

**TOWN OF WEST NEWBURY
PLANNING BOARD
Tuesday February 20th, 2024 7:00 p.m.
AGENDA**

For Remote Participation (see below)

1. Continued Public Hearing – 125 River Road, Eagle Nest Subdivision
2. 519 Main Street – Deer Run – Update
 - a. Street Interim As-Built Plans
 - b. Anticipated Lot Release Request
3. Housing Opportunities Initiative
 - a. Hearing Date for MBTA Communities Multi-Family Overlay District (MCMOD) March 19th, 2024
 - b. Frequently Asked Questions
 - c. District Comparison
4. General Business:
 - Minutes – None.
 - Correspondence
 - Administrative Details:
 - Placement of Items for Future Planning Board Agendas
 - Items not Reasonably Anticipated by the Chair 48 Hours in Advance of a Meeting
The Planning Board reserves the right to take Agenda items out of order

Addendum to Meeting Notice Regarding Remote Participation

Pursuant to Chapter 2 of the Acts of 2023 that includes extending certain COVID - 19 measures adopted during the state of emergency, this meeting of the West Newbury Planning Board will be conducted via remote participation to the greatest extent possible. Members of the public who wish to view and/or listen to the meeting may do so using Zoom, by calling the telephone number or using the VideoLink listed below:

Zoom Meeting Instructions:

Phone: 1+(646) 558-8656

VideoLink: <https://us06web.zoom.us/j/89184518077?pwd=Tn7MPKHr2uxWbsKXImq4hLlwVXvFI7.1>

Meeting ID: 891 8451 8077

Passcode: 758173

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.



VIA EMAIL: townplanner@wnewbury.org

January 9, 2024

West Newbury Planning Board
Attention: Sue Brown, Town Planner
Town Hall Office Building
381 Main Street
West Newbury, Massachusetts 01985

**Re: Definitive Subdivision Plan - Peer Review #01
Eagle Nest
125 River Road
West Newbury, Massachusetts 01985**

Dear Ms. Brown and Planning Board Members:

At your request, Meridian Associates, Inc. (MAI), has performed a technical review of the above referenced project. As the basis for our review, we have referenced the standards and requirements contained in the following Town documents and regulation as well as generally accepted engineering practices:

- Town of West Newbury Planning Board Rules and Regulations Governing the Subdivision of Land, dated through September 3, 2019;
- Town of West Newbury Planning Board 'Checklist for Definitive Subdivision Plans (Form C)';
- Town of West Newbury Planning Board Stormwater Management Regulations, dated through June 6, 2023;
- Town of West Newbury Zoning By-Law, dated through May 14, 2022;
- Town of West Newbury Zoning Map, dated through May 3, 2012;
- Town of West Newbury Groundwater Protection Overlay District Map, dated through October 23, 2017;

As of the date of this letter, MAI has received and reviewed the following plans, documents, reports and calculations:

- Cover Letter, prepared by Andover Consultants, Inc., dated November 30, 2023 (1 page);
- Town of West Newbury Planning Board Form C – Application for Approval of a Definitive Subdivision Plan (3 pages);
- List of Requested Waivers, prepared by Andover Consultants, Inc., dated November 27, 2023 (3 pages);
- Definitive Subdivision Plan set entitled: "Definitive Subdivision "Eagle Nest" River Road West Newbury, Massachusetts, prepared by Andover Consultants, Inc., dated November 23, 2023, and revised December 18, 2023 (10 sheets);
- "Stormwater Management Permit Project Narrative – River Road, West Newbury, MA" prepared by Andover Consultants, Inc., dated January 4, 2024;



After reviewing the above referenced materials, we offer the following comments and opinions for your consideration in **blue** text:

A. Town of West Newbury Planning Board Rules and Regulations Governing the Subdivision of Land

The submittal of this Definitive Subdivision Plan set, and accompanying documents appear to be completed in general conformance with the West Newbury Planning Board Subdivision Rules and Regulations (Section 3.3) with requested waivers and the with the following exceptions:

1. Section 3.3.3.1.1 states “...Pre – and Post – Development Watershed Plans.”
MAI notes that this project is a subdivision comprised of less than four (4) lots, which is exempt from the MassDEP stormwater management standards, drainage calculations and Pre- and Post-Development Watershed Plans are not required under the State Stormwater Management Requirements and therefore have not been provided.
2. Section 3.3.3.1.4. states “A scale on each sheet of 1”=40’ horizontally and 1”=4’ vertically, or such other scale as the Board may accept to clearly and adequately depict the plan intent and details.”
The Plan and Profile of the roadway, sheet 8 of 16, is at a scale of 1”=20’ horizontally and 1”=2’ vertically to more clearly depict the information on this sheet. This is a non-issue; however, it is at the discretion of the board to accept such scales.
3. Section 3.3.3.1.5. states that “All elevations shall be shown as based on NGVD-1929 MSL vertical datum unless otherwise approved by Board.”
Elevations shown on the plans are based upon 1988 NAVD Datum. The applicant has requested a waiver to allow for the elevations to be NAVD 1988 datum. It is the discretion of the board to accept such waiver request.
4. Section 3.3.3.1.9. states that the plans show “Location and ownership of abutting properties as they appear on the Form E, including the Assessors Map and Lot numbers, deed and plan references.”
It does not appear as though the information regarding the ownership of the abutting properties to the west of ‘Remaining Area’ has been shown on the plans. MAI recommends that the applicant depict the required information to conform to this requirement or request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.
5. Section 3.3.3.1.10. states that the plans show “Zoning district(s) classification and zoning district boundaries and all the applicable minimum dimensional requirements according to the Zoning By-Law.”
The plans depict the required dimensional requirement table. However, the requirements for maximum lot coverage, maximum building coverage and maximum height are not shown on the table nor are the dimensional requirements for the ‘Remaining Area’. Since the stormwater management system is contingent on the size of the proposed dwellings, this information should be shown. MAI recommends that the applicant revise the plans and the zoning chart to conform to this requirement.



6. Section 3.3.3.1.11. states that the plans show “Location of all trees over ten (10) inches in caliper within or along the right-of-way of a Scenic Road, and in those areas subject to disturbance, such as for driveways, within or along the right-of-way shall be shown.”
The plans do not show specific trees within the limits of the proposed work. The applicant has requested a waiver to not depict the specific trees to be removed within the limits of work. It is the discretion of the board to accept such waiver request.
7. Section 3.3.3.2.1. states that the plans show “Major existing features of the land such as waterways, wetlands in and within 100’ of the subdivision, water bodies, natural drainage courses, walls, fences, buildings, isolated large, wooded areas, trails, ledge and isolated outcroppings, ditches, wells and septic systems in and within 100’ of the subdivision, water service lines, utility poles and overhead lines, water mains, fire hydrants, drainage pipes, catch basins and manholes, walks, driveways, roads and the like.”
Although a significant amount of this information is not shown, it does not appear to be relevant to the engineering design of the project. However, MAI recommends that the applicant request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.
8. Section 3.3.3.2.4. states “Where available, the average daily traffic counts of these roads should be provided. Where not available, same may be required by the Board.”
Although this information is not shown, it does not appear to be significant to this three (3) lot subdivision project. However, MAI recommends that the applicant request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.
9. Section 3.3.3.2.5. states that the plans show “Existing structures in and within 50’ of the perimeter of the subdivision.”
This information is not shown. MAI recommends that the applicant request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.
10. Section 3.3.3.3.1. states that the plans show “Sufficient data to determine the location, direction (bearing) and distance (length) of every boundary, lot, street, common driveway, way and easement line in the subdivision. This shall include necessary data (radii, arc and tangent lengths and central angle) of all curved boundaries. A calculations package shall be included to document this information as shown on the plans.”
As stated above, there does not appear to be boundary information provided for the land to the west of ‘Remaining Area’ as required. Lot closure calculations for the overall property, the proposed right-of-way and each of the three (3) proposed lots has not been provided. MAI recommends that the applicant request a waiver and provide rationale to not depict or provide that information or revise the plans and/or provide the required calculations to conform to this requirement.
11. Section 3.3.3.3.3. states that the plans show “Proposed subdivision lot numbers shown enclosed in a circle. Prior to plan endorsement by the Board indicate Assessors lot numbers enclosed in a square as assigned by the Assessor’s office and indicate street address numbers enclosed in a triangle as assigned by the Building Inspector’s office.”



The proposed lot numbers are not enclosed in a circle and empty rectangles are not provided for each lot, future labeling by the Assessor's office with the new assessor's lot numbers and the new street address. MAI recommends that the applicant revise the plans to depict this information.

12. Section 3.3.3.3.4. states that the plans show "Frontage and widths (measured at the minimum front setback line) of each proposed lot."

The proposed frontage and lot width are not shown for the 'Remaining Land' or on Lots 1 and 2. MAI recommends that the applicant revise the plans and the zoning chart to depict this information.

13. Section 3.3.3.3.7. states that the plans show "Names of all abutters including those across streets from the subdivision with references to abutter's Assessors Map/Lot Numbers, deed and plan references."

The plans do not show this information. MAI recommends that the applicant revise the plans to depict this information.

14. Section 3.3.3.3.8 states that the plans show "Street bounds shown at all angle points, points of curvature or tangency, or as otherwise needed to depict the boundaries of all proposed streets, common driveways, and ways of the subdivision."

The plans do not show any proposed bounds. MAI recommends that the applicant request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.

15. Section 3.3.3.4.7. states that the plans show "Location, size and type of all proposed street trees."

Street trees are not proposed as a part of this project. MAI recommends that the applicant request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.

16. Section 3.3.3.4.9. states that the plans show "Location of all proposed individual wells and subsurface sewage disposal systems including required setback dimension between same and to lot lines, structures and wetland resource areas."

The plans show the locations of the proposed wells and subsurface sewage disposal systems. MAI recommends that additional setback dimensions be added to conform compliance with this requirement.

17. Section 3.3.3.4.10 states that the plans show "Location, identification and test results of all soils testing including establishment of ledge, estimated seasonal high groundwater table and percolation/infiltration rates in support of both proposed stormwater and sanitary (septic) facilities."

There do not appear to have been any test pits, and percolation tests, performed as there is no test pit information provided. There are two (2) notes that state that the septic systems are to be installed in conformance with West Newbury Board of Health and with Title V which require that test pits be performed as a part of the design. The applicant has requested a waiver to perform test pits for the subsurface sewage disposal systems after following the approval from the Planning Board and Conservation Commission. It is the discretion of the board to accept such waiver request.



18. Section 3.3.3.4.11. states that the plans show “Location, size and type of proposed sidewalks, trails, lighting, curbing and Driveways.”
MAI notes that there are no sidewalks, trails, lighting, curbing depicted on the plans. Due to the small scale of this project the applicant has requested a waiver from these design elements. It is the discretion of the board to accept such waiver request.
19. Section 3.3.3.4.12. states “Drainage calculations in support of the drainage plan as required by Section 4.4.”
MAI notes that this project is a subdivision comprised of less than four (4) lots, which is exempt from the MassDEP stormwater management standards. As such, drainage calculations are not required and have not been provided. However, it should be noted that sizing calculations of the roadside crushed stone infiltration trench and each of the two (2) roof drywells, have been provided which depict that the trench and the drywells, each have the storage capacity, not accounting for infiltration, for more than a one (1) inch storm event. This complies with the Town of West Newbury Planning Board Stormwater Management Regulations. That said, the applicant has requested a waiver from the requirement to provide stormwater drainage calculations. It is the discretion of the board to accept such waiver request.
20. Section 3.3.3.5.1. states that the plans show “Bearings and distances of all tangents along the center line.”
The plans do not depict the required information. MAI recommends that the applicant revise the plans to conform to this requirement.
21. Section 3.3.3.5.3. states that the plans show “Radii, arc length and central angle of all curves along the center line.”
The plans do not depict the required information. MAI recommends that the applicant revise the plans to conform to this requirement.
22. Section 3.3.3.5.13. states that the plans show “Proposed street trees including size and type.”
Street trees are not proposed as a part of this project. MAI recommends that the applicant request a waiver and provide rationale to not depict that information or revise the plans to conform to this requirement.
23. Section 3.3.3.5.16 states that the plans show “Existing left and right, right-of-way profiles drawn in fine lines – dotted for left and dashed for right.”
The plans do not depict the required information. MAI recommends that the applicant revise the plans to conform to this requirement.
24. Section 3.3.3.7. (Sections 3.3.3.7.1 and 3.3.3.7.2) Pre- and Post- Development Watershed Plan
MAI notes that this project is a subdivision comprised of less than four (4) lots, which is exempt from the MassDEP stormwater management standards, drainage calculations and Pre- and Post- Development Watershed Plans are not required and therefore have not been provided.
25. Section 4.2.4.4. states that the plans show “The minimum centerline radii of curved streets shall be 200 feet.”



The plans do not label the centerline radius of the proposed roadway. MAI recommends that the applicant depict the centerline radius of the proposed roadway to ensure conformance with this requirement.

26. Section 4.2.4.5. states “At intersections between proposed subdivision streets and existing streets external to the subdivision, sufficient sight distance shall be provided to ensure the safe egress of vehicles from the subdivision. In determining adequacy of sight distance, consideration shall be given to the traffic characteristics, including speed, volume and composition, of the traffic on all streets involved. In no case shall the sight distance available to drivers egressing a subdivision be less than 250 feet.”

The required sight distance is not met in a southerly direction, and it cannot be determined if it is met in a northerly direction as the limits of the pavement are not shown. Sight distance looking north should line up with south bund traffic. It should be noted that there is a utility pole and existing vegetation to the south of the proposed drive that may impede on the site distance. Due to the unique character of this project, the applicant has requested a waiver from the sight distance requirement. It is the discretion of the board to accept such waiver request.

27. Section 4.2.4.6. states “Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than 60 degrees.”

The proposed roadway intersection angle was not provided. MAI recommends that the applicant revise the plans to conform to this requirement.

28. Section 4.2.4.7. states “Property lines at street intersections shall be rounded or cut back to provide for a curb line radius of not less than 15 feet. Greater radii shall be required by the Board where deemed necessary for present and future vehicular travel.”

The proposed pavement radii proposed at the intersection of the proposed roadway with River Road are twelve (12) feet. MAI recommends that the applicant revise the plans to conform to this requirement.

29. Section 4.2.4.9. states “The minimum frontage on the existing street of the parcel to be subdivided shall be at least the frontage required for the zoning district in order to provide for the right-of-way and buffers to abutting property.”

The proposed subdivision appears to comply with the requirement that the property must have the minimum frontage required in order to provide a right-of-way. The Land for 125 River Road, has frontage in two (2) locations, one (1) to the far west of the proposed Right-of-Way and one (1) at the location of the proposed Right-of-Way. Once the frontage is split between 125 and 171, 125 still maintains frontage in excess of two hundred (200) feet on the far westerly portion of the property. However, the frontage in the location of the proposed Right-of-Way appears to be under two hundred (200) feet. With that said, and due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

30. Section 4.2.4.11. states “Unless there are compelling reasons to do otherwise, the centerline of the road shall be located from the sidelines of the existing abutter lots a distance of at least one half the frontage required from the zoning district.”



The proposed subdivision centerline does not comply with this requirement. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

31. Section 4.2.5.1. states “Modified Cape Cod berm shall be required along all edges of pavement unless an alternative design is approved by the Board.”
The plans do not show any curbing. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

32. Section 4.2.6.3. states “The minimum width of the traveled way of the subdivision roadway shall be... 20 feet for a Minor Local Access Road... Traveled width may be reduced to 18 feet on roadways at the discretion of the Planning Board, Public Safety and the Highway Superintendent on minor local access roads based on grade and drainage requirements.”
The plans propose a roadway width of what appears to be over twenty (20) feet at the site entrance, a width of eighteen (18) feet elsewhere and a reduced width of fifteen (15) feet at the wetland crossing. The plans should clarify the width of the pavement at the entrance. It should also be noted that the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

33. Section 4.8.2.2. states “Dead end streets or combination of two dead end streets shall not exceed 800 feet in length unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. Dead end streets shall be provided at the closed end with a turnaround having an outside pavement diameter of 100 feet and a property line diameter of 120 feet.”
The plans depict a hammerhead (‘T’) turnaround in lieu of a circular cul-de-sac. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

34. Section 4.2.8.3. states “Circular turnarounds shall provide a landscape island in the center. The applicant shall submit a landscape plan for the central portion of turnaround.”
The plans depict a hammerhead (‘T’) turnaround in lieu of a circular cul-de-sac. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

35. Section 4.2.10.2. states “Construction shall not be proposed of roads, stormwater management systems, driveways, pipes, or other infrastructure construction shown on a subdivision plan on a land area which slopes at a pre-construction grade of 25% or more.”
MAI recommends that the plans be revised to depict any locations, within the limit of work within the site, with a pre-construction grade of twenty-five (25) percent or greater they should be shown on the plan set. Should there not be any areas with slopes greater than twenty-five (25) percent, then a note should be added.

36. Section 4.3.1.1. states “A sidewalk shall be located within, and adjacent to, the exterior line of the right-of-way. In a typical layout, the sidewalk shall be located at a uniform distance parallel to the paved section of the street and separated from it by a landscaped strip. The Board may approve a “meandering” location in which the sidewalk follows existing terrain, with consideration to stone



walls, large, mature trees, rock outcroppings and other natural or historically significant features, enabling the construction of the sidewalk to minimize disturbance to such features. All or portions of a meandering sidewalk may be located outside the right-of-way provided that a proper easement is granted to the Town.”

The plans do not propose sidewalks. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

37. Section 4.3.1.5. states “Applicants are encouraged to provide for footpaths and trails within the subdivision or connecting to abutting permanent open space, town property, or other subdivisions.”

The plans do not propose footpaths or trails within the project area. The undeveloped portion of the property is to remain. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

38. Section 4.3.1.6. states “Bicycle Path/Recreational Path: The Planning Board may request the construction of a bicycle path/recreational path in order to: (a) provide a connection to a Town bicycle path/recreational path located on adjoining land; or (b) where the path would be part of an existing or proposed future Town bicycle path/recreational path system, or bicycle path/recreational paths leading to a public school.”

The plans do not propose bicycle paths or recreational paths. Due to the unique character of this project, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

39. Section 4.4. “Stormwater Management”

MAI notes that since this project is a subdivision comprised of less than four (4) lots, that it is exempt from the MassDEP stormwater management standards. As such, drainage calculations are not required and have not been provided. That said, the applicant has requested a waiver from the requirement to provide stormwater management beyond what is described above. It is the discretion of the board to accept such waiver request.

40. Section 4.4.1 states “Stormwater management for each subdivision shall accomplish the following:

- (1) Reproduce, as nearly as possible, the hydrological conditions in the ground and surface waters prior to the development;
- (2) Reduce stormwater pollution to the maximum extent possible using Best Management Practices (BMP’s);
- (3) Have an acceptable future maintenance plan covering method and execution;
- (4) Have a beneficial effect on the natural and human environment;
- (5) Be appropriate for the site, given the site’s specific physical constraints;
- (6) Provide a sufficient level of health and environmental protection during the construction phase, and
- (7) Provide proper management prior to the discharge of such runoff onto adjacent property owned by others, into the existing storm drainage system, or wetland resources listed in the Wetland Protection Act Regulations, 310 CMR 10.00.”



MAI recommends that the applicant provide documentation and explanations and descriptions that address how each of the seven (7) items, listed above, are specifically addressed, to the greatest extent practicable, by the design of the project.

41. Section 4.4.2 states ““Stormwater management systems located outside the right of wall shall be owned, maintained by the residents of the subdivision, under a homeowner’s association established in a form satisfactory to the Board. Prior to the Planning Board’s endorsement of the subdivision plans, developers shall provide the Town with appropriate easements to such stormwater systems so that the Town may inspect and/or carry out emergency maintenance or repairs when necessary to protect the health, safety and welfare of the public. Notation of this effect shall be made on the plan and recorded at the Registry of Deeds.”

This notation is not depicted on the plan. MAI recommends that the plans be revised to depict this note. MAI also recommends that this note be modified to include that the thirty (30) inch RCP culvert, the six (6) inch HDPE culvert (or potentially twelve (12) inch RCP culvert), the roadside crushed stone infiltration trench and the eight (8) foot diameter crushed stone settling pool be owned and maintained by the residents of the subdivision.

42. Section 4.4.9. states “The size of storm sewer pipe shall be in accordance with the drainage computations but in no case less than 12” diameter and shall be shown on the Definitive Plan. Cellar drains shall not be connected into catch basins, manholes, pipes or any part of the street storm drain system and in no case shall discharge into the right-of-way or street. Foundation, perimeter or roof drains may be connected into the street drainage system if approved by the Town DPW.”

The plans depict a six (6) inch roof drain HDPE pipe, from the existing dwelling, discharging to the western side of the proposed roadway, within the proposed right-of-way. MAI recommends that this pipe be increased to a minimum twelve (12) inch diameter RCP and/or redirected as to not discharge within the right-of-way. MAI also recommends that the applicant request a waiver and provide rationale to allow the pipe to remain as is, and/or increased in diameter or revise the plans to conform to this requirement.

43. Section 4.5: ‘Water Distribution Systems’

The project is not proposed to connect to a municipal water system, as such, the applicant has requested a waiver from this design requirement. It is the discretion of the board to accept such waiver request.

44. Section 4.6.3.5. “Cistern Design”

MAI recommends that the plans be revised to depict the Cistern Design Requirement notes stated in Section 4.6.3.5. and Section 4.6.3.6.

45. Section 4.7.3. states “No components of any private irrigation system shall be installed within the street right-of-way.”

MAI recommends that the plans be revised to depict this note.

46. Section 4.7.4. states “Electrical transformers shall be located outside the Town’s right-of-way and on the property line with appropriate easements provided to the electric utility.

MAI recommends that the plans be revised to depict this note.



B. Town of West Newbury Planning Board Stormwater Management Regulations

The submittal of this Definitive Subdivision Plan set, and accompanying documents appear to be completed in general conformance with the Town of West Newbury Planning Board Stormwater Management Regulations (Sections 8, 9.1, 10.1 and Appendix D) with the following exceptions:

1. Section 8.1: These items appear to have been addressed in the Definitive Subdivision Plans and in the Stormwater Management Permit Project Narrative. The Applicant has provided revised Stone Trench and Drywell Details which are to be incorporated into the revised Definitive Subdivision Plans.

MAI has no further comments on this Section.

2. Section 8.2 states: “Projects eligible for Tier Two Stormwater Management Permits shall meet the construction-site stormwater management performance standards detailed in Section 7.2 to the maximum extent practicable.” With that said:

- 2.1. Section 7.2.(10) states: “Dewatering activities shall use tanks, filter bags, or other practices to remove sediment before discharge, in accordance with the standards and requirements contained within the NPDES Construction General Permit. Water shall not be discharged in a manner that causes erosion or flooding”

MAI recommends that the plans be revised to depict this note.

- 2.2. Section 7.2.(12) states: “Trash, debris, and sanitary wastes shall be removed from the site on a regular basis. Dumpsters shall be covered at the end of every workday and before rain events. Dumpsters shall be located outside the 100-foot buffer zone for wetland resource areas. Dumpsters shall not be allowed to leak or otherwise discharge to any stormwater conveyance, storm drain inlet, or wetland resource area. Concrete mixers shall be washed out only in designated areas with liners. Designated areas for washing concrete mixers shall be located outside the 100-foot buffer zone for wetland resource areas and outside the 200-foot Riverfront Area. Demolition debris, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes shall not be discharged to the MS4 and shall be disposed of in compliance with all local, state, and federal requirements.”

MAI recommends that the plans be revised to depict this note.

- 2.3. Section 7.2.(13) states: “Stormwater management facilities to be used after construction shall not be used as BMPs during construction unless otherwise approved by the Stormwater Authority.

MAI recommends that the plans be revised to depict this note.

- 2.4. Section 7.2.(14) states: “Dust control shall be used during grading operations. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water; no salts or other wetting agents shall be used for dust control within wetland resource areas, 100-foot buffer zone for wetland resource areas, or 200-foot Riverfront Area.”

MAI recommends that the plans be revised to depict this note.

3. Section 9.1: This item appears to have been addressed in the Definitive Subdivision Plans and in the Stormwater Management Permit Project Narrative.

MAI has no further comments.



4. Section 10.1: This item appears to have been addressed in the Definitive Subdivision Plans and in the Stormwater Management Permit Project Narrative.
MAI has no further comments.

