

Topsfield Conservation Commission

MINUTES OF JANUARY 28, 2015

Topsfield Town Library Meeting Room

Present: Commissioners Cheryl Jolley, Dodds Shamroth, Jennifer DiCarlo, Holger Luther.
TCC Administrator Lana Spillman

Absent: Jim Carroll.

In attendance were: Chris Cole, Susan Cole, James Cole, Jim Scanlan, Selectman Dick Gandt, who arrived late in the meeting.

At 7:04 PM there being a quorum, Chairman Jolley opened the meeting:

Hearings:

NoI 307-____: 21 Pemberton Road, (Map 49, Lot 021), Smallidge/Scanlan Engineering
Request for the replacement of a failed septic system.

Proof of abutter notification was submitted; the legal notice was read. Jim Scanlan presented a plan for the reconstruction of a septic system on a lot, with the house currently unoccupied that is in the Cleaveland Brook Riverfront Area and partly in a Buffer Zone of a BVW.

Spillman pointed out that a portion of the lot is in the federal 100-year flood zone. Scanlan was asked to denote the FIRM flood elevation on his plan. The Commission can't act without a DEP permit number in any event. Luther moved to continue the hearing until Feb. 11th, 2015, seconded by Shamroth, approved unanimously.

RDA 2015-01: 3 Beech Place (Lot 23, Hickory-Beech subdivision), (Map 50, Lot 037), Nulsen.

Proof of abutter notification had been submitted previously; the legal notice was read. Jeff Nulsen presented a tree-cutting plan on his property mostly of pine trees too close to his house and deciduous trees that are diseased, damaged, or are leaning toward the house at the Jan. 14th TCC meeting with Dan Mayer from the Mayer Tree Service. Spillman reported that she and Nulsen had agreed to leave a couple of "environmental" trees – butts for woodpeckers and other tree denizens. None of the trees on the list were on the original list of the Third Amended OoCs issued in August 2013 for this lot; all are in Buffer Zone, beyond the limits of work approved with those Amended OoCs. Luther moved to close the hearing and to issue a Negative Determination of Applicability with the condition that stumps be left in place, seconded by Shamroth. All voted in favor of the motion.

Requests:

CoC 307-0588, 20 Aaron Drive, (Map 12, Lot 037) Peacock/The Morin-Cameron Group. Luther moved to deny the request for a CoC based on the fact that numerous changes and modifications to the original NoI proposal had been made without consultation with the Commission. Moreover, these amendments are not reflected in the "As-Built" plan submitted by Morin-Cameron. The modifications meet the criteria (no increase in impact to Resource Area values and functions) for an Amended Order of Conditions. The motion included a

waiver of the filing fee if an Amended Order is issued and said second request for a CoC accompanied by the As-Built plan is filed within 6 months of the denial. The motion was seconded and passed unanimously.

Continuation of CoC 307-0658: 5 Hickory Lane/Open Space, (Map 50, Lot 039) and 22 Evergreen Lane, (Map 50, Lot 032), Symes Associates/Beals Associates

Spillman noted that the missing conservation marker had been replaced and was observed earlier in the day. Luther noted that the Commission had now “chewed on this bone” for some 4 years, and it was time to move on as the work had been completed in *substantial* (but not complete) compliance with the requirements. He therefore moved to issue the CoC for the restoration work in the buffer zone on Lot 18 and the work completed by Beals in connection with the open space improvements contained in the OoC; Shamroth seconded. All voted in favor of the motion. Spillman will write a list of findings to substantiate the lengthy duration of work related to the Amended OoC issued in Oct. 2011, and the difficulties of combining two distinct lots into one OoC.

Other:

Tree Planning Committee Workshop. March 7th, Topsfield Library.

Jolley discussed ads to be placed in various media to call attention to this event.

Feb. 6th Garden Club Expo.

Shamroth and DiCarlo indicated they could attend the expo for some time, along with Jolley and Spillman.

Munis setup work.

Spillman reported that MaryAnn had been authorized to enter data into the MUNIS Permitting Program. She is currently learning the details of the data entry. More needs to be done however, to accommodate the TCC data requirements.

Meeting Minutes:

Meeting of Jan. 14th, 2015.

Luther made a motion to adopt the minutes as amended. The motion was seconded and passed unanimously.

Administrator's Report:

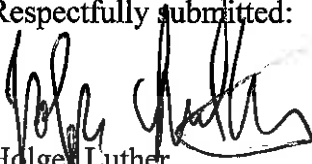
MACC Conference.

Jolley indicated that she signed up. Shamroth signed up as well. She volunteered to drive to Worcester. Enrollment fee will be handled by the office. Trip mileage reimbursement will be as submitted.

Adjournment:

Luther moved to adjourn the meeting at 8:18 p.m. Motion was seconded and approved unanimously. Next meeting will be held on Feb. 11th.

Respectfully submitted:



Helge Luther

Approved at the TCC meeting on February 25, 2015

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.