

Topsfield Conservation Commission
Minutes of Meeting May 9, 2018
 Topsfield Library Conference Room

Present: Cheryl Jolley, Chair; Dodds Shamroth, Vice Chair; James Carroll, Jennifer DiCarlo, Holger Luther, Heidi Gaffney, Administrator, and Theresa Coffey, Recording Secretary

Other Attendees:

Name	Address	Agenda Item
David Hannah	104 North Street	104 North Street

Jolley called the meeting to order at 7:00 p.m. with a quorum present.

REQUESTS:

RDNI 2018-03: 84 Washington Street (Map 31, Lot 86) Robert Mayer - request to install fence in back yard.

Gaffney displayed the plan, pointing out the bylaw stream and where the applicant would like to install a chain link fence around the back yard on an existing lawn. Luther questioned the need for an open bottom for wildlife to pass through. Gaffney stated that the backyard area is small and that she didn't feel that a passage way was necessary.

Luther moved to issue a Determination of Negligible Impact for this project and that the fence shall be located on the existing lawn area. Carroll seconded. The vote was unanimous in favor.

OTHER:

104 North Street: Request for clarification and interpretation of restrictions under Order of Conditions/Certificate of Compliance #307-0317 continuing conditions.

The owner of 104 North Street, David Hannah, was present and explained that his house is currently on the market and they have had inquiries about the possibility of putting in a swimming pool. He was seeking guidance from the TCC on how to advise potential buyers. Hannah provided a history of the home and the division of the original larger property into two house lots. He stated that the two homes that were built are in Buffer Zone.

Gaffney provided information to the TCC about a discrepancy between the continuing conditions in the Order of Conditions and the Certificate of Compliance with the OoC being much more restrictive. DiCarlo reviewed the OoC and suggested that, typically, the applicant would have amended the OoC but in this case, that wasn't done and a CoC was issued. DiCarlo stated her opinion that the CoC would control as there was a meeting held when the CoC was

issued and the CoC was recorded. She felt that the TCC would have to honor the less restrictive document.

In closing, Gaffney stated that the TCC could only advise that a Notice of Intent be filed for any new activity proposed and the proper procedure be followed to show that the project meets all of the regulations for a permit.

MEETING MINUTES:

- April 25, 2018 – this item was tabled to next meeting.

ADMINISTRATOR'S REPORT:

Summer Intern - The TCC discussed the hiring of a summer intern, possible projects and the number of hours.

Luther moved to authorize the expenditure of up to \$600 for a summer intern position for the Conservation Administrator. Carroll seconded. The vote was unanimous in favor.

Donibristle Farm - Gaffney provided an update on Donibristle Farm. The Conservation Restriction on the large parcel is pending signature by the Secretary of Energy and Environmental Affairs. When the CR is signed, the closing will be scheduled, and then more documents will be submitted seeking the reimbursement under the LAND Grant.

New Town Hall - Gaffney informed the TCC that they expect to move in to the new town hall in November 2018.

Other Business:

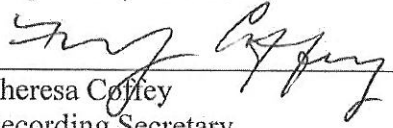
Gaffney informed the TCC that she was called out to the Surrey property to see pine trees covered in bittersweet. There have been two tree falls that have damaged the deck and house. Under the tree policy a RDNI or RDA would need to be filed but Gaffney stated she felt a RDA is appropriate. All agreed that a RDA sounded appropriate.

ADJOURNMENT:

Luther moved to adjourn. Carroll seconded. The vote was unanimous in favor. The meeting was adjourned at 7:44 pm.

The next meeting will be held May 23, 2018 at 7:00 pm, Topsfield Library Meeting Room.

Respectfully submitted,



Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 6/13/2018

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.

Documents used at or for the meeting:

RDNI 2018-03: 84 Washington Street

104 North Street:

- As Built Plan from CoC
- Recorded OoC 307-0317
- Recorded CoC 307-0317
- Proposed Plan showing CR dated 1/26/00