alderbrook Drive to June 13, subject to the request of the applicant. Jolley seconded and the motion passed unanimously.

#### **OoC 307-0643: 30 Wildes Road/The Meadows, (Map 8, Lot 005), Iovanella/Eastern Land Survey**

Present: Frank Iovanella, New Meadows, and Jim MacDowell, Eastern Land Survey Associates

A public hearing was held to consider revisions for a plan at The Meadows at 30 Wildes Road to accept the 1/30/12 revised plan. MacDowell explained how the revisions contain several detailed changes to reflect a more compact plan, as the result of a revision to the buildings. These changes include the septic system locations and went before the TPB in January 2012. The changes were approved by the TPB. The buffer zone aspects of the plan are the reason for hearing with the Conservation Commission. The first building plan is nearly the same as the original, with 400-500 square feet less buffer zone impact than the initial plan. The last 2 buildings at the end of the cul-de-sac are located near a pond and wetlands. The proposed changes include a T-shaped turnaround approximately 10 x 20 feet located in the buffer zone. Grassed block pavers would be used rather than asphalt to help minimize the environmental impact. The second action includes concern for the golf balls that may hit homes by building a 40 to 50 foot long fairway. Some of the trees already present will be used when possible. The proposed slope will be fairly steep and planted with wildflowers. The most significant change involves stormwater management, with

elimination of the currently approved large underground vault beneath the fairway and instead providing above-ground stormwater detention in an open basin. The hydrological calculations of the revised plan estimates slight reductions (less than 3 or 4 percent) in the peak run off rates, than the current plan.

The TCC expressed concern about the influx from the various drains and whether silt would be an issue. MacDowell explained that most of the site is stable, and silt has not been a problem. Reconfiguration and/or shifting of the basin were discussed, as the concern is that the detention basin would be located only one foot from wetlands. MacDowell explained that the embankment base is now located in the area, grass is in existence, and no major bordering native species are being removed. The edge will be one foot above the wetlands, it will match the grade that is there now, and they are willing to put in buffer plantings. Turf management to control the runoff of nitrogen into Bob's Brook includes use of organic products. This will reduce nitrates in the water as the nitrogen stays put and there is a slower release as opposed to chemicals.

The TCC asked for a peer review by Beals and Thomas of the proposed plan modifications as related to TCC issues. Of particular concern is the proposed proximity of the detention pond to the BVW, and the importance of protecting the wetlands during construction. Spillman agreed to expedite the process, making clear to Beals and Thomas that a cost efficient and timely review is needed. The TCC denied a request to start work modified with the current application prior to issuance of and compliance with any additional requirements related to the Amended Order of Conditions.

Luther made a motion to continue the hearing until June 13 with the consent of the applicant, at which point the TCC can consider the NoI and the issue of how to best protect the Wetlands from construction. The motion was seconded by Merrill and passed unanimously.

**RDA 2012-05: 279-367 Boston Street, (Maps 41, 33, 34, and 26, Right of Way), Mass DOT**

Present: Andrea Norton, Mass DOT

A hearing was held to consider the paving project in an existing area of Route 1 from 279 Boston Street to Ipswich Road, with some of the work area located in a Buffer Zone and Riverfront Area. Norton explained that this is considered a routine paving project. The TCC would like steps taken to help prevent contamination of the water and Wetlands areas. The concern of the TCC is that the road drainage from the project will flow into the Mile Brook river system and end up in the Perkins Row Tow well field site. The TCC would like Mass DOT to take environmental precautions to avoid sediment-laden runoff. Norton stated that she will let Mass DOT know of this concern, and request precautions be taken so salt and sand do not end up in Wetlands. Norton suggested the TCC consider a petition to the state for areas of concern to become low salt areas in the future to protect well fields. The

issue of sedimentation control was discussed, and conditions concerning erosion control will be requested by the TCC. Norton stated Mass DOT would be willing to place erosion control to protect Resource Areas and recommended Spillman be involved with the site inspections. The project will likely be done in the summer. There was discussion on the advantages of using of silt sacs in the catch basin and siltation fence or sedimentation control socks rather than hay bales, as hay bales tend to carry invasive species that can create future problems.

