

***Topsfield Conservation Commission
Minutes of Meeting February 23, 2022
By Video/audio conference***

Present: Dodds Shamroth – Chair, Holger Luther, Richard Muka, and Heidi Gaffney – Administrator. Jennifer DiCarlo – Vice Chair was not present.

Other Attendees:

Thor Akerley, Williams & Sparages LLC

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 the applicant requested a continuance to March 23, 2022.

Luther moved to grant the continuance of the hearing for NOI 307- : 71 Howlett Street to March 23, 2022. Muka seconded the motion, and it was approved by roll call vote:

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
- Draft plan titled “Permit Site Plan in Topsfield MA’ prepared by Hancock Associates, dated January 22, 2022

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.

Previously continued to March 9, 2022. No action needed.

RDA 2022-04: 57 & 61 Perkins Row (Map 58, Lots 24 and 25) - Massachusetts Audubon/Ipswich River Watershed Association - delineation of the boundary & extent of Mean Annual High Water under the MA Wetlands Protection Act along Ipswich River

Shamroth announced the applicant requested a continuance March 9, 2022.

Luther moved to grant the continuance of the Hearing for RDA 2022-04: 57 & 61 Perkins Row to March 9, 2022. Muka seconded the motion, and it was approved by roll call vote:

Luther – yes; Muka – yes; Shamroth – yes

- Complete Request for Determination of Applicability application with required attachments dated January 26, 2022
- Plan titled “Plan of Wetland Protection Act Mean Annual High Water 57 & 61 Perkins Row Topsfield MA”, prepared by Patrick C. Garner Co., Inc. dated January 20, 2022

TCC NOI (Bylaw only) 2022-01: 69 Parsonage Lane (Map 24, Lot 049) – Erickson/Williams & Sparages LLC – construct 2-car garage and remove 5 trees.

Shamroth announced the hearing, and Luther read the legal notice.

Representing the applicant, Thor Akerley of Williams & Sparages LLC, presented an overview of the application to construct a two-car garage and remove 5 trees.

Akerley reviewed the plan and characteristics of the house and property and resource area, identified on the plan as an Isolated Vegetated Wetland. The applicants would like to construct a 24x24 two car garage at the top of the driveway to accommodate additional family vehicles. Akerley explained why the areas to place the garage are limited. He described the details of the proposed slab foundation and infiltration around the garage.

Akerley showed the location of the five trees in existing lawn area that the applicant would like to remove as they have been losing branches. He showed the area where they propose to plant replacement trees where they feel the trees will grow better.

Gaffney commented that a prior filing identified the resource area as a Bordering Vegetated Wetland. A discussion was held on a pipe that is not shown on the plan that would be disturbed during construction. She stated that more information is needed on the pipe and the wetland delineation should be reviewed after April 15. It should be determined if the wetland is an Isolated Vegetated Wetland or Bordering Vegetated Wetland. If it is the latter, a DEP filing will be needed.

Akerley requested a continuance to March 23, 2022.

Luther moved to continue the Hearing for TCC NOI (Bylaw only) 2022-01: 69 Parsonage Lane to March 23, 2022. Muka seconded the motion, and it was approved by roll call vote:

Luther – yes; Muka – yes; Shamroth – yes

- Complete Notice of Intent application with required attachments dated February 9, 2022
- Plan titled “Plan of Land 69 Parsonage Lane Topsfield MA”, prepared by Williams & Sparages LLC dated February 9, 2022
- Photos

REQUESTS:

No action.

MEETING MINUTES

Luther moved to accept the minutes of the meeting held on January 26, 2022, as written. Muka seconded the motion, and it was approved by roll call vote:

Luther – yes; Muka – yes; Shamroth – yes

ADMINISTRATOR REPORT / OTHER BUSINESS

Commissioners interested in attending the MACC, please contact Heidi Gaffney.

ADJOURNMENT

At 7:27 pm, Luther moved to adjourn. Muka seconded the motion, and it was approved by roll call vote:

Luther – yes; Muka – yes; Shamroth – yes

The next meeting will be held on March 9, 2022, at 7:00 pm, by Videoconference.

Respectfully submitted,

Theresa Coffey

Theresa Coffey

Recording Secretary

Minutes approved at the TCC meeting on 4/13/2022

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.