

**Minutes of the
Topsfield Planning Board
Town Library Meeting Room
March 15, 2016**

Chairman Morrison called the meeting to order at 7:30PM. Board members present, in addition to Chairman Martha Morrison, Joseph Geller, Steven Hall and Josh Rownd. Jeanine Cunniff was absent. Of the Planning Board staff Community Development Coordinator Donna Rich was in attendance. Other persons present during all or part of the meeting were Sarkis Development Company representative John Sarkis, Finance Committee member Louis Ross, McCann & McCann, PC representative Nancy McCann, Giuseppe Giugliano, owner of 414 Boston Street, Morin Cameron Group Inc. representative John Morin, residents Dave & Nicki Larson, and Dick Gandt, Richard & Bette Cullinan, Joe Gibbons, Nancy & Holger Luther, Randy Sabino, and Jamie Cummino.

Chairman Morrison announced that the meeting would be recorded because Jeanine Cunniff was absent and in the event the Public Hearings were continued the member would be permitted to participate in the decision.

Minutes: Member Joe Geller made a motion to approve the minutes of January 19, 2016 as written, seconded by Member Steve Hall; so voted: 4-0.

Appointment: Public Hearing

7:45PM: 2016 Annual Town Meeting Proposed Zoning Bylaw Changes: Clerk Steve Hall read the Legal Notice, published in the Tri-Town Transcript on March 4th, 2016.

Amend Article IV, Section 4.10 Business Park District Conditions, Section B: Chairman Morrison explained that the proposed amendment is a “housekeeping” item. The language proposed is as follows: with the provision to be deleted shown in strikethrough. “B. A site plan for the tract shall be submitted along with the application for special permit and shall be subject to the approval of the ~~Special~~ Permit Granting Authority.” There was no public comment on the proposed amendment.

Amend Article II, Section 2.10 as follows: insertion of “D. Rolling Green” expanding the Elderly Housing Overlay District to include the property located at 470 Boston Street, and would further amend the Zoning Map accordingly. Chairman Morrison invited Sarkis Development Company representative John Sarkis to explain the requested amendment. Mr. Sarkis reviewed his plan for the 13-acre parcel of land, which would include 30 units, duplex in fashion, ranging from 1,400-2,400 square feet, served by one main road, with a second means of access/egress not to be used. Construction would be sited out of the wetland/resource area, each unit would have a garage at grade level, price would be in the \$500,000 to mid \$600,000 range, and the development would include a vegetative screening around the perimeter, just to name of a few of the details described. Chairman Morrison asked if there were any questions from the public. Dick Cullinan asked if the development would be seen from Route 1? Answer: probably just lights at night. Holger Luther asked if the second entrance had been reviewed by Massachusetts Department of Transportation (MassDOT). Answer: Mr. Sarkis explained he had met with MassDOT sited no concerns. Joe Gibbons asked if the development would be on Town water. Answer: Mr. Sarkis replied yes. Bette Cullinan commented that with a housing development vs a business development there would be a tax benefit to the town.

Nicki & David Larson expressed environmental concerns relative to groundwater. Chairman Morrison read a statement submitted by Planning Board Member Jeanine Cunniff, dated March 15, 2016, and also a letter from the Larson's, dated February 22, 2016.

At 9:00PM Member Steve Hall made a motion to Close the Hearing, seconded by Member Joe Geller; so voted: 4-0.

Appointment: Public Hearing

9:03PM: 414 Boston Street-Special Permit and Site Plan Review: Clerk Steve Hall read the Legal Notice, published in the Tri-Town Transcript on February 26 & March 4, 2016. McCann & McCann, PC representative Nancy McCann came forward to describe the renovation of the 1970 building on the corner of North Street and Route 1 to become an Italian restaurant with 32 seats inside and 25 parking spaces outside. The restaurant would have 3-4 employees with hours of operation being 11AM-9PM. The portion of the building that would be utilized for the restaurant would be the 2,000 square foot single floor space. Ms. McCann stated that they had met with the Building Inspector and the Fire Department and all appeared in order as presented to them. Chairman Morrison asked if there were any questions from the public. Jamie Cummino, an abutter, expressed concern for the proximity of the proposed restaurant to his home. After some discussion it was agreed that the applicant would increase the shrubbery on the top portion of the property to act as a barrier on the north/west portion of the building. Dick Gandt expressed concerns relative to exiting out and traveling north on Route 1, noting the site line is not that good right there. There was a discussion regarding the placement of the dumpster on the property.

At 10:20PM Member Steve Hall made a motion to Close the Hearing, seconded by Member Joe Geller; so voted: 4-0.

Member Josh Rownd made a motion to grant a Special Permit pursuant to Article V, Section 5.02.B.1 of the Zoning Bylaw and Article 4.12A & 4.12B Table of Use Regulations and site plan review pursuant to Article IX of the Zoning Bylaw, contingent upon approval of traffic conditions by Police Chief Evan Haglund, subject to the following conditions:

- Dumpster would be located on the South/East corner with a stockade enclosure
- Additional shrubbery plantings would be placed on the North/West side of the upper parking area
- Hours of operation would be Tuesday-Saturday from 11AM-9PM
- There would be a seating capacity of 32
- Lighting on the outside of the building would be of the dark sky variety and shielding so not to shine off the property
- Signage would be externally illuminated

, seconded by Member Joe Geller; so voted: 4-0.

There was a brief discussion relative to the 2016 Annual Town Meeting Proposed Zoning Bylaw Changes and how the Planning Board would proceed at Town Meeting. It was agreed that the Board would meet on March 22, 2016 at 7:30PM, Town Library, to vote on the Articles.

At 10:32PM, Member Joe Geller made a motion to adjourn and Member Steve Hall seconded the motion; so voted: 4-0.

Respectfully submitted,

Donna C. Rich
Community Development Coordinator

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

1. Agenda
2. Proposed language for Warrant Article to amend Zoning Bylaw Article 4.10, section B and Amend Zoning Bylaw Article IV, 4.09 sections A and C.4.A
3. Proposed Elderly Housing District at 470 Boston Street: warrant article language, and proposed plan for the site
4. Letter dated 3/15/16 from Jeanine Cunniff
5. Letter dated 2/22/16 from David & Nicki Larson
6. Application for Special Permit and Site Plan Review for 414 Boston Street submitted February 4, 2016.
7. Comments from Conservation Commission Administrator and Fire Captain Jen Collins-Brown relative to 414 Boston Street application

Approved as amended at the April 19, 2016 Planning Board meeting.

<p>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.</p>
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