

Topsfield Planning Board
November 17, 2015

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

Visitors: Nancy McCann, Scott Cameron, Larry Beals, Richard Kosian, Mark Cote, John Sarkis, Jeff Garber, Thomas Shank, Lucille Annis, George Annis, James McDowell, Kim Sherwood, Bill Calerman, Tom McAndrew, Martha Rose, Robert Rose, Jeff Roelofs, Philip Lake, Carol Decker, Francee Longmuir, Stephen Longmuir, Joanne Harder, Paul Harder, Stephen Raymond, Nathalie Meyfarth, George Meyfarth, Betsey Dempsey, David Larson, Nicolette Larson, Martha Sanders, Dan Shugrue, Dan Ludmar, Dick Gandt, David Finn Jim DiBenedetto, Debra DiBenedtto, Susan Cunningham, Bill Guinee.

57 Perkins Row: At 8:00PM, Chairman Morrison called to order the continued public hearing to consider the applications of New Meadows Development LLC pursuant to the provisions of Massachusetts General Laws, Chapter 41, Section 81 for a Definitive Subdivision Plan of Land at 57 Perkins Row in the Town of Topsfield, Massachusetts; and requesting a Stormwater Management Permit pursuant to the provisions of Chapter LI, the Topsfield Stormwater Management and Erosion Control Bylaw.

Chairman Morrison requested a status report from Beals & Thomas, the peer review engineers. Mr. Richard Kosian in his response referred to the two peer review letters to the Planning Board dated November 10, 2016 and November 16, 2015 [*November 16th letter covered joint issues with Conservation*]; and further, that he thought that the project was in good shape relative to the Planning Board subdivision regulations. There was a remaining issue to be addressed as a result of the site visit relative to the 60 ft. pin oak which would need to be removed under the current design [*Refer supplemental letter dated November 16, 2015*]. However, the stormwater management issues were integrated with the Conservation Commission's notice of intent review. Beals & Thomas would be responding to these issues at the Commission's meeting the next evening. He further stated that many issues have been addressed. The Commission's decisions would impact the final review of the stormwater management issues.

Chairman Morrison then initiated a review of the requested Planning Board waivers as follows:

Pavement width: Request is the reduction of pavement width from 26 ft. to 24ft. Project Engineer Scott Cameron responded that the request is based on minimizing the impact to the wetlands and stormwater requirements. There are only 5 lots on a short road and this would be in keeping with the neighborhood since Perkins Row is a very narrow road.

Cul-de-sac R.O.W. radius: The request is in the standard width of the right-of-way with the pavement radius at full width. Mr. Cameron noted that this would allow for flexibility in the lot development layout and would have no impact on buffer zone, nor to the original creation design of 5 lots. The Committee members discussed this waiver at length. The main concern of the Committee which was noted by Member Jeanine Cunniff was having sufficient space to handle snow removal and storage of snow during the winter months.

Modify Typical Cross Section: This request as noted by Mr. Cameron and also relates to the side slope for minimizing the impact to the wetland crossing which is a concern for the Conservation Commission.

Pavement Structure: No longer applicable since the island pavers have been removed from the definitive plan.

Grass Strip: In conjunction with the modification of the cross section, this waiver would remove the grass strip between the sidewalk and the paved roadway at the wetland crossing.

No light poles: This request is for no street lights for the development along the roadway.

Drainage pipe: This request is for the use of HPDE and DI drainage pipe in lieu of RCP.

Vertical stopping sight distance: This request has been withdrawn since the Applicant has reduced the design speed of the road to 25 miles which is compatible with the road width.

Mr. Cameron noted that Superintendent David Bond was in agreement with the waiver requests; and in regards to the pipe waiver, Mr. Bond has requested that it must be slip joint style pipe with a rubber gasket at each connection. This would not be an issue according to Mr. Cameron.

Chairman Morrison asked for comments from those present. Attorney Philip Lake and Kim Sherwood presented comments relative to the cul-de-sac radius and the roadway width respectively.

Peer Review Engineer Richard Kosian responded that neither the cul-de-sac waiver request nor the 24 ft. width request would effect the design of five lots and to avoid wetland issues. Without the waiver requests, the developers could still get five lots. He further stated that a 24 foot roadway width was very common for a development of this size.

Ms. Sherwood queried as to why the roadway could not go back to the 26 foot width beyond the wetland crossing? Scott Cameron replied that with a short length of the road, irregularities would exist and make plowing and maintenance very difficult.

At this time, Mr. Kosian referred to the peer review supplemental letter dated November 16, 2015 relative to the 60 inch pin oak that would have to be removed based on the current roadway design. Chairman Morrison noted that the referenced tree is considered a “champion tree” and verification of its diameter and general conditions would be required under the Town’s regulations. She recommended that a certified arborist be employed. Mr. Cameron noted that the Conservation Commission had already solicited an arborist for a conditions report. He also noted that if the tree remains the modified roadway design would have a much greater environmental impact to the vegetated wetlands.

