

***Topsfield Conservation Commission***  
***Minutes of Wednesday October 14, 2015***  
Topsfield Library Meeting Room

**Present:** *Cheryl Jolley, Chairperson; Dodds Shamroth, Vice Chairperson; Holger Luther; Jen DiCarlo; James Carroll (joined mtg. at 8:45); Lana Spillman, Administrator.*

**Absent:** Dee Wise, Recording Secretary.

**Other Attendees:** Dick Gandt, Chuck Johnson, P.E., C.G. Johnson Engineering; Kim Sherwood; Jim MacDowell; Elizabeth Wallis, Hayes Engineering; Elizabeth Mulholland,

The meeting was called to Order at 7:15p.m. Cheryl Jolley chaired the meeting.

**HEARINGS:**

**Continuation ANRAD 307-0726: 21 & 9 Towne Lane,** (Map 33, Lot 061 & Map 41, Lot 073), LeClair/Gove Environmental Services, Inc. *Request has been received to continue hearing until Oct. 28<sup>th</sup>.*

Luther moved to continue the hearing as requested to October 28, Shamroth seconded; all voted in favor.

**Continuation NoI 307-0724: 57 Perkins Row,** (Map 58, Lot 025), New Meadows Development, LLC/The Morin-Cameron Group, Inc. *Request received to continue to Oct. 28<sup>th</sup>.* Luther moved to continue the hearing as requested to October 28, Shamroth seconded, all voted in favor.

**Continuation NoI 307-0730: 32 Summer Street,** (Map 41, Lot 050), Neil Property Development LLC/The Morin-Cameron Group, Inc.

John Morin reviewed the proposed project noting that it was less intrusive of resource areas than the existing facilities. He noted receipt of a DEP number and fee resolution. Luther moved to close the hearing, Shamroth seconded, so voted. Luther moved to issue the OoC pursuant to the plan prepared by The Morin-Cameron Group, Shamroth seconded; the vote could not proceed as both Jolley and Shamroth abstained due to prior absence. At 8:45, Jolley reopened the hearing to allow Carroll to join the TCC for a vote. Morin reiterated his presentation. Luther moved to close the hearing, Carroll seconded, so voted. Luther then moved to issue the OoC under the Act and Bylaw pursuant to the plan as presented by Morin, ("Sanitary Disposal System Repair Plan in Topsfield, Massachusetts 32 Summer Street," dated September 9, 2015), subject to removal of assorted trash in the resource areas and the usual other conditions, seconded by Carroll, so voted with abstentions by Jolley and Shamroth.

**Continuation NoI 307-0728: 53 Bare Hill Road (Topsfield Linear Common/Rail Trail),** (Map 17, Lot 026), Mass Electric Co. (National Grid)/VHB Environmental  
Tim Sullivan of VHB noted that a DEP number had been assigned to the project and there were no comments. It was noted, however, that there wasn't a quorum to vote on the matter until the arrival of Carroll. At 8:55 the hearing was continued; Luther moved to close it, seconded by Carroll. Luther then moved to issue the OoC under the Act and Bylaw pursuant to the site plan prepared by VHB, "National Grid ROW Washout Repair Bare Hill Road Topsfield,

Massachusetts,” pages C-1 through C-4, dated September 8, 2015, subject to the condition that the sediment removal from the vernal pool be conducted during a dry time of the year. All other conditions are to be as applied usually. Carrol seconded; DiCarlo, Luther, Carroll voted in favor. Jolley and Shamroth abstained.

**ANRAD 307-0727: 67 Perkins Row, (Map 59, Lot 007), Iovanella/Hayes Engineering, Inc.** Elizabeth Wallis of Hayes Engineering presented the wetlands resource delineation map noting the Riverfront Area, the BVW limits, and the floodplain limits. In addition Spillman mentioned a vernal pool on the site that couldn't accurately be delineated as it had dried out. The actual delineation will be accomplished in April of next year. Wallis noted that the proposed project consists of a reconstruction of a residence within the footprint of the existing one that has to be torn down as it has been condemned as not habitable. TCC members had no further questions. Members of the audience noted that there is only one house proposed on the property. Luther moved to close the ANRAD hearing, seconded by Shamroth, so voted. Luther moved to issue the ORAD under the Act and Bylaw subject to the further verification of the vernal pool boundaries. All voted in favor.

**NoI 307-0729: 67 Perkins Row, (Map 59, Lot 007), Iovanella/Hayes Engineering, Inc.** Jim MacDowell began the presentation by noting the present dwelling is unfit and is going to be removed. He then noted that a new house would essentially occupy the old footprint, except that the living quarters would be on a second floor to actually reduce it somewhat relative to the present one – a one-story ranch. Also, the house would be turned counterclockwise to keep it further from the resource area boundaries. A septic system has been designed to fit on the only area that isn't within some resource area boundary. Wallis noted that the paved area of the driveway will be reduced. Luther asked if there were any plans for landscaping, tree removal, etc. MacDowell responded that other than removal of invasives and dead trees there were none. Members of the audience wanted to know if there were plans for exterior lighting. MacDowell responded that other than a garage light controlled by a motion detector and one exterior lamp to illuminate the walkway to the front door, he could not think of any. A question about roadway salt applied to driveway and on Perkins Row generally was referred by DiCarlo to the Highway Superintendent. A question was asked relative to the status of the culvert under the common driveway. It was agreed to have a site visit at a time that is agreeable. Spillman will coordinate the visit. MacDowell requested a continuance until October 28<sup>th</sup>. Luther moved to continue the hearing until that date, seconded by Shamroth, all voted in favor.

