

Rolling Green

An Age Restricted Residential Community

Located at:

470 Boston Street
Topsfield, Massachusetts

Applications for:

Special Permit

Site Plan Review

Stormwater & Erosion Control Permit

Submitted to:

Town Clerk
October 20, 2016

By:

Sarkis Development Company
2 Elm Square
Andover, MA 01810

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SARKIS

DEVELOPMENT COMPANY

October 19, 2016

Topsfield Planning Board
8 West Common Street
Topsfield, Massachusetts 01983

**RE: Rolling Green, 470 Boston Street
Special Permit for Elderly Housing
Stormwater and Erosion Control Permit
Site Plan Review**

Dear Members of the Board:

We are hereby submitting applications for a Special Permit for Elderly Housing, a Stormwater and Erosion Control Permit and Site Plan Review for Rolling Green, located at 470 Boston Street (Route 1), Topsfield, Massachusetts.

Rolling Green is a proposed age-restricted community of thirty (30) residences in side by side duplex fashion, located on a thirteen+ (13+) acre parcel adjacent to the Topsfield/Ipswich town line fronting on and accessed from the west side of Route 1.

In May of 2016, Topsfield Town Meeting voted to place the subject property in the Elderly Housing Overlay District. Since that time an Order of Resource Area Delineation has been issued by the Topsfield Conservation Commission (see Appendix G). We expect to file a Notice of Intent with the Conservation Commission and DEP within the following week or two.

Although the site was previously improved with one single-family house, much of the parcel remained undeveloped and wooded until the 1990's. The single-family home which is essentially dilapidated and unsafe will be demolished.

There are wetland resources present at the northerly and easterly edges of the property. These have been reviewed and approved under an Order of Resource Area Delineation. The plans submitted herewith have been prepared showing the delineation approved under the Order. The proposed area to be developed is largely the open, central area of the site and for the most part outside of the 100' Buffer Zone of the wetland resources. Approximately 47% of the site will remain as undisturbed open space.

The subject premises has been improved with a roadway approximately 400' long, leading into the open central area of the site. Primary access to the site is proposed to be from this existing roadway connecting to Route 1. The existing roadway was designed to meet the then current standards for subdivision roads when constructed, but was not constructed as part of a subdivision. It was originally intended to serve as access to a proposed business park. The design of its intersection with Boston Street and its placement was approved under an Access Permit issued by Massachusetts Highway Department in 1996. A certificate of

compliance for its construction was issued by Department of Environmental Protection in 1996. The proposed primary access site driveway for Rolling Green simply extends this roadway into the proposed project. An initial assessment of the traffic circulation for the project was conducted by Vanasse & Associates, Inc. (see Appendix I). Their initial assessment concludes that the proposed primary site driveway provides safe vehicular access to all dwelling units. A secondary, emergency means of access is also proposed to connect Boston Street to a point on the primary site driveway approximately 310' in from Boston Street. It's location on Boston Street is essentially aligned with a driveway that once accessed the abandoned dwelling. This secondary access is proposed to be gated at both ends, and used only in emergency. It will require a new Curb Cut filing, review and permit from Mass Highway Department.

An entrance sign is proposed south of the intersection of the site driveway with Boston Street. The design calls for a single post, with a fixed vertical banner style sign, externally lit, and bearing the words Rolling Green. The applicant also wishes to obtain the Board's approval to install a temporary sales sign for the duration of the marketing of the project, plans and specifications to follow.

A copy of the Stormwater Management Report is included in this filing. This report addresses existing and proposed hydrology as well as inspections, operations and maintenance of the stormwater management system. Also included are copies of the test pit logs from soil testing conducted on the site in conjunction with the design of the stormwater systems.

Please refer to the enclosed Project Narrative addressing the standards of the Elderly Housing District as well as the statutory standards of Special Permits. As this project does not involve a subdivision of land under the Subdivision Control Law (as the site remains one lot and no lot line changes are being made) and the site access is a driveway and not a "road", we have also provided a list of requested waivers from the roadway standards as are contained in the Topsfield Rules And Regulations Governing the Subdivision of Land. To the extent required, we also list the waivers that would be necessary in order to implement the Low Impact Development ("LID") techniques for the management of stormwater on the site.

Beyond the filing fees submitted herewith, we expect to pay mutually agreed upon additional fees for the peer review of the Site Plan, with reasonable and appropriate time frames for the completion of the review to be included in the peer reviewer engagement agreement.

Enclosed please find:

- **One original and sixteen (16) copies of the completed Special Permit applications, supportive materials and appendices.**
- **One original and sixteen (16) copies of the completed Stormwater and Erosion Control Permit application.**
- **Two (2) complete full-sized sets of plans entitled "Site Development Plans for Over 55 Residential Development; 470 Boston Street, Topsfield, MA, prepared by Allen & Major Associates, Inc., Brown Sardina, Inc, & Eaglebrook Engineering and Survey, Inc. dated October 13, 2016.**
- **Seventeen (17) 11 x 17 sets of reductions of the above plans.**
- **Nine (9) copies of a Stormwater Management Report, prepared by Allen & Major Associates, Inc., dated October 13, 2016. (Including Drainage Test Pit Logs)**

- **Check in the amount of \$1,000.00 as payment of the filing fee for an Elderly Housing Special Permit.**
- **Check in the amount of \$6,167.00 as payment of the filing fee for the Site Plan Review**
- **Check in the amount of \$948.70 as payment of the filing fee for the Stormwater and Erosion Control Permit.**
- **A compact disk containing all of the written material as well as copies of all of the plans submitted.**

We would respectfully request the opportunity to communicate with the Board and the Town staff as to conditions in its decisions that would be material. For example, if the Board issues a permissive decision, the applicant would request a condition allowing the issuance of building permits while the site infrastructure is being constructed.

The applicant respectfully requests that the Board give proper public notices (by mailings, postings and publications) and hold public hearings and thereafter issue an Elder Housing Special Permit (Section 3.16), Stormwater and Erosion Control Permit and Site Plan Review Approval (Article IX) with the waivers as requested.

Please consider this letter and all enclosures to be part of the submission. Please feel free to contact me office should you have any questions or require additional information. I and my team of consultants look forward to presenting the project in detail at the public hearings.

Lastly, I wish to thank the Board for their willingness to meet informally, on several occasions prior this formal submittal and provide their input on the general design matters. I believe we had a very productive dialogue in those meetings which will hopefully expedite this formal review process. Thank you again.

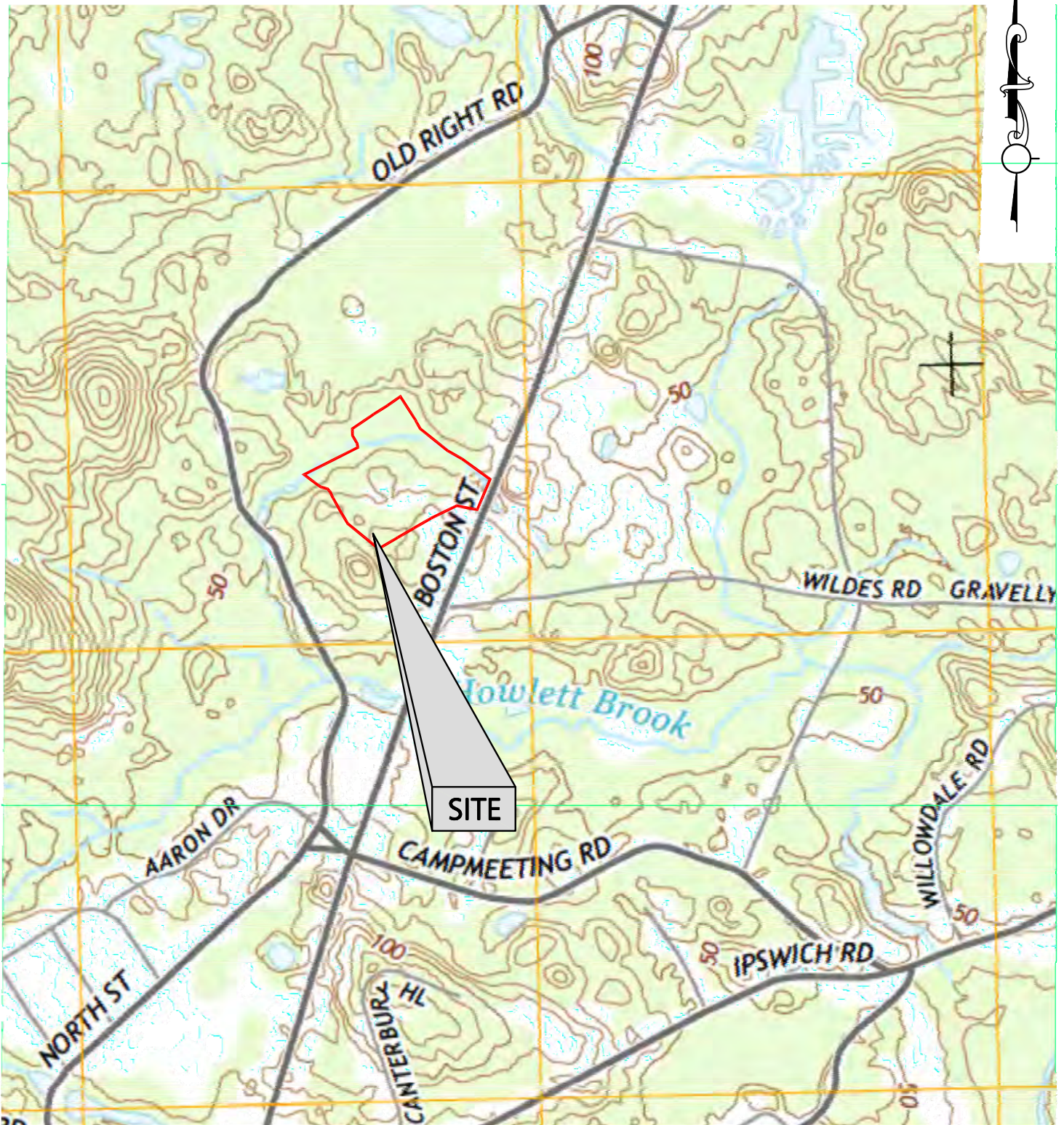
Sincerely,



John Todd Sarkis

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**PROJECT:
RESIDENTIAL DEVELOPMENT
470 BOSTON STREET
TOPSFIELD, MA**

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USGS SITE LOCUS MAP

PROJECT NO. 2165-01A	DATE: 09-09-16
SCALE: 1"=1000'	DWG. NAME: EXHIBITS
DESIGNED BY: SM	CHECKED BY: RB

THIS DRAWING HAS BEEN PREPARED IN ELECTRONIC FORMAT. CLIENT/CLIENT'S REPRESENTATIVE OR CONSULTANT MAY BE PROVIDED COPIES OF DRAWINGS AND SPECIFICATIONS ON MAGNETIC MEDIA FOR HIS/HER INFORMATION AND USE FOR SPECIFIC APPLICATION TO THIS PROJECT. DUE TO THE POTENTIAL THAT THE MAGNETIC INFORMATION MAY BE MODIFIED UNINTENTIONALLY OR OTHERWISE, ALLEN & MAJOR ASSOCIATES, INC. MAY REMOVE ALL INDICATION OF THE DOCUMENT'S AUTHORSHIP ON THE MAGNETIC MEDIA. PRINTED REPRESENTATIONS OF THE DRAWINGS AND SPECIFICATIONS ISSUED SHALL BE THE ONLY RECORD COPIES OF ALLEN & MAJOR ASSOCIATES, INC.'S WORK PRODUCT.

