

WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
DECEMBER 20, 2016

Pursuant to a meeting notice posted by the Town Clerk that was delivered to all Board members, a meeting of the West Newbury Planning Board was held on December 20, 2016 in the second floor Hearing Room at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Richard Bridges, Raymond Cook, Brian Murphey and John Todd Sarkis were present. Planning Administrator Leah Zambernardi and Associate Member Dennis Lucey were also in attendance.

The meeting was called to order at 7:00 PM

Subdivision Approval Not Required Plans (SANR's)

Zambernardi stated that no SANR's had been submitted.

Cottages at River Hill – Follinsbee Lane – Discussion of Project Completion (Pending Items, As-Builts & Performance Bonds)

Bridges shared the concerns that Steve Greason had in the previous Dec, 6, 2016 meeting. Greason had previously stated that the location of the trail around the septic mound is incorrect as-built. Hall stated that there was an original plan, and a revised trail plan in which the engineers staked out the trail. The revised trail plan was designed to compensate for the septic bed being wider than the original plan, and that the septic bed fill moved. Zambernardi stated that she is going to do a site visit with Meridian on 12/22/2016 that will include walking the trail. Bridges stated that at the Dec 6, 2016 meeting Greason discussed the mulch material that was laid down on the trail and has now washed away. The original plan was supposed to have organic tree bark mulch. Hall stated that he went with the plan. Bridges stated that at the Dec 6, 2016 meeting Greason stated that the signs identifying the entrance and junction of the trails have not been installed. Hall stated that it was his understanding that Greason was going to install them. Zambernardi stated that the Board is fine with Greason re-using some of the conservation area posts for this purpose. Zambernardi stated that the required landscaping to buffer the vent to the septic system has not been installed even though it is on the plan. Zambernardi also stated that she will send that information to Hall. Hall stated that he will have his landscapers complete this in the spring. Bridges noted that the erosion issues, both around the trail and slope noted on Meridian's 11/22 inspection report have not been addressed. Hall will make sure that is also taken care of in the spring. Bridges stated that Karen Mackey at 9 Follinsbee Ln noted that there was a sink hole under her retaining wall. Hall stated that he had treated settlement formatting around her foundation. Hall also stated the Mackey's one year warranty had expired. It is Hall's understanding that Mackey has now handled that issue. Zambernardi stated that she had received a call from Karen Mackey, explaining that there is a sink hole formation under the retaining wall and the air conditioning unit and that she had it temporarily fixed at her own expense. Mackey shared with Zambernardi that the condo management company will look at this in the spring. Zambernardi stated that she informed Mackey that she will look at the retaining wall during the site walk on 12/22/2016.

Zambernardi proposed that there be an extension of the construction completion date of the tripartite agreements from Dec 30, 2016 to Jan 30, 2017. Hall agreed with the extension. Bridges made a motion to extend the construction completion deadline as outlined in all three tripartite agreements, from Dec 31 to Jan 30, and it carried 50. Zambernardi handed out the extension agreement for signatures.

West Newbury Planning Board, Minutes, December 20, 2016. Approved January 31, 2017.

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. Murphey (Owners) – Cottage Advisors (Applicant)

Howard “Chip” Hall, Cottage Advisors, along with Nick Cracknel, planner from Keystone Planning and Design, presented a PowerPoint of the Drakes Landing plan which included a 36-unit design as well an option for a 32-unit design. Cracknel explained to the board and attending public the Protected Open Space percentages. Some of the potential disturbed open space is where the reserve septic system is, though it would likely be left in its natural state. Hall noted that based on the comments received at the Nov 15, 2016 meeting they had removed the proposed parking behind the Carr Post from the open space. Bridges questioned if all of the steep slopes are in the disturbed open space area. Cracknel stated that the steep slopes are all in the undisturbed open space. He clarified that some of the moderate slopes are in disturbed open space areas. Cook wanted to make sure that the 60% of the Bylaw is met, and Cracknel confirmed that.

Hall stated that at the conclusion of the November meeting, Members generally concurred that they would not approve an open space density bonus and suggested that Hall investigate the affordable housing density bonus. Hall would still like to use the Cottage Unit density bonus. At the discretion of the Board, his proposal would involve converting 2 or 4 of the cottage units to duplexes. The units being considered are on the dead end on the west side of the property toward Main Street. The garages would be eliminated therefore the footprints of the structures would remain essentially the same as a single-family unit. Hall indicated that the market rate duplex units would be moderately priced in the \$350,000 - \$380,000 range. Below are the proposed options:

Scenario 1: 2 Duplexes (4 units with one being affordable)

Base Number of Units = 24

Density bonus for 4 cottage style units = 4

Density bonus for 1 additional affordable unit = 3 about 1200sq ft

Total number of units = 32

Hall stated the affordable homes will be placed throughout the community, which will have 2 bedrooms and 1 bathroom, with a full basement. Bardeen was concerned of the parking situation since garages have been removed from the affordable homes, and Hall stated there will tandem parking with the duplex units.

Scenario 2: 4 duplexes (8 units with 2 being affordable)

Base Number of Units = 24

Density bonus for 4 cottage style units = 4

Density bonus for 2 additional affordable units = 6

Total number of units = 36

Sarkis questioned the contiguity of the open space and stated that there isn't a connection from the east side to the west side. Hall then proceeded to share 3 different options of the septic bed location to give better connectivity throughout the design. Hall offered to provide a cross section of the septic bed for the board for the next meeting. Hall stated according to the DEP, Title 5, and the West Newbury health agent regulations, he needs to set aside a conventional primary and reserve bed area even though he will

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be using a Presby system. Sarkis suggested that Hall reconfirm those regulations with the health agent. Hall concurred and will confirm with Paul. Sarkis also stated that he would like to see alternate forms of housing. Bridges concurred with Sarkis. Hall stated he had spoken with his attorney and he would be willing to commit to a maximum sale price for the moderately priced duplex units. He noted however that this maximum would not be a restriction placed on the deed, so the resale price might be higher. Hall stated for the next meeting on January 17, 2017 he will provide the revised yield plan with 12 lots (24 units) along with a sketch plan, and then request a vote on the special permit. He also stated that he will provide a topography overlay, and the design for the septic system in bed B with a cross section. Members of the board agreed to do a site walk on Jan 7, 2017 at 9am for about 1hour.

Dave Koopman, 32 Meetinghouse Hill Rd, questioned the piece land going from the development into Meetinghouse Hill Rd. Cook stated that the land was originally set aside for utilities and access. Sarkis stated that in the future the piece of land would remain open space and given to Spielvogel, the abutter. Coopman questioned his well, and how the septic system will affect his property. The board responded that the health agent will take that into consideration and there are required buffers to wells.

Dennis Lucey, 374 Main St., requested a quick review of the 12 lot yield plan and the 32 unit sketch plan. He also stated that an east/west connection would be a wonderful addition to the project.

Marlene Switzer, 13 Follinsbee Lane questioned if the piece of land that goes into Meetinghouse Hill will become a public easement. Bridges and Cook stated the due to the steep slopes that is not feasible.

Brad Buschur, 374 Main St. and abutter to the parcel, has multiple concerns with the value of the plan. He is concerned that the way the road is being designed will induce speeding, and suggests to build an "S" road rather than the straightaway that is now proposed. Bridges requested that Hall investigate calming measures that can be set in place for the potential speeding. Hall stated that he will discuss the different options they have with the landscape architect. Buschur requested that if the design is approved that an easement granting egress from his property on to the new road be permitted. It was advised that Buschur discuss that request in a private conversation with the applicant. Buschur also stated that he has offered the Town an easement for a future septic system for the Carr Post on his land. Buschur stated that the quality of the trails is very low and suggested that the trails connect to Action Cove. He also questioned the accessibility to the Carr Post, and Murphey stated the developer would provide a parking area in the back. Buschur suggested to have attached units, rather than the design proposed. He also stated that the affordable housing price point of 350k – 380k with a 2 bedroom design is not realistic for low income families. He asked Hall what the meaning is for the orange dots spray painted on trees along his property line, and Cracknel stated that they will investigate it.

Zambernardi stated that an extension needs to be filled out to continue the public hearing to January 17, 2017. Bridges made a motion to extend the public hearing to January 17, 2017. Bardeen seconded the motion and it carried 5-0-0.

Amendments to Sign Bylaw – Zambernardi stated that the timeline for the spring town meeting has been established and that Feb 6, 2017 is the submission deadline for articles. Zambernardi suggested having a public meeting in January with the business owners to get their feedback before an article is submitted. The board suggested that the public meeting occur on January 3, 2017. Zambernardi stated that she will send an invite to the business owners, as well as have an article in the "calendar of events" section of the newspaper.

General Business

West Newbury Planning Board, Minutes, December 20, 2016. Approved January 31, 2017.

Sullivan's Court Extension -

Zambernardi stated there are no updates.

Haverhill Bank –

Zambernardi stated there are no updates.

Minutes -

Members of the Board agreed to review the meeting minutes at the following meeting on Jan 3, 2017.

Vouchers –

Zambernardi had vouchers for payments to Meridian, general expenses, and payroll.

Correspondence -

It was previously requested that Don Bourquard of the Open Space Committee submit alternatives of the trail location that is between John Cena's 2 lots on Bailey's Lane property. The Cena property is currently not in compliance with the special permit conditions. Bridges suggested that the Open Space Committee speak with Cammett Engineering directly, and then if further assistance is needed from the planning board that they will assist where necessary. The Planning Board would wait to address this again upon receipt of an application from Cena.

Administrative Details –

FY18 Budget–

Zambernardi stated that the budget is due 1/9/2017, and she emailed a draft to the board to review. The Board agreed to review the budget for the 1/3/2016 meeting.

Street Trees -

Bridges shared the state law with the board, and it was discussed that the town of West Newbury is not compliant with the Massachusetts Law of cutting down trees in the public way. Zambernardi stated that she has had conversations with Gary Bill, Tree Warden, in which he feels that he is compliant with the law. The board agreed to invite the selectman to the 1/3/2017 meeting, to discuss the issue.

Other –

Zambernardi stated that 2 ANR submissions are expected, one for 6 lots at 157 Middle Rd, and one for 87 Main St., which developer Brad Kutcher is considering 2 additional lots.

The meeting was adjourned at 10:00pm

Submitted by,

Lori Dawidowicz
Recording Secretary