

## **Topsfield Planning Board**

July 7, 2015

Chairman Morrison called the meeting to order at 7:35 PM at the Town Library. Board members present were Martha Morrison, Jeanine Cunniff, Joseph Geller, Steven Hall and Stephen Silveri. Roberta Knight, Community Development Coordinator was also present.

**Visitors:** Larry Beals, Jud Pratt, Barbara Pratt, Dick Gandt, David Bagley, Kim Sherwood, Margo Levitsky, Walter Levitsky, Thomas Schank, Jeffrey Garber, Attorney Philip Lake, Carol Decker, Bob Moffett, Katherine Carlson, Attorney Nancy McCann, Scott Cameron.

**Hickory Beech Subdivision As-Built Plans:** Project Engineer Larry Beals reviewed his revised proposal dated July 26, 2015 for engineering services to provide final as-built plans for the Hickory Beech Subdivision. Work has already proceeded as a good faith effort to close-out the project. The scope of services would include:

- As-built roadway conditions verified with inverts measured
- Response to the peer review comment letter dated November 13, 2014
- Confirmation of property markers

Mr. Beals informed the Board that he and David Bond, Stormwater Coordinator & Highway Superintendent, have walked the site. Bounds have been found and flagged. Stone bound property markers have been installed between lots 7 and 8, lots 8 and 9, lot 14 and bound on circle.

Ms. Knight noted that David Bond had emailed his recommendation to the Board that the members accept the revised proposal.

Upon ending the discussion with Mr. Beals, Member Joseph Geller made the motion to accept the Beals Associates revised proposal dated July 7, 2015; seconded by Clerk Steven Hall; so voted 5-0.

The Board directed Ms. Knight to draft a letter to TDBank North to access funds from the balance in the Schedule of Values to fund the required engineering in order to generate the final As-built plans for street acceptance.

**4 Wilmor Road:** The members executed the special permit for a temporary accessory apartment which was approved at its May 19, 2015 meeting.

**27R East Street ANR:** Mr. Pratt reviewed the ANR Plan for 27R East Street and 27 East Street which is a change in the lot line with the swap of two triangular parcels. This change would allow the Pratt's, the residents at 27R East Street, to construct a detached garage on the south west side of the lot. The members reviewed the checklist and found

that the side set back distance for the 27 East Street residence was missing and that clarification was needed relative to the abutters along the tongue of the property as it appeared on the 200 key and main map.

Clerk Steven Hall made the motion to approve the ANR Plan for 27/27R East Street contingent on correcting the mylar plan to include the side set back and clarification on abutters relative to the 200 key map and the main map; seconded by Member Joseph Geller; so voted 5-0.

**57 Perkins Row Definitive Subdivision:** At 8:15PM, Chairman Martha Morrison called to order the public hearing to consider the applications of New Meadows Development LLC pursuant to the provisions of Massachusetts General Laws, Chapter 41, Section 81 for a Definitive Subdivision Plan of Land at 57 Perkins Row in the Town of Topsfield, Massachusetts; and requesting a Stormwater Management Permit pursuant to the provisions of Chapter LI, the Topsfield Stormwater Management and Erosion Control Bylaw. Clerk Steven Hall read the legal notice for the record.

Attorney Nancy McCann made an initial presentation noting that the definitive plan for the 8 acre site in the IRA district with 5 proposed lots has been based on the preliminary review process which included meetings with the various department heads. The definitive plan that has been submitted for approval is a result of this process and based on the department and Planning Board comments.

Chairman Morrison addressed the audience and informed all those present that the definitive plan review was a lengthy process and further, that the Planning Board would not take any action until the Conservation Commission has rendered its decision and issues the Notice of Intent. For the abutters, this is the first meeting. The Conservation Commission will be holding a public hearing on July 15<sup>th</sup> relative to preliminary work in the resource areas. The public hearing for the Planning Board would remain open until all comments and required information is collected. The Board is expecting extensions and continuations relative to the review process.

At this time, Project Engineer Scott Cameron reviewed the definitive plan with the Board as follows:

- Sheet 1: Lists all information including the waiver requests for the 8.2 acre parcel.
- Sheet 2: Notes existing conditions which shows high area near Perkins Row, the contour of the lot drops down to wetland, then uplands, and down to the river. The lot abuts undeveloped land and two developed lots. The lot was developed in 1952 for a single family residence. The installation of the driveway created the wetland at the front end of the property. It shows the current configuration of the lot with a single family residence, artisan well, two utility poles and yard area.

