

***Topsfield Conservation Commission***  
***Minutes of Wednesday, January 25, 2017***  
 Topsfield Library Meeting Room

**Present:** Chery Jolley, Chair; Dodds Shamroth, Vice Chair; Jim Carroll, Jen DiCarlo, Holger Luther, Lana Spillman, Administrator and Theresa Coffey, Recording Secretary

**Absent:** None

**Other Attendees:**

<b>Name</b>	<b>Project</b>
David Larson	470 Boston Street
Nicolette Larson	470 Boston Street
John Sarkis	470 Boston Street
Ryan Bianchetto	470 Boston Street
Jeanne Li	87 Perkins Row
Carol Decker	87 Perkins Row

The meeting was called to order with a quorum present at 7:12 p.m. Cheryl Jolley, Chair, announced that the meeting was being audio recorded.

**HEARINGS:**

**Continuation NoI 307-0745: 470 Boston Street,** (Map 03, Lot 003), Sarkis Development Co./Allen & Major Associates, Inc.

Ryan Bianchetto, Allen & Major Associates, Inc. presented, representing the applicant. Bianchetto stated that he has responded to comment letters from the Town, the adjacent neighbor and the peer reviewer for this project. With discussions still in process with the Planning Board, Bianchetto will provide a report to the TCC when items have been settled with the Planning Board.

Bianchetto addressed two changes being considered related to the gravel emergency access driveway and the drainage outlet pipe. Bianchetto began with discussion about the gravel emergency access road, describing the portion road that will be paved up to Route 1, and the remaining gravel cover. The Topsfield DPW has asked Sarkis to consider paving the entire road. Discussion ensued about possible paving options. Jolley pointed out the work will need to be done in the buffer zone and questioned the need to change the current plan of gravel. Luther agreed, stating that if the DPW recommends it has to be done, it is incumbent upon the DPW to provide evidence to the TCC.

Bianchetto then discussed the drainage pipe. He noted that the peer reviewer, Beals and Thomas, did not identify any concern with the original location of the pipe. However, Horsley and Whitten, the engineer hired by the Larsons, owners of the neighboring property, has recommended that the drainage pipe be moved so the flow of water is pointed away from the Larson's property. The change would result in the water being discharged into the Wetlands Resource Area. DiCarlo expressed concern with discharging into the Wetlands. Bianchetto described the design factors in place to mitigate sediment, oils, trash, etc. He explained that the



State allows discharge to Wetlands as long as treated discharge standards have been met, and he stated that in this design, they standards have been met.

Luther stated he will not vote for a Waiver for this work in the Buffer Zone until Horsley and Whitten explain the rationale for doing this and explain why the pipe is a threat to the Larson's property. Further discussion ensued on the possible effects of the flow of water from the drainage pipe.

Sarkis discussed lighting and signage at the entrance to the development on Route 1. He described the various issues with the placement of a sign and a light and is considering a single structure combining the two. He pointed to the proposed location on the plan, near the edge of the Wetlands, with one footing in the Buffer Zone. Luther requested further review when the plan is complete.

Sarkis also discussed clearing overgrown brush near the entrance of the development. Sarkis may have Patrick Seekamp identify which trees should be removed. Jolley stated she would like TCC members visit the site to see the area.

Luther moved to continue the Hearing to February 22, 2017, at the request of the Applicant. Carroll seconded. The vote was unanimous in favor.

*Documents: Plan by Allen & Major Associates, Inc. titled "Residential Development, 470 Boston Street (Route 1), Topsfield MA" dated October 31, 2016, Revision 1, dated January 17, 2017*

#### Other

**OoC 307-0684: 87 Perkins Row/Ipswich River Wildlife Sanctuary** (Map 51, Lot 021) MA Audubon,

Carol Decker, Director, Ipswich River Wildlife Sanctuary and Jeanne Li, Volunteer, attended to the present their Annual Update as part of the Order of Conditions 307-0684. Along with a slide show, they discussed their work over the past year clearing invasive species and reviewed maintenance projects completed.

#### REQUESTS:

**CoC 307-0737: 196 High Street**, (Map 58, Lot 052), Rail Trail Committee/Geller

Luther moved to issue a Certificate of Compliance for 307-0737. Carroll seconded. The vote was unanimous in favor.

*Documents: Letter from Gill Engineering Associates, Inc. dated December 7, 2017; Set of construction photographs; as-built plan titled "Bridge Abutment Repair / Topsfield Rail Trail Committee" by Gill Engineering Associates, Inc. dated January 9, 2017*

**CoC 307-0522 (Act, Bylaw): 3 Beech Place**, (Map 50, Lot 037), Nulsen

Spillman stated she visited the site on January 19, 2017 and noted that the site is stabilized but there are too many Conservation posts. She identified six posts that should remain consisting of four Conservation Posts and two Open Space markers.



Luther moved to issue two Certificates of Compliance, one under the Act and one under the Bylaw. Carroll seconded. The vote was unanimous in favor.

Luther moved to approve the reduction of the Conservation Markers as recommended. Carroll seconded. The vote was unanimous in favor.

