

**WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING**

August 7, 2018

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 August 7, 2018 at 7:00pm in the 2nd floor Planning Board Room at the West Newbury Town Offices, 381 Main Street. Board Members, John Sarkis, Raymond Cook, Brian Murphey, Ann Bardeen, and Richard Bridges were in attendance. Town Planner Leah Zambenardi was also in attendance.

Bardeen took the agenda out of order to consider several General Business Items

Vouchers – Board Members signed vouchers to authorize payment to Meridian Engineering for inspections of Sullivan’s Court and Drakes Landing.

Minutes – Members of the Board reviewed and made amendments to the June 5, 2018 meeting minutes. Bardeen made a motion to accept those minutes as amended. Cook seconded the motion and it carried unanimously 5-0-0. Members of the Board then reviewed and made amendments to the June 19, 2018 meeting minutes. Bardeen made a motion to accept those minutes as amended. Cook seconded the motion and it carried unanimously 5-0-0.

Continued Public Hearing/Discussion/Decision - Site Plan Review Application (Zoning Bylaw Section 8.B.3) - New Pump Station to Support New Bedrock Well, Adjacent to Existing Wellfield and Pump Station off Main Street (Map R-27, Lot 20 - West Newbury Water Department (Applicant), Society of Saint John the Evangelist (Owner))

Bardeen adjourned the regular meeting of the Board and called the continued public hearing to order. Members of the Board reviewed a draft Certificate of Vote that was provided to them by Zambenardi in advance of the meeting. No edits were made to the draft document. Bardeen asked if there were Members of the public who had questions or comments and there were none.

Bardeen made a motion to close the hearing and approve the Site Plan Review Application subject to the findings and conditions contained in the draft Certificate of Vote. Murphey seconded the motion. There was no discussion on the motion. The motion carried 4-0-1 with Sarkis in abstention.

The voting Board Members then signed the Certificate of Vote.

Documentation Reviewed: Draft Certificate of Vote

Informal Discussion - Development of 866 Main Street – Sandstone Development

Bardeen stated that the purpose of this discussion is for the developer to share their plans with the Board and for the Board to provide informal feedback to them.

Andrew Street of Civil Design Consultants, Chuck Goodjohn of Sandstone Development and Timothy McManus of ADVA Custom Home Building LLC addressed the Board with a Subdivision Concept Plan for a 9-lot subdivision and 3 ANR lots at 866 Main Street (aka Brown Spring Farm). Board Members ask questions and make suggestions about the technical aspects of the design and land, the permitting approach and the character of the development in relation to the surrounding area.

West Newbury Planning Board, Minutes, August 7, 2018. Approved September 4, 2018.

Particular concerns included:

- Measurement of frontage for ANR Lots
- Centerline offsets to Norino Drive and Garden Street, Minimum frontage on street for right of way and compliance with other Subdivision Standards
- Compliance with MASS DOT standards for State Route 113
- Foreseeable opposition from neighbors, the Town in general and Planning Board members due to the loss of Brown Spring Farm and the change in character this project would cause.
- Soil characteristics for septic systems
- Feasibility of reduced frontage lots and adverse impact to neighborhood
- Inclusionary Housing Requirements

Some comments from Board members included:

- Bring the open space quality/character of the existing land in to the proposal and create an Open Space Preservation - type development.
- Consider multiple units on 3 ANR lots instead of a Subdivision (i.e. special permit for 4-unit dwellings), which would contribute to the need for diversity in housing stock in Town.

At the conclusion of the discussion, Board Members invited the development team to come back to a future meeting to continue discussions once they have had time to analyze the Board's feedback.

Documentation Reviewed: Subdivision Concept Plan

Informal Discussion – Development of 87 Main Street – Concord River Properties

Bardeen stated that the purpose of this discussion is for the developer to share their plans with the Board and for the Board to provide informal feedback to them.

Steve Sawyer of Christiansen & Sergi and Adam Costa of Mead, Talerman & Costa, LLC addressed the Board with a conceptual ANR plan for 3 ANR lots at 87 Main Street. The following issues were discussed:

- Access to Lot 3 from a part of Main Street, other than its frontage. Similar projects on Meadow Sweet Road and 52 Ash Street were discussed, though some Board Members pointed out that those plans are from the 1990's and questioned their relevance.
- Adequacy of access of the frontage for Lot 3. It was discussed that a guardrail and wetlands traverse parts of the frontage for lot 3. Costa discussed case law findings and the considerations for determining whether there is suitable physical access over frontage of a lot.

After some discussion, Members observed that there is some flexibility with the frontage for Lot 2, which could potentially be shifted to allow for drier frontage along Lot 3. Members suggested that the developer consider a reduced frontage lot to achieve this purpose. Members also questioned the practicality of 3 separate driveways for all 3 lots, noting problems with traffic and sight distances and that MASSDOT standards might prohibit the situation. Members suggested the developer consider a common driveway to serve all 3 lots, which could potentially increase the lot values. Some Members expressed their support of the concept of a common driveway.

Documentation Reviewed: Concept Lot Plan for 87 Main Street, Plan of Land for 52 Ash Street, Plan of Land for George & Yvonne MacCormack

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Sullivans Court Extension – Walker Development – Definitive Plan and Special Permits for 6 Lot Subdivision (Approved 2015)

Tom Neve of Walker Development addressed the Board with several requests as follows:

- a. Allow walk-out basement type dwelling on Lot #2 and amend grades – After a lengthy discussion including a description of the plan changes, the architecture of the proposed house, the intent of the Board’s 2015 Certificate of Vote, and the procedural requirements, most of the Board Members found that the request was reasonable. They required that the abutters most directly impacted by this change be notified and invited to comment on the matter at the next meeting.
- b. Amend Affordable Housing Contribution Agreement – Members of the Board discussed the agreement and Mr. Neve’s proposal to modify it. After due consideration, Bardeen made a motion to extend the deadline for making the final contribution to July 31, 2019. Cook seconded the motion and it carried unanimously 5-0-0. Bardeen then made a motion to release Lots 1 & 4 from the Agreement with the stipulation that Zambarnardi will retain the original document until such time that the lots are sold and a payment is received. Bridges seconded the motion and it carried 5-0-0. Board Members were amenable to amending the Agreement to allow that future payments be funded with the proceeds of the lot sales and they asked Neve to draft an amendment for their consideration at the next meeting.
- c. Determine Completeness of Common Driveway – Neve explained that completion of the Common Driveway to the base course is a pre-requisite to releasing Lots 2, 3 & 4. Zambarnardi stated that she consulted with David Kelley of Meridian Engineering and confirmed that the Common Driveway was completed to the Board’s standards, with the exception of the final course of pavement. Bardeen made a motion to find that the Common Driveway has been completed pursuant to the Board’s requirements for Lot releases. Murphey seconded the motion and it carried 5-0-0.
- d. Release Lots 2 and 4 from Restrictive Covenant – Neve discussed the items left to be completed in the subdivision, which includes the final course of pavement and some seeding. He noted that he has posted a bond of \$35,000 with the Town for the re-paving of Sullivan’s Court and that there is substantial value in the lots still subject to the Restrictive Covenant. Board Members found these factors sufficient as surety that the project would be completed. During the course of this discussion, Wendy Reed of the Open Space Committee and Conservation Commission and Marlene Switzer of the Open Space Committee asked about Neve’s obligations and timing to complete the trail network on and off-site. After some discussion, Neve agreed to meet with the parties to come up with a permitting solution that is acceptable to the Conservation Commission. The Board then tabled the request to Release Lots 2 & 4 from the Restrictive Covenant to a future meeting.

Documentation Reviewed: Approved Subdivision Plan, Certificate of Vote for Special Permit, Certificate of Vote for Definitive Plan, Plans showing proposed changes to Lot 2, Plan showing architectural design of house on Lot 2, Housing Contribution Payment Agreement

Meet with Angus Jennings, Town Manager

Angus Jennings, Town Manager introduced himself to the Board, provided his background, and discussed his first few weeks working for the Town, his goals for the position, and priority projects moving forward. Jennings and the Board also discussed planning efforts in the Town Center.

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Review of Open Space Preservation Development Bylaw, Section 6.B of Zoning Bylaw

Members briefly discuss proposed amendments to the Bylaw. Due to the late hour they tabled the matter to the next meeting.

Documentation Reviewed: Proposed Amendments to OSPD Bylaw

General Business:

- Updates – Zambenardi stated that blasting is required at Drakes Landing for installation of septic tanks near the small duplexes. She stated that the contractor must seek and obtain permits from the Fire Department before doing such work.
- Correspondence – No correspondence was discussed.
- Administrative Details – Recording Secretary – Zambenardi stated that Lori Dawidowicz recently resigned her post as Recording Secretary for the Town. Cook made a motion to acknowledge the good work Dawidowicz performed for the Board over the past 2 years and to express their appreciation. Bridges seconded the motion and it carried 5-0-0.

Adjournment -

The meeting was adjourned at 10:15PM

Submitted by,

Leah Zambenardi
Town Planner