

***Topsfield Conservation Commission  
Minutes of Meeting April 28, 2021  
By Video/audio conference***

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

**Other Attendees:**

Larry Beals, Beals Associates

Jon Palace

Tyler Ferrick, DeRosa Environmental Consulting, Inc.

Dodds Shamroth, Chairperson, called the meeting to order, by video/audio conference, at 7:00 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

Representing the applicant, Larry Beals of Beals Associates, presented the revised plan dated April 21, 2021. He reviewed the three tasks he completed as requested by the TCC at the April 14, 2021 meeting:

- 1) The ANRAD plan and supporting documentation were sent to the peer reviewer, Arthur Allen of EcoTec, Inc., for review and confirmation of the Bylaw wetland line. Mr. Beals read Mr. Allen's response into the record.
- 2) The ANRAD plan was stamped and submitted as revised date April 21, 2021.
- 3) The 100' Bylaw Buffer Zone was added to the plan, dated April 21, 2021.

Gaffney added that information on the GPS system used by Beals Associates, Inc. was received and is entered as part of the file.

Gaffney read the following findings into the record:

- Flags WF-A1 through WF-A29 and WF-C1 through WFC15 are BVW under the Act.
- Flags E1 through E28 are BVW under the Bylaw.
- The Riverfront Area under the Bylaw is based on flags MAHW1 through MAHW21.
- Vernal Pools are contained within the C-series wetland and in the area of WF-A12 through WF-A16.

All of the above are as shown and noted on the revised plan dated 04/21/2021.

There were no comments from the public.

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

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

*Luther moved to enter the findings into the record as read by the Conservation Administrator and to issue an Order of Resource Area Delineation for 5 East Common Street ANRAD 307-0776 in accordance with the revised plan dated April 21, 2021. Betts seconded the motion and it was approved by roll call vote:*

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

#### Documents:

- Plan titled "Abbreviated Notice of Resource Area Delineation 5 East Common Street, Topsfield MA", prepared by Beals Associates, Inc., revision date April 21, 2021
- Email from Arthur Allen, EcoTec, Inc. to Lawrence Beals, Beals Associates dated April 22, 2021
- Leica GeoSystems Zeno GG04 Plus Informational Pamphlet; Data Sheet; Leica Zeno Mobile Intuitive Data Capture
- Email from Lawrence Beals to Heidi Gaffney dated April 5, 2021
- Peer Reviewer Sketch Plan
- Photos

- Complete Abbreviated Notice of Resource Area Delineation Application with narrative and required attachments, dated August 28, 2010

**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.

Documents:

- Notice of Intent Application with required attachments, dated October 23, 2019
- Stormwater Management Report 371 Boston Street, Topsfield MA, dated October 23, 2019, prepared by The Morin-Cameron Group, Inc.
- Plan titled “Site Plan of Land, 371 Boston Street, Topsfield MA”, dated October 23, 2019, prepared by The Morin-Cameron Group, Inc. sheets 1 – 6
- Permit Applications
  - o Groundwater Application Planning Board November 20, 2019
  - o Application for Special Permit and Site Plan Review with Cover Letter Zoning Board November 20, 2019
- Schematic Renderings November 18, 2019

**Continuation NOI 307-0809 : 15 Evergreen Lane** (Map 50, Lot 035) Vocino/Williams & Sparages – install in-ground pool and paver patio

Shamroth announced that the applicant requested a continuance to May 12, 2021.

*DiCarlo moved to continue the hearing for NoI 307-0809: 15 Evergreen Lane to May 12, 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:

- Revised plan titled “Plan to Accompany Notice of Intent – 15 Evergreen Lane, Topsfield MA”, prepared by Williams & Sparages, dated April 21, 2021, with e-mail cover note from Thor Akerley, Williams & Sparages
- Complete Notice of Intent Application with required attachments dated March 3, 2021
- Photos

**NOI 307- : 76 Campmeeting Road** (Map 20, Lot 039) Laverdiere/DeRosa Environmental Consulting, Inc.- after-the-fact removal of shed, proposed riverfront restoration, resurfacing of a timber footbridge

Shamroth announced the hearing, Luther read the legal notice and Gaffney confirmed that proof of abutter notice was received.