C. General Application and Plan Comments

The following comments are in addition to the plan comments listed above under the Town of West Newbury Subdivision Plan Regulation review and the Town of West Newbury Stormwater Management Regulation review, although there may be some duplicates;

1. Sheet 1 of 10:
 - 1.1. Zoning Summary Chart should be revised per comments above;**
 - 1.2. List of Waivers should be updated per comments and applicable responses above;**
 - 1.3. Waiver 4.2.6.3 should state 15' not 12';**
 - 1.4. Locus Plan should show Lot 3 and 'Remaining Area';**
2. Sheet 2 of 10:
 - 2.1. The lot widths for Lots 2 and 3 should be added;**
 - 2.2. Proposed bounds should be depicted on the proposed Right-of-Way;**
 - 2.3. Show the property owner on the opposite side of River Road (all sheets);**
3. Sheet 3 of 10:
 - 3.1. No Comments;**
4. Sheet 4 of 10:
 - 4.1. No Comments;**
5. Sheet 5 of 10:
 - 5.1. No Comments;**
6. Sheet 6 of 10:
 - 6.1. Show 100-foot wellhead circles for the proposed wells;**
 - 6.2. Add setback dimensions to wetlands from proposed leaching fields;**
 - 6.3. Label Cistern as: 'Proposed 16,000 gal. Cistern';**
7. Sheet 7 of 10:
 - 7.1. Show 100-foot wellhead circles for the proposed wells;**
 - 7.2. Add note to the effect that soils testing will be performed in the final location of the roof drywells. Final locations, elevations and other design information of the drywells will be submitted to the Planning Board prior to installation.**
 - 7.3. Label Cistern as: 'Proposed 16,000 gal. Cistern';**
8. Sheet 8 of 10:
 - 8.1. No Comments**
9. Sheet 9 of 10:
 - 9.1. Provide a detail of the eight (8) foot diameter crushed stone settling pool;**



9.2. Add note to the dry well detail to the effect that soils testing will be performed in the final location of the roof drywells. Final locations, elevations and other design information of the drywells will be submitted to the Planning Board prior to installation.

10. Sheet 10 of 10:

10.1. MAI defers to the Conservation Commission for review of the wetland replication plantings and details.

I look forward discussing these items with you at a Planning Board Public Hearing date to be determined. Note that additional comments may arise during future conversations with the Applicant and the Town and at the Planning Boards Site Walk which is scheduled to occur after the date of the completion of this letter. Please do not hesitate to contact me with any questions, comments or concerns via email at dkelley@meridianassoc.com or via phone at (978) 265-5402.

Sincerely,

MERIDIAN ASSOCIATES, INC.

David S. Kelley, P.E.
Director of Engineering



Project No. WNEW-0051

February 2, 2024

Planning Board
Town of West Newbury
381 Main Street
West Newbury, MA 01985

**Subject: Interim As-built Information
Definitive Subdivision – Major Boyd Drive**

Dear Members of the Planning Board,

The purpose of this letter is to give you an update on the as-built status of the new roadway known as Major Boyd Drive. The owner and developer of the property, Michael Crowe, has been working diligently to construct the roadway, stormwater management facilities, and other utilities associated with the Definitive Subdivision Plan. Based on our as-built record information and a number of site visits, the roadway and infrastructure are in very good shape. The following is a detailed summary of the as-built conditions on site.

- 1) Roadway – The roadway itself has been constructed in accordance with the approved plan and is currently at the binder course of pavement. The binder has held up very good since its placement.
- 2) Utilities – Water – The water main has been installed per the approved plan along with the new fire hydrant at the cul-de-sac. Water services for each of the duplex units have also been installed to the curb stops.
- 3) Utilities – Electric/ Cable/ Communication – These utilities are all installed.
- 4) Utilities – Stormwater – The stormwater management system was constructed early on in the project and is functioning very well. I am pleased to say that it looks great.
 - a) The stone-filled infiltration trenches are operating as expected and do a good job capturing the stormwater as it comes off the paved surface of the road.
 - b) The stormwater wetland areas (there are three of them) along the roadway are all grown in and well established with vegetation. Shrub plantings were

added per plan to the high marsh areas. They are really text-book examples of how they are supposed to look.

The Conservation Commission Agent has also inspected the small wetland replication area and the stormwater wetland areas and was pleased with the amount vegetation that had taken hold. During this site walk, it was also noted that there were very few invasive species seen in the stormwater management areas.

- c) The infiltration basin that collects water off the cul-de-sac portion of the road is also in place for over 18 months now and is well established. There is some fine grading along the outside of the cul-de-sac that still needs to be completed as part of the driveway construction for Lots 2 and 3, but the stormwater is still getting to the basin.
- d) There is a second infiltration basin behind the proposed house on Lot 3. This one is designed to collect some overland flow. This infiltration is not in place yet, but will be constructed as part of the grading activities that will take place as the building on Lot 3 is constructed.
- e) We have very few stormwater structures and hard piping on the project. The structures and major piping are all installed and operational. There are two small pipes proposed that convey stormwater under the proposed driveways for Lots 2 and 3. That piping will be installed when the driveways are completed.

We have prepared an interim as-built plan (see attached) showing the current conditions for the roadway. Please feel free to reach out to us if you or any of your staff have any questions, comments, or concerns.

Very truly yours,



Chris Sparages, P.E.
Principal

Enclosures

cc: Michael Crowe
David Kelley, P.E., Meridian Associates, Inc.



VIA EMAIL: townplanner@wnewbury.org

February 6, 2024

West Newbury Planning Board
Attention: Sue Brown, Town Planner
Town Hall Office Building
381 Main Street
West Newbury, Massachusetts 01985

**Re: Interim As-Built – Definitive Subdivision
Major Boyd Drive
(F.K.A. 519 Main Street or Deer Run Lane)
West Newbury, Massachusetts**

Dear Planning Board Members,

We have received a copy of a plan entitled: “Interim As-Built Plan – Major Boyd Drive, West Newbury, MA” dated February 1, 2024 as prepared by William & Sparages as well as a cover letter dated February 2, 2024 as prepared by William & Sparages. At the request of the Town of West Newbury Planning Board, Meridian Associates Inc., (MAI) has reviewed the above referenced Interim As-Built Plan and Cover Letter, performed a site walk on February 6, 2024, and offers the following comments:

Interim As-Built Plan:

- The location, size and material of the water main and service connections should be shown on the plan;
- The locations of any water gate valves, curb stops, shutoffs, etc. should be shown on the plan;
- The locations of the new etc. lines should be shown on the plan;
- The depth of the stone infiltration trenches should be noted on the plan;
- The locations of the inspection ports in the infiltration trenches should be shown on the plan;
- The top of berm elevations for the constructed wetlands should be noted on the plan;
- The bottom elevation and the berm elevation for Pond 1P, should be shown on the plan;
- The bottom elevation and the berm elevation for the Sediment Forebay at Pond 1P should be shown on the plan;
- The width and elevation of the spillway between the Sediment Forebay and Pond 1P should be shown on the plan;
- The twelve (12) inch HDPE invert in the catch basin, near Pond 2P should be shown on the plan;
- The rip rap apron at the twelve (12) inch pipe outlet on Lot 4 should be shown on the plan;
- A spot grade for the high point of the roadway around station 4+75, should be shown on the plan;
- There is a note referring to ‘proposed siltation fence’ that should be removed from the plan;



Cover Letter:

- No Comments;

Site Walk:

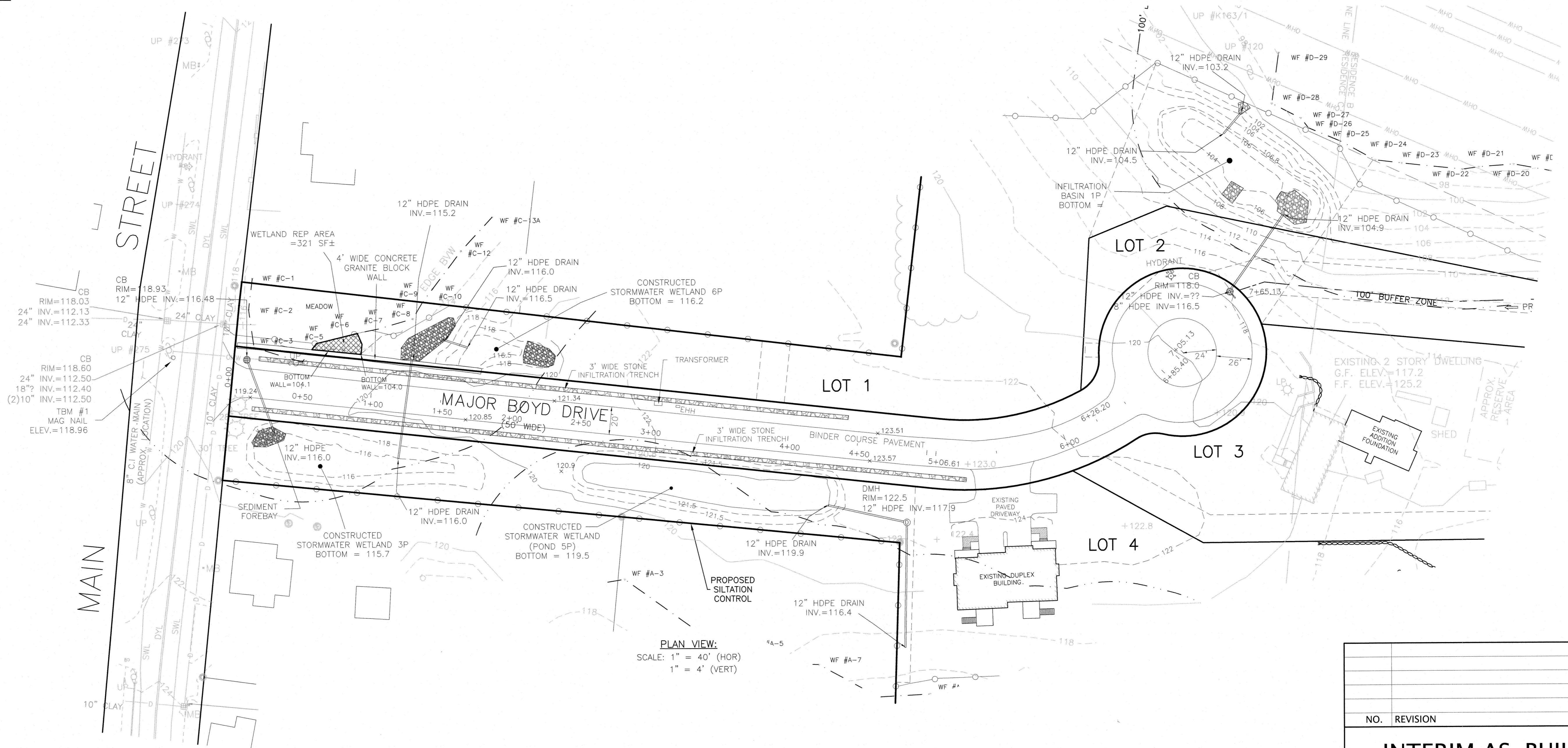
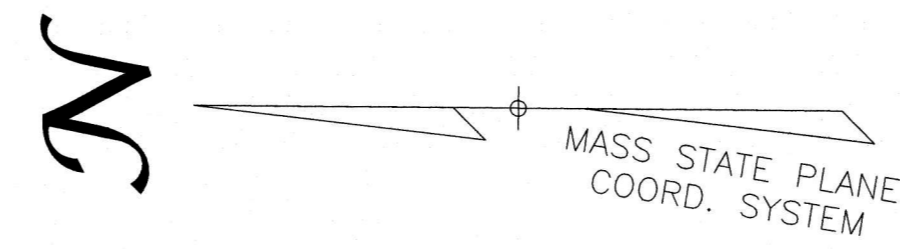
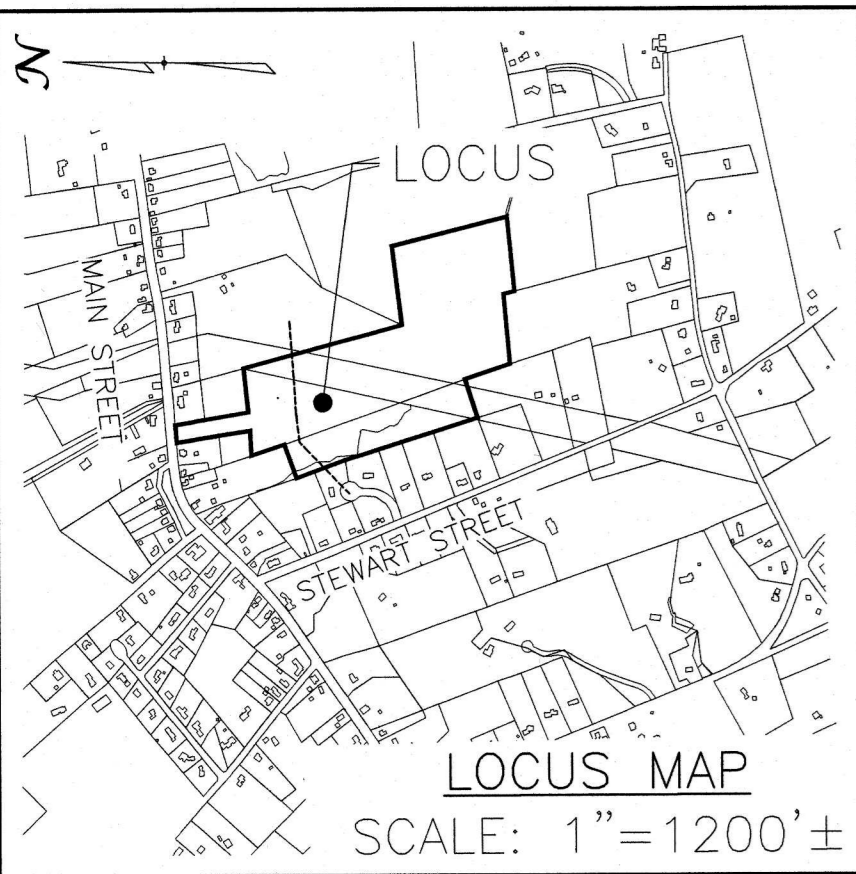
- No Comments;

I am available to discuss these items with you at a Planning Board Public Hearing date to be determined. Please do not hesitate to contact me with any questions, comments or concerns via email at dkelley@meridianassoc.com or via phone at (978) 265-5402.

Sincerely,

MERIDIAN ASSOCIATES, INC.

David S. Kelley, P.E.
Vice President



PLAN VIEW:
SCALE: 1" = 40' (HOR)
1" = 4' (VERT)

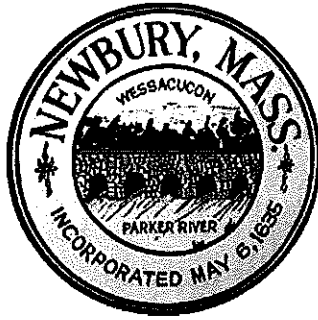
- ELEVATION BENCH MARKS:**
- TOP MAG NAIL 4' WESTERLY OF UTILITY POLE #275 ON MAIN STREET. ELEVATION = 118.96
 - TOP STAKE & NAIL STATION 7+30 9' LEFT ELEVATION = 117.70

- PLAN NOTES:**
- ELEVATIONS BASED ON NAVD88 DERIVED FROM GPS OBSERVATIONS 7-11-2019.
 - WETLAND RESOURCE AREA DELINEATION BY WILLIAMS & SPARAGES LLC IN JULY AND NOVEMBER 2019.
 - AS BUILT TOPOGRAPHY AND LOCATIONS BY WILLIAMS & SPARAGES, LLC IN JULY 2022 AND OCTOBER 2023.



NO.	REVISION	DATE
INTERIM AS-BUILT PLAN MAJOR BOYD DRIVE WEST NEWBURY, MA		
OWNER/APPLICANT: DEER RUN LAND DEVELOPMENT LLC 6 MECHANIC STREET KENNEBUNK, ME 04043 DEED BOOK 37836 PAGE 411 DEED BOOK 37877 PAGE 554		 WILLIAMS & SPARAGES <small>REGISTERED PLANNERS & SURVEYORS</small> 189 NORTH MAIN STREET SUITE 101 MIDDLETON, MA 01949 PHONE: (978) 539-8088 FAX: (978) 539-8200 WWW.WSENGINEERS.COM
ASSESSOR'S REFERENCE: ASSESSOR'S MAP R14 LOTS 36 & 54		
 SCALE: 1"=40'		AS-BUILT INFORMATION FEBRUARY 1, 2024 SHEET 1 OF 1

P:\WORK\0001511 Main Street\Drawings\Site\01.dwg, 2/2/2024 1:18:18 PM, CHBS



Town Of Newbury

Office of
THE PLANNING BOARD
12 Kent Way
Byfield, MA 01922
978-465-0862, ext. 312

RECEIVED
24 FEB -5 AM 11:35
NEWBURY TOWN CLERK

Town of Newbury Planning Board Public Hearing Notice

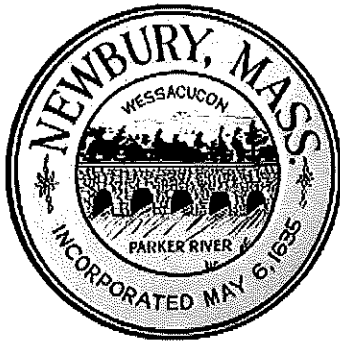
Residents of the Town of Newbury and other interested persons, please note that on **Wednesday, February 21, 2024, at 7:15 p.m.**, the **Newbury Planning Board** will hold a **public hearing remotely via Zoom** pursuant to M.G.L. c. 40A, §5 to consider **proposed amendments and additions to the Code of the Town of Newbury, Chapter 97, Zoning**, as follows:

1. **Amendment to ARTICLE IV – REGULATIONS OF OVERLAY DISTRICTS to add a new by-law, § 97-4.G. MBTA Communities Multi-Family Overlay District (MCMOD)** to allow multi-family housing as of right in this Overlay District in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A); and related **Amendment to Attachment 1 – Zoning Overlay and Resource Districts Map** to show the proposed MBTA Communities Multi-Family Overlay District (MCMOD)
2. **Amendment to ARTICLE IV – REGULATIONS OF OVERLAY DISTRICTS, § 97-4.C. Wireless Communications Facilities, § 97-4.C.2.a) Tower Use Restrictions** to add parcels to the Wireless Communications Tower District (WCTD), which enables wireless communication services to operate on tower-mounted facilities; and related **Amendment to Attachment 1 – Zoning Overlay and Resource Districts Map** to show the expanded Wireless Communications Tower District (WCTD)

The text and maps of these proposed amendments are on file with the Town Clerk and in the Planning Office, 12 Kent Way, Suite 101, Byfield, MA, and may be viewed on the Planning Board section of the Town's website at <https://www.townofnewbury.org/planning-board/pages/proposed-zoning-and-regulation-amendments>. For more information or to obtain a digital or hard copy of the proposed amendments, contact the Planning Office by phone at 978-465-0862, ext. 312, or by email at planningboard@townofnewbury.org.

