

Topsfield Planning Board

August 18, 2009

Chairman Winship called the meeting to order at 7:50 PM. Board members present were Robert Winship, Janice Ablon, Gregor Smith, and Ian deBuy Wenniger. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectmen Martha Morrison and Dick Gandt, David Pratt, Sally Pratt, Gary Evans and other interested residents of Gail Street.

Minutes:

Clerk Janice Ablon made the motion to approve the minutes of June 16, 2009 as amended; seconded by Member Ian deBuy Wenniger; so voted 4-0.

Clerk Janice Ablon made the motion to approve the minutes of July 21, 2009 as amended; seconded by Member Ian deBuy Wenniger; so voted 4-0.

37 Gail Street Subdivision / Tree Line: The Board at this time noted that David Pratt of 45 Gail Street, a direct abutter to the new lot created at 37 Gail Street, had made a verbal complaint to the Board relative to the inaction of the owner and her representatives in replacing the tree line between the two properties. Mr. Pratt informed the Board that the newly constructed house was much higher, 19 ½ feet longer and sited farther back and closer to the adjoining lot line than was indicated on the Definitive Plan approved by the Board. On the plan a proposed tree line was shown along the adjoining property line.

Gary Evans was present and represented owner Rosemary Gangi and also reviewed the approved plans and pictures presented by Mr. Pratt. The house is sited directly in back of the Pratt's rear property line and there is no longer any privacy. Except for one Maple tree, all the trees along the lot line were removed for the construction. Mr. Pratt requested a tree line be planted along the lot line consisting of approximately 8 trees (arborvitae as a possibility) with a mature height of 8' - 10'.

The Planning Board recognized the need for buffer screening in the form of a tree line. The Board requested that Attorney Evans and Mr. Pratt work out an agreement as to what type of trees would be acceptable and continued the matter to the September 1st meeting.

Relocation of Exterior Condenser Unit at Library: The Board reviewed the letter and plan forwarded by Library Director Jaclyn White for the proposed new location for the exterior condenser unit which is part of the design for the Library's HVAC Repairs and Upgrade Project.

The Planning Board had no objections to the proposed new location as long as the unit would be screened with a natural privacy fence on the three exterior sides facing High Street, South Common Street and the Mahoney property. The Board would request that the Library Trustees update the abutters in regards to this exterior change in the proposed design. A meeting with the Board would not be required for this minor modification.

English Common Public Access to Open Space Trails: The Board discussed the issue of public access to the existing nature trails at 12 Boston Street. This issue is a concern of both this Board and the Board of Selectmen. Member Gregor Smith as part of this discussion reported on his site visit with Alan Berry and Larry Beals to review the area along Rowley Bridge Road in regards to locating the access trail referenced in several discussions that would, when cleared, connect the Rowley Bridge Road neighborhood to the English Commons Elderly Housing Development.

Chairman Winship noted that he queried the members of the Conservation Commission concerning access over the wetland area abutting Rowley Bridge Road. The Conservation members have responded that barring the existence of a rare species at the site they would be willing to consider a boardwalk to be constructed over the wetlands to provide the necessary access to the nature trails as noted in the Open Space Plan.

Since public access to the trails was part of the presentation at Town Meeting by the Applicant's Attorney Bradley Latham, the Planning Board members agreed that this was an issue that needed to be resolved as part of the special permitting process. The Board requested that Ms. Knight draft a letter to Alan Berry noting that the Board plans to discuss public access over the wetland at the September 1st continued public hearing.

Review of Documents: Chairman Winship discussed with the Board what documents they believed should be reviewed by Counsel. Member Ian deBuy Wenniger noted that all the documents should be reviewed. However, the Master Deed and Condominium Association By-laws should only be reviewed to determine if there was anything that would have an effect on the decision or conditions of the special permit. After further discussion, it was agreed that the members would review all the documents and have comments and questions for Town Counsel by the next meeting. Ms. Knight and Chairman Winship would consolidate the list of comments and forward to Town Counsel. The Applicants would need to be informed at the next meeting that funds would need to be made available for the respective legal reviews.

Beals & Thomas Request for Additional Fee: The Board discussed the peer review consultant's request for additional fees based on the fact that several supplemental reviews occurred in the reviewing process. The proposal costs were based on two reviews. Chairman Winship noted there is a basis for this request and would need to discuss additional funding with the developer at the September 1st hearing.

LID Guidelines: Selectman Morrison requested the Board to make a decision on the issuance of the guidelines. Chairman Winship noted the problem has been that there seems to be four versions of the guidelines and a determination must be made as to what version is the final version approved by the Board.

The meeting was adjourned at 9:55 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator