



**Town of West Newbury
Planning Board
Tuesday, November 2, 2021
381 Main Street, Town Office Building
www.wnewbury.org
Minutes of Meeting**

Open Session: 7:00 p.m. by remote participation (see below)

Addendum to Meeting Notice regarding Remote Participation

Pursuant to Chapter 20 Of the Acts of 2021, which has extended permissions for boards and commissions to conduct remote meetings, the Planning Board conducted this meeting via remote participation to the greatest extent possible. 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 7:00 p.m. Members in attendance were Ann Bardeen, Tim Cronin, Ray Cook, Jake Cormier, and Brian Murphey. Associate Member Deborah Hamilton and Town Planner Leah Zambarnardi, were also in attendance. All participated via Zoom Conference.

1. Continued Review of Draft Stormwater Management Regulations with Alex Weisheit, KP Law and Jennifer Hughes, MVPC
The Draft Regulations are displayed on the screen by Zambarnardi and the Board reviewed newly proposed changes. Matters discussed included:
 - There is a Purpose section in both the Bylaw and Regulations. Discussion occurred on whether to delete the Purpose section in the Regulations.
 - If conflicts in the language of the Bylaw and the Regulations are found, the Bylaw controls.
 - Definitions: Whether terms defined in the Bylaw, but that aren't defined but are referred to in the Regulations should be capitalized.
 - Whether the term "Design Standards" should be defined.
 - Made all references to "Waters of the" be to the "Commonwealth" and not to the "US".
 - Definition of "Stormwater Management Plan": Discussed qualifications of a professional engineer.
 - Various formatting and grammatical changes, and administrative procedures.
 - Flexibility to create/collect an escrow fund to ensure annual maintenance after construction is completed.
 - Standard conditions of approval, application forms, & fees as appendices to the Regulations.

Discussion also occurred regarding scheduling a public hearing and timing for completing application forms and fees.

Documents Reviewed: Draft Stormwater Regulations

2. Review, Edit and Approval of Draft Certificate of Vote: Modification to Site Plan Approval for Pentucket Regional Middle-High School Building Project - Pentucket Regional School District, 22 Main Street, West Newbury.

Cronin abstained from participating on the matter as he was absent at the last meeting. Cormier assumed the role of the Chair. Zambernardi provided a draft to the applicant and the Board Members in advance of the meeting. The Applicant had no changes and the Board made corrections. Cook then made a motion to accept the draft to accept the Certificate of Vote as edited. Bardeen seconded and it carried 4-0-1.

Documents Reviewed: Draft Certificate of Vote

3. General Business:

- Updates: October 23, 2021 Town Meeting Results – Murphey provided an email update to the Board in advance of the meeting; Upcoming Agenda Items – Zambernardi shared that John Gorman, owner of land at the corner of Archelaus Hill Road and Middle Street would be submitting an ANR Plan, and an application under the Scenic Roads Bylaw. Cronin asked to revisit the Board’s work plan at a future meeting.
- Correspondence: Citizen Planner Training Collaborative (CPTC) Training Opportunities – Board members received information regarding available trainings. Zambernardi stated that the Board received notices for public hearings in Haverhill, Newbury, Merrimac and Groveland.
- Minutes: October 5, 2021 – Members reviewed the draft and suggested edits. Cook made a motion to approve the minutes as edited. Cook seconded the motion and it carried.
- Administrative Details: Discussion of the Town Planner and Assistant job descriptions was tabled. Zambernardi stated that the Massachusetts Association of Planning Directors (MAPD) would be having its Annual MA Land Use Case Law Review Webinar on November 4, 2021 and Zambernardi would attend.
- Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a meeting. There were none.

Adjournment:

Cook moved to adjourn the meeting. Seconded by Cronin.

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

Respectfully submitted,

Leah Zambernardi
Town Planner