SHEET No.

EX-1



PREPARED BY:



EX-4

Project Narrative

Rolling Green

470 Boston Street
Topsfield, Massachusetts

Applications for

Special Permit, Topsfield Zoning By-Law Section 3.16, 5.04

Site Plan Review, Topsfield Zoning By-Law Section 9.07

Storm Water & Erosion Control, Chapter L1

Topsfield Zoning By-Law:

As it pertains to the standards for Topsfield Elderly Housing District, the proposed project complies with Section 3.16.C.1 standards as follows:

a. The Planning Board shall find that the proposed plan of development is in harmony with the purposes and intent of this By-law as set forth herein.

Rolling Green is a proposed age restricted residential development of 30 units in duplex town house colonial style buildings. It will provide a much needed form of living arrangements, designed to suite the specific needs of the elderly. It will comply with all applicable health regulations. It will exceed or comply with all applicable fire and safety codes. Its proposed density is significantly below the allowable density for the proposed use, therefor it will not cause an overconcentration of population. All utilities will be designed and provided through state of the art measures. Vast areas of the site are proposed to remain in their natural state. Vegetative buffers are provided where applicable. The majority of the proposed construction is unseen from public ways. The style of the architecture proposed is complimentary and consistent with architecture commonly found in Topsfield.

b. Where land is to be developed for multifamily residences for the elderly, the site shall contain not less than 10 acres.

The subject parcel contains 13.24+/- acres of land in Topsfield, fulfilling this requirement.

c. All elderly housing shall be owned and controlled by a non-profit organization or by the Town or jointly so far as permitted by law; or by a Cooperative Housing Corporation organized pursuant to MGL Ch. 157B, jointly with the Town or otherwise or under declaration for condominium organized pursuant to MGL Ch. 183A.

Rolling Green will be established as a condominium and controlled by a condominium association organized pursuant to MGL Ch. 183A.

d. All newly constructed housing developed in an Elderly Housing District shall have no more than five (5) dwelling units per acre of buildable area.

The subject parcel has approximately 9.45+/- acres of buildable area in Topsfield as defined by the ZBL Section 1.10. A total of 30 units are proposed. The proposed density under this provision is therefore 3.17 units/acre of buildable area, well below the maximum allowed.

e. All buildings, including accessory buildings, shall cover not more than thirty (30%) percent of the buildable area of the site.

The building coverage of the proposed project is 10% of the buildable area of the site, well below the maximum allowed.

f. The site shall have frontage of not less than fifty (50) feet on a public way.

The subject parcel has 236 feet of frontage on Boston Street (Rt1), a public way.

g. Every structure in an Elderly Housing District shall be so located so as not to extend closer than thirty (30) feet from the street line.

The nearest proposed structure is approximately 242' from the street line.

h. The proposed plan shall provide that there shall be on the site off-street parking of not less than six (6) or more than eight (8) parking spaces for each three (3) elderly dwelling units contained in the development. Parking spaces within a garage shall be counted toward the required number of parking spaces.

The proposed plan provides a total of 56 garage parking spaces and 18 outside visitor parking spaces for a total of 74 spaces. For the thirty (30) units proposed, the minimum number of spaces allowable would be 60. The maximum allowable would be 80. The 74 proposed spaces complies.

i. Roads and ways within the development shall be constructed in accordance with the Planning Board Subdivision Regulations with such waivers, if any, as the Planning Board deems appropriate.

The proposed site driveway will provide safe and adequate access to and from all of the dwellings. The main entrance and first 250 feet extending from Route 1 is constructed substantially in accordance with the SRR. The total length of main road within the project, as described/defined in Sec. 5.1.4 of the SRR is approximately 1,450 feet. As proposed, a "loop" configuration, an emergency access road, and a separate driveway area for access to mailboxes provide two means of access/egress to all but approximately 125 feet of the proposed way. For approximately 70 feet of that portion with single access, the proposed width has been increased to 30 feet.

Meandering sidewalks have been proposed, which are more consistent in with the proposed multifamily design.

Curbs are proposed substantially consistent with the SRR.

The horizontal and vertical alignments of the proposed driveway is in substantial compliance with the SRR.

Hydrants are proposed in substantial compliance with standards set forth in SRR. The proposed design incorporates Low Impact Development techniques for storm water management, which is not in strict compliance with the SRR.

A list of requested waivers is attached as Appendix C.

j. The entire site shall be a size and shape as shall provide a housing site which will be in harmony with the natural terrain and other features of the site and will preserve natural vistas and the existing rural or other character of the neighborhood.

The proposed design substantially limits the alteration of the site primarily to the open central portion of the fields and previously disturbed areas. The limit of work is largely contained within an area of very level topography. The majority of the buildings will not be easily visible from adjacent public ways. No building or any portion thereof is proposed to be nearer to a lot line than thirty (30) feet. Vegetative buffers have been proposed in areas where the buildings abut occupied adjacent properties. The proposed duplex colonial style structures are of similar size and character to many other residential structures in Topsfield. The design preserves all of the wetland resources protected under the Massachusetts Wetland Protection Act. No wetland crossings are proposed. Little work is proposed within the 100' buffer zone, essentially all of which is related to providing safe access. Approximately 47% of the site will remain undisturbed.

k. The site shall be supplied with a water system approved by the Planning Board with the advice of the Water Department, adequate to meet the needs of the units constructed on the site.

The site will be supplied with a municipal water system. An existing water main extending from Boston Street is "stubbed" into the subject property. A portion of that is proposed to be relocated. The Topsfield Water Department was consulted on the specifics of the design.

l. All dwellings must be served by adequate sewage treatment facilities or an on-site sewage disposal system approved by the Board of Health or other appropriate approval agency

The dwellings will be served by on-site sewage disposal systems, utilizing the Presby technology, in full compliance with Title V of the State Sanitary Code and the Town of Topsfield Board of Health Regulations. The applicant has consulted with the Board of Health prior to the design. Copies of the test pit logs for the witnessed testing on the site are included with this submission.

m. No site on a plan for which an approval is granted under this section may be subdivided so as to create additional buildable lots and a notation to that effect shall be shown on the Site Plan.

The Site Plan includes such a note stating that the property in Topsfield subject to the Special Permit shall not be further subdivided.

n. Elderly dwellings constructed under this section shall not be eligible for subsequent conversion to conventional apartments.

Rolling Green will be a condominium form of ownership and as such will not be converted to conventional apartments. The condominium documents shall covenant that the dwelling units shall remain age-restricted and may not be converted to conventional occupancy.

o. Buildings shall be designed to be consistent with the appearance of the Town and shall be complementary in exterior design with each other and where applicable, with the existing neighborhood in which the development is located.

Proposed are side by side duplex town house buildings, in a New England Colonial architectural style commonly found in Topsfield. Three different models are proposed with a common

architectural motif. Exterior materials are proposed to be of a traditional nature, such as clapboards, cedar shingles, and flat door and window casings. A common color scheme will be developed as well.

p. Sufficient security must be provided to insure completion of the development and continuing compliance upon its completion with the provisions of the approval.

The special permit will be recorded at the Essex South Registry of Deeds. The obligation to comply with the provisions of approval shall be stated in the condominium documents. The applicant will work with the Planning Board to develop a suitable method of surety.

q. A Buffer Zone shall be required between the Elderly Housing Development and adjoining properties to provide visual and privacy for such adjoining properties. The Planning Board may require appropriate landscaping, fencing and other site improvements to accomplish such purposes and the Site Plan shall be accompanied by a Landscape Plan drawn by a Landscape Architect, which Plan shall indicate the species, height and density of landscaping to provide the necessary Buffer Zone. In no case shall said Buffer Zone be less than twenty-five (25) feet in depth for all side and rear boundaries of the site.

The development design includes a buffer zone of no less than twentyseven (27) feet. In the areas where buildings are proposed closer than one hundred feet (100') to property line vegetative screening has been proposed. Other portions of the developed property are surrounded by naturally occurring dense woods and also wetland resource areas, each providing a very deep significant buffer from adjoining properties and also public ways. A Landscape Plan has been provided in the plan set.

r. No building in an Elderly Housing District shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

The proposed buildings do not exceed two and one-half stories or thirty-five feet in height.

s. A plan shall be prepared by the petitioner which shall, to the extent allowable by law, give a preference for elderly housing units within a development first to Topsfield residents, then to immediate family members of Topsfield residents, and then to former residents of Topsfield. The petitioner shall furnish the Planning Board with an eligibility plan for the Elderly Housing Development, which plan shall be subject to the approval of the Planning Board.

The applicant will provide such a plan.

t. Site Plan Review under this section shall be conducted in conformance with the requirements, rules and regulations set forth in Article IX, and the regulations adopted thereunder except that any requirements set forth herein above which are more particular or stringent shall govern.

The applicant has complied with the requirements of Article IX.

As pertains to the standards for the Topsfield Special Permit criteria, the project complies with By-law Section 5.04 Special Permit. B Conditions and Safeguards, as follows:

1. The use requested is listed in the Table of Use Regulations (Article III) as a special permit in the District for which application is made or is so designated elsewhere in this By-Law.

The use of the property for Elderly Housing is expressly listed on the first line in the Table of Use Regulations for Overlay Districts. By action of the 2016 Town Meeting, the premises have been added to Section 2.10 and are within the Elderly Housing Overlay District.

2. The requested use is not detrimental to the public convenience or welfare.

The requested use of the site for elderly housing is not detrimental to the public convenience or welfare. The proposed design respects the character of the town and the topography of the parcel, and as such, will not be intrusive. The elderly use will not place any undue burden on Town services.

3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

Traffic generated by the proposed use is generally minimal, and significantly less than what would be associated with the underlying land use of Business Park. All traffic from the site will connect to Route 1 and will not directly run through a single-family neighborhood. Senior housing does not generate the level of peak hour traffic as a conventional residential development and business uses generate.

Access to the project site is provided by an existing driveway at Route 1 (curb cut) previously permitted through the State Highway Access Permit process by the Massachusetts Department of Transportation (MassDOT). Widened shoulders on the southbound or westerly side of Route 1 at the intersection with the project site driveway, provide deceleration and acceleration for vehicles entering and exiting the project site, and highway guard rail, both the existing and proposed are provided in accordance with MassDOT design standards and requirements. Within the project site, the design incorporates pedestrian accommodations including sidewalks and walking trails to minimize conflicts between pedestrian and vehicular traffic.

No pedestrian connection is proposed from the site to Boston Street (Route 1) since no sidewalks exist on this portion of Boston Street, and there is no apparent pedestrian destination nearby.

4. The requested use will not overload any public water, drainage, or sewer system, or any other municipal system to such an extent that the requested use or any development use in the immediate area or in any other area of the town will be unduly subjected to hazards affecting health, safety or the general welfare.

The project will not overload any public utility system. Storm water management (drainage) and sanitary sewage systems are private and shall not impact public systems. The development of the site will be done methodically in good practice and will not subject the town or immediate area to hazards affecting health, safety or the general welfare. All units will include low flow plumbing fixtures, the site will incorporate drought resistant plant materials and will not be irrigated, limiting the use of domestic water.

5. The requested use will not impair the integrity or character of the district or adjoining zones, nor be detrimental to the health, safety or welfare.

The proposed use is entirely consistent with the Elderly Housing District. The use of the site for elderly housing will not impair the integrity or character of the underlying district or adjoining zones, and will not be detrimental to the health, safety or welfare due to its low-impact design and buffering.

The proposed project meets all statutory criteria for special permits. The public good would be served by the creation of much needed elderly housing and prudent low-impact land use. The proposed use of the property is not noxious in any way. The proposed use will not substantially derogate from the public good.

As it pertains to the standards for the Topsfield Special Permit criteria, the project complies with By-law Section 9.07 Site Plan Review, as follows:

9.07 Standards for Review

The Granting Authority shall review the site plan and supporting documents, taking into consideration the reasonable fulfillment of the objectives listed below.

1. Legal. Conformance with the provision of the By-laws of the Town the General Laws of Massachusetts and all applicable rules and regulations of State and Federal Agencies.

The applicant has obtained the following permits in connection with the proposed project:

- Order of Resource Area Delineation (see Appendix G)

The applicant has filed or will promptly file the following additional permit applications:

- Notice of Intent — Massachusetts Wetland Protection Act and Topsfield Wetlands Protection By-law

The following additional permit applications are included in this submission:

- Special Permit — Elderly Housing District — Topsfield Planning Board
- Special Permit — Site Plan Approval — Topsfield Planning Board
- Stormwater Management Permit — Topsfield Planning Board

The following permits will be required to construct the project:

- Order of Conditions — Overall Project — Topsfield Conservation Commission
- Massachusetts Highway Curb Cut Permit — Massachusetts Highway Department
- Subsurface Disposal Works Construction Permit — Topsfield Board of Health

2. Traffic. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.

Access to the project site is provided by an existing driveway at Route 1 (curb cut) previously permitted through the State Highway Access Permit process by the Massachusetts Department of Transportation (MassDOT). Widened shoulders on the southbound or westerly side of Route 1 at the intersection with the project site driveway, provide deceleration and acceleration for vehicles entering and existing the project site, and highway guard rail, both the existing and proposed are provided in accordance with MassDOT design standards and requirements. The design of the project site roadway is compliant with accepted engineering standards to serve as both a primary access to the project site and to accommodate access for emergency vehicles. However, a secondary access driveway, at the request of the town, has been

incorporated into the site plan design for emergency access use only. The project site driveway is 24-feet in width between Boston Street and its intersection with the secondary emergency access road. The proposed configuration of the site improvements provides two means of access throughout the vast majority of the project. In the areas where redundancy is not shown, the site driveway has been designed with an increased width of approximately 30', grades were kept to a minimum, and plantings with minimal risk of falling are proposed adjacent to the driveway. From the point of the first internal intersection within the development, the proposed site driveway width transitions to 22 feet thereafter. The specified widths are sufficient to convey two-way traffic and accommodate the anticipated volume of traffic associated with the 30 townhouse units without creating undue congestion. Within the project site, the design incorporates pedestrian accommodations including sidewalks and walking trails to minimize conflicts between pedestrian and vehicular traffic.

Traffic generated by the proposed use is generally minimal, and significantly less than what would be associated with the underlying land use of Business Park. All traffic from the site will connect to Route 1 and will not directly run through a single-family neighborhood. Senior housing does not generate the level of peak hour traffic as a conventional residential development and business uses generate.

A letter from Vanasse & Associates has been provided describing compliance of the proposed project with applicable design standards for traffic (see Appendix I). Please see attached memorandum from Fire Department Chief Giovannacci enclosed as Appendix J.

3. Parking. Provisions for the off-street loading and unloading of vehicles incidental the normal operation of the establishment, adequate parking, adequate lighting and internal traffic control.

Parking is provided in conformation with Section 3.16.C.1(h). Twentysix (26) of the units will have two (2) garage spaces, four (4) of the units will have one (1) garage space, and a total of 18 visitor parking spaces are provided in various locations throughout the site. Street lighting, and lighting of the common center green, is provided via traditional design post lights spaced along the site driveway adjacent to unit driveways, at other key locations and intersections, and at the entrance from Boston Street.

4. Town Services. Reasonable demands placed on Town Services and infrastructure.

Municipal water will be provided to the site via a water main extension from Boston Street, installed to the specifications of the Topsfield Water Department. The proposed site driveway will be a private road, maintained initially by the applicant and ultimately by the Rolling Green condominium association. As the proposed project is age-restricted it is not anticipated to generate school aged children. It is not anticipated that emergency services provided to the project will require an increase in staff for the Police or Fire Departments.

5. Pollution Control. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.

Erosion control where shown on the plans will physically delineate the limit of work within the subject site. Three on-site waste disposal systems are proposed as Presby systems and are designed to meet or exceed the requirements of Title 5 of the State Sanitary Code. Trash collection will be provided initially by the condominium association until substantially complete, and then municipally.

6. Nuisances. Protection of abutting properties and Town amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.

The proposed Elderly Housing use will not create excessive or unreasonable noise, smoke, vapors, fumes, dust, odors or glare. Storm water management is designed to be handled entirely within the subject site. Pre and post development rates of run-off will remain the same.

7. Existing Vegetation. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.

The majority of the limit of work proposed on site is within the existing open fields. An emergency access road is proposed within a previously disturbed area, and will require some tree removal. It has been graded to minimize disturbance. Significant upland and all wooded wetland areas throughout the site will remain undisturbed.

8. Amenities. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.

The existing level topography lends itself easily to the proposed use. The proposed design includes an open gathering pavilion located in a center green. Also proposed are walking trails throughout portions of the upland wooded area. Approximately 47% of the total area of the parcel is to remain undisturbed. Vegetated buffers are provided surrounding the developed area of the site where buildings are proposed within 100' of an adjoining property. Shade trees and other ornamental plantings are proposed in key areas to enhance the landscape.

9. Town Character. The building setbacks, area and location of parking, architectural compatibility, signage, and landscaping of the development and how these features harmonize with the surrounding townscape and the natural landscape.

The intent of the proposed design is to create a close knit neighborhood community, fostering interaction between the residents, and a sense of safety and security. In addition, consideration has been given to the ease of maintenance and associated cost to the residents. All proposed buildings are substantially set back from Boston Street and are largely invisible from it due to the existing wooded wetland areas. The architecture and exterior finishes of the proposed buildings are of a traditional New England Colonial style. Most parking associated with the individual units is in garages. Guest parking is spread out over three locations as opposed to a centrally located "parking lot." Signage visible from public ways is limited to a single Colonial style sign post at the main entrance. Most of the existing vegetation on the site will be retained and additional ornamental plantings will be installed as shown on the plans.

Stormwater Management and Erosion Control By-Law:

As it pertains to the Topsfield Stormwater Management and Erosion Control By-Law Chapter L1, the project complies as follows:

Chapter LI — Stormwater Management and Erosion Control By-law Stormwater and Erosion Control Regulations 7.0.B — General Criteria

- 1. No Untreated Discharges.** All stormwater runoff generated from land development and land use conversion activities shall not discharge untreated stormwater runoff directly to a wetland, local water body, municipal drainage system, or abutting property, without adequate treatment.

All stormwater from the proposed project, with the exception of clean roof run-off, will be treated prior to discharge and in conformance with the most current Massachusetts Department of Environmental Protection Stormwater Management Standards. See enclosed A&M Drainage Report.

- 2. Channel Protection.** Protection of channels from bank and bed erosion and degradation shall be provided by controlling the peak discharge rate from the 2-yr. storm event to the pre-development rate as required by the MA DEP Stormwater Management Policy.

The proposed peak discharge rate from the 2-yr storm event equals or is reduced from the pre-development rate in all study points in conformance with the MA DEP Stormwater Management Standards. See enclosed A&M Drainage Report.

- 3. Overbank Flooding Protection.** Downstream overbank flood and property protection shall be provided by attenuating the post-development peak discharge rate to the pre-development discharge rate for the 10-year, 24-hour return frequency storm event as required by the MA DEP Stormwater Management Policy.

The proposed peak discharge rate from the 10-yr storm event equals or is reduced from the pre-development rate in all study points in conformance with the MA DEP Stormwater Management Standards. See enclosed A&M Drainage Report.

- 4. Extreme Flooding Protection.** Extreme flooding and public safety protection shall be provided by evaluating the 100-year, 24-hour return frequency storm event to demonstrate no increased flooding impacts off-site, as required by the MA DEP Stormwater Management Policy.

The stormwater analysis shows the overall volume has been reduced for the 100-year storm event. See enclosed A&M Drainage Report.

- 5. Annual groundwater recharge rates should be maintained, by promoting infiltration through the use of structural and non-structural methods.** At a minimum, annual recharge from the post development site shall mimic the annual recharge from the pre-development site conditions.

The existing annual recharge for the site has been approximated in the developed condition. Subsurface infiltration chambers and a surface infiltration basin have been designed to meet this requirement. Soil test data can be found in the appendix of this report. The proposed Recharge Volume is based on the Static Method per the MA DEP Stormwater Management Standards,

Volume 3, Chapter 1.

For the remaining General Criteria 6 through 10, please see the Stormwater Management Report included with this submission.

APPENDIX A

APPLICATION FORM A

Planning Board

Application for Special Permit & Site Plan Review

Form A

Before you file this application, it is necessary that you be familiar with the requirements for filing plans and other materials in support of this application as specified in the Topsfield Zoning Bylaws, scenic road Bylaw, Stormwater & Erosion Control Bylaw and the respective Planning Board Rules and Procedures that are available from the Town Clerk and Community development Coordinator as well as the Town website at www.topsfield-ma.gov.

Incomplete applications will not be considered unless waivers are previously obtained from the Planning Board.

SPECIAL PERMIT FEES:

Business Park Use Permits	\$200.00	
Elderly Housing Special Permits	\$1000.00	(New construction EHD see Site Plan Review fees listed below)
Common Drive	\$100.00	
Accessory Apartment	\$100.00	
Groundwater Protection District		
Wind Energy Conversion System – Small Scale	\$200.00	
Ground Mounted Solar Photovoltaic Installations	\$200.00	
Scenic Road		
Stonewall Removal	\$75.00	
Tree Removal	\$75.00	
Stormwater & Erosion Control	\$100.00 plus 4.0030 times the total square footage of the area to be altered by the project; see exemptions under regulations	

SITE PLAN REVIEW:

1). Coverage Fee

\$100/5,000 sq. ft. or any portion thereof of new/alterd lot disturbance (the total square footage of all new/alterd building footprints, plus all paved surfaces, septic installations and stormwater management systems).

168,219 +/- sq. ft. ÷ 5,000 sq. ft. x \$100 = \$3,365 area of new/alterd coverage

2). Gross Floor Area Fee

\$200/5,000 square feet or any portion thereof of new/alterd Gross Floor Area (gross floor area – the total square footage of all new floor area on all levels of all new or existing buildings).

70,050 sq. ft. ÷ 5,000 sq. ft. x \$200 = \$2,802 area of new/alterd gross floor area

Coverage Fee	\$ <u>3,365</u>
Gross Floor Area Fee	\$ <u>2,802</u>
Total Site Plan Review Fee	\$ <u>6,167</u>

NATURE OF APPLICATION:

- ☒ Petition for Special Permit pursuant to Article 3, Section 3.16 of the Zoning Bylaw.
- ☐ Petition for Finding pursuant to Article _____, Section _____ of the Bylaw.
- ☒ Petition for Site Plan Review pursuant to Article IX of the Zoning Bylaw (and the Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw; and Supplement Form C for submitted requirements and formats).
- ☐ Petition for a Scenic Road Permit pursuant to Chapter LV.
- ☒ Petition for a Stormwater & Erosion Control Permit pursuant Chapter LI.

DESCRIPTION OF APPLICANT:

- a. Name Sarkis Development Company
- b. Address 2 Elm Square, Andover, MA 01810
- c. Phone Number 978-475-4055
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) _____
(Attach copy of lease and/or letter of authorization from owner, if applicable)

DESCRIPTION OF PREMISES:

- a. Assessor's Map 7, Lot(s) 3, Zoning District EHD
- b. Location of Premises (number and street) 470 Boston Street
- c. Name and address of legal owner (if different from Applicant) Boston Street R.T., Douglas R. Conn Tr.
- d. Deed to the Premises recorded at (if known):
☒ Essex South District Registry of Deeds, Book 8258 Page 264
☐ Essex South Registry District of the Land Court, Certificate Number _____
- e. Prior zoning decisions affecting the Premises (if any):
Date of Decision _____ Name of Applicant _____
Nature of Decision _____
- f. Present use of the Premises Business
- g. Present structures conform to current Zoning Bylaw. ☒ Yes ☒ No. If no, in what respect does it not conform. An existing garage conforms. An existing vacant house is in disrepair and does not conform with site yard requirements.

PROPOSAL (attach additional sheets if necessary):

- a. General Description:
- Elderly housing of 30 units in townhouse style

- b. If proposal is for construction or alteration of an existing structure, please state:

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw	<u>30'</u>	<u>25'</u>	<u>25'</u>
2. Existing setbacks	<u>85.3'</u>	<u>524'</u>	<u>22.5'</u>
3. Setbacks proposed	<u>242'</u>	<u>27.7'</u>	<u>27.7'</u>

	FRONTAGE	AREA
4. Frontage and area required by bylaw	<u>50'</u>	<u>10 acres</u>
5. Existing frontage (s) and area	<u>236.39'</u>	<u>13.24+/- acres</u>
6. Frontage (s) and area proposed	<u>same</u>	<u>same</u>

	FEET	STORIES
7. Existing Height	<u>n/a</u>	<u>n/a</u>
8. Height proposed	<u><35'</u>	<u>2.5</u>

- c. Other town, state or federal permits or licenses required, if any:

Order of Conditions from Conservation Commission

Access Permit from MA DOT

National Pollution Discharge Elimination Stormwater Construction Permit from EPA

NECESSARY ACCOMPANYING DATA:

It is required that every application be accompanied by appropriate supporting data. Failure to submit appropriate and complete data could result in delay and/or denial of application for zoning relief. Place a check next to the applicable accompanying supporting data:

Variance of Special Permit Applications:

(See Planning Board Rules and Procedures Section III)

All required supporting data attached X Yes No

Site Plan Review Applications:

(See Town of Topsfield Zoning Bylaw, Article IX, Section 9.05. See also Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)

All required supporting data attached X Yes No

Comprehensive Permit Applications:

(See G.L.c. 40B, Sections 20-23)

All required supporting data attached Yes No

Appeals from decisions of Building Inspector or Others:

(See Planning Board Rules and Procedures, Section III (1) (e))

All required supporting data attached Yes No

If all required supporting data is not attached, why not:

Date

10.20.16

Signature of Applicant

TOWN OF TOPSFIELD, MA PLANNING BOARD

Application Supplement Form B

Attach to this form a copy of the Assessor's map (scale 1" equals 200') showing the property and all other properties and roadways within 300 feet of any portion of the property. Also, show the lot number and lot owner's name on each lot within the 300'.

List below the lot owner names and mailing addresses as shown in the Assessors' records, beginning with the property of the Applicant (locus).

Applicant's Name, Mailing Address: Sarkis Development Company, 2 Elm Square, Andover, MA 01810

Telephone No. 978-475-4055

Locus: 470 Boston Street

		D. R. Conn, Trustee Boston Street, R.T. <i>(If different from location)</i>	
Map <u>7</u> Block	Location <u>3</u>	Owner <u>16615 SW 5th Place</u>	Mailing Address <u>Newberry, FL 32669</u>

SEE ATTACHED LIST

If needed, attach additional sheets.

Assessor's Certification

To the Topsfield Planning Board:

This is to certify that, at the time of the last assessment for taxation made by the Town of Topsfield, the names and mailing addresses of the parties assessed as owners of land within 300' of the parcel of land shown in the attached sketch were as listed.

Authorized Signature
Assessors' Office _____

Date of Verification _____

APPENDIX B

STORMWATER AND EROSION CONTROL PERMIT APPLICATION

Application Checklist and Procedures Checklist for Stormwater Management Permit

1. Requesting a waiver from the Stormwater Management Permit application requirements.

The applicant files 6 copies of a letter, together with supporting information and documentation, signed by the landowner or designated representative with the Town Clerk.

2. All waiver requests shall be acted upon by the Planning Board within 45 calendar days from the date of application and shall be in writing. Boards may request an extension of the review period. As per the bylaw, the Conservation Commission will have jurisdiction for waiver requests for projects located entirely within the town's wetland jurisdiction and the Planning Board will have jurisdiction for all other waiver requests. **Section 6 B of the SWEC Regulations**

3. Filing a Stormwater Management Permit Application

The applicant shall file with the Town Clerk, six (6) copies of a completed application package for a Stormwater Management Permit (SMP) and an electronic application in PDF format on a CD or DVD disc. The application package shall include:

X A completed Application Form with original signatures of all owners

X A list of abutters certified by the Assessor's Office including those opposite on any public or private way and abutters within 300 feet of the applicant's property line(s).

X Stormwater Management and Erosion Control Plan, stamped by a Professional Engineer licensed in Massachusetts and project description **which includes all information listed in Section 6 L** of the SWEC Regulations.

X Operation and Maintenance Plan which includes all information listed in **Section 6 M** of the SWEC Regulations.

X Payment of the application and review fees. The application fee equals \$100 plus .0030 x the total number of square feet of the proposed project. Example: \$100 + 43560 (1 acre) = \$100 + 43560 square feet x 0.0030 = \$130.68 application fee **282,900 x 0.0030 + \$100 = \$948.70**

 Inspection and Maintenance Agreement which includes all information listed in **Section 6 M** of SWEC Regulations

 Surety Bond. The Planning Board may require the applicant to post before the start of land disturbance or construction activity, a surety bond to ensure perpetual maintenance of stormwater and erosion controls.

APPLICATION FORM
STORMWATER AND EROSION CONTROL PERMIT

To: The Topsfield Planning Board, Town Hall, Topsfield, MA 01983

The undersigned hereby applies for a Stormwater and Erosion Control Permit and herewith submits six (6) copies of a completed application package for a Stormwater Management Permit (SMP) and an electronic application in PDF format on a CD or DVD disc for approval.

The applicant certifies to the truth of the following facts as part of his application.

1. Name of Applicant: Sarkis Development Company
Address: 2 Elm Square, Andover, MA 01810

Telephone Number: 978-475-4055
E-mail Address: jtsarkis@sarkisdevelopment.com
2. Name of Engineer or Surveyor Allen & Major Associates, Inc.
Address 100 Commerce Way Woburn, MA 01801

Telephone Number: 781-935-6889
E-mail Address: twilliams@allenmajor.com
3. Deed to property is dated May 14, 1986 and is recorded in Essex South District Registry,
Book 8258 Page 264.
4. Location of Property for which permit is requested:
Address 470 Boston Street, Topsfield MA

Zoning District Elderly Housing District
5. Attach hereto a copy of the deed.
6. The exact names in which title to the property is held and the present addresses of persons named are: (If married, give spouse's name.)
Boston Street Realty Trust; Douglas R. Conn; Trustee
16615 SW 5th Place; Newbury, FL 32669

7. A complete list of persons with their addresses known to have mortgages, attachments, encumbrances, or liens of any kind upon the property is as follows:

N/A

8. If the property is in the name of a trust, the complete and correct name of the trust, date of the trust declaration, book and page where it is recorded and names and addresses of all trustees are as follows:

Boston Street Realty Trust; Douglas R. Conn Trustee; See Item #6 above for address.

Declaration of Trust dated May 14, 1986; Book 8258 Pg 258; Essex South Registry

9. If the property is in the name of a corporation, the complete and correct name of the corporation, the name and corporate capacity of all officers authorized to sign deeds and other instruments pertaining to real estate are as follows:

N/A

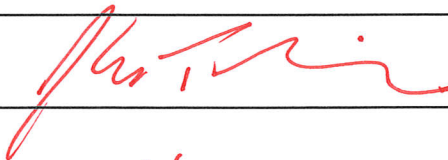
10. Description of the project for which a Stormwater and Erosion Control Permit is requested. Include total square footage of land to be altered/cleared.

Proposed work includes construction of a 30-unit over-55 condominium development.

The project will include paved access drive and parking area, stormwater management, on-site subsurface sewage disposal, landscape and lighting improvements.

Approximate s.f. of land to be altered/ cleared is 282,900 s.f.

Signature of Applicant



Date of Submission

10.20.16

Town Clerk Signature

APPENDIX C

REQUESTED WAIVERS

**LIST OF REQUESTED WAIVERS
FROM
TOPSFIELD SUBDIVISION RULES AND REGULATIONS**

October 13, 2016

TOPSFIELD SUBDIVISION RULES AND REGULATIONS — PLANNING BOARD

Article 5 Design and Construction Standards

5.1.2 Streets, Cross sections.

Cross sections shall be in accordance with the standards as shown on plates 1 and 2. The Board may permit a narrower paved roadway if, in its opinion, it will still provide for safe vehicular travel.

Basis for Waiver Request: This waiver is being requested to allow lesser pavement widths in certain sections to reduce the amount of impervious surface throughout the project and to allow sidewalks where shown. This waiver is also requested to permit the cross section of the existing site driveway to be used without change, as it is in close proximity to vegetated wetlands. The proposed site driveway is not a subdivision roadway and will serve a limited number of age-restricted dwellings. The subject parcel does not connect to any adjacent sidewalk system.

5.1.3 Alignment, Grade, Dead End and Intersections. These shall be in accordance with the standards shown in Table 1.

Basis for Waiver Request: As the proposed driveway will remain privately owned and maintained, the Right-of Way width requirement is not applicable. As mentioned above, the applicant is requesting a waiver to allow pavement width as shown on the plan, curves with centerline horizontal curve radii of less than 150' (the curves vary from 10' to 350' and a minimum intersection angle of 87 degrees. The proposed roadway is designed to provide safe access to the 30 dwelling units proposed as part of the project.

5.1.4 Dead End Streets

a. A dead-end street or dead-end interior drive shall not extend more than 650 feet from: a through public street, or a street or interior drive that intersects with a through public street in at least two places that are not less than 125 feet apart provided such street or interior drive is constructed in accordance with the standards for streets and rights-of-way set forth in the Subdivision Regulations.

Basis for Waiver Request: Applicant requests a waiver to construct a site driveway in excess of the maximum allowable length, as defined in 5.1.4.a. The proposed driveway provides safe access to the 30 age restricted dwelling units proposed. Its horizontal and vertical alignment permits the Town's emergency vehicles to safely access all the dwelling units. Turning plans have been provided. In addition, an emergency access road is proposed extending from Boston Street to a point near the point where the driveway itself provides two means of egress. A "turn out" for access to the mail box station provides a secondary means of access for a portion. Additionally, no point of the paved driveway is proposed with a grade in excess of 6%. Please see attached memorandum from Fire Department Chief Giovannacci enclosed as Appendix J.

5.3 Curbing

Bituminous concrete berm shall conform to the materials and construction methods as specified in SECTION 470 of the Standard Specifications and as indicated on Plates 1 and 2. It shall be installed along both edges of all roadways in Type II subdivisions, except at driveways. The full arc length of curves at intersections shall, however, consist of granite curbs, the materials and construction methods of which shall be in accordance with SECTION 500 of the Standard Specifications. The Board may require that it also be installed along one or both sides of all roadways in Type I subdivisions if in the opinion of the Board, it is warranted by the character of the area and pedestrian use. It is recommended that "Cape Cod" style berm be installed where berms are required.

Basis for Waiver Request: Applicant requests a waiver from requirement for granite curbs at intersections. The proposed roadway is not a subdivision roadway, it is a privately maintained driveway. The portion of the site driveway which is scheduled to remain has bituminous curb. Applicant has proposed Cape Cod style berm throughout the remainder.

5.4.2 Sidewalks.

Sidewalks shall be constructed on both sides of the roadway at the property line on Collector Streets as indicated on Plate 2. Sidewalks may be constructed only on one side of the roadway at the property line on Minor Streets as indicated on Plate 1 unless, in the opinion of the Board, they are not warranted. The Board may waive the sidewalk requirement or require that they be constructed on both sides of the roadway. When sidewalks are deleted, grass strips shall be extended in their place.

Basis for Waiver Request: The applicant requests a waiver from the requirement to permit meandering sidewalks as shown. A single sidewalk is provided on the interior side of the driveway loop. As the site driveway is not a subdivision roadway and does not connect to other ways a sidewalk is not necessary. There is no off-site destination that warrants pedestrian travel to Route 1. An off-street pedestrian trail is also proposed.

5.5.1 Grass Strips.

Grass strips shall be provided as indicated on Plates 1 and 2 where sidewalks are required.

Basis for Waiver Request: The applicant requests a waiver from the grass strip requirement in order to allow the sidewalk to directly abut the roadway in one part of the driveway loop. It is the applicant's belief the proposed design is aesthetically more suitable in the particular instance.

5.5.3 Grass Strips — Tree Planting

Immediately following the completion of construction of the sidewalks, shade trees of a species to be approved by the Tree Warden shall be planted along the side lines of the streets, at the location and intervals to be determined by the Board.

Basis for Waiver Request: As there will be no grass strips in some locations the applicant requests a waiver from the tree planting requirement in the locations where grass strips have been eliminated. Applicant has submitted a landscape plan showing all proposed tree locations tailored to compliment the site design. A waiver is requested to permit planting in accordance with the landscape plan.

5.10 Street Lighting

Street lighting shall be installed if and where required by the Board. Light standards to be used shall be subject to the approval of the Planning Board.

Basis for Waiver Request: Applicant proposes to install colonial lamp posts, made of durable composite material, where and as shown on plans to achieve the desired aesthetic. Lamps shall be LED, hardwired without switches, controlled by photoelectric cell.

5.12.1.b Utility Locations

All utility lines shall be installed in the location indicated and with the minimum cover as shown on Plates 1 and 2.

Basis for Waiver Request: A waiver granted from this requirement will allow the installation of the utilities in locations other than as shown on Plates 1 and 2 due to the proposed reduction in roadway width, the lack of green strips in some locations and the lack of sidewalks in other locations. The proposed utility design proposed more economically accomplishes the distribution of utilities. The utilities are to remain private since this is not a subdivision.

5.12.3.e Drainage

Drainage pipe beneath the roadway shall be reinforced concrete and have a minimum diameter of 12 inches (12"). Joints shall be rubber gasket type. Corrugated metal pipes may be used for drainage outside of the roadway or for culverts under the roadway.

Basis for Waiver Request: Applicant requests a waiver to install HDPE drain pipe at various sizes including those less than 12" minimum. A 12" minimum pipe size will be oversized for many of the infiltration system connections. The HDPE is believed to be a superior product and pipe sizes will be appropriately sized.

5.12.3.m Drainage Manholes

Drainage manholes shall be located at every change in grade or direction of the drainage line, at catchbasin connections, and shall not exceed 300 feet (300') apart in a continuous system.

Basis for Waiver Request: Applicant requests a waiver to install drainage manholes greater than 300 feet apart. In certain areas drainage manholes will be about 350 feet apart which is an appropriate spacing for the development.

5.13.1 Utility Easements

Utility easements such as water, electric, gas, telephone lines or drainage piping shall be provided where necessary and shall be at least thirty (30) feet wide unless, in the opinion of the Board, a different width is warranted.

Basis for Waiver Request: The applicant requests a waiver from the 30' minimum width requirement for all utility easements. The majority of the utilities such as gas, electric, telephone and cable will be beneath or close to the driveway pavement edge. As the driveway will remain private and as the project will be in condominium ownership, easements for some utilities will likely not be necessary.

5.13.2 Drainage Easements

Where a subdivision is traversed by an open water course, drainage way, channel or stream, the Board shall require that there be provided a stormwater easement of drainage right-of-way of adequate width (minimum 30') to conform substantially to the lines of such watercourse, drainage way channel or stream and to provide for maintenance or other necessary purpose.

Basis for Waiver Request: As the entire site will remain as a condominium, drainage easements are not necessary.

5.14 Monuments

Granite or reinforced-concrete monuments 3 feet in length dressed to 6 inches at the top with a pin or a 3/8 inch drill hole in the center, and not less than 6 inches square at the bottom shall be set flush to finish grade as shown on the plans.

Basis for Waiver Request: As the entire site will remain as a condominium, monuments are not necessary.

5.20 Tree Planting

Requirements — Shade trees of species approved by the tree Warden shall be planted on each side of each street (at least two (2) per lot) in a subdivision, except where the Definitive Plan showed trees to be retained which are healthy and adequate.

Basis for Waiver Request: As the proposed project is not a subdivision, tree planting of two (2) trees per lot does not apply. However, the applicant proposes to plant shade trees alongside the proposed site driveway where and as shown on the submitted landscape plans.

5.21 As-Built Plans

As-built plans showing the location, grades and other significant information regarding utilities and roads shall be prepared by the applicant and submitted to the Board within six months following the final approval of the improvements as herein provided.

Basis for Waiver Request: As the proposed site driveway will remain privately owned and maintained an as-built plan is not necessary.

APPENDIX D

LIST OF ABUTTERS
IN
TOPSFIELD AND IPSWICH



TOWN OF TOPSFIELD

BOARD OF ASSESSORS

8 West Common Street

Topsfield, Massachusetts 01983

Telephone: (978) 887-1514 Fax: (978) 887-1502

This form must be completed for a certified abutters list.

Submission Date **Tuesday, October 11, 2016** Issue Date **Wednesday, October 12, 2016**

Department requiring list: **Planning Board**

300 Ft. ☒ 100 Ft. ☐ (Conservation Only) ☐ Direct Abutters

Person/Party requesting list: **John T. Sarkis**

Address: **2 Elm Square, Andover, MA 01810**

Phone #: **978-697-2254** Email Address **jtsarkis@sarkisdevelopment.com** Misc: _____

Property Owner: **Douglas R. Conn, Trustee Boston Street Realty Trust**

Assessor's Map(s) **7** Lot(s) **3** Location **470 Boston Street, Topsfield, MA**

The Assessors' Office requires ten (10) working days to certify an Abutters List. This list is valid for sixty days only from date of issue.

Certified By:


Topsfield Assessors



Certification of Parties in Interest

The Board of Assessors of the Town of Topsfield do hereby certify, in accordance with the provisions of Section 10 and 11 of Chapter 808 of the Acts of 1975, that the following named persons, firms and corporations are parties in interest, as in said Section 11 defined, with respect to the premises herein above described.

10/12/2016

Town of Topsfield

GIS - Abutters by ParcelID

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10:22:01AM

TOWN OF TOPSFIELD

CERTIFIED COPY

Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
12-16	97 NORTH ST	ROSENBAUM ALAN J / ROSENBAUM WENDY R 97 NORTH ST TOPSFIELD MA 01983
12-17	93 NORTH ST	BARRY MATTHEW J / BARRY BARBARA A 93 NORTH ST TOPSFIELD MA 01983
12-23	454 BOSTON ST	SABINO RANDY / SABINO MAUREEN L 447 BOSTON ST SUITE 4 TOPSFIELD MA 01983
7-1	109 NORTH ST	LARSON C DAVID / LARSON NICOLETTE K 109 NORTH ST TOPSFIELD MA 01983
7-2	458 BOSTON ST	UNKNOWN - MASTER CARD
7-2-458A	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458B	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458C	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458D	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458E	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458F	458 BOSTON ST	LUSCINSKI ROBERT 458F BOSTON ST TOPSFIELD MA 01983
7-2-458G	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458H	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458I	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458J	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458K	458 BOSTON ST	SKENDERIAN ARMEN TR / KACHIK REALTY TRUST 458K BOSTON ST TOPSFIELD MA 01983

10/12/2016

Town of Topsfield

GIS - Abutters by ParcelID

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Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
7-2-458L	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-458M	458 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-460A	460 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-460B	460 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-460C	460 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-460D	460 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-460E	460 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-460F	460 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462A	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462B	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462C	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462D	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462E	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462F	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462G	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462H	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929

10/12/2016

Town of Topsfield

GIS - Abutters by ParcelID

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10:22:01AM

Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
7-2-462I	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-2-462J	462 BOSTON ST	COUGHLIN JOHN & PRISCILLA TRS / PMC REALTY TF 239 WESTERN AVE ESSEX MA 01929
7-3	470 BOSTON ST	CONN DOUGLAS R TR / CONFALONE PETER S TR 16615 SW 5TH PLACE NEWBERRY FL 32669
7-4	476 -478 BOSTON ST	OUR SAVIOR LUTHERAN / CHURCH INC 478 BOSTON ST TOPSFIELD MA 01983
7-5	482 BOSTON ST	OUR SAVIOR LUTHERAN / CHURCH INC 478 BOSTON ST TOPSFIELD MA 01983
7-6	476 R BOSTON ST	COMMONWEALTH OF MASS / DEPT OF ENVIRONMEI 817 LOWELL RD PO BOX 829 CARLISLE MA 01741
7-7	461 BOSTON ST	UNKNOWN - <i>MASTER CARA</i>
7-7-461A1	461 BOSTON ST	DANFORTH WILLIAM A 4 ELIZABETH AVE BEVERLY MA 01915
7-7-461A2	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461A3	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461A4	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461A5	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461B1	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461B2	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461B3	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461B4	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929

Town of Topsfield

GIS - Abutters by ParcelID

10:22:01AM

Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
7-7-461B5	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461B6	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461C1	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461C2	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461C3	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461C4	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461C5	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461C6	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461D1	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461D2	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461D3	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461D4	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461D5	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461D6	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461E1	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461E2	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929

10/12/2016

Town of Topsfield
GIS - Abutters by ParcelID

Page 5 of 5

10:22:01AM

Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
7-7-461E3	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461E4	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461E5	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461E6	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461F1	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
7-7-461F2	461 BOSTON ST	COUGHLIN JOHN T TR / 461 BOSTON STREET REALT 239 WESTERN AVE ESSEX MA 01929
8-5	30 WILDES RD	NEW MEADOWS ENTERPRISES, LLC / C/O FRANK IO 23 AARON DR TOPSFIELD MA 01983



470 BOSTON STREET

Topsfield, MA

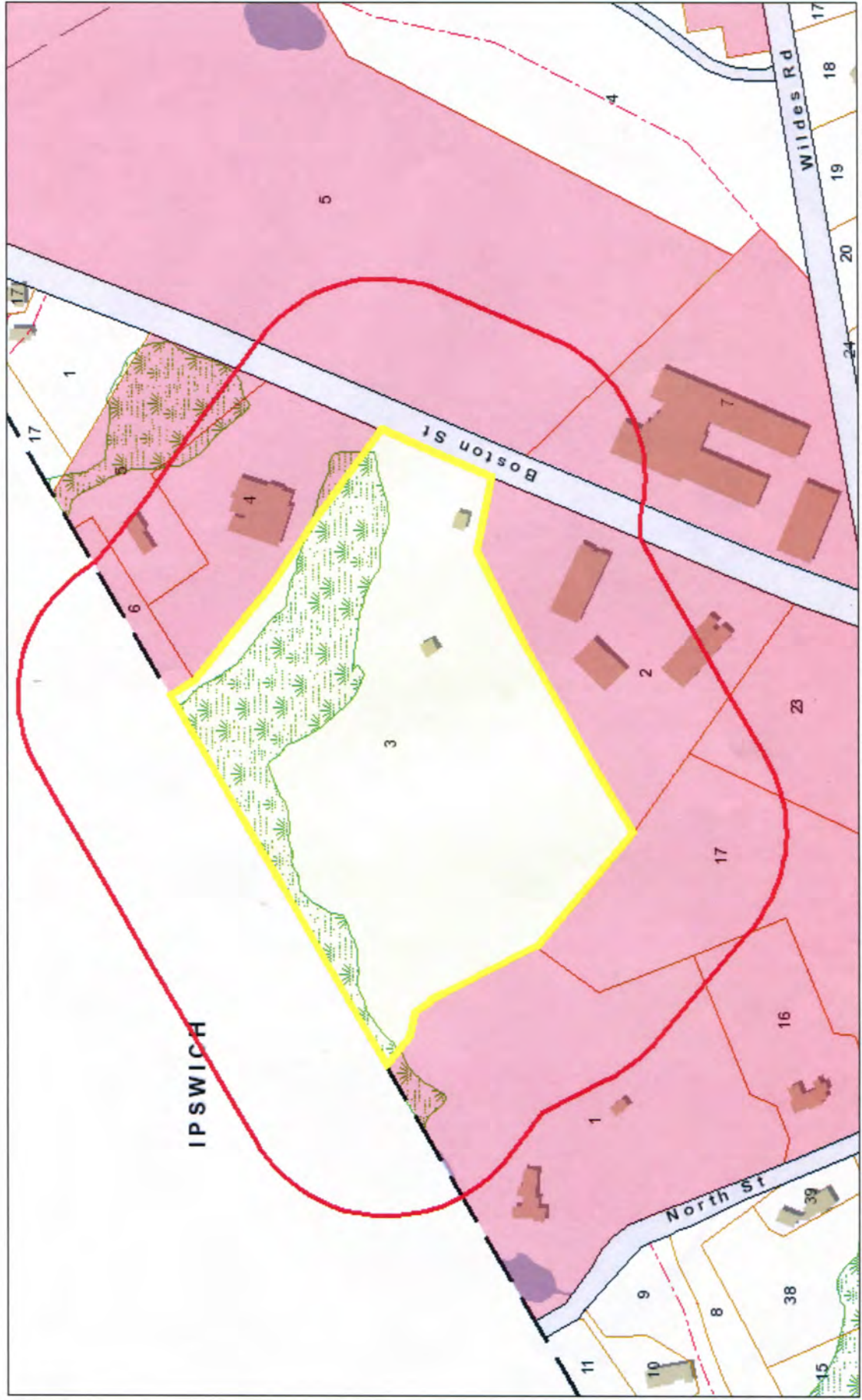
October 12, 2016

1 inch = 268 Feet



CAI Technologies
Precision Mapping. Diverse Solutions.

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 foot Abutters List Report

Ipswich, MA
October 19, 2016

RECEIVED

OCT 19 2016

BOARD OF ASSESSORS
IPSWICH, MA

Subject Property:

✓ Parcel Number: 49-002-0
CAMA Number: 49-002-0
Property Address: OLD RIGHT RD

Mailing Address: POWERS JEAN H
72 OLD RIGHT RD
IPSWICH, MA 01938

Abutters:

✓ Parcel Number: 49-001-0
CAMA Number: 49-001-0
Property Address: OLD RIGHT RD

Mailing Address: CONN DOUGLAS R TRS BOSTON
STREET REALTY TRUST
5458 ANHINGA AVE
PALM CITY, FL 34990

✓ Parcel Number: 49-007-0
CAMA Number: 49-007-0
Property Address: 104 OLD RIGHT RD

Mailing Address: COMMONWEALTH OF
MASSACHUSETTS WILLOWDALE
STATE FOREST
PO BOX 55490
BOSTON, MA 02205-5490

✓ Parcel Number: 49-015-0
CAMA Number: 49-015-0
Property Address: 8 TURNPIKE RD

Mailing Address: COMMONWEALTH OF
MASSACHUSETTS DEPT OF
ENVIRONMENTAL MNGMNT
PO BOX 55490
BOSTON, MA 02205-5490

✓ Parcel Number: 49-020-0
CAMA Number: 49-020-0
Property Address: 92 OLD RIGHT RD

Mailing Address: SHAUGHNESSY DENNIS R TE
SHAUGHNESSY VIRGINIA A
92 OLD RIGHT RD
IPSWICH, MA 01938

✓ Parcel Number: 49-021-0
CAMA Number: 49-021-0
Property Address: 94 OLD RIGHT RD

Mailing Address: RIDEMAN MIRANDA C
90 DWINELL STREET
WEST ROXBURY, MA 02132



www.cai-tech.com

This is not a certified abutters list. For a certified abutters list

10/19/2016

RA 10/19/16

Abutters List Report - Ipswich, MA

Page 1 of 1



300 foot Abutters List Report

Ipswich, MA
October 19, 2016

RECEIVED
OCT 19 2016
BOARD OF ASSESSORS
IPSWICH, MA

Subject Property:

✓ Parcel Number: 49-001-0
CAMA Number: 49-001-0
Property Address: OLD RIGHT RD

Mailing Address: CONN DOUGLAS R TRS BOSTON
STREET REALTY TRUST
5458 ANHINGA AVE
PALM CITY, FL 34990

Abutters:

✓ Parcel Number: 49-002-0
CAMA Number: 49-002-0
Property Address: OLD RIGHT RD

Mailing Address: POWERS JEAN H
72 OLD RIGHT RD
IPSWICH, MA 01938

✓ Parcel Number: 49-007-0
CAMA Number: 49-007-0
Property Address: 104 OLD RIGHT RD

Mailing Address: COMMONWEALTH OF
MASSACHUSETTS WILLOWDALE
STATE FOREST
PO BOX 55490
BOSTON, MA 02205-5490

✓ Parcel Number: 49-008-0
CAMA Number: 49-008-0
Property Address: 100 OLD RIGHT RD

