

***Topsfield Conservation Commission  
Minutes of Meeting November 28, 2018  
Topsfield Library Conference Room***

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

**Absent:** James Carroll

**Other Attendees:**

<b>Name</b>	<b>Address</b>	<b>Agenda Item</b>
John Morin	66 Elm Street, Danvers	42 East Street
Stephen Rafferty	34 King Street, Falmouth	42 East Street
David Kelley	Meridian Associates	8 Coppermine
Silvana DiBlasi	16 Gina Way, Boxford	35 Main Street
Kim Sherwood	29 Perkins Row	

Jolley called the meeting to order at 7:05 p.m. with a quorum present.

**HEARINGS:**

**NOI 307- : 8 Coppermine Road (Map 79, Lot 002), Meridian Associates/Ypsilantis – retaining wall and landscaping**

A DEP number had not yet been received. Luther read the legal notice and proof of abutter notice was submitted.

David Kelley of Meridian Associates presented on behalf of the applicant and discussed history of the site. He reviewed the scope of work in the 2005 Order of Conditions and discussed the retaining wall that was constructed closer to the wetland than what was originally proposed. The additional work stayed within the limits of the existing lawn area originally created when the house was built. The ground, shrubs and trees are established. To move the wall would cause further disturbance.

The only issues are the retaining wall and a small area of driveway that was left in place for better access to the garage. Gaffney stated that also the conservation posts with markers need to be installed. The original OoC has expired so an amendment to the original OoC could not be filed.

Kelley requested a continuance to December 12, 2018 due to not having a DEP number.

*Luther moved to continue the hearing for NOI 8 Coppermine Road until December 12, 2018. Shamroth seconded. The vote was unanimous in favor.*

**NoI 307-0769: 42 East Street (Map 13, Lot 012), Morin-Cameron Group, Inc./Rafferty – installation of replacement septic system**

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

John Morin, The Morin-Cameron Group, presented on behalf of the applicant. Morin reviewed the proposal for a septic system replacement. The house is being sold and the current system will not pass Title V. There will be no increase in the size of the system. Morin reviewed the delineated wetland resource areas, noting that almost the entire property is in the Buffer Zone of the BVW and Riverfront Area.

Due to setbacks for existing wells, the location of the existing septic system and soil issues, the system would be located in the back of the house. An alternative Presby System is being proposed with a new tank. Morin described how the system would be installed and the treatment process of the Presby system. The system as proposed would be more than 50' from the wetland and in the outer 100' of the Riverfront Area.

Access to the work site will be tight and will need to be discussed with the installers. It was agreed that the Conservation Administrator will be consulted about access to the site before work commences. One pine tree will likely need to be removed, no additional trees are expected to be removed.

Gaffney commented that it is outside of delineation season but the closest flags for the wetland and the closest flags for the median annual high were reviewed with a low probability of error. She agreed only with flags A2, A6, MA1, MA2 & MA6 and did not review any other flags.

*Luther moved to waive the Delineation Review Period for the closest flags that were reviewed with a low probability of error. DiCarlo seconded. The vote was unanimous in favor.*

*Luther moved to close the Hearing for Notice of Intent 307-0769. Shamroth seconded. The vote was unanimous in favor.*

*Luther moved to permit the project to proceed as presented by the plan entitled "Sanitary Disposal System Upgrade", dated November 14, 2018. Access will be subject to the approval of the Conservation Administrator. DiCarlo seconded. The vote was unanimous in favor.*

**REQUESTS:**

**RDNI 2018-09: 35 Main Street (Map 41, Lot 034), Topsfield MAC R/T, Jim DiBlasi – tree removal in Riverfront Area.**

DiCarlo informed the TCC that she is a tenant in the subject property and recused herself from the vote.

Gaffney reviewed the request to remove 5 trees that are in Buffer Zone and/or Riverfront Area of School Brook. Silvana DiBlasi described the condition of the trees to be removed. New

replacement trees would be planted in different locations than the existing trees. Discussion continued regarding the need for a letter from an arborist confirming the condition of the trees and the threat to property. Upon reviewing photographs of the trees, the TCC agreed that the location of the trees warranted removal without a letter.

*Luther moved to issue a Negative Determination of Impact for RDNI 2018-09. Shamroth seconded. The vote was 3 in favor and 1 recused (DiCarlo).*

**Continuation CoC 307-0688: 78 Alderbrook Drive (Map 68, Lot 023), Montana Development LLC/Hayes Engineering**

The TCC discussed the submitted as-built plan that does not meet the requirements of the Order of Conditions. The stormwater basin was dug out by the current owner by hand and the revised as-built shows the bottom is still approximately 1-foot higher than the pre-existing basin. There were no calculations or statements provided by the engineer as to whether it will hold the 1" storm as designed.

The TCC agreed to send this back to the engineer for confirmation that stormwater area will hold the required driveway runoff volume as designed and get confirmation that the conservation posts with markers are installed.

**MEETING MINUTES:**

No action.

**OTHER:**

The following was noted to be in meeting packets:

- 2019 TCC meeting dates, discussion and vote will be taken at the December 12, 2018 meeting.
- RDA from MassDOT in paper copy for review for the next meeting.
- Letter of support for recreation for information only.

**ADJOURNMENT:**

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

The next meeting will be held December 12, 2018 at 7:00 pm, Topsfield Library Meeting Room.

Respectfully submitted,

  
Theresa Coffey  
Recording Secretary

*Minutes approved at the TCC meeting on 1-23-2019*

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- : 8 Coppermine Road (Map 79, Lot 002), Meridian Associates/Ypsilantis

Notice of Intent Application with all attachments

Plan titled "As-Built Site Plan of Land (to accompany a Notice of Intent) located in Topsfield MA prepared for Evan H. & Effie Ypsilantis" dated November 2, 2018 by Meridian Associates

NoI 307-0769: 42 East Street (Map 13, Lot 012), Morin-Cameron Group, Inc./Rafferty

Notice of Intent Application with all attachments

Plan titled "Sanitary Disposal System Upgrade prepared for Anne Rafferty, 42 East Street, Topsfield MA" dated November 14, 2018 by The Morin-Cameron Group, Inc.

Photographs by Conservation Administrator Heidi Gaffney

Continuation CoC 307-0688: 78 Alderbrook Drive (Map 68, Lot 023), Montana Development LLC/Hayes Engineering

Letter re: Request for Certificate of Compliance 307-0688, by Hayes Engineering, Inc. Revised November 7, 2018

Plan titled "As Built Plan #78 Alderbrook Drive, Topsfield MA 01983" dated November 6, 2018 by Hayes Engineering, Inc.

Photographs of the Stormwater Basin Area