

***Topsfield Conservation Commission
Minutes of Meeting January 8, 2020***
Selectmen's Meeting Room – Topsfield Town Hall

Present: Cheryl Jolley – Chair, Nicholas Betts, Jennifer DiCarlo, Holger Luther, Heidi Gaffney – Administrator and Theresa Coffey – Recording Secretary.

Absent: Dodds Shamroth – Vice Chair.

Other Attendees:

Name	Address	Agenda Item
John Morin	The Morin-Cameron Group	371 Boston Street
Rich Kirby	Nexamp, Inc.	280 Rowley Bridge Road
Julie Beauchamp	Topsfield Solar, LLC	5 Aaron Drive
Randy Sabino	9 Wildes Road	5 Aaron Drive
		371 Boston Street

Cheryl Jolley, Chairperson, called the meeting to order at 7:07 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

Luther moved to continue the Hearing for ANRAD 307-0776: 5 East Common Street to January 22, 2020 at the request of the applicant. Betts seconded the motion and it was approved by a vote of 3 in favor with DiCarlo abstaining.

DiCarlo arrived at 7:10 pm.

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.

John Morin, The Morin-Cameron Group, Inc., representing the applicant, reviewed the proposed project at 371 Boston Street. He provided an update on the status of the project with the Planning and Zoning Boards, stating that they will be going to Zoning at the end of the month.

Morin discussed the proposed project and stormwater standards for a mixed use development for the Highway North Business District and setback requirements. To meet stormwater standards for the State and the Topsfield Bylaw, a drainage analysis was developed for the drainage systems on-site. He described the proposed system. A groundwater protection district special permit is required under the Planning Board because they are proposing more than 2500 sq. ft. of impervious surface. Jolley asked about the existing impervious area and Morin discussed.

Morin reviewed Water Superintendent Greg Krom's comments on the application submitted to the Planning Board. A response will be prepared and presented to the Planning Board with copies to all authorities including the TCC.

Morin reviewed soil testing that was done for the septic system. The BOH will review the septic system. The proposed system is outside of the buffer zone. Luther and Betts asked questions about the septic and Morin discussed briefly.

Morin reviewed matters to be addressed with the Zoning Board and the Planning Board. He described findings needed related to the setbacks. A preliminary meeting was held with the Mass Department of Transportation to discuss the curb cut. They will request a finding from the Zoning Board under existing non-compliant building standards to be able to push buildings and parking as far from the wetlands as possible. Morin discussed the off-site drainage that comes from the roadway and abutting parcels and described the plan to capture the run-off in a catch basin and pipe to discharge to a level spreader.

Morin displayed the architectural drawings of the proposed development and noted that several smaller buildings are proposed as required within the zoning district.

Gaffney stated her concern with the stormwater and the proposed catch basin and pipe and recommends peer review for the stormwater management plan further into the project. She commented that waiver requests require alternative analyses including redesigning, scaling back, using best technologies, porous options, etc. The alternative analyses should be reported to the TCC in writing to show they have been considered and why they are or are not feasible. Morin replied that he would agree to postpone the peer review until further into the project review. Discussion was held on the coordination of the review and requirements of the three boards. Morin requested a continuance to February 12, 2020.

Luther moved to continue the Hearing for NoI (Bylaw only) TCC 2019-01: 371 Boston Street to February 12, 2020 at the request of the applicant. Betts seconded and the vote was unanimous in favor.

NoI 307-0784: 280 Rowley Bridge Road, Lot 8 (Map 83, Portion of Lot 002), 280 Rowley Bridge, LLC/Morin-Cameron Group, Inc. – construction of single family dwelling and associated appurtenances and stormwater management.

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

John Morin, The Morin-Cameron Group, Inc., representing the applicant, reviewed the proposed project at 280 Rowley Bridge Road, Lot 8 to construct a single family dwelling, deck and patio, and the stormwater plan. The lot was created in 1980 and wetlands were delineated and approved by the TCC in October 2019. A stormwater management plan is required for this project. A stormwater permit was submitted to the Planning Board. The Planning Board confirmed that stormwater management is under the jurisdiction of the TCC.

Rowley Bridge Road is designated a Scenic Road. The work and structures would be within the 100 foot Buffer Zone to a Vegetated Wetland. Morin referred to the Wetlands Bylaw Section R10-4(e.) (2) for building within a Buffer Zone. The size and location of the house and driveway were proposed considering the Bylaw and the Scenic Road designation. Morin reviewed the proposed drainage plan for pavement runoff with a stone trench and a pond / drainage basin to capture runoff in larger storms. The soil is well drained so they do not anticipate any standing water in the pond.

Discussion was held regarding the need for alternatives analysis and on different options for placement of the house and driveway and the scale of the property. Morin provided explanations why they placed the house and driveway in the locations proposed.

Gaffney stated her concern that the house will be in the inner 50 foot Buffer Zone and asked that other options be considered for the driveway, the pond and roof runoff infiltration. The TCC discussed the driveway and alternatives to limit the work in the buffer zone. Morin will look at options to reconfigure the driveway and house and the drainage.

