



**Town of West Newbury  
Planning Board  
Tuesday November 1<sup>st</sup>, 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 Ann Bardeen called the meeting to order at 7:05 P.M. Members in attendance were Ann Bardeen, Ray Cook, Tim Cronin, Deb Hamilton and Brian Murphey. Town Planner Sue Brown and Administrative Assistant Katelyn Bradstreet were also in attendance. All participated via Zoom Conference.

**1. Discussion on Drakes Landing Concerns**

- Karen Iorio, of the Drakes Landing Homeowners Association, raised concerns regarding the open items not completed and the condition of the sidewalks in the neighborhood. David Kelley, of Meridian Associates, stated that he submitted a report on behalf of Meridian back in August. Everything was checked off aside from the cleaning of the basins and manholes. The basins and manholes were cleaned by a third-party company on September 26<sup>th</sup>. Kelley prepared an updated report on September 27<sup>th</sup> that reflected the cleaning of the basins and manholes. Kelley stated everything was done per plan and was satisfied with the work done at Drakes Landing. Bardeen questioned how the Planning Board could help the Homeowners Association. Iorio stated the sidewalks were installed very late in the season and the concrete was lifting away from the granite curbing.
- Iorio stated in her last email with Chip Hall, he stated the four stormwater management ponds were cleaned over the course of the past few years, with the most recent cleaning being in 2022 of the pond in the middle of the furthest cul-de-sac. The Homeowner’s Association is looking for evidence of these stormwater management ponds being cleaned out. Bardeen questioned if Kelley received evidence of the pond cleanouts at Meridian. Kelley stated he did not get them directly but he believed the SWIP “Sustainable Water Infrastructure Project” reports were very well documented. Administrative assistant, Katelyn Bradstreet, stated she reached out to Hall via email regarding documentation but has not heard back.

- Bardeen questioned if Kelley oversaw the sidewalks being installed. Kelley stated he did oversee the installation of the sidewalks. Kelley stated they were installed per the plan details. During the approval process and during construction, it was agreed by everyone that it was not the best way to curb and install sidewalks but since it was the approved method, it had to be adhered to. Kelley stated he believed it was more of a warranty question with the installer. Kelley suggested for the homeowner's association to reach out to Hall to get the installers contact information.
- Iorio also brought up the fire hydrant and water shut off near unit #31 not being completed. Iorio questioned why the hydrant has not been lowered since the hydrant itself has a freeze-line significantly above ground level. Iorio stated she expected the hydrant to be lowered, as well as the shut off, which neither have been completed. Kelley stated the developer met with the Fire Department. The Fire Department has no issues with the height of the hydrant. Some options could be to add some soil around the hydrant, paint the rest of the hydrant, etc. Iorio believed the shut off valve posed a safety hazard. Kelley stated during the site walk, Hall stated J White would paint the exposed pipe red and lower the shut off. These items have not been completed. Bradstreet stated she will follow up with Hall regarding these concerns.

## **2. Revised Form J Certificate of Performance for River Meadows Subdivision**

- Town Planner, Sue Brown, received a call from the Attorney's office regarding the Form J that was voted on at the last meeting. The Form J was submitted for Lot 19 but the Attorney stated he needed it submitted for Lot 19 and 19a. Ray Cook questioned if the other lots were released and recorded or if they were also not recorded. Brown stated she found a recording of a 1989 Subdivision Modification that shows the lots within the middle of the subdivision. Cook questioned if everything was recorded. Brown stated the subdivision modification was recorded, the splitting of Lot 28 into three new lots was recorded, etc. Cook questioned why the Planning Board was revisiting this if it was all recorded. Brian Murphey agreed. Bardeen stated the lots have been created, recorded and sold multiple times. Murphey suggested to refer the Attorney to the documents that Brown mentioned. Murphey stated he would be uncomfortable signing another document. Bardeen agreed.

## **3. Housing Production Plan; Update on October 27<sup>th</sup> Meeting**

- Housing Production Plan meeting was attended virtually by Brown and Town Manager, Angus Jennings on October 27<sup>th</sup>. Brown stated the Merrimack Valley Planning Commission will be provided Housing Production Plan help to all 14 communities within the region. Murphey stated from previous experience, he doesn't believe that Brown will have to put in much effort on her part.

## **4. Discussion on Returning to In-Person Meetings**

- Cook stated there are several advantages of staying online such as sharing of plans, accessibility for consultants, attorneys, etc. Bardeen stated the sharing of plans could be done through a projector system, if needed, for in-person meetings. Murphey questioned if the Town has shown interest in providing hybrid-meetings, although it could be a sizeable investment. Cook stated the Planning Board has a system that works. Deb Hamilton stated she thought she would be interested in returning to in-person meetings but stated if this isn't broke, then we don't need to fix it. Bardeen agreed to keep meetings remote for the time being.

## **5. General Business:**

- **Planners Report** – Brown stated the Planners Report was a tool that she used previously to keep the Planning Board members in the loop about items that they did not have direct access to. Brown stated she could do a report monthly, quarterly, etc. Cook mentioned that a shorter update as a regular agenda item is much easier than accumulating items and creating a bigger report. Tim Cronin agreed.
- **Minutes – October 18, 2022; Others, if any**
  - **Hamilton moved to approve the minutes of October 18, 2022, as amended. Seconded by Cook. Roll call vote was taken and the motion passed 4-0 (Murphey abstained, was not in attendance).**

- **Correspondence:** Correspondence from several surrounding towns were shared.
- **Administrative Details – Draft Budget, Draft Annual Report, Horsley Whitten Stormwater Bylaw Update**
  - Draft budget and draft annual report have both started to be worked on. Brown will reach out to Horsley Whitten to get an update.
- **Placement of Items for Future Planning Board Agendas:**
  - Final Draft of Recodification of Zoning Bylaw with Sam Joslin
- **Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting:**
  - There were no items

**Adjournment:**

**Bardeen moved to adjourn the meeting 8:21 P.M. Seconded by Hamilton. Roll call vote was taken, and the motion passed 5-0.**

Respectfully submitted,

Katelyn Bradstreet, *Administrative Assistant to the Planning Board*