

Topsfield Conservation Commission

Minutes of Wednesday, November 30, 2016

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:

Name	Project
David Larson	470 Boston Street
Nicolette Larson	470 Boston Street
Michael DeRosa	9 and 21 Towne Lane; 44 Candlewood Drive
John Heliotis	13 Perkins Circle
Greg Hochmuth	13 Perkins Circle, 1 Coppermine
Jill Mana	1 Coppermine
John Sarkis	470 Boston Street
Ryan Bianchetto	470 Boston Street
John Tatum	21 Towne Lane
Richard Thompson	9 and 21 Towne Lane
Roberta Thompson	9 and 21 Towne Lane
Jeanine Cunniff	9 and 21 Towne Lane, 16 Towne
Dick Gandt	
Luke Hurley	9 and 21 Towne Lane
Mark Johnson, Esq.	9 and 21 Towne Lane

The meeting was called to order with a quorum present at 7:07 p.m. Cheryl Jolley, Chair, announced that the meeting was being audio recorded.

HEARINGS:

NoI 307-07__ : 13 Perkins Circle, (Map 27, Lot 017), Heliotis/Williams and Sparages

Jolley announced that this Hearing is being taken out of order to accommodate Hochmuth's schedule.

Luther read the legal notice and proof of abutter notices were submitted.

Greg Hochmuth, representing the Heliotis family, presented the plan. The project is to expand the driveway, relocate a shed, and conduct landscaping improvements in Buffer Zone of BVW and Riverfront Area of Mile Brook. At the time of the hearing, DEP had not yet assigned a file number.

Spillman made a site visit November 29 with Hochmuth; both agreed that the all of the MAHW flags should be moved upslope, an average of 2 feet. The updated plan shows the line moved up two feet. Spillman is in agreement that the BVW flags were appropriately placed.

The entire backyard is within 100 feet of wetlands in the back. Hochmuth described the proposed work to expand the hammerhead driveway and add a parking space, relocate a shed, and rebuild a deck, and landscaping improvements in the front of a walkway, a small stone wall and some plants.

Hochmuth submitted the revised plan and submitted a written request for a waiver under the Bylaw for time of review for Resource Area boundaries.

Topsfield Conservation Commission

November 30, 2016

Luther moved to grant a waiver from the Bylaw time of review of Resource Area boundaries. Carroll seconded. The vote was unanimous in favor.

Hochmuth requested a continuance due to the lack of a DEP file number.

Luther moved to continue the hearing to December 14, 2016 at the request of the applicant. Carroll seconded. The vote was unanimous in favor.

RDA 2016-10: 1 Coppermine Road – Ferncroft Country Club, (Map 80, Lot 001), Ferncroft Holdings., LLC./Williams and Sparages

Luther read the legal notice and proof of abutter notification was submitted.

Greg Hochmuth presented, representing Ferncroft Holdings, LLC. Hochmuth explained the original RDA kept all work (new maintenance building, new septic) outside of the Buffer Zone. Spillman had suggested grading as appropriate rather than with intent to keep all activity outside of TCC jurisdiction. The RDA is to allow construction access through the Buffer Zone, and they have since changed the plan with some grading in the Buffer Zone, within 100 feet of BVW. Spillman conducted a site visit November 29, 2016 and agrees with the Resource Area boundaries as flagged.

Hochmuth submitted a revised plan showing the proposed grading work within the Buffer Zone. Spillman stated that a waiver is needed because this revised plan was received less than five days from the meeting.

Luther moved to grant a waiver from the submission requirements to allow submission of the revised plan at the hearing. DiCarlo seconded. The vote was unanimous in favor.

Luther moved to close the hearing. Carroll seconded. The vote was unanimous in favor.

Luther moved to issue a Negative Determination of Applicability under the Bylaw and the Act, subject to the standard conditions that apply. Carroll seconded. The vote was unanimous in favor.

ANRAD 307-0726: 9 & 21 Towne Lane, (Map 41, Lot 073 & Map 33, Lot 061), LeClair/Gove Environmental Services, Inc.

Jolley reviewed the Mullin Rule and its application to this hearing. Jolley stated that James Carroll was absent from two meetings on this ANRAD application. Therefore, under the Mullin Rule, Carroll can deliberate on this application but cannot vote.

Mike DeRosa, DeRosa Environmental, presented as Town of Topsfield peer reviewer. Because of drought conditions, he was not able to observe Intermittent Streams which resulted in the many continuances of this hearing. DeRosa traversed the entire sites, 9 and 21 Towne Lane, using the "MapMyRide" application. He explained that the Bylaw and the Act have different definitions for Intermittent Streams. An Intermittent Stream under the Bylaw does not have to flow from a Wetland Resource Area; an Act Intermittent Stream does.

DeRosa stated that he found three Intermittent Streams:

- 1) 9 Towne Lane, an Intermittent Stream that comes from wetland flow, protected under the Act and Bylaw.
- 2) 21 Towne Lane, in the rear/northwestern end, an Intermittent Stream that comes from wetland flow, protected under the Act and Bylaw.

3) 21 Towne Lane, in the front, a ditch along the side of the road. DeRosa stated this ditch is picking up sheet flow off the hillside, acting as an interceptor trench. DeRosa considers this an Intermittent Stream under the Bylaw only.

Luther stated that he understood DeRosa waited until enough rain came down and questioned if there was enough rain to have determined this. DeRosa stated he felt there was, it was raining when he visited the site and a couple of inches had already come down. There was a significant flow so he was comfortable with it. He did point out that #21 is heavily treed which intercepts a lot of precipitation. If there is a development application in the future, it would be important for the TCC to look closely at how the runoff is managed from impervious surfaces.

Jolley mentioned that she and Spillman were at 9 Towne Lane and saw a lot of dumping of leaves and yard waste. She asked if this impacted the ability of finding Intermittent Streams. DeRosa said the areas he looked at had no dumping that he saw.

Mark Johnson, Johnson and Borenstein, attended representing the applicant, LeClair. He stated that he does not disagree with DeRosa about his findings of the streams at #9 and the rear of 21 Towne Lane. However, he does disagree about the ditch in the front of #21 being identified as a stream. Johnson referred to letters dated October 24, 2016 from Gove Environmental and an additional letter dated November 16, 2016. Johnson believes that the definition of Intermittent Stream under the Bylaw does not apply to the ditch. The drainage along the road does not go into the ditch, the Cape Cod Berm prevents that. He stated that the fact that some leaves in the ditch may be wet does not make it a stream. He believes there is nothing flowing through the ditch that makes it a stream. Johnson stated that the Bylaw definition requires flowing water and a body of running water, and after a number of inspections by Luke Hurley, Gove Environmental, there is no evidence of flowing water. The drainage from the street goes on the other side of the ditch and there is no connection to a catch basin.

Hurley described his opinion of the water flow and the catch basin system. He opined that there is no water flowing through the ditch. He stated that he has done several inspections from last spring and up to a few weeks ago and there is no evidence of scour or sediment in the ditch. The flow is along the road side, not in the ditch itself and hasn't been in the past 17-18 months. Hurley stated that he felt the Bylaw would apply to the road side because that is where the flowing water is but not the ditch itself as it has never had any flowing water. He has pictures from this day that the Thompsons had taken showing no water in the ditch but show that leaves have been moving from the rain from today.

Jolley read into the record the Definition of a Stream, Topsfield Bylaw section 62-3.

DeRosa agreed that the Cape Cod berm does keep the drainage of the road in the road, but water from the slope and hill side does flow into the ditch / Intermittent Stream. Luther stated that the Commission has extensive experience with drumlins in Topsfield and when the soil is saturated, as at the top of #21, the water will flow down and go into the ditch. He is not convinced it is not a stream. Jolley added that the drought will add to the fact that the soil is not saturated with the rain.

