

APPROVED

***Topsfield Conservation Commission***  
***Minutes of Meeting April 13, 2022***  
By Video/audio conference

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

**Other Attendees:**

Chris Sparages, Williams & Sparages LLC  
Rich Kirby, LEC Environmental Consultants, Inc  
Amy Ball, Horsley Witten Group  
Amy Weidensaul, Mass Audubon

Dodds Shamroth, Chairperson, called the meeting to order, by video/audio conference, at 7:00 pm 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 May 11, 2022.

*Luther moved to continue the hearing for NOI (Bylaw only) TCC 2019-01: 371 Boston Street to May 11, 2022 as requested by the applicant. DiCarlo seconded the motion, and it was approved by roll call vote:*

*Luther – yes; DiCarlo – yes; Muka – 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

No action needed.

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

**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.

No action needed.

- 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

**NOI 307-0824 : 45-49 Salem Road** (Map 63, Lot 004) – DiGrazia Salem Road Realty Trust/Williams & Sparages – proposed addition to barn.

Representing the applicant, Chris Sparages of Williams & Sparages LLC, reviewed the revised plan showing the infiltration at the rear of the proposed barn and erosion controls to be installed. All of the

proposed work in the buffer zone is within existing lawn area. The conservation posts with markers are in place from prior work.

*Luther moved to close the hearing for NOI 307-0824: 45-49 Salem Road. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

*Luther moved to approve the project for Notice of Intent 307-0824 under the Act and Bylaw, as shown in the specification sheet revision date April 8, 2022, subject to the usual and special conditions. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

- Complete Notice of Intent application with required attachments dated March 9, 2022
- Plan titled “Plan to Accompany Notice of Intent 45-49 Salem Road Topsfield MA”, prepared by Williams & Sparages LLC dated March 9, 2022 and revised April 8, 2022

**NOI 307-0826: 33 Valley Road** (Map 65, Lot 042), Engel/LEC Environmental Consultants, Inc. – request to construct detached garage and expand existing driveway.

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

Representing the applicant, Rich Kirby of LEC Environmental Consultants, Inc. reviewed the proposed project to construct a detached garage and expand an existing driveway. Kirby shared pictures of the property and the wetland and stream channel that carries overflow from the wetland that flows into lawn area adjacent to the driveway and then infiltrates into the ground.

Half of the proposed garage would be within the buffer zone, the closest point to the wetlands is 80 feet. Kirby reviewed the proposed site grading around the garage and erosion controls, and the expanded existing driveway to connect to the garage.

Gaffney asked about stormwater management and Kirby replied that they are proposing a 2’x2’ stone trench on three sides of the garage that will accommodate roof runoff in a significant rain event.

Luther asked about the property being on a drumlin and encountering fragipan. Kirby said they dug down approximately 20 feet and did not encounter any hardpan. Luther asked about mitigation plans given the garage is 50% in the buffer zone. Kirby replied that the majority of work is in existing lawn area. A discussion was held on stabilizing the sloped area above the lawn, in the scrub/shrub area.

*Luther moved to close the hearing for NOI 307-0826: 33 Valley Road. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

*Luther moved to approve the project for NOI 307-0826: 33 Valley Road under the Act and Bylaw, as shown on the plan dated 3-21-22 with the usual and special conditions. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

Documents:

- Complete Notice of Intent Application with required attachments dated March 28, 2022
- Plan titled “Conservation Plan, 33 Valley Road Topsfield MA” prepared by LEC Environmental, dated March 21, 2022
- Photos

*Commissioner Rick Muka left the meeting at this time (7:50 PM).*

**NOI 307-0825: 131 Haverhill Road Hood Pond Beach** (Map 05, Lot 015), Topsfield Beach Association/Horsley Witten Group – beach nourishment/add sand to beach.