**NoI 307-07???: 52 Prospect Street, (Map 48, Lot 005), Geller/C.G. Johnson Engineering, Inc.** This project is for installation of a septic system upgrade to replace a failed cesspool on the premises. Also included in the submission is the replacement of a partially collapsed culvert near the street to be completed at a later time. Johnson described the proposed installation as a bottomless sand filter, as a conventional Title-V system simply would not fit on the premises. The system has BoH approval. He requested a continuance until October 28<sup>th</sup> to obtain a DEP file number. Luther so moved, Shamroth seconded; so moved.

**RDA 2015-05: 5 East Common Street, (Map 33, Lot 0036), Congregational Church/Mulholland.**

Jolley opened the hearing and Spillman asked for proof of abutter notification. Unfortunately, none could be found. So the hearing could not be convened.

**RDA 2015-04: 230 Boston Street**, (Map 49, Lot 045), CAG Realty Trust/Gideon.

This is an “after the fact” filing for a recent removal of a large tree in the School Brook Riverfront area authorized under an Emergency Certification, and the previous removal of several pine trees in the same general area. Luther moved to close the hearing, seconded by Carroll, so voted. Luther moved to issue a negative Determination of Applicability under the Act and Bylaw. Carroll seconded, so voted.

**REQUESTS:**

**EO 2014-01: 34 Gail Street**, (Map 40, Lot 028), Cook/DeRosa Environmental. – request for release

A request was received for the release from an Enforcement Order relative to unauthorized cutting of trees in a Riverfront Area/Buffer Zone. Spillman made a visit and verified that trees had been replaced and are healthy, as supervised by DeRosa Environmental, and the required monitoring reports had been submitted. Luther moved to release the owner of record from the EO, Shamroth seconded, so voted.

**Emergency Certification 2015-03: Mile Brook at Perkins Row Bridge**, (Map 35, Lot 004), Krom/Topsfield Water Dept. – ratification

A request was received to breach a beaver dam on the north side of the stone bridge over Mile Brook. This is the second such request in 6 months. Luther moved to ratify the EC, Shamroth seconded, so voted.

**Emergency Certification 2015-04: 14 Brookside Road**, (Map 26, Lot 035), Symmes – ratification

The EC was issued for removal of a diseased mature tree near BVW and Mile Brook. Luther moved to ratify the EC, Shamroth seconded, so voted.

**RDNI 2015-19: 57 Kinsman Circle**, (Map 24, Lot 013), Terrile & McSweeney

A request for a Determination of Negligible Impact was received for the drilling of two deep (300-foot) holes for a geothermal heat-pump. After some discussion about disposal of the spoils into a small dewatering slurry pit, Luther moved to issue a DNI for the work subject to the usual sedimentation control protocols. Shamroth seconded the motion, so voted.

**Continuation CoC 307-0721: 21 Pemberton Road**, (Map 49, Lot 021), Smallidge/Scanlan Engineering, LLC

Spillman made a site visit and found that all the brush and yard waste had been removed from near and in the BVW as requested. Luther moved to issue the CoC under the Act and Bylaw subject to the usual continuing conditions, Shamroth seconded, so voted.

**CoC 307-0362: 192 Rowley Bridge Road**, (Map 75, Lot 011) Sanders

Spillman made site inspection and found everything in compliance with the OoC. Luther moved to issue the CoC under the Act and Bylaw subject to the usual continuing conditions. Shamroth seconded and the TCC so voted.

**OTHER:**

**131 Haverhill Road/Town Forest Land**, (Map 05, Lot 015), Erosion near Hoods Pond  
Spillman showed photographs of erosion of sand and gravel from the parking lot, partly as a result of the construction of steps from the lot to the beach area. She contacted the Highway Department, which has stabilized the situation temporarily, for the winter, with  $\geq 3$ " stone fill and silt socks.

**MEETING MINUTES**

Aug. 19, 2015

Sept. 9, 2015

Sept. 23, 2015

As most have not yet read them, action on them was tabled.

**ADMINISTRATOR'S REPORT**

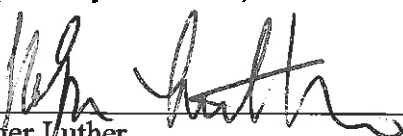
Winter Moth Project – Essex Co. Co-op Workshop, Saturday Oct. 17<sup>th</sup>, 11 AM. Hannah Smith will present her work. The Co-op will provide a rebate of 10% off regular price of Tanglefoot© and Tangleguard© wrapping tape.

**ADJOURNMENT:**

Luther moved to adjourn the meeting, Carroll Seconded.  
So Voted Unanimously

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

  
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Holger Luther  
TCC member

*Minutes approved at the TCC meeting on November 4, 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.