

Topsfield Conservation Commission

Minutes of Meeting March 8, 2023

By Video/audio conference

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

ABSENT: Molly Shea – Member

Dodds Shamroth – Chair, 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 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 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.

7:00pm **OPEN MEETING:**

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.

- *DiCarlo made a motion to continue NOI 307-0829: 71 Howlett Street (Map 33, Lot 019), to March 22, 2023, TCC meeting. Mulholland seconded the motion, and it was approved by a roll call vote.*
DiCarlo – yes Mulholland – yes Shamroth – yes

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
Gaffney noted peer review has begun.

- *Mulholland made a motion to continue NOI 307-0832: 10 High Street (Map 33, Lot 36A) in regards to construction of a 44 until rental apartment development to March 22, 2023. DiCarlo seconded the motion, and it was approved by a roll call vote.*
DiCarlo – yes Mulholland – yes Shamroth – yes

Continuation RDA 2023-02: 37 River Road (Map 48, Lot 013), Mscisz/DeRosa Environmental Consulting, Inc. – culvert installation and maintenance, installation of retaining wall, maintenance of stream channel, expansion of fields. Gaffney stated no new info from USDA/NRCS yet.

- *DiCarlo made a motion to continue RDA 2023-02: 37 River Road (Map 48, Lot 013) to March 22, 2023, TCC meeting. Mulholland seconded the motion, and it was approved by a roll call vote.*
DiCarlo – yes Mulholland – yes Shamroth – yes

RDA 2023-03: 367 Boston Street (Map 26, Lot 015), LEXA LLC/Serpa/Wetlands and Land Management, Inc. – repair septic system

Gaffney stated the applicant has requested to continue due to the consultant having a meeting conflict.

- *Mulholland made a motion to continue RDA 2023-03: 367 Boston Street (Map 26, Lot 015) to March 22, 2023. DiCarlo seconded the motion, and it was approved by a roll call vote.*
DiCarlo – yes Mulholland – yes Shamroth – yes

Documents:

Septic Design Plan prepared by Apres Management Co. dated 2-6-2023

RDA Application (applicant LEXA, LLC, Roy Serpa) prepared by Wetlands & Land Management, Inc. dated February 2023

REQUESTS:

Request for Certificate of Compliance #307-0748, 13 Perkins Circle (Map 27, Lot 017), Heliotis/Williams & Sparages

Gaffney shared original order of conditions plan, explaining this plan was from 2016. They were not able to complete all conditions at that time. They installed shed, expanded driveway and part of the patio. The conservation posts were also installed as planned. The Certificate of Compliance request letter identifies the portions of the work that were completed and other proposed work that was not done. The work that was completed was in compliance with the Order of Conditions with the exception of the addition of a small retaining wall behind the shed due to the steep grade. Any future work must be re-filed before the TCC.

- *DiCarlo made a motion to issue a Certificate of Compliance for 307-0748 for 13 Perkins Circle, for the work as shown on the as-built plan with a notation that any additional or new work will require a new Notice of Intent. Mulholland seconded the motion, and it was approved by a roll call vote.*
DiCarlo – yes Mulholland – yes Shamroth – yes

Documents:

As-Built Plan by William & Sparages dated 2-28-2023

Certificate of Compliance and Site Photos by Richard Williams (William & Sparages, LLC) Request dated 2-28-2023

MEETING MINUTES:

- **December 14, 2022** Tabled to the next meeting
- **January 18, 2023** Tabled to the next meeting

OTHER:

- **Enforcement Orders** – update/status of compliance, report review and/or restoration plan review:
 - **Enforcement Order 2022-06: 37 River Road** (Map 48, Lot 013)
 - Gaffney noted it will be tabled while the RDA review is ongoing.

ADMINISTRATOR'S REPORT:

- Gaffney explained National Grid gave notification and has begun tree removal along the powerlines on the rail trail.

ADJOURNMENT:

Mulholland made a motion to adjourn the March 8, 2023 TCC meeting at 7:18pm. DiCarlo 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 March 22, 2023 at 7:00 pm, by Videoconference.

Respectfully submitted,

Chris Lahiff

Chris Lahiff

Recording Secretary

Minutes approved at the TCC meeting on March 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.