



**Town of West Newbury
Planning Board
Tuesday January 3rd, 2023
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 7:00 P.M. Members in attendance were Ann Bardeen, Ray Cook, Tim Cronin, and Brian Murphey. Deb Hamilton arrived at 7:30 P.M. Town Planner Sue Brown and Administrative Assistant Katelyn Bradstreet were also in attendance. All participated via Zoom Conference.

1. 7:15 PM Continuation of Public Hearing - Special Permit for Lighting at Pentucket Regional Middle High School

- Pentucket Regional School District Superintendent, Justin Bartholomew, did not submit a draft lighting schedule before the public hearing but did have a schedule and policy in place to review with the Planning Board at this meeting. Bartholomew stated he researched the field lighting schedules of surrounding districts to get a better idea for Pentucket and shared those with the Planning Board. Bartholomew’s proposed schedule for field lighting was as follows: Friday and Saturday nights would be no later than 10PM and Sunday through Thursday would be no later than 9PM. Bartholomew also stated that if an organization wanted to reserve a time that went past the posted times, they would need to go in front of the School Committee for approval. This would be made an agenda item for the meeting and would be subject to public comment. Bardeen questioned if the demand was going to be high enough for use 7 days per week. Bartholomew stated that he does not know the demand just yet. Cook suggested that Sundays should be no later than 6PM like Newburyport and keep the 9PM for Monday-Thursday. Murphey stated he thought the schedule that Bartholomew proposed was reasonable. Cronin stated his concern was more focused on the frequency of use but stated the time frames were acceptable. Murphey questioned why the Planning Board would suggest a 6PM curfew on Sundays when most surrounding towns do not have a 6PM lights off curfew on Sundays. Cook suggested to Bartholomew to change the wording in the schedule document that if a change in the default schedule was requested, it would be handled by the School Committee. Bartholomew stated the lighting proposal will be put on the Pentucket Regional School District website as a protocol and will eventually be put through as a policy, once approved.
- Scott Davis, an abutter at ## Main Street in Groveland, agreed with Cook on the Sunday restriction to 6PM. Davis also stated the lights will be good as long as they aren’t on 24/7.

Bardeen made a motion to close the public hearing on the Pentucket Regional Middle High School Special Permit for lighting application. Seconded by Cook. Roll call vote was taken, passed 4-0 (Hamilton not in attendance).

Bardeen made a motion to approve the application for a major modification for field lighting at the Pentucket Regional Middle School Lighting and the lighting policy discussed during this meeting. Seconded by Cook. Roll call vote was taken, passed 4-0 (Deb in attendance but abstained).

2. Review of Draft Line-Item Budget and Breakdown of Expenditures

- The draft line-item budget and the breakdown of expenditures for FY24 were reviewed. A few minimal changes were made to the breakdown of expenditures which included omitting the \$2000 from the Professional and Technical services line. Brown stated sometimes the town needs to have a match to work with a regional planning agency for mapping, etc. Murphey stated that any work performed by Merrimack Valley Planning Commission does not require town funding and so the Board does not need a Professional and Technical services line on the breakdown of expenditures. Planning Board members agreed to submit the FY24 budget documents to the Town Manager, as amended.

3. Review of Final Draft of Action Plan for MBTA Communities Compliance

- No changes were made to the action plan for the MBTA Communities Compliance. Brown stated Town Manager, Angus Jennings, sent the draft to the Select Board and has not received any comments back regarding any recommended changes. Brown stated Jennings will bring it back to the Select Board for a final vote at the next Select Board meeting on January 9th before submitting it. Submittal due date for the action plan is January 31st, 2023.

