

**WEST NEWBURY PLANNING BOARD  
MINUTES OF MEETING**

June 20, 2017

Pursuant to a meeting notice posted by the Town Clerk that was delivered to all Board members, a meeting of the West Newbury Planning Board was held on June 20, 2017 in the 2<sup>nd</sup> floor Planning Board Office at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Brian Murphey, John Sarkis, and Richard Bridges were in attendance. Town Planner Leah Zambarnardi was also in attendance. Board Member Raymond Cook, and Associate Member Dennis Lucey were absent.

The meeting was called to order at 7:00 PM

**Set Public Hearing Date: Site Plan Review Application for an Open Space Residential Design and Modification to Special Permit - 365 Main Street (AKA Drakes Landing) – Cottage Advisors, LLC**

Bridges stated that there is a request for public hearings for the 7/13/2017 meeting for Drakes Landing. One is for the Site Plan Review Application, and the other is for the Major Modification request. The Board agreed that they will have concurrent hearings opening at 7:30 with an ending time of 9pm. Zambarnardi stated that Meridian is available prior to the meeting to conduct a peer review of the Site Plan and to issue preliminary comments.

The Board agreed that a peer review is in order of the application materials and plans for compliance with Zoning, the Board's Rules and Regulations, the Special Permit, standard engineering best practices and the Storm water Report, though they found that a peer review of the Traffic Study is not in order. Zambarnardi stated that she sends the Site Plan Review information to multiple Departments and Boards, and will receive comments back. If those other Boards choose to review further they will put it on their own agenda to discuss.

**Set Public Hearing Date: Special Permit Application for a Common Driveway – 151 & 153 Middle Street – Haddock Realty Trust c/o Tom Cook, Jr. Project Closeout at River Hill**

The Board viewed the submitted plans for the common driveway, as well as Zambarnardi's comments on the Progress Print. The Board determined a quick peer review is in order of the design. Zambarnardi stated that she will try to obtain Meridian's review the week before the 7/13/2017 meeting. Members of the Board anticipated the review might go quickly as Zambarnardi and Meridian will have reviewed it prior to the beginning of the public hearing. Due to a busy agenda on 7/13/2017, the Board decided that this Public Hearing will begin at 7pm and end at 7:30.

**Pre - Application Conference (continued from 3/7/17 meeting) – 289 Main Street (former Bruneault Property) - Charles Rotondi on behalf of Francis Karam**

Charles Rotondi and Francis Karam had presented the board with two design proposals for the gas station, one with a canopy and one without. The proposed canopy is 24x36 with a 1ft set back from property line,

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and the size of the building is 28 x 48. The canopy will cost Karam an extra \$15,000. Karam stated that the runoff from the proposed canopy goes into a drain. Sarkis recommended that Karam contact the building inspector for a determination on compliance with zoning setbacks. He also advised that the engineer contact MASSDOT regarding the curb cuts because the property borders State Highway 113.

At the 3/7/17 meeting with Karam, it was discussed amongst the Board that they are not in favor of the canopy for the gas station. Bridges provided a quick recap on that March meeting and stated most of the Board was not in favor of the canopy for multiple reasons. One being that it is in a partial residential neighborhood, and proposes a visual concern for that corner on Main St. He also stated that he feels that there are gas stations in Newburyport that don't have a canopy and are very successful. Bardeen stated that functionally, by Massachusetts State Law a full-service gas station does not require a canopy if it is full service, and it is considered to be adequately safe without one. She also stated that having a canopy provides the applicant the opportunity to conduct a self-serve gas station in the future, but Rotondi stated that is not the plan.

