

***Topsfield Conservation Commission***  
***Minutes of Wednesday, October 10, 2012***  
Topsfield Library Meeting Room

**Present:** Commissioners Holger Luther, Jim MacDougall, Cheryl Jolley, Rick Muka; Administrator Lana Spillman; Minutes Secretary Debbie Rogers; Selectman Liaison Dick Gandt.  
**Absent:** Mark Erickson, Jennie Merrill, and Jim Carroll

The meeting was called to order at 7:06 PM with a quorum present.

**PUBLIC HEARINGS:**

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

Present: Larry Beals, Beals Associates

A continuation of a public hearing for NoI 307-0688: 78 Alderbrook Drive was held to consider modifications to the most recent plan submitted to the Planning Board by Larry Beals. Beals brought prints to explain the changes. He filed for a variance with the ZBA. The changes, including expanding the existing driveway to 18 feet wide, are primarily those requested by the ZBA to improve road access. This will allow a fire lane for two emergency vehicles to pass. There will be a one foot wide gravel shoulder at the edge of the new pavement on both sides to provide stability for the shoulders, and to create an area to infiltrate the runoff generated by the additional 2 feet of pavement. The location of trees and plants close to the pavement were identified on the prints. The ZBA recommended removal of the plants that are fairly close to the edge of the pavement. Extra gravel will address ZBA concerns to provide a radius to allow a 35-foot fixed axel fire truck to pull in, back out, and turn around.

Plastic tubes on end will be installed to add support and covered with topsoil at the edge of the driveway. The edge will be reinforced over the pipe with wire mesh to provide a ridge of support for stability. Stormwater runoff management includes infiltrators for the house, a sump for driveway runoff, in addition to sumps in various locations to prevent black ice on the common driveway. The design includes direct runoff into a shallow swale along the edge of the pavement, to a sump, to trap water from going into a neighboring property. The planting has been limited to shrubs with a maximum height of 3 feet to maintain visibility. Slow-growing plants will be selected to address the ZBA concern about overgrowth and maintaining a view of 135 feet, which is sufficient distance for vehicle speeds in the area. The plan includes expanding 2 additional feet into the Buffer Zone, some work near wetlands, the removal of some trees, and the proposed road plowed to 18 feet wide. There will be another hearing with the ZBA and there may be additional changes to consider.

Jolley made a motion to continue the Public Hearing of NoI 307-0688: 78 Alderbrook Drive to October 24, 2012. The motion was seconded and passed unanimously.

**TCC 2012-01: 30 Grove Street**, (Map 40, Lot 017), Walsh/Hayes Engineering

Present: Gordon Rogerson of Hayes Engineering

A public hearing was held to consider the NoI for installment of a leaching field and piping in a Bylaw Riverfront Area of Cleaveland Brook. The proof of abutter notices was received.

This is an after-the-fact NoI as it was filed while the installation was in progress. Rogerson explained that during soil testing it was discovered that the original site on the hill was ledge and

the septic system could not be located there. An appropriate spot was located in the back of the yard behind the shed and garage. The location is farther back than originally planned. A print of the disposal system design was brought to the meeting. Spillman visited the site when the installation was in progress and observed sedimentation controls in place.

Jolley made a motion to close the hearing; Muka seconded the motion and it passed unanimously. Jolley made a motion to issue an Order of Conditions under the Bylaw for the Sanitary Disposal Plan presented at the meeting, dated 8/21/2012, subject to the usual conditions. MacDougall seconded and the motion passed unanimously.

**NoI 307-0693: 14 Grove Street, (Map 40, Lot 013), Peterson/McKenzie Engineering**

Present: Scott Henderson, McKenzie Engineering Group, Gordon and Kathleen Robertson of 16 Grove Street

A Public Hearing was held to consider NoI 307-0693: 14 Grove Street for the demolition of a single-family home and the new construction of a single family home in Buffer Zone of BVW and Riverfront Area of Cleaveland Brook. Proofs of abutter notifications were submitted by Henderson. He explained how Cleaveland Brook is a perennial stream with some BVW, and some of the adjacent area is Land Subject to Flooding. The site currently has a single-family home with a pool, shed, and greenhouse, all in dilapidated condition. There is debris in the yard. There are some invasive plants including Japanese Knotweed and Bittersweet. The existing cesspool is not to code and is affected by the water table.

The proposed plan includes a Presby septic system with a smaller footprint than conventional systems. The existing house, all accessory buildings, trash, and invasive species will be removed. The septic system will be located as far from Cleaveland Brook as possible, close to the street. The existing footprint of structures is approximately 5500 feet and the proposal reduces the impervious area footprint to approximately 2450 square feet. The flood zone, located at the rear of the lot, will be cleaned up and nothing will be put there. The site slopes gently down towards the river. There are no natural swales and no proposed changes to the overall drainage system of the site. A swale is included in the proposed plan to prevent stormwater from continuing onto neighboring property. A request for a waiver of all but \$325 of the Bylaw fee has been received. Spillman proposed the TCC consider a fee based on the median Bylaw fee for previous single-family house projects and determined that \$2,000.00 (approximately half of the calculated fee based on square footage of alteration) would be a fair amount.

Jolley made a motion to charge a Bylaw fee of \$2000.00 to apply to the property at 14 Grove Street. The TCC will waive approximately \$1,765.00 given the fact the proposed undeveloped area at the rear the lot. MacDougall seconded the motion and it passed unanimously.

Neighboring property owners Bryant and Kathleen Robinson of 16 Grove Street were present and asked how the proposed project would affect the easement. They explained how the two lots were originally one lot, and at some point divided into two lots with an easement. The TCC recommended the location of the easement be included on the plan. The new single-family home will be located closer to the Robinsons' property. There was discussion that the plan needs to be revised to consider the buildings as accommodating flood waters and to show proper flood storage/compensation for the floodplain area being filled.

MacDougall made a motion to continue the hearing to October 24, 2012. Muka seconded the motion and it passed unanimously.

**RDA# 2012-09: 221R Washington Street, (Map 47, Lot 001), Martin**

Present: Rob Martin

A Public Hearing was held for a Determination of Applicability for the replacement of retaining walls at 221R Washington Street in Buffer Zone of BVW and inner Riverfront Area of Fish Brook. The existing walls were in need of repairs. The work is primarily after the fact. Martin brought in a sketch of the retaining wall project. Crushed stone has been placed in the footings. Spillman visited the site the previous week, observed that the requested siltation controls had been installed, and had no concerns about the work in progress. The replacement project is planned to be completed this fall.

For the record, Muka recused himself from the vote as property co-owner Suzanne Martin is his niece. MacDougall made a motion to evoke the Rule of Necessity so Muka could vote to meet quorum. The motion was seconded and passed unanimously.

Jolley made a motion to close the hearing. MacDougall seconded and it passed unanimously. Jolley made a motion to issue a Negative DoA for the work being done in Resource Areas including Riverfront Area and Buffer Zone at 221R Washington Street under the Act and the Bylaw, including the usual conditions of sedimentation control.

**Discussion for a Postponed Public Hearing:**

**RDA#2012-10: 254 Ipswich Road**, (Map 21, Lot 008), Carlton/Neve-Morin Group, Inc  
Present: John Morin representing Kathy Carlton

Rimmer Environmental delineated the property. MacDougall recused himself and left the room, so there was not a quorum to open the hearing. The TCC could not vote and postponed the hearing to October 24, 2012.

There was discussion on the request for a DoA for the replacement of a septic system on a property that is for sale. Morin explained that the property failed a Title 5 inspection. The existing septic system is located in the front yard. The entire proposed leach field is outside the 100-foot limit, and there will need to be access through and abandonment of the current system in the Buffer Zone. Currently all septic lines are in the front yard and will be redirected to the back yard. There will be minimal changes in the grading of the property. In order to gain access to where they will be building, there will be the need to use the existing lawn. No trees will need to be removed. Filter socks will be in place to prevent damage to the wetland. The existing tank will be pumped, crushed, and backfilled. Morin explained how there should be no impact on the Resource Areas. The occasional flow area shown on the plan will maintain the current runoff path and prevent ponding located outside the Buffer Zone. The hearing will be opened on October 24, 2012.

**MEETING MINUTES:**

A motion was made by Muka to accept the minutes of September 12, 2012 and September 26, 2012 as amended. It was seconded by Jolley and passed unanimously.

**OTHER:**

**Tree Planning Subcommittee – Applicant Paul Harder**

This item was rescheduled to the October 24 meeting.

**OoC 307-0678: 207 Boston Street/Topsfield Fairgrounds – Fairgrounds parking – update and results**

TCC is concerned that there was a total lack of the necessary and required communication during the Fair. There was a failure to seek prior review and approval from the TCC for expansion of parking areas. There was parking in Field 1 beyond the utility poles and unfortunately damage

was done to the wet areas. A “Lenthall” mix of soil was brought in to fill in the ruts and disturbed soil. The Fairgrounds has explained that most of this mix will be removed. This is a floodplain area/Bordering Land Subject to Flooding. There are several areas that need to be restored. Approximately 6 to 8 inches of the fill will need to be scraped back/removed. The floodplain areas cannot be filled and will need to be repaired. There was discussion on how there may be a need to review the procedure for future events at the Fairgrounds; a review of the whole process may be needed. Luther will write a letter to Hochmuth, copying to O’Brien, explaining the issues and how to restore the area.

**REQUESTS:**

**RDNI: 2012-10: Rt. 97 at Topsfield Linear Common Trail Crossing**, (Map 58), Geller/Rail Trail Committee

Present: Joe Geller

Geller explained how the Rail Trail Committee will work with a supplier from Canada. The committee will install poles on both sides of Route 97 at the crossing in a Buffer Zone and Riverfront Area. Two poles with flashing lights will be installed with sono-tubes. Concrete will hold the breakaway pole. Rock boulders will be placed in front to help protect the poles. Dig Safe will be contacted.

Jolley made a motion to issue a DNI for the Topsfield Linear Common Trail Crossing on Route 97. Muka seconded the motion and it passed unanimously.

**Amended Enforcement Order 9/15/08, 270 Boston Street**, (Map 41, Lot 087) – continued discussion with Albrights

Spillman received an e-mail from Albright who stated he was working on the request (to modify the Enforcement Order restoration requirements). There was discussion on the benefit of consulting a horticultural expert for this site.

**Revisions to Topsfield Wetlands Bylaw Regulations** – discussion

Luther recommended moving the stormwater regulations to the front of the Regulations as they involve issues that are discussed often and frequently referred to.

**ADMINISTRATOR’S REPORT:**

**Interns – Winter Moth Tree Wrapping**

Jolley will contact students to determine if there is interest in participating as interns for a Winter Moth Education Program.

**Pheasant Lane Land Swap**

The TCC has learned that the TPB has not approved the lot line changes resulting from the land swap and may be waiting to hear from the O’Malleys. The exchange of deeds will follow the approval. Spillman will contact the O’Malleys.

**Ferncroft Country Club**

Spillman has not heard back if the plantings were done yet and will send an e-mail for an update.

**72 Hill Street**

Spillman is expecting an as-built plan from Gordie Rogerson of Hayes Engineering. Spillman will contact John Coulon, BoH Agent, for more information.

**ADJOURNMENT:**

A motion was made by MacDougall at 9:30 PM to adjourn the meeting. It was seconded by Jolley and passed unanimously.

Respectfully submitted,

Debbie Rogers  
Minutes Secretary

*Accepted at the TCC meeting on October 24, 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.