

Topsfield Planning Board

July 21, 2009

Chairman Winship called the meeting to order at 7:47 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; Charles Morgan, Alan Berry, Cynthia O'Connell, Charles Latham, Larry Beals, Frank Iovanella, Michael McCarron, Wayne Hunt, James Mac Dowell, Luke Boucher.

18 & 20 Washington Street ANR: At 7:47PM, the Board conducted a review of the ANR plan for 18 and 20 Washington Street that reconfigured the lot lines between 18 and 20 Washington Street owned by the applicants Charles Morgan & Cathy Hall and Evelyn Clark. Both reconfigured lots meet the frontage and acreage requirements for the Central Residential District. Charles Morgan was present and responded to questions posed by the members.

There was a short discussion relative to the shape of the new lot configuration for 18 Washington Street. Since both properties are existing lots and both owners were in agreement with the reconfiguration, the Board moved forward to endorse the ANR.

Upon review of the ANR Checklist and finding all in order, Member Gregor Smith made the motion to endorse as "Approval Not Required" a Plan entitled "Lot Line Alteration Plan of Land, Dated June 29, 2009, Prepared by Oak Engineers, Owned by Cathy (Hall) Morgan (lot 125) and 18 Washington Street Realty Trust (lot 124) in the Town of Topsfield, Essex County, Massachusetts into two (2) lots shown on said plan as Lots 124 and 125;" seconded by Member Ian deBuy Wenniger; so voted 5-0.

New Meadows EHD Project Continued Hearing: At 8:10PM, Chairman Winship called to order the continued public hearing for the New Meadows EHD Development Project.

Mr. Luke Boucher of Beals & Thomas Inc., the Town's peer review engineers, referred to the Final Report dated July 7, 2009 and confirmed that the final engineering plans were acceptable; however, additional waiver requests would be required where noted and other open items should be made conditions for the special permit. The applicant's engineer Jim MacDowell reviewed the open engineering issues and responded to questions from the Board. For specific details, refer to Beals & Thomas final report dated July 7, 2009.

The Board then reviewed its Open Item Punch List as of July 8, 2009: Status of items as of meeting in bold italics.

General Site Plan:

Item 6 Snow Storage and Overflow Parking: Areas are on a separate parcel (golf course). ***Easements required and submitted at meeting by Applicant's attorney.***

Item 9 Sight Distance between Driveways: Sight distance of 225 feet does not comply with Subdivision Rules & Regulations of 250 feet. ***Waiver request required and submitted. Point brought up by Selectman Morrison that Rules & Regulations refer to street intersections and question of applicability for driveway intersection. Planning Board will request review by David Bond, Highway Superintendent.***

Item 19 Pavement Base of 12" gravel course: Waiver of 12" crush stone base to be determined in the field by the Highway Superintendent. ***Condition for Special Permit; waiver request submitted..***

Item 21 Stacked Boulder Wall adjacent to the golf course parking: Wall is subject to the State Building Code. Design by structural engineer to be submitted to Building Inspector prior to construction. ***Condition of Special Permit.***

Item 22 Proposed Retaining Wall in the northwest corner of the site: Same as Item 21; ***Condition of Special Permit.***

Item 26 Vehicle Parking: Narrow access driveway as such the Planning Board has determined that no parking of vehicles is to be permitted on the driveway. Related to Item 6 easement for overflow parking on golf course parking lot. ***Condition of Special Permit.***

Item 27 Site Lighting: ***Planning Board should confirm that lighting plan presented at June 16th meeting is acceptable. Wayne Hunt will provide Board with specification on light fixtures and typical photo for a fixture.***

Item 29 Removal of existing golf course maintenance area: Relative to environmental concerns and remediation where applicable. ***Condition of Special Permit.***

Stormwater Management, Hydrology & Drainage:

Item 9 Minimum cover requirement 3'-6" over pipe and catch basins: Specific areas lowered, but do not meet requirement. ***Waiver Request required and submitted.***

Item 19 Alternative Design for storage vaults: Alternative recommended by peer engineer. Change to system design to be addressed at the time that the alternative plan is completed. ***Condition of Special Permit and would request a modification to permit if alternative design is finalized during construction phase..***

Item 21 BOH Permit Requirement: Applicant needs to apply for a BOH permit for the construction of the stormwater control system. ***Condition of Special Permit and application has been submitted.***

Item 22 BOH Permit Requirement: Applicant needs to apply for a BOH permit for subsurface stormwater leaching facilities. ***Condition of Special Permit and application has been submitted.***

*****Note:** Approval of septic plans by BOH to be condition of permit.

Sediment and Erosion Control:

No outstanding issues

Landscaping:

No outstanding issues. *Planning Board should acknowledge agreement with submitted plan.*

Water System:

Item 1 Fire Flow Testing: Need submittal of analysis to Planning Board by Applicant. Peer review noted “adequate fire flow is likely available”. ***Condition of Special Permit: design of sprinkler system to be within the parameters of sufficient water supply, per discussion between R. Knight and Greg Krom.***

Item 6 Sprinkler System: System is required per the State Building Code. Plans to be submitted to Inspector of Buildings and Fire Department when application for building permit with accompanying building plans is filed. ***Condition of Special Permit.***

Scenic Road:

Planning Board needs to incorporate Landscape Plan as ***conditions for special permit*** relative to stone wall, retaining wall, removal of trees for driveway entrances. Refer to items in this section and items under Landscaping.

Notice of Intent: Conservation Issue

Requested Waivers:

Planning Board to review as acceptable.

Documents:

The outstanding documents that need to be reviewed by Planning Board where applicable are as follows:

Easements for use of golf course parking area
Maintenance Easements regarding fairways
Open Space Preservation Restriction
Master Deed
Association Agreement
Local Preference Plan
Reservation Form

Attorney Michael McCarron provided each member with electronic media to review the above listed documents. He noted that the Applicant would prefer to use a security mechanism such as a covenant for the infrastructure with a Schedule of Values with dates. The road and infrastructure would be completed once the permit is issued with the phased construction of the buildings. Member Ian deBuy Wenniger requested that Mr. McCarron draft a condition for the permit relative to the surety and phasing of the project.

The Board requested that the Applicant execute an Outside Consultant Agreement to fund a legal review of the Easement document and the Open Space Preservation Agreement. The Applicant agreed.

Clerk Janice Ablon then made the motion to continue the public hearing to September 1, 2009; seconded by Member Jonathan Young; so voted 5-0.

English Commons EHD Project Continued Hearing: At 9:15PM, Chairman Winship called to order the continued public hearing for the English Commons EHD Development Project.

At this time, applicant's engineer Larry Beals reviewed his letter to the Board dated July 16, 2009 that addressed what the applicant believed to be the remaining open issues for the project relative to the EHD Special Permit, Stormwater and Erosion Control Permit, Site Plan Review and Scenic Overlay Zone Finding. Mr. Beals also reviewed a Revised List of Waivers dated July 16, 2009. He then addressed the concerns expressed by Meridian Engineering, consultant engineers to the Salem Beverly Water Board and referred to his letter dated July 12, 2009. See attached letters for specific details. Mr. Beals reviewed the finding of his response letter to Meridian Engineering with the Board and noted that the Conservation Commission at its July 8th meeting approved the Stormwater & Erosion Control plans as submitted and further approved the issuance of an Order of Conditions.

The Board then reviewed its Open Item Punch List as of July 15, 2009: Status of items as of meeting in bold italics.

Special Permit Application:

Item J1. Septic Plans: Septic design plans to be placed on PB set of plans; ties with B5 and Waiver 4; ***Placd on Updated Plan; Receipt of BOH permit a condition of permit.***

Item J4. Utility Plans: Utility plans require schematic update relative to size of pipe and elevations; need details from utilities; ***utility companies will design and Applicant will place on As-built plan as a condition of permit.***

Item J6: Stormwater Discharges to Zone A: Issue is direct run-off from asphalt shingles from rear half of all the northeasterly buildings toward Zone A. **Dispute of fact.** According to BSC, Stormwater Management Standards states “*Stormwater discharges to a Zone 1, or Zone A are prohibited unless essential to the operation of the public water supply.*” ***Units moved outside of Zone A shown on updated June 17th plan. Reviewed Beals Associates response to this issue and others raised by Meridian Engineering earlier in meeting. LID design with 90% of water loss from Putnanville Reservoir recovered by the discharge of treated effluent from the project. Planning Board requested copy of Meridian response to Beals letter for the September 1, 2009 hearing.***

Item K1. Flow Test Data: Need flow test data for municipal water service from hydrant testing on Rowley Bridge Road; Beals noted test showing 1000 GPM. ***Condition of permit to design system within parameters of flow data.***

*Items K3. Traffic: Received supplementary traffic report by Vanasse & Associates, Inc.; update on MA Highway requirements; additional discussion relative to the re-construction of the side slope for southbound acceleration lane by entrance; ***Dave Varga Review Required. Plan set dated June 17, 2009 shows driveway cut, but acceleration and deceleration lanes missing.***

Item K4: Stormwater Management and Erosion Control Bylaw: See BSC Reports dated April 3, 2009 and April 22, 2009; Received by PB at May 19 meeting and received electronically as well; ***Contractor to manage erosion control within the exterior site perimeter during construction based on conditions at a given time.***

Waivers:

Waiver 1 & 3: PB Plans need to be updated to show the locations of the centerline and critical radii sufficient for the construction of the driveway (access road) for the development; driveway entrance must be redesigned to meet MA Highway access standards; ***Place on Final Plan. Developer would like to keep island, but needs to convince Mass Highway.***

Waiver 4: Request denied; Septic design update; ties to J1 & B5; ***location to be placed on Final Plan; condition of permit subject of BOH approval.***

Waiver 6 & 7: PB needs specific design for low impact development to consider waivers for cross sections and shoulder; ***Place on Final Plans and Dave Bond to review.***

Waiver 10: Scenic Overlay Zone to be placed on Final Plans; ***Need final landscape plan by certified landscape architect to be submitted.***

Supplemental Materials:

Item A 4. Construction Phasing: Erosion Control Phasing Plan received June 16, 2009; ***Condition of Permit.***

Item A 5. Sidewalk Issue: Applicant will provide walkways for access from units to community building. ***Place on Final Plans.***

Item A7. Construction Period Extension for 4 Years: Applicant must provide a project schedule with road and drainage installed within two years and plan for erosion control for phasing; ***Condition of Permit and plan schedule has been provided to Board.***

Item B2. Plan Requirements: Ties in with landscape plan: pathways, landscaping, walls and fences. ***Place on Final Certified Landscape Plan (walkways connecting front door to driveway)***

Item B5. Detailed Septic Plans: Applicant to update Board, ties to J1 & Waiver 4. ***BOH issue; condition of special permit must have BOH approval.***

Item B6: Municipal Water: Ties to Item K1; Beals to provide analysis. ***Condition of Permit to design system to meet flow.***

Item B7: Erosion Control and Construction Phasing: ties to Item A7; ***Working with June 16, 2009 document; Condition of Permit.***

Item B10. Zoning District Boundaries: Applicant will add line for Scenic Overlay District to plans. ***Placed on June 17 Plans.***

B12. Community Center: Complete, but ***Applicant will provide details for Gatehouse on separate drawing.***

B14. Trails: Site visit to be scheduled to map out natural trails. ***Planning Board decision; Member Gregor Smith volunteered to walk site.***

C. Stormwater Management and Erosion Control Bylaw

Items 1-4: relative to discharge conditions and recharge conditions; need one plan to consolidate all issues of concern of both Conservation Commission and Planning Board under the issuance of the Planning Board's SWEC Permit; include orders of conditions. *To be based on ConsCom approval of Plan in issued Order of Conditions; to be reviewed by David Varga for Planning Board.*

D. Scenic Road Overlay Zone

Item 1. Inventory: Applicant must provide inventory and photograph area. *Applicant to provide on final landscape plan. Forward photos.*

Item 2. Rows of Trees: Applicant to provide alternative landscape plan. *Applicant to provide on final landscape plan.*

Chairman Winship noted that the Planning Board would require an engineering peer review by the Board's consultant engineer for the reconstruction of the side slope for the southbound acceleration lane and review of the Stormwater and Erosion Control plans and infrastructure relative to the conditions for the SWEC permit. The Orders of Conditions would be the basis for the permit.

At this time, Selectman Gandt addressed the Board relative for the requirement to have access to Rowley Bridge Road to connect the development with the existing neighborhood. This would provide public access to the existing nature trails within the development. The access should be identified on the plan. Member Gregor Smith volunteered to meet with the developer and walk the area to locate the access trail that has frequently been referenced in discussions concerning public access between the neighborhood and the project.

Member Gregor Smith then made the motion to continue the public hearing to September 1, 2009; seconded by Member Ian deBuy Wenniger; so voted 5-0.

The meeting was adjourned at 10:57 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator