

Topsfield Planning Board

August 7, 2012

Chairman Morrison called the meeting to order at 7:30 PM at the Town Library. Board members present were Martha Morrison, Janice Ablon, Steven Hall, Gregor Smith. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectman Dick Gandt; Glen Gollrad, Fred Lindberg , Lynne Brunaccini, Eric Cudmone, Chris Sparages, Thomas Mannelta, Debra DiBenedetto, James DiBenedetto, Daniel Ludmar, Paul Harder, Joanne Harder, Stephen Longmuir, Michael Cunningham, Sid Abruzahra.

Modification to Stormwater & Erosion Control Rules & Regulations: At 7:38 PM, Chairman Morrison called to order the continued public hearing to discuss and vote upon modifications to the Stormwater And Erosion Control Rules and Regulations relative to the amendments to the Stormwater and Erosion Control Bylaw approved at the 2012 May ATM. Said modifications pertain to definitions, permit requirements, enforcement and other procedural matters including concurrent permitting.

The Board continued its review. The Board discussed the revised version V2-IW-RG dated July 21, 2012 which included all accepted updates and formatting as of July 21, 2012 and Ian De Buy Wenniger's revisions in track change mode. The board proceeded to make a few minor modifications.

Chairman Morrison requested a motion to close the public hearing. Member Gregor Smith made the motion close the public hearing; seconded by Member Steven Hall; so voted 4-0.

Member Steven Hall then made the motion to accept the Stormwater & Erosion Control Rules & Regulations as amended; seconded by Clerk Janice Ablon, so voted 4-0. See attached final regulations.

Steward School Stormwater & Erosion Control Permit: At this time, Steward School Playground Committee Member Glen Gollrad reviewed the permit application and the scope of the project. The project scope is to remove the existing playground equipment and remove existing pressure treated timber play area enclosures and pervious wood mulch safety surfacing. Further, place loam and seed with grass, install new structures and recycled plastic timber enclosure, as well as new pervious wood mulch safety surfacing to meet code. There would be no change in the pervious surfacing of the playground area. Therefore, the Committee requested a waiver of the permit requirements.

Chairman Morrison noted that there would be no alteration to the drainage characteristics of the site and Stormwater/Conservation Member Holger Luther had walked the site and

agreed that there were no stormwater issues. Conservation Administrator Lana Spillman also is on the record that the project site is out of the Conservation Commission's jurisdiction.

Member Gregor Smith made the motion to waive the stormwater requirements since there was no proposed alteration to the drainage; seconded by Member Steven Hall; so voted 4-0.

89 Wenham Road Scenic Road Permit: At 8PM, Chairman Morrison called to order the public hearing on the special permit application of Peter Hebert by Fred Lindberg in accordance with M.G.L.c.40, § 15C to remove 5 feet of stonewall in order to extend an existing opening to construct a 12 foot wide driveway for a new single family home and remove two ash trees with 6" and 8" diameters at 89 Wenham Road, a designated scenic road.

Upon review of the application and documentation, the Board made the appropriate finding to grant a special permit. Member Steven Hall made the motion to close the public hearing and approve a scenic road permit for 89 Wenham Road as presented; seconded by Member Gregor Smith; so voted 4-0.

Scenic Road Rules & Regulations/Permit: Upon review of revisions of the Rules & Regulations and Special Permit Decision, of which said revisions included: (1) following the general filing procedures as outlined in the Topsfield Planning Board Rules And Procedures; (2) correcting the appeal period to a 60 day period in accordance with M.G.L. Chapter 249, Section 4; (3) deleting the Land Use Coordinator as an the enforcement agent and adding "any police officer of the Town of Topsfield", Member Gregor Smith made the motion to approve the revisions as presented; seconded by Clerk Janice Ablon; so voted 4-0.

Minutes:

Clerk Janice Ablon made the motion to approve the minutes of June 12, 2012 as written; seconded by Member Steven Hall; so voted 4-0.

Member Steven Hall made the motion to approve the minutes of July 17, 2012 as written; seconded by Member Gregor Smith; so voted 4-0.

89 Wenham Road Stormwater & Erosion Control Special Permit: At 8:15 PM, Chairman Morrison called to order the public hearing to consider the application of Peter Hebert for 89 Wenham Road pursuant to the Topsfield General By-laws, Chapter 51, Storm Water Management And Erosion Control for a stormwater management permit for the construction of a single family dwelling, septic system and driveway.

