

TOPSFIELD PLANNING BOARD MEETING

Minutes of Wednesday, April 3, 2024

7:00 PM

Virtual over ZOOM

Board members participating were Chairman Martha Morrison, Clerk Steve Hall and members Josh Rowd, Jennie Merrill and Greg Mellinger. Also present was Planning and Zoning Board Sr. Admin. Assistant Lynne Bermudez.

Attendees included Kevin Whalen, Jay Polakiewicz (Hancock Associates), Briana Visini, Gary Bergmann, Robert Moffett and Boxford Cable.

GOVERNOR'S ORDER

Planning Board Chairman Morrison announced:

“Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted via remote means. Members of the public who wish to watch or listen to the meeting may do so in the following manner: Video conference (see log-in information below.) No in-person attendance of members of the public will be available, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Topsfield website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.”

CALL TO ORDER

Chairman Morrison called to order at 7:01 pm.

ANNOUNCEMENTS

Chairman Morrison made the following announcement:

“A video recording is being made of this meeting for record keeping purposes. Is there anyone else present who wishes to record the meeting?” No requests were heard.

39 & 45 PROSPECT STREET – Land Swap

Chairman Morrison stated that she had reviewed the Plan of Land provided by LeBlanc Survey Associates for the proposed land swap between 39 and 45 Prospect St. and had noted a problem. Article 4.07H in the zoning bylaws states that the lot width between the street line and the rear building must not be less than 80% of the required minimum lot frontage. The proposed change in lot lines, in this case, would make the width of 39 Prospect much smaller than the required 80%. The Chairman had shared this with the engineer so this item will not be discussed this evening.

57 PERKINS ROW

Lynne Bermudez read the following legal notice which was published in the Salem News on March 18th and March 25th, 2024:

Notice is hereby given that the Topsfield Planning Board will hold a public hearing during a ZOOM Planning Board Meeting Wednesday, April 3, 2024 at 7:00 PM (instructions will be on the posted agenda on how to join the meeting via ZOOM) to consider the application of Kevin Whalen, for premises located at 57 Perkins Row, Topsfield, requesting a special permit under Chapter 220 of the General Bylaws, Storm Water Management And Erosion Control.

*Martha A. Morrison
Chairman, Topsfield Planning Board*

Chairman Morrison asked Jay Polakiewicz, of Hancock Associates, if he would review the proposed stormwater management plans. Mr. Polakiewicz stated that there is currently a single-family home on the property which the owners plan to demolish and rebuild. The site is on top of a drumlin (red soils), the plan proposes three sub-surface infiltration fields to collect roof runoff, there are infiltration trenches on either side of the driveway to collect stormwater runoff, the proposed stormwater system will cut down on peak rates of runoff (as there was no stormwater system for the existing home). He also shared the location of wetlands and that all proposed work will be done outside of the buffer zones of these resource areas. Generally all grades will be maintained except for the slightly raised ground for the septic system due to the high water table. The Stormwater Coordinator suggested a few changes to the plan which were subsequently incorporated. The Coordinator has recommended the stormwater management plan be approved by the Board. The Board had a question on whether the property owner was going to leave the current driveway as is. The answer was yes. There were no comments from the public.

Clerk Steve Hall made a motion to close the public hearing. The motion was seconded by Josh Rownd and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes
Member Greg Mellinger	yes

Clerk Steve Hall made a motion for the Board to approve the Stormwater Management and Erosion Control special permit for 57 Perkins Row as presented with the normal conditions. The motion was seconded by Greg Mellinger and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes
Member Greg Mellinger	yes

30 MAIN STREET

Clerk Steve Hall read the following legal noticed that was published in the Salem News on March 18th and March 25th, 2024:

Notice is hereby given that the Topsfield Planning Board will hold a public hearing during a ZOOM Planning Board Meeting Wednesday, April 3, 2024 at 7:00 PM (instructions will be on the posted agenda on how to join the meeting via ZOOM) to consider the application of the Briana Visini, for premises located at 30 Main Street, requesting Site Plan Review pursuant to Article IX Section 9.05 of the Topsfield Zoning Bylaw for the opening of a Dance Studio for individuals aged two to adult.

*Martha A. Morrison
Chairman, Topsfield Planning Board*

Chairman Morrison asked Briana Visini if she would review her proposed plans. Ms. Visini stated that she is looking to relocate her current dance studio, Refine Dance Studio, from Danvers to Topsfield. She reviewed the layout of the studio and detailed her flooring plans. Chairman Morrison noted that as the building itself is not changing, the main concern of this site plan review was the required parking for the dance studio. A previously conducted site plan review showed that the previous tenant (The Gift Horse) required eleven parking spaces based upon square footage. Using parking requirements for schools, as well as the materials presented by Ms. Visini for her proposed dance studio, it appears she will need between ten and twelve spaces. As such, there appears to be sufficient parking in the Village Shopping Center for her business. The Board of Health has requested Ms. Visini provide documentation showing that the septic needs of her business can be accommodated by the current septic system for the shopping center. She will be providing that documentation shortly. There were no comments from the public.

Jennie Merrill made a motion to close the public hearing. The motion was seconded by Greg Mellinger and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes
Member Greg Mellinger	yes

Clerk Steve Hall made a motion to approve the Site Plan for 30 Main St. for a dance studio conditional upon Ms. Visini presenting the Board of Health with the necessary septic system documentation. The motion was seconded by Josh Rownd and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes
Member Greg Mellinger	yes

MASTER PLAN

Chairman Morrison stated that the board has not yet received the most current copy of the Master Plan following the submission of comments by the Board and resident during the Open

Comment period. As such, no discussion can be held tonight. The Master Plan Steering Committee will be meeting on 4/29/24 to discuss the comments which were submitted and the revised plan. As the Planning Board's next meeting is 5/1/24, there will not be sufficient time for the Board to review the updated Master Plan to be able to take a vote at that meeting. The vote will be scheduled for the Board's June 5th meeting.

MINUTES

Jennie Merrill made a motion to approve the minutes as presented. The motion was seconded by Josh Rownd and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes
Member Greg Mellinger	yes

Josh Rownd updated the board on his discussion with the Lieutenant Governor, at a conference he attended where she was a speaker, regarding his opinion of the state mandating towns and cities to create MBTA multi-family districts.

Chairman Morrison shared that the Select Board had voted to not include Article 39 (the elimination of the Sale of Motor Vehicles in the Business Highway) in the warrant for the 2024 Annual Town Meeting. It was determined that Greg Mellinger will discuss the Floodplain zoning article at the Annual Town Meeting.

The Chairman stated that the 4/17/24 Planning Board meeting will be cancelled as there are no warrant articles or other items of business to discuss.

ADJOURNMENT

At 7:43 pm Jennie Merrill made a motion to adjourn. The motion was seconded by Clerk Steve Hall and the motion carried with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes
Member Greg Mellinger	yes

Respectfully submitted,

Lynne Bermudez
Sr. Administrative Assistant

DOCUMENTS

Per Open Meeting Law, the documents that were either distributed to the Planning Board before the meeting or at the meeting were:

1. Agenda

2. 39 & 45 Prospect Street Plot of Land
3. 57 Perkins Row Stormwater Management Special Permit Application
4. 30 Main Street special permit application
5. Draft Meeting Minutes of 3/20/24

Approved at the 5-1-24 Planning Board meeting.

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee 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 Committee as to the completeness or accuracy of such statements.