



**Town of West Newbury
Planning Board
Tuesday, June 15, 2021
381 Main Street, Town Office Building
www.wnewbury.org**

Minutes of Meeting

Open Session: 7:00 p.m. in-person and by remote participation (see below)

Addendum to 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 limitations 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 into the website or by calling the telephone number listed below:

GoToMeeting

Phone: (646) 558-8656

Access Code: 919 5506 1762

Passcode: 828649

Or from computer, tablet, or smartphone:

Join at: <https://zoom.us/j/91955061762?pwd=WGVkR1hxSkdxN3FGMFhjbGROV1JFUT09>

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town of West Newbury website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as practicable after the meeting.

Chairperson Tim Cronin called the meeting to order at 7:00 p.m. Members in attendance were Ann Bardeen, Tim Cronin, Brian Murphey, Jake Cormier, Ray Cook, and Town Planner Leah Zambenardi, all participating in person and also offering Zoom Conference.

Application per the Scenic Roads Bylaw, Ch. XXXII of Town of West Newbury Bylaws for the removal of a 30-foot portion of stone wall on Rogers Street (Tax Map: R-20, Lot 06-1); Owner: Artichoke Farm Trust; Applicant: Patrick & Jennifer O'Keefe.

Cronin public hearing to order at 7:15 p.m. Seconded by Cook.
Roll call vote was taken, and the motion passed 5-0.

West Newbury Planning Board Minutes, June 15, 2021. Approved December 7, 2021.

Zambernardi read the Legal Notice for the record.

Bob Grasso, Engineering Land Services stated that his client plans to construct a single family dwelling located on the property. He stated that the proposed paved driveway will be located on Rogers Street and that the opening will require the removal of approximately 30' linear feet of stonewall. **The stones will be used to replace the existing opening at the footpath located along Rogers Street.** The proposed driveway opening will need no tree clearing located in the Rogers Street right of way.

Grasso explained that he has already met with the DPW Director/Tree Warden, Wayne Amaral. Zambernardi stated that she received an e-mail dated May 23rd from Amaral, which stated that there are no healthy trees within the proposed driveway area, and that there is a potential hazardous tree that the owner may remove that from the property.

Bardeen offered that she supports reusing the stones to be removed on the site. Cook stated that the ends of the wall should be stabilized using some of the stones.

Deb Hamilton, Director of Essex County Trails Association inquired as to whether this would involve the foot path and public access, to which Grasso stated that there is no connection and that it is only privately used.

Motion made by Cronin to grant the application for the removal of the 30-foot portion of the stone wall on Rogers Street as submitted to the Board.

Discussion on the motion:

Cook stated that the permit should indicate that the stones will be reused to close the existing opening that's shown on the plans, and to create returns to stabilize the openings for the new driveway.

Seconded by Bardeen.

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

- 1. Definitive Plan - 519 Main Street & 0 Stewart Street (Assessors' Map R14, Lots 36 & 54) - Deer Run Land Development- (a) Board Signatures for Recording Plan; (b) Covenant Not to Convey; (c) Pre-Construction Meeting Update; (d) Scope of Services Update:**

Zambernardi provided an update on the Covenant Not to Convey stating that Mike McCarron provided comments on the Covenant Not to Convey. Zambernardi stated that there was a pre-construction meeting in her office that day, and the developer, Michael Crowe provided an update on the construction timeline. Zambernardi stated that the project contacts and the construction schedule will be posted to the Planning Board's website.

Zambernardi stated that Meridian Associates would conduct site inspections during construction and that a scope of services had been provided. Murphey questioned the amount quoted noting it is very high. Zambernardi stated that David Kelley from Meridian will be available to discuss this at the next meeting. Further discussion with questions and answers ensued. Cronin suggested that rather than commit to the full Scope of Services for the entire project, that the Board focus on the near-term activities and he will work with Zambernardi so as not to commit to the total project cost until the Board is satisfied.

There was also discussion as to Section 6.5 of the Subdivision Regulations, regarding items that require Inspections by Meridian, with Cronin inquiring as to when the initial inspection being done. Zambernardi stated that Section 6.5.3 requires an inspection for excavating and Crowe provided a timeline for this.

Board Members proceeded to sign the Mylar plans.

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2. Subdivision Approval Not Required Plans (ANR's):

- a. 104 Moulton Street & 106-108 Moulton Street - Owner/Applicant: John C. & Carol K. Elwell - Create 24,696 square foot parcel and convey it from 106-108 Moulton Street to 104 Moulton Street.**

Zambernardi updated the Board on this topic. She stated that the proposal is to cut off Parcel A from Lot 2A and convey it over to what's called Lot 1A, which will then become one parcel. Questions and answers ensued regarding the frontage requirement, to which Zambernardi confirmed that it is met.

Motion made by Bardeen that the Planning Board endorse this plan as one not requiring approval under the Subdivision Control Law.

Seconded by Cook.

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

- b. 194 Crane Neck Street – Owner: Daniel & Patricia Grabowski; Applicant: Mark Grabowski – Create new building lot.**

Zambernardi updated that Mark Grabowski submitted the plan to create a new building lot on behalf of his parents. Mark Grabowski spoke via speakerphone, explaining that he's seeking to create a new building lot since his parents live at 194 Crane Neck Street and he would be looking to create a new 2-acre lot at 192 Crane Neck Street.

Some discussion ensued regarding wetlands on the property. Questions were answered regarding the existing stone wall and driveway, and complying with the Scenic Roads bylaw and coming back before the Board.