The discussion continued in regards to a low light at the corner with Perkins Row. Chairman Morrison noted that she would like to see a proposal that would not be intrusive to the neighbors.

Chairman Morrison asked Mr. Cameron if the Conservation Commission was using the same version of the development plan. Mr. Cameron responded yes to the question. Ms. Morrison then addressed the board members noting that the Conservation Commission would be meeting the next evening and it would be helpful to give the Commission information as to where the Planning Board stands relative to the waivers. After a short query, it was the consensus that the Board members were essentially in agreement that the roadway would be short and 24 feet in width. Although essentially in agreement with the cross section and other waivers, Ms. Morrison informed the public that no votes would formally be taken at this time. A further discussion would be required relative to the cul-de-sac radius concerning the full right-of-way. The Planning Board still requires the issuance of the Order of Conditions by the Conservation Commission before it can formally act on the subdivision’s final approval and the stormwater management permit.

Member Jeanine Cunniff made the motion to continue the public hearing for 57 Perkins Row to December 1, 2015 at 7:30PM; seconded by Clerk Steven Hall; so voted 5-0.

116-120 Hill Street: Chairman Morrison opened the discussion concerning the preliminary subdivision application. The Chair stated that the revised conventional plan dated October 30, 2015 submitted to the Board met the requirements of the Town’s regulation and can be built. Chairman Morrison then queried Attorney Nancy McCann, the Applicant’s representative, that if the Planning Board determines that the conventional plan is what they would approve, can the Applicant live with that decision?

Attorney McCann responded that from a design standard, the preference would be the open space development plan. Ms. McCann further requested to allow Project Engineer Scott Cameron to move forward with his presentation of the various schematic designs developed during this planning process.

Mr. Scott Cameron then commenced his presentation. He presented two aerial views of the property imposing the conventional plan roadway and the open space plan roadway with buffer zone and other topo markings. It was previously noted at the October 13th meeting that the open space roadway opening did not meet the standards. At this time, Mr. Cameron reviewed the plan sheet of the open space development plan with said opening at a width of approximately 250 feet. Mr. Cameron then proceeded to review the open space plan which he believed is the best design plan for the site noting that the aerial photos shows the 67 acre parcel currently with a double wide driveway currently in place which has been the case for the past 20 to 30 years. One drive leads to 116 Hill Street and the other drive proceeds to 120 Hill Street. He also noted that in his interpretation of the bylaw, a double barrel road is not required [*which is not the position of the Planning Board*]. He further noted that the plan had two points of access on Hill Street and a gravel driveway on Rowley Bridge Road.

In reviewing the overall site, the following was noted:

- Successful perc tests throughout the site range between 5 to 15 minutes per inch
- Well drain soil throughout the site
- Wetlands work well and there is a wetland delineation in place for the property
- Groundwater is 4 to 5 feet
- On average the slope is 15% with some areas at 3:1

He followed by highlighting those elements of the open space design that would fit the site to its best potential in keeping with the town's 2005 and 2010 Open Space Plans and would limit the environmental impact with still promoting new growth. The open space development would protect 50% of the site with 34 acres of protected open space. The lots would have reduced frontages. The road width instead of 26 feet would be two (2) 10 feet tandems with one way in and one way out with a road separation of 100 feet. Driveways would be in same spot as in the conventional plan with deeper lots. There is a small driveway off of Rowley Bridge Road.

Further, Mr. Cameron noted that during the planning stage, the connections to other open space properties had been looked at. The open space wraps around the property and would connect to other open space properties to create a trail network to the English Common trail. He then reviewed the sizes of the house lots which would be 1.4 acres on average that would be deeper and wider than in the conventional plan. This statement was challenged by the Planning Board members.

Chairman Morrison requested an overlay plan of the trails on the site plan. It was also noted that the open space at this site was wetlands and buffer zone which already protects most of the proposed open space land. Ms. Morrison went on to say that in an open space plan the open space must be opened to the public and as such the public requires access. It is the Planning Board's determination as to the value of the open space to the public interest. Moreover, the open space should be contiguous, not clustered as in the plan. Ms. Morrison also noted that in the open space plan the stormwater basin were located in the open space areas. Stormwater must be managed within the infrastructure of the subdivision and maintained by a Homeowners Association. Then Chairman Morrison

commented that it was the choice of the Applicant as to whether to file a definitive plan moving forward.

Attorney McCann responded that this was a planning process and suggested that a site walk be scheduled for the members. Some of the members stated that they would participate but schedules were limited at this time of year.

Chairman Morrison then queried the audience for comments.

