

***Topsfield Conservation Commission
Minutes of Meeting December 15, 2021
By Video/audio conference***

Present: Dodds Shamroth – Chair, Jennifer DiCarlo – Vice Chair, Holger Luther, Richard Muka, and Heidi Gaffney – Administrator

Other Attendees:

Gordon Rogerson, Hayes Engineering, 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 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 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

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 that the applicant requested a continuance to February 9, 2022.

Luther moved to continue the Hearing for NOI 307- : 71 Howlett Street to February 9, 2022 at the request of the applicant. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – 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
- Plan titled “Wetland Buffer Zone Enhancement Plan” prepared by Hancock Associates, dated October 25, 2021

Continuation 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 that the applicant requested a continuance to January 26, 2022.

Representing the applicant, Gordon Rogerson of Hayes Engineering clarified the area for which the 25-year storm calculations were requested at the November 17, 2021 hearing.

Luther moved to continue the Hearing for NOI 2021-01 (Bylaw only): 72 Hill Street at the request of applicant to January 26, 2022. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – 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, revised September 30, 2021
- Photos
- NOI Supplemental Information prepared by Hayes Engineering, Inc., dated October 5, 2021

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 January 26, 2022.

Luther moved to continue the hearing for (Bylaw only) TCC 2019-01: 371 Boston Street to January 26, 2022 at the request of the applicant. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

RDA 2021-16: 27 Central Street (Map 41, Lot 018) Hardy – replace existing stone driveway with pavement.

Shamroth announced the hearing and Luther read the legal notice. Proof of abutter notice was submitted.

Gaffney shared a plan for a previous project at the property for an addition to the house that was outside of jurisdictional areas. She pointed to the Riverfront Area at the front of the property. The applicant, Hardy, explained that the existing driveway would be reduced and paved with hot top. Luther questioned the infiltration for runoff and Hardy noted a storm drain / catch basin along the street. The contractor will be instructed to grade the driveway so it slopes to allow infiltration and not flow into the street.

There were no public comments.

Luther moved to close the hearing for RDA 2021-16: 27 Central Street. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

Luther moved to a Negative Determination of Applicability for RDA 2021-16: 27 Central Street with the requirement that the paved area is sloped to ensure the water is properly infiltrated on the lot. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

Documents:

- Complete Request for Determination of Applicability application with required attachments, received November 30, 2021
- Photos

Request to Amend Order of Conditions DEP #307-0792: Town Wide Trail Management Plan, Essex County Trail Association/DeRosa Environmental – request for formal amendment to an existing Order of Conditions.

Shamroth announced the hearing and Luther read the legal notice.

Gaffney informed the TCC that the Trail Management Plan was revised after DEP appealed the Order of Conditions and the Amendment Request was submitted for the revised plan that addresses DEP comments about the Trail Management Plan which led to the plan being less impactful and written more clearly.

Carol Lloyd of Essex Country Trail Association explained the changes requested by the DEP including the elimination of the request for an OOC in perpetuity and better definition of the wetland resource area.

Luther moved to close the hearing for the Amendment Request to the Order of Conditions DEP #307-0792: Town Wide Trail Management Plan. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

Luther moved to approve the amended Town Wide Trail Maintenance Plan with a final revision date of December 1, 2021. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

Documents:

- Supplemental Information / Notice of Intent by DeRosa Environmental Consulting, Inc. dated December 15, 2020
- Essex County Trail Association Management Plan, dated February 26, 2020 and revised December 15, 2020
- Request for Formal Amendment to an Existing Order of Conditions, Essex County Trail Association Town-Wide Management Plan, prepared by DeRosa Environmental Consulting, Inc. final revision dated December 1, 2021

REQUESTS:

Request for COC 307-0774: 22 Boardman Lane (Map 10, Lot 038) Tatum – request for Certificate of Compliance.

Gaffney provided background information for the OOC issued for the removal of 2 groves of pine trees with replanting and invasives removal mitigation. She confirmed that the replanting and invasives mitigation area have been completed as shown in the final monitoring report prepared by Corliss Bros. The site is fully stabilized, erosion controls have been removed and the required posts with markers are installed.

Luther moved to issue a Certificate of Compliance for OOC 307-0774: 22 Boardman Lane in view of the fact that they are in substantial compliance with the Order of Conditions. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

Documents:

- Complete Request for Certificate of Compliance Application with required attachments, received November 22, 2021
- Seasonal Monitoring Report for 22 Boardman Lane Topsfield MA 01983, prepared by Corliss Landscape and Irrigation, dated November 11, 2021
- Photos

MEETING MINUTES

Luther moved to accept the minutes of the meetings held on November 3, 2021 and November 17, 2021 as amended. DiCarlo seconded the motion and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

ADMINISTRATOR REPORT / OTHER BUSINESS

Gaffney reminded the TCC the dates she will be on medical leave and Luther and Muka will provide back-up coverage if needed.

ADJOURNMENT

At 7:34 pm, Luther moved to adjourn. DiCarlo seconded the motion, and it was approved by roll call vote:

DiCarlo – yes; Luther – yes; Muka – yes; Shamroth – yes

The next meeting will be held on January 26, 2022 at 7:00 pm, by Videoconference.

Respectfully submitted,

Theresa Coffey

Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on 1/26/2022

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.