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**TOWN OF WEST NEWBURY
OFFICE OF THE PLANNING BOARD
381 MAIN STREET
WEST NEWBURY MA 01985
978-363-1100 X125 Fax: 978-363-1119**

**CERTIFICATE OF VOTE
MODIFICATION TO SITE PLAN REVIEW
Assessors Map R-1, Parcels 10, 20 & 30
Pentucket Regional Middle-High School Building Project, 22 Main Street**

January 3, 2023

- I. APPLICATION:** Modification to Site Plan Review for Athletic Field Lighting at 22 Main Street, received by the Planning Board on November 11, 2022 and the Town Clerk on November 11, 2022.
- II. OWNER/APPLICANT:** Pentucket Regional School District, 22 Main Street, West Newbury, MA 01985.
- III. REFERENCES:**
- Planning Board Application for Site Plan Review with Attachments, Received November 11, 2022.
 - 265600-5.0 Musco Sports Lighting Complete Package, Prepared for Dore & Whittier Architects, Inc., 260 Merrimack Street, Building 7, Second Floor Newburyport, MA 01950; prepared by W.T. Rich Company, Inc., 1075 Worcester Street, Suite 310, Natick, MA 01760;
 - Plan Sheet L-1.00 entitled, "Pentucket Regional School District Building Project 24 Main Street, West Newbury, MA 01985, Conformed Construction Set; dated 7/24/20; prepared by Dore & Whittier Architects, Inc. 260 Merrimac Street, Building 7, Newburyport, MA 01950.

IV. FILING and PUBLIC HEARING INFORMATION:

The Application was filed with the Planning Board and the Town Clerk on November 11, 2022, was published in the Daily News of Newburyport on December 6 and December 13, 2022, and was mailed to Parties in Interest and the Planning Boards of abutting cities and towns on December 6, 2022. The public hearing notice was posted with the Town Clerk on December 6, 2022.

Copies of the Application package were distributed to the Board of Health, Building Inspector, Conservation Commission, Department of Public Works, Fire, Police, and Water Departments for comments. Department of Public Works responded by email on December 6, 2022 stating

the Department had no comments. The Conservation Commission, Building Inspector and Board of Health each responded by email on December 20 stating that the project presented no concerns.

The Public Hearing was opened on December 20, 2022. Board Members Ann Bardeen, Raymond Cook, Timothy Cronin, and Brian Murphey were present and voting.

Brad Dore, of Whittier and Dore, representing the Pentucket Regional Middle High School explained that the District is looking to install field lighting on the stadium at the side/southern end of the site and on the field hockey field and the practice/baseball fields on the northern portion of the site. Dore explained that due to lower than anticipated construction costs for the site and building to date, the project now has sufficient funding for the field lighting. Dore presented plans to indicate the location of the lighting and summarized the results of the illumination study noting there is no light trespass off site.

Planning Board members focused their discussion on the anticipated schedule of light use and how the School District would make the field use schedule available to residents and respond to any questions or requests. Justin Bartholomew, Superintendent of Pentucket Regional School District, stated that he wouldn't anticipate any events going past 10:00 P.M. noting that the school's teams normally have practice and games during the afternoon but he expects the Pentucket Regional School District (PRSD) communities' youth organizations to be using the fields later in the afternoons and early evenings. He stated the schedule could be placed on the District's website.

The Board suggested the School District adopt a policy for a set schedule that included the days and times the fields can be in use and an application and approval process for lighting use beyond these limits.

The Board received public comments from an abutter who stated that seeing the lights would be a concern and requested assurance that the School District put in place a publicly accessible field use and lighting schedule and a policy that outlines a process for considering citizen input.

After due consideration Board Members voted unanimously (4-0) to continue the Public Hearing on January 3rd at 7:15 to allow the Applicant time to prepare a proposed field use schedule and policy.

The Public Hearing was continued on January 3, 2023. Board Members Ann Bardeen, Raymond Cook, Timothy Cronin, and Brian Murphey were present and voting.

Bardeen noted that the Board received a letter from an abutters outlining concerns and requests. The letter was also shared with the Applicant when it was received.

Justin Bartholomew, Superintendent of Pentucket Regional School District presented the following proposed field lighting schedule, noting that it was generally consistent with the schedules of other nearby communities.

Friday and Saturday – lights will be off by no later than 10 PM
Sunday through Thursday - lights will be off by no later than 9 PM
Requests for exceptions would be considered by the School Committee at a public meeting allowing for public input.

At the Board’s request, Mr. Bartholomew agreed to present the following to the School Committee:

Friday and Saturday – lights will be off by no later than 10 PM
Sunday – lights will be off by no later than 6 PM
Monday through Thursday - lights will be off by no later than 9 PM
Requests for exceptions will be considered by the PRSD School Committee at a public meeting allowing for public input.
A request to change the standard or default schedule would be the responsibility of the PRSD School Committee.

After due consideration Board Members voted (4-0) to close the public hearing and voted (4-0, with Hamilton abstaining due to missing a portion of the hearing) to approve the project as presented/ with the following condition.

V. CONDITIONS:

- a. The Pentucket Regional School District will present the agreed-on field light schedule and policy to the School Committee for approval.

VI. ADMINISTRATION:

Following the expiration of the applicable appeal periods, the Applicant shall record this endorsed Certificate of Vote and Plans at the Registry of Deeds. The Applicant shall also secure a statement for recording from the West Newbury Town Clerk, indicating that the applicable appeal periods have lapsed and that there have been no appeals or that if any appeal has been filed that it has been dismissed or denied. A copy of the recorded documents shall be provided to the Planning Board.

All other stipulations of the Certificate of Vote and Site Plan shall remain in full force and effect.

All applicable laws, bylaws, rules, regulations, and codes of state law, federal law, and the Town of West Newbury shall be complied with, and the Owner shall obtain all necessary permits, licenses, and variances, as applicable.

The action of the Planning Board does not waive or alter any other permit or approval requirements, including, but not limited to, those of the Board of Health, the Inspection Department, and the Conservation Commission.

APPEALS:

Appeals of the Planning Board’s final action on a Site Plan Review Application shall be made to the Zoning Board of Appeals in accordance with Section 8A of the Zoning Bylaw, and within thirty days of filing the decision with the Town Clerk.


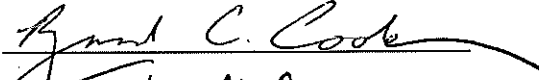
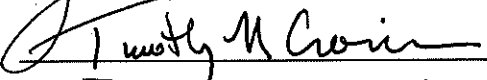
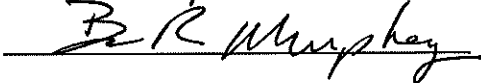
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At a meeting of the West Newbury Planning Board held on January 3, 2023, Board Members voted to approve the Application for a Modification to the above-referenced Site Plan subject to the following:

- Final Certificate of Vote, as approved by the Board

The Vote was as follows:

Ann E. Bardeen	In favor	
Raymond A. Cook	In favor	
Timothy N. Cronin	In favor	
Brian R. Murphey	In favor	

Deborah R. Hamilton abstained.