

## **Topsfield Planning Board**

March 2, 2010

Chairman Winship called the meeting to order at 7:30 PM. Board members present were Robert Winship, Janice Ablon, Gregor Smith, Ian DeBuy Wenniger and Jonathan Young. Roberta Knight, Community Development Coordinator was also present.

**Visitors:** Selectmen Martha Morrison and Dick Gandt; Christopher Latham, John Morin.

**English Commons /Three Party Agreement:** Member Gregor Smith made the motion to approve and sign the Three Party Agreement dated March 2, 2010; seconded by Member Ian deBuy Wenniger; so voted 5-0.

**ANR for 76 Campmeeting Road:** At 8:00PM, the Board conducted a review of the ANR plan for 66 Campmeeting Road Lot 39 that subdivided the lot into two lots 39C and 39D effectively creating a new conforming lot. John Morin of the Neve-Morin Group, Inc. represented the owners Jonathan and Norma Peabody. There was a short discussion relative to the dimensional calculations for lot 39D and considerations by the Planning Board relative to its 2005 approval of ANR lots 39A and 39B.

Upon review of the ANR Checklist and finding all in order Member Gregor Smith made the motion to endorse as "Approval Not Required" a Plan entitled "Plan of Land in Topsfield, MA, Prepared for Daniel & Grace Peabody, Dated February 9, 2010, Prepared by The Neve-Morin Group, Inc., Owned by Jonathan C. and Norma L. Peabody, showing the division of land on 76 Campmeeting Road in the Town of Topsfield, Essex County, Massachusetts into two (2) lots show on said plan as Lots 39C and 39D, the following notations made on said plan: Assessor's Map 20, Parcel 39"; seconded by Clerk Janice Ablon; so voted 5-0.

### **Minutes:**

Member Ian deBuy Wenniger made the motion to approve the minutes of February 2, 2010 as amended; seconded by Member Jonathan Young; so voted 5-0.

Clerk Janice Ablon made the motion to approve the minutes of February 23, 2010 as amended; seconded by Member Gregor Smith; so voted 4-0. Member Ian deBuy Wenniger abstained.

**Outdoor Wood Boilers:** Selectman Morrison brought to the Board's attention that in researching other municipal by-laws within Massachusetts, she discovered that wood boiler regulations have been addressed in other MA communities as Board of Health regulations. Boards of Health have extensive regulatory powers and smoke and pollution

fall within their purview. A discussion followed as to whether zoning can regulate the use of an “appliance”, and it was the consensus of the Board to seek a recommendation from Town Counsel.

**2010 Zoning Warrant Articles Draft 6:** The Board reviewed Draft 6 and made revisions. See attached Draft 6 and Draft 7 for specific details.

**Wind Energy Conversion By-Law:** The Board reviewed Draft 5 issued February 25, 2010 with comments by Bob Winship incorporated as of March 1, 2010. It was the consensus of the Board to change the term “facilities” to “systems” that resulted in renaming the Bylaw to “Wind Energy Conversion Systems – Small Scale”. The Board had further discussions involving:

- Limit of one (1) system per lot
- Height of tower not to exceed 120 feet with blade tip not too exceed 150 feet
- Name plate rating of 30 Kw
- Change term “abandonment” to “decommission”
- Vertical axis machines
- Definition of small scale
- Basis of Planning Board determination as to topography, site features and local conditions

Revisions are reflected in Draft 6 which incorporates comments from Bob Winship, Dick Gandt and Jonathan Young issued March 4, 2010. See attached document.

The meeting was adjourned at 10:09 PM.

Respectfully submitted,

Roberta M. Knight  
Community Development Coordinator