Attorney Jeffry Roelofs informed the Board that he had been retained by neighbors to represent them during the review process. He then handed the members copies of a handout of excerpts highlighting important elements of the Subdivision Rules & Regulations, Stormwater Bylaw, Stormwater Regulations and Zoning Bylaws as they may pertain to this application. Refer to attachment for specific details. He also informed the Board that he has contracted the services of Horsley Witten Group to review stormwater calculation.

Resident Stephen Longmuir stated his concern relative the run-off from the property affecting the neighbors across the street. This issue has not been resolved and his property has experienced extensive damage.

Thomas Warren noted his primary concerns were run-off and traffic.

Dan Shugrue queried as to whether there would be a traffic study. The answer was yes.

The preliminary plan review was continued for discussion to 8:15PM at the December 1, 2015 meeting.

470 Boston Street Proposal: Developer John Sarkis presented to the Board his conceptual design plan for the development of 470 Boston Street as a senior housing development of 30 duplex units. He noted that the parcel of land would require a zoning change for an Elderly Housing Overlay District and that would require town meeting action. Mr. Sarkis further stated that he was in the beginning stages of the conceptual design planning of the 14.3 acre parcel of which 9.5 acres are deemed buildable. He has reviewed the established wetland line, the Order of Conditions, the perc tests, and drainage and hydrology studies completed for previous projects as a commercial park and a senior development.

Mr. Sarkis noted that he has done research relative to the possible uses of this parcel. There is no interest in developing a commercial park on this site. He stated that he has contacted various assisted living organizations as well and there is no interest to build in this area since the market is saturated. Although the Town has several senior developments, Mr. Sarkis noted that at his market price point of this conceptual plan a good percentage of Topsfield residents could afford to purchase the units. His price point depends on the level of density for the project. If the number of units is expanded with 1

bedroom with single garage homes, the price point could go into the \$400,000's; however, at the time the unit would be priced in the \$500,000's with a cap of \$600,000.

The Board members and Mr. Sarkis discussed the elements of the conceptual plan and noted that he would need a more definite site plan to present to town meeting and as such the issues that would need to be resolved would be by parking, access and density of the units. The members discussed the placement of septic systems, single driveway, interior drives for units, length of cul-de-sac, street opening, emergency access; all of which need to meet the subdivision control rules and regulations.

Chairman Morrison noted her concern over the density of the project and requested additional information regarding the side setback distances between the units. Ms. Morrison also noted that the Town has six (6) senior developments. The last two EHD's approved by town meeting had benefit to the Town in the preservation of open space which is not the case for this proposal.

Member Jeanine Cunniff added that there is concern by a significant number of voters as to the need for additional senior developments and this would be part of the town meeting discussion.

It was the consensus of the Board to request Mr. Sarkis to return for continued discussion as he fine tunes his conceptual plan. It was agreed that the 470 Boston Street senior development proposal would be placed on the January 19, 2016 meeting agenda.

19 Evergreen Lane: Chairman Morrison opened the deliberations to consider the modification request of George Annis in regards to the stormwater plan approved by the Planning Board on October 13, 2015 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.

Project Engineer Larry Beals reviewed the requested modification to the approved SWEC Plan dated August 21, 2015; Revised October 13, 2015. The modification consists of grade changes to (1) eliminate the retaining wall and railing between Lot 20 and the neighboring lot and (2) for a walkout basement at the rear of the proposed dwelling. A stormwater detention system has been designed to be located under the paved driveway for stormwater maintenance.

Peer Reviewer Richard Kosian informed the Board that his recommendations and comments have been addressed and that he approved the plan as currently designed.

Member Jeanine Cunniff made the motion to approve the modification to the original permit with same conditions; seconded by Member Joseph Geller; so voted 5-0.

67 Perkins Row: Chairman Morrison commenced the deliberation of the application by Montana Development LLC 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. Ms. Morrison informed the members that this was a “pass thru” application based on the Conservation Commissions Order of Conditions since the project is entirely under the jurisdiction of the Conservation Commission. Project Engineer James McDowell was present for the discussion and noted that the new house would have a smaller foot print (1/2 the size) of the existing footprint; therefore less impervious soil.

Member Jeanine Cunniff made the motion to approve the Storm Water Management And Erosion Control special permit for 67 Perkins Row based on the recorded Order of Conditions #307-0729: seconded by Clerk Steven Hall; so voted 5-0.

The meeting was adjourned at 10:40 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator

Per the Open Meeting Law, the documents that were either distributed to the THBC before the meeting in a packet, or at the meeting were:

1. Agenda
2. Open Space Plan Street Opening Sheet
3. Aerial View Photos of 116-120 Hill Street Site
4. Proposal for Zoning Change to EHD Overlay – 470 Boston Street, dated October 29, 2015
5. 470 Boston Street Conceptual Site Plan

Approved as written at the _____ 2015 Planning Board meeting.

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Committee as to the completeness or accuracy of such statements.