

**Minutes of the
Topsfield Planning Board
Town Library Meeting Room
April 3, 2018**

Chairman Morrison called the meeting to order at 7:30PM.

Board members present: Chairman Martha Morrison, Jeanine Cunniff, Josh Rownd, Steven Hall (7:35pm) and Joseph Geller.

Planning Board Coordinator: Donna Rich.

Visitors: John Morin, Cameron-Morin Group, Inc., Jay Kollias, Chuck Kaogianis, Sand Stone Development, Craig Marchionda, Marchionda & Associates, LP, Todd Morey, Beals Associates, Inc., Alan Berry, CP Berry Homes.

Residents: Rob Skeffington, Joe Yiakas, James Caffrey, Joy & Paul Nowak, Gary Tardiff, Marilyn & Norris Nicholson, Patricia & Paul Luippold, Christopher Plunkett, John Markos and Dick Gandt.

Public Hearing:

5 Orchard Lane-Stormwater & Erosion Control Permit Request-Member Josh Rownd read the Legal Notice to open the Public Hearing. John Morin, Cameron-Morin Group, explained the project is a single family house with a driveway and a patio. John explained that there exists a drainage easement across the property, which a small corner of the driveway and the patio are proposed to be built over. In addition, in order to install the septic system design crossing over the drainage easement would have to occur, with care. John stated that a drip edge/infiltration trench would be installed around the house, two small detention ponds would be located in the front of the house and with the approval of the Stormwater Coordinator/Highway Superintendent the street drainage system would be allowed to capture excess drainage from the house during a 100 year storm. John reported that Stormwater Coordinator, Dave Bond, had reviewed the proposed stormwater plan. Member Steve Hall noted that the drain easement had a perforated underdrain; John Morin agreed, stating it was thought to be 3-4 feet underground. There was discussion relative to the location of the underdrain, which John Morin noted would be located prior to construction. John Morin noted that they have met the standard requirements for the runoff, and have complied with the standards for stormwater & erosion control systems. Abutter Paul Nowak expressed his concern that for many years the site had not had a successful perc test and asked what is different now. Mr. Nowak also expressed concerns for excess runoff creating wetlands. John Morin explained that the Board of Health had changed the perc rate and the detention basins would only be 2-feet and 1-foot, 3 inches in depth, with the expectation that the water would filter out of the bottom then go back into the ground. Abutter Christopher Plunkett expressed his concerns for the driveway and patio being built over the easement. The location of the underdrain should be identified, and the slope of the front yard determined. Chairman Morrison commented that with the unusual features the lot contains the Board could consider a Peer Review, so the Board can identify what conditions should be placed in the permit.

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Member Jeanine Cunniff made a motion to forward the Stormwater & Erosion Control permit request for Peer Review to Beals Associates, Inc., seconded by Member Steve Hall; so voted: 5-0.

Member Jeanine Cunniff made a motion to continue the Public Hearing until May 8, 2018 at 7:30pm, seconded by Member Steve Hall; so voted: 5-0.

Public Hearing: *continuance*

293 Boston Street-Definitive Subdivision Plan- Craig Marchionda reported that there has been resolution to all outstanding issues identified by Beals Associates, Peer Review, listed in letter dated March 29, 2018. He stated that an additional waiver has been requested because of Peer Review comment #9, as noted in letter dated March 29, 2018. Chairman Morrison asked that Dave Bond's comments be incorporated into the easement documents. Rob Skeffington stated that he would begin drafting the appropriate documents for the easements and would incorporate the requested language. Chairman Morrison reviewed the process that would be followed for the Tripartite Agreement for the roadway.

Member Jeanine Cunniff made a motion to continue the Public Hearing until May 8, 2018 at 7:30pm, seconded by Member Joe Geller; so voted: 5-0.

Discussion: 470 Boston Street-Alan Berry reported that he had met with Highway Superintendent Dave Bond to review the proposed roadway at Rolling Green and presented the document entitled Rolling Green Work Schedule of Values to the Board.

Member Jeanine Cunniff made a motion to approve the Three Party Agreement based on the Statement of Values dated 3/19/18, in the amount of \$391,086, contingent upon completion of work, seconded by Member Josh Rownd; so voted: 5-0.

Discussion: 239 Turnpike LLC-Chuck Kalogianis explained that Joe Yiakas' intent was to divide the land located at 134 Central Street into two (2) lots. Chuck further explained that there was sufficient lot area and frontage for the ANR request as seen on the two Concept Plans developed by Hancock Associates. Chairman Morrison noted that in 2012 when the ANR for the three lots was approved the "paper-road" noted as Perkins Lane on old maps was not considered a public way. Required criteria do not exist for it to be considered a street therefore it does not qualify for frontage. The Board discussed historical facts about this area and of these types of pathway. Chairman Morrison also noted that the burden of proof, relative to the roadway would be the applicant's responsibility. Chairman Morrison noted that with the large area of wetland on the property it would be advisable to go to the Conservation Commission and confirm what can be built on the property.

Minutes:

Member Jeanine Cunniff made a motion to approve the minutes of January 9, 2018, as amended, seconded by Member Steve Hall; so voted: 5-0.

Member Jeanine Cunniff made a motion to approve the minutes of February 6, 2018, as amended, seconded by Member Steve Hall; so voted: 5-0.

Member Jeanine Cunniff made a motion to approve the minutes of February 13, 2018, as amended, seconded by Member Joe Geller; so voted: 5-0.

At 9:30pm, Member Joe Geller made a motion to adjourn and Member Josh Rownd seconded the motion; so voted: 5-0.

Respectfully submitted,

Donna C. Rich
Community Development Coordinator

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. Minutes of January 9, 2018, February 6 & 13, 2018
3. Application from 5 Orchard Lane for a Stormwater & Erosion Control Permit
4. Rolling Green Work Schedule of Values to the Board
5. Letter of Intent for the creation of a new ANR Lot at 134 Central Street, along with Concept Plan 1 & 2 received 3/26/18

Approved as amended at the May 8, 2018 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.