

Topsfield Planning Board

December 7, 2010

Chairman Winship called the meeting to order at 7:45 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; Frank Iovanella, James MacDowell, Steven Hall and George Hall.

Release of New Meadows EHD Surety Bond: The Board discussed the 90% reduction request of surety funds by developer Frank Iovanella. Chairman Winship reviewed the request and the recommendation from Beals & Thomas, Inc., the Town's consultant engineer for the project. Chairman Winship noted that the terms of the surety bond are clear that the deposit was for the total project and not just for the site work. Members Ian DeBuy Wenniger, Jonathan Young and Gregor Smith respectively agreed that the escrow was for the entire project, but that a portion should be released at this time based on the site work that has been completed.

Project Manager/Engineer James MacDowell informed the Board that he had obtained an estimate in the amount of \$5,500 for approximately five (5) acres for re-seeding from the Greene Company as compared to the \$17,500 estimated by Beals & Thomas. He also informed the Board that he was in discussions with Conservation Administrator Lana Spillman relative to a plan modification to replace the proposed underground tank with a retention pond which would be located in the buffer zone.

Developer Frank Iovanella noted that he has a vested interest in the project and the community. He is currently installing a new irrigation system at the golf course and has continued over the years to maintain and improve the properties on Route 1. He noted that he has been conservative in his approach for this project and he is not in financial trouble.

Member Gregor Smith responded that the Board should take into consideration his vested interest in the community.

Upon the conclusion of the discussion, Member Gregor Smith made the motion to reduce the Bond to \$20,000; seconded by Member Ian DeBuy Wenniger; so voted 5-0.

Green Communities/Renewable Energy: George Hall, Chairman of the Green Communities/Renewable Energy Committee initiated a discussion with the Board relative to zoning revisions required for the Town to meet the standards for "Green Communities" status. The Town could accomplish this goal with zoning revisions related to by-right commercial scale wind energy facilities, ground mounted solar panels or creation of a zone for research and development (R&D) facilities. He noted that there

are four (4) parcels in the Business Park Zone that meet the requirements for an R & D facility as defined by the Act. He presented the Board with a draft Green Communities Renewable Energy R&D By-law that would create definitions for alternative energy, renewable energy and research & development facilities, as well as the incorporation into the Table of Use Regulations for said facilities as a permitted use. (For further details, see attachment)

Chairman Hall and the members further discussed the adoption of a Utility Scale Wind By-law that had been drafted last year, but not presented to town meeting, and the development of a Ground Mounted Solar Installation By-law. Chairman Hall noted that he had a draft “solar” by-law from the Town of Scituate that he would forward electronically to the members for their review.

Planning Board Chairman Bob Winship then reviewed with the members the draft list of zoning revisions (see attachment for specific details) that incorporated the recommendations presented by George Hall. It was noted that the definitions most likely could be incorporated into Article XV that then could be renamed to encompass all the components of an alternative/renewable energy by-law article. It was also noted that instead of an overlay zone for R & D, this use would be incorporated as a permitted use in the Business Park district. Although under this proposed zoning revision, research and development facilities would become a permitted use; it does not preclude site plan review. Conditions could be incorporated into the site plan decision suitable for all installations.

Proposed Revision to Sign By-law: At this time, Selectman Gandt requested that the Board consider a revision to the existing By-law that would allow lighted “OPEN” signs in windows of business establishments in the Business Village District. It would be an adjustment to current use of these signs by businesses in the downtown area and said signs service the customers. Member Janice Ablon strongly objected to this proposed change to allow internally lighted signs. Other members also noted that they would not be in favor of this proposed by-law change.

Minutes: Clerk Janice Ablon made the motion to approve the minutes of November 16, 2010 as corrected; seconded by Member Ian DeBuy Wenniger; so voted 4-0-0.

The meeting was adjourned at 10:06 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator