

Topsfield Planning Board

April 21, 2009

Chairman Winship called the meeting to order at 7:30 PM. Board members present were Robert Winship, Janice Ablon, Gregor Smith, Ian deBuy Wenniger and Jonathan Young. Roberta Knight, Community Development Coordinator was also present.

Visitors: Selectmen Martha Morrison and Dick Gandt; Scott Malinowski, Gordon Roderick, Attorney Brad Latham, Richard Kosian, Frank Iovanella, James Mac Dowell, Attorney Michael McCarron, Heidi Fox, Fred Young.

72 Hill Street Scenic Road Permit: At 7:37PM, Chairman Winship called to order the public hearing to consider the Special Permit application of Scott and Yvonne Malinowski for the removal of 35 feet of stonewall for temporary access for vehicles to cross the property during the construction of a single family home and replacement thereof of a portion of said 35 feet of removed stonewall to allow for a permanent driveway access for the new dwelling located at 72 Hill Street, a designated scenic road.

Gordon Roderick of Hayes Engineering and applicant Scott Malinowski explained the need to temporarily expand the opening in the stonewall in order for construction vehicles to enter the property for the installation of the septic system.

Clerk Janice Ablon then made the motion to approve a special scenic road permit according to the application description. Construction work starting in June 2009 or shortly thereafter with completion in the Fall of 2009, replicating the existing dry stonewall when the stones are replaced. The wall is to be replaced within a reasonable time after construction is complete, but before the issuance of a Certificate of Occupancy; seconded by Gregor Smith; so voted 5-0.

English Commons Preference Plan: Attorney Brad Latham representing English Commons LLC reviewed with the Board the Local Preference Plan document dated April 9, 2009, with edits by Chairman Winship dated April 21, 2009. The Board members made comments and added minor revisions to the document. Member Ian deBuy Wenniger recommended that the Plan be reviewed by Town Counsel since it is tied to the condominium documents. It was the consensus of the Board that Town Counsel would review the Plan at the applicant's expense. It was agreed that a meeting would be scheduled with Chairman Winship, Ms. Knight and Attorney Latham to review the revised Plan before submitting to Town Counsel for legal review and final acceptance by the Planning Board.

New Meadows Public Hearing Continuance: At 8:12PM, Chairman Winship called to order the continued public hearing for the New Meadows EHD Development Project.

The following is a summary of the Board's review of the initial report entitled "Peer Review for New Meadows Elderly Housing Project" performed by Richard Kosian, Beals And Thomas, Inc., dated April 15, 2009.

Basis for review: Zoning Bylaw, General Bylaws, Planning Board Rules & Regulations, Stormwater and Erosion Control Regulations, Local Wetland Bylaw, Local Wetland Regulations, State Wetland CMR, DEP Stormwater Management Standards, BOH Rules & Regulations, Scenic Road Bylaw, and the plans and documents submitted by the Applicant, all as detailed on page 2 of the report.

Chairman Winship requested that consultant engineer Richard Kosian specifically target the important issues and recommendations that pertain to the Planning Board's jurisdiction. See attached Peer Review Report for specific details.

General Site Plan:

Item 1. Recommend that the proposed driveway to Unit 1 be relocated to provide access off of the proposed main entrance drive and the proposed curb cut on Wildes Road be eliminated.

Item 3. Recommend that turnout areas be added for Units 2, 6, 10, 14, 16 and 24 to facilitate exiting the driveways in a forward direction without backing over long distances to the main driveway.

Item 4. A pedestrian element in the overall design should be considered; a walkway connection to the adjacent clubhouse is warranted.

Item 9. The sight distances along Wildes Road for both entrances should be determined and noted on the plan in order to confirm compliance with the design standard for the Subdivision Rules & Regulations; in particular looking west for cars exiting golf course parking lot.

Item 26. Vehicle parking within the access driveway should be prohibited; recommend that overflow parking be considered by agreement at the golf course facility.

Item 27. Additional information on the proposed lighting is required for lumen levels to determine site coverage and impact of abutting properties.

Stormwater Management Hydrology & Drainage:

Item 1. Outlet to DMH-208 on Sheet 9 indicates that the stormwater flow will discharge onto the Wildes Road right-of-way. Section 5.12.3(b) of the PB Rules & Regulations states that pipes or the proposed drainage system must not overburden existing drainage systems, either natural or artificial.

Item 3. Pipes appear to be sized based on a 10-year storm. Section 5.12.3(b) of the PB Rules & Regulations requires pipes to be sized for 25-year storm event. Need Plan.

Item 16. The infiltration basin and Infiltration/Detention Vaults A, B, C, D, and E attenuate storm water runoff and appear to be vertical separated by less than 4 feet from the estimated Seasonal High Groundwater (SHGW). As required by the MA Stormwater Management Handbook, a groundwater mounding analysis should be provided for each.

Item 17. The test pit logs on Sheet 6 indicate that less than 2 feet of separation between the bottom of infiltration BMPs and SHGW is provided at RG-1, RG-4, Vault C and Vault D. Infiltration BMPs should be raised to provide the minimum 2 feet of separation required by the MA DEP Stormwater Management Handbook.

Landscaping:

Item 1. Landscape Plan is insufficient for proper evaluation or for construction purposes. More information is needed for type of plantings and size. Need a stamped plan provided by a registered landscape architect.

Water System:

Item 1. A copy of the fire flow testing for the project is needed to analyze the data.

Scenic Road:

Item 2. The removal of several trees and the interruption of the stone wall within the public way are proposed to accommodate the construction of the access drive to the proposed residential units. Appropriate mitigation for this work is recommended.

Notice of Intent:

Item. One Stormwater Pollution Prevention Plan (SWAPP) will be developed to address both Planning and Conservation requirements.

Requested Waivers:

Item 1. 24-foot pavement width in lieu of 28 feet: Recommend that proposed pavement width is appropriate and consistent with suitable access to development of this size and type. [Member Ian deBuy Wenniger noted his concern about visitor parking. The applicant responded that the long driveways would hold 8 spaces for visitor parking.]

Item 2. No designated Right of Way width: Recommend that no right of way width is required as this is proposed as a condominium form of development.

Item 3. No sidewalks: Recommend that some form of pedestrian element be included in the design for the use and benefit of the residents. [Member Ian deBuy Wenniger suggested that a walking path system be configured to connect the units.]

Item 4. Utility locations as per proposed cross section on the Site Plan: Recommend that since private development, the appropriate departments should approve the locations as acceptable of all utilities as proposed.

Item 5. Right of way width, pavement width, cul-de-sac radius (52 feet in lieu of 55 feet) property line radius at cul-de-sac (no separate parcel for Right of Way): Recommendation that the Fire Department has indicated that the radius (52') at the roadway edge of the turnaround is adequate and that the Department prefers not to have a grassed or landscaped island. [Discussion by Board for Applicant to work on plan with Fire Department for low impact design; refer to subdivision regulations]

Item 6. Preservation of natural feature within the development: Recommend that the Applicant should provide an inventory and narrative regarding the natural features that will not be preserved.

Item 7. Driveway grade to begin at edge of pavement: Recommend that the design is consistent with the intent of the requirement.

Items 8. Driveway grading is not positive pitch at 1 location: Recommend that since the proposed development provides a stormwater management system to accommodate flows generated from this location, the design is consistent with the intent of the requirement.

Item 9. No shoulders: Recommend that the 24-foot roadway is an adequate width and shoulders are not required. However, parking in the access drive should be prohibited.

Item 10. Waive granite curb at Wildes Road Intersection: Recommend that the elimination of granite curbing is consistent with the intent of the scenic road bylaw.

Item 11. Sidewalks: Recommend See #3 above.

Item 12. Grass Strips: Recommend that strips may be waived, if formal sidewalks along at the access driveway are not to be constructed.

Item 13. Drainage – allow use of H.D.P.E. in lieu of RC pipe: Recommend that this piping is an appropriate material for use in this development. [Check with Dave Bond on his preference for piping.]

Conservation Restriction: Member Ian deBuy Wenniger queried the Applicant relative to the status of the conservation restriction. Attorney Michael McCarron noted that he was in the process of drafting the document and planned to use as the basis the format for an “agricultural preservation restriction” utilizing the state model; however, taking out developmental rights, with the Town making the restriction a condition for the special permit.

Applicant’s Review Comments: The Applicant’s engineer informed the Board that written comments and requested design changes would be forwarded to Beals & Thomas within two weeks.

Traffic Study: The Board noted that there was no formal traffic study. Attorney McCarron noted that there is a statement in the Environmental Impact Statement addressing traffic flow. It was noted that it is at the discretion of the Planning Board as to the requirement for a comprehensive traffic study.

Maintenance Easements Relative to Density Requirements: Abutter Heidi Fox questioned the allowance of the maintenance easements in relation to Article 4, Section 4.03 Reduction of Lot Areas for the building units situated between the fairways. Attorney McCarron noted that the density requirement for an Elderly Housing District is 5 units per acre. The project is 10 acres with approximately 2 acres for every five units. The buildings as situated meet yard requirements and set backs from lot lines. It was the consensus of the Board that this section did not apply to this project.

Request for Continuance: Attorney McCarron requested a continuance to the June 2, 2009 meeting. Member Gregor Smith made the motion to continue the public hearing to June 2, 2009; seconded by Member Ian deBuy Wenniger; so voted 5-0.

Minutes:

Clerk Janice Ablon made the motion to approve the minutes of March 3, 2009 as written; seconded by Chairman Bob Winship; so voted 5-0.

Member Gregor Smith made the motion to approve the minutes of March 17, 2009 as amended; seconded by Member Ian deBuy Wenniger; so voted 5-0.

Member Gregor Smith made the motion to approve the joint minutes of March 24, 2009 as written; seconded by Clerk Janice Ablon; so voted 2-0. Members Winship, deBuy Wenniger and Young abstained since they were not present.

Scheduling Work Session: It was the consensus of the Board to schedule a work session for next week to review the Planning Board's recommendations for proposed zoning amendments at Town Meeting. All board members noted their availability to attend said meeting on either April 29th or 30th.

The meeting was adjourned at 10:20 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator