

**WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
March 15, 2016**

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a meeting of the West Newbury Planning Board was held on March 1, 2016 in Planning Board Office at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Rick Bridges and Raymond Cook were present. Members Brian Murphey and John Todd Sarkis were not in attendance. Planning Administrator Leah Zamb Bernardi and Associate Member Dennis Lucey were also present.

The meeting was called to order at 7:00 PM.

Subdivision Approval Not Required Plans (SANR's)

Zamb Bernardi stated that no plans were submitted for this meeting.

Ocean Meadow Definitive Subdivision Plan and OSPD Special Permit – Alyssa M. Gillis, Doug Stockbridge - Update on Status of Completion of 24 Ridgeway Circle

Doug Stockbridge addressed the Board and stated photographs were submitted of the unit today. He stated that countertops were installed. Some minor things such as door hardware are still needed. He stated that the closing is scheduled for April 12th, which was set by the buyers. He believed the work would be done by the next week.

Cook made a motion to extend the deadline for completion of the unit from March 31, 2016 to the April 5, 2016 meeting. Murphey seconded the motion and it carried. Zamb Bernardi stated she would put the matter on the April 5th agenda.

Planning Board Recommendation to Board of Selectmen: Notice of Intent to Sell for Other Use Per MGL c. 61A, sec. 14; Land Along Turkey Hill Road (Assessors Map R-19, Parcel 3) – Justin L. Peltier on behalf of Jennie M. Maskiewicz Trust

Cook stated that the Town received a notice of intent by the Maskiewicz Trust to sell some of their land along Turkey Hill Road. He stated that this property was part of the ANR that the Board endorsed at the last meeting. The owner is seeking to take Lot 1 (1.87 acres) of that plan out of 61A. Cook recognized Steve Greason, 86 Coffin Street and of the Open Space Committee. Greason noted that several properties are coming out of Chapter 61 and the Open Space Committee is concerned about it. He discussed the Town's Right of First Refusal process with the Board. Cook commented that the Planning Board looks at these parcels in a broader sense than the Open Space Committee. Bardeen noted that this parcel is part of acreage owned by the family located in both West Newbury and Newburyport. Zamb Bernardi stated she communicated with Chris LaPointe at Greenbelt today. He indicated the Land Conservation world has been trying to acquire the entire property for years and the family is not interested. He indicated that Greenbelt is only interested in buying the whole property and that the price for the 1.87-acre lot is higher than Greenbelt would pay. Greason noted that the lots are near a drinking water source and perhaps the Town could partner with Newburyport to apply for grants for protection of resources. He stated he is alarmed at the rate of properties in the West Newbury Planning Board, Minutes, March 15, 2016. Approved June 21, 2016.

pipeline for coming out of Chapter 61.

Cook stated that the Planning Board is very careful when it makes recommendations on acquiring Chapter 61 properties. It only recommends acquisition if the price and value to the public makes sense. Using that strategy the Board's recommendations for acquisition are taken more seriously. Cook commented that acquiring 2 acres for \$300,000 does not make sense for the Town. Bridges stated this would be a difficult case to make to the Selectmen because there is a sense in Town that it has enough open space. Cook stated that perception is changing as development increases.

More discussion ensued on the Town's policies for Right of First Refusals. Bardeen stated that a key strategy is to have an updated list of priority open space parcels.

Cook stated that people can also monitor the Planning Board's agendas to see if any priority parcels are being discussed for development.

Bardeen noted that the owners are not interested in conserving the property. The Board found that it does not view the land in question as of particular value to the Town. The Board, therefore, found no reason to recommend to the Board of Selectmen that it exercise its Right of First Refusal.

Sullivans Court Extension, Estate Homes at Rivers Edge, Definitive Subdivision Plan and Special Permits for: 1. Common Driveway to serve three Lots (Section 7.D.); and 2. Three Reduced Frontage Lots (Section 6.A.1.) – Approved April 21, 2015 - Request for Release of Lot 1 from the Form I Approval with Covenant Contract

Zambarnardi stated that Neve has indicated that he would like to begin construction of a home on lot 1 sometime in May if he does not have a land sale by then. He is therefore requesting that the Planning Board release lot 1 from the recorded Covenant. In his request, he noted that, "The purpose of the Covenant... is to maintain sufficient collateral and value in the subdivision to guarantee the construction of the ways. Leaving lot 2, 3, 4, and 6 will still leave approximately \$1,700,000 of value in the deal with less than \$100,000 worth of remaining construction. We also have posted \$35,000 cash with the Board of Selectmen for work on Sullivans court which is 80% complete. The only thing that remains on the existing Sullivans Court is the final coat of pavement." Accordingly, he does not wish to post any other form of surety at this time.

She stated that she spoke with Charlie Wear at Meridian Engineering and they are both inclined to agree with releasing a single lot from the covenant because the Planning Board does hold a far greater value in the remaining lots under the existing covenant, than the work that needs to be completed. She stated that we question Mr. Neve's argument about the Selectmen's bond, as it is intended for improvements to the existing public right of way, not the extension. Wear agreed that there is less than \$100,000 worth of construction remaining in the subdivision, with the remaining items being final paving and landscaping.

She stated that Neve submitted a line by line item list of the remaining work with associated costs for review by Mr. Wear as well as a Form J Release Form for signature by the Board. Mr. Wear has agreed to that list.

Cook made a motion to approve the request of Tom Neve for the release of Lot 1 from the

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Form I Approval with Covenant Contract, finding that the value in the remaining lots under the existing covenant exceeds the remaining work required for completion of the subdivision. Bridges seconded the motion and it carried unanimously.

Discussion of Zoning Bylaw Amendments

Cook tabled discussions on the Bylaws until the next meeting.

Minutes

Members reviewed the February 16, 2016 regular meeting minutes and the February 16, 2016 Executive Session minutes. Cook made a motion to approve both sets of minutes. Bridges seconded the motion and it carried unanimously.

Correspondence

Zambernardi stated that the draft Transportation Improvement Plan is available for public review and to contact her if anyone like to see the document.

The meeting was adjourned at 8:05 p.m.

Submitted by,

Leah J. Zambernardi, AICP
Planning Administrator