

Topsfield Conservation Commission
Minutes of Meeting June 12th, 2019
 Topsfield Library Conference Room

Present: Cheryl Jolley - Chair, Dodds Shamroth – Vice Chair, Nickolas Betts, Jennifer DiCarlo, Holger Luther, Heidi Gaffney – Administrator

Other Attendees:

Name:	Affiliation/Address:	Agenda Item:
Ross Eberhart	57 Candlewood	CoC request
Angel Barbosa	18 Brook Rd	RDA 2019-08
Alex Tatum	22 Boardman La	NoI 307-0774
Marcia Tatum	22 Boardman La	Same
Dick Gandt	31 Timber La	BoS
Daniel Peabody		76 Campmeeting Road

Jolley called the meeting to order at 7:04 p.m. with a quorum present.

HEARINGS:

Continuation RDA: 2019-07, 8 Coppermine Rd (Map 79, Lot 002), Ypsilantis

Applicant submitted a request for a continuation until June 26th.

Luther moved to continue the hearing until June 26th, Seconded by Shamroth, all voted in favor.

RDA 2019-08: 18 Brook Rd (Map 39, Lot 011), Barbosa

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

Applicant seeks to construct a 12' x 22' screened porch attached to his house located in the Riverfront Area of Fish Brook. Gaffney has inspected the site and has no problems provided storm water from the roof drains is properly infiltrated into the ground. After some discussion of the infiltration and inspection of a sketch provided by the applicant, *Luther moved to close the hearing seconded by Shamroth, Luther then moved to issue a Negative Determination of Applicability provided that the roof run-off is properly infiltrated into the ground. Shamroth seconded, all voted in favor.*

NoI 307-0774: 22 Boardman Lane (Map 18, Lot 038), Tatum

Luther read the legal notice and Gaffney confirmed that proof of abutter notice has been submitted.

Applicant proposes to cull a number of trees in the vicinity of his house located in the Riverfront Area where Pye Brook, Howlett Brook and Mile Brook intersect just west of the North St. well field. Replanting is proposed along with mitigation in the form of the removal of a large area of invasive plants and replanting with native species. Tatum discussed the history of his ownership of the property and experience with the subject trees. Two tree experts (Dodge Tree and Howard Gaffin) have assessed the trees and recommend removing the trees. They propose to remove 25 pine trees ranging in size from 6" – 20/25" in diameter that are close to the dwelling. He submitted an arborist's comprehensive report on the trees' status that describes the recommended removal of the trees. There was a discussion on how to stabilize the embankment facing Mile Brook and what trees and other vegetation to plant at that site. A replanting plan prepared by Corliss Landscaping was discussed and the method of removal of invasive plants was described. Machinery would be used for the removal of

Bittersweet to be able to remove the roots. Also discussed were soil erosion measures while the work was in progress. It was recommended that the applicant prepare a detailed planting and soil stabilization plan with emphasis on the embankment facing Mile Brook. A lengthy discussion continued on the replanting plan with questions raised if the amount of trees and shrubs in the replanting plan will be enough to stabilize disturbed areas near the riverfront. The TCC recommended that the applicant work with Corliss Landscaping to further detail the replanting plan with a species that will grow quickly to provide ground cover for the embankment area of the riverfront and some additional trees to replace the pine trees that will be removed. Plan also needs to include provisions for ensuring survival of the planted trees and shrubs for two years after the date of completion of the project.

Applicant requested a continuance of the hearing, and *Luther made a motion to continue the hearing until June 26th. Shamroth seconded the motion, all voted in favor.*

Requests:

CoC DEP 307-0638: 57 Candlewood, (Map 43, Lot 007), Langone/Hayes Eng.

Ross Eberhart made the request and furnished an “as-built” plan. Gaffney briefed the TCC on her concerns on the as-built plan as compared with the original plan approved by the DEP. She noted a number of deviations that are sufficiently substantial to require either a technical reason for the change prepared and signed by an engineer or changes on the ground to bring the project into compliance with the original approved plan. A discussion was held on the approval process for the issuing of Certificates of Compliance by the TCC under the Bylaw and DEP under the Act. After discussion with the applicant about the size of stormwater swale, the TCC recommended that the applicant consult with the project engineer about the required size of the swale. Gaffney recommended that the applicant withdraw the CoC application until the engineer has been consulted and the DEP responds with their endorsement for a CoC under the Act. The applicant requested to withdraw the Request for a CoC. *DiCarlo moved to accept the withdrawal of the application for a Certificate of Compliance for DEP 307-0638: 57 Candlewood Drive, at the request of the applicant. Luther seconded and the vote was unanimous in favor.*

CoC DEP 307-0579: 76 Campmeeting Road, (Map 20, Lot 039), Peabody/ Morin-Cameron

A request has been submitted for a CoC for the completion of work on the stone bridge spanning Howlett Brook that was destroyed in the storm of 2006. The applicant, Daniel Peabody, was present and provided a history of the project to repair damage to a stone bridge that occurred during a storm in 2006.

