

Topsfield Planning Board

September 2, 2014

Chairman Morrison called the meeting to order at 8:00 PM at the Town Library. Board members present were Martha Morrison, Jeanine Cunniff, Ian De Buy Wenniger and Steven Hall. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectman Dick Gandt; Peter Ogren, Frank Iovanella, Anne LeBlanc-Synder, Anne Cutler, Carmen Frattaroli, Jeff Masterson, Michael McNiff, Paul Harder, Dan Butler, Debra DiBenedetto, Jim DiBenedetto, Glenn Ritter.

124 Hill Street Stormwater Issues: Attorney Carmen Frattaroli, the developer's representative, presented the Board with the As-Built Plan and special report by Peter Ogren of Hayes Engineering which is a peer review of the original stormwater calculations which were the basis for the approved plan. Attorney Frattaroli further noted the rain event in July was an extraordinary event which caused substantial run-off and that Mr. Iovanella, the developer, responded pro-actively by fixing the grading, cleaning the trench on Mr. Harder's property and hiring an independent engineer to perform a peer review of the original scientific calculations.

Chairman Morrison confirmed that Mr. Iovanella was very responsive, acted quickly, and did a wonderful job to stabilize the site and re-grade the lot.

Mr. Ogren noted that the rainstorm was an extraordinary event and that upon review of the original calculations he found them to be correct. Mr. Ogren further stated that the water issue is not from the Lot (124 Hill), but came from the cornfield. There is evidence that the water flowed underneath the wall and went across the street. He did note that there was a deficiency in the first basin which has been fixed as well as pooling at the end of the driveway which has also been corrected. Mr. Ogren then stated that the problem was exacerbated by the late corn planting and the direction of the rows which made the soils highly erodible. A discussion followed relative to the alignment of the rows in regards to the direction of the water flow.

Chairman Morrison noted that the As-built would need to be reviewed as to compliance with the approved plan and requested David Bond, the Stormwater Coordinator to review. Mr. Bond stated that he would review the plans, but noted that he was not an engineer. Ms. Morrison further stated that if the problem remains, the Board can require further corrective action. The new owner needs to be aware of the Operations and Maintenance Plan for the property and his responsibilities under the Bylaw.

Chairman Morrison then queried Mr. Harder, owner of 125 Hill Street, if he was satisfied with the repairs. Mr. Harder responded that he was satisfied with the repairs but was not convinced that it is corrected. He further stated that he believed that the Town should look at installing drainage on Hill Street to Rowley Bridge for a final resolution of the problem.

Member Jeanine Cunniff noted that she was uncomfortable about occupancy of the property since no one can confirm that the situation had been corrected until another storm occurs to test the improvements and re-grading. Chairman Morrison noted that the Board had no authority to hold up an occupancy permit.

142 High Street Stormwater Issues: At this time, Chairman Morrison requested Mr. Ogren of Hayes Engineering to explain his interpretation of the Stormwater and Erosion Control Bylaw as to why this property would not require a review and SWEC permit. He noted that the project at 142 High Street is not a hot spot by definition and does not take place in poorly-drained soils. As a result, exemptions contained in paragraph 51-5b.1 and 2 apply. According to the Bylaw these exemptions would allow up to 7,500 square feet of disturbance of land between 0 and 15% slope, and up to 4,000 square feet of disturbance of land between 15 and 25% slope, and no disturbance greater than 25%. The project area of disturbance at 142 High are 0 -15% slope – 7,312 square feet; 15-25% slope – 1,034 square feet for a total disturbance of 8,346 square feet.

Chairman Morrison responded that the intent of the Bylaw and the interpretation by the Planning Board has been the alteration of the total parcel for development. The Board does not view the parameters in a piece meal approach. The disturbance is changing the drainage characteristics for the entire lot. Therefore, based on the intent of the Bylaw the Board would require a stormwater review.

Mapping Committee: Clerk Steven Hall informed the Board that he has brought the issue of unaccepted streets to the Mapping Committee and the members of the Committee plans to look into how to get the existing streets accepted as town roads and would explore several approaches.

Subdivision and Zoning Amendments: Chairman Morrison at this time reviewed a list of matters that the Board should review for potential action as follows:

- Definitions in the Sub-division Rules & Regulations and in the Zoning By-laws should have same language;
- The plates need to be reviewed for street and drainage infrastructure;
- Review of street classifications;
- Review newer technology for drainage with the additions of storm septors such as biodifusers and underground chambers.

Minutes:

Member Jeanine Cunniff made the motion to approve the minutes of June 3, 2014 as written; seconded by Clerk Steven Hall; so voted 4-0.

Member Ian De Buy Wenniger made the motion to approve the minutes of July 1, 2014 as amended; so voted; 4-0.

The meeting was adjourned at 9:37 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator