

**WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
November 6, 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 November 6, 2017 at 7:00pm 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 not in attendance.

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 along with Leah Zambenardi reviewed the conditions of approval with Melissa Robbins, Chip Hall, and Bob Blanchett.

The Board, Hall, and Robbins discussed the affordable units and their compliance with the Inclusionary Bylaw. Town Counsel Mike McCarron submitted an opinion to the Board that the special permit decision states that the base unit is 2.4, and then 2 additional affordable units were provided to gain a density bonus of 6 additional market rate units. He concluded that the number would then be 4.4 and therefore Hall would owe .4 units, which would be provided by fee according to the Inclusionary Bylaw. Robbins provided her opinion on the matter noting that according to the Bylaw, 10% of the overall development must be affordable. Robbins stated that The Drakes Landing project has 34 units overall, and therefore the required affordable units would be 3.4. Robbins stated that under the Inclusionary Bylaw, a developer who is building affordable housing as part of a density bonus is being punished because they are building affordable housing to get bonuses. The Board and Robbins discussed various ways that the Bylaw could be interpreted. Zambenardi stated that the Town's Zoning Enforcement Officer, Glenn Clohecy, who has jurisdiction over interpretation of the Zoning Bylaw and she have issued opinions in line with Town Counsel. After much discussion, the Board found that Hall is required to provide 4.4 affordable units.

Robbins then addressed the required fee in lieu of .4 of an affordable unit pursuant to the Bylaw. According to the Bylaw formula calculation, the required housing contribution payment would be \$83,200. The Board and Robbins agreed that the 50% housing contribution payment will be provided at the end of construction of Phase 1, and a 50% payment prior to the release of the 25th market rate unit.

The Board reviewed the lighting on the landscaping plans. Murphy requested that the plans should state all the lighting is LED with a 3000K color temperature. It was agreed that the timing of the lights will be managed by the Homeowners' Association.

Hall then discussed a possible change to the plans that they are exploring. He stated they are exploring a solution for the height of the entry road going into the development that would help reduce the amount of fill required. Hall is proposing to remove the retention basin behind the units rather than the "peanut-loop". This modification would change the elevation, allowing it to be dropped around the road, and handling of roof run off would be improved. With this proposal, the open space calculation would change

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from 18.26 to 17.82 acres of open space which would be 68.3%, and 63.8% will be undisturbed of the total site. He stated that Meridian would need to approve this modification. The proposed modification would abide by the buffer zone in the Open Space Bylaw. Blanchett presented where the road changes will be throughout the development. Hall stated that he will revise these plans for the December 5, 2017 meeting.

Zambernardi stated she received a note from Joan Flink, which discussed the transfer of the Murphy property and she requested that the Board reconsider having the entrance to the development on Meetinghouse Hill Rd. Zambernardi stated that Hall purchased the back piece of the Murphy property, not the frontage on Meetinghouse Hill Rd. Sarkis stated that this was looked at through an alternatives analysis with the Conservation Commission and is not the jurisdiction of this Board.

Ted Olsen, 40 Meetinghouse Hill, was concerned that blasting was not included within the conditions of approval. The Board stated that it is not confirmed that there will be blasting, but if there is then the proper procedures will be followed according to State Law and oversight by the Fire Department.

Brad Buschur, 347 Main St. questioned the construction hours, and if his letter was read into the minutes for the 10.17.2017 meeting. Buschur stated his concern for the vegetation preservation, and what will replace the trees that are being removed. He also suggested that the pathway be a pack stone dust material that is not uniform in consistency. He also suggested that the developer conduct a Sieve analysis. He stated that Essex County Trails Association can suggest a good stone dust. Buschur is concerned about the blind curve on the crosswalk in Daley Drive and strongly requested a user activated yellow beacon to alert drivers of pedestrians. He requested that the trail be connected to Action Cove. He stated his concern of the color scheme of the units, and he wanted to be able to request certain colors. Bridges that they cannot control the color scheme of the individual units, though they are ok with the overall color scheme. Buschur requested that his easement be removed from the plan since it's not accurate on the current plan. He questioned when construction will begin, and the Board estimated in the spring.

Sarkis made a motion to continue the public hearing to Dec 5, 2017 at 7:30pm, and it carried 5-0-0.

General Business –

*Updates - Town Center Infrastructure Planning, Regional Housing Plan, 40B "Safe Harbor" Analysis
Town Center Infrastructure Planning -*

Zambernardi stated that the Town Center Infrastructure working group is meeting one more time to review the consultant's current power point presentation, which is expected to be publicly presented in January. She stated that updates are posted on the website and on Facebook.

Regional Housing Plan –

Zambernardi stated that MVPC hired Jennifer Goldson who has been putting the individual plans based on data collected. They will be presenting the data to the residents on Nov 14, 2017 at 6pm.

40B Safe Harbor Analysis –

Zambernardi has been working with MVPC on GIS mapping to determine if the Town is close to meeting the 1.5% land area minimum under GL Chapter 40B. She stated that they still need to evaluate what the land area is for the affordable units. She is expecting another analysis result, which will include CRs and APRs and other areas to see if that could aid in making the required percentage.

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Vouchers –

Zambernardi had vouchers for a Payment to the towns credit card for the DropBox update, and requested timesheet signatures.

Correspondence –

Zambernardi stated that John McGrath provided an email on October 23, 2017 related to the Buffer Zone in the Open Space Bylaw. She also stated that an email was sent about the Regional Housing Plan meeting on November 14, 2017 and she urged members to attend.

Minutes –

Sarkis made a motion to accept the August 1, 2017 minutes with minor corrections. Seconded by Murphey and it carried 5-0-0.

Sarkis made a motion to accept the August 15, 2017 minutes with minor corrections. Seconded by Bardeen and it carried 5-0-0.

Sarkis made a motion to accept the September 5, 2017 minutes with minor corrections. Seconded by Cook and it carried 5-0-0.

Administrative Details – Annual Report, Personnel Evaluation, Shared Folders

The Board reviewed the annual report drafted by Leah Zambernardi.

Cook approved the annual report with minor changes. Seconded by Sarkis, and it carried 5-0-0.

The following will be on the Planning Board's future agenda:

- SWEB Development – Solar Photovoltaic Overlay District
- Budget for 2019
- Personnel Evaluation

The meeting was adjourned at 10:30pm.

Submitted by,

Lori Dawidowicz
Recording Secretary