**Topsfield Zoning Board of Appeals**

**Town Offices**

**8 West Common St.**

**Topsfield, Ma 01983**

Re: Special Permit June 26, 2023

 252 Rowley Bridge Road

 Topsfield, Mass

PERFORMANCE STANDARDS RELATIVE TO EACH OF THE NINE (9) REVIEW CRITERIA OF SECTION 9.07 MEMORANDUM TO SUPPLEMENT SPECIAL PERMIT APPLICATION FOR CONFERENCE & EVENT FACILITY

Connemara House Farm (Farm) is a 35.06 -acre farm located 252 Rowley Bridge Road, Topsfield, Massachusetts and shown on the Topsfield Assessors records as Parcel 13 on Block 80. The Farm is within the Outlying Residential and Agricultural (ORA) zoning district. The Farm has been operating farm to table events pursuant to the provisions of M.G.L.c., 40A § 3 since 2017 but now seeks a special permit to operate a Conference & Event Center pursuant to the provisions of the Topsfield Zoning Bylaw.

**ZA:1-3. STANDARDS.**

**ZA:1-3.1** **Compliance With All Standards Required; Exception**. In the following, the performance standards relative to each of the nine (9) review criteria of Section 9.07 are set forth. Waivers:

* Determination of the Superintendent of the Water Department
	+ - * Determination of the Highway Superintendent.
			* Strict compliance with the provisions of Section 4.12 Parking requiring treated bituminous or other impervious surfacing material; and provided with appropriate bumper and wheel guards.

**ZA:1-3.2 Legal. Site plans submitted for review** shall contain a list of all permits, licenses, and approvals required under Federal, State and local statutes, rules and regulations, and By-Laws for the use, construction and operations on, and occupancy of the premises.

 Copies of permits, licenses, and approvals forwarded under separate cover.

**ZA:1-3.3 Traffic**. In addition to those items that must be submitted, a traffic study, when required, shall contain a traffic impact analysis that projects the total traffic generated by the proposed project, the division of that excess traffic on the adjoining roads, the peak hours of said traffic generated by the project, and the ability of these roads or ways to absorb said excess traffic.

* The Chief of Police has determined no traffic study is required.
* The site has been operating as an event venue without incident for several years.
* The site does not have a truck entrance.
* Where the event venue is located, all traffic will move in a forward direction onto the public way.
* No pedestrian traffic on a public way will be generated by the event center.

**ZA:1-3.4 Parking.** Parking space facilities shall conform to the requirements contained in Article IV, Section 4.12 of the Topsfield Zoning By-Law entitled Parking.

* + Parking is in a designated area (See aerial photo forwarded under separate cover.)
	+ The main driveway from Rowley Bridge Road to the event tent is paved.
	+ Farm roads are composed or crushed, pressed gravel.
	+ Parking is on gravel or grasses with rope barriers separating parking sections
	+ In the event more parking is needed, parking can be accomplished off the side of gravel ways, in site and not within the required setback areas.
	+ There are no on-site cargo docks.
	+ The parking area is lit with down shaded, 4000 watt, portable lighting.

**ZA:1-3.5 Town Services.** The site plan review application shall contain a review of the site plan and a written determination by the Police Chief, the Fire Chief, the Superintendent of the Water Department, and the Highway Superintendent that the services required by the proposed project can be provided by the respective department without requiring any increase in staffing or service capacity. Emergency access for fire prevention vehicles and ambulances shall be provided, and said access, shown on the site plan, shall be approved in writing by the Topsfield Fire Chief.

* + See letters from:
		- Police Chief
		- Fire Chief

**ZA:1-3.6 Pollution Control.** All subsurface septic disposal facilities shall be constructed in accordance with the requirements of 310 CMR, 15.00 and the Topsfield Board of Health Supplemental Rules and Regulations to 310 CMR, 15.00. All storm water control and drainage installations shall be installed in accordance with the relevant requirements of The Rules and Regulations Governing the Subdivision of Land in the Town of Topsfield, Massachusetts. In any event calculations shall show that the off-site surface water run-off rate has not increased beyond that of the pre-development state except in those cases where that increase caused by the proposed project can be disposed of in streams or waterways that have substantial excess capacity to absorb said run-off. Underground fuel storage tanks required on-site shall be installed in accordance with applicable constructions and performance standards contained in 527 CMR, 9.00 and the Topsfield Underground Petroleum Tank By-Law.

