

Topsfield Planning Board

May 19, 2009

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; Alan Berry, Attorney Brad Latham

Reorganization:

Chairman: Clerk Janice Ablon made the motion to nominate Robert Winship as Chairman; seconded by Member Gregor Smith; so voted 4-0-1.

Clerk: Member Gregor Smith made the motion to nominate Janice Ablon as Clerk; seconded by Member Ian deBuy Wenniger; so voted 4-0-1.

Minutes: Clerk Janice Ablon made the motion to approve the minutes of April 7, 2009 as amended; seconded by Member Ian deBuy Wenniger; so voted 5-0.

English Commons Continued Public Hearing: At 8:00PM, Chairman Winship called to order the continued public hearing for the English Commons EHD Development Project.

Local Preference Plan: Chairman Winship noted Town Counsel Kathleen O'Donnell's legal opinion relative to her review of the Local Preference Plan. Town Counsel approved the plan with minor revisions with the exception of Section 3, The Process as to Initial Sales which was substantially revised. Town Counsel revised this section by imposing certain requirements and removing the language that would specifically permit collection of signed reservations prior to the Developer's purchase of the property. The Reservation Agreement would need to incorporate additional language as noted in the revised Plan. See attached redline Plan for specific details.

It was the consensus of the Board that the Local Preference Plan was acceptable as amended by Town Counsel, and that the Board would require a review of the Reservation Agreement prior to the commencement of the process.

Tri-Partite Agreement: The Board reviewed the document and made minor revisions as to form. The term "common driveways" was replaced with "private roads and ways" at the request of Member deBuy Wenniger, and "waste water disposal system" was added to the description of the infrastructure at Chairman Winship's request. The Board discussed the purpose of the agreement to insure that the project would be built to plan. Developer Alan Berry suggested a 15% contingency for the project to insure the stabilization and completion of the

project's infrastructure. Mr. Berry noted that he would provide the Board with a proposed Schedule of Values for its review.

Open Space Management Plan: The Board reviewed the document. Member Gregor Smith queried as to how the long-term management of the Plan would be tied to the Association. Attorney Latham responded that the Plan would be incorporated into the Association Bylaws. The Board requested several revisions that were noted and would be incorporated into the document by Attorney Latham. The Board requested that Ms. Knight forward the revised Plan to Conservation and Open Space for comments.

In connection with the Plan, the Board discussed with the developer the need to clearly define the walking trails and specifically discussed the connecting path to Rowley Bridge Road. Selectman Morrison noted that it was the Town's understanding from the beginning that access to Rowley Bridge Road would be provided. Alan Berry responded that it was his intention to have nature paths based on the existing natural contours within the site, and would do an initial clearing for said paths.

Road Opening / Route 1 Design: Developer Alan Berry reviewed the design plan revisions as recommended by Mass Highway for the road opening (entrance) and Route 1 lane changes to accommodate access into the development. In order to create an acceleration lane on the southbound portion of Route 1 and a left turn lane on the northbound portion of Route 1, the side sloping would be redesigned along the southbound side of the entrance with a stonewall relocation; the center line would be moved over to create left turn lane; and the northbound lane would be redesigned to extend into the existing breakdown lane approaching the entrance for thru traffic. Mr. Berry reviewed the side sloping redesign in detail with the Board and pointed out the specific marked trees that would have to be removed.

Development Plans: Mr. Berry confirmed that the final set of plans to be acted on would be the same for both the Planning Board and the Conservation Commission.

Board of Health Status: The septic plans have been submitted to the Board of Health and meetings have been conducted with John Coulon to review the plans. Ms. Knight noted that BOH Agent John Coulon was in the process of acquiring quotes for a consultant peer review. Mr. Berry informed the Board that he has directed Beals Associates to place the septic system elements on the development plans, so there would be no further confusion.

Landscape Plan: Mr. Berry reviewed the submitted Landscape Plan designed by Bruce Bourassa of The Green Co., dated April 2009 with the Board. The Board had no problem with the landscape design.

Other: The Board and Mr. Berry reviewed submitted plans, pictures and specifications and foresaw no problems with the following items:

- Building cross sections and height
- Architectural Plans for units Re: footprint and elevations
- Driveway lights and specifications (same as other Berry developments placed 150' apart)
- Permanent sign and temporary sales sign (similar to Caldwell Farms)
- Community Center design
- Gatehouse design, location and use - back end garage area for storage with office space in front

Mr. Berry noted that the entrance would need to be re-designed since Mass Highway would only allow one access (the current plan shows two access drives separated by an island). The Gatehouse would be located behind landscaping and not seen from Route 1. The Board suggested that the stop sign at the intersection for the loop be placed in an island.

Zone A: Mr. Berry informed the Board that he has discussed the matter of roof run-off into Zone A with Meridian Engineering that represents the Salem-Beverly Water Board. Meridian had no problems with the original design that allowed roof run-off to drain into the Zone. Mr. Berry also informed the Board that he has directed Beals Associates to move all the buildings out of Zone A. The buildings removal would resolve the issue.

Flow Test Data: The Board noted the receipt of the Flow Test Report forwarded by Beals, and Dave Varga's comments; a copy of which was presented to Mr. Berry. Mr. Berry noted that he was aware of the need for interpretation analysis and Beals would provide the analysis to the Board.

Long Term Pollution Prevention Plan: Mr. Berry provided the Board with a copy of the Stormwater Maintenance Plan as required by the Bylaw. Need an electronic version.

Construction Schedule: Mr. Berry reviewed the schedule as follows:
Year 1: Infrastructure to 90% completion; 14 units to be built in Phase 1
Year 2: Loop road finished to binder coat

Mr. Berry noted that the next step would be the drainage review with the Conservation Commission scheduled for June 10th. Attorney Latham and Mr. Berry requested that the Planning Board obtain a "not too exceed" proposal from David Varga for the final engineering review. Member Ian deBuy Wenniger suggested that one set of revised engineering plans for Planning and Conservation be drafted that would then be used for the final engineering peer review.

Draft of Special Permit: Attorney Latham then requested that he be allowed to participate in the drafting of the special permit. He offered to provide the Board with an initial first draft. It was the consensus of the Board to allow the Applicant's attorney to participate in the drafting process.

Public Hearing Extension Request: Clerk Janice Ablon made the motion to approve the continuance of the public hearing to the June 16th meeting; seconded by Member Gregor Smith; so voted 5-0.

The meeting was adjourned at 10:45 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator