

**WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING**

August 21, 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 21, 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 Zambernardi and Associate Member Kim Monahan were also in attendance.

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

Tom Neve of Walker Development continued discussions with the Board on the following requests:

- a. Allow walk-out basement type dwelling on Lot #2 and amend grades – Bardeen stated that she reviewed the meeting minutes from 8/7/15 and noted that the Board intentionally imposed the condition of approval which prohibits walk out basements on certain lots. Board Members generally agreed and Cook noted that the condition was poorly written. Bardeen stated that at the last meeting most of the Board Members found that the request was reasonable but that they wanted the abutters most directly impacted by this change to be notified and invited to comment on the matter. Howard Hill of 32 River Meadow Place stated his concerns over stormwater runoff on to his and his neighbor's properties. Tom Horgan of 33 River Meadow Drive submitted photographs documenting conditions in February and April of 2018 on his property and on Rob Turnan's property at 31 River Meadow Place. A discussion ensued about whether the change in grade and footprint of the house to be built on Lot 2 would negatively impact the drainage situation. Cook and Sarkis review the plans and give their opinions that it would not. It was noted that the drainage system is not yet completed and the Board discussed measures that could be taken to temporarily address the issue during the construction on Lot 2. The Board requested that a site visit be held for the Board's Inspector, Meridian Engineering to investigate and make recommendations on mitigation measures. Neve and neighbors will be invited to the meeting. Hill and Horgan concur that their issue is with the drainage not being completed, not with the walk-out basement-type dwelling and grade change. After due deliberation on the matter, Bardeen made a motion to allow a walk-out basement type dwelling on Lot 2 pursuant to the plans submitted with the request. Cook seconded the motion and it carried 5-0.
- b. Amend Affordable Housing Contribution Agreement – Bardeen stated that the Board approved the request to extend the deadline for making the final contribution to July 31, 2019. Zambernardi stated that Neve submitted proposed language for the amendment at the last meeting. Since that time, Town Counsel Michael McCarron has reviewed and suggested edits. Board Members reviewed McCarron's edits and found them acceptable. Sarkis made a motion to allow that the agreement be modified so that the affordable housing payment may be made from the proceeds of the sale of the Lot. Murphey seconded the motion and it carried 5-0.
- c. Release Lots 2 and 4 from Restrictive Covenant – Neve stated that since the last meeting he met with representatives from the Conservation Commission and the Open Space Committee and he has secured a contractor that will flag the wetlands on the Town's property. After some discussion, Bardeen made a motion to release Lot 4 from the language of the Covenant not to Convey. Bridges

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seconded the motion and it carried 5-0. The Board will hold off on considering the request to release Lot 2 until the September 18th meeting.

Documentation Reviewed: Photographs submitted by Tom Horgan, Approved Drainage Plans, Amendment to Affordable Housing Agreement

Review of Large-Scale Ground-Mounted Solar Photovoltaic Overlay District Bylaw, Section 5.G. of Zoning Bylaw

Bardeen noted that Zambarnardi provided a draft amendment to the Bylaw based on feedback given by the Board at the July 17, 2018 meeting. Board members reviewed, commented and further edited the proposed changes to the Bylaw. After due discussion, Sarkis made a motion to authorize that Zambarnardi finalize the draft and prepare and Article Request for submission to the Selectmen on September 4, 2018.

Documentation Reviewed: Proposed Amendments LGSPI Bylaw dated August 14, 2018

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

Bardeen noted that Zambarnardi provided a draft amendment to the Bylaw based on feedback given by the Board some months ago. Board members reviewed, commented and further edited the proposed changes to the Bylaw. After due discussion, Sarkis made a motion to authorize that Zambarnardi finalize the draft and prepare and Article Request for submission to the Selectmen on September 4, 2018.

Documentation Reviewed: Proposed Amendments to OSPD Bylaw.

General Business:

Approved Housing Production Plan 2018-2022 – Zambarnardi stated that DHCD recently approved the Housing Production Plan 2018-2022. She stated that the Plan includes recommendations and suggested that the Board review and prioritize them at a future meeting. Bardeen stated this can be put on an agenda later in the fall.

Municipal Separate Storm Sewer System (MS4) Notice of Intent – Zambarnardi stated that the Town Manager is looking to dissolve the current Stormwater Committee and to establish a working group of Town Staff to guide the effort. She stated that MVPC is preparing the Notice of Intent (due October 1) with feedback from the Working Group. She stated that the NOI assigns responsibilities among Town Departments. She stated that Planning is assigned several items including review and revision of existing regulations and policies and preparation and adoption of new ones for compliance with the new requirements for construction site stormwater runoff control. She noted this work is in the bailiwick of Planning, and stated her concern over the time commitment involved and the fast approaching deadline of June 2019 to complete the work. Board Members shared the concern and concurred that the Town Planner has limited time to spend on this effort without administrative relief. Zambarnardi suggested that the Board consider budgeting for consulting money to assist in completing

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the Planning related items. Board Members noted that the Town Manager should be made aware of this concern.

Minutes – July 17, 2018, August 7, 2018 – Bardeen tabled the minutes to the next meeting.

Vouchers – No vouchers are provided.

Correspondence – Zambarnardi stated that Newburyport is considering an amendment to the requirements for Yield Plans in their Open Space Residential Development Bylaw.

Administrative Details – Recording Secretary – Zambarnardi stated that she awaiting authorization from the Town Manager to post the notice for the position. She stated that it took her 2 hours to complete the August 7th minutes and that this is a pressing matter. She will follow up with the Town Manager on this.

Zambarnardi requested and received permission to shift office hours for the following week to Monday and Tuesday. She stated that her regular office hours will resume on September 4th (Monday, Tuesday and Thursday from 9:30 am to 2:30 pm)

Adjournment -

The meeting was adjourned at 10:00 PM

Submitted by,

Leah Zambarnardi
Town Planner