DiCarlo questioned the material in the ditch and asked if there is any history on the purpose of the ditch. Hurley believes it is just grass and that the ditch was purposefully created with the road. Although not sure of the purpose, it could have been a place to push snow. He has not looked into records.

Luther stated that the development was built in the 1960s and the superintendent likely did not keep written records. Luther opined that the ditch was created to intercept water coming down from the hill rather than accommodating water from the road, as there is a Cape Cod berm. Hurley stated this project

has been going on for 18 months and that he has been out during rain storms and has never seen any water flowing in the ditch or evidence of flow. Luther stated that the Bylaw does not have any threshold on the amount of rain but feels certain if there was a 25 year rain storm, there would be flow in the ditch.

Spillman stated that she has observed flow in the ditch over the past year as well as many other times when observed for previous applications. She stated that she has also seen wetland vegetation growing in the area. As evidence, Spillman entered into the record an As-built Plan dated 12-01-10 for the abutting property at 19 Towne Lane which clearly delineates the stream area. She pointed to the Buffer Zone of the stream. This plan was used for an Order of Conditions at 19 Towne Lane and was delineated by Bill Manuell. This plan was also used for a septic system across the street.

Johnson summarized the applicant's evidence that they have submitted to the TCC, the dates and results of their inspections and photographs. Based upon inspections they have done, they do not agree with the conclusions of Spillman. They do not believe, based on 18 months of observation, that there is evidence that water flows through this ditch. They believe that the ditch does not meet the Bylaw definition of a stream. Johnson stated that the Bylaw requires certain things to occur to be defined a stream. Based on the Bylaw as read, he believes it does not meet the requirements. They could not find moving water or evidence of it.

DeRosa reviewed his evidence for his opinion in finding that the ditch does meet the definition of a stream, essentially, that it is a confined conduit for water, gradient going to a catch basin and gradient going to a culvert that goes under a driveway. He feels there is clearly evidence that these structures were put there for a reason. It has been a very dry summer and dry over the past 18 months so there hasn't been an opportunity to see running water but all lines of evidence point to it functioning as a stream and the conveyance of water. Jolley asked if there was actual water in the other streams. DeRosa noted that there was just evidence, not flowing water.

Johnson disagreed, stating they have provided photos over the past 18 months and believes them to be accurate.

DiCarlo questioned if there is anything that says the TCC needs to limit review to the 18 months. Johnson replied that the Bylaw requires that you find running water in this culvert and they have not found any running water.

Jolley considered the definition of the word "intermittent". DeRosa read aloud the Bylaw for clarification of the definition and opined that the intent is that the flow is seasonal.

Janine Cunniff, 16 Towne Lane, addressed the TCC to submit photographs. For the record, Johnson objected to the TCC taking any additional photos that have not been submitted within seven days of the meeting.

Jolley stated for the record that they understand the importance of due process and the right to petition government. It is for the benefit of the whole community and important that citizens are being treated fairly.

DiCarlo asked Cunniff to testify what she has observed instead of submitting the photographs.

Cunniff stated that on September 30, 2015 she was standing next to the ditch at 21 Towne Lane and ran a video that shows the water was definitely flowing. Using the plan, she described the path of the water

and stated that the water absolutely flows and has seen water dripping off of the roots of the trees into the stream. She further described flow at 9 Towne Lane, as shown in the photos of December 2014 that she submitted previously, and scouring marks.

John Tatum, 94 Georgetown Road, Boxford, addressed the TCC. His son lives at 19 Towne Lane. Tatum stated he has walked Towne Lane for years and knows it very well. He described on the map where the water comes out of the hill, not just at the top, and noted it is certainly pronounced when you come out of winter. In the dead of the summer, there is no water.

