

***Topsfield Conservation Commission***  
***Minutes of Meeting October 25, 2017***  
 Proctor School Library

**Present:** Cheryl Jolley, Chair; Dodds Shamroth, Vice Chair; Jim Carroll, Holger Luther, Heidi Gaffney, Administrator and Theresa Coffey, Recording Secretary

**Absent:** Jennifer DiCarlo

**Other Attendees:**

<b>Name</b>	<b>Address</b>	<b>Agenda Item</b>
Lou Wagner	87 Perkins Row	Mass. Audubon Mill House
Carol Decker	87 Perkins Row	Mass. Audubon Mill House
Stuart Weinreb	Mass. Audubon, Lincoln MA	Mass. Audubon Mill House
Bill & Melissa Ogden	9 Birch Lane	Tree Removal
Ralph Stump	18 Valley Road	
Michael Cosco	21 Valley Road	21 Valley Road
Joe Serwatka		21 Valley Road

Jolley called the meeting to order at 7:00 p.m. with a quorum present.

**HEARINGS:**

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

Gaffney informed the TCC that the applicant has requested a continuation to November 8, 2017.

*Luther moved to continue the Hearing for NoI 307-0754 15 Evergreen Lane to November 8, 2017 at the request of the applicant. Carroll seconded. The vote was unanimous in favor.*

**NoI 307-0758: 87 & 239 Perkins Row,** (Map 51, Lot 021), MA Audubon Society, Inc., removal of Mill House and garage

Luther read the legal notice aloud and Gaffney confirmed that area of proposed work is within a parcel greater than 50 acres in size and no abutter notification is required and stated that the Wildlife Sanctuary posted notice at the main office.

Gaffney informed the TCC that the applicant, MA Audubon Society, has requested a waiver for Bylaw fees. Gaffney stated that this would be consistent with past practice.

*Luther moved to waive the Bylaw Fee for NoI 307-0758, 87 and 239 Perkins Row. Carroll seconded. The vote was unanimous in favor.*

On behalf of the Mass. Audubon Society, Stuart Weinreb presented the proposal to remove two buildings: an old mill house and a garage. The buildings have not been used for a very long time and are considered an attractive nuisance. Because of the location outside of the main sanctuary, they are not used to conduct programs. The policy of the organization is to remove buildings with no good use. The buildings are wood frame with no heat or utilities.

Discussion continued on the proposed method of removal which is outlined in detail in the Project Description, as part of the NoI application package. They are not proposing to touch any structures at the water level.

The whole garage and foundation will be removed and sedimentation controls will be put in place. The wood frame of the mill house will be removed but the foundation will remain. The stones from the south side of the foundation will be used to fill in the basement creating a slope. Weinreb described the removal process planned for the mill building. Netting will be set on the water side to catch any debris. Using scaffolding, the roof will be cut and lifted out by pieces.

Access to the site was discussed and Gaffney noted that it will be included in the Order of Conditions. The project is in the NHESP habitat and has been submitted for Mass. Endangered Species Act (MESA) review, with an answer expected back by the next TCC meeting of November 8, 2017.

Weinreb requested a continuance to November 8, 2017.

*Luther moved to continue the Hearing for NoI 307-0758 87 & 239 Perkins Row, to November 8, 2017 at the request of the applicant. Carroll seconded. The vote was unanimous in favor.*

**NoI 307-0759: 21 Valley Road,** (Map 65, Lot 44), Cosco, installation of an in ground pool, patio, garage and parking area

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

The applicant described the proposed work all outside of the 50' buffer zone in existing lawn area, no trees needs to be removed. Discussion continued on the location of the proposed pool and patio.

Luther noted that additional dimensions including distance measurements were not included on the Site Plan. Considering that it is a Notice of Intent, an As-Built Plan will be required. Dimensions on the site plan are necessary to confirm that the project has been built as permitted by the Order of Conditions. It was discussed that the patio should be pervious.

The TCC requested that the applicant modify the Site Plan to include more details and dimensions and measurements for the pool, retaining wall and patio as well as the plan for the type of pavers to be used in the patio area.

The applicant requested a continuance to November 8, 2017.

*Luther moved to continue the Hearing for NoI 307-0759: 21 Valley Road to November 8, 2017 at the request of the applicant. Carroll seconded. The vote was unanimous in favor.*

**RDA 2017-10: 9 Birch Lane, (Map 24, Lot 027), Ogden, tree removal**

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

The applicants presented their request to remove trees within the Buffer Zone. Based on a tree company's assessment that an additional tree needs to be removed, the applicants requested an amendment to the original application bringing the total to 9 trees. The plan for the tree stumps was discussed with the one stump at the end of the driveway to be removed, the stumps in other areas will be left in place. Gaffney noted that the plan for replacement of the trees is included in the application.

*Luther moved to close the hearing for RDA 2017-10, 9 Birch Lane. Carroll seconded. The vote was unanimous in favor.*

*Luther moved to issue a Negative Determination of Applicability subject to the condition that the replacement of the trees be approved by the Conservation Administrator and that all stumps stay in place. Carroll seconded. The vote was unanimous in favor.*

Discussion after the vote: the applicant identified a stump in the Buffer Zone that will need to be removed.

*Luther amended the previous motion to reflect that all stumps stay in place, except for the one stump in the driveway. Carroll seconded. The vote was unanimous in favor.*

**OTHER:**

2018 Meeting Dates – Commissioners will review the proposed schedule and discuss at the November 8, 2017 meeting.

**MEETING MINUTES: September 27, 2017 and October 11, 2017**

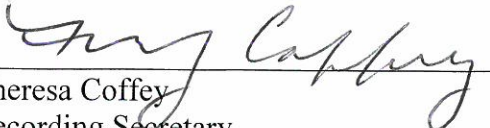
*Luther moved to adopt the minutes of the meetings held on September 27, 2017 and October 11, 2017, as presented. Carroll seconded. The vote was unanimous in favor.*

**ADJOURNMENT:**

*Luther moved to adjourn. Carroll seconded. The vote was unanimous in favor. The meeting was adjourned at 8:02 pm.*

The next meeting will be held November 8, 2017 at 7:00 pm, Topsfield Library Meeting Room.

Respectfully submitted,

  
Theresa Coffey  
Recording Secretary

*Minutes approved at the TCC meeting on 11/29/2017*

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:**

NoI 307-0758: 87 & 239 Perkins Row, MA Audubon Society

- Complete NoI application with attachments
- “Existing Conditions Plan in Topsfield, MA, property of Mass Audubon”, Prepared by Donohoe Survey, Inc., 363 Boston St., Topsfield, MA, (no stamp or signature), Dated August 17, 2017, with a revision date of 10/16/17.

NoI 307-0759: 21 Valley Road, Cosco

- Complete NoI application with attachments and plan
- Sketch modification drawn to scale of an as-built plan titled “Subsurface Sewage Disposal System Asbuilt”, original plan Prepared by Hancock Engineering Associates, plan with sketch modification stamped received Oct 11, 2017.

RDA 2017-10: 9 Birch Lane, Ogden

- Complete RDA application with attachments
- Hand edits by Melissa Ogden showing tree locations on a plan titled: “Pressure Dosing Sewage Disposal System,” original plan prepared by Hancock Associates and dated 7/6/06.

Draft Minutes of Meetings Held on September 27, 2017 and October 11, 2017

Proposed 2018 Meeting Dates and Filing Deadlines for the TCC