Representing the applicant, Tyler Ferrick of DeRosa Environmental Consulting, Inc., reviewed the background of the Amended Enforcement Order issued for the removal of a shed and disturbance of soils in a resource area at 76 Campmeeting Road. An after-the-fact NOI was filed to restore the area where the shed was removed, replanting an area with native vegetation where the structure was removed and for work related to the resurfacing of a timber bridge. The list of proposed plantings are noted on the plan.

Gaffney commented that one wetland post is missing and suggested that two more be installed in the area of the plantings. The plantings will be monitored for two years. There is no ground disturbance from the proposed footbridge repair. The wetland resource areas were not delineated, they are approximated and as replanting is the only activity that will occur at this point, a delineation is not necessary for this filing. She noted that there is no DEP file number so the hearing could not be closed.

DiCarlo read a comment that was entered in the Zoom Chat “the shed held an old electrical generator that failed twenty years ago.”

There were no public comments.

Ferrick requested a continuance to May 12, 2021.

*Luther moved to continue the hearing for NOI 307- : 76 Campmeeting Road to May 12, 2021 upon request of applicant. Betts seconded the motion and it was approved by roll call vote:*

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

Documents:

- Complete After the Fact Notice of Intent Application with required attachments, including restoration plans, dated April 14, 2021
- Photos

**RDA 2021-04: 94 South Main Street** (Map 49, Lot 027) Larovere/DeRosa Environmental Consulting Inc. – proposed addition to single family home

Shamroth announced the hearing, Luther read the legal notice and Gaffney confirmed that proof of abutter notice was received.

Shamroth recused herself from the discussion and vote.

Representing the applicant, Tyler Ferrick of DeRosa Environmental Consulting, Inc., reviewed the proposed project to construct an addition to a single-family home. He noted a stream on the property, reflected on the plan, that is perennial under the Bylaw and intermittent under the Act. Ferrick described the work to be done, all within existing lawn area. A small portion of an addition and a canopy over the existing walkway are proposed in the outer portion of the Bylaw Riverfront Area. All work is within existing disturbed, impervious or landscaped area.

Gaffney commented that the delineation on the plan is from a previous project so there is no new delineation. The RDA was filed under both the Bylaw and the Act. The Riverfront area is only under the Bylaw. The plan is comprehensive and details erosion control and infiltration.

There were no public comments.

*Luther moved to the close the hearing for RDA 2021-04: 94 South Main Street. Betts seconded the motion and it was approved by roll call vote of 3 in favor and 1 recused, as follows:*

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

*Luther moved to issue a Negative Determination of Applicability under the Bylaw and the Act. Betts seconded the motion and it was approved by roll call vote of 3 in favor and 1 recused, as follows:*

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

Documents:

- Complete Request for Determination of Applicability Application with required attachments, dated April 14, 2021
- Plan titled: “Plan of Land in Topsfield Mass showing Proposed Site Improvements 94 South Main Street”, prepared by The Morin-Cameron Group, Inc., dated April 12, 2021 and DeRosa Environmental Consulting, Inc. stamped and dated April 13, 2021

**MEETING MINUTES:**

No action.

**OTHER / ADMINISTRATOR’S REPORT:**

Gaffney provided updates on the following activity:

- Recruitment for a new commission member
- Status of work related to the enforcement order at 71 Howlett Street
- Failure of a Presby septic system at 32 Summer Street.

**ADJOURNMENT**

*At 7:44 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 May 12, 2021 at 7:00 pm, by Videoconference.

Respectfully submitted,

*Theresa Coffey*

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Theresa Coffey  
Recording Secretary

*Minutes approved at the TCC meeting on 5/26/2021*

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.