

WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
September 19, 2017

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 September 19, 2017 in the 2nd floor Hearing Room at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Brian Murphey, John Sarkis, Raymond Cook, and Richard Bridges were in attendance. Town Planner Leah Zambarnardi was also in attendance. Associate Member Cindy Sauter was also in attendance.

Informal Discussion Proposed Zoning Amendment/Map Change Re: Large- Scale - Mounted Solar Photovoltaic Overlay District at Beaucher Property on Coffin Street proposed by SWEB Development on behalf of the Landowner

Mike Carey, from SWEB Development, gave an informal presentation on the proposed solar project for the Beaucher Property at 28 Coffin St. He gave a brief history of the company, as well as projects that they have done throughout the world. SWEB Development does full long-term operations, buying property, the financing of their own resources as well contract within their construction teams.

The Solar project being proposed will be part of the Massachusetts SMART program. While they have not purchased the land at this time, they do plan to use 20 acres of the 72 acres for the solar field. The SMART program is capped at 6 megawatts, therefore using a total of 20 acres. Currently they are waiting for the results from a wetland survey, to further design their project. Carey showed two places where the potential connection into the grid would be on the property. Depending on the size of the project it could potentially give the town \$35,000 to \$72,000 annually in terms of pilot, and property taxes. The revenue to the developer will be estimated depending on the size of project.

He stated that the plan will be to keep the tree clearing to a minimum, as well as have a limited effect on the trails as possible. An 8' fence will be around the project to protect the safety of the project as well as the public. The proposed maintenance would include snow removal, and mowing, and at first would have to be visited every quarter. Carey showed the access road to the Board to be able to do the maintenance. Carey stated that he has contacted the potential abutters to the solar project.

The Board advised to research the frontage requirements and sharing driveways particularly for mixed use, to have a public rationale as to why only 20 acres will be used, requested a potential full build out, discuss the water flow before and after, preservation of trails and open space, and view sheds. It was also advised that he discuss the revenue in detail for the town meeting.

7:30 p.m. Continued Public Hearing related to an Open Space Preservation Development at 365 Main Street and 34 Meetinghouse Hill Road (aka Drakes Landing) - William Daley (Owner); Cottage Advisors, LLC (Applicant) - Site Plan Review pursuant to Section 8.B. of the West Newbury Zoning Bylaw

In the previous meeting there was a joint discussion between the Conservation Commission and the Planning Board to discuss the proposed retaining wall at the access of Drake's Landing. The Conservation West Newbury Planning Board, Minutes, September 19, 2017. Approved November 21, 2017.

Commission had requested a retaining wall, while the Planning Board had preferred a 3:1 slope. To reach a compromise, Robbins stated that the Conservation Commission proposed a 410 linear feet. vegetated living wall. Bob Blanchett, Engineer from Cammett Engineering, stated that they are currently working on the manufacturing specs. He explained that the proposed guard rail, is 32" tall with 6x6 pressure treated wood. Due to the speed limit, it is not necessary to have a steel guard rail. Hall stated that they last 120 years. Melissa Robbins, attorney for Cottage Advisors, stated that Homeowner's Association would maintain the mowing around the living wall on an annual basis. Hall discussed the wet meadow will have less impact on the trees, and while they will still have to create wetland replication it would be a lot less then with a 3:1 slope. To make sure a waiver is not required for the installation of the guard rail, Sarkis stated that he wants to review regulations for what components of the subdivision rules and regulations do apply and how.

Chris Ryan from Meridian stated that he doesn't see an issue with the living wall. The only thing that raised a minor concern was with anchoring system for the guard rail, and how far back it would go to possibly cause impact on utilities. He stated that if the Structural Engineer signs off on the design, they would not have an issue. Robbins stated that once the design is completed, it will be shared with multiple departments. Gary Bill doesn't foresee an issue with the proposal and it will not affect his access to plow the parking lot.

Previously there was concern for the drainage. Robbins stated that they have reviewed the concerns that they were addressed. Chris Ryan, Meridian, stated that they reviewed the plans and have no further issue with the drainage design, and will review the drainage of the parking lot once it is completed. Blanchett stated that they will not be sending storm water to the culvert under 113, and he feels it is properly assessed. Blanchett stated that they will not make changes to the drainage for the parking lot since the drainage was for 12 spaces and now less parking is proposed. Blanchett and the Board discussed the grading plan that is proposed for the parking lot, and the flow of the water. Gary Bill and the Board are concerned with an elevation issue which can cause a drainage problem with the parking lot. Sarkis advised that provisions be made that it works with the building in front and back. Blanchett stated that a sidewalk can be designed to access from the back parking lot and showed the Board where it would be on the plans.

The Board was shown a revised Carr Post parking lot plan that was previously agreed upon by Selectmen. This plan had fewer than 12 spaces. The Board discussed their frustration with the parking situation, and discussed other possible parking solutions. Robbins stated this information was in the special permit, and read section on page 8, that discusses the shared parking lot, and necessary curb cuts. Sarkis requested that Blanchett demonstrate pedestrian access to the rear of the building, safe pedestrian access to the most logical point of access to the building, and to be able to demonstrate the flow of water so that the Carr Post lot doesn't puddle. Sarkis suggested to place boulders at the edge of the parking lot, as short retaining wall to get an additional 1'-2' in grade. Blanchett stated that they are currently reviewing grading options for the beginning of the access road.

Blanchett went through the list of requested waivers with the Board. Meridian agreed with the waiver list. Blanchett stated that the existing tract is 14.5% wetland at the time of application. The Site Plan indicates that the open space would include 20.3% of wetlands, and that they believe the greater percentage of wetland is in accordance with the intent of the bylaw. Hall stated that the septic bed is in

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the open space, and the pump stations are outside of the open space calculation. Zambenardi stated that 62.3% is open space and it doesn't include the septic bed, Hall stated that 1.7% of the open space is disturbed. They are requesting no density bonus from the Open Space.

Hall stated that they are proposing 3" of stone dust for the trails in the open space, and that they are not in environmental sensitive areas.

Blanchett discussed the design standards from the Planning Board Rules and Regulations governing subdivision land. The Board discussed the following sections:

4.4.9.1- *Drainage pipe be class five RCP and have minimum cover of three feet.* Blanchett stated that they are proposing HDPE for the drain material. He stated that the plans indicate to the contractor the compliance for Mass DOT highway and bridge specifications.

4.4.1.1- *Edge of embankment of stormwater basins be twenty-five feet from any roadway and property lines,* stated that the following: *In order to keep the overall footprint of the development to a minimum the stormwater basins are located less than 25-feet to the driveways and property lines. The stormwater basin located near the entrance at station 0+25 is approximately 5- feet from Main Street right -of-way. The stormwater basin located near the Carr Post proposed parking area at station 2+00 is approximately 12-feet to the nearest property line. The remaining basins are a minimum of 25-feet from roadways and or property lines.* Sarkis recommended that this section state that it is only a 2ft drop. For 4.7.2 – *indicates in part that the number and location of proposed street lights shall be shown on the plan.* Hall stated that bistro/catenary lights will be placed around the pergola. Sarkis stated that if the lighting thought the development is timed to add that information to the waiver request.

C.3.c - *indicates in part ...if site conditions require grade changes of greater than six feet, retaining walls terraced and landscaped should be considered. We would prefer the flexibility to place walls on an as-needed basis, based on cottage style and site location.* Blanchett showed the potential places where retaining walls may be placed. While the Board agrees to give Hall the flexibility of the retaining walls without coming back for a minor modification request, they requested to keep those walls to a minimum. Hall will edit this section to state that they are non-structural walls within the non-exclusive use area.

The Board discussed the access easement for the benefit of the Buschur property. The width of the access is 20' Hall stated that the abutter is aware of the trees that will be removed, and Blanchett stated that the trees are marked along the abutter's property line. Sarkis requested an appropriate view shed for the easement, and possible curve in the access path thus giving privacy to the abutter as well for Drakes Landing.

Hall discussed and showed the land swap with 26 Meetinghouse Hill Rd. There will be a plan to show the land swap as well and that a separate ANR will be submitted. Zambenardi confirmed with the Board that a utility easement is no longer needed out to Meetinghouse Hill Rd.

Blanchett stated that there is no curbing on the roadway on the inside of the cul de sac, or the inside of the "peanut-loop". Sarkis and Bridges requested that the curbing be improved as compared to the River Hill development.

Hall requested that the details of the construction hours be discussed for the October 3, 2017 meeting. He stated that the development will be completed in two phases, and that a lot of the infrastructure will be completed in the beginning. The details of the phasing are on the phasing plan. Hall stated that since

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the pavement will be completed in the beginning of the road the debris from the trucks should be cleaned before getting onto Main St.

Sarkis made a motion to continue the public hearing to 7:10 on October 3, 2017 seconded by Bardeen, and it carried 5-0-0.

Subdivision Approval Not Required Plan – Gorman Homes c/o John Gorman – Archelaus Hill Road (Assessors Map 22, Parcel 2; Assessors Map 15, Parcel 74)

Gorman informed the Board that the previous plan recorded for 4 separate lots, has been appealed and is currently going through a legal process. Gorman presented the Board with a modified plan from the May 16, 2017 plan, which proposed combining lots 3 & 4 and lots 1 & 2 will remain the same. The plan showed that combined lot will have three access points.

Richard Baker, Middle St, expressed his concern of having conflicting plans for the same piece of property that are with the registry of deeds. Zambenardi stated that the applicant can submit more than one plan. Sarkis stated that it is the Board's discretion to make sure that there is adequate frontage, access, and that the plan would be used for conveyance. Cook explained that the SANR process determines whether the plan does or does not require the Board's approval under the Subdivision Control Law.

Cook made a motion to endorse the plan as to one not requiring approval under the subdivision control law. Bridges seconded it, and it carried 5-0-0.

Request for Project Closeout and Release from Tri-Partite Agreement – Cottages at River Hill – Follinsbee Lane – Cottages Advisors, LLC

Hall stated that Brox paving will fix the paving issues. He stated that he will do 60 ft of berm replacement to the right of the mailbox, and fix the settlement issues on unit 10 and unit 11. Areas around unit 32 will also be fixed.

Chris Ryan, Meridian, stated that pavement around the circle is in rough shape. He also looked at the holes that were in the driveways, but feels that it will be constant maintenance issues for the homeowners. There is still time for tri-partite agreement, and Robbins feels that the paving concerns will be addressed before the closeout date. The Board agreed to discuss the release during the October 17, 2017 meeting.

Zambenardi stated she has walked the entirety of the trails, and that weeds are growing through the wood chips, and that the whole trail is passable. Marlene Switzer stated she spoke with a member of the Conservation Commission who stated that the Commission was not aware that Jay Smith gave approval of the trails. She stated they want to meet to discuss the trails again. She further explained that shrubbery is not placed around the septic vents. Hall stated that he will contact the landscaper about the shrubbery that was previously requested.

General Business -

Sullivans Court – Updates

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There were no updates.

720 Main St. – Updates -

There were no updates.

Vouchers –

There were no vouchers.

Correspondence –

There was no correspondence.

Administrative Details – Planning Board FY18 Objectives

Zambernardi stated that the annual review is due, and is required. The Board scheduled to do the review on October 17, 2017.

Other –

Sarkis provided Cindy Sauter her role as an Associate member of the Board. Sauter stated that she will recuse for the rest of the Drakes project because her real estate agency will be representing the property. Zambernardi stated that the consultants for the Town Cent3r infrastructure planning project are meeting on September 28, 2017 at 7pm.

The meeting was adjourned at 10:35pm.

Submitted by,

Lori Dawidowicz
Recording Secretary