Concerning 9 Towne Lane, Luther distributed and discussed a summary document he had prepared, of the findings of the information that has been submitted, starting with a plan prepared by Beals Associates. Luther read aloud the State/DEP definition of Intermittent Stream from a DEP superseding decision, and how you might determine the nature and location of an Intermittent Stream. Luther discussed the indicators of a fourth Intermittent Stream, as defined by the State, on 9 Towne Lane. He explained that on the Beals Associates plan you can see a couple of wavy lines, Beals Associates would call flow paths, that combine and become one at the southern area, exactly where Jeanine Cunniff took a picture of the area in December 2014, and further upstream on one of the branches is where Spillman took a picture of the erosion there. That, to him, is a good indication of an Intermittent Stream as defined by the state, although these are bylaw streams as there is no wetland resource area from which they come. He believes that something as shallow and slow moving as this braided channel dries up for a year or two. In the summer, it would get dried up and covered with leaves, so you wouldn't see it. He understood that DeRosa did not find this as it was the worst drought in years, but Luther stated he is convinced that there is flow in the area/stream based on the Beals Associates plan, dated January 2015.

Spillman confirmed that DeRosa had received the plan Luther referred to.

Hurley acknowledged that the lines on the plan probably do indicate a flow path, but they have not observed flow there.

Luther noted that Spillman maintains there are additional streams and now he finds there are indicators on Beals' plan and their observation of a fourth stream. Luther submitted a copy of the Beals Associates plan and other evidence summary for the record. Johnson stated they are finished making their application. DeRosa had nothing further to add.

Luther moved to close the hearing. Carroll seconded. The vote was unanimous in favor.

Luther stated that no further testimony or evidence will be taken from this point forward. He proposed that TCC members work through the evidence and report a list of findings to Spillman, who will act as editor. The application will be deliberated and voted on at the December 14, 2016 meeting.

For the record, Jolley noted that this process will meet the requirements of the Open Meeting Law. She also reminded that under the Mullin Rule, Carroll can deliberate but cannot vote.

Break, meeting reconvened at 8:45 pm.

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

Luther read the legal notice and proof of abutter notice was submitted. Spillman reported that the DEP had no comment.

Ryan Bianchetto, Allen & Major Associates, presented on behalf of John Sarkis, the applicant for 470 Boston Street. The proposed project is an age 55+, 30-unit residential development. Bianchetto stated that the majority of the land will remain undeveloped, with no disturbance of woods or wetlands. They are filing the NOI for work in the 100 Buffer Zone to the BVW. Bianchetto explained that the majority of work in the Buffer Zone will be for the emergency access road which was requested by the Planning Board. Bianchetto has submitted a waiver request for work within the 100 foot Buffer Zone and stated they are meeting both State and Bylaw performance standards.

Bianchetto reviewed the plan, pointing out that the location is primarily in a commercial/office section of Topsfield.

- 30 units in 15 separate buildings.
- Vehicular access primarily from Route 1 where there is an existing curb cut.
- Two existing buildings that will come down--a house and a garage.
- Secondary, emergency access will be a new road where the existing driveway is now, and will be gated. They will request curb cut from Mass. DPW. The secondary road will primarily be gravel.
- Central open space and, possibly, a pavilion with open sides and roof.
- Walking path in Buffer Zone Resource Area ,
- open infiltration basin.
- Central mailbox and informal hiking path.
- Subsurface septic systems, included in the NOI but which will be permitted by BOH.

Bianchetto reviewed the utilities plan and an overview of stormwater management, which is under review by the Planning Board. Bianchetto stated that the applicant is requesting a waiver for working in Buffer Zone. The existing driveway is already in the Buffer Zone, and the majority of work in the Buffer Zone would be the emergency access road in the same location. This secondary roadway is 20 feet wide and the material will be gravel, with a short stretch at the entrance paved.

Bianchetto stated that the NOI covers the secondary emergency access road, removal of the house and the informal walking path. Beals and Thomas submitted an initial peer review letter to the Planning Board regarding stormwater and had minor comments with respect to drainage type. Jolley requested a copy of this letter, which had not yet been received by the TCC.

