



**Town of West Newbury
Planning Board
Tuesday April 2nd, 2024
381 Main Street, Town Office Building
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. Additional members in attendance were Ann Bardeen, Ray Cook 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

Murphey reopened the public hearing. Town Manager, Angus Jennings, briefly spoke about the funding that would be withheld by the State if the Town of West Newbury did not comply with the MBTA Communities Act. Jennings stated for FY24, the Town is expected to receive over \$2 million in grants/funds. Grant Stoffel, of 14 Dole Place, suggested the Town put the overlay district over an area that isn't cost efficient so that the chance of development is minimal. Ray Cook stated he believed it was too soon to bring this to the annual Town Meeting at the end of April. Deb Hamilton respectfully disagreed and stated West Newbury needs this type of housing.

John Sarkis, who has interest in the Knapp property, stated we should not discredit the heavy hand that the State has. A resident questioned if the Planning Board would have time to find another property by April 2025 if the Dunn or Knapp property sold if they delayed their decision. Murphey stated they would have time. Perry Conrad, of Merrill Street, expressed concern over the excess water that would be impacting the current land. Murphey stated that new stormwater regulations would be enforced.

Murphey made a motion to defer the consideration of the MBTA zoning bylaw, currently scheduled for 2024 Town Meeting, to a future town meeting or special town meeting, timing of such to be determined by the resolution of the legal challenge put forth by Milton. Seconded by Cook. Roll call vote was taken and the motion passed 3-1. Tim Cronin was not present. Murphey made a motion to close the public hearing. Seconded by Ann Bardeen. Roll call vote was taken and the motion passed 3-1. Cronin not present.

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

Brown reported that the Applicant emailed a request that the Public Hearing be continued to April 16th.

Murphey made a motion to continue the Public Hearing to April 16th at 7 PM. Seconded by Cook. Roll call was taken and the motion passed unanimously.

3. 37 Coffin Street – Scenic Roads – Potential Violation

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Approved 5/7/2024

Murphey reported that a potential Scenic Roads violation at 37 Coffin Street was brought to his attention. The potential violation appears to be removal of a stone wall and possible removal of a street tree.

Property owner Joe Neipp testified that he was unaware of a need to obtain a permit to remove and then replace a stone wall along the front of his property. It was noted that the Conservation Commission meeting minutes of March 4th documented that the Chair of the Commission suggested that Mr. Neipp discuss the work with the Planning Board to determine if additional permitting under the Scenic Road Bylaw is needed.

Mr. Neipp indicated that he intends to replace the stone wall along the front of the property when he is finished working in that area. He noted that he has not removed the stones from the property. He also noted and google pictures indicated that the trees removed were likely not trees covered under the Scenic Road Bylaw as they appeared to be small in size.

The Board requested and Mr. Neipp agreed to submit the Scenic Roads Application and Plan to address the stone wall disturbance at his earliest convenience.

4. General Business:

- **Minutes** – February 20, 2024; March 25, 2024 (Site Visit); Others, if any.
 - **Bardeen made a motion to approve the February 20, 2024 meeting minutes as submitted. Seconded by Cook. Roll call vote was taken and the motion passed 4-0.**
 - **Cook made a motion to approve the March 25, 2024 site visit minutes. Seconded by Bardeen. Roll call vote was taken and the motion passed 4-0.**
 - **Correspondence**
 - **Administrative Details**
 - *Presentation (Newbury Wild and Native) and discussion regarding “Dark Skies” initiative*
- The Board voiced their support for a “Dark Skies” initiative, but felt a presentation to the Board was not needed. They noted that any regulations associated with this potential initiative would likely be a General Bylaw.
- **Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting**
None

Adjournment:

Murphey moved to adjourn the meeting at 8:00 P.M. Seconded by Cook. Roll call vote was taken, and the motion passed 4-0.

Respectfully submitted,

Katelyn Barker, *Administrative Assistant to the Planning Board*