*Documents: Letters from Wetlands & Land Management, Inc., dated December 28, 2016 and January 9, 2017, with photographs and as-built plan by Andover Consultants, Inc.*

**OTHER:**

**Ch. 44 §53G Account, 307-0726: 9 and 21 Towne Lane, (Map 33, Lot 061) & (Map 41, Lot 073), LeClair**

Spillman received notice that one bill from this account is outstanding. Once this is paid, the account can be closed. Spillman noted that the Motion should state the balance plus whatever the interest is.

**Violation Notice 2016-06: 42 Washington Street, (Map 32, Lot 133), Maloney**

Spillman informed the TCC that the Applicant only recently picked up the Abutters list so this item will be delayed to the February 8, 2017 meeting.

**TCC Policies**

Spillman reviewed the status of the TCC policies 2003-1A, Minor Project Delineation and 2007-1, Proposed Rail Trail Mowing and suggested they be repealed.

Luther moved to rescind TCC Policy 2003-1A and 2007-1. Carroll seconded. The vote was unanimous in favor.

**MEETING MINUTES:**

**January 11, 2017**

Luther moved to adopt the meeting minutes of January 11, 2017, as amended. Carroll seconded. The vote was unanimous in favor.

**ADMINISTRATOR'S REPORT:**

**Bylaw Revolving Fund – Warrant Article** - Spillman informed the Commission that the Warrant closes on February 6, 2017, and, therefore, any proposal to increase authorization for the Bylaw Revolving Fund must be submitted by the 6<sup>th</sup>.

**Town Hall move to temporary location, 461 Boston Street** – Spillman updated the Commission on the current plans for the move. Jolley recommended extending the contract for temporary help through March.

Luther moved to extend the contract for additional support through March. Carroll seconded. The vote was unanimous in favor.



**Administrator Position** – Jolley reviewed the screening and interview process undertaken to fill the Conservation Administrator position. She discussed the qualifications and background of their first choice candidate.

Luther moved to recommend Heidi Gaffney for the position of Conservation Administrator. Carroll seconded. The vote was unanimous in favor.

**Contract for Consulting Services** – Spillman provided a proposed contract for her consulting services to Jolley, who in turn shared with Kellie Hiebert. Luther suggested it would be appropriate to pay these consulting services from the Wetlands Protection Act budget fund. Discussion was held on the structure of the contract.

DiCarlo moved that the TCC approve the consulting agreement proposed by Lana Spillman, in principal, for Consultation Services to be rendered to the Conservation Commission once she has vacated by her post. Luther amended the motion adding that funding for consulting services should come from the WPA fund. Shamroth seconded. The vote was unanimous in favor.

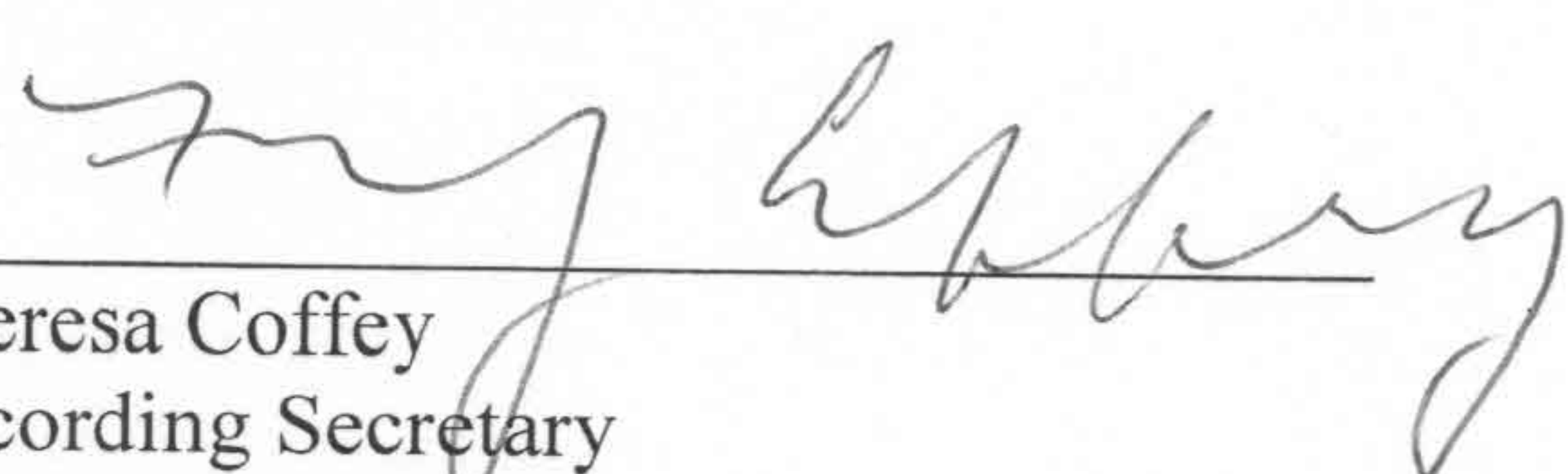
**Note:** Next TCC Meeting – **February 8, 2017**

**ADJOURNMENT:**

Luther moved to adjourn the meeting. Carroll seconded. The vote was unanimous in favor.

The meeting was adjourned at 9:26 p.m.

Respectfully submitted,

  
Theresa Coffey  
Recording Secretary

*Minutes approved at the TCC meeting on February 8, 2017*

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.