



**Town of West Newbury
Planning Board
Tuesday November 15th, 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 Ann Bardeen called the meeting to order at 7:06 P.M. Members in attendance were Ann Bardeen, Ray Cook (came into meeting at 7:34 P.M), Tim Cronin, Deb Hamilton (came in and out of meeting due to technical difficulties) and Brian Murphey. Town Planner Sue Brown and Administrative Assistant Katelyn Bradstreet were also in attendance. All participated via Zoom Conference.

1. Form A – Application for Approval Not Required Plan – 290 Middle Street & 0 Middle Street

- Town Planner, Sue Brown, stated the ANR was simply a movement of lot lines for placement of a septic system. Brian Murphey questioned if this was for Lot A or Lot C. John Gorman, owner of 0 and 290 Middle Street, responded that it was for Lot A. Rich Baker had a question on the placement of the septic, stating it would be land-locked and questioned how equipment or maintenance vehicles would access this area. Gorman stated he will have an easement granted for Lot C for construction and maintenance.

Bardeen moved to endorse this plan as one not requiring approval under the Subdivision Control Law. Seconded by Tim Cronin. Roll call vote was taken and the motion passed 3-0, Deb Hamilton and Ray Cook not present at this time.

2. River Meadow Lot Release Update

- The Planning Board was provided advice from Town Counsel to put together a new Certificate of Performance – release of covenant to release all lots not already released from the covenant.

Bardeen made a motion to sign the release of covenant as provided by Town Counsel for improvements at River Meadow. Seconded by Murphey. Roll call vote was taken and the motion passed 3-0. Cronin abstained and Cook was not present.

3. Drakes Landing Issues and Updates

- Brown received an email from Parks and Rec department regarding a pile of debris along the trails on Town land. Administrative assistant, Katelyn Bradstreet, emailed Chip Hall with a punch list of items

which included the above issue, cleanout of stormwater management ponds, fire hydrant at #31/#33, and the sidewalk. Hall replied back to the pile of debris issue but did not respond to additional emails on the other issues.

4. Discussion on Request for Field Lighting at Pentucket Regional Middle High School

- Correspondence was received from Brad Dore to the Planning Office to request for field lighting at Pentucket Regional Middle High School. Lighting was part of the original planning documents but when sufficient funding was not available, the lighting was pulled from the plan. Now funding is available and Dore is requesting the lighting to be installed. Deb Hamilton stated neighbors should be consulted. Murphey agreed with Hamilton. Murphey stated there should be a public hearing due to the possibly of this being a major modification and for neighbors to have the chance to speak, if they wish. Rick Parker, of Select Board, suggested the “Dark Sky” initiative to be a part of the conversation since the light can have an environmental and ecological impact.

5. Letter of Support for Safe Routes to School Grant Application “Page School”

- The Select Board is applying for money to improve the crossing at the Page School area. Christine Wallace, DPW Programs and Projects Manager, has asked for support letters from various Town entities including the Planning Board. Ray Cook thought this was a good plan and that includes a sidewalk that goes from the upper parking lot to the lower parking lot. Cook stated he was comfortable sending over a letter of support. Murphey agreed with Cook. Hamilton stated that in her support letter, she suggested pedestrian-height as well as equestrian-height buttons for the crosswalk. Bardeen and Brown will work out the language for the support letter and submit it.

6. MBTA Communities Compliance – Action Plan Due January 31st, 2023

- Brown stated there is an online form to be filled out that asks questions regarding information about the community, what the Towns goals are for housing and whether it has worked on any strategies, what the Town might consider in order to comply, other items non-housing related that would be important for the district, and propose a timeline. This form is not a commitment but rather an indication that the Town has thought this through and will be assessing compliance. Town Manager, Angus Jennings, stated the Planning Board needs to gather an action plan to put before the Select Board to be approved. Jennings believed it would be a great opportunity for the community to have a discussion on housing policy. Cook stated the Planning Board could formally vote to recommend the action plan to the Select Board. Brown will work on drafting the action plan for Planning Board members to review in a December meeting.

7. Discussion on Town Planners Work Priorities

- Jennings created a document that highlighted the Planners work priorities which included 6 tasks. MBTA action plan, review/update zoning for ground-mounted solar, updated Housing Production Plan, review/update zoning for Wireless Communication Facilities, create a Recreational Marijuana Policy, and create an Accessory Dwelling Units bylaw. MBTA action plan is already in the works. Jennings stated the recent SJC “Supreme Judicial Court” case questioned the enforceability of current bylaw that the Town has. Jennings stated KP Law will take a look at the Town’s current bylaws to see if they’re affected by the recent SJC court case. Jennings stated he is not too familiar with a Marijuana policy. Brown stated if a community voted to legalize marijuana, then the Town is compelled to bring forth a bylaw for Town meeting consideration. Jennings stated the Town allows medical marijuana facilities in the Industrial District in accordance with the Acts of 2012. Housing Production Plan “HPP” is not due until the end of FY24. The current HPP expires before the end of FY23. There will be a gap where the HPP has expired. The HPP is not certified due to the Town not meeting production goals and it will not provide protection against 40B.

8. General Business:

- **Minutes – October 4, 2022, November 1, 2022; Others, if any**

- **Bardeen moved to approve the minutes of October 4, 2022, as amended. Seconded by Cronin. Roll call vote was taken and the motion passed 4-0 (Hamilton not in attendance).**
- **Cook moved to approve the minutes of November 1, 2022, as amended. Seconded by Cronin. Roll call vote was taken and the motion passed 4-0 (Hamilton not in attendance).**
- **Correspondence:** Correspondence from Haverhill was shared.
- **Placement of Items for Future Planning Board Agendas:**
 - Draft of MBTA Communities Action Plan
 - Stormwater
- **Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting:**
 - There were no items

Adjournment:

Cook moved to adjourn the meeting 8:58 P.M. Seconded by Bardeen. Roll call vote was taken, and the motion passed 4-0 (Hamilton not in attendance).

Respectfully submitted,

Katelyn Bradstreet, *Administrative Assistant to the Planning Board*