In accordance with Chapter 2 of the Acts of 2023, which extends the Governor's March 12, 2020 "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A § 20," until March 31, 2025, the hearing is being conducted remotely. All persons interested or wishing to be heard relative to the proposed zoning amendments are invited to participate in the hearing remotely at the designated time from their computer, tablet, or smartphone at <https://us02web.zoom.us/j/83271413056>, passcode 108790, or by telephone by calling +1 929 205 6099 US and using meeting ID 832 7141 3056, or may watch the meeting live on local access cable Channel 9 or at www.tnctv.org.

Lawrence Murphy, Chair
Newbury Planning Board



**TOWN OF NEWBURY
ZONING BOARD OF APPEALS
12 KENT WAY, SUITE 101
BYFIELD, MA 01922**

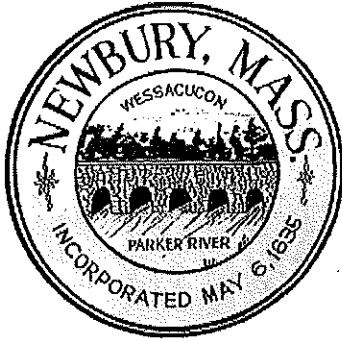
ABUTTER'S NOTICE

Notice is hereby given that the Newbury Zoning Board of Appeals will hold a public hearing on Thursday, February 15, 2024, at 7:30 p.m., in the Hearing Room, 2nd Floor, Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922, on the application of **Mark and Teresa Richey, 10 Fordham Way, Plum Island, Newbury, MA 01951.**

The Applicants are requesting a **SPECIAL PERMIT/FINDING** for relief from Section 97-4D(5)(c)01 (increase in square footage) of the Newbury Zoning Bylaws, and any other permit relief as may be required under the Town of Newbury's Zoning By-Laws to allow the proposed use/project, in order to raze the existing structure at 8 Fordham Way, the merging of the two lots of 8 Fordham Way and 10 Fordham Way, and the construction of a new residential addition onto the existing single-family dwelling on the newly combined lot, at 10 Fordham Way, Plum Island, Newbury, MA 01951 (Assessor's Map U01 Lot 21 (8 Fordham Way) and Map U01 Lot 20 (10 Fordham Way)).

To obtain a copy of the application, please contact the Town of Newbury's Zoning Administrator at 978/465-0862 x304, Monday-Thursday from 8am-4pm.

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2024 JAN 32 PM 3:13



RECEIVED
TOWN CLERK
WEST NEWBURY, MA

TOWN OF NEWBURY 2024 JAN 32 PM 3:11
ZONING BOARD OF APPEALS
12 KENT WAY, SUITE 101
BYFIELD, MA 01922

ABUTTER NOTIFICATION

Notice is hereby given that the Newbury Zoning Board of Appeals will hold a public hearing on Thursday, February 15, 2024, at 7:30 p.m. in the Hearing Room, 2nd Floor, Newbury Municipal Offices, 12 Kent Way, Byfield, MA 01922, on the Notice of Appeal of the Newbury Building Inspector's Enforcement Decision related to the property of **Al & Jane Ward, of 80 Northern Boulevard, Plum Island, Newbury, MA 01951 (Assessor's Map U03, Lot 181).**

The Office of Attorney Jeffrey L. Roelofs, P.C. has filed a Notice of Appeal on behalf of Tim and Anna Drost of 76 Northern Boulevard, against the Town of Newbury's Director of Inspectional Services for the Enforcement Decision dated November 29, 2023, issued to the Wards of 80 Northern Boulevard, as being legally deficient. This appeal is brought pursuant to M.G.L. c. 40A, § 8 and § 15, and the Town of Newbury's Zoning Bylaw § 97-11.

Questions on this hearing, or for a copy of the submittal materials, please contact the Town of Newbury's Zoning Board of Appeals Administrator at 978/465-0862 x304, during the office hours of Monday-Thursday from 8am-4pm, and Tuesday evenings between 4pm-7pm, or email the Administrator at is.admin@townofnewbury.org.



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

HYBRID HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, February 27, 2024 at 7:00 PM; for Special Permit, CCSP 24-2 from Attorney Robert Harb for applicant 38-42 Washington Street, for a major plan approval for a mixed use - 2 Commercial units and 8 Residential rental units; Assessor's Map 309, Block 1 and Lot 16 for property located in the Subzone D of the Downtown Smart Growth Overlay District and also located in the WD-A Waterfront District Subzone - for an existing building at 38 Washington st

(Residents who are interested in commenting on this Special Permit can either (1) Appear in person (Council Chambers, Room 202) or (2) Attend remotely using the link and pin provided on the public meeting calendar on the City's website.)

Description of area, maps and plans are on file in the City Clerk's Office.

Kaitlin M. Wright

Kaitlin M Wright
City Clerk

Haverhill Gazette

February 8 and February 15, 2024



Town of Groveland
Zoning Board of Appeals
183 Main Street
Groveland, MA 01834

LEGAL NOTICE

Project Location: 944 Salem St Unit H, Map 49 Lot 018-1

Filing: Special Permit

Notice to run in the Eagle Tribune on February 21, 2024, and February 28, 2024.

The Groveland Zoning Board of Appeals will hold a public hearing on Wednesday March 6, 2024 at 7:30 PM in Town Hall, 183 Main Street, Groveland, MA, under General Laws, Chapter 40A, as amended, for Application #2024-4 made by Scott Edwards, GML Utility Services Cooperative, 944 Salem Street Suite A, for the premises located at 944 Salem St, Unit H Groveland, Map 49 Lot 018-1, located in the Industrial (I) Zoning District for a Special Permit in accordance with Section 50.4.5 (Table of Uses) of the Groveland Zoning Bylaw to operate a motor vehicle repair shop. The supporting materials are on file in the Economic Development, Planning, & Conservation Department at the Town Hall, and may be viewed during the hours of Monday through Thursday 8AM to 3PM.