DiCarlo questioned if the existing main access way will be widened or improved. Sarkis replied that they will resurface but there are no plans to alter the grade or width. He further stated that there may be DOT signage required, but no earth work. They may change the guardrails from galvanized steel to wood for aesthetic reasons.

Regarding the secondary emergency access road, Luther asked if there will be a problem with run-off given it is proposed to be crushed stone and if there plans for an edging to keep the stones out of the Resource Area. Bianchetto replied that the road will be rarely used so there will not be a lot of disturbance.

The TCC compiled a list of questions for the applicant to review at the next meeting. After discussion, the TCC identified items for further review:

1. Material and depth for secondary emergency access road
2. Plan to demolish the house
3. Hiking path, how they propose to surface the path and the plan for maintenance

4. Plan to stay out of the Buffer Zone during construction
5. Modifications to the existing driveway
6. Plan to deal with the road de-icing and snow removal

Nicolette and David Larson, abutters who live at 109 North Street, addressed the TCC about the proposed walking path through the Buffer Zone. They expressed their concern about dog walking and how the disposal of dog waste will be handled. Larson showed a picture of a posted sign in Ipswich about leash requirements and the pooper scooper law. They requested that a covenant be put on the property requiring dogs on a leash and fecal matter picked up.

Larson also expressed concern about stockpiling of snow and road salt for de-icing. She stated that the water flows to the north and she is concerned about calcium chloride flowing into the water supply. She showed photos of three ponds on and next to their property.

Bianchetto replied that they will look into these concerns and report back to the TCC.

Luther moved to continue the hearing to December 14, 2016. Carroll seconded. The vote was unanimous in favor.

NoI 307-0747: 28 Prospect Street, (Map 40, Lot 093), Wiegand /The Morin-Cameron Group, Inc. Luther read the legal notice and proof of abutter notice was submitted. John Morin, Morin-Cameron Group, presented on behalf of the applicant, Bonnie Wiegand, for the filing of an NOI to replace a failed septic system. The Wetland Resource Areas have been delineated by DeRosa Environmental. Morin described the plan, pointing to the property and the Wetland Resource Areas and an Intermittent Stream. The existing cesspool is about five feet from an Intermittent Stream and 20 feet from the BVW. He explained their attempts to locate the new septic system and leach bed away from the Wetland Resource Area but soil drainage was an issue. They are able to put the system in an area with better soil and the leach bed will be outside the 100 foot Buffer Zone. Because of the elevated water table, they will have some grading in the Buffer Zone. In addition, the line to the new tank is shown in the Buffer Zone but this is unavoidable because the whole house is in the BZ. The existing septic system is in the front of the house but they are redirecting plumbing in the back so it will eliminate the need for more disturbance. The cesspool will be pumped and it will be backfilled.

A waiver was requested to allow the grading in the Buffer Zone, in addition to the portion of the line and vent pipe in the back.

Luther asked about mitigation. Morin replied that 50% of the area they are working in is maintained lawn and 50% is in a wooded area. They were not proposing any mitigation because it is a septic repair and the majority of the tree clearing is off the back side. Morin stated that they have to take down about 4 trees because they cannot grade around the trees. He pointed out the proposed location of the silt socks.

Morin noted that they did receive a DEP file number and DEP had no comments.

Spillman agrees with the Resource Areas flagged in the front of the house but had questions in the rear. She was aware of flow from the adjacent property, at 32 Prospect Street. She pulled

photographs from TCC records, and showed and described the flow of the water during and as the result of precipitation events. An Intermittent Stream starts at the top of the hill (drumlin) at 50 Prospect, flows across 44 Prospect, across 32 Prospect (including through a section of pipe), and crosses the driveway at 32 Prospect Street (toward 28 Prospect in major events).

