

***Topsfield Conservation Commission
Minutes of Wednesday, April 9, 2014
Topsfield Library Meeting Room***

Present: Cheryl Jolley, Vice Chairperson; Holger Luther; Jim MacDougall; Jim Carroll; Lana Spillman, Conservation Administrator; and MaryAnn Tuxbury, Minutes Secretary.

Absent: Jennie Merrill, Chairperson

Other Attendees: Greg St. Louis, Beals Associates; Paul Harder; and Selectman Dick Gandt.

The meeting was called to Order at 7:10 p.m.

REQUESTS:

CoC #307-0536: 137 High Street, (Map 50, Lot 003), Arcidi

There was no one present to represent the owner.

Spillman stated that this was a response to one of the reminder letters sent out. She explained that this is a rental property adjacent to the Masconomet Nursing Home, and that it had a septic system replacement, maybe three (3) or four (4) years ago, possibly longer than that. She did a site visit today with the owner's representative, and the site looks fine, but there are no conservation posts up. The representative stated to her that he could have them up in about a week, and after they were installed, he would call for a follow-up inspection.

Luther suggested that the Commission should take this up at the next meeting. The members agreed.

RDNI #2014-04: 13 Pond Street, (Map 02, Lot 004), Duffy

There was no one present to represent the owner.

Spillman stated that the Commission issued an OoC for septic system replacement about a month ago, and that Mr. Duffy is the new owner of the property. This RDNI is for a 4' X 8' excavation for a chimney on the north side of the house and removal of a dead 20" cherry tree, which is located about five (5) feet from the edge of the wetlands. She reported on her site visit today and showed photos of the site to the members. She recommends that due to the proximity of the dead tree to the wetlands, that no heavy equipment go beyond the limit-of-work line shown on the septic system plan.

After the members reviewed the photos, a motion was made and seconded (Luther/Carroll) to issue a Determination of Negligible Impact with the condition that any heavy equipment used to remove the dead tree must remain on the upland side of the limit-of-work line. So voted unanimously.

**CoC Act #307-0507: 120 High Street/Hickory Beech Subdivision, (Map 49, Lot 056)
Meeting Way Corporation/Beals Associates, Inc.; and**

**CoC Bylaw #307-0507: 120 High Street/Hickory Beech Subdivision, (Map 49, Lot 056)
Meeting Way Corporation/Beals Associates, Inc.**

There was no one present to represent the applicant for either of these requests, but a request for a continuation had been received in the office.

A motion was made and seconded (Luther/Carroll) to continue both items to the April 23, 2014 meeting. So voted unanimously.

OTHER:

OoCs #307-0522: 3 Beech Place (a.k.a. Lot 23), (Map 50, Lot 0037), Patch – update and discussion

Greg St.Louis, from Beals Associates, was present and represented the property owner for this discussion. He stated he was here to discuss a stone wall that was replaced with a stone and grass slope under filings for a minor modification to Act and Bylaw OoCs dated 10/24/08. The Amended Orders allowed the driveway travel surface to be shifted, and the planted slope to be replaced with a stone and grass slope. Starting with the first OoCs, every approved plan/revision has shown the ~100 foot long stone wall on the east side of the driveway slope.

Spillman stated that for some reason all the notes regarding this wall, and the wall itself are still on all of the plans, and the footprint of the wall is different. She feels that this was an oversight on the plans, but that amendments to the OoCs are necessary, because they are legal documents that need to be recorded. Also, at the time for CoCs, as-built plans will be compared with the approved plans for compliance.

Luther stated that if the applicant files for an amendment to the plan, the Commission should waive the Bylaw filing fee for it. The members agreed and informed St. Louis that he would need to file for amendments to the OoCs. The Commission will waive the filing fee; a legal notice would be published and abutters notified; and the Commission will hold a hearing on it. Luther stated that this needs to be done this way to satisfy requirements of the Act and the Bylaw.

ATM Warrant Article (number of Commissioners) – update, preparation for ATM

Spillman wanted to know who was going to be present at the ATM to answer any possible questions from the audience in regards to this warrant article.

Luther stated that he had planned to attend ATM and speak in regards to this warrant article, and he said he would also answer any questions.

ADMINISTRATOR’S REPORT:

DoA #2013-11: 124 Hill Street, (Map 68, Lot 049) - update

Spillman stated that Glenn Ritter keeps her informed on a regular basis of the progress being made out on site. To keep water from going onto the agricultural field, an earthen berm has been constructed on the northern side of the property. She stated that she went out to the site after it rained and saw that the water had gone around the earthen berm. She spoke to Mr. Ritter about this today, and he had stated that J. Masterson employees had been out there for a week working on that, and that they had planned to be there another week and will continue to work on this so they can stabilize the site. Spillman added that the third catchment area still hasn’t been constructed, and she commented that this site is going to need constant monitoring until it is vegetated.

Paul Harder, an abutter, 125 Hill Street, informed the Commission that Glenn Ritter had stopped by to see him one day when he was working in his yard. They had spoken about corrective work that needs to be done, and he showed Ritter the damage that had been done to his property. He guesses there are about eight (8) to ten (10) cubic yards of silt in the swale that need to be removed.

Apparently the problem stems from the agricultural field not being vegetated; if it's vegetated, the water will spread out instead of flowing down the roadway and into the stream. Harder stated that this agricultural field used to be 16 acres and now it's down to three (3) acres.

Spillman informed the Commission that they could take jurisdiction over this site if there has been any alteration within 100 feet of a Wetland Resource Area.

Luther stated to Harder that the Commission would be closely monitoring this site.

Hickory Beech Subdivision, 120 High Street – updates

Spillman informed the Commission that the Planning Board has still not received a check from Meeting Way Corporation for the peer review to be done by Beals and Thomas.

Eagle Scout Projects – updates

362 Boston Street: Spillman reported that she, Luther, and Frank and Aiden Crowley met at the site to discuss the work to be done. It was decided that chemical treatments to the invasive species would not be part of the Eagle Scout project.

MacDougall asked if as a Step 2 on this site, they could collaborate with the DPW and see if they would go out there with a backhoe to excavate out the knotweed then put some organic material over the excavated area.

Luther added that they had also discussed types of plantings for the site. Specifically, they discussed planting Willow and dogwood, because those were the two (2) plantings that were suggested by MacDougall. MacDougall stated that he would like to see any type of native flowering plantings along the corner of this lot.

5 Hickory Lane/Open Space and 22 Evergreen: Spillman stated that she had met today with Bob Cummings (Scout Leader) at the site to discuss the proposed work to be done as an Eagle Scout project. She stated that 12 feet was not a long enough span for the footbridge, and she showed the members pictures of what it looks like. Cummings and she concluded that the footbridge should be twice as long as what has been proposed.

Luther questioned why the Commission was trying to brainstorm this when it was the responsibility of the Eagle Scout to come up with a plan and present it to the Commission for approval.

ADJOURNMENT:

There being no further business to come before the Commission, a motion was made and seconded (Luther/MacDougall) that the meeting be adjourned. So voted unanimously.

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

MaryAnn Tuxbury,
Minutes Secretary

Minutes approved at the TCC meeting on May 14, 2014

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.