

Minutes of the
Topsfield Planning Board
Town Library Meeting Room
September 19, 2017

Chairman Morrison called the meeting to order at 7:30pm. Board members present, in addition to Chairman Martha Morrison, were Jeanine Cunniff, Joseph Geller, Josh Rownd, and Steven Hall. Other persons present during all or part of the meeting included residents Robert Skeffington, John O'Neil, John Minnehan, Anne Minnehan, Mathew Larkin, Kim Allen, Ian deBuy Wenniger, and Kim Sherwood. Craig Marchionda of Marchionda & Associates, L.P. was also present.

Resident Kim Sherwood indicated that she would be making an audio recording of the proceedings.

293 Boston Street, Map 34, Parcel 78 Preliminary Subdivision Plan

Chairman Morrison reminded everyone that tonight's meeting is a special meeting to accommodate the Planning Boards request that the applicant attempt to reconfigure the open space subdivision so as to preserve historic structures located on the site.

Craig Marchionda of Marchionda & Associates, L.P. presented a plan that allows for two building lots and open space that preserves the major historic features of the site. Mr. Marchionda expects that there would need to be a slight encroachment into the 100' buffer zone to allow for site grading but that the work would remain outside of a 75' limit. Mr. Marchionda acknowledged that this needed to be approved by the Conservation Committee and that they would be making a presentation at the next Conservation Committee meeting. Mr. Marchionda also stated that he had not yet spoken with the Topsfield Fire Chief concerning the size of the cul-de-sac with the reduced lot frontage.

Chairman Morrison noted that there was a missing lot line off the North East corner of the open space lot. Member Josh Rownd pointed out that the line was missing on both drawings. Mr. Marchionda explained that at this stage these lines are only approximate and that this would be addressed in forthcoming drawings. Chairman Morrison also suggested that the integrity of the retaining wall along the south boundary line of the open space lot be inspected as the wall did show signs of degrading.

A short discussion was held concerning the demolition of the brick patio. It was concluded that, as the only remaining features of the old stable, the brick patio and associated floor drain were not high priority features.

The eventual ownership of the open space lot was brought up. Chairman Morrison noted that this would be dealt with at a later phase of the project but that there were several possibilities for ownership including the Town of Topsfield, preservation groups such as Greenbelt, or even private persons.

Member Jeanine Cunniff brought up the question of site drainage as well as public access to the open space and where visitors might park their vehicles. Chairman Morrison pointed out that "red soils" tended to require mounding for septic fields and this would be an expected solution for this site. Chairman Morrison mentioned that parking for visitors to this open space would likely be similar to that of the public walking trail access at Hickory Beech.

Member Jeanine Cunniff brought up the question of whether the applicants or the developers had considered the cost/yield benefits of developing the property and if they had or might consider selling the property to someone who might want it without a house. She pointed out that this question had no bearing on tonight's proposal and that no answer was needed. Chairman Morrison reminded everyone that such decisions were not the business of this Board and that the role of the Planning Board was to provide direction to property owners and developers.

Chairman Morrison reviewed the scope of the proposal noting that a conventional subdivision plan would not have to preserve the historic features of the site while an open space plan offers the option to maintain them. Chairman Morrison asked Board members if there was anything else in this proposal that should be addressed noting that the applicant needed to see the Topsfield Fire Department and Police Department in regards to the cul-de-sac and the Town Conservation Commission in regards to the encroachment on the wetland buffer zone. Chairman Morrison further noted that the applicant will still need to present a storm water management plan and that the Board would be asking for a peer review of both the definitive subdivision and storm water management plans. Hearing no further questions from the Board, Chairman Morrison asked those present if they had any questions.

Resident Ian deBuy Winniger raised a concern about the placement of the septic filed for Lot 2. Mr. Marchionda explained that the soils at that location tested positive for proper drainage and that there was very limited space within the 100' circle for both the house and a septic field. Member Josh Rownd commented that the septic field would be grassed over and, although slightly mounded, it should not present a visual blot on the landscape.

Member Jeanine Cunniff commented that it would be helpful to know where and how water flows across the site in its current condition. Resident John Minnehan stated that currently water flows down between the columns and out to Proctor Drive.

Resident Mathew Larkin asked if the original concept plan for multiple house lots still existed. Chairman Morrison explained that the plan had been put forth before the wetlands on the site had been delineated. Now that they have been delineated the proposal only allows for the two proposed lots discussed at tonight's meeting and that the remaining land has been classified unbuildable. Member Jeanine Cunniff commented that this is a current designation and that in the future, if conditions or regulations change, this classification could change as well.

Resident Kim Sherwood asked if this property is designated as chapter land. Chairman Morrison confirmed that it was and that the portion of land coming out of chapter land status would go through the process that included coming before the Board of Selectman for a right-of-first-refusal to purchase that portion.

Member Jeanine Cunniff reiterated the suggestion that an assessment of the retaining wall along the South border of the property be conducted. Resident John Minnehan stated that his property (20 Proctor Drive) went up to the wall but did not include the wall.

Member Jeanine Cunniff made a motion to accept the preliminary open space concept plan dated 9/15/17 for 293 Boston Street, seconded by Member Josh Rownd; so voted; 5-0.

Other Business:

Chairman Morrison mentioned that the State Land Court has upheld the Topsfield Conservation Commission decision in regards to development at 57 Perkins Row. The Developers have a right to appeal this decision and may ask for a continuance of the public hearing in regards to the project. Should they not request a continuance then the project proposal, as is, expires.

At 9:00, Member Joseph Geller made a motion to adjourn, seconded by Member Josh Rownd; so voted; 5-0.

Respectfully submitted,

Steven B. Hall
Planning Board Clerk

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

1. Agenda
2. Preliminary Concept- OSRD for 293 Boston Street (two sheets)

Approved as amended at the November 7, 2017 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.