Luther made a motion to close the hearing and it was seconded by Jolley. The motion passed unanimously. A motion was made by Luther to issue a Negative DoA with conditions including the use of appropriate sedimentation control devices including silt socks/erosion control socks and silt sacks in the catch basins, in accordance with the requirements of the TCC administrator. It was seconded by MacDougall and passed unanimously.

**NOI 307-0689: 64 Central Street (Map 41, Lot 115), Low/Mill River Consulting**

Present: Isaac Rowe of Mill River Consulting

A public hearing was held to consider a NoI for replacement of an existing septic system. MacDougall recused himself from the hearing and left the room. School Brook is at the rear of the lot and the entire lot is located in a Riverfront Area. Soil testing was done to locate the system as far away from the Wetland Resource Areas as possible. A bio-filter pretreatment device will drip at a controlled rate to better work with the soils on the property. The system is similar to a pressure distribution system with small pipes releasing filtered water at a slower rate. Rowe brought in samples of the pipe that will be used to show to the Commission. The slightly raised system will dose water more frequently, but at a slower rate and is a better system for certain soils. This system has a pretreatment system that will back flush every 10 times to help keep the narrow piping clear from buildup. There is a capacity to allow for power failure for a day or so. Erosion control is part of the plan. Additionally there is a tree on the property they are trying to save, and they will work with the manufacturer to try to incorporate the flexibility of the product to install piping around the root system. Spillman explained that one flag is missing (on a broken branch) and she would like the TCC to verify certain flags and verify that the distance from the BVW to the proposed leaching area is at least 90 feet. Luther made a motion to close hearing, Merrill seconded, and the motion passed unanimously. Luther made a motion to issue an Order of Conditions for the work as shown on the plan dated May 7, 2012, with the usual conditions. Merrill seconded and the motion passed unanimously.

**REQUEST:**

**CoC 307-0677: 28 Wilmor Road, (Map 10, Lot 006), Harvey**

Spillman has visited the site and it is now sufficiently vegetated.

**CoC 307-0674: 17 Towne Lane, (Map 33, Lot 063), Scarpaci**

Spillman has visited the site and the lawn is now growing.

**CoC 307-0651: 46 South Main Street, (Map 68, Lot 035), Gallo/Neve-Morin Group**

Present: Peter P. Gallo of 46 South Main Street

Spillman stated that she has inspected the property and it is now in compliance.

Spillman recommended a CoC be approved for each of the three properties. Luther made a motion to issue the CoC's for all three properties, MacDougall seconded, and the motion passed unanimously.

**MEETING MINUTES:**

Luther made a motion to accept the minutes from the May 9, 2012 meeting as amended.

Carroll seconded the motion and it passed unanimously. Merrill abstained from voting as she was not present at the meeting.

**OTHER:**

**Merrill Nominated for Vice-Chair**

Luther moved to nominate Merrill as the new Vice-Chair for the TCC. Carroll seconded the nomination and it passed unanimously. Merrill accepted the nomination and was welcomed in as the TCC Vice-Chair.

**Dam Removal Process Discussion**

Luther did a site walk at the dam of interest to the TCC for removal. Although there are numerous advantages to removing the dam on Town property located next to Klock Park, his concern is that shallow wells may be overburdened with the potential increased flow on the well field. The intake of nearby well fields would be affected by the removal of the dam. MacDougall recommended a feasibility study to look at all the questions and determine how other factors will be affected. The culvert at North Street and monitoring wells would be included in the study. The study will consider the cost of installing monitoring wells, in addition to gathering data from those wells already in place. MacDougall stated that grant money is available now from places such as Trout Unlimited and he will start the process of contacting sources for grant funds. The study will help determine the effect of reducing water levels in the wetlands on the nearby wells. For an accurate analysis, the process must be studied over time. MacDougall suggested applying for a limited feasibility study. Erickson will contact some sources about this project, and MacDougall will research grants for a feasibility study.

### **Review of TCCAP Fee**

The TCCAP program has worked well and has saved time and fees for applicants compared to the RDA permit process, but unfortunately the current \$50.00 fee does not cover the administrative costs involved. Spillman explained how each TCCAP involves a file review and several additional activities including site visits and documentation. There was discussion on how much to raise the fee to help offset actual costs involved. A motion was made by Erickson to accept an increase in the TCCAP fee to \$75.00 that will be effective on June 1, 2012. The motion was seconded by Merrill and passed unanimously. Merrill made a motion to amend the Regulations to increase the TCCAP permit fee to \$75.00, Carroll seconded and the motion passed unanimously.

### **MACC Workshops Report from Jolley**

Jolley attended recent MACC Fundamentals workshops and shared some information learned from the workshops. Some of the topics included information on meeting procedures, taping policies, documentation lists, recommended RDA site visits, and requirements for Hearings. Of special interest is the fact that if a meeting is missed by a member of the Commission, listening to a taped recording or watching a video of the missed meeting is acceptable for participating in the discussion of, and voting on, a particular issue; reading the minutes (only) is not acceptable

### **TCC Policies**

Spillman explained how some of the TCC policies need to be updated. Luther suggested a list of policies that are no longer applicable be made and sent out to the Commissioners for review at the next meeting.

### **Computer for Administrator**

Spillman stated that she has received recommendations for a computer to meet the needs of the TCC Administrator and is waiting for a revised quote for a new computer. Luther made a motion to allow up to \$1200 for a new computer for the TCC office. MacDougall seconded the motion and it passed unanimously.

### **Vernal Pool Presentation - Becca Phillips**

Phillips is working on a presentation that will be ready for the meeting on June 13.

### **Strawberry Festival Booth - June 9**

The theme of the Strawberry Festival Booth will be "Topsfield Attacks the Invasives" and approximately ten High School volunteers will work at the booth. Jolley is helping with the planning for the Strawberry Festival Booth. Spillman asked if the TCC would be interested in purchasing T-shirts for the student volunteers. There was discussion on a color choice and the decision was made to go with the Administrator's choice. It was estimated that there

would be approximately ten volunteers and the shirts would cost \$10 each. Luther moved to approve spending \$10 per shirt, or a limit of \$100, with the funds coming from the Bylaw Revolving Fund. Jolley seconded and the motion passed unanimously.

**ADMINISTRATOR'S REPORT:**

**Violation Notice, 50 Prospect Street, (Map 48, Lot 012)**

Spillman noticed three pieces heavy equipment and vegetation removed from the property while driving by. An after-the-fact RDA has been filed by the contractor and will be on the June 13 agenda. There was a request for a reduction in the Bylaw Fee. Spillman contacted the owner and the owner apologized and stated that he was not aware of the requirements. There was no violation fine charged at this time, however, Spillman gave two warning tickets, to the homeowner and to the contractor, as both are responsible.

**Pheasant Lane Land Swap**

It was recommended that the O'Malley's review their home insurance situation to make sure the current property deed agrees with their home insurance policy. This is important to verify property ownership for the mortgage. Spillman will contact Hall to see what he recommends for the next step in this process.

**Department Secretary**

Kathy Eramo gave her notice that she would be leaving the part-time TCC Department Secretary position to accept a full-time position. Spillman is looking into the possibility of hiring a temp to fill in while the TCC advertises for a new secretary. The 15 hour, 3 days a week position has already been advertised internally this past week, and she will start advertising outside of Town government.

**ADJOURNMENT:**

At 9:05 PM a motion was made by Erickson to adjourn the meeting, it was seconded and passed with a unanimous vote.

Respectfully submitted,

Debbie Rogers  
Minutes Secretary

*Accepted at the TCC meeting on June 13, 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.
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