

TOPSFIELD PLANNING BOARD MEETING

Minutes of Wednesday, February 7, 2024

7:00 PM

Virtual over ZOOM

Board members participating were Chairman Martha Morrison, Clerk Steve Hall and members Greg Mellinger, Josh Rownd and Jennie Merrill. Also present was Planning and Zoning Board Sr. Admin. Assistant Lynne Bermudez.

Attendees included Town Administrator Kevin Harutunian, Dick Gandt, Amy and Chris Gibbons, Bobbi Whiting, Karen Gibbons, Sara Beck and other residents whose full names were not shown on screen.

GOVERNOR'S ORDER

Planning Board Chairman Morrison announced:

"Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted via remote means. Members of the public who wish to watch or listen to the meeting may do so in the following manner: Video conference (see log-in information below.) No in-person attendance of members of the public will be available, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Topsfield website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

CALL TO ORDER

Chairman Morrison called to order at 7:02 pm.

ANNOUNCEMENTS

Chairman Morrison made the following announcement:

"A video recording is being made of this meeting for record keeping purposes. Is there anyone else present who wishes to record the meeting?" No requests were heard.

88 HIGH STREET – Public Hearing

Clerk Steve Hall read the following legal notice that was published in the Salem News on January 15th and 22nd of 2024:

Notice is hereby given that the Topsfield Planning Board will hold a public hearing during a ZOOM Planning Board Meeting Wednesday, February 7, 2024 at 7:00 PM (instructions will be on the posted agenda on how to join the meeting via ZOOM) to consider the application of Chris and Amy Gibbons for premises located at 88 High St. requesting a special permit pursuant to Article VII, Section 7.03 of the Zoning By-law for a temporary accessory apartment.

*Martha A. Morrison
Chairman, Topsfield Planning Board*

Chairman Morrison recognized Amy Gibbons, applicant. Ms. Gibbons explained that the accessory apartment had been in the house when she and her husband purchased it and that they did not plan to make any modifications besides painting. Her mother-in-law would be residing in the apartment. The Board had no questions as they stated the application was very complete. There were no comments from residents.

Greg Mellinger made a motion to close the public hearing. The motion was seconded by Clerk Steve Hall and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Greg Mellinger	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes

Clerk Steve Hall made a motion to approve the special permit for a temporary accessory apartment as requested. The motion was seconded by Jennie Merrill and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Greg Mellinger	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes

PROPOSED ZONING ARTICLES

Chairman Morrison opened the discussion with the two recent requests by Town Administrator (TA) Kevin Harutunian to include two articles on the warrant for the upcoming Annual Town Meeting: 1) a non-binding article asking residents if they approve of the recently developed Master Plan and 2) an article on a new dark sky bylaw.

Chairman Morrison stated the reasons why she did not agree with including an article on the warrant for the Master Plan including that most people would not have read the document and discussion of the Plan would take up a great deal of time and the Town Meeting already has a full agenda. She recommended that information meetings would be more beneficial to residents and allow for greater dialogue. Board members concurred with the Chairman's recommendation.

Chairman Morrison then stated she agreed that it would be beneficial to review the Town's dark sky bylaw but that it could not be done in time for this year's Town Meeting. She noted there are a number of towns with a variety of different dark sky bylaws and that it would take some time to conduct a thorough review to determine recommended changes to Topsfield's bylaw. The Chairman recognized TA Harutunian who provided his thoughts on the benefits of strengthening the bylaw. Resident Sarah Beck was also recognized and spoke to the need/benefits of maintaining a dark sky in town. She also spoke about properties on Rt 1 in the Business Highway District which have excessive lighting.

Chairman Morrison stated that the Planning Board can recommend bylaw changes but a critical component is how to ensure enforcement. There are currently some egregious lighting situations, both with driveway entrance lanterns (which are so bright they look like oncoming cars) and properties in the Business Highway District (where their light is overflowing onto Rt 1 and is distracting and dangerous for drivers). A brief discussion was held on the need for a process to handle violations and possible use of the Nuisances bylaw.

It was agreed that the Planning Board would begin a review of the dark sky bylaw following this year's Town Meeting. Chairman Morrison believes the process of reviewing the bylaw could also be educational to residents, informing them of the importance of dark sky and how to help preserve it. It was also agreed that the Town Administrator would reach out to Sarah Beck for input regarding the Town's recent decision to change its streetlights to LED.

Discussion was then held on article modifications for the Annual Town Meeting warrant. The following edits were agreed to by the Board:

- The wording in Article 3.17b will be strengthened.
- The word "buildable" (before "minimum") will be removed from 4.08a.
- A brief explanation of what "MS4" will be included in the Parking article.
- "3.06 Business Park" will be changed to "3.04 Business Highway" in the article recommending that Sale of Motor Vehicles no longer be permitted.
- "Consultant" will be added to the definition of 1.86 Professional Offices.

Discussion was held on the fact there is no use in the Use Table for pet grooming. No decision was reached. Chairman Morrison asked Board members to consider who would like to speak to each of the various articles at the Annual Town Meeting (ATM). Members Jennie Merrill and Greg Mellinger have conflicts and will not be at the ATM. Assignments for the ATM will be discussed at the next Planning Board meeting.

FY23 ANNUAL REPORT

Clerk Steve Hall made a motion to approve the FY23 Annual Report as written. The motion was seconded by Jennie Merrill and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Greg Mellinger	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes

MINUTES

Clerk Steve Hall made a motion to approve the minutes of 1/3/24 as presented. The motion was seconded by Josh Rownd and the motion carried unanimously with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Greg Mellinger	yes
Member Josh Rownd	yes

Member Jennie Merrill yes

A vote on the joint ZBA/Planning Board minutes of 1/23/24 will be taken at the Board's 3/6/24 meeting after the ZBA has taken their vote on 2/27/24.

A reminder was made about the upcoming 2/21/24 Planning Board meeting where the Master Plan will be formally presented to the Board by the consultant and members of the Master Plan Steering Committee. A copy of the plan was provided to Board members who will provide feedback on the plan to Gregor Smith prior to the meeting.

ADJOURNMENT

At 8:13 pm Jennie Merrill made a motion to adjourn. The motion was seconded by Greg Mellinger and the motion carried with a roll call vote as follows:

Chairman Martha Morrison	yes
Clerk Steve Hall	yes
Member Greg Mellinger	yes
Member Josh Rownd	yes
Member Jennie Merrill	yes

Respectfully submitted,

Lynne Bermudez
Sr. Administrative Assistant

DOCUMENTS

Per Open Meeting Law, the documents that were either distributed to the Planning Board before the meeting or at the meeting were:

1. Agenda
2. Proposed Zoning Articles 2-4-24
3. Draft Meeting Minutes – 1/3/24, 1/23/24

Approved at the 3-6-24 Planning Board meeting.

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