

Topsfield Conservation Commission
Meeting Minutes of Wednesday, August 15, 2012
Topsfield Library Meeting Room

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

Absent: None

The meeting was called to order at 7:08 PM with a quorum present.

PUBLIC HEARINGS:

Continuation NoI 307-0688: 78 Alderbrook Drive, (Map 68, Lot 023), Masterson/Beals Associates

A written request was received from Larry Beals to continue the hearing for NoI 307-0688: 78 Alderbrook Drive to August 29th. Luther made a motion to continue the hearing until August 29, 2012. It was seconded by Merrill and passed unanimously.

Continuation RDA 2012-07: 66 Prospect Street, (Map 48, Lot 007), Flannagan/Wetlands & Land Management, Inc.

A request was received this morning to continue the RDA hearing for 66 Prospect Street to the next meeting. Luther made a motion to continue the hearing until August 29, 2012. It was seconded by Merrill and passed unanimously.

NoI 307-0690: 20 Central Street, (Map 41, Lot 042), Rehak/Blue Goose Architecture

Present: Glen Gollrad of Blue Goose Architecture representing the property owners

A hearing was held to consider NoI 307-0690: 20 Central Street to replace a garage with a new garage and breezeway to be built on the current driveway area. The construction debris will be contained and disposed of properly. The proposed project includes plans to protect the Riverfront Area from potential construction runoff. Silt fence and hay bales will be placed on the site as needed. Spillman visited the site yesterday, reviewed the flag placement, and agrees with the location of most of the BVW flags and all the top of bank Riverfront Area flags. Luther made a motion to close the hearing. Carroll seconded and the motion passed unanimously.

Luther made a motion to issue an OoC for this project with the usual conditions, in addition to the special condition that soil will not be stored on site, and all debris and construction residual be removed from the site. It was seconded by Merrill and passed unanimously.

Amended Enforcement Order 07/20/12: 70 Haverhill Road, (Map 17, Lot 045), DiBartolomeo – Ratification and Update

Present: Andrew and Crystal DiBartolomeo, Property Owners of 70 Haverhill Road

The DiBartolomeos would like to move forward with their project plans. A relative with construction experience recommended adding clean fill to make the finished slope adjacent to Haverhill Road a grade of 9 degrees. The current slope is approximately 15 degrees. Plans

include, as requested by TCC, planting shrubs in Areas 3 & 4 to help prevent any erosion that may occur. Area 2 with the timber has been loamed, seeded, and is growing well. Spillman made a site visit today and said the area is well vegetated. She requested that the backhoe be moved from the yard to the pavement which the DiBartolomeos have done. The TCC appreciated how the DiBartolomeos have made a sincere effort to comply with the TCC requests. Luther moved to ratify the Amended Enforcement Order and add the proposed solution to Area 1 to establish a 9 percent grade from the street down, and seed the area with grass. The motion was seconded by Jolley and passed unanimously.

REQUESTS:

Continuation CoC 307-0663: Summer Street to Wenham Town Line, (Maps 49 & 50, Lots 044/088 & 002/052, respectively), Town of Topsfield/Rail Trail Committee

Luther visited the site and shared his observations – the twin culverts are functioning fine with no evidence of erosion. MacDougall has also visited the site. Luther agreed with Geller that some of the Wild Honeysuckle has over grown and needs to be taken back. Overall the TCC is pleased with the progress and results of the area. Luther moved to issue a CoC for the work between Summer Street and the Wenham Town Line. Jolley seconded and the motion passed unanimously.

CoC 307-0240: 7 New Meadow Lane, (Map 74, Lot 008), Wood/Hayes Engineering

A CoC was requested for the house and pool construction. The pool is not shown on the current as-built plan. Spillman has a site visit scheduled for tomorrow. She will request an updated as-built plan, including the pool, be submitted to TCC for consideration.

OTHER:

120 Hill Street – 132 Hill Street (Lot 3)

Present: Jim and Debra DiBenedetto, Property Owners of 120 Hill Street

The property owners would like to sell the property and have a potential buyer. The DEP Wetlands map shows 120 Hill Street has a Wetland and associated Buffer Zone area that likely extends onto Lot 3. Previously Spillman had authorized soil testing on the property. An e-mail from Larry Beals stated that the wetland boundaries on the site would be flagged and the associated Buffer Zones would be staked prior to the soils testing. There was discussion on Lot 3 and how a jurisdictional area will likely require at least a DoA. Luther noted that wetlands on a property proposed for development must be delineated. The TCC needs more accurate information to make an informed decision. A RDA is required under the State wetlands rules and regulations. The TCC explained how they need to go through the administrative process to move forward. Spillman said there is only a need to do the area nearest the lot, including flagging one section of about 200 feet. This is to show distances and to incorporate this information onto the property maps. If the property owners file a RDA tomorrow, the deadline could be waived. A legal ad will inform abutters to the property. The DiBenedettos would like to proceed as soon as possible and will plan to meet with Spillman tomorrow. Luther made a motion to waive the Bylaw Regulation R:10-3.a.5. in order to allow Resource Area delineation for new house construction under a RDA rather than under an ANRAD. Jolley seconded and the motion passed unanimously.

RDNI 2012-04: Topsfield Linear Common/Rail Trail at Route 1/Boston Street, (Map 58, Lot 052), Topsfield Rail Trail Committee

Present: Joe Geller, Topsfield Rail Trail Committee

Geller provided an update and said there are a few extra poles that need to be placed in the ground; they will not affect the floodplain. The trees do not need to be removed, but some overhanging branches will need to be trimmed. There will be a pole installed on each side of Route One.

Luther made a motion to issue a DNI for RDNI 2012-04. It was seconded by Carroll and passed unanimously.

RDNI 2012-03: 6 Gail Street, (Map 40, Lot 019), Chiachiarretta – Soil Testing in Riverfront Area

MacDougall recused himself and left the room. Luther made a motion to issue a DNI 2012-03 for the soil testing activity in Riverfront Area of Cleaveland Brook at 6 Gail Street. Jolley seconded the motion and it passed by a majority vote, with MacDougall abstaining from voting.

RDNI 2012-05: 31 South Main Street, (Map 40 Lot 085), Guido – Proposed minor modifications to activities under OoC 307-0673

Present: Sara Guido, Property Owner

There are some minor changes to the barn renovation plan proposed. They have decided to keep the barn instead of taking it down. The existing retaining wall in the back by the driveway will now be a two-tier wall. Part of the wall supports the foundation for the barn. There is a large Japanese Maple they are considering taking down as it is only two feet from their house. There will be ~70 sq. ft. additional driveway pavement with these modifications. There was discussion on whether an infiltration trench is necessary to catch water from the driveway as the soil in that area drains very well. A motion was made by Luther to issue a DNI for the proposed amendments as they will have a negligible impact on the Resource Areas. The motion was seconded by Carroll and passed unanimously.

RDNI 2012-06: Topsfield Linear Common/Rail Trail, (Maps 49 & 58, Lots 044/088 & 002/052, respectively), Town of Topsfield/Rail Trail Committee – Vegetation Maintenance

Present: Joe Geller, Rail Trail Committee

Geller explained how the growth is very dense in specific areas. There has not been a determination on what equipment will be used to clear and maintain the vegetation. The advantages of using a sickle bar were discussed to control the vegetation, especially the overgrown Honeysuckle located by the Ipswich River Bridge, south, mostly on the western side of the trail. Luther made a motion to grant permission to mow up to 4 feet from the edge of the trail. The Rail Trail Committee will determine the best method to clear and maintain the area. The motion was seconded by Jolley and passed unanimously.

TCC Policy #2007-1: Mowing of Proposed Rail Trail Site

Present: Joe Geller, Rail Trail Committee

The TCC discussed potential policies for trail maintenance. It was decided to wait on the issue of determining a policy for future sections of the Rail Trail.

RDNI 2012-07: 37 Winsor Lane, (Map 27, Lot 037), Goodhue

The proposal for RDNI 2012-07: 37 Winsor Lane is to replace the deck with an approximately same size deck in the Riverfront Area. Spillman visited the site and does not anticipate any concerns with the project. Additional supports, likely sono tubes, will be added. Luther made a motion to determine that this project has negligible impact and to issue a Determination of Negligible Impact. The motion was seconded by Merrill and passed unanimously.

Potential Dam Removal Project - Update

MacDougall has completed the survey of the dam and will soon prepare the plans. Removal of the dam would lower the pond by 2.9 feet. This is a minor drop and the town would eliminate a liability, however the impact on wildlife would only be affected by about 100 feet. The dam is likely not a flood hazard. There are only 200-300 river herring left and they need to be able to get to Hood Pond. Considering the new data collected, a fish ladder may be beneficial in this case. Three engineering students worked with MacDougall to document the survey data for the dam. MacDougall will draw up a profile of the dam illustrating the flow structure to help make informed decisions about the pros and cons of dam removal.

There was further discussion on rain gardens and how the TCC may consider adding links to their website to make this information more easily available.

ADJOURNMENT:

A motion was made by Luther at 8:51 PM to adjourn the meeting. It was seconded by Merrill and passed unanimously.

Respectfully submitted,

Debbie Rogers
Minutes Secretary

Accepted at the TCC meeting on September 12, 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.