The TCC discussed scheduling a site visit to see the stone wall and overall existing site.

Luther moved to continue the Hearing for NoI 307-0784: 280 Rowley Bridge Road to January 22, 2020 at the request of the applicant. Betts 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

Betts recused himself from the hearing and vote.

Rich Kirby of Nexamp, Inc., and Julie Beauchamp of Topsfield Solar LLC, reviewed activity since the October 23, 2019 hearing on this matter.

The Mean Annual High Water (MAHW) under the WPA was not flagged or reviewed by Gaffney. MAHW under bylaw was determined by the furthest horizontal extent of flooding as required by the Bylaw. Several years of aerial were used and an elevation determined. The plan was revised to show MAHW as determined per the Bylaw only.

Gaffney reported that when she visited the site on September 30, she found the bylaw intermittent streams and made flag changes to areas associated with streams. She was not able to view the western side of the site well because the vegetation was too thick. On a subsequent visit after leaf-off, she was still not able to fully determine jurisdictional areas and noted the possibility of additional jurisdictional areas.

The applicant has agreed that isolated wetlands series A & B are Vernal Pools.

The TCC asked that the plan be modified as discussed: 1) a note to be added to the affect that the resource areas on the western area of the site are not fully determined; and 2) the title "Proposed Solar Array" be removed from the plan.

Gaffney recommended not closing the hearing until a new plan is received with these revisions.

Luther moved to continue the hearing for ANRAD 307-0779: 6 Aaron Drive to January 22, 2019 for the purposes of submitting a new plan. DiCarlo seconded and the motion was approved by a vote of 3 in favor with Betts recused.

MEETING MINUTES

Luther moved to approve the minutes of the meetings held on November 20, 2019 and December 18, 2019 as amended. Betts seconded and the vote was unanimous in favor.

ADMINISTRATOR'S REPORT

Gaffney reported on the status of Enforcement Orders.

OTHER

- Amended Enforcement Order 2019-04: 84 Perkins Row (Map 51, Lot 002), Davis – Gaffney reported that a ticket has been issued.
- 215 Washington – Paperwork is being prepared to send up to DEP.
- Enforcement Order 2020-01: 71 Howlett Street (Map 33, Lot 19), Djordjic – An Enforcement Order was issued unauthorized alteration of resource areas. The property owners are required to submit by February 26, 2020 the name of the professional environmental consultants they have hired.

Luther moved to ratify Enforcement Order 2020-01: 71 Howlett Street. Betts seconded and the vote was unanimous in favor.

- NoI 307-0783 Hill Street Culvert – Gaffney was notified that DEP submitted comments on the NoI. The hearing will be re-opened January 22, 2020 to review the DEP comments.


ADJOURNMENT

At 9:24 pm, Luther moved to adjourn. Betts seconded and the vote was unanimous in favor.

The next meeting will be held on January 22, 2020 at 7:00 pm, in the Town Hall, Selectmen's Meeting Room.

APPROVED

Respectfully submitted,


Theresa Coffey
Recording Secretary

Minutes approved at the TCC meeting on _____

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 (Map 33, Lot 36), Congregational Church/Beals Associates

- Request to Continue Hearing dated January 2, 2020

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

- Request to Continue Hearing dated December 6, 2019
- 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
- Permit Applications
 - o Groundwater Application Planning Board November 20, 2019
 - o Application for Special Permit and Site Plan Review with Cover Letter Zoning Board November 20, 2019
- Schematic Renderings November 18, 2019

NoI TCC 307-0784: 280 Rowley Bridge Road – Lot 8

- Notice of Intent Application with required attachments, dated December 17, 2019
- ANR Plan by Hayes Engineering, Inc. dated May 15, 1980
- Lot 8 O&M Plan, 280 Rowley Bridge Road, dated December 13, 2019
- Sanitary Disposal System Design Plan Lot 8 – 280 Rowley Bridge Road, prepared by The Morin-Cameron Group, Inc. dated November 25, 2019
- Application Form Stormwater and Erosion Control Permit – Lot 8 – 280 Rowley Bridge Road [check dated] December 12, 2019
- Stormwater Management Report – Lot 8 – 280 Rowley Bridge Road prepared by The Morin-Cameron Group, Inc. dated December 13, 2019

ANRAD 307-0779: 6 Aaron Drive (Map 19, Lot 021), Clark

- Complete Abbreviated Notice of Resource Area Delineation Application with attachments, dated October 11, 2019
- Plan titled "To Accompany an Application for Abbreviated Notice of Resource Area Delineation, 6 Aaron Drive, Topsfield MA", Sheets 1 and 2, dated October 3, 2019, prepared by Meridian Associates, Revised November 15, 2019
- (6) Pictometry images – 6 Aaron Drive

Draft Minutes of Meetings held on November 20, 2019 and December 18, 2019.

Amended Enforcement Order 2019-04: 84 Perkins Row (Map 51, Lot 002) dated September 11, 2019

- Ticket Issued December 24, 2019

Enforcement Order 2020-01: 71 Howlett Street, dated January 3, 2020