

Topsfield Conservation Commission

Meeting of Wednesday, March 11, 2009

Topsfield Library Meeting Room~ 7PM

The meeting was called to order by the Chair at 7:07 p.m. with a quorum present: George Hall, Chair; Jud Pratt; Jim MacDougall; Mark Erickson; Jennie Merrill

Also present: Lana Spillman, TCC Administrator; Catherine Tinsley, Minutes Secretary

Not Present: Holger Luther

Abbreviations used:

TCC – Topsfield Conservation Commission

ANRAD – Abbreviated Notice of Resource Area Delineation

DEP – Department of Environmental Protection

OoC – Order of Conditions

NoI – Notice of Intent

EO – Enforcement Order

OPEN MEETING:

TCC signed bills, authorizations and time sheets.

MONTHLY OUTREACH INFORMATION SESSION:

Mark Erickson and Jennie Merrill presented.

Erickson reported that he and Merrill met Saturday and talked about public outreach, saying they sub-categorized it into three subjects: education, landscapers, and community. They went on to talk about specific ideas for working with volunteers, raising awareness throughout the community and with local landscapers regarding e.g. rain gardens, native plants, invasive plant control and community-sponsored programs. Working to involve the schools/students was also a part of this discussion, and Erickson volunteered to make contact with Masconomet School. The TCC suggested that landscapers be invited to a TCC meeting for a preliminary discussion; this will be put on the agenda for a meeting in April. The TCC talked about designating a specific trail in town to work on; Spillman noted that there are town properties under TCC management. Pratt volunteered to follow up with Dave Bond to find out what happens with the brush brought up to the Highway Department.

HEARINGS:

Continuation ANRAD 307-0640: 57 Candlewood Drive and 109R Perkins Row, (Map 43, Lot 7), Skeffington, Jr./Hayes Engineering, Inc. A request from Libby Wallace/Hayes Engineering, for the applicant, to continue the hearing to April 8, 2009 was received 3/11/09.

It was noted that possible access off Perkins Row needs to be addressed.

Pratt made a motion to continue the hearing under the Act and the Bylaw to April 8, 2009, at the written request of the Applicant's representative. The motion was seconded and carried by unanimous vote.

Continuation NoI 307-0638: 57 Candlewood Drive/109R Perkins Row, (Map 43, Lot 7), Skeffington, Jr./Hayes Engineering, Inc. Request for continuance to April 8, 1009 received 3/11/09.

Pratt made a motion to continue the hearing under the Act and the Bylaw to April 8, 2009, at the written request of the Applicant's representative. The motion was seconded and carried unanimously.

NoI 307-0645: 84 Parsonage Lane, (Map 17, Lot 1), Cantor

Proof of abutter notification was submitted previously; Erickson read the legal ad Homeowner Eric Cantor was present.

This is a proposal to remove the existing deck and replace it with a screened porch and deck; all within the Buffer Zone to a Vernal Pool. Spillman noted that she has heard wood frogs in the pool. Cantor

stated that the house has an existing 10-foot x 27-foot deck that is 60 feet from a wetland; the intention is to replace the deck with a screened in porch and the addition of a small deck. Additional footings are necessary and some minor modifications to the site, and the square footage will increase a bit to accommodate the porch and deck. Spillman summarized her observations made during a site visit. The TCC referenced the Town Wetlands Bylaw Regulations, which specify that that the footprint in Buffer Zone is not to increase more than 5% or 400 sq. ft., whichever is less. No waivers would be needed in this case. The TCC identified their concerns about the vernal pool wildlife and the timing of the proposed project, saying that it should not start prior to April 15th. Contractors would be instructed to hand carry tools and supplies on the property. Cantor will come back with a final plan to submit to the TCC and requested to continue to the first meeting in April.

Erickson made a motion to continue the hearing for 84 Parsonage Lane until April 8, 2009. The motion was seconded and carried unanimously.

MEETING MINUTES:

Pratt made a motion to accept the minutes of February 11, 2009 and February 25, 2009 as amended. The motion was seconded and carried unanimously.

REQUESTS:

Continuation CoC 307-0520: 32 Lockwood Lane, (Map 30, Lot 2), Richardson

Homeowner Carolyn Richardson was not present. Spillman noted that post-activity photos have not been submitted to date and no site visit has been made due to the snow.

Hall made a motion to continue until April 8, 2009 the motion was seconded and carried unanimously.

OLD BUSINESS, UPDATES, & MISCELLANEOUS:

Continuation NoI 307-0643: 30 Wildes Road – New Meadows, (Map 8, Lot 5), Iovanella/Wetlands & Land Management, Inc. – Joint RFP with the Planning Board – update

Spillman reported that seven proposals were received, from Beals and Thomas, Cammett Engineering, BSC Group, Horsley Whitten Group, Howard Stein and Hudson, Cuoco Cormier, and Lynnfield Engineering. A standard Criteria Form will be prepared by Pratt and Erickson to be used by the Evaluation Committee.

Proposed FY 2010 Budget – discussion and vote

Spillman reported that she reviewed Budget “F” with Finance Committee Representative Paul Dierze, noting that Town budgets need to be finalized by the end of March. A detailed discussion of understanding followed. A more detailed budget history and presentation will be made to the TCC at the next meeting. No action was taken at this time.

OoC #307-0510: Ipswich Road, Maintenance and Methodology Plan and Schedule for proposed drainage.

The TCC was informed that the proposed work to resurface Ipswich Road will begin soon; this is a two-year project. The TCC office received a letter from the contractor proposing Steven Erickson of Norse Environmental Services as the Environmental Monitor for the project. TCC would like to review the Order of Conditions and approved plan to understand what was approved. The TCC will review the documents as approved by the previous TCC at the next meeting.

ADMINISTRATOR’S REPORT:

Open Space – update

Spillman reported that comments from two Commissioners regarding the Open Space Plan were submitted; all comments about survey are to be submitted by March 16th. She added that comments about the last OS Report/current draft need to be to Holger by May 1.

Proposed Revisions to Bylaw Regulations – There was a brief discussion regarding the proposed revisions. Hall will work on the revisions.

MACC 2009 Annual Environmental Conference – Reports

Hall gave an update about DEP WIRE, which would dovetail very nicely with TCC’s desire to have electronic filing. Information would go into a database that DEP is creating. A goal is to make TCC’s system very user friendly with DEP’s.

Hall also discussed Positive Impact Development and the need to get more stormwater to infiltrate and recharge groundwater.

MacDougall discussed that the intensity of rain effects and the frequency of rain events has gotten greater over the last 15 years. He also commented that there is a need to recertify vernal pools.

Rain Garden Workshop/Greenscapes – No update was given.

WIRE – Update- Electronic filing was discussed and it was identified that the PDF filing is default; paper filing is still accepted. The TCC web page has a link to DEP web site.

9:25 PM - EXECUTIVE SESSION: Potential Litigation

9:25 PM Erickson made a motion with five members present to enter into Executive Session for the purpose of discussing potential litigation of a land owner in violation of TCC Regulations and to return to open session for the sole purpose of adjournment. The motion was seconded and all members voting in the affirmative and none in the negative, on roll call vote it was VOTED: To enter into Executive Session.

*Present: George Hall, Chair; Jim MacDougall; Jud Pratt; Jeannie Merrill; Mark Erickson
Lana Spillman, TCC Administrator; Catherine Tinsley, Minutes Secretary*

9:53 PM – The TCC returned to open session.

Erickson made a motion to adjourn and it was unanimous to do so.

Respectfully Submitted,

Catherine Tinsley, Minutes Secretary

Accepted at the TCC meeting on May 27, 2009.

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.