

Topsfield Conservation Commission
Minutes of Wednesday, February 13, 2013
Topsfield Library Meeting Room

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

Absent: None

Also in Attendance: Walter Harmer

The meeting was called to order at 7:07 PM with a quorum present.

HEARINGS:

RDA: # 2013-01 52 Prospect Street, (Map 48, Lot 008), Geller

Present: Joe Geller, Property Owner

A Public Hearing was held to consider the request for determination of applicability for a proposed well to be located within a Buffer Zone to BVW. Abutters were notified. The replacement well, slurry pit would be in the Buffer Zone and access would be through the Buffer Zone on the property. The TCC determined there would not be a negative impact on the environment under the usual conditions.

Luther made a motion to close the hearing. Jolley seconded the motion and it passed unanimously.

Luther made a motion to issue a Negative Determination of Applicability subject to the standard conditions. Carroll seconded the motion and it passed unanimously.

REQUESTS:

Amended Enforcement Order 9/15/08, 270 Boston Street, (Map 41, Lot 087) – Review and Vote

There was discussion on the draft Amended Enforcement Order reviewed by Merrill, and agreement to the modifications to the Original Enforcement Order.

Luther made a motion to issue an Amended Enforcement Order as drafted, contingent on the Albrights signing the letter of agreement. The Amended Enforcement Order will take effect as of the date of the TCC's receipt of the document signed by the Albrights, Jolley seconded the motion. MacDougall abstained from voting. The motion passed by a majority with MacDougall abstaining.

OTHER:

Emergency Certification #2013-01: 50 Prospect Street, (Map 48, Lot 012), Carroll – Ratification

Spillman explained how she spoke with Mr. Carroll about his request to remove a dead and leaning tree as well as three White Pine Trees close to the house for safety reasons. In addition, he would like to remove additional trees, which will require a RDA. This will be on the agenda for the next meeting. The Emergency Certification was issued and Carroll plans on removing the trees specified in the Emergency Certification soon.

Luther made a motion to ratify the Emergency Certification and it was seconded by Merrill. The motion passed unanimously and Commissioners signed the document.

Discussion: #307-0248 - Certificate of Compliance Status for Morningside Drive & High Ridge Road

The DEP has a program where they are seeking requests for Certificates of Compliance for expired Superseding Order of Conditions. There are some cases with CoCs issued under the Bylaw a few years ago that sought CoCs from the State. The DEP has requested that the property owners with an expired SOoC apply for a CoC. The TCC issued a CoC for the Bylaw OoC 307-0248 several years ago, but the request for a CoC for the SOoC apparently has not been sought.

Town Library Expansion and Parking, #307-0262 CoC – Update

This is a related matter involving the DEP and an expired Superseding Order of Conditions (SOoC). The work for this project was completed; however there have never been applications for CoCs (for the Bylaw OoC and for the SOoC) to finalize the project. The requirements include an as-built plan and a letter from an engineer. There may be an as-built plan available. Spillman met with Laura Zalewski to review the requirements met; and to discuss the monitoring, maintenance, and stormwater management required to issue the CoCs, under the Act and under the Bylaw.

120 High Street/Hickory Beach Subdivision, (Map 49, Lot 056) – Stormwater Management and Drainage, Update

Spillman sent a letter to the TPB. The TPB replied and would like the TCC included in decisions related to the subdivision infrastructure and stormwater management. There is interest from potential buyers in purchasing several lots. There are construction and environmental concerns with some of the lots, including swales, enlarged wetlands, and stormwater management issues. The lots are buildable; however buyers should be aware of issues specific to each lot, and the fact that construction must be appropriate and within guidelines for each individual lot as approved.

Revisions to Topsfield Wetlands Bylaw Regulations – Discussion

The TCC continues to work on revisions to the Topsfield Wetlands Bylaw Regulations. Luther proposed to circulate Lana's revisions to all.

ADMINISTRATOR'S REPORT:

Updates – Current Projects

224A & 230 Boston Street, (Map 49, Lots 043 & 045), National Grid/AECOM Environment
The substation OoC was recently issued. The work is proposed to begin in March.

CoC Recording/Request to Finalize Filings

The TCC office mailed at least 35 letters suggesting that property owners record issued CoCs, seek CoCs, or finalize other requirements in order to close files. The office has received several responses. Some property owner have recorded the CoC, but never submitted the proof of recording to the TCC. This helps property owners keep their records up to date and avoid any related delays in selling or refinancing property.

4 Arrowhead and 43 Washington Street - Letter

An abutter who lives at 4 Arrowhead sent a letter to her neighbors at 43 Washington Street asking them to remove two dead trees alongside a stone wall located in wetland area. Her lawyer recommended she write the letter for liability reasons. The TCC received a copy of the letter. There has been no response from the property owners at 43 Washington Street.

Student Summer Intern

Spillman spoke with Pam Wood about the necessary approvals and funding for a summer intern. The pay rate would be for the current fiscal year and would come from the Bylaw Revolving Fund. Past projects have included certification of vernal pools, and flyers on rain gardens and invasive species. Most projects have involved outreach and education. Spillman will compile a list of project ideas to be discussed at the next meeting.

Greenscapes – Flyer – Ideas for Distribution

Posters are on the Town Hall bulletin boards for the upcoming organic landscaping presentation at the Topsfield Library on April 8. Suggestions were discussed for locations to place posters for the event. Copies of materials from the TCC invasive species project and rain gardens will be available at the presentation, in addition to providing information on how to become a member of the Topsfield Tree Planning Committee.

Tree Planning Committee – Update

The history of the Tree Planning Committee was researched and it has been difficult to find early information. It was originally a subcommittee of the TCC when MacDougall was hired by the Tree Committee in the early 1970's to help plant trees. Spillman found references to a warrant article in 1968 and information indicating the need for a Tree Planning Committee, and will continue to research TCC files from 1967 to 1970 for more information.

Finance Committee Meeting

Luther and Carroll attended the Finance Committee meeting with Spillman. There were no questions from the Finance Committee meeting.

Opening on the Commission

Rick Muka recently started a new position and resigned as a Commissioner. The TCC will post the position on the website.

Canoe Landing

MacDougall has been in contact with Mass Wildlife regarding the canoe landing on Route 97. They will contact him soon with information on a waiver from the Americans with Disabilities Act.

Mapping Committee

The Mapping Committee will review the updated Mass GIS mapping system at their next meeting. MacDougall explained how the maps are very informative and are able to provide data layers of information on specific parcels.

Leopard Frogs in the Ipswich River Basin

MacDougall informed the TCC that there is a new species of frog in the Ipswich River Basin which was first recognized by its different vocalization from other frogs. The Leopard Frog will be DNA tested.

ADJOURNMENT:

A motion was made by Luther at 8:13 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 March 13, 2013

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.