Mailing Address: LARSON C DAVID TE / LARSON
NICOLETTE K
109 NORTH ST
TOPSFIELD, MA 01983

✓ Parcel Number: 49-015-0
CAMA Number: 49-015-0
Property Address: 8 TURNPIKE RD

Mailing Address: COMMONWEALTH OF
MASSACHUSETTS DEPT OF
ENVIRONMENTAL MNGMNT
PO BOX 55490
BOSTON, MA 02205-5490



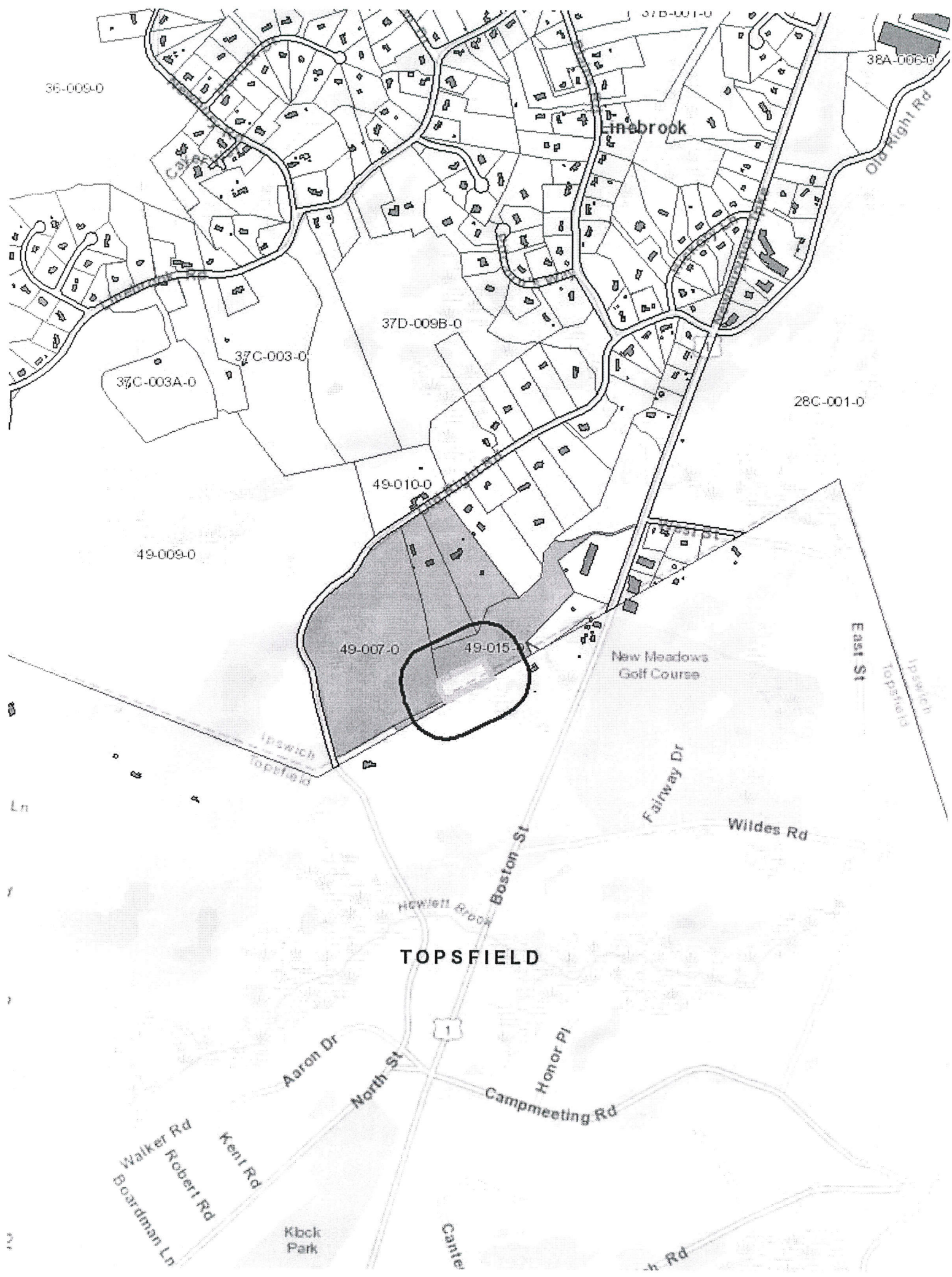
www.cai-tech.com

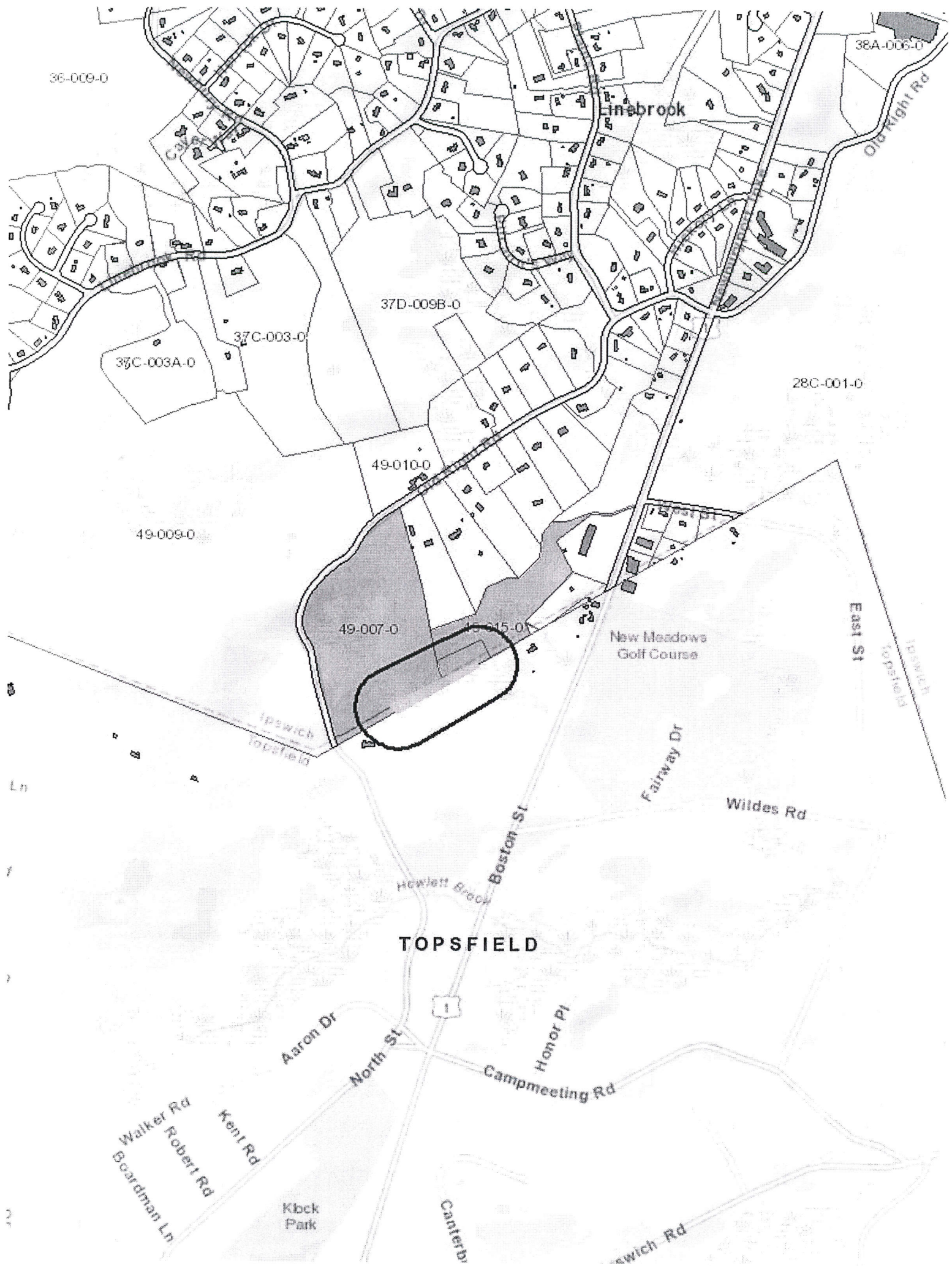
This is not a certified abutters list. For a certified abutters list

10/19/2016

RW 10/19/16

Abutters List Report - Ipswich, MA





APPENDIX E

PROPERTY DEED

BOOK 8258PC264

We, James T. Tirrell, Jr., and Abbie M. Tirrell, Husband and Wife as Tenants by the Entirety

of Saugus,

Essex

County, Massachusetts

in consideration of Five Hundred Thousand (\$500,000.00) Dollars

grant to Peter S. Confalone and Douglas R. Conn, Trustees of Boston Street Realty Trust u/t/a dated May 14, 1986 and recorded herewith

~~XXX~~

with quitclaim covenants

the land in Topsfield, Essex County, Massachusetts, with the buildings thereon, on the Newburyport Turnpike, also known as Boston Street, also known as Newbury Street, and herein described as Newbury Street, viz:

A certain parcel of land with the buildings thereon situate on Newbury Street in said Topsfield and bounded and described as follows, to wit: Easterly by said Newbury Street; Southerly by land now or formerly of Deering; Westerly by land now or formerly of Greenwood; and Northerly by land now or formerly of Tilton Brothers. Containing 15 1/4 acres more or less.

Said premises are conveyed subject to a Taking by the Department of Public Works dated April 18, 1922, and recorded with said Registry of Deeds, Book 2517, Page 21.

For title see deed of George E. King and Gertrude M. King, to James T. Tirrell and Abbie M. Tirrell, dated March 3, 1947, and recorded with Essex South District Registry of Deeds, Book 3509, Page 48.

Executed as a sealed instrument this 14th

day of May

1986

James T. Tirrell, Jr.
James T. Tirrell, Jr.
Abbie M. Tirrell
Abbie M. Tirrell

The Commonwealth of Massachusetts

Essex

ss.

May 14 1986

Then personally appeared the above named James T. Tirrell, Jr. and

Abbie M. Tirrell

and acknowledged the foregoing instrument to be their free act and

Before me,

My commission expires

Mass. Excise Stamps \$ 1140.00 affixed
and cancelled on back of this instrument



AFFECTED PREMISES: 470 Boston Street, Topsfield, Essex County, Massachusetts
GRANTEES' ADDRESS: 4 Mid Iron Drive, North Reading, MA

1986 MAY 15 A.R. III # 003

APPENDIX F

OWNER'S
AUTHORIZATION LETTER

Boston Street Realty Trust
Douglas R. Conn Trustee
16615 SW 5th Place
Newberry FL. 32669
Conn5458@aol.com

October 28, 2015

Ms. Martha Morrison, Chair
Planning Board
Town of Topsfield
8 West Common Street
Topsfield, MA 01983

Dear Martha: I hope this letter finds you well.

