

Topsfield Conservation Commission
Meeting Minutes of Wednesday, January 25, 2012
Topsfield Library Meeting Room

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

Absent: None.

Also in attendance: Andrea Norton, and Jack Moran for the Continuation RDA 2011-05: Boston Street/Route 1 hearing; Martha Morrison, Steven Hall, Dick Gandt, Jan Ablon, and Gregor Smith for the joint meeting with Topsfield Planning Board.

The meeting was called to order by Chairman Hall at 7:06 PM.

HEARINGS:

Continuation NoI 307-0678: 207 & 233 Boston Street (Topsfield Fairgrounds) and 37 River Road (South Main Street frontage), (Map 57, Lots 4-1,4-2, & 7; Map 48, Lot 13; & Map 49, Lot 82), Essex Agricultural Society and Aftandilian/The Neve-Morin Group.

A request in writing for a continuance of the hearing until February 22 was received. Luther moved to continue the hearing to February 22, 2012; Carroll seconded the motion. The motion was approved unanimously.

Continuation RDA 2011-05: Boston Street/Route 1, (Maps 76 and 81), Mass. DOT.

There was a review of materials submitted by Andrea Norton, MA DOT, including a discussion of the property, proposed construction, and how this may affect jurisdictional areas. Norton explained that the portion of the property where work would take place (30 Boston Street, Map 76, Lot 1) is not in the conservation restriction area and a survey was done to document and reestablish lot lines.

There was concern about sediment and drainage swale flow, especially toward the stream to the south, at the bottom of the hill. Luther pointed out that this hill, like many in Topsfield, likely has Paxton soils and a lot of water flowing in major storms. Moran, MA DOT engineer, explained how a proposed trench is designed to divert water. Easements would be needed to do the work. Luther made a motion to close the hearing. The motion was seconded and passed unanimously. There was a motion by Luther to issue a Negative DoA subject to some conditions relative to sedimentation control and proper notification prior to work. The motion was seconded and passed unanimously.

MEETING MINUTES:

Luther made a motion to accept the January 11, 2012 minutes as written and edited; Jolley seconded. The motion passed with a unanimous vote.

OTHER:

Amended Enforcement Order 01-18-12: 221 Washington Street, (Map 47, Lot 2), Galka. Luther moved to ratify the AEO. MacDougall seconded the motion. The motion passed unanimously.

ADMINISTRATOR'S REPORT:

Emergency Certification 01-25-11: Water Department Breaching of Beaver Dam in Mile Brook down from Perkins Row Bridge, (MA Audubon Property), (Map 35, Parcel 006).

Spillman reported the beavers remain very active at the Perkins Row Bridge, and the upstream water has risen to a level that is a potential threat to the Town well field off Perkins Row. There is a letter and supporting documentation from Massachusetts Audubon giving Topsfield permission to address this issue. Work may start later this week with an emergency permit from the BoH. The beaver dam breaching and water lowering process will be a gradual procedure over the next few weeks. Additionally, there is also a proposed NOI to install a replacement water flow device in the spring. Luther made a motion for ratification of the Emergency Certification to breach the dam. It was seconded and the motion passed unanimously.

Pheasant Lane Bill

The Pheasant Lane Bill has passed the House and is now at the Senate. Within three weeks it should be signed. The O'Malley's will be contacted to make sure the necessary paperwork is in order with their mortgage bank to move forward with the equal value land swap approved by a town vote in May 2011.

Survey of Stream Crossings Update

MacDougall, regional coordinator of the UMass CAPS program, is collecting data to assess barriers and better understand how culverts and bridges affect wildlife. Each culvert and related areas such as roads and slopes are measured, and the information is entered into a data base to rank areas of concern. He is currently gathering and recording data on 35 locations most significant to local wildlife. This information will help evaluate the impact of culverts and bridges for future stormwater management.

MACC Annual Conference, March 3rd

There is still time to sign up before the MACC Annual Conference. Several TCC members plan to attend. Spillman requested those interested contact the office soon.

TCC FY2013 Budget Update

The TCC is scheduled on February 7, 2012 to go before the Finance Committee. Luther and Spillman plan to attend.

JOINT MEETING WITH TOPSFIELD PLANNING BOARD:

At 8:16 PM a joint meeting was held with the TPB. A series issues related to recent property developments on hillsides in Topsfield have brought to light the stormwater and erosion problems associated with construction on drumlins in the Town. Martha Morrison discussed that the Planning Board would like to better address these concerns, possibly by changing the Stormwater and Erosion Control Bylaw, currently a general bylaw under the TPB, to a zoning bylaw. This would require a vote of ATM. There was discussion on the TCC and the TPB working together to update maps to include soil and slope data, and perhaps to require proposed development in designated "red zones" to seek additional review/approval/a special permit. TPB would like to improve the language of zoning rules and bylaws so soil and slope impacts are more accurately considered. A better understanding of local hydrology would help address important issues and save expenses in the long run. This information will improve communication and help homeowners and engineers better understand issues unique to the Topsfield area. Erickson and MacDougall will work on the maps

with Steve Hall of the TPB. A subcommittee may be formed for this purpose. The Board of Health should be involved as well. There was consideration of a warrant to improve the existing TPB rules and regulations so they are based on factual scientific standards to protect property owners.

ADJOURNMENT:

At 9:35 PM a motion was made by Erickson to adjourn and passed with a unanimous vote

Respectfully submitted,



Debbie Rogers
Minutes Secretary

Accepted at the TCC meeting on February 8, 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.