Karam shared his sign for the business, and the Board informed him that it does not comply with the Signs Bylaw because of the internal illumination and the size. He stated he would look in to it further. Karam stated that with a canopy it's not necessary to have a sign. Karam stated that the canopy provides safety from the rain, sun, and snow. He feels that even though the gas station would be full serve, he believes customers are less likely to go to a gas station if there is no canopy due to them not wanting to open their windows during certain weather environments. He stated he would probably not have gas service without a canopy. Zambenardi shared that she has received feedback from some residents who are in favor of a gas station in town, and she asked the Board members if they would be open to a canopy if a different design were presented. Bridges and Murphey stated that they would not be in favor of a canopy. Bardeen stated that she wishes the canopy could be smaller, but that it won't work given the space provided. Sarkis stated he feels the business won't suffer if it didn't have a canopy. Karam stated that he will not operate a gas station without a canopy. If a canopy is not accepted then he will continue to have a repair shop. For the repair shop, he is proposing a 5x17 addition to the back of the building. The Board informed Karam that he will have to present that to the Zoning Board.

#### **Project Closeout – Cottages at River Hill – Follinsbee Lane – Cottage Advisors, LLC**

Zambenardi stated to the Board that Chris Ryan from Meridian reviewed the Cottages at River Hill and found that multiple things are not completed. Zambenardi proposed to Cottage Advisors, LLC that they extend the tripartite agreement to the end of August. Members of the Board concurred.

Bridges made a motion to extend the completion date to August 30, 2017. Sarkis seconded the motion and it carried 4-0-0.

#### **General Business -**

##### *720 Main Street – Updates*

Zambenardi stated that there were no updates.

##### *Minutes -*

Bridges made a motion to approve the May 16, 2017 and June 6, 2017 meeting minutes as amended with minor corrections. Bardeen seconded that motion and it carried 4-0-0.

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*Vouchers -*

Zambernardi had payments for Meridian, and a request to encumber monies from the FY17 budget for an office desk and \$500 for a project with MVPC.

*Correspondence –*

Zambernardi stated that there is a public hearing on June 27, 2017 in Newbury for a golf driving range on 133-150 Scotland Rd.

*Administrative Details –*

*Officer Elections:*

Murphey made a motion that John Sarkis be the next chairman of the Planning Board. Bardeen seconded that motion, and it carried 4-0-0.

Murphey made a motion that Anne Bardeen be the Vice Chairman of the Planning Board. Bardeen seconded that motion, and it carried 4-0-0.

Murphey made a motion that Richard Bridges be the next Clerk for the Planning Board. Bridges seconded that motion, and it carried 4-0-0.

Murphey made a motion that Bardeen continue as the Representative on the Community Preservation Committee. Bridges seconded the motion and the motion carried 4-0-0.

Bridges made a motion that Murphey continue as the representative to MVPC. Bardeen seconded the motion and it carried 4-0-0.

*Update on Planner Projects:*

Zambernardi stated that the Storm Water MS4 permitting process could possibly be a 3yr process, and she noted that Gary Bill is overseeing this project. Zambernardi stated she was invited to and attended a 2-hour Storm Water Committee meeting with Joe Cosgrove of MVPC. She stated that Joe Cosgrove of MVPC is preparing a Notice of Intent, which is due at the end of September. It was also discussed in the storm water meeting that a new Bylaw will be created and be administrated by the Conservation Commission and that Planning will be asked to help draft the Bylaw. Zambernardi stated her concern that the process might utilize a lot of her time, but that she will attend the meetings on an as needed basis. Bridges stated that the Board might want to consider adding a line item for paying a consultant in the FY19 budget.

*Other:*

Zambernardi stated that she plans to look into purchasing a projector and screen during FY19. The Board briefly discussed the possibility of it being a community projector so that multiple Boards can use it.

Zambernardi stated that the Board of Selectmen have received some resumes for the Associate Member position. Board Members noted that the Zoning Bylaw requires that the Planning Board make recommendations to the Board of Selectmen and ask Zambernardi to draft a letter to this effect.

The meeting was adjourned at 9:15pm

Submitted by,

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Lori Dawidowicz  
Recording Secretary