

***Topsfield Conservation Commission  
Minutes of Meeting October 13, 2021  
By Video/audio conference***

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

**Other Attendees:**

Elizabeth Wallis, Hayes Engineering, Inc.  
Bill Manuell, Wetlands and Land Management, Inc.  
Thomas Mannelta, Thomas Mannelta, Inc.  
Gregory Bernard  
Brian Lawler

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 Chapter 20 of the Acts of 2021, this meeting/public hearing will be conducted via remote means. Members of the public who wish to access the meeting may do so in the following manner: Zoom Meeting – see connection information below to join the meeting by Zoom videoconference or calling in by phone. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Topsfield Town Website, at <https://www.topsfield-ma.gov/>. You may also reach out to Conservation at [Conservation@topsfield-ma.gov](mailto:Conservation@topsfield-ma.gov) or 978-887-1510 for information/assistance. No in-person attendance of members of the public will be permitted, and public participation in any public hearing conducted during this meeting shall be by remote means only. 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 and ZOOM; is there anyone else present who wishes to record the meeting? No response.

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 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.

Shamroth announced the applicant requested a continuance to November 17, 2021.

*Luther moved to continue the hearing for (Bylaw only) TCC 2019-01: 371 Boston Street to November 17, 2021 at the request of the applicant. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

**NOI 307- : 71 Howlett Street** (Map 33, Lot 019) Djordjic/Hancock Associates – after-the-fact construction of guest house and related activities and ecological restoration within 100’ Buffer Zone

Shamroth announced the applicant requested a continuance to October 27, 2021.

*Luther moved to continue the hearing for NOI 307- : 71 Howlett Street to October 27, 2021 at the request of the applicant. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

**Documents:**

- Complete Notice of Intent Application with required attachments dated May 12, 2021
- Plan titled “As-Built Plan of Land in Topsfield MA” for 71 Howlett Street prepared by Hancock Associates, dated April 27, 2021

**Continuation NOI 307-0817: 124 Haverhill Road Pye Brook Park** (Map 05, Lot 002), Ipswich River Watershed Association – remove weir upstream of concrete culvert at Hovey Road (access road to Pye Brook Park)

No action required; the Hearing was previously continued to October 27, 2021.

**Documents:**

- Complete Notice of Intent Application with required attachments, dated June 23, 2021
- Aerial Photos
- Division of Fisheries & Wildlife Letter dated August 6, 2021
- Photos

**NOI 2021-01 (Bylaw only): 72 Hill Street** (Map 69, Lot 016), Malinowski/Hayes Engineering – installation of in-ground pool, hot tub, fire pit and patio

Shamroth announced the applicant requested a continuance to November 3, 2021.

*Luther moved to continue the Hearing for NOI 2021-01 (Bylaw only): 72 Hill Street at the request of applicant to November 3, 2021. DiCarlo seconded the motion and it was approved by roll call vote:*

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

**Documents:**

- Complete Notice of Intent Application with required attachments, dated August 27, 2021
- Plan titled “Plan of Land in Topsfield MA #72 Hill Street”, prepared by Hayes Engineering, Inc., dated August 27, 2021
- Photos

**NOI 307-0819: 145 Salem Road** (Map 77, Lot 002) Leo/Wetlands & Land Management, Inc. – raze and rebuild single family home, installation of new utilities and associated site work

Shamroth announced the applicant requested a continuance to October 27, 2021.

*Luther moved to continue the Hearing for NOI 307-0819: 145 Salem Road at the request of applicant to October 27, 2021. DiCarlo seconded the motion and it was approved by roll call vote:*

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

**Documents:**

- Complete Notice of Intent application with required attachments dated August 2021
- Plan titled “Site Plan to Accompany Notice of Intent, Mike & Elza Leo, 145 Salem Road, Topsfield MA”, prepared by Griffin Engineering Group, LLC, dated August 26, 21

**REQUESTS:**

**Request for COC 307-0791: 32 Fox Run Road** (Map 39, Lot 102) Collins/H.L. Graham & Associates  
- request for Certificate of Compliance

Gaffney informed the TCC that the work was not yet complete and the 21 day deadline to issue a COC necessitates a continuance to November 3, 2021.

*Luther moved to continue the Hearing for NOI 307-0791: 32 Fox Run Road at the request of applicant to November 3, 2021. DiCarlo seconded the motion and it was approved by roll call vote:*

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

**Request for COC Bylaw File #2006-01: 72 Hill Street** (Map 69, Lot 016) Malinowski/Hayes Engineering, Inc. – request for Certificate of Compliance

Shamroth announced the applicant requested a continuance to November 3, 2021.

*Luther moved to continue the Hearing for COC Bylaw File #2006-01: 72 Hill Street at the request of applicant to November 3, 2021. DiCarlo seconded the motion and it was approved by roll call vote:*

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

**MEETING MINUTES:**

*Luther moved to accept the minutes of the meetings held on August 11, 2021 and September 1, 2021 as written. DiCarlo seconded the motion and it was approved by roll call vote:*

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

**OTHER:**

*Shamroth nominated Jennifer DiCarlo for the Vice Chair position. Luther seconded the motion and it was approved by roll call vote:*

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

**ADMINISTRATOR REPORT / OTHER BUSINESS**

Gaffney provided an update on building permit activity and the status of the project at 150 Washington Street.

A brief discussion was held on the perimeter drain at 72 Hill Street and the importance of the drain to be functioning.

**ADJOURNMENT**

*At 7:19 pm, Luther moved to adjourn. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

The next meeting will be held on October 27, 2021 at 7:00 pm, by Videoconference.

Respectfully submitted,

*Theresa Coffey*

Theresa Coffey  
Recording Secretary

*Minutes approved at the TCC meeting on 11/17/2021*

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.