Motion made by Bardeen that the Planning Board endorse this plan as one not requiring approval under the Subdivision Control Law.

Seconded by Cook.

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

3. Pre-Application Conference: Pentucket School Building Project Maintenance Building - Brad Dore, Dore & Whittier

Brad Dore from Dore & Whittier Architects, was joined by Paul Bergman, Bergman & Associates in Haverhill, to have a pre-application conference to try and understand issues or concerns of the Board before they start preparing the application. Dore provided a history of the project, stating that a parcel of land was acquired from the owner of 22 Farm Lane by the school district, located next to the school project. He stated that he has spoken to the Conservation Commission and there are no issues to resolve with regards to potential wetlands. They are now coming before the Planning Board to provide an update on their plans for a Maintenance Building. Board Members asked questions and made comments.

Dore stated that perhaps some landscaping can be done on the front side of the building to enhance the look of the building. It is the maintenance building for the entire district. Dore stated that this is not part of the high school/middle school project, but is being funded separately by the District. He stated that the use is associated with the educational aspect of the property. Further discussion ensued regarding the use of the building, as well as lighting and stormwater issues with the Board inquiring as to possible rainwater retention for use during dry times.

Hamilton also offered information from the Essex County Trail Association's point of view regarding use of native plants where science teachers could use things such as stormwater, rainwater retention, and native plants as a teaching tool for their students.

4. Discussion of Need to Form an Affordable Housing Committee – Requested by Planning Board Member Brian Murphey:

With regards to affordable housing, Murphey stated that in his opinion, the Town needs to form a Housing Committee now to explore options for creating affordable housing. He reminded the Board that the State requires that the Town have 10% of its housing stock designated as affordable, and that West Newbury is only at around 2%. The committee could also be looking at Inclusionary Housing funds that have been collected over the years on various projects and how they can be used, as well as looking at how to attract a developer to build affordable housing units.

Murphey further stated that West Newbury had Community Housing Committee in the 2006 to 2009 era and a plan was developed to use town-owned land on Main Street and Church Street that had been purchased previously. He stated the plan was for somewhere between 30 to 40 units of mixed housing with an intergenerational village. The plan was presented at Town Meeting in 2009 and failed. The Committee disbanded after that, with Murphey providing details as to why the vote failed at that time.

Murphey stated that the time to act is now because affordable housing connotes different things now than it did in the past and a Housing Committee can work to resurrect the previous plan and update it with new ideas. He further suggested that the Planning Board have a discussion and also ask the Select Board to set up a committee and move forward with housing in Town, with the committee coming up with a plan to move forward. Questions and answers ensued regarding the eligible homeowners and following 40B guidelines, with Cook suggesting the Town form a Housing Trust to administer funds.

Zambernardi stated that she spoke to Town Manager Angus Jennings regarding a Housing Trust and her take-away was that engaging a specialist who is well-versed in this area to come work with the Town is a possible next step.

Ann O'Sullivan called in and spoke regarding this topic, thanking the Board for bringing this to the forefront, and stating that she feels that there is some momentum in the Town for an Affordable Housing Trust. She stated that this is a time that there could be some bylaw changes to be brought before the Select Board and Annual Town Meeting by getting a dedicated group of people with some authority to take this on. A discussion ensued on this topic with all parties offering suggestions for moving this plan forward.

Zambernardi also advised that back in January, the Select Board adopted regulations to allow money to be spent to monitor the units that the Town currently is responsible for. She stated the money is being used to pay a consultant to do the annual monitoring. Cook stated that the consultant is tasked with managing the existing stock, but one of the Planning Board's primary concerns is to have a specialist help establish a formal committee, and he feels that money should be spent on this as well. Zambernardi offered that the consultant's role would be more as a technical advisor on how to establish the trust.

It was decided that the Planning Board would ask the Select Board to move forward with establishing an Affordable Housing Trust as soon as possible, perhaps for fall 2021, and that a letter be sent to the Select Board in this regard.

**A Motion was made by Murphey to this effect.
Seconded by Cook.
Roll call vote was taken, and the motion passed 5-0.**

5. General Business:

- Updates: Sullivan's Court:

Zambernardi stated that in terms of the trail easement, she was tasked with composing a letter to the Conservation Commission to explain the Board's position about the trail to River Meadow, which is still on her list of things to do. She also noted that Cronin had performed a review of the proposed trail easement and made comments for consideration. She further stated that in terms of the landscape plan, a plant list was submitted last week to compare against the approved plant list. In terms of the parking and the adequacy of the parking, she will speak with the DPW Director to make sure the parking is sufficient from the Town's perspective, and if not, what would they want to see done. As to the \$10,000 fund, she will work with the Finance Department on a solution.

- Correspondence:

Zambernardi stated that the Board received three notifications of public hearings in Haverhill and Groveland.

- Administrative Details: Associate Member Search, Minutes Taker Update, Re-Opening Update:

With regards to Associate Member search, Zambernardi stated there are three potential applicants. She suggested they move forward with meeting these applicants, and if there are more, they can also be looked at. With regards to the minutes taker, the plan is to hire the minutes taker that the Select Board uses. Discussion also ensued regarding in-person/remote meetings in Town. The Board opted to continue with remote meetings.

- Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting
There were none.

Adjournment:

Cronin moved to adjourn the meeting at 9:15 p.m.

Seconded by Cook.

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

Respectfully submitted,

Susan M. Lobie, Certified Electronic Transcriptionist
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