

**WEST NEWBURY PLANNING BOARD**  
**MINUTES OF MEETING**  
JANUARY 17, 2017

Pursuant to a meeting notice posted by the Town Clerk delivered to all Board members, a meeting of the West Newbury Planning Board was held on January 17, 2017 in the first floor Hearing Room at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Richard Bridges, Raymond Cook, Brian Murphey, and John Sarkis were in attendance. Planning Administrator Leah Zambenardi was also in attendance. Associate Member Dennis Lucey was not in attendance.

The meeting was called to order at 7:00 PM

**Continued Public Hearing – Special Permit for an Open Space Preservation – Drakes Landing 365 Main Street & 34 Meetinghouse Hill Road – William A. Daley and Joseph B., Jr & Beverly A. Murphy (Owners) – Cottage Advisors (Applicant)**

Howard “Chip” Hall, Cottage Advisors, along with Nick Cracknell, planner from Keystone Planning and Design presented a PowerPoint of the Drakes Landing plan. They provided the board and public attendees with an overview of all the changes that have taken course throughout the design from beginning to present. Cracknell shared the primary and secondary resources on the property. Cracknell stated that they are proposing a homeowners association maintain the open space. Cracknell shared an aerial view, which showed that there is very little development potential in the surrounding areas. Cracknell discussed the distance between the new development and abutters, in which there is only one property that is very close while all other properties are very distant.

Hall presented an updated sketch plan which included modifications from the 12/20/2017 meeting. The sketch plan also reflected modifications from the 2-hour site visit which was conducted on Saturday, January 7<sup>th</sup>. During the site walk there was concern of the grading behind the cul-de-sac. Hall stated that within the sketch plan he could build a retaining wall to hold the slope which would not impact the open space. Hall stated that this area of concern comprises only 0.3 acres. Sarkis stated he would want to know the height of the retaining wall.

Hall stated that the modified sketch plan showed a new proposed septic system, called a “Drip System”. He stated this is a newer technology that allows more flexibility with the design of the leach field and that the grade would be lower. Hall stated that with the modifications 58% is undisturbed open space. Per Bardeen’s request Cracknell shared the wetlands and steep slopes within the undisturbed areas. Hall stated that the Mullen trail was approved, which would be across the street from the proposed Drakes Landing. Hall explained how they could continue the trail throughout the development to provide continuity. Hall discussed the trails around the property, and how there is value with the trails for open space. Hall showed the design plans of the different styles homes to be built within the project. Bridges questioned the garages with the cottage style homes, and Hall stated that there will be an option for buyers to choose from a two car garage, one car garage or none.

Hall stated that at the 12/20/2016 meeting there was a concern for traffic calming measures. Hall stated he has since contacted Vanasse Associates, and stated that Vanasse has no speeding concerns. Vanasse suggested two possible solutions if traffic measures were a concern. One is to add plantings to give the feel that the road is smaller thus people would slow down, and the other solution is to possibly change the surface of the road which would have a natural calming effect. Hall stated that he will share the email from Vanasse with Zambenardi.

West Newbury Planning Board, Minutes, January 17, 2017. Approved March 7, 2017.

Cracknell went through the Open Space Bylaw section 6.B.12, and 6.B.13 and how the proposed design meets those requirements. Cook stated that the plan is better than a conventional plan, and that there is value to the town as an open space plan. Cook also stated that there is potential for a trail for the people on Meetinghouse Hill Rd to connect to downtown. Bridges stated he is still concerned with the steep slopes and grading behind the cul-de-sac. Bridges also stated the access to Meetinghouse Hill Rd, is going to cause more problems on top of a poor situation that already exists. Bridges stated that stone dust would be the preferred material for the trail base. Bridges is also concerned the project does not provide enough benefits to be determined as open space compared to a conventional subdivision, due to the fact of the impact imposed to abutters and the parcel itself. Bardeen stated that the proposed plan is not that different from the yield plan, and that she is concerned about public trails leading into a private road. Hall stated that to eliminate the cul-de-sac, another option would be to remove a few single-family homes and design a 40-unit plan which will include 24 duplexes. He stated this would shorten the road, and leave all open space where the cul-de-sac was originally designed. Sarkis stated that it is worth thinking about and weighing the pluses and minuses, but also questioned the grading and soil on the cul-de-sac. Sarkis questioned if the soil is acceptable for septic where the proposed cul-de-sac is. Hall stated that there is good soil there but shared that it would have to be further investigated to see if a septic system could be build there. Zambarnardi expressed the benefits of Hall's newly proposed 40-unit plan.

Bridges shared the OSPD Bylaw with the board and the public attendees. The board members reviewed each factor in 6.B.12, for making a decision as follows:

- a. *Whether the OSPD achieves greater flexibility and creativity in the design of residential developments than a conventional development plan.*

The board agreed that the proposed 32-unit plan does comply.

- b. *Whether the OSPD promotes permanent preservation of open space, agricultural land forestry land, other natural resources including waterbodies and wetlands, and historical and archeological resources.*

Bridges, Cook, and Murphey agree the proposed design fulfills this requirement.

Sarkis stated that he feels that the proposed plan does not entirely meet this requirement.

Bardeen concurred with Sarkis.

- c. *Whether the OSPD promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional development plan.*

The board agreed this is a wash.

- d. *Whether the OSPD reduces the total amount of disturbance on the site compared to a conventional development plan.*

Murphey, and Cook agreed, and the rest of the board stated this is a wash.

- e. *Whether the OSPD furthers the goals and policies of the Open Space Plan and/or the Comprehensive Plan.*

Bridges, Murphey, and Cook agreed that the proposed 32-unit plan does facilitate this requirement.

- f. *Whether the OSPD facilitates the construction and maintenance of streets, utilities and public service in a more economical and efficient manner*

Bardeen, Bridges, Sarkis agreed this is a wash.

*g. Whether the OSPD Plan and its supporting narrative documentation complies with all sections of this Zoning Bylaw*

The board agreed that the proposed plan does comply with this requirement.

Sarkis proposed a potential benefit of a vehicular connection instead of a trail connection near the back of the development toward Bachelor St. Hall stated that he didn't further investigate that land because it was a subject that was not discussed in the past.

Joan Flink, 366 Main St. has a safety concern with the entrance way on Route 113, as well as the crossover to the Mullen Property. She stated the school bus stop could be hazardous with the potential number of children that could move into the new development. Bridges stated that the roadway will not be built any differently than any other conventional subdivision. Flink also requested the results of the traffic study. Zambenardi stated that she will send those results to her. Bridges also stated that the traffic study didn't raise a safety concern.

Steven Greason, 86 Coffin St, from the Open Space Committee shared his proposed ideas of where trail easements could go for future purposes. Cook asked his overall opinion on the project as it pertains with Open Space. Greason shared that he feels there are too many houses within the proposed plan, which takes away from the open space.

Ted Olsen, 40 Meetinghouse Hill Rd., an abutter, expressed that he agrees with the 32-unit design. He is concerned with the 40-unit design that was proposed this evening, as it could possibly lend to the idea this is an area for low income housing.

Brad Buschur, 374 Main St. asked the board to what extent they will take the proposed road from his property line. Sarkis stated that where it is a private road there is no benefit in the road being so close to the property line, but while it's something to be looked at. He noted that with the wetlands there is very little room for movement. Sarkis proposed that vegetation be put in along the property line. Buschur also stated that the benefit of the open space with the proposed plan is minimal. Buschur also expressed the trail concerns. He proceeded to share his own design plan to the board, which displayed open space connections. The board reviewed his proposed plan. Buschur proposed the septic system mimic the septic system at Ocean Meadow.

Dave Koopman, 32 Meetinghouse Hill Rd, stated that the 8 ft proposed trail would come out at the most dangerous part of the hill on Meetinghouse Hill Road where numerous accidents have occurred. He urged the Board to support a more favorable land swap with his neighbor Lori Spielvogel, which would remove the issue of a trail, and create a better situation for everyone.

Lori Spielvogel, 26 Meetinghouse Hill Rd. expressed a safety concern that the potential trails being built would be too close to her pond in the backyard. She feels that if the trail is built as proposed she would have to build a fence in her backyard around the pond so children don't attempt to go towards the pond.

Cracknell stated that he is not in favor of creating a whole new plan with 40-units. He suggested they make changes to the existing proposed plan, which will adhere to the cul-de-sac concerns, and trail connection concerns. Cracknell stated that he feels that the board would not approve the 40-unit proposed plan.

Murphey and Cook stated that they are in favor of the proposed 32-unit plan, but the rest of the board is not and requested further changes be done. Sarkis stated that he would be in favor of Hall's proposed West Newbury Planning Board, Minutes, January 17, 2017. Approved March 7, 2017.

plan if the cul-de-sac is moved further northward and not extend past the stone wall. The board members requested that Hall present a revised plan at the next meeting on January 31, 2017. They are interested in seeing a plan which would shorten the length of the cul de sac. Currently the proposed plan shows 20ft between units, and Hall proposed to decrease the distance between homes. The Board indicated it would be open to considering that.

Bridges made a motion to continue the public hearing for a Special Permit for an Open Space Preservation Development – Drakes Landing 365 Main Street & 34 Meetinghouse Hill Road to January 31, 2017 at 7pm, and it carried 5-0.

#### **Cottages at River Hill – Follinsbee Lane (Pending Items, As-Builts & Performance Bonds)**

Zambernardi stated the Board received a request for acceptance of as-builts and release of the 3 performance bonds held as surety to guarantee completion of the subdivision. She stated that Meridian submitted review comments pertaining to this request and Meridian had a number of suggested revisions to the as-built plans. She stated that Meridian is fine with releasing the first 2 performance bonds, but that the Board withhold some of the remaining performance bond. Hall noted that Meridian had requested that the deck and or patio structure be shown on the as-builts. Hall stated that the decks aren't shown on the as-builts because they aren't required as part of the condominium documents. Sarkis suggested that Hall use a tape to measure the deck and patio structure rather than a survey. It was also noted that several of the items such as shoring up erosion and landscaping will have to wait until the Spring.

Cook made a motion to extend the construction completion date to May 30, 2017. Bridges seconded the motion and it carried 5-0.

Zambernardi stated that LandTech submitted a minor modification request with regards to the granite boundary markers shown on the approved plan. She stated it a request to use the stone wall as the marker rather than adding granite boundary markers to that area. She stated they also proposed additional conservation area signs on wood posts.

Bridges made a motion to consider the request a minor modification. Bardeen seconded the motion and it carried 5-0.

Bridges made a motion to approve the substance of the request with the exception that the additional proposed signage is not allowed. Cook seconded the motion and it carried 5-0.

#### **General Business**

*Vouchers* – Zambernardi had vouchers for signatures.

#### **Other –**

Zambernardi stated that The Registry of Deeds requested an updated list of board members. Each board member signed the requested form.

The meeting was adjourned at 11:00pm.

Submitted by,

Lori Dawidowicz  
Recording Secretary

West Newbury Planning Board, Minutes, January 17, 2017. Approved March 7, 2017.