Spillman noted that there are tree roots sitting up high at the rear of the property at 28, so she feels there may be a wetland area or Intermittent Stream in that area, at least high groundwater. There is a lot of water coming down the hill to this location. Morin did agree that there is a high water table. When DeRosa delineated this area, he walked the area and evaluated if the wetland carried up the hill and researched maps and did not find any evidence of a Resource Area in this section.

Jolley asked if this would impact the plan since it is a failed system and it is the only place to locate it. Spillman stated it would only affect the setbacks from the wetlands and the need for a variance from the BOH. She felt there needed to be more investigation. Morin recommended that DeRosa go back out and do more study of the area to bring more evidence to the TCC. If they find something different, they will change the plan. Spillman stated it is important because the house is being sold and should have an accurate delineation.

Luther moved to continue the hearing until December 14, 2016. Carroll seconded. The vote was unanimous in favor.

Enforcement Order 2016-02: 268 High Street, (Map 71, Lot 028), Silver – ratification and discussion

Jolley announced this item was being taken out of order to accommodate Mr. Silver's schedule.

Spillman reviewed the history of activities and requirements related to this Enforcement Order.

Jolley asked Silver how he responds and if he has made changes to his property. Silver replied that the mounds of dirt are stabilized and he does not expect them to move in the rain. He explained that he is flattening out the material and, in his opinion, the soil piles are not in the Buffer Zone. He stated that he has cut some trees down in Buffer Zone, but does not feel he is disturbing the Buffer Zone. He stated that he has been maintaining the slope (Buffer Zone) for 16-17 years and suggested he has been asked to present at the TCC because a neighbor complained about soil falling on their property.

Spillman stated that the trees that have been taken down are in the Buffer Zone. Silver replied that the trees were not of substance, they were not oaks or maples. He described on the map where the material has been moved, approximately 7-8 truckloads or approximately 49 yards.

Spillman stated she believes, based on previous filings and violations at and adjacent to 268 High Street and field observations, that there has been recent activity in the Buffer Zone and it is Silver's burden to show that no activity has taken place in the Buffer Zone. She showed a 2016 aerial photo showing five downed trees in the Buffer Zone Resource Area. Silver replied that half of his house is in the Buffer Zone and that he has not done anything in the Wetlands. He stated that he will move the dirt and the TCC can go to the site for confirmation. Additionally, he agreed from this point forward, he will notify the TCC when he is cutting trees.

Spillman suggested that, at a minimum, Silver file an after-the-fact filing of an RDA for the cutting of the five trees in Buffer Zone Resource Area

Silver suggested and TCC agreed to allow him to move the soil to the back of the property, "outside of TCC jurisdiction."

Luther asked Silver to file an RDA after the fact.

Luther moved to ratify the Enforcement Order for 268 High Street. Carroll seconded. The vote was unanimous in favor.

NoI 307-0746: 44 Candlewood Drive, (Map 43, Lot 020), Coughlin/DeRosa Environmental Consulting

Luther read the legal notice and Spillman confirmed that proof of abutter notice was previously submitted. DEP has issued a file number and has no comments.

Mike DeRosa, DeRosa Environmental, and John Coughlin, property owner attended. Meridian Engineering did the plan and DeRosa noted that the septic system plan has been filed and approved by BOH. The proposal is a new single-family house and portions of the site are in the Buffer Zone and Riverfront Area so a waiver request was included in the filing. The BVW boundary was flagged, reviewed and verified in 2014 on both properties (44 and 48 Candlewood) for previous NoI/OoC 307-0716, for a garage and related activities at 48 Candlewood Drive, and the BVW boundary is good for three years. The Mean Annual High Water [MAHW] of the perennial stream, Cow Pen Brook, at the rear of the property was not flagged and was not reviewed under the previous NoI (see OoC 307-0716) or under this NoI filing.

Jolley referred to Bylaw Regulation R:10-4e.2.(b.), and confirmed that there is a house and driveway but no shed or other structure proposed. The garage is part of the house. The house and septic system as proposed are as far from the pond, BVW, and perennial stream as possible on this property.