4. Discussion on Chapter 91 License for Middle Street Bridge over Artichoke/Upper Artichoke Reservoir

- Brown stated the Planning Board does not need to do anything at this point. Brown stated this is just one more step in the long process in getting the Chapter 91 license. Brown stated an update will be provided on the Towns website that has all the documentation regarding the bridge. Bardeen questioned if the project would be completed in time to ensure the money for the project is expended within the required timeframe. Brown stated she wasn't sure but said the Select Board and the DPW would be better in-tune to answer that question. Wendy Reed, of the Select Board, stated there has already been one extension and the permitting process was almost complete before the DEP stated the need for the Chapter 91 license. Murphey questioned Newburyport's funding or commitment to fix the bridge. Reed stated it is not one of their top priorities so West Newbury is the one paying for the consultants out of the grant money received. Cook questioned if this bridge was better suited as a pedestrian bridge versus a vehicle bridge. Reed stated if the permitting is not successful or the Town does not find funding, it could default to a pedestrian bridge but that is not the desired outcome. Reed stated the big push is to complete the permitting so the Town will be eligible in the event that federal funding becomes available.

5. Discussion on ADU "Accessory Dwelling Units"

- The Planning Board reviewed the matrix document on accessory dwelling units that Brown created. The document compared the Smart Growth Model to other cities and towns that have ADU bylaws. Planning Board members discussed the different specifications and possibilities. Bardeen stated the next steps should be for the Planning Board to add another line to the matrix for West Newbury to create a draft of the specifications on the ADUs.

6. General Business:

- **Town Planner Updates, if any**
 - Brown stated that she would work on a draft scope for the MBTA Community Multi-Family Zoning District to give to Jennings for review. Brown and Jennings chose four approved planning vendors on the State list to send the scope to. Brown stated the Planning Board will join in on the interview of the firms during a Public Meeting to select a consultant.
 - Brown gave an update on who she thinks should be a part of the Housing Production Plan Stakeholder Group. Murphey stated the work is done by Merrimack Valley Planning Commission and the participation from the Town in the past has been minimal. Bardeen questioned why the Council on Aging and Housing Authority would be a part of this. Brown stated most current West Newbury Planning Board Minutes January 3, 2023. Approved January 17, 2023.

affordable housing focuses on elderly housing. Murphey questioned how often this group would meet. Brown suggested about six meetings to provide input. Brown stated this is not just about affordable housing but also to build the town's capacity for focusing on housing, diversifying housing (style, size, cost), etc.

- Brown met with Cronin, Rick Parker of the Select Board and Chip Wallace of the Resiliency Committee regarding the Solar Facilities Bylaw. They will be meeting again on January 4th and will hopefully have a proposal for a district and some suggested regulatory requirements.
- Brown received comments back from Horsley Whitten regarding the Stormwater Management Bylaw. The final meeting with Horsley Whitten and the Stormwater Working Group will be on January 11th. Brown will bring the Group's recommended changes to the Bylaw and Regulations to the Board for consideration.
- Land protection opportunity. Essex County Greenbelt Association will be submitting an application to the Community Preservation Committee "CPC" on January 19th for \$350,000 for the Town's acquisition of 32 acres +/- off Poorhouse Lane in West Newbury. Greenbelt has a purchase and sale agreement to acquire the property for \$705,000. The agreement is contingent upon the Town Meeting approval of the CPC funds. If the Town is successful in receiving a Grant, the amount of Town funding would be reduced.
- **Minutes – December 20, 2022; Others, if any**
 - Bardeen moved to approve the minutes of December 20, 2022, as amended. Seconded by Cronin. Roll call vote was taken and the motion passed 4-0 (Hamilton not in attendance at this time).
- **Correspondence:** One correspondence from the City of Haverhill regarding a flexible development.
- **Administrative Details:** There were none.
- **Placement of Items for Future Planning Board Agendas:**
 - Accessory Dwelling Units "ADU"
 - Draft of scope for the MBTA Communities Consultant
 - Draft decision for Pentucket Regional Middle High School Lighting
- **Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting:** There were none.

Adjournment:

Bardeen moved to adjourn the 9:02 P.M meeting. Seconded by Hamilton. Roll call vote was taken, and the motion passed 5-0.

Respectfully submitted,

Katelyn Bradstreet, *Administrative Assistant to the Planning Board*