

**West Newbury Planning Board  
Minutes of Meeting  
June 18, 2019**

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 Tuesday, June 18, 2019 at 7:00pm in the Planning Office at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Raymond Cook, Richard Bridges, Tim Cronin and Brian Murphey were present. Associate Member Wendy Reed, Town Planner Leah Zambarnardi, and consultant engineer David Kelley of Meridian Engineering were also present.

Murphey called the meeting to order at 7:01 PM. He welcomed duly-sworn Planning Board Associate Member, Wendy Reed.

**General Business**

**Updates**

- Sullivan's Court - Developer Tom Neve provided an update on project landscaping activities including erosion control. He stated that Lots 2 and 4 were loamed and seeded. He observed that there were rivulets on Lot 2 but that he won't address it until final landscaping is done where he will dry seed, rake it in and hydro seed over it. Paving should be completed by the end of August. The status of lots 3 and 6 were discussed. Reed stated that there was an issue with construction on Lot 6 and the Order of Conditions from the Conservation Commission. Neve and Reed agree to revisit the issue at a later time. There was lengthy discussion of the permanent drainage easement for the homeowners' association that crosses lot 4 and wraps around lot 3. Neve stated that Lot 3 is sold, the new owners will hire their own contractor and that he has no control over the construction. He stated that all construction still must comply with the site plan. Neve will meet with the lot 3 contractor to review the plans and conditions of approval and to reinforce building requirements. Neve asked that the new owners be responsible for the costs associated with Lot 3 inspections. Some discussion occurred. Zambarnardi disagreed and stated that Neve is responsible for ensuring the project is completed. Neve stated that trail access and bridge placement are being discussed with the Conservation Commission. Zambarnardi noted the deadline for the affordable housing agreement payment. Neve requested an extension.

Motion: Cook moved to extend the date for submission of the 6<sup>th</sup> affordable housing payment to the time of closing of lot 6. Bridges seconded, and the motion carried 5-0.

*Documents Reviewed: Construction Inspection Summary: Project # 5696, dated 6/6/19; emails from Thomas Neve to the Town Planner, dated 6/11/19; partial transcription of Sept. 18, 2018 meeting minutes, Sullivans Court Extension Subdivision Plan*

- Drakes Landing - David Kelly, consultant, provided a project update. Bridges asked about dust and heavy equipment bothering the neighbors. The heavy equipment was in use in the initial site preparation stage; the dust issue has subsided.

*Documents Reviewed: Construction Inspection Summary, Project 6015, dated 6/6/19; Performance Data, last updated 5/3/19.*

- Pentucket School Building Project - Zambarnardi reported that Dore & Whittier Architecture and Project Management had contacted her regarding the Planning Board's role in the project. She provided West Newbury Zoning and Parking requirements and will meet with the architects and officials from West Newbury and Groveland on June 20 2019 at the West Newbury Town Hall in the first-floor Hearing Room at 10:00 a.m.

to discuss permitting. The school building is in West Newbury, though 2/3 of the football field is in Groveland. The Conservation Commission will be involved

#### Vouchers

Vouchers were signed for Meridian Engineering, W.B. Mason Office Supplies, and the Recording Secretary. The Final Certificate of Vote for John McGrath's project at 22 (formerly 16) Church Street was signed as well as payroll.

#### Correspondence

Zambernardi stated that the Essex County Community Foundation will hold an Arts and Culture Summit in the fall. Newbury will hold a Public Hearing on a proposed dog daycare establishment on Route 1.

#### Administrative Details

Administrative Assistant Position - The job description was approved by the Board of Selectmen. The wage schedule has not yet been voted on by the Board of Selectmen. The position will be posted once that is approved.

#### Summer Schedule

The Board confirmed the following summer meeting dates: July 2, July 16 and August 6, 2019. For the summer, Zambernardi would keep her existing number of hours, but requested to work extended days on Monday and Tuesday and be off on Wednesday. Board member asked for a written schedule at the next meeting. The Administrative Assistant would work 6 hours/week.

#### Items Not Reasonably Anticipated By the Chair 48 Hours in Advance of a Meeting

Zambernardi stated that Tom Cook, developer of the project at the corner of Middle and Ash Streets will come before the Board in July to seek an extension for a special permit that will expire at the end of August. The Town's fiscal year ends Jun 30 2019; \$2,800 remains in the Planning Board's expense account. Zambernardi would like to use it for new computers for the planned new hire and herself as has been recommended by the Town's IT consultant. If the funds are not used, they will be returned to the General Fund. A desktop computer will be specified by the Town IT specialist. The Board will sign a voucher once the purchase is made.

#### Work Planning and Prioritization

Zambernardi handed out an FY20 Work Planning sheet for review. She noted that MS4 compliance is underway but no action is required from the Planning Board at this time.

Cook explained that the Green Communities Program asks that communities adopt an expedited application and permitting process allowing as-of-right energy solar facilities (criterion #1) to be sited within the municipality and not exceed 1 year from the date of initial application to the date of final approval.

Zambernardi will review Open Space and Recreation Plan action items and the Housing Production plans for possible Board involvement. The Board will review the Town Planner's list of priorities. A fee schedule, zoning, open space planning, public input on planning priorities, and a Comprehensive Long Range Plan were also mentioned. The Board generally felt it was important to relay its desire for an updated Comprehensive Long Range Plan to the Town Manager.

*Documents Reviewed: FY20 Work Planning Sheet*

#### Review of Planning Board Fees

The Finance Committee had requested a review of fees to recoup Planning Office expenses. Zambenardi had prepared a worksheet for Board Review. The information included: Standard Time/Rate spent on Planning Board Permit Applications (e.g., Special Permit, Definitive Plan, Site Plan, Fee for Special Permit and Site Plan Review), Fee Comparison Chart referencing other municipalities' fees. Cook suggested simplification, including per lot fees. He further suggested including Groveland and Merrimack in the comparative chart. Zambenardi will add two towns, make recommended adjustments, and return to the Board for a second review at a future meeting.

*Documents Reviewed: Planning Board Fee Schedule Review Sheet; Standard Time/Rate Spent on PB Permit Applications – Special Permit, Definitive, Plan Site Plan*

### **Executive Session**

Murphey took a roll call vote to enter Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declared at 9:25. Murphey stated that the Board would reconvene in regular session at the conclusion of the Executive Session. Cook seconded the motion. A roll call vote was taken; Bardeen – aye, Bridges-aye, Cook-aye, Cronin-aye, Murphey-aye; Reed-aye.

Murphey called the regular meeting of the Planning Board back to order.

### **Adjournment**

Murphey move to adjourn the meeting at 9:35 PM. Bridges second. The motion carried 5-0.

Respectfully submitted,

Kathryn C. Carr, Recording Secretary