

Topsfield Planning Board

April 20, 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; Nina Streeter, Frank Iovanella, James MacDowell, Attorney Michael McCarron, Kindra Clineff, Sandra Runnion.

49 Rowley Road: Member Jonathan Young made the motion to approve and issue a Stormwater Management Permit Certificate of Compliance to Peter Jensen Development Corporation of 5 Pinecrest Road of Andover MA for the 49 Rowley Road project; seconded by Gregor Smith; so voted 5-0.

Old Business: Chairman Winship requested that several items be added to the agenda and carried forward under Old Business as follows:

- Community Development Strategy
- Stormwater Phase II
- Review of Forms
- Revisions to Planning Board Subdivision Rules & Regulations

Minutes: Member Ian deBuy Wenniger made the motion to approve the minutes of March 16, 2010 as amended; seconded by Member Jonathan Young; so voted 5-0.

Bill Schedule: The Board signed the bill schedule for the H.L.Graham invoice related to construction administration services for English Commons.

ANR for 83/123 Asbury Street: At 8:00PM, the Board conducted a review of the ANR plan for 83/123 Asbury Street that provided for a lot line change and re-division of land between 83 and 123 Asbury Street which are abutting lots. A portion of land consisting of approximately 8.5 acres (Parcel C) belonging to Lot 1, the Streeter property at 83 Asbury Street, would be conveyed to the Abbott's, owner of Lot 2 and combined with Lot 2 to form one contiguous lot.

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" Dated: April 13, 2010, Prepared by: Hancock Associates, Owned by: Nina Streeter, Showing the division of land on 83 Asbury Street and 123 Asbury Street in the Town of Topsfield, Essex County, Massachusetts into two (2) lots shown on said plan as Lots 1 & 2,

with the following notations made on said plan: Parcel C is presently owned by Nina Streeter (Lot1) and is to be conveyed to G. Christopher and Deborah A. Abbott (Lot 2) to be combined with other land of same to form one contiguous lot (22.1988 acres); seconded by Clerk Janice Ablon; so voted 5-0.

New Meadows EHD/ Minor Modification to Decision: Attorney Michael McCarron representing developer Frank Iovanella informed the Board that there has been a change in the name of the LLC for the development due to the need to record easements between the Lots 4 and 5. Frank Iovanella would be the sole principal for both limited liability companies. The new entity is Montana Development LLC having a place of business at 32 Wildes Road. The development's address would remain at 16 Wildes Road. Attorney McCarron requested that the special permits issued to New Meadows Enterprises LLC as named Applicant be assigned to Montana Development LLC, and that this assignment be considered a minor modification.

After a discussion on the request, Member Ian deBuy Wenniger made the motion that the Board vote to approve an amendment to the Certificate of Decision for the Elderly Housing Special Permit as modified at this meeting assigning said permit to Montana Development LLC, having found that the amendment to the Certificate of Decision constitutes a minor modification; seconded by Member Jonathan Young; so voted 5-0.

Member Ian deBuy Wenniger then made the motion that the Board vote to approve an amendment to the Certificate of Decision for the Stormwater Management Special Permit as modified at this meeting assigning said permit to Montana Development LLC, having found that the amendment to the Certificate of Decision constitutes a minor modification; seconded by Member Jonathan Young; so voted 5-0.

Planning Board then reviewed a certified copy of the covenant to be recorded for the project and the Performance Bond – Secured By Deposit regarding revegetation.

New Meadows Construction Schedule & Update: At this time Project Manager James MacDowell reviewed the construction schedule for the infrastructure consisting of the access road, septic system installation, drainage and water system. He noted that the individual tanks, rain gardens and driveways would not be constructed until the buildings were constructed at a future date. It has been estimated that the construction of the infrastructure would take about 12 to 16 weeks. Construction to commence within the next week for:

- Water Main Construction along Wildes Road
- Demolition of existing buildings
- Grading for driveway, parking lots, septic
- Installation of septic system
- Binder course of pavement

Flooding at 93 & 95 River Road: Sandra Runnion and Kindra Clineff owners of 93 and 95 River Road respectively addressed the Board regarding the issue of new flooding from the back hill of Prospect Street. Both properties experienced major flooding during the two March storms. Water came pouring down the hill off Prospect Street from property owned by Richard Wilkerson with legal address of 85 River Road. Over the years, there has been increased development and clearing of land on the property. The Board members reviewed maps and photos of said properties. The Board determined that it had no jurisdiction in the matter.

Town Meeting Presentations: The Board members reviewed their presentations for the various articles.

The meeting was adjourned at 10:15 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator