

***Topsfield Conservation Commission
Minutes of Meeting March 11, 2020***
Selectmen's Meeting Room – Topsfield Town Hall

Present: Cheryl Jolley – Chair, Jennifer DiCarlo, Holger Luther, Heidi Gaffney – Administrator and Theresa Coffey – Recording Secretary.

Absent: Dodds Shamroth – Vice Chair and Nicholas Betts

Other Attendees:

Name	Address	Agenda Item
Mike DeRosa	DeRosa Environmental	ECTA
Carol Lloyd		ECTA
M. Sanders	192 Rowley Bridge Road	
Robert McGlaufflin	18 Glen Road	
Dick Gandt	31 Timber Lane	

Cheryl Jolley, Chairperson, called the meeting to order at 7:01 p.m. with a quorum present. She announced that the meeting was being audio recorded.

HEARINGS

Chairperson Jolley announced the following three hearings were continued to March 25, 2020 and required no action:

Continuation ANRAD 307-0776: 5 East Common Street (Map 33, Lot 36), Congregational Church/Beals Associates – verification of Wetlands Resource Area boundaries.

Continuation NoI (Bylaw only) TCC 2019-01: 371 Boston Street (Map 26, Lot 014), Sabino/The Morin-Cameron Group, Inc.

Continuation NoI 307-0783: Hill Street Culvert, Topsfield Highway Department – re-opened hearing for the request to replace a culvert within an intermittent stream in the roadway.

NOI 307- : ECTA Trail System, ECTA/DeRosa Environmental Consulting, Inc. – town-wide trail management plan.

A DEP number had not been issued at the time of the meeting.

Luther read the legal notice. Gaffney explained that as a town-wide project, no abutter notice was needed.

Mike DeRosa, DeRosa Environmental Consulting LLC and Carol Lloyd, Essex County Trail Association, discussed the ECTA Town-Wide Maintenance Plan which first came into effect in 2009. The plan was extended twice and lapsed in 2019 necessitating a new Notice of Intent application. The new plan submitted is the same as the original plan except one change to culvert language. The original plan reflects that they can clean and replace up to a 12 inch culvert provided there was no stream bed definition. They would like to change this to culverts up to 24 inches.

The ECTA requests that the maintenance plan be effective in perpetuity with no expiration or required extension requests. Gaffney commented on the legality of this related to the Act and Town Bylaw. Wenham issued an OoC that includes a continuing condition that will allow the management plan to continue in perpetuity with a required annual report. She stated that when an agreement is in place, they can get an opinion from town legal counsel. She noted that it is important to have the plan written to match the OoC.

Jolley commented that maintenance and new work that would require a NOI should be separated. Culvert replacements and beaver deceivers, new boardwalks or bridges would be new work requiring a Notice of Intent. A repair to a bridge could be covered under the maintenance plan. Discussion was held on the considerations involved for culvert maintenance and replacement. Lloyd commented that ECTA has replaced culverts in-kind. Maintenance of culverts has restrictions under Stream Crossing Standards regulations.

MassDEP comments were reviewed. DeRosa will contact the DEP to provide the history on the trail maintenance plan and the checks and balances that are in place within the maintenance plan.

DeRosa requested a continuance to March 25. He will call MassDEP and will follow up with Gaffney to determine next steps.

Luther moved to continue the hearing to March 25, 2020. DiCarlo seconded and the vote was unanimous in favor.

RDA 2020-02: 18 GLEN Road, (Map 40, Lot 059), McGlauflin – remove 5 trees & stumps, regrade, plant grass & bushes within existing yard.

Luther read the legal notice and Gaffney confirmed that proof of abutter notice was received.

Gaffney provided an overview of the application to remove five trees and stumps and regrade a “hump” in the yard. She reviewed the five trees to be removed including two trees that are compromised and three pine trees.

The applicant, Robert McGlaufflin explained the grading plan to flatten the hump with a bobcat or small excavator. The existing fence will come down for access to the yard. The area will be maintained as a slope to move the water away from the house. Grass will be planted and he will replace the five trees with a mix of trees and shrubs. Luther commented that an erosion mat with silt socks around the mat will be needed to stabilize the area until the grass grows.

Luther moved to close the hearing for RDA 2020-02: 18 Glen Road. DiCarlo seconded and the vote was unanimous in favor.

Luther moved to issue a Negative Determination of Applicability subject to conditions as discussed. DiCarlo seconded and the vote was unanimous in favor.

MEETING MINUTES

No action.

ADMINISTRATOR'S REPORT

The plant giveaways for the Grow Spring Expo will be delivered next week. There is concern that the event may be canceled due to COVID-19.

OTHER:

Amended Enforcement Order 2019-04: 84 Perkins Row (Map 51, Lot 002), Davis – Gaffney reported that the fine has been paid and that a consultant has been hired. The property owner is in compliance at this time.

At 7:48 pm, the meeting briefly adjourned and was reconvened at 7:50 pm.

Bylaw Fee Schedule Revisions - Gaffney reviewed proposed revisions to the Bylaw Fee Schedule. The revisions will make the fees more consistent and easier for applicants to determine fees. A vote was postponed to a future meeting when all Commissioners are present.

MACC Conference - Jolley and Gaffney both provided updates on the sessions they attended at the MACC conference.

ADJOURNMENT

At 8:05 pm, Luther moved to adjourn. DiCarlo seconded and the vote was unanimous in favor.

The next meeting will be held on March 25, 2020 at 7:00 pm, in the Town Hall, Selectmen's Conference Room.

Respectfully submitted,

Theresa Coffey

Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 4/22/2020

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:

NOI 307- : ECTA Trail System

Complete Notice of Intent Application with required attachments dated February 15, 2020

Town Wide Maintenance Plan Topsfield MA prepared for Essex County Trail Association, dated February 26, 2020

Trail Maintenance Report dated February 27, 2020

DEP Comments printout

RDA 2020-02: 18 GLEN Road

Complete Request for Determination of Applicability Application with required attachments dated February 26, 2020

Lot Staking Plot by Donohoe Survey, Inc. dated January 27, 2020

(4) Photographs of the site

Proposed Bylaw Fee Revisions