

***Topsfield Conservation Commission
Minutes of Meeting November 20, 2019***
Topsfield Library Conference Room

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

Other Attendees:

Name	Address	Agenda Item
John Morin	The Morin-Cameron Group	371 Boston Street
Randy Sabino		371 Boston Street
Dave Bond	Topsfield Highway Supt.	Culvert Replacement
Gary Wildes	Topsfield Highway Dept.	Culvert Replacement

Cheryl Jolley, Chairperson, called the meeting to order at 7:04 p.m. with a quorum present. She announced that the meeting was being audio recorded.

HEARINGS

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

Applicant's representative is requesting a continuance to 12/18/19.

Luther moved to continue the Hearing for ANRAD 307-0776: 5 East Common Street to December 18, 2019 at the request of the applicant. Shamroth seconded and the vote was unanimous in favor.

Continuation ANRAD 307-0779: 6 Aaron Drive (Map 19, Lot 021), Clark/Topsfield Solar, LLC c/o Nexamp, Inc. – verification of Wetlands Resource Area boundaries

Applicant's representative is requesting a continuance to 12/18/19.

Luther moved to continue the Hearing for ANRAD 307-0779: 6 Aaron Drive to December 18, 2019 at the request of the applicant. Shamroth seconded and the vote was 4 in favor and 1 abstain (Betts).

NoI 307- : Hill Street Culvert, Topsfield Highway Department – request to replace a culvert within an intermittent stream in the roadway

This hearing was taken out of order. Gaffney informed the TCC that a DEP number had not been issue so the hearing cannot be closed.

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

Highway Superintendent David Bond and Highway Foreman Gary Wildes described the project to replace in-kind a 24" corrugated metal pipe culvert within an intermittent stream. The culvert has been in place since, at least, 1983 and the pipe is deteriorated and collapsing.

Bond described the existing structure. He noted that the shoulder of the roadway at the outlet is eroding and is unsafe for pedestrians and bikers. They propose a 5-foot extension to the pipe and the addition of a headwall to help stop the erosion and allow them to make repairs. It is expected that the work would be completed in the spring.

Discussion was held on the high drop off from the pipe to the streambed. The pipe will also have a high drop off because it is being replaced exactly as the existing pipe sits. A plunge pool was discussed as a solution to prevent erosion of the streambed. Betts asked about meeting Stream Crossing Standards. Discussion was held regarding the existing water main below the culvert and minimal existing roadway cover which limits the options.

Gaffney explained that this project qualifies as a Limited Project under the Act. Under the Bylaw, in-kind replacements are allowed but the 5-foot extension requires a waiver. Gaffney asked for more detail to support a waiver request.

On behalf of the Town of Topsfield, Bond requested a continuance to December 18, 2019.

Luther moved to continue the Hearing for the Notice of Intent application for the Hill Street Culvert to December 18, 2019 at the request of the applicant, on behalf of the Town of Topsfield. Shamroth seconded and the vote was unanimous in favor.

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

Gaffney noted that Commissioner Nicholas Betts was not present at the November 6, 2019 meeting. The project itself was not discussed, only the fact that the application was incomplete. As such, Betts was not required to listen to the audio recording of the meeting.

John Morin, The Morin-Cameron Group, Inc. reviewed discussions at the November 6, 2019 meeting related to the Notice of Intent application requirement to obtain all permits, variances and approvals required per 62-4 of the General Wetlands Bylaw. Morin confirmed that he has submitted notice to the TCC that the appropriate permits have been filed with Planning and the Zoning Board of Appeals. Jolley stated her concern that the project could change based on ZBA review. Discussion continued on the filing procedure and notice and approvals required before the TCC Hearing. Morin reviewed the permits that are required for this project. Discussion continued on what information is necessary for the

TCC and storm water was identified as pertinent to the TCC review. Storm water information has already been submitted to the TCC. Morin will provide the TCC with all information related to the project.

Morin provided a description of the property and the history of how the project evolved. The change of zoning to Business Highway North District changed the use of the property. He discussed the aggregate water flow requirements and stated that applicant, Randy Sabino, has acquired adjacent properties to meet the requirements for a mixed-use development.

An Order of Resource Area Delineation issued by the TCC in 2016, 2016-01, is used for the delineation shown on the plan. The isolated wetland is jurisdictional under the Bylaw. The majority of the site is manicured lawn.

