



**Town of West Newbury  
Planning Board  
Tuesday March 15, 2022**  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)

**Minutes of Meeting**

**Open Session:** 7:00 PM by remote participation (see below)

**Addendum to Meeting Notice regarding Remote Participation:**

Pursuant to Chapter 20 Of the Acts of 2021, “An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency”, Approved by the Governor, June 16, 2021, which extended permissions for boards and commissions to conduct remote meetings, the Planning Board conducted its meeting via remote participation. The meeting agenda included instructions for the public about how to participate remotely. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that it has been unable to do so, despite best efforts, the Board will post on the Town of West Newbury website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as practicable after the meeting.

Chairperson Tim Cronin called the meeting to order at 7:02 PM. Members in attendance were Ann Bardeen, Ray Cook, Jake Cormier, Tim Cronin, Deb Hamilton & Brian Murphey. Town Planner Leah Zambarnardi was also in attendance. All participated via Zoom Conference.

**Continued Public Hearing:** Special Permit for a Reduced Frontage Lot – 0 Middle Street (Assessors Map R22, Lot 2) – Gorman Homes, LLC

**Tim Cronin moved to reopen the Public Hearing. Ray Cook seconded. Roll call vote was taken and the motion passed 5-0.**

Leah Zambarnardi read the Public Hearing legal notice to the PB. Cronin stated the PB received a letter on March 13, 2022 from the applicant requesting a continuation of the Public Hearing until the next PB meeting on April 5, 2022. Brian Murphey stated he reviewed the prior meeting and complied with state regulations and signed the required document. He stated it may not be necessary for the continuance of the hearing and will bring it up again at the next meeting.

**Cronin moved to continue the Public Hearing to April 5, 2022 at 8:00 p.m. Seconded by Cook. Roll call vote was taken and the motion passed 5-0.**

**1. Definitive Subdivision Plan of Sullivans Court Extension AKA Estate Homes at River's Edge – Completion of Improvements and Release of Surety**

The PB reviewed a letter and attachments from Thomas Neve dated February 11, 2022. The attachments included performance maturity information. Zambarnardi stated all lots have been released and all inclusionary housing payments have been received. The next step is to have the PB close out the project and release the bond. Attachments also included a table of all inspections performed by Meridian Engineering, As-Built Plan, Street Acceptance Plan, completion certificate, and letter from David Kelley at Meridian Associates. Completion certificate has yet to be signed by the PB Chairperson (Cronin) and PB Clerk (Cook). Zambarnardi stated the Select Board voted its intention to layout Sullivan's Court as a Town way and signed off to forward it to PB. The PB will need to review plan and provide, in writing, comments and/or recommendations relative to Sullivan's Court Extension as a public way. Cronin stated he does not have any additional comments. Other members of the PB agreed. Cronin stated the boardwalk will happen this fiscal year according to Brad Boucher.

**Cook motioned for the Planning Board to find the definitive subdivision of Sullivan's Court Extension completed in accordance with the requirements contained under Section 5.0, pursuant to Section 3.3.5.3.1. "Release of Performance Guarantee" of the Town of West Newbury Rules & Regulations Governing the Subdivision of Land, as amended. Seconded by Cronin. Roll call vote was taken and the motion passed 5-0.**

**Cook motioned for the Planning Board to release the remaining funds contained in the Performance Guarantee, including any accrued interest to: Thomas E. Neve, 7 Sullivan's Court, West Newbury, MA 01985, upon receipt of the final executed Form K Subdivision Completion Certificate. Seconded by Bardeen. Roll call vote was taken and the motion passed 5-0.**

**Cook made a motion to report to the Select Board that the Planning Board has no further comments on Sullivan's Court Extension as represented by the Street Acceptance Plan, which was dated March 9, 2022 and that the Planning Board recommend to the Select Board that Sullivan's Court Extension be accepted as a public way. Seconded by Cronin. Roll call vote was taken and the motion passed 5-0.**

**2. General Business:**

- **Updates:** March 14th Select Board Meeting (Multi-Family Zoning Districts pursuant to MBTA Communities Act; Community One Stop for Growth Grant Program)
  - Cronin stated the Select Board meeting went extremely well. Cronin mentioned a suggestion was made at the SB meeting to include a statement regarding the disappointment over the fact that the Act does not align with the State's Affordable Housing efforts. Cronin shared a draft statement to the PB that he had written. Members of the PB suggested edits to the statement.  
**Cook made a motion for the Planning Board to approve comments, as amended, per the recommendations of the Selectboard. Seconded by Murphey. Roll call vote was taken and the motion passed 5-0.**
  - Zambarnardi stated the State has timed the grant applications with the timelines associated with MBTA Communities and they're suggesting the Town applies. Zambarnardi suggested the Town do their due diligence to go through the exercise to see if the Town can comply. Zambarnardi stated she can submit, through Jennings, an expression of interest/grant for FY23 to help with obligations.
- **Minutes:** August 17, 2021, September 7, 2021, & February 15, 2022, others if any

- Planning Board members reviewed August 17, 2021 and September 7, 2021 minutes and provided comments on suggested changes, if any. February 15, 2022 minutes were not reviewed.

**Cronin made a motion to approve the minutes of August 17, 2021, as amended. Cook seconded. Bardeen sustained from voting as she was not present at the above dated meeting. Roll call vote was taken and the motion passed 4-0.**

**Cronin made a motion to approve the minutes of September 7, 2021, as amended. Seconded by Bardeen. Roll call vote was taken and the motion passed 5-0.**

- **Correspondence:**

- Legal notice from the Town of Groveland Planning Board for Town Meeting zoning articles.
- Zambenardi received an email from MVPC regarding a webinar on the MBTA Communities Act sponsored by CPTC.

- **Administrative Details:** Finance Committee Meeting on FY23 Planning Board Budget (March 22, 2022)

- Cronin questioned if the budget was available to be presented at the Finance Committee Meeting. Zambenardi presented to the PB a budget spreadsheet that was updated on March 14, 2022. Zambenardi stated Town Manager, Angus Jennings, relayed the message that he cannot legally budget a position for 25 hours with an additional 5 hours on an as-needed basis. There must be a definitive number of hours budgeted per week. The Selectboard voted to budget Zambenardi's position at 28 hours per week but did not approve the wage increase of \$44.56. The Selectboard voted and approved to give Zambenardi a \$1.00 per hour increase for the time being until the COLA wage study is completed. Zambenardi stated an article is drafted for the FY23 budget to include up to \$75,000 in unbudgeted personnel costs to cover additional wage increases for the Town employees.

- **Placement of Items for Future Planning Board Agendas:**

- There were no items.

- **Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting**

- There were no items.

**Adjournment:**

**Cronin moved to adjourn the meeting at 8:17 P.M. Seconded by Cook. Roll call vote was taken, and the motion passed 5-0.**

Respectfully submitted,

Katelyn Bradstreet, *Administrative Assistant to the Planning Board*