

***Topsfield Conservation Commission  
Minutes of Meeting January 27, 2021  
By Video/audio conference***

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

**Other Attendees:**

Devon Morse, Hancock Associates  
Gillian Frontinan  
Richard Gandt

Dodds Shamroth, Chairperson, called the meeting to order, by video/audio conference, at 7:02 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.

“While we are conducting town business using remote participation via ZOOM, we ask that those of you not recognized by the chair or otherwise engaged in the discussion of the moment to please mute your microphone to avoid interruptions outside the conversation. Thank you.”

**HEARINGS**

**Continuation ANRAD 307-0776: 5 East Common Street** (Map 33, Lot 36), Congregational Church/Beals Associates – verification of Wetlands Resource Area boundaries

There was no representative present for this application. Additional information was requested by the commission at the previous meeting. Gaffney confirmed that according to WPA regulations, the Hearing could be continued without the applicant’s request or consent.

*Luther moved to continue the hearing for ANRAD 307-0776: 5 East Common Street to February 10, 2021. Betts seconded the motion and it was approved by roll call vote:*

*Betts – yes; DiCarlo – yes; Luther – yes; 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, vote was taken on January 13, 2021 to continue this hearing to February 10, 2021.

**Continuation NoI 307-0792: ECTA Town Wide Trail Maintenance Plan**, ECTA/DeRosa Environmental Consulting, Inc. – town-wide trail management plan.

Gaffney informed the TCC that the applicant requested a continuance to February 10, 2021.

*Luther moved to continue the hearing for NoI 307-0792: ECTA Town Wide Trail Maintenance Plan to February 10, 2021 at the request of the applicant. Betts seconded the motion and it was approved by roll call vote:*

*Betts – yes; DiCarlo – yes; Luther – yes; Shamroth – yes*

**Continuation NOI 307- : 71 Howlett Street** (Map 33, Lot 019) Djordjic/Hancock Associates – after-the-fact construction activities with ecological restoration proposed

Representing the applicant, Devon Morse, Hancock Associates, requested a continuance to February 10, 2021.

*Luther moved to continue the hearing for NOI 307- : 71 Howlett Street to February 10, 2021 at the request of the applicant. Betts seconded the motion and it was approved by roll call vote:*

*Betts – yes; DiCarlo – yes; Luther – yes; Shamroth – yes*

**NOI 307-0803: 148 Washington Street** (Map 39, Lot 068) Frontinan/Hancock Associates – after-the-fact tree clearing within Bordering Vegetated Wetland and Buffer Zone with restoration proposed

Representing the applicant, Devon Morse, Hancock Associates, provided an overview of the proposal to restore shrubs and trees in a Buffer Zone and to expand the surface area of a corral to be used for horse riding space. Members of the TCC visited the site on January 26, 2021.

Gaffney read aloud an e-mail from abutters concerning the clearing of trees and shrubs. Morse replied that only pine trees were removed and that there were no shrubs or other vegetation in that area, there was no herbaceous layer. DiCarlo stated her concern with the number of trees that were removed without authorization. The applicant, Gillian Frontinan, stated that she was not aware of all of the areas on the property with conservation restrictions and removed the trees in error.

A discussion was held with the applicant on the proposed locations for the expanded horse riding area within the Buffer Zone and the grazing area in the front of the house. The TCC informed the applicant that they would like to see alternative plans for the riding area, either reduced in size or a different location to keep it out of the Buffer Zone. The TCC requested a new plan that provides a clear layout of what is proposed for the riding area.

The applicant requested a continuance to February 10, 2021.

*Luther moved to continue the hearing for NOI 307-0803: 148 Washington Street to February 10, 2021 at the request of the applicant. Betts seconded the motion and it was approved by roll call vote:*

*Betts – yes; DiCarlo – yes; Luther – yes; Shamroth – yes*

Documents:

- Complete Notice of Intent Application with required attachments dated December 30, 2020
- Plan titled “Wetland Restoration Plan, 148 Washington Street, Topsfield”, dated December 29, 2020 prepared by Hancock Associates
- Photos
- Email dated February 8, 2021 from Abutters at 40 Fox Run

**REQUESTS:**

**RDA 2021-02: 57 Perkins Row** (Map 58, Lot 025) Perkins Landing LLC/The Morin-Cameron Group, Inc. – soil borings within Buffer Zone, 100’ Inland Bank Setback and 200’ Riverfront Area

Luther read the legal notice and Gaffney confirmed that proof of abutter notice was received. She informed the TCC that the application requested a continuance to February 10, 2021.

*Luther moved to continue the hearing for RDA 2021-02: 57 Perkins Row to February 10, 2021 at the request of the applicant. Betts seconded the motion and it was approved by roll call vote:*

*Betts – yes; DiCarlo – yes; Luther – yes; Shamroth – yes*

Documents:

- Complete Request for Determination of Applicability under the Town of Topsfield General Wetlands Bylaw only, dated January 13, 2021
- Plan titled “Plan to Accompany Request for Determination of Applicability in Topsfield MA 57 Perkins Row”, prepared by The Morin-Cameron Group, Inc., dated January 11, 2021

### **MEETING MINUTES:**

*Luther moved to adopt the minutes of the meetings held on December 16, 2020 and January 13, 2021. Betts seconded the motion and it was approved by roll call vote:*

*Betts – yes; DiCarlo – yes; Luther – yes; Shamroth – yes*

#### Documents:

- Draft Minutes of the Meetings held on December 16, 2020 and January 13, 2021

### **ADMINISTRATOR’S REPORT:**

Gaffney provided an update on the search for a new Conservation Commission member.

### **ADJOURNMENT**

*At 7:55 pm, Luther moved to adjourn. Betts seconded the motion and it was approved by roll call vote:*

*Betts - yes; DiCarlo – yes; Luther – yes; Shamroth – yes*

The next meeting will be held on February 10, 2021 at 7:00 pm, by Videoconference.

Respectfully submitted,

*Theresa Coffey*

Theresa Coffey

Recording Secretary

*Minutes approved at the TCC meeting on March 10, 2021*

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.