



**Town of West Newbury  
Planning Board  
Tuesday March 19<sup>th</sup>, 2024  
381 Main Street, Town Office Building  
[www.wnewbury.org](http://www.wnewbury.org)  
**Minutes of Meeting****

**Open Session:** 7:00 PM Hybrid Meeting

Chairperson Brian Murphey called the meeting to order at 7:00 P.M. Members in attendance were Ann Bardeen, Ray Cook, Tim Cronin and Deb Hamilton. Town Planner, Sue Brown, was also in attendance.

**1. Public Hearing – Proposed Multi-Family Zoning Overlay District to Comply with the MBTA Communities Act**

Dillon Sussman, of Dodson & Flinker, presented an initiative overview. Robert Owen, of 25 Parsons Road, expressed concern regarding tax increases caused by additional police personnel needed; water shortages; new school for additional children living in town, etc. Ray Cook stated that residents will be paying taxes on these additional properties that would be added to the Town and would go towards the issues mentioned. Perry Conrad, of 7 Merrill Street and abutter to Knapp property, expressed concern over not being notified of this potential project as an abutter. Ann Bardeen stated that this is not a construction proposal – only a zoning proposal. Dave Morrone, of 3 Merrill Street, expressed concern regarding the water table. Morrone asked if someone were to build single-family homes in an approved multi-family overlay district would that mean the Town would then be out of compliance. Murphey stated as long as the district allows multi-family housing as required, the Town would remain in compliance, even if single family homes were built on the site. John Kaminski, of 22 Maple Street, questioned if MBTA stations for buses would be put within the Town due to the MBTA initiative. Murphey stated that is not the case. Kaminski questioned if traffic studies would be done. Murphey stated the developer would initiate that. Jamie Mackenzie, of 105 Moulton Street, stated that Cape Ann Political Action Committee calculated that Boxford would lose \$250,000 if they did not comply with the MBTA Communities Act but it would cost Boxford approximately \$6.4 million to comply. Bardeen stated Boxford is subject to building over 400 units, whereas West Newbury is only subject to building less than a quarter of that. Bardeen stated all units would be tax paying units and would generate revenue for the Town of Police, schools, etc. Sussman stated that generally, multi-family housing produces fewer children than single family housing. Wendy Reed, Chair of the Select Board, questioned if the entire lot was being used for the district or if land identified as protected in the presentation was part of the district. Sussman stated only a portion of the lot would be identified as the development area (where buildings would be built) and it would be large enough to comply with the law. Phyllis Unger, 12 Maple Street, expressed concern regarding the water after construction. Michael Geiger, of 66 Maple Street, argued that the Town could still go for federal funding, even if state funding is withheld for noncompliance. Geiger also expressed concerns regarding traffic. Stacey Furtado, of 8 Indian Ridge Road, stated that we should assume something is being built in one of these areas and should proactively discuss viable options that would work. Murphey stated it is not up to the Planning Board to seek a developer for this type of project.

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Residents via Zoom:

Alex Niles, of 16 Merrill Street, expressed concern over stormwater management. Michael McCarron, of 3 Carlsen Road, questioned if the Planning Board can include in their zoning, a requirement that the roadway remain private and require the developer take care of trash pickup. Murphey stated he wasn't sure if those specifications were too detailed for the State at this time. Sussman stated the Planning Board cannot require private trash pickup. McCarron questioned if it can be required to have the road be built with subdivision standards. Sussman stated it is currently slated for subdivision standards. McCarron questioned if any development would be subject to site plan approval. Sussman stated the Planning Board can review the site plan and impose reasonable conditions on the site plan – such as drainage, roadway specifications, etc.

Chat comments via Zoom:

What happens to the Town if we don't comply? What are the benefits if we comply?

If the area is zoned to be housing, can other developers start to build too and the 87 units increases or is it capped at 87 units? Murphey stated it is capped at 87 units but 87 units could not be built due to the septic regulations. The developer would need to build a package treatment plant, which would be a multi-million-dollar project and not feasible.

If it is zoned for this, can someone else buy it and build something else? Yes, subject to zoning.

**Murphey made a motion to continue the public hearing to April 2<sup>nd</sup>, 2024 at 7PM. Seconded by Hamilton.**

**2. Continued Public Hearing – 125 River Road – Eagle Nest Subdivision**

**Murphey made a motion to open the public hearing for 125 River Road – Eagle Nest Subdivision. Seconded by Cook. Roll call vote was taken and the motion passed 5-0.**

Dennis Griecci, of Andover Consultants, was present via Zoom. Murphey proposed a site walk for the Planning Board, applicant Michael Fusco, and consultant Griecci to review the site. Site walk was planned for Monday March 25<sup>th</sup>, 2024 at 9 A.M.

**Murphey made a motion to continue the public hearing to April 2<sup>nd</sup>, 2024 at 8:15 P.M. Seconded by Cronin. Roll call vote was taken and the motion passed 5-0.**

**3. 114 Ash Street – ANR Application**

Application was not submitted in time for this meeting.

**4. Drakes Landing – Project Closeout**

Documents not submitted in time for this meeting.

**5. Reorganization of Zoning Definitions**

Building Commissioner, Sam Joslin, stated that the definitions are being reorganized to make it more user-friendly.

**6. General Business:**

- **Minutes – None.**
- **Correspondence**
- **Administrative Details**
- **Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting**

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**Adjournment:**

**Murphey moved to adjourn the meeting at 9:41 P.M. Seconded by Cronin. Roll call vote was taken, and the motion passed 5-0.**

Respectfully submitted,

Katelyn Barker, *Administrative Assistant to the Planning Board*