

WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
October 17, 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 October 17, 2017 at 7:07pm in the 1st 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 Zambenardi was also in attendance. Associate Member Cindy Sauter was also in attendance.

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

Zambenardi stated that curbing had been installed at the top of Follinsbee Lane, planting around the septic vents is completed, and the extra paving was done. She also stated that the Conservation Commission agreed that the trails be mowed 4 times a year by the association.

Sarkis made a motion to accept the final as-built plan for Follinsbee Lane, Cottages at River Hill, drawn by LandTech consultants scale 1"=30', revised through June 23, 2017. Seconded by Cook, and it carried 5-0-0.

Sarkis made a motion to deem the open space preservation development at Follinsbee Lane (aka Cottages at River Hill) by Cottage Advisors LLC completed in conformance with the certificate of vogue on record in book 453 at the registry of deeds, and to therefore release all interest in the tripartite agreement posted to guarantee completion of the project. Seconded by Cook, and it carried 5-0-0.

Request for Modification of Area Identified as Buffer to Open Space – Special Permit and Site Plan Review for an Open Space Preservation Development at the Cottages at River Hill – Follinsbee Lane – Cottages at River Hill Unit Owners Association

Nancy Sullivan, Secretary for the Unit Owners Association at the Cottages of River Hill, along with Maureen Harris and Richard Deandre requested that the 20ft buffer zone be removed from development. She presented the buffer zone within the development plan to the Board. The appearance of the buffer zone differs throughout the development. It wasn't clear to the owners the actual location of the buffer zone when they had purchased their properties. Sullivan explained that some of the landscape at the time of purchase, was not in a vegetated state, and therefore the appearance of the landscape was unknown. Now that those areas have been vegetated, its appearance is visually unacceptable. She also mentioned that some of the exclusive areas are within the buffer zone, thus confusing the owners' rights. She described how the layout of the development is currently, and that residents are requesting to do some of their own landscaping, such as mowing more grass, or having their own garden.

The Board reviewed the section in the Bylaw regarding buffer areas. The Buffer Zone area was supposed to be undisturbed, and therefore there is no landscape plans. Zambenardi stated she has walked with members of Cottages of River Hill, and measured out the buffer zone area. She stated that the areas that she measured were mowed. The Board discussed if this would be a major or minor modification. They

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advised the applicant that their request would be a major modification, and Sarkis explained the necessary steps to proceed. Bridges stated that he believes that the buffer zone should stay as it is.

John McGrath, 244 Main St. is not in favor of removing the buffer zone, and stated that it is legally stated in the as-builts with a 20ft buffer zone. He stated that previously it was forbidden that certain trees were cut down, and they were cut down anyways. McGrath referred to the minutes from February and March. Sarkis stated that the as-builts plan shows the utilities on the 20ft buffer zone.

Cindy Sauter, 14 Follinsbee Ln., requested clarification on a minor or major modification, and questioned the possibility of landscape variations. The Board clarified the types of modifications. She was advised to discuss this with the building inspector, Glenn Clohecy as to what landscape variations are allowed.

Richard Deandrea, 5 Follinsbee Lane, requested clarification on how a buffer zone within exclusive use areas got approved. Cook stated that the exclusive area in the buffer zone is to be maintained as landscaped in the original plan.

The applicant stated that they are withdrawing their request. The Board took no action.

As a future task, the Board agreed to clarify the buffer zone section with the bylaw. Sarkis stated that the buffer zone should be larger than 20ft, and should be vegetated.

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

The Board reviewed the draft version of the conditions of approval with Melissa Robbins, and Chip Hall. Within this revision, the Board made a request to have a waiver request for the buffer zone. The Board discussed the allowable construction hours. They decided that the condition refer to the West Newbury noise bylaw, which specifies that the allowable hours are 7-8 Saturdays, Sundays, and holidays.

Robbins informed the Board that they are currently working on a legal matter involving the calculations of the affordable units.

Cook made a motion to extend the public hearing to 7:30 on November 6, 2017. Seconded by Sarkis, and it carried 5-0-0.

General Business -

Vouchers –

The Board signed the tripartite agreement, and vouchers.

Correspondence –

Zambernardi discussed that a land use grant application is due October 23, 2017. She stated that the Selectmen requested that she explain the grant at their meeting on October 23, 2017 before they will support submission of the application. The Board concurs with Zambernardi that there is not enough time to prepare an application.

Administrative Details – Annual Report, Personnel Evaluation, Shared Folders

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Zambernardi provided the draft annual report to the Board, last year's performance evaluation, as well as bullet points with her feedback for the Board. She also proposed that the Dropbox account be upgraded to 1 terabyte, which will cost \$100 a year. The Board agreed to the upgrade.

Other -

The Board decided that Mike Carey from SWEB Development should be on the agenda for Nov 21, 2017 to discuss his site plan.

The Board's next meeting was rescheduled to Nov 6, 2017.

The meeting was adjourned at 10:30pm.

Submitted by,

Lori Dawidowicz
Recording Secretary