

***Topsfield Conservation Commission
Minutes of Meeting November 4, 2020
By Video/audio conference***

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

Absent: Nicholas Betts

Other Attendees: Elizabeth Wallis

Cheryl Jolley, Chairperson, called the meeting to order, by video/audio conference, at 7:04 p.m. with a quorum present. She made the following announcements:

“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.”

“The meeting is being recorded by BCTV via ZOOM to be posted on the Town Website for public viewing; is there anyone else present who wishes to record the meeting?” There were no responses.

HEARINGS

Jolley read the following announcement:

“In accordance with Section 17(b)(vii) of Chapter 53 of the Acts of 2020, the following three hearings, which were pending as of March 10, 2020, shall be automatically tolled and continued to the first hearing date of the permit granting authority following the termination of the state of emergency or to a date otherwise prescribed by law, whichever is later; provided, however, that the date is not later than 45 days from of the termination of the state of emergency or the date otherwise prescribed by law, whichever is later.”

- Continuation ANRAD 307-0776: 5 East Common Street (Map 33, Lot 36), Congregational Church/Beals Associates
- Continuation NoI (Bylaw only) TCC 2019-01: 371 Boston Street (Map 26, Lot 014), Sabino/The Morin-Cameron Group, Inc.

- Continuation NoI 307-0792: ECTA Town Wide Trail Maintenance Plan, ECTA/DeRosa Environmental Consulting, Inc.

RDA 2020-11: 26 High Street (Map 07, Lot 147) Mscisz/Hayes Engineering, Inc. - septic system repair
Jolley announced the meeting, Luther read the legal notice and Gaffney confirmed that proof of abutter notice was received.

Representing the applicant, Elizabeth Wallis, Hayes Engineering, Inc., presented information on the proposal to replace a failing cesspool with a septic tank and leach field. The property is a single family home. The leach field is proposed to be located behind the house within a grassy area. The area is within 100 feet of flagged BVW and within the 200 foot Riverfront Area. Wallis provided details on the excavation and grading. The area will be loamed and seeded after installation. No trees will be removed. Discussion was held on alternative locations for the system.

Gaffney displayed aerial views and photos of the property and provided her comments. Gaffney agreed with the placement of flags 11 and 12. However, the Riverfront area could not be accurately delineated as it is off of the subject property. Gaffney recommended that the as-built plan submitted to the Health Department be noted that the Wetland and Riverfront delineations are not confirmed. A copy should be provided to the Conservation Office.

Luther moved to close the hearing. Shamroth seconded the motion and it was approved by roll call vote:

Jolley – yes; DiCarlo – yes; Luther – yes; Shamroth – yes

Luther moved to issue a Negative Determination of Applicability for the project with the condition that the septic As-Built Plan note that the Riverfront limit as shown on the plan is approximate and a copy be submitted to Conservation Commission. Shamroth seconded the motion and it was approved by roll call vote:

Jolley – yes; DiCarlo – yes; Luther – yes; Shamroth – yes

Documents:

- Request for Determination of Applicability application with required attachments, dated October 16, 2020
- Plan: “Sanitary Disposal System Plan Upgrade, 26 High Street, Topsfield MA”, 2 pages, prepared by Hayes Engineering, LLC, dated September 15, 2020
- Photos

MEETING MINUTES:

Luther moved to accept the minutes of the meetings held on October 28, 2020. Shamroth seconded the motion and it was approved by roll call vote:

Jolley – yes; DiCarlo – yes; Luther – yes; Shamroth – yes

OTHER:

Enforcement Order 2020-06: 28 Parsonage Lane (Map 32, Lot 078), Sharma Gaffney reported that the project consultant, DeRosa Environmental Consulting, Inc., requested an extension to December 16, 2020.

Luther moved to grant the extension for EO 2020-06 28 Parsonage Lane to December 16, 2020. Shamroth seconded the motion and it was approved by roll call vote:

Jolley – yes; DiCarlo – yes; Luther – yes; Shamroth – yes

Enforcement Order 2020-05: 46 Alderbrook Dr. (Map 68, Lot 015), Speridakos Gaffney reported that a Restoration Plan was submitted on November 3, 2020. Bill Manuell, Wetlands and Land Management, Inc., requested an extension to December 16, 2020 due to scheduling conflicts.

Luther moved to grant the extension for EO 2020-05 46 Alderbrook Drive to December 16, 2020. Shamroth seconded the motion and it was approved by roll call vote:

Jolley – yes; DiCarlo – yes; Luther – yes; Shamroth – yes

ADJOURNMENT

At 7:31 pm, Luther moved to adjourn. Shamroth seconded the motion and it was approved by roll call vote:

Jolley – yes; DiCarlo – yes; Luther – yes; Shamroth – yes

The next meeting will be held on November 18, 2020 at 7:00 pm, by Videoconference.

Respectfully submitted,
Theresa Coffey

Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on November 18, 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.