

# ***Topsfield Conservation Commission***

*Minutes of Meeting November 16, 2022*

By Video/audio conference

**PRESENT:** Dodds Shamroth – Chair, Jennifer DiCarlo – Vice-Chair, Andrew Mulholland – Member, Heidi Gaffney – Administrator

**ABSENT:** Molly Shea – Member

**Other Attendees:**

Bob Moriarty, 141 Washington Street, Topsfield

Dodds Shamroth-Chair, called the meeting to order, by video/audio conference, at 7:02 pm with a quorum present. She made the following announcements:

7:02pm **OPEN MEETING:**

**ANNOUNCEMENT BY THE CHAIR:**

*Pursuant to Chapter 22 of the Acts of 2022, 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 on the agenda to join the meeting by Zoom videoconference or to call 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 Topsfield Cable TV and ZOOM; is there anyone else present who wishes to record the meeting?*

*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 307-0829: 71 Howlett Street** (Map 33, Lot 019), Djordjic/Hancock Associates – after-the-fact construction of guest house and related activities and ecological restoration. – *continued to 12/14/22*

- No action, this hearing was previously continued to 12/14/2022.

**Continuation NOI 307-0832: 10 High Street** (Map 33, Lot 36A) Goddard Consulting/The Caleb Group-Emerson Homes – construction of 44-unit rental apartment development – *continued to 12/14/22*

- No action, this hearing was previously continued to 12/14/2022.

**REQUESTS:**

**Request for Certificate of Compliance 307-0807: Pond Street Culvert** (Map N/A Roadway ROW; in area of 1, 3 and 8 Pond Street) Kevin Harutunian/Town of Topsfield

Gaffney presented photos of the finished pond street culvert stating that the area is now stabilized and displayed the submitted as-built plan. Engineers letter certifies that everything was constructed in compliance with the Order of Conditions. Erosion controls have been removed.

- *DiCarlo made a motion to issue a Certificate of Compliance 307-0807 Pond Street Culvert (Map N/A Roadway ROW; in area of 1, 3 and 8 Pond Street). Mulholland seconded the motion, and it was approved by a roll call.*

*DiCarlo – yes    Mulholland – yes    Shamroth- yes*

Documents: Request for Certificate of Compliance, dated 10/7/2022

SumCo Eco-Contracting As Built Plan, dated June 20, 2022

Compliance letter submitted by TEC Engineering, dated 10/7/2022

**Request for Certificate of Compliance 307-0804: 45-49 Salem Road** (Map 63, Lot 004) DiGrazia Salem Road Realty Trust

Gaffney noted there is no one present from DiGrazia. She displayed the as-built plan and photos. The as-built plan indicates a pool that had minor grading and a steep retaining wall built with a short patio around it. The conservation markers have been installed and two trees were planted as required. Lawn area is stabilized. Erosion controls have been removed.

- *DiCarlo made a motion to issue a Certificate of Compliance 307-0804: 45-49 Salem Road (Map 63, Lot 004). Mulholland seconded the motion, and it was approved by a roll call.*

*DiCarlo – yes    Mulholland – yes    Shamroth- yes*

Documents: Certificate of Compliance Request by DiGrazia Salem Road Realty, dated 11/1/2022

As-Built Plan titled “As-Built Plan, #45-49 Salem Road, Topsfield, MA (Showing Pool)”, dated 8/3/2022

**Request for Certificate of Compliance 307-0812: 141 Washington Street** (Map 39, Lot 034)

Moriarty/C.G. Johnson Engineering, Inc.

Gaffney shared a septic replacement as-built plan stating that the engineer letter confirms that it was built in compliance with the Order of Conditions and shared photos of the sand filter and conservation posts. The area is fully stabilized, erosion controls are out and posts are installed.

- *DiCarlo made a motion to issue a Certificate of Compliance 307-0812: 141 Washington Street (Map 39, Lot 034). Mulholland seconded the motion, and it was approved by a roll call.*

*DiCarlo – yes    Mulholland – yes    Shamroth- yes*

Documents: Certificate of Compliance Request by Robert Moriarty & Kathleen Moriarty dated 11/8/22

As-Built Plan titled “Existing On-Site Wastewater Treatment & Dispersal System Upgrade, for Residence Located at 141 Washington Street (Tax Map 39, Lot 34), Topsfield, Massachusetts”

**RDNI 2022-13: 6 Walker Road** (Map 18, Lot 040) Granz/Estate of Lois Cappiello – replace septic tank

Gaffney presented photos showing a septic tank only replacement in the lawn area, the homeowner is concerned about lawn disturbance, requesting boards for machinery. Self-limiting on disturbance.

- *Mulholland made a motion to issue a DNI for 2022-13: 6 Walker Road (Map 18, Lot 040) with erosion controls as necessary. DiCarlo seconded the motion, and it was approved by a roll call.*

*DiCarlo – yes    Mulholland – yes    Shamroth- yes*

Document: RDNI filed by Jon Granz on behalf of Lois Cappiello estate dated November 9, 2022

**RDNI 2022-14: 16 Grove Street** (Map 40, Lot 014) Strout/Robinson – replace existing deck  
Gaffney showed the photos of a deck replacement, no erosion control needed for this project.

- *Mulholland made a motion to issue a DNI for 2022-14: 16 Grove Street (Map 40, Lot 014). DiCarlo seconded the motion, and it was approved by a roll call.*  
*DiCarlo – yes    Mulholland – yes    Shamroth- yes*  
Document: RDNI filed by Tyler Strout dated 11/9/2022

**MEETING MINUTES:**

- **September 28, 2022** – tabled

**ADMINISTRATOR’S REPORT:**

- ZBA Meeting: Gaffney made the TCC members aware of upcoming ZBA meetings regarding the 10 High Street Comprehensive Permit Application.

**ADJOURNMENT:**

*DiCarlo made a motion to adjourn the meeting at 7:24 pm. Mulholland seconded the motion, and it was approved by a roll call vote.*

*DiCarlo – yes    Mulholland – yes    Shamroth- yes*

The next meeting will be held on December 14, 2022 at 7:00pm, by Videoconference.

Respectfully submitted,

*Chris Lahiff*

Chris Lahiff

Recording Secretary

*Minutes approved at the TCC meeting on* February 22, 2023

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.