I have owned 470 Boston St for more than 29 years and I feel it is time to sell. I have reached and signed an agreement with John Sarkis of Sarkis Development to make an application to the Planning Board, Selectman and town meeting to be designated EHD zone. I believe John is a quality builder and will propose a great project that will become an asset for the Town of Topsfield.

If you have any questions please don't hesitate to contact me.

Very truly yours,
Doug Conn
Sole Trustee



State of Florida

County of Alachua, ss.

October 28, 2015 before me, the undersigned notary public, personally appeared Douglas R. Conn proved to me through satisfactory evidence of identification, which were DLFL C500-176-48-346-1

to be the person who signed the preceding document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

Notary Public

Ria C. Tarrobal

My Commission expires:

March 4, 2019



APPENDIX G

ORDER OF RESOURCE AREA DELINEATION



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & **Topsfield Conservation Commission**
WPA/GWB Form 4B – Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
and Topsfield General Wetlands Bylaw, Ch. 62
Address/Applicant: **470 Boston Street/Sarkis Development Company** MapLot: **07003**

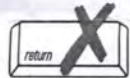
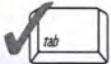
Provided by MassDEP:
307-0740
MassDEP File Number

eDEP Transaction Number

Topsfield
City/Town

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

From: Topsfield
1. Conservation Commission

2. This Issuance is for (check one):
a. ☒ Order of Resource Area Delineation
b. ☐ Amended Order of Resource Area Delineation

3. Applicant:
John Sarkis
a. First Name b. Last Name
Sarkis Development Company
c. Organization
2 Elm Square
d. Mailing Address
Andover MA 01810
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
Douglas Conn, Trustee
a. First Name b. Last Name
Boston Street Realty Trust
c. Organization
16615 S.W. 5th Place
d. Mailing Address
Newberry FL 32669
e. City/Town f. State g. Zip Code

5. Project Location:
470 Boston Street Topsfield 01983
a. Street Address b. City/Town c. Zip Code
07 003
d. Assessors Map/Plat Number e. Parcel/Lot Number
Latitude and Longitude 42.664522 70.928950
(in degrees, minutes, seconds): f. Latitude g. Longitude
08/03/2016 09/14/2016 09/15/2016
6. Dates: a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:
"470 Boston Street (Route 1) Topsfield, MA", Prepared by Allen & Major 08/02/16
Associates, Inc., 100 Commerce Way, Woburn, MA, b. Date
Dated and stamped by Kevin J. Kiernan, P.L.S. No. 40038 8/2/16
c. Title d. Date



B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

- a. ☒ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):
[Based on review at a site visit 08/16/2016 by Administrator Spillman with Patrick Seekamp, Seekamp Environmental Consulting, Inc.]

1. ☒ **Bordering Vegetated Wetlands**

2. ☐ **Other resource area(s), specifically:**

a. The following BVW Flags are verified as shown on the 08/02/16 Plan of Record* : A-series A1 through A48, AA-series AA1 through AA3, and B-series B1 through B16

- b. ☐ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. ☐ **Bordering Vegetated Wetlands**

2. ☐ **Other resource area(s), specifically:**

a.

- c. ☐ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. ☐ **Bordering Vegetated Wetlands**

2. ☐ **Other resource area(s), specifically:**

3. ☐ **The boundaries were determined to be inaccurate because:**

***NOTE:** No other Resource Area boundaries considered with this Abbreviated Notice of Resource Area Delineation or any others that may exist on this and/or any abutting properties are verified with this Order of Resource Area Delineation.



C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Any appeal of the Bylaw portions of this Order shall be made through the appropriate legal process, to Superior Court.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & **Topsfield Conservation Commission**
WPA/GWB Form 4B – Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
and Topsfield General Wetlands Bylaw, Ch. 62
Address/Applicant: **470 Boston Street/Sarkis Development Company** MapLot: **07003**

Provided by MassDEP:
307-0740
MassDEP File Number

eDEP Transaction Number

Topsfield
City/Town

E. Signatures

09/15/2016
Date of Issuance

Please indicate the number of members who will sign this form.

Five
1. Number of Signers

Dodds Sharnon
Signature of Conservation Commission Member

Cheep Jellee
Signature of Conservation Commission Member

James Carroll
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

[Signature]
Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. ☐ By hand delivery on _____

a. Date

3. ☒ By certified mail, return receipt requested on _____

a. Date

09/15/2016

APPENDIX H

COPIES OF
FILING FEE CHECKS

SARKIS DEVELOPMENT COMPANY2 ELM SQUARE
ANDOVER, MA 01810
978-475-4055INSTITUTION FOR SAVINGS
93 STATE STREET
NEWBURYPORT, MA 01950

7720

10/14/2016

PAY TO THE ORDER OF Town Of Topsfield

\$ **1,000.00

One Thousand Only*****

DOLLARS

MEMO Special Permit - EHD - Rolling Green

AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈007720⑈ ⑆211370943⑆ 880184999⑈

SARKIS DEVELOPMENT COMPANY2 ELM SQUARE
ANDOVER, MA 01810
978-475-4055INSTITUTION FOR SAVINGS
93 STATE STREET
NEWBURYPORT, MA 01950

7721

10/14/2016

PAY TO THE ORDER OF Town Of Topsfield

\$ **6,167.00

Six Thousand One Hundred Sixty-Seven Only*****

DOLLARS

MEMO Site Plan Review - Rolling Green

AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈007721⑈ ⑆211370943⑆ 880184999⑈

SARKIS DEVELOPMENT COMPANY2 ELM SQUARE
ANDOVER, MA 01810
978-475-4055INSTITUTION FOR SAVINGS
93 STATE STREET
NEWBURYPORT, MA 01950

7719

10/14/2016

PAY TO THE ORDER OF Town Of Topsfield

\$ **948.70

Nine Hundred Forty-Eight and 70/100*****

DOLLARS

MEMO Stormwater & Erosion Control - Rolling Green

AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑈007719⑈ ⑆211370943⑆ 880184999⑈

APPENDIX I

LETTER FROM
VANASSE & ASSOCIATES

Ref: 7214

May 26, 2016

Mr. John Todd Sarkis
Sarkis Development Company
2 Elm Square
Andover, MA 01810

Re: Proposed Age-Qualified Residential Development
470 Boston Street (Route 1)
Topsfield, Massachusetts

Dear John:

Vanasse & Associates, Inc. (VAI) has completed a review of access and on-site circulation as proposed for the age-qualified residential development to be located at 470 Boston Street (Route 1) in Topsfield, Massachusetts (hereafter referred to as the "Project"). Specifically, our review focused on the design of the roadway network and its access to Boston Street (Route 1) as depicted on the March 15, 2016 *Illustrative Site Plan* prepared by Brown Sardina and The MZO Group with regard to its ability to afford safe and efficient access to the proposed residential community and to accommodate emergency vehicle access.

As proposed, the Project will entail the construction of 30 residential townhouses arranged as 15 duplex buildings that will front along a circular access roadway that is connected to Boston Street by way of a 600 foot long roadway that is approximately 24 feet in width. Each unit will have an integrated two (2) car garage with a driveway that will accommodate parking for an additional two (2) vehicles, or four (4) vehicles total. The Project has been designed for and will be marketed as an age-qualified residential community (at least one resident must be age 55 or older). Such communities generally have lower traffic volumes than those of a traditional non age-qualified residential community, particularly during the commuter peak hours, as residents of these communities are more flexible with regard to travel times. We also note that the *Illustrative Site Plan* shows a 20-foot wide gravel drive that is located approximately 150 feet south of the primary access to the Project site and is intended to serve as secondary access for emergency vehicles if deemed necessary by the Town.

The design of the Project site roadway is compliant with accepted engineering standards to serve as both a primary access to the Project site and to accommodate secondary access for emergency vehicles. Guidance provided by the Institute of Transportation Engineers (ITE)¹ recommends that the length of dead-end roadways (defined as the distance from the main roadway before which a motorist can seek an alternate route) should be no longer than 1,000 feet where such a roadway serves more than 30 dwelling units. As proposed, the Project will include 30 dwelling units and the length of the primary access roadway between Boston Street and the first internal intersection where traffic is dispersed or can choose an alternate route is 600 feet. Accordingly, the access to the Project site complies with the guidance provided by the ITE for such roadways.

¹*Neighborhood Street Design Guidelines*, A Recommended Practice of the Institute of Transportation Engineers; Washington, D.C.; 2010.

Relative to emergency vehicle access, the current edition of the Fire Code (NFPA[®] 1)² states the following:

18.2.3.3 Multiple Access Roads. *More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.*

The access to the Project site is 24-feet in width between Boston Street and the first internal intersection within the development, and transitions to a 22-foot wide roadway thereafter. These widths are sufficient to convey two-way traffic and accommodate the anticipated volume of traffic that may be associated with the 30 townhouse units (expected to be less than 20 vehicle trips during the peak hours) without creating undue congestion. The grade of the access roadway approaching Boston Street is 2 percent or less, with roadway grades within the Project site not exceeding 5 percent. In addition, the access roadway has been designed to be above the established flood plain elevation for the Project locus. These features have been designed to maintain access to the Project recognizing the abutting terrain and local climatic conditions. As such, the access to the Project site complies with Section 18.2.3.3 of the Fire Code and the secondary access for emergency vehicles is not required to comply with the Fire Code. To the extent permissible, we would suggest that any trees located within 10-feet of the edge of the access roadway, or as otherwise defined by the Fire Department, be trimmed or removed, particularly any dead or diseased trees that could potentially fall and block the access from Boston Street.

If you should have any questions regarding our review of the access to the Project site, please feel free to contact me.

Sincerely,

VANASSE & ASSOCIATES, INC.



Jeffrey S. Dirk, P.E., PTOE, FITE
Principal

JSD/jsd

cc: File

²National Fire Protection Association (NFPA) 1, Fire Code, Seventh Edition; NFPA; Quincy, Massachusetts; 2015; as amended per 527 CMR.

APPENDIX J

MEMORANDUM FROM FIRE DEPARTMENT CHIEF

To: Topsfield Planning Board

From: Chief Ronald P. Giovannacci

Date: June 7, 2016

Re: Rolling Green

According to the Professional Engineer Jeffrey S. Dirk, a secondary access is not required. He states that the project meets NFPA 1, **18.2.3.3 Multiple Access Roads which says:** *More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access and a secondary access is not required.* We agree with the finding of the engineer.

We have no issue with single access road as depicted in the plans providing that the units are equipped with sprinklers. The site is a long distance from the fire station, the current call fire department staffing is not adequate and the resident population is an at risk population. With the rate of fire spread, it is in the best interest in the safety of all if the buildings have sprinklers installed in compliance with NFPA 13.