Morin reviewed the proposed use for the existing buildings on the site and plans for parking areas. He reviewed the work and alterations proposed within the 100 Buffer Zone of the isolated wetland including re-construction of an existing building, construction of an addition, paved parking areas and driveways, utilities, stormwater management structures & grading. The majority of the work is in the existing lawn area. The area altered will be over the 400 s.f. area allowed under the Bylaw so a waiver will be required for this work. Morin reviewed the required waiver criteria [under Section R:10-4(e)(7.)(i.)(1.)] and provided an explanation of how they will meet the criteria.

Discussion was held on the storm water management system. Run-off from the proposed parking facility and driveways will be collected by proprietary hydrodynamic separator units for the required treatment of the runoff. The units will discharge to an infiltration basin and the other to a subsurface infiltration chamber system.

Morin reviewed the proposed location of the septic system on an adjacent lot. A portion of that lot will be combined with the subject property through a lot line change. The only impact the septic system would have on the Buffer Zone is a sewage line. The plan for parking, snow stockpiling and proposed use for the retail spaces were reviewed. Morin will share the architectural rendering with the TCC.

Morin requested a continuance until December 18, 2019.

Luther moved to continue the Hearing for NoI 2019-01: 371 Boston Street until December 18, 2019 at the request of the applicant. Shamroth seconded and the vote was unanimous in favor.

REQUESTS

RDNI 2019-15: 8 Pine Ridge Road, (Map 06, Lot 077) Holloway – request to remove trees

Gaffney explained that the trees to be removed are a result of storm damage. This includes one large tree and two very small trees. The property owners will replant trees.

Luther moved to issue a Determination of Negligible Impact for 2019-15: 8 Pine Ridge Road. Shamroth seconded and the vote was unanimous in favor.

Extension of OoC 307-0748: 13 Perkins Circle (Map 27, Lot 017) Heliotis – request to extend Order of Conditions #307-0748

Gaffney provided a description of the original permitted project. She has been to site several times and there are outstanding items to complete. The applicant has requested a three-year extension to the Order of Conditions.

Luther moved to grant the extension of Order of Conditions 307-0748 for three years as of November 20, 2019. Shamroth seconded and the vote was unanimous in favor.

MEETING MINUTES

Luther moved to endorse the minutes of the meeting held on September 25, 2019. Shamroth seconded and the vote was unanimous in favor.

ADMINISTRATOR'S REPORT

- Gaffney referred to the policy vote taken at the November 6, 2019 meeting and recommended that the existing policy, TCC 2002-2, be revised to satisfy the intention of the vote.

Luther moved to rescind the policy proposal from the November 6, 2019. Shamroth seconded and the vote was 4 in favor and 1 abstain (Betts).

Luther moved to return to the existing policy TCC 2002-2 as amended by the additional words and corrections as discussed. Shamroth seconded and the vote was unanimous in favor.

- Gaffney reported that she consulted KP Law regarding removing TCC forms and fees from the Bylaw Regulations to make it simpler to revise forms and fees as needed. KP Law provided the information and Gaffney will present this at a future meeting.

OTHER


- Enforcement Orders – No report.
- 2020 Meeting Dates & Filing Deadlines – *Luther moved to adopt the 2020 Topsfield Conservation Commission meeting dates and filing deadlines and the change of venue for the meetings. Shamroth seconded and the vote was unanimous in favor.*
- Revisions to Bylaw Fees – No report.

ADJOURNMENT

At 8:57 pm, Luther moved to adjourn. Shamroth seconded and the vote was unanimous in favor.

The next meeting will be held on December 18, 2019 at 7:00 pm, in the Town Library.

Respectfully submitted,


Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 1/8/2020

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:

ANRAD 307-0776: 5 East Common Street

- Request to Continue Hearing to December 18, 2019, dated November 12, 2019
- Complete Abbreviated Notice of Resource Area Delineation Application with narrative and attachments, dated August 28, 2019
- ANRAD Plan, 5 East Common Street, Topsfield, MA prepared by Beals Associates, dated August 28, 2019
- 1994 Emerson Center Drainage Plan, 5 East Common Street

NoI (Bylaw Only) TCC 2019-01: 371 Boston Street (Map 26, Lot 014)

- 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

RDNI 2019-15: 8 Pine Ridge Road, (Map 06, Lot 077)

- Complete Request for Determination of Negligible Impact Application with attachments

Ext. OoC 307-0748: 13 Perkins Circle (Map 27, Lot 017)

Order of Conditions 307-0748 Extension Request, received November 6, 2019

NoI 307-0783: Hill Street Culvert

- Complete Notice of Intent Application with narrative and attachments, received November 8, 2019.
- Topsfield Highway Department Proposed 24" Culvert Replacement Hill Street near Meredith Farm Waiver Request received December 10, 2019
- (12) photos

Proposed 2020 Meeting Dates and Filing Deadlines