

WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
July 13, 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 July 13, 2017 in the 2nd floor Hearing Room Office at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Brian Murphey, Raymond Cook, John Sarkis, and Richard Bridges were in attendance. Town Planner Leah Zambenardi was also in attendance.

The meeting was called to order at 7:00 PM

Public Hearing on Special Permit Application for a Common Driveway – 151 & 153 Middle Street – Haddock Realty Trust (Owner); Tom Cook, Jr. (Applicant)

Richard Bridges read the legal ad for the Public Hearing.

Robert Blanchett, Civil Engineer with Cammett Engineering presented the proposed Common Driveway for 151 and 153 Middle St. He stated that the septic has been approved, and that the proposed common driveway does not disturb the wetland. Blanchett stated that there is plenty of screening. The electrical utilities are currently above ground, but could change as the utility company makes the decision in that respect. The plan proposed that Lot 6 will have its own driveway. Murphey stated that Lot 6 should be accessed from the common driveway, thus making the common driveway serve three single family homes rather than two and discussion ensued around this issue. Zambenardi recommended adding an easement for a future driveway connection. Cook stated his concern with the driveway widths. Blanchett stated that the design configuration meets the fire safety requirements. Woody Cammett from Cammett Engineering stated that they could amend the application for the common driveway to serve lots 4,5, and 6. Sarkis made the request that all Board members do a site walk on their own time. Tom Cook, Jr. stated that they do not intend to sell Lot 6 at this point and that there might be no need for the common driveway to serve it in the future.

Chris Ryan from Meridian Engineering, serving as peer reviewer to the project, stated the driveway is a little wide but leaves it to the discretion of the Board. Ryan requested that the proposed plan show typical utility trench details that conform to the Board's regulations with the caveat that it is subject to change depending on what the utility provider wants. He stated that there is little work to be done on the erosion control line. He agrees that due to the size of the project it is not subject to Mass DEP Storm Water Regulations.

Sarkis made a motion to recess the Public Hearing for the Common Driveway. Murphey seconded the motion and it carried 5-0-0 and stated it would reconvene momentarily.

Sarkis called to order at 7:35pm concurrent public hearings related to an Open Space Preservation Development at 365 Main St. and 34 Meetinghouse Road, also known as Drakes Landing.

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Sarkis made a motion to recess Drakes Landing until 7:50pm. Murphey seconded the motion, and it carried 5-0-0.

Kurt Forbush, 150 Middle St. stated that he is in favor of the common driveway as well as having an easement for the 3rd driveway. He also stated keeping the driveways down the hill is safer, and the common driveway will help preserve the wetlands.

Sarkis made a motion to close the public hearing. Seconded by Cook and carried 5-0-0.

7:30 p.m. – 9:00 p.m. Concurrent Public Hearings related to an Open Space Preservation Development - 365 Main Street and 34 Meetinghouse Hill Road (aka Drakes Landing) - William Daley (Owner); Cottage Advisors, LLC (Applicant) - On the following requests:

Richard Bridges read the legal ad for the public hearings.

1. Request for Modification of Special Permit issued on January 31, 2017 related to the residential unit sizes;

Sarkis stated that while the changes are mostly minor, the Board had previously agreed that due to all the changes it was necessary to hold a public hearing to therefore provide the opportunity for public input. Melissa Robbins had previously provided the Board with written decision draft.

Chip Hall along with Attorney Melissa Robbins and Scott Brown, architect, presented their request for a minor modification to the Drakes Landing project. The following describes the requested modifications:

Unit B – Within the Unit B model there would be two options, B1 and B2. There would be a 3rd bedroom option and an office option for each unit type.

Unit D1 – Within Unit D, an add-on of 265 sq ft. of gross living area above the garage was requested. This would include a slight change in the roof line, and a dormer.

Unit E – There would be four model options for the Unit E homes. It was requested that the base for Unit E increase the footprint from 1100 sq ft. to 1200 sq ft. For Unit E1 and E3 it was requested to have an additional space of 184 sq ft. to be above the garage. For Unit E6 It was requested that there be an addition 3rd bedroom, which would be located in the back of the unit. There was also another request for an additional 264 sq ft. for the 3rd bedroom. Chip Hall showed the Board where the E units would be located on the site plan.

Fay Gill, 360 Main St., wanted to know the purpose for the additions. Hall replied that only Unit E would have an additional bedroom, and that other are bonus rooms above the garage. Cook stated that the total number of bedrooms is limited within this Special Permit.

Dennis Lucey 374 Main St., asked the dimensions of the bonus rooms, that are not labeled a bedroom. Scott Brown with the best of his ability provided Lucey a brief description of the dimensions with the West Newbury Planning Board, Minutes, July 13, 2017. Approved August 15, 2017.

proposed plan layouts. Lucey also is concerned that while the bonus room could not be called a bedroom, it would still serve that purpose. Hall stated that the bonus rooms are designed for an office space. Melissa Robbins stated the condo association will self-police the maximum number of bedrooms.