Spillman stated this may trigger a stormwater review because of the amount of grading proposed. Coughlin stated that Meridian Engineering informed them they did not need to go before the Planning Board because it did not meet the minimum area threshold. Spillman commented that the usual site visit had not been made to inspect the property and Resource Areas, and it was suggested that none would be necessary.

Luther moved to close the hearing. Carroll seconded. The vote was unanimous in favor.

Luther asked about plantings around the existing pond. Coughlin replied that there are a split rail fence and plantings already in place.

Luther moved to issue an Order of Conditions for the proposal as shown on the plan entitled "Subsurface Sewage Disposal Plan, for 44 Candlewood Drive, Topsfield MA" dated September 13, 2016, conditioned on the standard practices of delineating the work area and providing sedimentation control and all of the standard requirements. Carroll seconded. The vote was unanimous in favor.

REQUESTS:

RDNI 2016-28: 16 Towne Lane, (Map 33, Lot 052), Cunniff

Janine Cunniff presented her proposal to replace a deck and change the direction of the stairs in Buffer Zone. The contractor, John Young, has submitted plans for an expansion of size of the deck. Also, they are planning to change the front entrance with a new door and additional space to the front of the house with an overhang, also in Buffer Zone.

Cunniff said that Spillman had concerns about the existing swing set and shed. Spillman said the shed is about 22 feet from the BVW/Intermittent Stream and the fence at the boundary of the play area is about 3 feet from the BVW/Intermittent Stream. Luther stated that since the age of shed is unknown, it may have been in existence before the Bylaw went into effect.

Luther moved to issue a Determination of Negligible Impact. Carroll seconded. The vote was unanimous in favor.

CoC 307-0585: 26 Candlewood Drive, (Map42, Lot 37), Andrews

The Order was a result of violations (tree cutting, other alterations); no as-built plan was required.

Luther moved to issue a Certificate of Compliance for 26 Candlewood Drive. Carroll seconded. The vote was unanimous in favor.

OTHER:

Amended Enforcement Order 2016-03: 25 Johns Lane, (Map 76, Lot 004), Festa/Vista Realty Trust
- Not yet issued.

MEETING MINUTES:

October 19, 2016 – Delayed.

October 26, 2016 - Luther moved to accept the minutes of October 26, 2016 as amended. Carroll seconded. The vote was unanimous in favor.

ADMINISTRATOR'S REPORT:

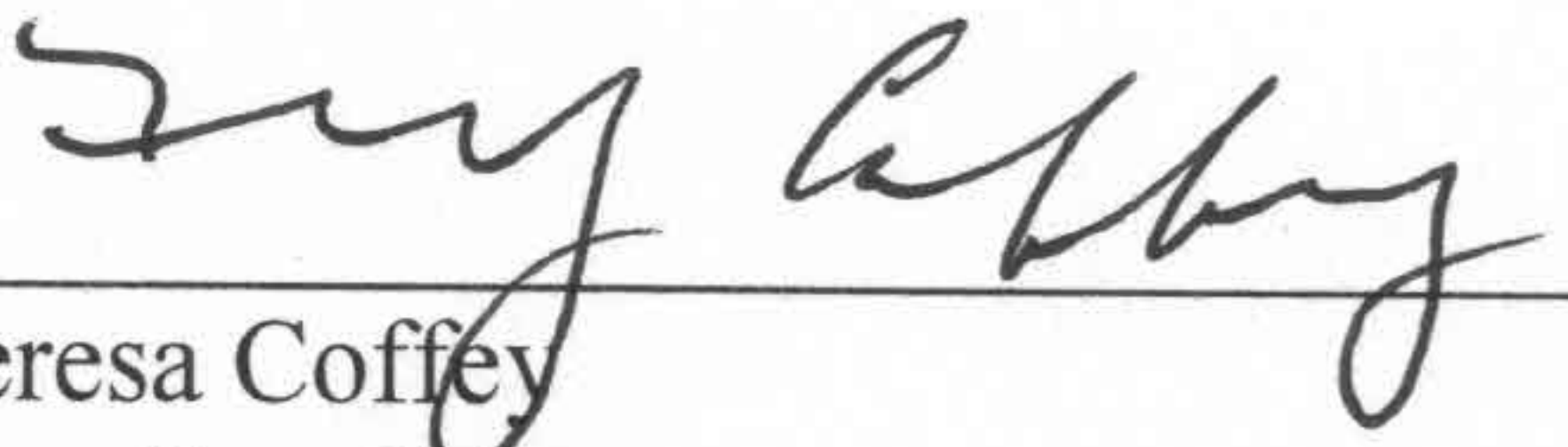
2017 Meeting and Filing Deadline Calendar - Luther moved to adopt the 2017 plan as amended. Carroll seconded. The vote was unanimous in favor.

