

## ***Topsfield Conservation Commission***

**Meeting of Wednesday, May 9, 2012**

Topsfield Library Meeting Room

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

**Absent:** Jennie Merrill

The meeting was called to order at 7:13 PM with a quorum present.

### **HEARINGS:**

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

At the written request of the representative, Luther moved to continue the hearing for a NoI for 78 Alderbrook Drive until May 23, 2012. Erickson seconded and the motion passed unanimously.

**RDA 2012-04: 16 Parsonage Lane, (Map 32, Lot 72), Winfrey**

Present: Scott Winfrey, property owner

A public hearing was held to consider a RDA for a pool installation, after the fact, and for removal of trees and saplings in Buffer Zone of an Intermittent Stream and BVW. Winfrey reported that many of the larger trees are located in Wetlands and some are leaning into each other. He would like to clear the property of damaged trees that may be a safety concern. He plans to use a tree climber rather than bring heavy equipment onto the property. He believes this will lessen the environmental impact in the Wetlands and surrounding areas. The resulting logs will be stacked at the edge of the yard. Luther expressed a concern that the Intermittent Stream not be obstructed so the water can flow freely as needed.

It was noted the pool was not previously authorized and was built closer to the Intermittent Stream and BVW than shown on the sketch submitted with the Building Permit application and previously reviewed by the Administrator. Winfrey stated that pool chemicals are stored in an area that is away from the wetlands. Spillman suggested that the pool should be drained away from the wetlands, towards the street. The TCC would like the pool water drained into the catch basin at the street, if possible, and recommended to avoid adding chlorine 1 to 2 weeks prior to draining so the chlorine could dissipate naturally.

Tree removal would include cutting trees down to the stumps and leaving the stumps in the ground. Winfrey indicated he has taken, and would continue to take precautions to allow the natural flow of the stream. Care would be taken to keep the area preserved as a Wetland Resource Area as much as possible. The TCC approved of the removal of trees that are compromised in some way and those that pose a danger to the property, and expressed concern that the wetlands not be increasingly altered for the purposes of landscaping and

creating a larger yard. Winfrey expressed his willingness to protect the wetlands and create minimal environmental impact with the tree removal project.

Luther moved to close the hearing; Erickson seconded and the motion passed unanimously. Luther moved to permit the removal of trees as indicated in the application, with issuance of a Negative Determination subject to usual conditions and requirements. Hall included a statement that no further landscaping in Buffer Zone or Wetlands shall occur without review and approval of the TCC. Winfrey added he would like to build a deck to the pool heading towards the house, away from the Wetlands, as shown on the submitted sketch. The TCC recommended it be set up with spaces between the boards, like a boardwalk, to allow for adequate drainage, and allowed for the deck subject to the provision of it being designed like a boardwalk as discussed. The motion was seconded by Erickson and passed with a unanimous vote.

**MEETING MINUTES:**

Luther moved to accept minutes from the April 25, 2012 meeting as amended. MacDougall seconded the motion and it passed unanimously.

**REQUESTS:**

**CoC 307-0661: 198 Central Street,** (Map 50, Lot 1) North Shore Heritage Associates, McCarthy

A second request was received for a CoC from North Shore Heritage Associates. Spillman visited the site and recommended a CoC be issued.

Luther moved to issue a CoC; Jolley seconded, and the motion passed unanimously.

**OTHER:**

**Chairman Hall Resigns – Erickson Nominated for TCC Chair**

Chairman Hall announced that this would be his last meeting as Chair for the TCC after serving for several years. He stated he has enjoyed working with the Commission and will be happy to help from time to time as he is able. The TCC expressed gratitude for his many contributions including legal expertise, ability to run a well-organized meeting, and willingness to listen and provide a fair forum for the discussion and exchange of ideas.

There was discussion on who would be the next Commission Chair. Luther noted Erickson's commitment to the TCC and nominated him for the position. Erickson expressed a willingness to accept the responsibilities of the position and serve as Chair for the TCC. MacDougall seconded the motion and it passed unanimously. Erickson accepted the nomination and was welcomed as the new TCC Chairman.

**ADMINISTRATOR'S REPORT:**

**School Brook – Water Quality Testing**

Luther explained his presentation to the Board of Health the previous week. School Brook water quality is a concern, as prescreening demonstrates that the water is not healthy. Luther and MacDougall tested a series of water samples from the stream and confirmed that very high levels of coliform bacteria are a problem. The next step would be determining the

source of the coliform bacteria contamination. Resource assessments would help better identify where the problem is located. Nutrient loading is likely contributing to high nitrates, etc., which is, unfortunately, resulting in wetlands being poisoned by nitrogen compounds. The high coliform bacteria counts and poor water quality during low flow conditions indicate that the contamination is likely coming from septic systems.

### **Topsfield Fairgrounds Updates**

There was discussion about the OoC requirement for a 48-hour prior notification for burning and spraying to control invasive plants at the Topsfield Fairgrounds (207 Boston Street). Such notification was added to the boilerplate OoC to address the concerns of neighboring residents and Rail Trail visitors at the time that the Rail Trail was being installed. MacDougall said the Fairgrounds river area has become the third most popular bird watching site in Essex County. The Fairgrounds has stated in its letter that it may be difficult to give 48 hours prior notice, as wind and other weather conditions are sometimes difficult factors to predict, but they will try to give as much notice as they can. TCC asked Spillman to write a letter asking them to state what they plan on doing and when, and to provide information on alternate plans and/or dates if the weather changes. Hall stated it is beneficial for the Fairgrounds to provide adequate notice of what they are doing, and explained how a 48-hour notice allows the TCC the opportunity to notify residents and address concerns.

### **Dam Feasibility Study**

There was discussion on how a feasibility study for removal of the dam on Town property next to Klock Park would benefit the Town of Topsfield, as it would help determine the pros and cons of leaving the dam as it is, and consider the benefits of removal. The dam could be a liability in the long run. Removal of the dam would allow fish to populate in the cleaner water.

### **New Computer for the Administrator**

Spillman has requested a new computer and the paperwork detailing the specifications is in the process of being prepared and will be submitted to the TCC for a vote at the next meeting. A significant advantage of a new computer would be improved downloading and viewing of town maps, which is an important consideration in many applications.

### **TCCAP's**

There was discussion and review of the application process for TCCAP's. Approximately 40% are for tree removals. Overall the process is working very well, but the \$50 fee does not cover the administrative time involved, including two site visits, research, etc. The current system has been in place for less than two years. There was discussion about increasing the fee to help cover more of the actual costs involved, while still being reasonable. This topic will be on the agenda for the next meeting.

### **ADJOURNMENT:**

At 8:44 PM a motion was made by Luther to adjourn the meeting; it was seconded by Jolley, and passed with a unanimous vote.

Respectfully submitted,

*Debbie Rogers*

Debbie Rogers  
Minutes Secretary

*Accepted at the TCC meeting on May 23, 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.