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

Amy Ball of Horsley Witten Group presented and Mark Rafferty of the Topsfield Beach Association also discussed the proposed work. The beach is on Town of Topsfield property and the Topsfield Beach Association leases the beach area. The proposed project on Hood Pond Beach is to add approximately four inches of sand to the existing beach area. Currently, the sand is compacted and has developed erosion rivulets. The work would be completed in conjunction with the annual beach cleanup. Clean, compatible sand would be spread by hand or small equipment to cover approximately 11,000 square feet. There is no proposed work within the pond. Amy Ball stated that the project has been filed as a limited project under 310 CMR 10.53(3)(h). A discussion was held on Bordering Land Subject to Flooding.

Gaffney noted that DEP has not yet issued comments. She suggested a TCC site visit. The last beach nourishment project was in 2003 and there is no Certificate of Compliance for that project.

*Luther moved to continue the hearing for NOI 307-0825: 131 Haverhill Road Hood Pond Beach to April 27, 2022. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

Documents:

- Complete Notice of Intent Application with required attachments dated March 2, 2022

**REQUESTS:**

**Request to Extend OoC #307-0684: 87 Perkins Row** (Map 51, Lot 021), Massachusetts Audubon Ipswich River Wildlife Sanctuary – habitat and trail management request for three (3) year extension.

Gaffney informed the TCC that an application was received from Mass. Audubon for an extension to the Order of Conditions #307-0684 for habitat and trail management.

Amy Weidensaul of Mass Audubon, with volunteers Sara Semenza and Jeanne Li, reviewed the presentation of work performed in 2021 including trail maintenance, limited vegetation removal, boardwalk repairs, invasive plant control and general upkeep. They shared photos of the positive impact of the work.

*Luther moved to extend Order of Conditions #307-0684: 87 Perkins Row for three years as requested by the applicant. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

- Request for Extension of Order of Conditions #307-0684: 87 Perkins Row, dated March 26, 2022
- Mass Audubon 2021 Report to Topsfield Conservation Commission, received March 2022

**RDNI 2022-03: 4 Aaron Drive** (Map 19, Lot 020), King – request to replace back deck, relocate deck stairs and replace/expand existing patio.

Gaffney shared the application and plan to replace a deck, relocate stairs and slightly expand an existing patio. The work will be in Riverfront Area so is filed as an RDNI. Gaffney said all work will be done in existing lawn area and showed where the work with will be accessed around the side of the house.

*Luther moved to issue a Determination of Negligible Impact for work as shown, with the usual erosion control methods applied. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

**Documents:**

- Complete Request for Determination of Negligible Impact application with required attachments received April 4, 2022
- Plans titled “King Residence Home Renovation” prepared by Red Barn Architecture, dated 4.1.2022, 6 sheets
- Aerial map showing the area of proposed work.

APPROVED

## **MEETING MINUTES**

*Luther moved to adopt the minutes of the meetings held on February 23, 2022 and March 9, 2022, as written. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

## **ADMINISTRATOR REPORT / OTHER BUSINESS**

Gaffney provided updates on the following:

- Tree cutting: 9 Millbrook and 92 Perkins
- 56 Boston St – fill/disturbance reported by Salem Beverly Water Board on property owned by the same.
- Progress with potential new commissioners
- TCCAP's for March:
  - 4 Glen – 4 pine trees
  - 107 Ipswich – 1 tree
  - 16 Kinsman – shed
  - 29 Willowdale – deck & patio
  - 333 Perkins Row – 1 tree
  - 9 Howlett – 1 tree
  - 154 Washington – 1 tree
- Multi-community Stormwater bylaw review group for MS4 compliance

## **ADJOURNMENT**

*At 8:14 pm, Luther moved to adjourn. DiCarlo seconded the motion, and it was approved by roll call vote:*

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

The next meeting will be held on April 27, 2022, at 7:00 pm, by Videoconference.

Respectfully submitted,

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Theresa Coffey  
Recording Secretary

*Minutes approved at the TCC meeting on June 8, 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.