

***Topsfield Conservation Commission
Minutes of Meeting October 16, 2019
Topsfield Library Conference Room***

Present: Cheryl Jolley – Chair, Dodds Shamroth – Vice Chair, Nicholas Betts, Holger Luther, Heidi Gaffney – Administrator and Theresa Coffey – Recording Secretary.

Absent: Jennifer DiCarlo

Other Attendees:

Name	Address	Agenda Item
Carol & Mark Mscisz	26 High Street	
Eric & Joel DiGrazia	49 & 45 Salem Road	
Jacqueline Johnson	26 Woodside Road	
Josh Dube	26 Woodside Road	
Philip Knowles	21 English Commons	
James Allen	281 Rowley Bridge Road	
Judith Finn	281 Rowley Bridge Road	
John Morin	Morin-Cameron Group, Inc.	
Dick Gandt		

Cheryl Jolley, Chairperson, called the meeting to order at 7:16 p.m. with a quorum present. She announced that the meeting was being audio recorded.

HEARINGS:

Continuation RDA 2019-15: 26 Woodside Road (Map 18, Lot 004), Johnson – after-the-fact stump removal and restoration

The applicant, Jacqueline Johnson, distributed a packet of photos and graphics. She reviewed the material consisting of the original work and pre-existing lawn areas and an updated restoration plan. The revised plan increases the restoration area. The grass area to be re-seeded is only slightly larger than originally existed. One pine tree is requested to be removed. Replanting plan is included in the PowerPoint presentation materials. The planting plan consists of at least four trees. Replanting will start next spring and will be completed over the course of the year. Native species will be conditioned and any substitutions must be reviewed. Luther requested a gray dogwood to be included in the planting species.

Luther moved to close the Hearing for RDA 2019-15 26 Woodside Road. Shamroth seconded and the vote was unanimous in favor.

Luther moved to issue a Negative Determination of Applicability for the project as shown in the latest version of the plan prepared by the applicant, dated October 16, 2019. Shamroth seconded and the vote was unanimous in favor.

Continuation ANRAD 307-0776: 5 East Common Street (Map 33, Lot 036), Congregational Church/Beals Associates – verification of Wetlands Resource Area boundaries

Luther moved to continue the Hearing for ANRAD 307-0776, 5 East Common Street to November 6, 2019, at the request of the applicant. Shamroth seconded and the vote was unanimous in favor.

NoI 307-0777: 17 Pemberton Road (Map 49, Lot 022), Yanchus/Wetlands & Land Management, Inc. – construct an addition

Luther read the legal notice and opened the Hearing for NoI 307-0777, 17 Pemberton Road. The applicant's representative submitted continuance request due to a scheduling conflict.

Luther moved to continue the Hearing for NoI 307-0777, 17 Pemberton Road to October 23, 2019, at the request of the applicant due. Shamroth seconded and the vote was unanimous in favor.

ANRAD 307-0778: 280 Rowley Bridge Road (Map 83, Lot 002), Cameron/280 Rowley Bridge Topsfield, LLC/The Morin-Cameron Group, Inc. – verification of Wetlands Resource Area boundaries

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

Representing the applicant, John Morin, The Morin-Cameron Group, Inc. presented the site plan and reviewed the characteristics of the property and the wetland delineation completed by DeRosa Environmental Consulting. Gaffney confirmed that she reviewed BVW Flags A8-A32 with Mike DeRosa on September 26, 2019 and agreed with the placement of flags.

Philip Knowles, English Common, asked the TCC why the ANRAD was filed. James Allen, 21 Amberwood, spoke about water concerns. Morin explained that the application was for wetland delineation only.

Luther moved to close the Hearing for ANRAD 307-0778 280 Rowley Bridge Road. Shamroth seconded and the vote was unanimous in favor.

Luther moved to approve the Abbreviated Notice of Resource Area Delineation as shown on the plan titled "Plan to Accompany an Abbreviated Notice of Resource Area Delineation in Topsfield MA, 280 Rowley Bridge Road", prepared by The Morin-Cameron Group, Inc., dated October 1, 2019, for Flags A8-A32 only, under the Act and Bylaw. Shamroth seconded and the vote was unanimous in favor.

OTHER:

Enforcement Order 2019-07: 49 Salem Road & 130 Boston Street, (Map 63, Lots 003 & 004), DiGrazia – ratify

Gaffney reviewed the violation related to Enforcement Order 2019-07 49 Salem Road and 130 Boston Street. Vegetation was cut and removed in a Bordering Vegetated Wetland area and next to an intermittent stream. A prior Order of Conditions, 307-0569, from 2006 for septic work and

tree removal does not have a Certificate of Compliance. This work violates continuing conditions of that Order.

Property owners, Eric and Joe DeGrazia, addressed the TCC and explained that they were clearing brush around stone walls on the property and their intent was only to clean up the area around the wall. Essex County Greenbelt oversees the conservation rights to a portion of the property and does annual inspections. The property owners were not aware they were violating the law by clearing brush.

Restoration was discussed with the property owners and they will work with Gaffney on the replanting plan that will begin in the Spring.

Luther moved to ratify Enforcement Order 2019-07, 49 Salem Road and 130 Boston Street. Shamroth seconded and the vote was unanimous in favor.

Amended Enforcement Order 2019-06: 27 Haverhill Road (Map 24, Lot 078), Ginley – ratify

Gaffney confirmed that the TCC conducted a site visit and determined that the fill brought in to the property needs to be removed. The Enforcement Order has been amended to reflect this finding.

Luther moved to ratify Amended Enforcement Order 2019-06, 27 Haverhill Road. Shamroth seconded and the vote was unanimous in favor.

Enforcement Order 2019-08: 11 Prospect Street (Map 40, Lot 008), Ingalls – ratify

Gaffney reviewed the violation related to Enforcement Order 2019-08, 11 Prospect Street. As shown on an aerial map, a portion of lawn area within 50 feet of an Intermittent Stream was paved over to expand an existing driveway. The Enforcement Order requires a Notice of Intent to be filed by January 29, 2020.

Luther moved to ratify Amended Enforcement Order 2019-08, 11 Prospect Street. Shamroth seconded and the vote was unanimous in favor.

MEETING MINUTES

No action taken.

ADMINISTRATOR'S REPORT


Fairgrounds – Gaffney provided a post fair update. She discussed parking lot restrictions during the Fair and noted that hydroseeding of the area was delayed due to the rain.

ADJOURNMENT

Luther moved to adjourn. Shamroth seconded and the vote was unanimous in favor. The meeting was adjourned at 8:10 pm.

The next meeting will be held on October 23, 2019 at 7:00 pm, Topsfield Library Meeting Room.

Respectfully submitted,


Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 12/18/2019

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:

RDA 2019-15: 26 Woodside Road (Map 18, Lot 004), Johnson

Handouts provided by the applicant including photos, site plan and restoration plan, in a PowerPoint printed and electronic version, dated October 16, 2019

ANRAD 307-0778: 280 Rowley Bridge Road (Map 83, Lot 002), Cameron

Abbreviated Notice of Resource Area Delineation Application with attachments, dated October 1, 2019

Plan titled "Plan to Accompany an Abbreviated Notice of Resource Area Delineation in Topsfield MA, 280 Rowley Bridge Road", prepared by The Morin-Cameron Group, Inc., dated October 1, 2019

Enforcement Order 2019-07: 49 Salem Road & 130 Boston Street (Map 63, Lots 003 & 004), DiGrazia, dated October 9, 2019

Google Earth Aerial 49 Salem & 130 Boston, 4-2018

Photos 1, 2, 3 – 49 Salem & 130 Boston

Amended Enforcement Order 2019-06: 27 Haverhill Road (Map 24, Lot 078), Ginley, dated October 8, 2019

Enforcement Order 2019-08: 11 Prospect Street (Map 40, Lot 008), Ingalls, dated October 10, 2019

Google Earth Aerial 11 Prospect Street, 4-2017

Google Earth Aerial 11 Prospect Street, 4-2018