- Sheet 3: Shows lot layouts and circle
- Sheet 4: Shows the 684 feet roadway from Perkins Row to the end of the cul-de-sac; four (4) homes on the cul-de-sac and one (1) smaller home in front; all showing lots showing dwelling unit, septic and driveway.

Roadway follows existing driveway till the wetland, then it straightens to a 24 feet width to the cul-de-sac. Waiver on width to be requested and roadway is fully designed to Town regulations.

Cul-de-sac shows a five (5) foot reduction in right-of-way which would require a waiver; and permeable pavement in center of circle for drainage.

No work in the buffer zone for the project except for the construction of the roadway. A closed drainage system is shown with catch basin in roadway.

- Sheet 5: Shows the roadway in the wetlands area and has been designed as a passable route for wildlife at the wetlands crossing; design notch reflects the same hydro conditions as the current existing conditions; the grading at the edge of the wetland to the top of the weir maintains ponding area which is the existing condition.

The review followed with a summary of the proposed stormwater system for the subdivision. The existing wetland was described as a “pocket wetland” with wildlife habitat value. The constructive wetland would also have wildlife habitat value with a replacement of better trees in the buffer zone. The project is designed using low impact design techniques with the added factor of removing evasive species in the mitigation area. The project would preserve 60 percent of the property.

Mr. Cameron also noted that the developers would be extending the water main 850 feet along Perkins Row to the subdivision which would be installed under a separate NOI. This infrastructure project would be a cost benefit to the Town in the amount of \$150,000.

Chairman Morrison queried as to the size of the proposed dwelling units. Mr. Cameron responded that the four (4) homes on the cul-de-sac would be 3,500 sq. ft. and the home on the front lot would be smaller at 2,400 sq. ft.

The Board at this time discussed the request for waivers with the Project Engineer. Chairman Morrison first noted that there was a request to reduce the vertical sight distance from 200 feet to 155 feet and queried as to the reasoning for this request. Mr. Cameron responded that 155 feet corresponds to 25 miles an hour speed and is better for the topography of the site with a 7 ½ % maximum at the peak of the curve.

Clerk Steve Hall noted that there was a waiver request to reduce the cul-de-sac by 2 ½

feet, and that the plan also shows a paver island in the center. Member Jeanine Cunniff noted that the Town will own the street and that the developer should be careful in its consideration of pavers relative to concerns of maintenance, drainage and stormwater. Mr. Hall then stated that he would like input from Highway Superintendent David Bond on this waiver request.

Chairman Morrison noted that the use of pavers would require a fair amount of maintenance and this is not the Town's responsibility in terms of stormwater management. A Homeowners Association would need to have this responsibility and the Board would need to review and approve the Association Agreement.

Ms. Morrison then addressed the audience explaining that the Planning Board may grant waivers if it is in the public interest, appropriate and consistent with the regulations.

Chairman Morrison then addressed the issue to access to undeveloped property and noted that the proposed road would qualify as a public right-of-way for the lots to the right on Perkins Row, however, there is no access for the five (5) undeveloped lots on the left of the proposed subdivision. Ms. Morrison noted that this is standard practice and would like to discuss this standard at the next meeting.

Chairman Morrison then proceeded to take questions and comments from the audience. David Bagley, Attorney Lake, Kim Sherwood, Katherine Carlson and Water Levitsky made comments relative to the street width of the proposed subdivision roadway, current stormwater and drainage issues for Perkins Row area and how the subdivision may increase these issues.

Member Jeanine Cunniff made the motion to continue the public hearing to August 18, 2015; seconded by Clerk Steven Hall; so voted 5-0.

**Release of 53G Account Funds:** Ms. Knight noted that there were remaining balances in three (3) outside consultant contracts: Patch Development, Montana Development, and Federal Construction for projects that have been closed-out by the Board. Clerk Steven Hall made the motion to allow Chairman Morrison to sign documents to the Town Accountant Pamela Wood to close-out the balances and return remaining funds to the developers; seconded by Member Jeanine Cunniff; so voted 5-0.

**Minutes:**

Member Joseph Geller made the motion to approve the minutes of April 21, 2015, as amended; seconded by Clerk Steven Hall; so voted 4-0-0. Member Stephen Silveri abstained.

Member Jeanine Cunniff made the motion to approve the minutes of May 12, 2015; seconded by Member Joseph Geller; so voted 3-0-0. Members Stephen Silveri and Steven Hall abstained.

The meeting was adjourned at 9:55 PM.

Respectfully submitted,

Roberta M. Knight  
Community Development Coordinator