

Topsfield Planning Board

November 17, 2009

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

Visitors: Selectmen Martha Morrison and Dick Gandt; Deborah Maloy and Mary Jane Doyle.

Minutes:

Member Gregor Smith made the motion to approve the minutes of October 20, 2009 as written; seconded by Member Jonathan Young; so voted 4-0.

Member Jonathan Young made the motion to approve the minutes of November 3, 2009 as amended; seconded by Member Gregor Smith; so voted 4-0.

42 Wenham Road Accessory Apartment Special Permit: At 8:00PM, Chairman Winship opened the public hearing to consider the application of Steven and Deborah Maloy for premises located at 42 Wenham Road requesting a special permit pursuant to Article VII, Section 7.03 of the Zoning By-law for the construction of a temporary accessory apartment.

Applicant Deborah Maloy reviewed the application with the Board. The temporary accessory apartment is part of a larger addition. In order to meet the setback requirements for the district, the present garage will be demolished and replaced with the apartment, laundry room & bath, and new garage. The Board noted that the plans lacked a statement as to the square footage of the apartment. The Applicant responded that the architect had designed the unit within the requirement of the Bylaw. Relative to the septic system, Ms. Knight noted that she had obtained the Board of Health's Certificate of Compliance for a four bedroom residential unit. She also had a copy of the unrecorded "Bedroom Deed Restriction" limiting the unit to four bedrooms. Said Restriction would satisfy the BOH septic requirements.

Member Jonathan Young made the motion to approve the special permit for a temporary accessory apartment at 42 Wenham Road subject to the conditions that the Applicant:

- Provide the Planning Board with documentation that the square footage meets the intent of the Bylaw.
- Provide the Planning Board with recorded copy of document entitled "Grant of Title 5 Bedroom Count Deed Restriction".

Seconded by Clerk Janice Ablon; so voted 4-0.

37 Gail Street/Antoria Way Release of Surety: Upon review of consultant David Varga's recommendation based on the Schedule of Values, Member Gregor Smith made the motion to make a partial release of surety funds in the amount of \$30,000 for the subdivision project; seconded by Member Jonathan Young; so voted 4-0.

Bylaw Amendments: Chairman Winship presented the members with a preliminary list for consideration as amendments for town meeting action in May 2010. The Board members and Selectman Chair Martha Morrison discussed the Scenic Road Bylaw and the Stormwater Bylaw as well as revisions to their respective Rules & Regulations.

Acceptance of Public Ways: Selectman Chair Martha Morrison informed the Board that the Essex County Registry of Deeds has completed research of county road records for the Town. This information would assist the Town in resolving the acceptance of public ways that were laid out by the county "as accepted streets".

The meeting was adjourned at 9:40 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator