Topsfield Conservation Commission

Meeting of Wednesday, April 25, 2012

Topsfield Library Meeting Room

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

Absent: None

The meeting began at 7:09 PM.

HEARINGS:

Continuation NoI 307-0687: 17 to 26 Bare Hill Road & 112 Main Street to 1 Ipswich Road (Public Right of Way), Topsfield Water Department (TWD)/Stantec Consulting Services

Present: Dave Harwood of Stantec Consulting Services and Greg Krom of the TWD

A continuation of the hearing from April 11 was held to consider the NoI to repair water mains located in Buffer Zone areas. Harwood presented revised plans for the project. It was determined that with the originally proposed sedimentation controls, the project activities will be contained in areas that will not impact wetlands, and it is not necessary to show the Wetlands Resource Areas along the western side of Main Street on the plan. Delineation will not be a concern if the project is completed in the designated areas with the precautions outlined in the original plan.

Luther moved to close the hearing; it was seconded, and passed with a unanimous vote. Luther moved to grant an Order of Conditions for the NoI subject to the sedimentation controls on the plan presented on April 11, 2012. The motion was seconded by Erickson, and passed unanimously. Hall and Merrill abstained from voting as they were not present at the last meeting.

NoI 307-0688: 78 Alderbrook Drive, (Map 68, Lot 23), Masterson/Beals Associates

Present: Larry Beals from Beals Associates

A public hearing was held to consider a NoI for the construction of a single-family home, driveway, and septic system located in a Buffer Zone. Beals submitted the abutter notification cards and explained where the proposed house would be situated on the lot. The property has been a lot for a number of years and currently contains a basketball court and an active common driveway with an easement. Wetland Resource Areas border the proposed activity area on the property. The buildable portion of the site will be in a previously cleared area on the lot. The proposed design is located in the existing grass area with access to the house site off the shared driveway already in place. 50' and 100' Buffer Zone lines are shown on the plan and the work would be located outside of the 50-foot zone. There would be disturbed areas in excess of 7500 square feet, so the proposal would need to go before the TPB for stormwater management review. The TCC would like clarification

of whether a determination has been made on whether zoning approval is required for the driveway, as adding another home to an existing common drive could exceed the allowed use of the driveway. TCC reminded Beals that all applicable local permits are supposed to have been applied for prior to the NoI submission. Beals plans to follow up with zoning information.
Test pits were excavated by the developer. Luther stated that they looked up the soils on the lot and there may be some Paxton soil that could be a concern, but Canton soils shown in the proposed area of the septic leaching system should be suitable. Beals explained that soils perked at less than 20 minutes per inch and should be suitable for drainage. The septic design is for a raised system.
This lot may be eligible for a waiver of the Bylaw Regulations considering that the lot was created in 1966, prior to the 2000 Regulations. TCC briefly discussed the alternatives and mitigation requirements of the Waiver Provision of the Bylaw Regulations relative to the proposed project. The TCC would like to visit the site to review Resource Areas and observe the current conditions. Plans were made to visit the site with Beals before the next meeting.

Luther made a motion to continue the hearing until May 9, 2012; it was seconded by Erickson and passed unanimously.

There was additional discussion about the earlier request for a waiver of the entire Bylaw fee. A check was received and is being held for the fee, the amount of which is considered mid-range for a single family house. Hall would like to wait on the matter of a waiver for the Bylaw fee and look into the basis for fees. The TCC is willing to look into the issue, although the fee seems reasonable when compared to other single-family home projects that have come before the TCC and the amount of review required.

REQUEST:
Extension ORAD 307-0480: 120 High Street/Hickory Beech Subdivision, (Map 49, Lot 56), Hickory Beach Realty Trust/Beals Associates
Present: Larry Beals of Beals Associates
Revised ORAD plans were submitted by Beals Associates incorporating the new BVW boundary information. The wetlands boundary had moved on builder's lots 10 and 11, affecting the 100-foot Buffer Zone, and extending the zone further into the proposed building areas. Added modifications to the plan include a note. TCC commented that nothing in the note states that they would be exempt from filing with TCC for activities in the Buffer Zone. The request is for a two-year extension to the ORAD with consideration of the updated information.

Luther moved to accept and endorse the wetlands boundaries as flagged and shown on the ORAD plan dated 4/11/2012; Jolley seconded the motion and it passed unanimously.
Luther moved to extend the ORAD as amended by the plan for two years, as requested, to April 30, 2014; the motion was seconded and passed unanimously.

MEETING MINUTES:

Luther' motion to accept the minutes from the **April 11, 2012** meeting as amended was seconded, and passed unanimously. Hall and Merrill abstained from voting as they were absent from the April 11th meeting.

ADMINISTRATOR'S REPORT:

Willowdale Trail System

Spillman received an e-mail from the Ipswich Conservation Commission inviting the TCC to work together to encourage mountain bikers to stay on designated trail areas and avoid making their own trails. MacDougall noted that the trail system has at least doubled in the past ten years at Willowdale State Forest, although their environmental impact is likely significantly lower. Luther noted a concern about runoff and erosion as most of the trails are located at the top of hills. Mountain bikers, up to 100 per weekend, actively use these trails. They often share conservation concerns and work together to protect the environment. The actual impact of mountain bikers on the environment is generally confined to the areas they directly use. MacDougall offered to work on maps covering the affected areas. Spillman will respond to Pancoast that the TCC is interested but none of the Commissioners has time to work on the topic now.

Enforcement Order to Fisheries and Wildlife regarding the canoe landing area next to Route 97 Update

MacDougall submitted a grant application to Cell Signaling Technology for $5000 to install erosion control materials and restore affected areas, including a wood rail and a retaining wall, at the canoe landing area. He is still waiting to hear back from Mass Wildlife to learn if they received a waiver from the ADA requirements. TCC is encouraged, though, that Mass Wildlife has started to work on the landing area.

ADJOURNMENT:

Luther made a motion to adjourn the meeting at 8:41 PM; Jolley seconded and the motion passed unanimously.

Respectfully submitted,

Debbie Rogers

Debbie Rogers
Minutes Secretary

Accepted at the TCC meeting on May 9, 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.