

## BOARD OF SELECTMEN

October 15, 2007

Chairman McArdle called the meeting to order at 7:30PM. Board members present in addition to Chairman McArdle were Richard Gandt, Steve Clark, Boyd Jackson, and Dick Carlson. Of the Selectmen's staff Board Secretary Donna Rich, was in attendance. Town Administrator, Virginia Wilder joined the Board following her meeting with the Finance Committee. Other persons present were Jane Schraffa and Evleyn Hammond of the Topsfield Cable. Also present were Brendan Lewis of the Tri-Town Transcript, Faye Raynard of the Village Reporter, and Luigi Constanza of 44 Pemberton Rd.

**Announcements:** Chairman McArdle announced that the Classification Hearing that was published to be tonight was cancelled and would be rescheduled to a later date.

### **OLD BUSINESS:**

**Common Victualler License at 53 Main St:** The Building Inspector issued a revised Occupancy Certificate with an occupant load of 27 and a seat size of twelve (12). In addition, proof of Worker's Compensation has been received at the Board of Selectmen's Office. Selectman Gandt made a motion to approve the Common Victualler License for Alex's Roast Beef, Pizza and Seafood located at 53 Main St., seating is to be limited to twelve (12), seconded by Selectman Jackson; so voted 5-0.

### **NEW BUSINESS:**

**Consulting Services for Town Hall Roof Repairs:** As a result of some roof slates sliding off the roof it was recommended that a consultant be hired to review the safety of the roof and the extent of slates that may need replacement or repair. Selectman Gandt made a motion to award a contract to Russo Barr Associates of Burlington, MA for professional consulting services to perform a Roof Condition Survey in the amount of \$3,050 with the Chairman to sign, seconded by Selectman Jackson; so voted 5-0.

### **Town Administrator's Report:**

No report given, Town Administrator was on vacation last week.

### **Correspondence & Reports**

#### Correspondence:

**Weston & Sampson Landfill Report:** Weston & Sampson sent a letter to DEP's John Carrigan reporting the results of gas-sampling at the Topsfield Landfill on October 1, 2007. Selectman Jackson stated that it is a quarterly report and that the methane gas emission is considerably less than it was when the landfill was capped.

**Conservation Commission Violation Notice & Enforcement Order:** A letter was received from Ara Aftandilian of River Rd regarding maintenance on the property at 37 River Rd contesting the allegations stated in the violation he received from ConsCom. Chairman McArdle stated Mr. Aftandilian had attended the ConsCom meeting and Walter Harmer, Chairman, Conservation Commission is looking into the Rules & Regulations and that there will be further conversations between them relating to the issue. Selectman Clark noted that the Conservation Commission Administrator should have reviewed the Rules & Regulations prior to issuance of the Violation.

Selectman Carlson would like to hear the ConsCom view on the issue. Chairman McArdle said he would find out details and report back to the Board.

Abutter Notification of Rail Trail: A letter was received from Pete & Deb Hayes of Timber Lane regarding his professional opinion on the legality of notifying abutters about grass & brush clearing. Chairman McArdle stated that there was no legal requirement for notify the abutters, however, it would have been a courtesy of the Rail Trail Committee to have notified the abutters along Pemberton Rd. prior to the clean up.

Sump Pump at 30 Main St: Letter from Dave Bond, Superintendent of Highway to James Gilford allowing him to connect a sump pump to an existing private drainage system adjacent to his property with the requirement that the pump has backflow prevention.

Independent Living Center of the North Shore: Letter was received with information regarding the annual membership nomination forms with the annual meeting on October 17, 2007 at the Salem Waterfront Hotel in Salem MA.

Reports:

School Committee: Minutes of September 6, 2007 were submitted.

Conservation Commission: ORAD for 7 Bare Hill Rd was submitted.

Building Inspector: Monthly reports of July, August, September and October were submitted.

Invitation:

Healthlink is sponsoring a roundtable forum to discuss Essex County Renewable Energy project and how to reduce dependence on costly fossil fuels on October 25, 2007 at the Torigian Life Center, 79 Central Street in Peabody from 5:30-8:30PM.

Selectman Gandt gave a review of the MMA Fall Conference for Selectmen meeting he attended on Saturday, October 13, 2007. Please see report attached.

Chairman McArdle called a recess at 7:55PM so as to wait for the appropriate time of the 8:00PM appointment.

**APPOINTMENTS:**

**8:00PM** Frank Iovanella of New Meadows Golf Course, attorney Michael McCarron and architect Wayne Hunt approached the Board to provide an update on their proposed project at 30 – 32 Wildes Rd. Mr. McCarron stated that the project is a 24 unit condominium development within 6 buildings on 10 acres of land at the New Meadow Golf Course for over 55 year olds. Mr. McCarron stated that they were presenting their proposal tonight to obtain the Board's support on the project. They are requesting this property be designated an Elderly Housing District (EHD) overlay, and be placed on the Town Warrant for the May 2008 Annual Town Meeting. They are also seeking to change the Zoning Bylaw to allow Condominium ownership, in an EHD. Mr. McCarron explained that they would be presenting this material to the Planning Board the following evening as well. Wayne Hunt of Fitzgerald Architects presented the floor layout of the condos, the outside structural design, and colored rendered drawings displaying the full layout of the project on the property. Selectman Jackson asked where the golf course maintenance building would be relocated. Mr. Iovanella stated he had recently purchased 501 Boston St for the purpose of converting it to the golf course maintenance building. Selectman Clark asked if the intent remains to have the entire property, including the golf course, placed as open space in perpetuity. Mr. Iovanella stated that was and still remains his intent. Mr. Iovanella wanted to make it clear that it was his desire to obtain support of the Town Fathers and that what was presented this evening is what he plans to build. The Board did not take a position

on the project, but was in favor of the golf course being held as open space in perpetuity. However, the project would also need support from the Planning Board. Selectman Clark asked that a formal request be submitted to the Board for submission on the Town 2008 Warrant. Selectman Gandt requested that the set-backs on Wildes Road be in keeping with the rural nature of the road as it is today. Mr. Iovanella noted that the golf course parking presently is right on Wildes Road and that the submitted plan is to have landscaping on the road entrance with the parking lot reconfigured to be set back off the road. At the conclusion of the meeting, it was noted that Warrant Articles are due in February.

Chairman McArdle made a motion to adjourn at 8:35PM, seconded by Selectman Clark; so voted 5-0.

**Warrants:** The Selectmen signed and approved warrants in the amount of **\$185,019.33** . The breakdown is as follows:

	Warrant #FY08
031T	\$ 76,248.02
032	\$ 108,771.31

Respectfully submitted,

Donna Rich, Secretary  
Selectmen's Office

*Approved as amended at the October 22, 2007 Board of Selectmen meeting.*