

Topsfield Planning Board

July 20, 2010

Chairman Winship called the meeting to order at 7:45 PM. Board members present were Robert Winship, Janice Ablon, Gregor Smith, and Jonathan Young. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectman Dick Gandt and Steven Hall.

Minutes: Postponed to the August 3rd meeting.

Brady Lane Extension: The Board reviewed the legal opinion from Town Counsel Patricia Cantor relative to the Board's request as to whether the easement designations in the deeds and on the original Brady Lane subdivision plan are sufficient to provide access to the proposed subdivision. Town Counsel responded that it is the developer's responsibility to demonstrate to the Planning Board that he, the developer, has the legal right to develop the 40-foot wide easement as a public way. Further, that the Planning Board should require the developer to provide a written opinion from a title attorney demonstrating ownership of the easement and that the easement remains in existence. The Board requested Ms. Knight to forward the legal opinion to the Applicant and request that the required information be forwarded to the Board prior to the September 7th continued hearing.

The Board members also noted other issues. First, the ANR lot frontage does not meet the dimensional requirements for the district, and as such the Board questions as to whether the ANR lot is a legal lot. In addition, the proposed cul-de-sac dimensions do not meet the regulation requirements, and that the project requires excavation and deposit of materials within the floodplain which is not permitted under the Zoning Bylaw. Re-grading within the floodplain Zone A is part of the application and would require a waiver and special permit by the Zoning Board of Appeals.

English Commons Irrigation System: Chairman Winship informed the Board that he had a conversation with developer Alan Berry and had informed him that the system would need to be placed on the As-Built plan for the EHD development. Chairman Winship also noted that he has had discussion with Water Superintendent Greg Krom, and informed the members that the current Water General By-laws, DEP water withdrawal permit and local regulations do not restrict the installation of new irrigation systems. The systems whether part of the public water supply or a private well fall under the same restrictions and are under local control. The Water Commissioners have determined that English Commons may irrigate to establish groundcover, which is integral for erosion control, but once established, must follow the local regulations in place.

New Meadows EHD Development: Ms. Knight informed the Board that developer Frank Iovanella had contacted her regarding a request for a minor modification to the special permit. As a result of the decision to not build the reserve leach beds (BOH vote in 2009), the practice green would not have to be rebuilt and regraded. The developer is now proposing minor modifications relative to the re-location of the handicapped spaces and walkway serving said spaces, and regrading to preserve the existing practice green, including a 3-foot high landscape block wall. The Board directed Ms. Knight to place the matter on the August 3rd agenda and request Beals & Thomas to review the plans and submit written comments prior to the meeting.

Alfalfa Farm: The Board reviewed the memo from the Building Inspector Glenn Clohecy noting that according to the Bylaw site plan review for current agricultural and educational related activities at the site would fall under the purview of the Planning Board since no request for special permitting would be involved. Ms. Knight noted that Meridian Engineering had contacted her on the matter and would be representing the Applicant Richard Adleman.

The meeting was adjourned at 9:01 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator