

## **Topsfield Planning Board**

February 17, 2015

Chairman Morrison called the meeting to order at 8:00 PM at the Town Library. Board members present were Martha Morrison, Jeanine Cunniff, Joseph Geller, Ian De Buy Wenniger. Roberta Knight, Community Development Coordinator was also present.

**Visitors:** Selectman Dick Gandt; Stephen Silveri, Attorney Nancy McCann, Jeffrey Garber, Thomas Shanks, Scott Cameron.

### **Minutes:**

Member Jeanine Cunniff made the motion to approve the minutes of January 6, 2015 as written; seconded by Member Joseph Geller; so voted 4-0.

Member Jeanine Cunniff made the motion to approve the minutes of January 20, 2015 as written; seconded by Member Joseph Geller; so voted 4-0.

**57 Perkins Row:** Attorney Nancy McCann, representative for the developers, opened the presentation relative to a proposed subdivision at 57 Perkins Row. Developers Jeffrey Garber and Thomas Shanks were introduced to the Board. Attorney McCann informed the Board that there were two conceptual proposals under consideration, the first of which would be a standard subdivision, and the second, an alternative environmental plan with waivers. Since the plan of land is only approximately 8 acres, an open space plan would not be allowed for this development because it is under the 10 acre minimum requirement. Moreover, the lot has wetlands and river front area. The intent is to build five (5) single family homes.

Scott Cameron, the project engineer, reviewed two conceptual plans. The first was a standard subdivision plan; however, he concentrated his presentation on the alternative environmental plan that would require waivers. He informed the Board that an application was filed with the Conservation for an ANRAD review and the wetland line had been flagged, but not as yet approved by the Conservation Commission. Although there were substantial wetland areas on the property, there was an upland area that would support four (4) lots, with the fifth lot at the corner of Perkins Row and the new roadway.

He informed the Board that the Conservation Commission would prefer an “environmentally friendly” plan with the restoration of wetlands for the cross-over of the subdivision roadway. This would require a waiver for the width of the road from the 50 feet requirement of the Subdivision Rules & Regulations. The waivers that would be required for the alternative plan would be a reduced width of the roadway with a narrow pavement footprint of 20 feet, no sidewalks, and a reduction in the size of the cul-de-sac. This would reduce the wetland crossing and reduce the impact on the wetlands.

Chairman Morrison informed the developers that there was a list of waivers for low impact development; however, Ms. Morrison cautioned that the Planning Board would not approve low impact unless it can be shown that the proposed drainage relative to low impact would work. Further, Ms. Morrison noted that the Planning Board was extremely sensitive to stormwater management and would expect that the management of the stormwater and drainage systems will consider the common plan of development for these five lots.

Member Jeannine Cunniff noted that she would not be in favor of low impact, given the Board's experience with Hickory Beech.

Member Ian De Buy Wenniger noted that sidewalks would be required. Children should not be walking in the roadway to get to the school bus and directed the developer to look at the Candlewood Drive cul-de-sac off of Perkins Row as an example of what the Planning Board would like to see.

Relative to the roadway requirements, the Board directed the developers to contact Highway Superintendent David Bond to get his input as to what would be reasonable waivers. The Board also noted that a peer review would be required and that the Board uses as its consultant Beals And Thomas Inc.

**Town Counsel Legal Opinion:** The members reviewed Town Counsel Jeff Ugino's legal opinion relative to the tax lien on open space property owned by Meeting Way Corporation in the Hickory beech subdivision that once accepted would be Town owned open space. Either way the Town will own the land.

**Review of Warrant Articles Draft 3:** The members reviewed the warrant article language for non-conforming uses and made revisions to the language for the warrant article. The text of the warrant article as amended is as follows:

"3.05 Nonconforming Uses.

*C. A nonconforming single family residential structure located on a lot with insufficient area or insufficient frontage may be altered if the structure as altered complies with all current setback, yard, building coverage and building height requirements as determined by the Inspector of Buildings."*

The meeting was adjourned at 9:51 PM.

Respectfully submitted,

Roberta M. Knight, Community Development Coordinator

Attachments:

Draft No. 3 2015 Warrant Articles  
Town Counsel Legal Opinion