Note: Next TCC Meeting – **December 14, 2016**

ADJOURNMENT:

Luther moved to adjourn the meeting. Carroll seconded. The vote was unanimous in favor. The meeting was adjourned at 10:37 p.m.

Respectfully submitted,



Theresa Coffey
Recording Secretary

Documents used at or for the meeting:

- NoI 307-07__ : 13 Perkins Circle, (Map 27, Lot 017), Heliotis/Williams and Sparages and **Revised Plan titled:** "Plan to Accompany Notice of Intent in Topsfield, MA 13 Perkins Circle" Prepared by Williams and Sparages, LLC, 189 N. Main Street, Suite 101, Middleton, MA 01949, stamped and signed by Richard L. Williams, P.E., Civil No. 40190, dated Revised: November 30, 2016.
- RDA 2016-10: 1 Coppermine Road – Ferncroft Country Club, (Map 80, Lot 001), Ferncroft Holdings., LLC./Williams and Sparages and **Revised Plan titled:** "Site Plan Showing Proposed Conditions #1 Coppermine Road, Topsfield, MA," Prepared, stamped, & signed by Christ P. Sparages, R.P.E. Civil No. 40174, Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, Dated Revision 2 Buffer Zone Grading, 11/29/16.
- NoI 307-0745: 470 Boston Street, (Map 03, Lot 003), Sarkis Development Co./Allen & Major Associates, Inc. and **Plans titled:** "Site Development Plans for Over 55 Residential Development 470 Boston Street " dated October 13, 2016.
- Photos of ponds near 109 North Street, Topsfield provided by Nicolette and David Larson
- NoI 307-0747: 28 Prospect Street, (Map 40, Lot 093), Wiegand /The Morin-Cameron Group, Inc., and **Plan titled:** "Sanitary Disposal System Design Plan in Topsfield, Massachusetts 28 Prospect Street," Prepared by The Morin-Cameron Group, Inc., formerly at 447 Boston Street, Topsfield, and currently at 66 Elm Street, Danvers, MA 01923, stamped and signed by John M. Morin P.E., Civil No. 39836, October 26, 2016.
- Aerial map of 268 High Street, (Map 71, Lot 028), Silver
- NoI 307-0746: 44 Candlewood Drive, (Map 43, Lot 020), Coughlin/DeRosa Environmental Consulting
- "Subsurface Sewage Disposal Plan, for 44 Candlewood Drive, Topsfield MA" dated September 13, 2016.
- RDNI 2016-28: 16 Towne Lane, (Map 33, Lot 052) and Sketch Plan titled: "Proposed activities at 16 Towne Lane", dated November 26, 2016.

Documents used for ANRAD 307-0726: 9 and 21 Towne Lane:

- DeRosa Environmental Map of 9 and 21 Towne Lane
- Definition of a Stream, Topsfield Bylaw section 62-3
- As-built Plan dated December 1, 2010 for 19 Towne Lane, Topsfield MA
- Summary of Evidence prepared by Holger Luther
- Beals Associates plan, dated January 2015

Minutes approved at the TCC meeting on January 11, 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.