

Topsfield Conservation Commission
Minutes of Meeting September 27, 2017
 Topsfield Library Meeting Room

Present: Cheryl Jolley, Chair; Dodds Shamroth, Vice Chair; Jim Carroll, Jennifer DiCarlo (arrived at 7:09 pm), Holger Luther, Heidi Gaffney, Administrator and Theresa Coffey, Recording Secretary

Other Attendees:

Name	Address	Agenda Item
Chuck Johnson	C.G. Johnson Engineering, Inc.	107 Ipswich Road
Robert Wiktorowski		107 Ipswich Road
Robert Skeffington	82 North Street	293 Boston St
Frank Iovanella	23 Aaron	293 Boston St
Craig Marchionda	Marchionda Associates	293 Boston St
Paul Marchionda	62 Montvale Ave., Stoneham MA	293 Boston St
Sheila Cogger	24 Willowdale Road	24 Willowdale
Steven Cogger	24 Willowdale Road	24 Willowdale

Jolley called the meeting to order at 7:03 p.m. with a quorum present.

HEARINGS:

ANRAD 307- : 293 Boston Street, (Map 34, Lot 078), Skeffington

Gaffney informed the TCC that a DEP number had not yet been issued. Therefore, the Hearing could be opened but could not be closed.

Abutter notices were submitted and Luther read the legal notice aloud.

On behalf of the applicant, Robert Skeffington, Paul Marchionda of Marchionda Associates reviewed the ANRAD Plan. He noted that the property is 106 acres with a large amount of wetlands. Because it wasn't practical to flag the entire property, they focused on the part of the property that will impact the Buffer Zone. He pointed to the area on the plan for which they want delineation. Gaffney discussed her site visit with the wetland scientist on September 21 and reviewed the flags that she moved which are reflected on the revised plan dated 9/21/17 [Gaffney Administrator notes 9/27/17: I confirmed H1 – H34 and J58 – J75 as shown on the revised plan with revision date of 9/21/2017. Flags J59, J60, J61 and J64 – J69 were deleted J58 connects to J62 and J63 connects to J70.]

DiCarlo arrived at 7:09 pm.

Luther questioned the corridor between two highlighted areas as well as why the development is only planned for 3 to 4 acres on a 100 acre property. Marchionda stated that given the

topography of the property – slopes, wetlands, compact soil, etc. -- it does not seem feasible as a residential development.

Marchionda shared a Preliminary Concept Plan and provided an overview of his discussions with the Planning Board and the Fire Department. Discussion continued regarding the Planning Board's concern with protecting what is referred to as the "Ruins" for which Luther provided a brief history. Marchionda described his thoughts on setting aside a piece of the parcel as Open Space to preserve the Ruins. He asked for TCC feedback on the possibility of a waiver to work in the Buffer Zone so that the parcel with the Ruins could be preserved as Open Space. The TCC replied that this is an issue that would need to be detailed for them and would require deliberation. DiCarlo suggested that Marchionda consider a conservation restriction as well.

Luther moved to continue the hearing until such time as the DEP number is issued, possibly October 11, 2017. Carroll seconded. The vote was unanimous in favor.

Continuation NoI 307-0755: 107 Ipswich Road, (Map 26, Lot 002), Wiktorowski/C.G. Johnson Engineering, Inc.

Jolley noted that the DEP number has been issued for this NoI for a septic system upgrade.

Chuck Johnson, CG Johnson Engineering, Inc., submitted for the TCC file a copy of the Limited Subsurface Investigation Summary that was completed at the request of the applicant's bank related to a bank transaction and not requested by or related to this application to the TCC. A copy was offered to the TCC as a good faith sharing of information. Johnson showed the TCC samples of the open cell foam that is used as the secondary treatment for the proposed septic system.

Luther moved to close the Hearing given that the DEP number has been issued and no comments received. Carroll seconded. The vote was unanimous in favor.

Luther reminded the applicant of his concerns about the sensitivity of the area discussed even though it is not related to the issue at hand. Wiktorowski replied that he had commissioned a Ch. 21E analysis of the wetland waters behind the garage. No pollutants were found. He will send a copy to the TCC office.

Luther moved to issue the permit for NoI 307-0755 subject to the details in the drawing that was presented titled: "Proposed On-Site Wastewater Treatment & Dispersal System Upgrade for 2-Bedroom Single Family Dwelling at 107 Ipswich Road, Topsfield MA" and dated August 30, 2017, with the usual standards and conditions for erosion control, and subject to the receipt of the final design plans and as-built plans. Carroll seconded. The vote was unanimous in favor.

Continuation NoI 307-0754: 15 Evergreen Lane, (Map 50, LOT 035), Major/Williams & Sparages, LLC., drainage improvements

Gaffney informed the TCC that the applicant has requested a continuance to October 11, 2017.

Luther moved to continue the Hearing to October 11, 2017. Carroll seconded. The vote was unanimous in favor.

REQUESTS:

CoC 307-0729: 67 Perkins Row, (Map 59, Lot 007), Hayes Engineering, Inc.

