

Topsfield Conservation Commission
Minutes of Meeting February 26, 2020
 Selectmen's Meeting Room – Topsfield Town Hall

Present: Cheryl Jolley – Chair, Dodds Shamroth – Vice Chair, Jennifer DiCarlo, Holger Luther and Heidi Gaffney – Administrator

Absent: Nicholas Betts, Theresa Coffey – Recording Secretary

Other Attendees:

Name	Address	Agenda Item
Tyler Ferrick	DeRosa Environmental Consulting, Inc.	41 Cross Street
Tim Collins		41 Cross Street

Cheryl Jolley, Chairperson, called the meeting to order at 7:05 p.m. with a quorum present. She announced that the meeting was being audio recorded.

HEARINGS

RDA 2020-01: 41 Cross Street (Map 62, Lot 002), Collins/DeRosa Environmental Consulting, Inc. - remove soil & regrade existing lawn adjacent to a pond; relocate, rebuild & extend existing stone wall; remove invasive plants and install native plants.

Jolley opened the hearing, Luther read the legal notice and Gaffney confirmed that proof of abutter notice was submitted.

Tyler Ferrick of DeRosa Environmental Consulting, Inc. provided an overview of the proposed project to remove soil & regrade existing lawn adjacent to a pond; relocate, rebuild & extend an existing stone wall; and remove invasive plants and install native plants.

The stone wall has eroded in some sections and existing stones will be used to rebuild and extend the wall by approximately 50 feet along an existing hay field. There is an ornamental pond on the property near the main house that appears to have been manmade in the 1950s or 1960s. Ferrick described the property around the pond and a small hill that they want to grade, loam and seed. The fill from the grading will be used for another project on the property which is outside of jurisdiction. They propose to remove invasive vegetation and plant more native species around the pond. This would be done in the spring. Erosion control was discussed. Gaffney noted that a trenched silt fence should be used for erosion control for the excavation around the pond.

Luther moved to close the hearing for RDA 2020-01: 41 Cross Street. Shamroth seconded and the vote was unanimous in favor.

Luther moved to issue a Negative Determination of Applicability subject to the use of the silt fence and precautions and conditions as discussed. Shamroth seconded and the vote was unanimous in favor.

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

Gaffney reported that a peer reviewer has been retained. The consultant is a soil expert and will begin soil testing when weather conditions allow. There is no new information and the applicant requested a continuance to March 25, 2020.

Luther moved to continue the hearing for ANRAD 307-0776: 5 East Common Street to March 25, 2020 at the request of the applicant. Shamroth seconded and the vote was unanimous in favor.

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

Gaffney reported that the applicant requested a continuance to allow more time to prepare for the hearing.

Luther moved to continue the hearing for NoI (Bylaw only) TCC 2019-01: 371 Boston Street to March 25, 2020 at the request of the applicant. Shamroth seconded and the vote was unanimous in favor.

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.

No action needed. Hearing was previously continued from 2/12/2020 to 3/25/2020.

REQUESTS

RDNI 2020-01: 13 Perkins Circle (Map 27, Lot 017), Heliotis – request to place 3 propane tanks at side of house.

Gaffney reported that the property owner currently has an ongoing Order of Conditions for a landscaping project. He is switching from oil to propane gas heat and is proposing three 120 lb tanks on the side of his house. She recommended approving the application.

Luther moved to issue a Determination of Negligible Impact for RDNI 2020-01: 13 Perkins Circle. Shamroth seconded and the vote was unanimous in favor.

MEETING MINUTES

Luther moved to accept the minutes of the meetings held on January 8, 2020 and January 22, 2020 as written. Shamroth seconded and the vote was unanimous in favor.

ADMINISTRATOR'S REPORT

- MACC Annual Conference – Jolley, Gaffney and Shamroth are registered to attend.

OTHER

- **Discussion: 31 East Common Street Peer Reviewer**

As noted above, Gaffney reported that a peer reviewer for 31 East Common Street has been retained. Larry Beals of Beals Associates, Inc. requested that he be allowed to join the peer reviewer in the field. The peer reviewer has agreed to this request. The Administrator would attend as well. The work will begin in warmer weather.

- ***Amended Enforcement Order 2019-04: 84 Perkins Row (Map 51, Lot 002), Davis – update**

Gaffney provided an update on Amended Enforcement Order 2019-04: 84 Perkins Row. Per the last TCC discussion on this matter, a 30-day stay of fines was granted. The consultant whom the property owner hired was not able to proceed with the work due to personal issues. The owner has since retained another environmental consultant, however, Gaffney has not yet received direct communication from the consultant.

Discussion was held on the next steps for the amended enforcement order. The TCC agreed to stay fines through March 11, 2020 pending:

- Direct communication from the consultant confirming that they have been hired;
- Proof that the initial fine has been paid; and
- If the above information is submitted adequately, the new NoI filing deadline to comply with the amended enforcement order will be April 8 with a meeting date of April 22, 2020. Any request for an extension is to come directly from the consultant.

- ***Enforcement Order 2020-01: 71 Howlett Street (Map 33, Lot 19), Djordjic – update**

Gaffney reported that this enforcement order was issued and the owner is currently in compliance with the requirements to date. She has received direct communication from Hancock Associates that they have been retained to do the work.

- **Proposed Bylaw Regulations Revisions**

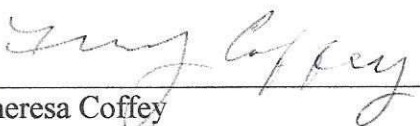
Discussion was held on the proposed changes to the Bylaw filing fee schedule. The proposed schedule will be updated per the discussions. The schedule will be reviewed and a vote for approval held at the next meeting.

ADJOURNMENT

At 8:35 pm, Luther moved to adjourn. Shamroth seconded and the vote was unanimous in favor.

The next meeting will be held on March 11, 2020 at 7:00 pm, in the Town Hall, Selectmen's Conference Room.

Respectfully submitted,



Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 4/8/2020

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:

RDA 2020-01: 41 Cross Street (Map 62, Lot 002

- Complete Request for Determination of Applicability Application with required attachments dated February 12, 2020 and photos

RDNI 2020-01: 13 Perkins Circle (Map 27, Lot 017),

- Complete Request for Determination of Negligible Impact Application with required attachments received February 18, 2020

Draft Minutes of the Meetings held on January 8, 2020 and January 22, 2020

Proposed Bylaw Fee Revisions