

Town of West Newbury Planning Board
Meeting Minutes
Tuesday, April 21, 2020 at 7:00 p.m.
by Remote Participation (see below)

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 April 21, 2020 at 7:00pm remotely using the "GoToMeeting" platform. Board Members Ann Bardeen, Richard Bridges, Ray Cook, Tim Cronin, Brian Murphey, Associate Member Wendy Reed, Town Planner Leah Zambernardi, and Recording Secretary Kathryn Carr participated remotely.

Also participating remotely was Angus Jennings, Town Manager, West Newbury, MA, Rose Vetere, 54 Coffin Street, West Newbury, Rick Feehery, 540 Main Street, West Newbury, and Donald Doak, 14 Cortland Lane, West Newbury.

Call to Order

Chair Murphey called the meeting to order at 7:06.

Chair Murphey read an addendum to the meeting notice regarding remote participation.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the West Newbury Planning Board will be conducted via remote participation to the greatest extent possible.

Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of West Newbury website, at www.wnewbury.org. For this meeting, members of the public who wish to view and/or listen to the meeting may do so by: logging in to the website or by calling the telephone provided.

Murphey explained how public comment would be taken by the Board.

He further noted a change to the agenda; the Board would not discuss the Coffin Street project at this time. He suggested proceeding to the second item: Informal Discussion with Town Manager Re: Submission of Site Plan Review Applications for Vehicle Electric Charging Stations at Page Elementary School and the Town Offices and for the Page School Playground Project.

Town Manager Jennings provided background on a proposed project to site a playground and electric vehicle charging stations to the Page School property. He hoped to determine Planning Board requirements for the project, its guidance on electric vehicles, and decision timeline. Murphey had examined drawings for both sites, and felt additional information would be helpful to the Board. Cook said the Planning Board's Site Plan Review process was important to assure project safety, allowing the Board to make suggestions to improve the safety of the project. As a public project, Board review is required. Cronin expressed concern about student safety, CORI issues, traffic, and access, which were echoed by Bardeen. She noted that many of these questions would likely arise at Town Meeting. The Board discussed ADA compliance.

The timing of and impact of any changes made during Site Plan review on Town Meeting was discussed. Jennings noted that the charging stations were an initiative of the Energy Advisory Committee. The original deadline for grant use for the project has been extended until October. The Board would like to have an update at its May 2, 2020 meeting, prior to Town Meeting.

Jennings raised the applicability of the Dover Amendment; he will seek an opinion from Town Counsel.

The Building Inspector has told the Select Board that a building permit is not required. Members were perplexed. Murphey restated the Board's willingness to work with Jennings on the project and thanked Jennings for his work on the project.

Discussion of Zoning Articles Submitted for Spring Town Meeting Re: Comments Received at April 13, 2020 Board of Selectmen Meeting.

Zambernardi summarized comments from the Board of Selectmen's April 13, 2020 meeting regarding zoning articles submitted for Spring Town Meeting 2020.

The Board discussed sections on Home Occupations and Traffic Measurement.

Motion

Cook moved to remove language related to traffic generated by a business in a residential neighborhood. Cronin seconded.

A roll call vote was taken, and the motion passed 5-0.

The Board discussed language related to riding stables in residential districts and related special permits, acreage requirements, and exemptions. Town Counsel, at the behest of the Board of Selectmen, had weighed in. Cook suggested that the bylaw read "riding stables are permitted", noting that commercial operations are covered under other regulations.

Murphey suggested the Board review this again.

Murphey said the proposed correction on subheading B would remain as Riding Stable, xx, xxx for now.

Cook moved that changes to 513B be left for the coming Town Meeting. Bardeen seconded. There were no additional comments.

A roll call vote was taken, and the motion passed 5-0.

Discussion of Planning Board Review and Recommendation re: Chapter 40B Project Eligibility/Site Approval Application to MassHousing for 152 housing units at 28 Coffin Street and 566 Main Street, Proposed by Cottage Advisors MA, LLC

Murphey stated that there would be no discussion on this item at present. No documents were available for Board review. The item will be reviewed at the Planning Board May 5, 2020 meeting.

Donald Doak 14 Cortland Lane asked where the referred to documents will be available.

Discussion of Sullivans Court Extension Definitive Plan (Approved 2015) Re: Trails and Lot 6 Culvert

At the Board's request, Meridian Associates, Inc. had performed a review of documents provided to the WNPB concerning wetland/intermittent stream crossing associated with Lot 6.

The Board had reviewed the email from Meridian. Meridian had found the culvert solution insufficient. Cronin asked Reed to speak with the Conservation Commission. It will send a letter. Bardeen suggested the Planning Board follow suit.

The Board continued its discussion of Mr. Neve's non-compliance with ADA requirements on planned trails. Bridges noted the extensive time the Board had spent on the trail project. Zambernardi noted that Neve was required by the permit to meet his obligations. Murphey would like to hear from Town Counsel on the matter, specifically bonding.

Documents Reviewed: Email from Meridian Associates to West Newbury Planning Board via Leah Zambernardi, dated April 13, 2020, re: Definitive Subdivision-Sullivan's Court Extension including a Letter from Thomas Neve to the West Newbury Conservation Commission dated April 3, 2019 (modified per WNCC request) June 5, 2019.

Documents Reviewed: 2020-04-13 - Comments to Documents Provided by Thomas Neve Regarding Lot 6 Crossing [2].pdf

General Business

Minutes

Murphey deferred review of the April 7, 2020 to a future meeting.

Administrative Details

To test capability for hosting visual presentations on the GoToMeeting platform, Board members experimented with screen sharing.

Murphey had sent a letter out to the Board regarding Zambernardi's availability.

Murphey asked on-line meeting attendees if they have any questions. There were none.

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

There were none.

Adjournment

Chair Murphey moved to adjourn the meeting at 8:50 PM.

A Roll call vote was taken, and the motion passed 5-0.

Respectfully submitted,

Kathryn C. Carr, Recording Secretary