

Topsfield Zoning Board of Appeals

August 17, 2010

Clerk Kristin Palace called the meeting to order at 8:00 PM. Board members present were Bob Moriarty, Kristin Palace, Scott Dow, David Moniz, Lisa Stern-Taylor and Alternate Tony Penta. Chairman Bob Moriarty arrived at 8:15PM. Roberta Knight, Community Development Coordinator was also present as well as the applicants, their representatives and interested residents. See attendance sheets for specific public hearings.

33 Central Street: At 8:00PM, Clerk Kristin Palace called to order the public hearing to consider the application of Christopher & Pamela Dindo for premises located at 33 Central Street, a non-conforming lot, requesting a finding pursuant to Article III, Section 3.05 of the Zoning By-Law relative to the construction of an in-ground swimming pool.

Chris & Pamela Dindo were present as well as pool representative Marlene Bent of Custom Quality Pools who noted that the construction of the 18' x 46' pool would take approximately four to five weeks and that the company has received approval from the Board of Health and the Conservation Commission relative to said construction in the rear area of the lot.

Member Lisa Taylor made the motion to approve a finding pursuant to Section 3.05 of the Topsfield Zoning By-law that the construction of an in-ground swimming pool would not be substantially more detrimental or objectionable to the neighborhood; seconded by Clerk Kristin Palace; so voted 5-0.

362 Boston Street Continued Hearing: At 8:17PM, Chairman Moriarty called to order the continued hearing to consider the application of Walsh Properties, LLC for premises located at 362 Boston Street for the demolition and removal of all existing structures and the redevelopment of the property for retail and office uses requesting (1.) variance relief pursuant to Article IV, Section 4.12 D Parking and Section 4.02 Table of Dimensional and Density Regulations; Article XI Groundwater Protection District Sections 6.1, 6.2.4 & 6.2.5 and alternatively requests office and retail uses in this district by special permit under Article XI, Section 6.3.5; (2.) special permit relief to allow various potential retail uses on the property pursuant to Article V, Section 5.04 and Article III, Table of Use Regulations Sections 4.02 thru 4.9, Sections 4.12A, 4.12B, 4.12D, 4.12E, 4.16, 4.17, Sections 4.24 thru 4.27, Section 5.10; and (3.) site plan review pursuant to Article IX of the Topsfield Zoning Bylaw.

Attorney Donald Borenstein, the Applicant's legal counsel, was present to discuss the peer review proposals from BSC Group Inc., Vanasse Hagen Brustlin Inc., and Beals & Thomas Associates Inc.. He informed the Board that the cost estimates were very high relative to the size of the site and that the Applicant's budget for peer review was \$5,000. He requested that the Board seek additional proposals. The Board agreed to request a

proposal from Hancock Associates Inc. Attorney Borenstein stated that he would contact Cammett Engineering to see if they would be making a proposal.

Attorney Donald Borenstein handed the Board a written request to extend the public hearing to September 28, 2010; and approved by a motion from Clerk Kristin Palace; seconded by Member Scott Dow; so voted 5-0-0. Member David Moniz abstained.

Minutes: Chairman Moriarty made the motion to approve the minutes of July 27, 2010 as written; so voted 5-0.

The meeting was adjourned at 8:35 PM

Respectively submitted,

Roberta M. Knight
Community Development Coordinator