

Topsfield Conservation Commission
Minutes of Meeting April 8, 2020
By video/audio conference

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

Other Attendees: Mike Seekamp, Seekamp Environmental Consulting, LLC; William Mertz, P.E., WorldTech Engineering, LLC; Brian Howlett, 24 Wilmor Road; Dick Gandt, 31 Timber Lane.

Cheryl Jolley, Chairperson, called the meeting to order, by video/audio conference, at 7:11 p.m. with a quorum present. She made the following announcement:

“Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Topsfield Conservation Commission is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but the public can listen to and/or view this meeting while in progress by joining the Zoom Meeting at the link listed on the posted agenda or by calling 1-929-205-6099 and entering meeting ID and password listed on the agenda. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment as announced by the chair during the hearing.”

Chairperson Jolley announced that the meeting was being audio recorded. Attendance was taken by roll call.

Commissioners:

Cheryl Jolley – present
Nicholas Betts – present
Jennifer DiCarlo – present
Holger Luther – present
Dodds Shamroth – present

Staff:

Heidi Gaffney – present
Theresa Coffey – present

Others:

William Mertz, P.E., WorldTech Engineering, LLC;
Mike Seekamp, Seekamp Environmental Consulting, LLC
Brian Howlett, 24 Wilmor Road
Dick Gandt, 31 Timber Lane.

HEARINGS:

Continuation ANRAD 307-0776: 5 East Common Street (Map 33, Lot 36), 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 April 22, 2020 at the request of the applicant. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes

Continuation NoI (Bylaw only) TCC 2019-01: 371 Boston Street (Map 26, Lot 014), Sabino/The Morin-Cameron Group, Inc. – re-construction of an existing building, construction of an addition, paved parking areas and driveways, utilities, stormwater management structures & grading

No action needed. The hearing was previously continued from 3/25/2020 to 4/22/2020.

Continuation NoI 307-0783: Hill Street Culvert, Topsfield Highway Department – re-opened hearing for the request to replace a culvert within an intermittent stream in the roadway.

Luther moved to continue the hearing for NoI 307-0783: Hill Street Culvert to July 15, 2020 at the request of the applicant due to budgetary issues. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes

Continuation NoI 307- : ECTA Town Wide Trail Maintenance Plan, ECTA/DeRosa Environmental Consulting, Inc. – town-wide trail management plan.

No action needed. The hearing was previously continued on 3/25/2020 to 4/22/2020.

Continuation NoI 307- : 24 Wilmor Road, (Map 10, Lot 005), Howlett/Seekamp Environmental Consulting, Inc. – install in-ground pool and remove trees.

The TCC conducted a site visit on April 7, 2020.

Mike Seekamp, Seekamp Environmental Consulting, Inc., reviewed the property and 2 possible locations for a swimming pool. In addition to a pool, the NoI application included a request to remove 14 trees due to safety concerns. An arborist report was provided for the removal of the 14 trees.

The first proposed location for the pool would require the removal of 7 trees. The alternative location would require the removal of 1 tree in the buffer zone. Discussion was held on the impacts of both locations.

Gaffney shared photographs and reviewed the requirements of the new plan that would be needed as well as an arborist assessment. She discussed proposed mitigation along the edge of the wetland and riverfront area. She recommended that the TCC read the arborist report on the removal of the 14 trees related to the restoration of the canopy. Replanting the trees one-for-one with the addition of an understory would meet the intention of the improvement of the riverfront area.

The hearing could not be closed because a DEP number had not yet been issued.

The applicant requested a continuance to April 22, 2020 and will present a revised plan showing alternatives as discussed.

Luther moved to continue the hearing for NoI 307- : 24 Wilmor Road to April 22, 2020 at the request of the applicant due to no DEP file number and pending a revised plan. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes

RDA 2020-04: Grove Street, Washington Street, High Street Extension, Topsfield Department of Public Works/WorldTech Engineering LLC – installation of ADA compliant sidewalk and curbing

Jolley opened the hearing; Gaffney read the legal notice and confirmed that proof of abutter notice was received.

William Mertz, P.E., WorldTech Engineering, LLC, described the project as part of the Complete Streets grant received by the Town of Topsfield to install new HMA sidewalk and increase existing sidewalk to a 5-foot width to meet ADA standards and add granite curbing. A part of the project is between Grove Street and Washington Street. There is an intermittent stream that crosses Grove Street and wetlands across from Washington Street. Erosion control will include silt sacks in all catch basins including ones outside of jurisdiction as all storm water flows into jurisdiction. The grant expires at the end of 2020 so they are proposing to complete construction this year.

Gaffney confirmed that she has been aware of the project and that best management practices are proposed for erosion controls. The project is exempt from Bylaw fees as a town project under Bylaw regulations so a vote for a fee waiver is not needed.

Luther moved to close the hearing for RDA 2020-04: Grove Street, Washington Street, High Street Extension. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes

Luther moved to issue a Negative Determination of Applicability as shown in the plan titled “Complete Streets Project Grove Street at Washington Street, Topsfield MA”, dated March 2020, prepared by WorldTech Engineering. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes.

MEETING MINUTES:

Luther moved to adopt the minutes of the meeting held on February 26, 2020 as written. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes.

ADMINISTRATOR’S REPORT:

House Bill 4598 – Gaffney noted that House Bill 4598 was passed and asked if anyone had questions. The relief deadline was extended to 45 days after the end of the State-declared COVID-19 emergency.

OTHER:

- Amended Enforcement Order 2019-04: 84 Perkins Row (Map 51, Lot 002), Davis – Gaffney reported that a request for an extension to May 13, 2020 and for the fines to continue to be stayed was received directly from the consultant, Tom Hughes of Hughes Environmental. The extension request is due to the extenuating circumstances of COVID-19 that have caused a delay in submitting the NOI and restoration plan.

Luther moved to acknowledge and agree to the request for the extension [and the stay of fines]. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes.

- **Bylaw Fee Schedule Revisions** – This item was tabled.
- **Proposed Bylaw Regulations Revisions** – This items was tabled

ADJOURNMENT

At 8:14 pm, Luther moved to adjourn. Shamroth seconded the motion and it was approved by roll call vote: Cheryl Jolley – yes; Nicholas Betts – yes; Jennifer DiCarlo – yes; Holger Luther – yes; Dodds Shamroth – yes.

The next meeting will be held on April 22, 2020 at 7:00 pm by teleconference.

Respectfully submitted,

Theresa Coffey

Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 5/27/2020

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- : 24 Wilmor Road, (Map 10, Lot 005)

- Complete Notice of Intent Application with required attachments dated March 6, 2020
- Permit Plan for 24 Wilmor Road dated February 20, 2020 and prepared by Graham Associates, Inc.
- Howlett Property Arborist Report 2020 prepared by Bartlett Tree Experts

RDA 2020-04: Grove Street, Washington Street, High Street Extension

- Complete Request for Determination of Applicability Application with required attachments dated March 25, 2020
- Plan titled “Complete Streets Project Grove Street at Washington Street, Topsfield MA”, dated March 2020, prepared by WorldTech Engineering

Draft Minutes of the Meeting held on February 26, 2020