Gaffney provided an overview of her site visit and meeting with the consultant from Hayes Engineering and stated that the site is stabilized, the conservation posts are installed, clean up completed, etc. She discussed two deviations from the original plan, namely a porch and patio at the rear of the house and change in the driveway pavement in which the paving was added in one area but reduced in another. Luther referred to a possible vernal pool that was identified by Lana at the time of the application. Gaffney verified that the area has been cleaned up but that she would not be able to verify as a vernal pool until spring.

Luther moved to issue a Certification of Compliance under the Act and the Bylaw as the site is in substantial compliance. Carroll seconded.

Discussion: DiCarlo expressed her concern about the deviations from the approved plan in a sensitive area. Gaffney explained that the change in the paved area was a shift of the area paved, not an increase. The applicant added that the footprint of the new house is smaller and further away from the wetlands and discussion ensued about the reduced disturbance to the wetlands with the new structure.

DiCarlo clarified that her concern was not the old structure versus the new but rather that the plan under which the permit was issued was changed without TCC input or approval. The plan presented to the TCC did not have anything at the rear of the house, however, the plan attached to the Building Permit shows a deck at the rear of the house.

Gaffney commented that while the change should have been brought to the attention of the TCC, she felt the site was in compliance as the work was approvable, the scope was minor and the impact on river was reduced. She agreed, however, that the issue should be reviewed going forward. She noted that the as-built plan in the TCC file reflects exactly what is there as of now.

The vote was unanimous in favor.

RDNI 2017-09: 24 Willowdale Road, (Map 14, Lot 001), Cogger/King, tree removal

The applicant, Steven Cogger, described the trees he would like to remove, including 5 live trees and 1 dead tree. He stated that an arborist from Iron Tree assessed the trees and did agree that the trees posed a threat to their building. The trees are all in the Riverfront Area. The removal will be done by crane which will be stationed in the driveway, limiting disturbance. Discussion continued regarding the handling of the stumps, typically being cut flush or ground to grade. Luther reminded the applicant that per the TCC Tree Policy, there should be no net loss of trees. He requested that the planting plan with list of replacement trees or shrubs be provided to Gaffney. Gaffney suggested the best time to plant is in the spring.

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

OTHER:

TCC Form 5 – Gaffney presented for approval a revised Abutter Notification Form (TCC Form 5). She briefly reviewed the changes on the form, some of which will update the form to comply with Open Meeting Law requirements. Shamroth expressed her appreciation for Gaffney's initiative updating the form as well as her organization and presentation of meeting materials.

Luther moved to approve the revision of the TCC Form 5, Abutter Notification Form. Carroll seconded. The vote was unanimous in favor.

MEETING MINUTES:

September 13, 2017 – *Luther moved to accept the minutes of the meeting held on September 13, 2017. Carroll seconded. The vote was unanimous in favor.*

ADMINISTRATOR'S REPORT:

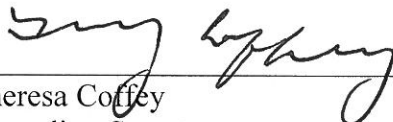
- Gaffney reminded the TCC of the Fairgrounds site walk.
- Luther distributed a Household Recycling Day flyer, discussed the environmental benefits of this event and welcomed volunteers to help.

ADJOURNMENT:

Luther moved to adjourn. Carroll seconded. The vote was unanimous in favor. The meeting was adjourned at 8:23 pm.

The next meeting will be held October 11, 2017 at 7:00 pm, Library Meeting Room.

Respectfully submitted,



Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 10/25/2017

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.

Documents used at or for the meeting:

Abbreviated Notice of Resource Area Delineation: 293 Boston Street

- Complete ANRAD application with attachments
- ANRAD Plan Perkins Row, Topsfield MA, Prepared for Green Acres Realty by Marchionda & Associates, L.P. dated 9/6/17 and revised 9/21/17
- Preliminary Concept – OSRD Perkins Row, Topsfield MA, Prepared for Green Acres Realty by Marchionda & Associates, L.P. date 9/15/17

Notice of Intent 307-0755: 107 Ipswich Road

- Complete NoI application with attachments
- Permit Site Plan “Proposed On-Site Wastewater Treatment & Dispersal System Upgrade for 2-Bedroom Single Family Dwelling at 107 Ipswich Road, Topsfield MA”. Prepared by C.G. Johnson Engineering, Inc., dated August 30, 2017.
- Photos of Bottom Sand Filter System installation.
- Limited Subsurface Investigation by Environmental Risk Advisors, LLC dated March 28, 2017

Request for Certificate of Compliance 307-0729: 67 Perkins Row

- Complete Request for Certificate of Compliance application with attachments
- Plan to Accompany Certificate of Compliance 67 Perkins Row, Topsfield MA by Hayes Engineering, Inc., dated 2/10/17

Request for Determination of Negligible Impact 2017-09: 24 Willowdale Road

- Complete RDNI Application with attachments

Topsfield Conservation Commission Form 5 – Abutter Notification Form

Draft Minutes of Meeting Held September 13, 2017

Hand-out for Household Recycling Day in Topsfield MA