



**Town of West Newbury
Planning Board
Tuesday May 17, 2022
381 Main Street, Town Office Building
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 7:01 PM by reading Governor Baker’s Addendum to meeting, as noted above. Members in attendance were Ann Bardeen, Ray Cook, Tim Cronin, Deb Hamilton & Brian Murphey. Town Planner Leah Zambarnardi was also in attendance. All participated via Zoom Conference. **Deb Hamilton made a motion to bypass the reading of the Addendum to Meeting Notice regarding Remote Participation. Seconded by Cronin. Roll call vote was taken and the motion passed 5-0.**

1. 7:15 P.M Continued Public Hearing – Special Permit for a Reduced Frontage Lot – 0 Middle Street (Assessors Map R22, Lot 2) – Gorman Homes, LLC. The Applicant plans to request a withdrawal of the Application at this meeting.

Cronin moved to open the public hearing. Seconded by Ray Cook. Roll call vote was taken and the motion passed 5-0. Leah Zambarnardi read the public hearing notice. Cronin read the letter from John Gorman requesting to withdraw his application. Brian Murphey questioned if there was a pre-application conference on this request. Zambarnardi stated there was not an official pre-application conference. Murphey strongly suggested that applicants for special permits meet with the PB prior to filing.

Cronin made a motion to allow the withdrawal of the application for a Reduced Frontage Lot without prejudice. Seconded by Cook.

Ann Bardeen questioned if there was a time frame for resubmittal. Zambarnardi stated that withdrawing without prejudice will allow the applicant to resubmit whenever they are ready. Murphey questioned if the PB needs to close the public hearing due to a withdrawal.

Roll call vote was taken and the motion passed 5-0.

Cronin made a motion to close the public hearing on a special permit application. Seconded by Cook. Roll call vote was taken and the motion passed 5-0.

2. Update on Time Sensitive Priority Projects

- **Permitting under the Stormwater Management Bylaw and Regulations**

- Cronin stated he had a discussion with the Select Board regarding resources and processes associated with implementing the Stormwater Management Bylaw. Support from Health Agent, Paul Sevigny, and others, on projects that were discussed at previous meetings as being jurisdictional. Zambarnardi stated the intent was to provide Sevigny with professional engineering support to review the homeowners' projects and to develop a plan for approaching the PB with an application. Zambarnardi stated the two components of what the PB is looking at is projects that are in the midst of permitting and then new projects that are starting from scratch. Zambarnardi said she will be heavily involved in the new projects. There is a contract in place to work with Meridian to provide the peer review services to help the review of new applications. Zambarnardi discussed the services that the PB will be looking for from Meridian. Services included first contact technical engineering support, standard engineering review, construction administration and project inspections, project completion review services, and, as needed, annual monitoring and reporting. Bardeen questioned if Meridian is, in fact, the consultant. Zambarnardi stated the contract will be written as a standard contract. Bardeen questioned if every town in MA is adopting this procedure right now or if some have been doing this all along. Cronin stated some towns have had Stormwater Management Bylaws for a while. Bardeen questioned who at Meridian would be performing this work. Zambarnardi stated David Kelley is a Civil Engineer and will be taking part in this work if the PB decides to contract with Meridian.
- Zambarnardi stated she spoke with the ConCom agent from North Andover because they have similar Stormwater Management Bylaws as the Town of West Newbury. They discussed how the reviews go when they're subject to ConCom and PB under the Stormwater Management Bylaw. Zambarnardi stated in practice, if a project is an acre or more, the PB automatically reviews it regardless if the ConCom has an Order of Conditions/Notice of Intent, etc.

- **Community One Stop Grant Application (due June 2nd) for technical assistance re: As-of-right Multi-family Zoning District in MBTA Communities (M.G.L. Ch. 40A, S. 3A)**

- Zambarnardi stated the Town has obligations to explore whether compliance with the MBTA Communities guidelines is feasible. The plan is for the Town to apply for the Rural and Small-Town Planning grants through the Community One Stop Grant Application. Zambarnardi has already submitted an expression of interest and received feedback on the proposal to have a consultant provide technical assistance to do the planning studies needed to come into compliance. Zambarnardi will be working on the grant with Town Manager, Angus Jennings, support. This application will help the Town meet the December 2023 deadline to have an action plan in place. The Town does not have a Multi-family Zoning District by-right so the December 2023 action plan will state just that and the action plan will outline the steps the Town is taking to adopt it. Notification of the award is estimated to come in around October/November of 2022. November/December of 2022 is the anticipated contracting with the consultant with June 30, 2024 being the completion deadline.

3. General Business

➤ Updates: Mill Pond All Access Trail Conceptual Plan

- **Mill Pond All Access Trail Conceptual Plan**

- Zambarnardi stated the landscaper, Trent Lloyd, had met with a number of groups in the community and created a digest of the comments she received, along with two conceptual plans. Zambarnardi stated that the PB now has to react, informally, since it has been brought West Newbury Planning Board Minutes May 17, 2022. Approved September 20, 2022.

down to two conceptual plans. Lloyd may combine the two conceptual plans to make it one plan that would incorporate items from each plan. Zambarnardi asked PB members if they would like Lloyd to come show the plans and discuss, knowing that it is subject to funding and may change. Zambarnardi stated the plan is not something that would come to fruition this year. Cook stated it was a good idea to give input early on in the project. PB members expressed interest in meeting with the landscaper to review plans.

➤ **Minutes:** August 3, 2021, October 19, 2021; Others if any.

- Planning Board members reviewed August 3, 2021 minutes and provided comments on suggested changes, if any.

Cronin moved to approve the August 3, 2021 minutes, as amended. Seconded by Bardeen. Roll call vote was taken and passed 4-0. Deb Hamilton was an associate PB member and abstained from roll call vote.

Cook moved to approve the October 19, 2021 minutes, as amended. Seconded by Bardeen. Roll call vote was taken and passed 3-0. Hamilton and Cronin abstained from roll call vote.

➤ **Correspondence:**

- Zambarnardi read a hybrid hearing notice from the City of Haverhill with a request to modify zoning for several parcels off Route 110 to create a new business park.

➤ **Administrative Details: Permitting Software, Replacement of Planning Office Printer**

- **Permitting Software:**

- \$2,000 contract for the customization work for the software the PB needs for permitting. Bardeen stated the new rollout of the permitting software will be a great time to adjust the fee structure. Bardeen questioned if there were any ongoing additional fees with the permitting service. Zambarnardi stated she did not recall any additional fees but would double check with the company.

- **Replacement of Planning Office Printer:**

- Zambarnardi stated the PB office will be receiving a new printer which is an updated version of the one previously used.

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

- Permit Fees
- Meeting with landscaper, Trent Lloyd
- Accessory Dwelling Units
- Elections for PB

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

- Discussion on Poor House Lane

Adjournment:

Cronin moved to adjourn the meeting at 8:29 P.M. Seconded by Murphey. Roll call vote was taken, and the motion passed 5-0.

Respectfully submitted,

Katelyn Bradstreet, *Administrative Assistant to the Planning Board*