Luther moved to issue the Certificate of Compliance for said work. Shamroth seconded, all voted in favor.

Meeting Minutes:

Luther moved to accept the minutes of the meetings held on April 24, 2019 and May 8, 2019, as written. Shamroth seconded and the vote was unanimous in favor.

Administrator’s Report:

Intern - The intern that worked with the Conservation Office in 2018 will return this summer. Jolley suggested that the intern attend the TCC meeting at the end of the summer to discuss the projects.

Other:

Enforcement order 2019-03: 270 Boston St. (Map 41, Lot 087) Albright ratification
Gaffney reported that there was unauthorized alteration of resource areas on this property. Gaffney briefed the TCC on the requirements of the Enforcement Order and stated that the owner of the property is working toward compliance. *Luther moved to ratify an EO enjoining the burning of debris in an intermittent stream on the premises.*

DiCarlo moved to briefly adjourn the meeting. Betts seconded and the vote was unanimous in favor.

The meeting reconvened at 8:50 pm.

Enforcement order 2019-02: 254 Rowley Bridge Rd, (Map 80, Lot012), Weatherbee update.
The violation has been remediated and conservation posts have been installed. Awaiting the submission of a Request for a Certificate of Compliance for an outstanding Order of Conditions.

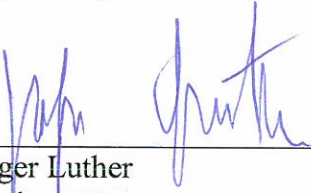
Amended EO 2019-01: 215 Washington St. (Map 46, Lot 007), Galka/DeRosa update.
Mike DeRosa is still working on a "get well" plan for the Fish Brook river-front at that site.

Draft revisions for Bylaw fees and application procedures. Gaffney distributed recommended changes to fees and procedures to be reviewed by the Commission and discussed at the next meeting.

ADJOURNMENT:

Luther moved to adjourn. Shamroth seconded. The vote was unanimous in favor. The meeting was adjourned at 9:15 pm.

Respectfully submitted,



Holger Luther
Member TCC

Minutes approved at the TCC meeting on 8/14/2019

The next meeting will be held June 26th, 2019 at 7:00 pm, Topsfield Library Meeting Room.

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:

RDA 2019-08: 18 Brook Road

Complete Request for Determination of Applicability with attachments,
dated May 14, 2019

Construction Plan by Design Concepts Pro Contractors, dated April 30, 2019

NOI 307-0774: 22 Boardman Lane

Complete Notice of Intent Application with attachments, dated May 23, 2019

Planting Plan for 22 Boardman Lane, prepared by Corliss Landscaping, dated December 3, 2018

Tatum Pine Assessment, prepared by Howard Gaffin, dated April 12, 2018 (date error on document should be 2019)

Dodge Tree Service Letter re 22 Boardman Lane, dated November 9, 2018

CoC DEP 307-0638: 57 Candlewood Drive,

Request for Certificate of Compliance, received June 5, 2019

“As-Built Plan, #57 Candlewood Road, Topsfield, MA” prepared by Hayes Engineering, Inc., dated May 1, 2019

“Sanitary Disposal System Plan, #57 Candlewood Drive, Map 43 Lot 7, Topsfield, Mass. 01983”, prepared by Hayes Engineering, Inc., dated March 4, 2010 with final revision date of 7/9/2018 (revision #8 “site changes”)

CoC DEP 307-0579: 76 Campmeeting Road

Request for Certificate of Compliance, with attachments including as-built plan, received June 4, 2019

Recorded Order of Conditions DEP 307-0579, recording date September 27, 2008

Draft Minutes of Meetings held on April 24, 2019 and May 8, 2019

Enforcement Order 2019-03: 270 Boston Street

Enforcement Order 2019-03 dated May 22, 2019

Draft Revisions to Bylaw Fees