

Minutes
Topsfield Zoning Board of Appeals
Town Hall
Board of Selectmen Meeting Room
February 26, 2019

Chairman Bob Moriarty called the meeting to order at 8:12PM. Board members present included Chairman Moriarty, David Merrill, Dave Moniz, Gregor Smith and Jody Clineff. Donna Rich, Community Development Coordinator, was also present. Other persons present during all or part of the meeting included resident Margie Burke Carman and Rebecca Barden and Ken Savoie of Savoie Nolan Architects, LLC., residents Bob Sapienza, Dick Gandt, Lisa and Jeff Berry.

Public Hearing:

129 Main Street-Margie Burke Carman - Clerk David Merrill read the Legal Notice to open the Hearing. Ken Savoie of Savoie Nolan Architects, LLC. explained that they had reduced the size of the proposed addition to a single car garage that now meets the 10 foot side yard setback. The front yard setback reduction of 10 feet is still required to accommodate a standard depth for the garage. In response to the Board's concern of the location of the septic, a plot plan has been provide to show its location. Also noted was that neither the tank nor the leaching trenches were designed to be driven over. Mr. Savoie also consulted with Highway Superintendent, Dave Bond, who confirmed that the Main Street roadway did shift further away from the Burke property when the Ipswich Road intersection was reconfigured. There was no change in the property lines. Chairman Moriarty asked about using the Town property for a portion of the turn-around off the driveway, although noting that it was not within the Zoning Board of Appeals jurisdiction. Hearing no further comments from the Board, Member Jody Clineff made a motion to close the Public Hearing, seconded by Member Gregor Smith; so voted 5-0. Member Dave Moniz made a motion that the Board has found that the size shape and topography of the lot within the Central Residential District has created a hardship for use and occupancy of the dwelling so the approval of the variance is appropriate, seconded by Member Gregor Smith; so voted: 5-0.

Public Hearing:

374 Boston Street #10-Michael Goolkasian - Clerk David Merrill read the Legal Notice to open the Hearing. The applicant was not present, therefore, Member Gregor Smith made a motion to continue the Public Hearing to March 26th at 8pm, seconded by Member Dave Moniz; so voted: 5-0.

Public Hearing:

374 Boston Street #6-Darlene Vella - Clerk David Merrill read the Legal Notice to open the Hearing. The applicant was not present, therefore, Member Gregor Smith made a motion to continue the Public Hearing to March 26th at 8:15pm, seconded by Member Dave Moniz; so voted: 5-0.

Chairman Moriarty recognized abutter Lisa Berry, who stated she would like the lighting in the parking lot of 374 Boston Street to be diverted not toward her property. The Board

suggested that Ms. Berry contact the owner of the property, Stephen Knowles, 21 Long Hill, Boxford MA 01921.

Potential Warrant Articles for the 2019 Annual Town Meeting - Community
Development Coordinator Donna Rich reviewed the proposed Zoning Bylaw changes. Chairman Moriarty also explained that after he had had a discussion with the Chair of the Planning Board he felt that there would not be a need for the Boards to meet jointly to discuss the “housekeeping” items presented.

Minutes

Member Bob Moriarty made a motion to approve the minutes of January 22, 2019, as amended, seconded by Member Jody Clineff; so voted: 4-0-1. Member Dave Merrill abstained.

At 8:49pm Member Jody Clineff made a motion to adjourn, seconded by Member Dave Moniz; 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 Zoning Board of Appeals before the meeting in a packet, or at the meeting were:

1. Agenda
2. Draft meeting minutes of January 22, 2019
3. Revised Application for 129 Main Street
4. Application for 374 Boston Street #10
5. Application for 374 Boston Street #6
6. Draft language for the Zoning Bylaw Warrant Articles

Approved as amended at the March 26, 2019 Zoning Board of Appeals 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