Brad Buschur, 347 Main St., is concerned with Unit E buildings abutting his property. He requested that the applicant use darker color tones on the units therefore they would recede into the landscape rather than show through. Robbins stated that there is a color palette with the site plan review application that adheres to his request.

Robbins stated that there are maximum limitations to the number of some of the units. For example, Unit E has a maximum of 8 units within the development. The Board requested that Robbins provide the maximum number of each unit type.

Murphey and Bardeen are concerned with the B Units, due to their scale. Robbins stated that the base units conform to the decision, and that the applicant will agree that no more than two of the same units will be next to each other.

Bridges stated that he is concerned that the market value of the moderate homes will change with the modifications. Hall shared the housing market analysis that he had previously provided to the Board on the June 6, 2017. Bridges stated that Chip's analysis is for average homes, and not for moderate homes.

Sarkis stated that the diversity, and the size of the units are very reasonable.

2. Site Plan Review pursuant to Section 8.B. of the West Newbury Zoning Bylaw

Chip Hall stated that they had received Meridian Engineering's peer review report, and that he agrees with the waivers that are necessary. Robert Blanchett of Cammett Engineering gave a presentation of the overall site plan, which included the roadway alignment, "peanut" width, the location of soil absorption system, and the trails. He stated that parking would be afforded at each unit, most of the units have two car garages, and the possibility for 2 cars to be on the driveway. The small duplexes have a one car garage, and one car in the driveway. During events visitors can park in the respected unit driveway, on one side of the roadway, and if necessary visitors can park at the Carr Post. Melissa Robbins stated that they accept that there would be no parking signs due to conservation restrictions. Hall stated the plan for the Carr Post is to have grass in front along with a sidewalk connection to Main Street. He explained that 12 parking spaces would be located behind the building. Sarkis requested that more information be provided in regards to the adequacy of parking, as it relates to snow, and the parking area ratio. Cook requested a comparison of parking at Follinsbee Lane vs Drakes Landing.

Blanchett discussed the Storm Water Management Report, and showed the flow of water with the discharge points as well as the catch basin locations. Blanchett discussed the on-site septic and disposal system, and that the run off will go back into the natural state of the land. He discussed the 30" piped culvert that will not change with the development, and that the volume will not exceed the limitations. The pond within the development will not be part of the storm water management system.

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The development is proposing 70% of open space which includes the trail network, open field, and two small basins. They also added two parking spots next to the mail stop, which is not part of the open space. Robbins discussed the use area of land which calculates to 30%. She stated that some of the use area will be divided up as exclusive use areas and will be determined once the units are built.

Blanchett and Hall discussed the phasing of the development. Prior to construction Blanchett stated that they will obtain the necessary permits from DEP, and install the erosion controls in accordance with the conditions. Phase 1 will include 14 units, installation of the infrastructure through the cul da sac, and the leach field. Phase 2 will include the rest of the development. Throughout the whole development dust and erosion will be controlled.

Tom Lyon, Landscape Architect, provided the proposed landscape design throughout the development, which will include the most native plantings as possible. His proposed design displayed the view sheds, and screening areas. Hall stated slope granite curbing will be used throughout the development. Hall stated that the lighting will be similar to River Hill where everyone will have a front porch light, that will provide enough lighting to the road. The choice of the porch light is up to the individual owner. Hall stated that the Board of Selectmen approved the curb cut closures for the Carr Post. They also have an agreement with the water commissioners, in which there would be an extension from the water connection from Brake Hill to Hill Top Circle. This will be a 2-step process, in which 25% of the project will be completed in Phase 1. This will be a brand-new connection, which will increase the flow rates for the entire town. Robert Janes, chairman of the Water Commissioners, explained the water connection to the existing water system. He stated that they will place a brand-new standpipe and brand-new tank at Brake Hill, and there will be an extension from the 10" main pipe on main street, then Hill Top Circle will connect to the existing tank. He stated that once all the connections are made there will be a running loop through the connection. James also stated that area will be cleared of trees.

Robbins stated that with the inclusionary housing plan there will be two affordable units in each phase. They will comply with the affordable requirements which will be sold to households earning less than 80% of the area median income from Lawrence Metropolitan Statistical Area. There will be a regulatory document that will go on record that the Board supports, and a deed rider will go along with the homes. The location of these homes is fixed. Robbins stated that they have agreed with a performance guarantee and covenant not to convey, and will come back to the Board to get lot releases.

Blanchett stated that the snow storage is shown on the storm water management operation maintenance plan. Snow will not be stored in storm water basins. He stated that the private plow companies will place snow on one side of the street, and clear the driveways. This will all be done through the condo association. Sarkis recommended that in the following meeting that Blanchett discuss the snow removal process in more depth and possibly have Meridian be part of the discussion.

Hall stated that the report of his traffic consultant indicates that trip generation, sight distances, etc are all within acceptable limits.

Cook suggested that at the following meeting, that the possible unit-type locations be indicated on the plan.

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Robert James, Chairman of the Water Department, stated that he didn't find a valving system in the whole project. He suggested that services be tapped off the water main for the area servicing the 8 duplex units. He also suggested in another location that there be a 4-way valving system, so in an emergency certain sections can be shut off. He stated that where the current fire hydrant is located in the front of the development, that if it is in use because of a hose connection it, will therefore block incoming and outgoing traffic. He indicated other possible locations for fire hydrants. Sarkis recommended that Janes meet with Hall at another time, and provide a memo on the information during that meeting. The Board approved Woody Cammett's request to meet with Meridian on their own time, and share the information to the Board at a later time.

Mike Dwyer the Fire Chief, requested that there be a clear plan for parking around the "peanut-loop" so they understand what is allowed. Robbins stated that if there was a violation of parking it is enforced through the condo association, and stated that after so many warnings there will be a fine. She indicated that if something needs to be enforced immediately then the Police will handle the situation.

Charles Fowler, 371 Main St., is concerned with the water drainage. He stated that he is currently getting water in his basement and fears that this development will cause more water to get inside his home as well as other areas. Cook stated that Cammett Engineering plans to address his concern to the best of their ability, and that Meridian will look at any potential issues. Cook stated that all the work follows the state law. Sarkis stated that Fowler's concern will be addressed at the following meeting, and that Blanchett will provide more detail on how the drainage system will work. Blanchett stated the plan is also being reviewed by the Mass Department of Environmental Protection.

Ted Olsson, 40 Meetinghouse Hill Road, requested that the public be provided a description on the discharge points. He also questioned if the septic system has been approved. Sarkis stated that it is not within the jurisdiction of the Planning Board to review the septic system. Woody Cammett stated that is currently in the process of being reviewed by the Board of Health.

Dennis Lucey, 374 Main St., requested information on the trail layout. Sarkis stated that will be discussed at a future meeting due to the late hour. Lucey also requested that the main crossing and where the water leads offsite be discussed at the following meeting.

Shane Gallery, 357 Main St., is an abutter to the Carr Post, and doesn't feel twelve parking spaces are necessary. He is concerned if the snow will be pushed into his yard. He feels that even though there is a buffer, it isn't sufficient. Sarkis wants the applicant to look at the buffer, and to be able to discuss it at the future meeting. Bridges stated that if necessary they will discuss with the Selectmen the importance of the screening around the Carr Posts.

Maura McCarthy, 357 Main St. questions if the parking at the Carr Post is public or only for guests within the development, and how the condo documentation will pertain to that. Sarkis stated that it will be discussed at the next meeting.

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Joel Butler, 375 Main St. is concerned with the water flow. He stated that there is currently a drainage problem existing, and asks the engineer to review the drainage calculations for the next presentation.

Brad Buschur, 347 Main St. is requesting that the trees be marked indicating if they are being removed or not. He questioned the proposed slope of the swale along the property line that runs parallel to the entry road. He requested information on the perk testing for the proposed drainage infrastructure, ledge extension, and anticipated blasting. Sarkis stated that all his concerns will be addressed at the following meeting. Buschur is also asking that certain types of native plantings be placed for the proposed hedge along his property line instead of the proposed evergreen trees.

Lori Speilvogel, 26 Meetinghouse Hill Rd, is concerned that her well will dry if blasting does occur. Sarkis stated that if blasting occurs the blasting company will conduct a pre blast survey, in which they will survey homes in the blasting area. They will contact the owners of the properties that are within a certain distance of the blasting and request permission to enter the property, and photograph the house along with a record of the conditions of the house. He stated that blasting companies are heavily insured for problems that occur as a result of the blasting.

Fay Gill, 360 Main St. questioned the recourse they have if the water drainage does impact their property. Robbins stated that storm water must be approved by both the Town's engineer and Cammett Engineer, along with permanent operation and maintenance plan that the condo association will have to follow to ensure that those controls are in place. She further explained that if they are not followed it is a violation of the permit, and therefore whoever oversees the municipality can fine the condo association per incident per day. If there is a design flaw, Bridges stated that during construction the Town is protected with a bond. Sarkis requested further explanation at the next meeting.

Sarkis made a motion to continue the Public hearing to Aug 1, 2017 at 7:30 PM. Bardeen seconded the motion and carried 5-0-0.

General Business -

Follinsbee Lane - Updates

No updates were discussed.

289 Main Street (former Bruneault Property) – Updates

No updates were discussed.

720 Main Street – Updates

No updates were discussed.

Minutes -

The Meeting minutes were continued to the next meeting.

Vouchers –

Zambernardi requested signature for payment for Annie Sterling.

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Correspondence –

There was no correspondence.

*Administrative Details – – Recommendation to Selectmen on Associate Planning Board Member;
Update on Planning Projects and Office Administration*

Zambernardi stated there are two resumes to review for the Associate Planning Board Member and the Selectmen have forwarded them to the Planning Board for a recommendation.

Zambernardi stated that the Selectmen decided that Annie Sterling will no longer assist with administrative matters in the Planning Office on a regular basis. If she assists any department, that department will be billed for her time. Zambernardi stated that this expense was unexpected and had not been worked in to the FY18 Planning budget.

The meeting was adjourned at 10:45pm

Submitted by,

Lori Dawidowicz
Recording Secretary