

WEST NEWBURY PLANNING BOARD

Minutes

July 2, 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 July 2, 2019 at 7:00pm in the Planning Office at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Richard Bridges, Tim Cronin, and Associate Member Wendy Reed were present. Member Brian Murphey was not present. Town Planner Leah Zambenardi and DPW Director Wayne Amaral were also in attendance.

Call to Order

In the absence of Murphey, Cook served as Chair, calling the meeting to order at 7:03 PM.

Discussion of the G.A.R. Library

Cook, an abutter, recused himself, but provided background information on water issues and swale installation. Bardeen served as Chair. Reed, a member of the Library Board, also recused herself but provided background information when called upon. Bardeen had reviewed the property. Amaral explained that the Library sought to add a temporary handicap ramp between the building and the patio. Board Members ensued in a discussion about the need for a more comprehensive facilities plan for the building and grounds, which would set priorities for projects. The need for site plan review was discussed. Members of the Board found that the changes constituted a full site plan review as opposed to a minor modification. Zambenardi will provide a copy of the site plan review requirements to Amaral. Fees would be waived as well as some of the submission requirements. A public hearing will be posted. The Board will review the project at the hearing during the August 6 meeting. Both the proposed ramp and related sidewalk will be included.

Documents Reviewed: Letter from Wayne S. Amaral, DPW Director to Leah Zambenardi, Town Planner, dated June 25, 2019

Cook and Reed resumed their roles as Members at 7:37 pm.

Discussion of Special Permit for Common Driveway Serving Two Lots – 151 & 153 Middle Street, Haddock Realty Trust – Lapse of Special Permit (August 29 2019)

Zambenardi stated that the developer requested an extension of the special permit for a common driveway, which is set to expire in August 2019. Cook noted that the developer is required to demonstrate that he had not begun for good cause. Zambenardi noted that Bobrowski's book on Massachusetts Land Use Law indicates that case law determined that no formal extension of a special permit is required if there is good cause, though she stated that it is a good belt and suspenders approach to ask the Planning Board for a determination that there is good cause and to grant an extension to a date specific. After further discussion, Board member Cook moved to grant a two-year extension, Bridges seconded. Bardeen amended the motion to extend the Special Permit to August 29, 2021. Bridges seconded Bardeen's amendment to the motion and it carried unanimously.

Documents Reviewed:

Handbook of MA state Land Use and Planning Law, Bobrowski, Section 10.10

Plot Plan 15058 PB 458 PL 50

Recorded Plan Special Permit dated 10/5/2017

Certification of Vote Approval of Special Permit Application for Common Driveway Serving Two lots 151 & 153 Middle Street, West Newbury, dated Aug 15, 2017

Pentucket School Building Project – Discussion of Construction Hours and Peer Review

Zambernardi stated that project plans were delivered to the Clerk's office and will be available to the public. The project is expected to begin in spring 2020 and to be completed in time for fall 2022. Existing conditions were discussed. The Groveland Planning Board will meet on July 16th to determine whether or not to conduct a full site plan review or a minor site plan review. The West Newbury Planning Board will perform site plan review. Zambernardi asked the Board whether it would be inclined to commission a peer review of: 1. the stormwater management system; and 2. compliance with the Board's Rules and Regulations. She stated the Town wants to be mindful not to overlap with other authorities reviews to duplicate work. Cook noted the importance of site plan review to the community. Bridges stated that a peer review by a consultant working on the Town's behalf is desired and the other Members concurred. They also concurred that Meridian Engineering is qualified to do the peer review and project inspections. Zambernardi asked the Board Members if they would consider less strict construction hours because of the nature of a school construction project where scheduling needs to occur around the school calendar. Board Members recognized that some seasons like summer might warrant longer hours because school is not in session and that shorter hours might be in order at other points. The needs of the abutters were recognized as important. The Board generally concurred that it would like to review a proposal for modified construction hours before giving its support. Cronin asked when they will apply for site plan approval and Zambernardi stated that has not been determined yet. She reported that West Newbury and Groveland are discussing a joint community meeting designed to inform residents of the project. Public hearings on matters reflecting the legal jurisdictions of each town would be separate.

Documents Reviewed:

Correspondence June 10, 2019 and June 11, 2019: Marie Fernandez-Donovan, Dore and Whittier and Leah Zambernardi, West Newbury Town Planner
Schematic Diagram Proposed Site Plan Module 4; 4.2.1.11, Dore and Whittier Architects
Statute and Zoning Bylaw references

Discussion of Work Planning/Prioritization

Reed provided information from the Open Space and Recreation plan, noting the areas which call for Planning Board involvement. No further discussion occurred.

Planning Board Fees

Zambernardi discussed Planning Board fees from other Towns for comparison with its own fees. She also discussed other considerations including town staff time involved with various permits. She provided a table with the information including recommendations for fee amounts. The Board discussed. Zambernardi will edit, add to it and bring it back for further Board review.

Documents Reviewed: Planning Board Fee Study, July 2, 2019

General Business

Updates

Sullivan's Court

Zambernardi and DPW Director Wayne Amaral will meet with developer Tom Neve next week to discuss paving at the intersection of Whetstone Street and Sullivans Court in preparation for a public site visit to discuss the improvements with abutters. Reed, in her Conservation Commission role, will be meeting with Neve next week regarding the trail bridge.

Drakes Landing

There had been some issues with erosion control and sediment blocking a catch basin, which is now fixed.

Brake Hill Water Tower

Zambernardi stated that J. White Construction is beginning the installation of 1,200 ft. of the water main connecting the water main at Hilltop Circle to the new water tower. The water tower construction will start in August. A letter to the residents, including a timeline has been drafted.

Minutes

No Minutes were ready for review.

Vouchers

A voucher was signed for the Recording Secretary and an employee timesheet was signed by the Chair.

Correspondence

MVPC has finished the Regional Housing Plan. The Plan will be posted on the Planning Board's web site. The Cannabis Control Commission is gathering information on community marijuana bylaws and Zambernardi will be completing a survey for them. West Newbury has medical, but no recreational marijuana bylaw in place. The Essex County Arts and Culture Summit will be held on September 27, 2019 at the Cabot, 286 Cabot Street Beverly, MA, and is sponsored by Essex County Community Foundation. The Pentucket Arts Foundation is sponsoring the showing of Voices of West Newbury, a 30-minute film that will be shown at the old Town Hall. From 6:00-8:00 PM on July 8. It is an event that is planned as part of the Town's Bicentennial celebration.

Administrative Details

Zambernardi stated that the Town Wage Schedule was approved by Selectmen and she will post the Planning Office Administrative Assistant position. Zambernardi gave the Board a copy of proposed hours for the summer. Board Members authorize the schedule.

Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting

There were no items.

Adjournment

Cook moved to adjourn at 8:54 PM. Bridges seconded. The motion carried 4-0.