Engineer Thomas Manna reviewed the plan with the Board. Ms. Knight noted that Highway Superintendent David Bond acting in his capacity as the Board's Stormwater Coordinator has provided comments to the Board in which he has approved the plan with the condition that he would inspect the proposed devices and swale during the construction. The Board agreed with Mr. Bond's position.

Member Gregor Smith made the motion to close the public hearing and approve a Stormwater Management & Erosion Control Permit for 89 Wenham Road as shown on plan entitled "Drainage Detail Plan 89 Wenham Road"; Dated: July 5, 2012; Prepared by: Thomas Manna, Inc.; Prepared for: Peter D. Hebert; Owned by: by Peter D. Hebert and M. H. Aspesi, Trustees of 95 Wenham Road Trust subject to the following conditions:

1. The approval of the septic system by the Topsfield Board of Health as shown on said plan entitled "Drainage Detail Plan 89 Wenham Road", dated July 5, 2012.
2. Inspection of the proposed devices and swale during construction by Highway Superintendent/Stormwater Coordinator David Bond.

Seconded by Member Steven Hall; so voted 4-0.

120 Hill Street Lot 3 Scenic Road Permit: At 8:30PM, Chairman Morrison called to order the public hearing on the special permit application of James & Debra DiBenedetto by Daniel Ludmar in accordance with M.G.L.c.40, § 15C to remove 18 feet of stonewall in order to construct a 12 foot wide driveway for a new single family home on Lot 3 at 120 Hill Street, a designated scenic road.

Upon review of the application and documentation, the Board made the appropriate finding to grant a special permit. Member Steven Hall made the motion to close the public hearing and approve a scenic road permit for 120 Hill Street Lot 3 subject to placement as staked on site away from utility pole per David Bond; seconded by Member Gregor Smith; so voted 4-0.

120 Hill Street Lot 3 Stormwater & Erosion Control Permit: At 8:45PM, Chairman Morrison called to order the public hearing to consider the application of James & Debra DiBenedetto for 120 Hill Street, Lot 3 pursuant to the Topsfield General By-laws, Chapter 51, Storm Water Management And Erosion Control for a stormwater management permit for the construction of a single family dwelling, septic system and driveway.

Engineer Chris Sparages reviewed the plan with the Board. Ms. Knight noted that Highway Superintendent David Bond acting in his capacity as the Board's Stormwater Coordinator has provided comments to the Board in which he has approved the plan with

the condition that he would inspect the proposed devices and swale during the construction. The Board agreed with Mr. Bond's position.

There was discussion concerning the current run-off from the property. There is a 12" reinforced concrete pipe in which water flows to 139 Hill Street, the Cunningham property. The problem has been caused by the natural condition of exposed earth in the open field that runs to the corner of the lot with Rowley Bridge Road. Mr. Ludmar, the proposed buyer stated that he planned to seed the area with grass. Mr. Sparages then commented that there would be less water leaving the lot in post development. Based on Mr. Sparages review of the drainage plan, Mr. Cunningham stated that he was OK with the plan.

Prior to taking action, the Board informed the applicant and new proposed owner that if there are any problems in the future, the Planning Board has the right to address these issues. The Board also advised the applicant and engineer that future development of Lot 2 must take into consideration the calculations and determination on Lot 3.

Member Gregor Smith made the motion to close the public hearing and approve a Stormwater Management & Erosion Control Permit for 120 Hill Street, Lot 3 as shown on plan entitled "Septic System Design Plan #120 Hill Street (Lot 3), Topsfield, MA 01983"; Dated: July 18, 2012; Prepared by: Williams & Sparages LLC; Prepared for: Daniel & Jill Ludmar; Owned by: by James & Debra DiBenedetto of 120 Hill Street subject to the following conditions:

1. The approval of the septic system by the Topsfield Board of Health as shown on said plan entitled "Septic System Design Plan #120 Hill Street (Lot 3), Topsfield, MA 01983" dated July 18, 2012.
2. Inspection of the proposed devices and swale during construction by Highway Superintendent/Stormwater Coordinator David Bond.

Seconded by Clerk Janice Ablon; so voted 4-0

Membership: The Board then discussed the membership of the current Planning Board. Chairman Morrison explained that Gregor Smith, serving his ninth year and last year on the Board had agreed to move to the Zoning Board, and Chip Goudreau had agreed to be appointed to the Planning Board till the May 2013 election. Gregor Smith due to the Town's bylaw would not be able to run for another term. With this arrangement Gregor Smith would fill the Zoning Board's vacancy and remain active in land use affairs.

The meeting was adjourned at 9:36 PM.

Respectfully submitted,

Roberta M. Knight, Community Development Coordinator