* + Connemara House Farm farmhouse is not used by event guests.
	+ The bridal entourage does use the house for dressing purposes.
	+ All personal sanitary needs are accommodated with the use of Deluxe Restrooms (portable toilets) trailers including handicap access.
	+ There is no new development or construction to increase surface water flow.
	+ There is sufficient grassed area, ponds and wetlands to accommodate surface water flow as in the past.
	+ There are no underground petroleum tanks.
	+ Trash is removed from the site by the caterers at the end of any event.

**ZA:1-3.7 Nuisances.** Noise at ground level from permanent installations such as air conditioning units shall not exceed three (3) decibels (dB) above ambient noise level when measured at a time when said ambient noise is least. Said ambient noise measurements shall be taken at the lot boundaries of the site at ground level elevation.

Smoke, dust, fumes, odors, and vapors from the proposed project shall not be vented into the air in sufficient quantity to be unhealthful, irritating, inflammable or explosive, toxic, or noxious even when wind driven across the lot line. Outdoor lighting shall in general conform with that specified in Section ZA:1-3.4 Light from any proposed building or parking lot on the site in the proposed project shall not directly or indirectly illuminate any building located on lots contiguous with the site. Said lighting shall not be directed at and focused on adjacent ways such that it interferes with the vision of motorists thereon. Nor shall it be directed at adjoining lots.

* + There are no permanent installations such as air conditioning units to generate noise.
	+ Smoke, dust, fumes, odors, and vapors from the proposed project are not vented.
	+ Catering trucks are self-contained and are located near the house away from any boarders or property lines.
	+ Except for lighting in and around the tent, the only other lighting is for parking (See above).
	+ Whereas abutters have complained about noise and music, sound studies have been accomplish and are attached.

**ZA:1-3.8 Existing Vegetation.** Wherever possible existing trees, shrubs, and other vegetation of note shall be preserved either by design or by transplantation to another locus on the site.

* There will be no change in the site’s vegetation.

**ZA:1-3.9 Amenities**. Perimeter vegetative buffers and screens shall comply with the requirements of Article IV, Section 4.05, the Topsfield Zoning By-Law. Plantings interior to the proposed project not subject to the above said requirements shall be selected to provide sufficient species diversity to preclude a substantial loss of plants in the event that disease or drought eliminates any one of the selected species.

* + All vegetative buffers and screens shall remain as they are.
	+ The event site is located near the center of the 35 acre parcel and buffered from residents and roadways by fruit orchards and woods.

**ZA:1-3.10 Town Character.** The maximum building area occupancy on-site and setback dimensions shall not exceed that and those listed in the Table of Dimensional and Density Regulations of the Zoning By-Law under the "BP" entry. The dimensions and placement of signs advertising the location and the nature of the commercial activity on the site shall comply with the applicable provisions of the Topsfield Sign By-Law. Landscaping shall

comply with the requirements set forth in subsections ZA:1-3.8 and ZA:1-3.9 above. The architectural design of buildings proposed for the site shall be such as to integrate their stylistic elements – i.e.: exterior decorations, elevations, and choice of siding and roofing material, with those of the prevailing buildings in the surrounding neighborhood. The buildings shall be designed such that from any viewpoint 102 exterior to the site their appearance is harmonious with the prevailing buildings in the immediate vicinity of the site and are visually integrated with the surrounding topography (terrain). Wherever possible, on-site buildings, structures or other man-made features with historical significance or of such interest shall be preserved or restored where required. Evidence of said significance or interest shall be furnished by the Topsfield Historical District Commission.

* + The only alteration of the site is the erection of one or sometimes two permitted tents not in excess listed in the Table of Dimensional and Density Regulations of the Zoning By-Law under the "BP" entry.
	+ Signage will remain the same as it is now.
	+ The site will remain an orchard and farm as it has been since the Guinee family purchased it the 1980s.

**Requested Findings**

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.

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

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

safety.

 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 developed

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.

 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.

6. Screening, buffers or planting strips, fences or walls are sufficient for the requested use.

7. Due to the nature of the proposed use, the number of spaces provided is adequate to service the use.