

**TOWN OF WEST NEWBURY  
PLANNING BOARD  
Tuesday September 19<sup>th</sup>, 2023 7:00 p.m.  
AGENDA**

***For Remote Participation see below.***

***For any resident unable to access the meeting virtually, the 1<sup>st</sup> Floor hearing room will be made available to view and participate in the meeting. The meeting will also be live on your local cable access channel, as well as recorded and posted on the Town of West Newbury YouTube page <https://www.youtube.com/@westnewburycable6279> following the meeting. Any public comments, input, or questions prior to the meeting may be sent to [townplanner@wnewbury.org](mailto:townplanner@wnewbury.org)***

1. 7:00 – Public Hearing on Proposed Zoning Bylaw Changes: Addition of Accessory Dwelling Units Bylaw, Strike and Replace Non-Conforming Uses and Structures Bylaw
2. 7:30 – Public Hearing – 26 Church Street – Special Permit for a Kennel in a Residential District
3. 8:30 PM - Public Hearing – Continued from September 5, 2023 – 87 Crane Neck Street – Special Permit for a Reduced Frontage Lot
4. 8:30 PM - Public Hearing – Continued from September 5, 2023 – 87 Crane Neck Street – Special Permit for Common Driveway
5. Housing Opportunities Initiative Status Report Discussion
6. Fall Town Meeting, Discussion of 3 Minute Board and Committee Report regarding Housing Opportunities Initiative
7. General Business:
  - Minutes –August 15, 2023; Others, if any.
  - 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/83669185994?pwd=WS9JcW13dW9sUEFNSW5xYXpLQmFOQT09>

Meeting ID: 836 6918 5994

Passcode: 607197

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.

To see if the Town will vote to amend the Town of West Newbury Zoning Bylaw by striking existing Section 7 (including 7.1.-7.4) and replacing it with the following new Section 7 (including 7.1-7.9), and further to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the Zoning By-law, or take any action relative thereto:

## **Section 7. Nonconforming Uses and Structures**

### 7.1 Nonconforming single- and two-family residential structures

7.1.1. Nonconforming single- and two-family residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Building Inspector that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure. Any one or more of the following circumstances shall not be deemed to increase the nonconforming nature of said structure:

- a. Alteration, reconstruction, extension or change to a structure located on a lot with insufficient lot area, which structure as altered, reconstructed, extended or changed will comply with all current setback, lot coverage, and building height requirements.
- b. Alteration, reconstruction, extension or change to a structure located on a lot with insufficient frontage, which structure as altered, reconstructed, extended or changed will comply with all current setback, lot coverage, and building height requirements.
- c. Alteration, reconstruction, extension or change to a structure which encroaches upon one or more required yard or setback areas, where the alteration, reconstruction, extension or change will comply with all current setback, lot coverage and building height requirements.
- d. Alteration, reconstruction, extension or change to an existing structure that does not meet the required setbacks for purposes of or extending along the existing nonconforming building setback line if said expansion or extension does not encroach upon another setback or create any new dimensional nonconformity.

7.1.2. In the event that the Building Inspector determines that the nonconforming nature of any single- or two-family structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

### 7.2 Nonconforming structures other than single- and two-family residential structures

7.2.1. The Board of Appeals may award a special permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

### 7.3 Variance required

7.3.1. Except as provided in 7.1 above, the reconstruction, extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity, shall require the issuance of a variance from the Board of Appeals.

#### 7.4 Nonconforming uses

7.4.1. The Board of Appeals may award a special permit to change or extend a nonconforming use, including to another nonconforming use, in accordance with this article only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

#### 7.5 Abandonment or non-use

7.5.1. A nonconforming use or structure which has been abandoned, or not used for a period of two years, shall lose its protected status and be subject to all of the provisions of this bylaw.

#### 7.6 Reconstruction after catastrophe or demolition

7.6.1. A nonconforming structure may be reconstructed after a catastrophe or after demolition in accordance with the following provisions:

- a. Reconstruction of said premises shall commence within two years after such catastrophe or demolition.
- b. Building(s) as reconstructed shall be located on the same footprint as the original nonconforming structure, shall be only as great in floor area as the original nonconforming structure.
- c. In the event that the proposed reconstruction would 1) cause the structure to exceed the floor area of the original nonconforming structure; 2) exceed applicable requirements for yards, setback, and/or height; or 3) cause the structure to be located other than on the original footprint, the provisions of Section 7 shall apply.

#### 7.7 Reversion to nonconformity

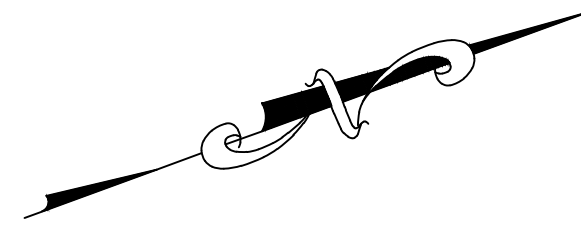
7.7.1. No nonconforming use or structure shall, if changed to a conforming use or structure, revert to a nonconforming use- or structure.

#### 7.8 Lawfully existing uses and structures

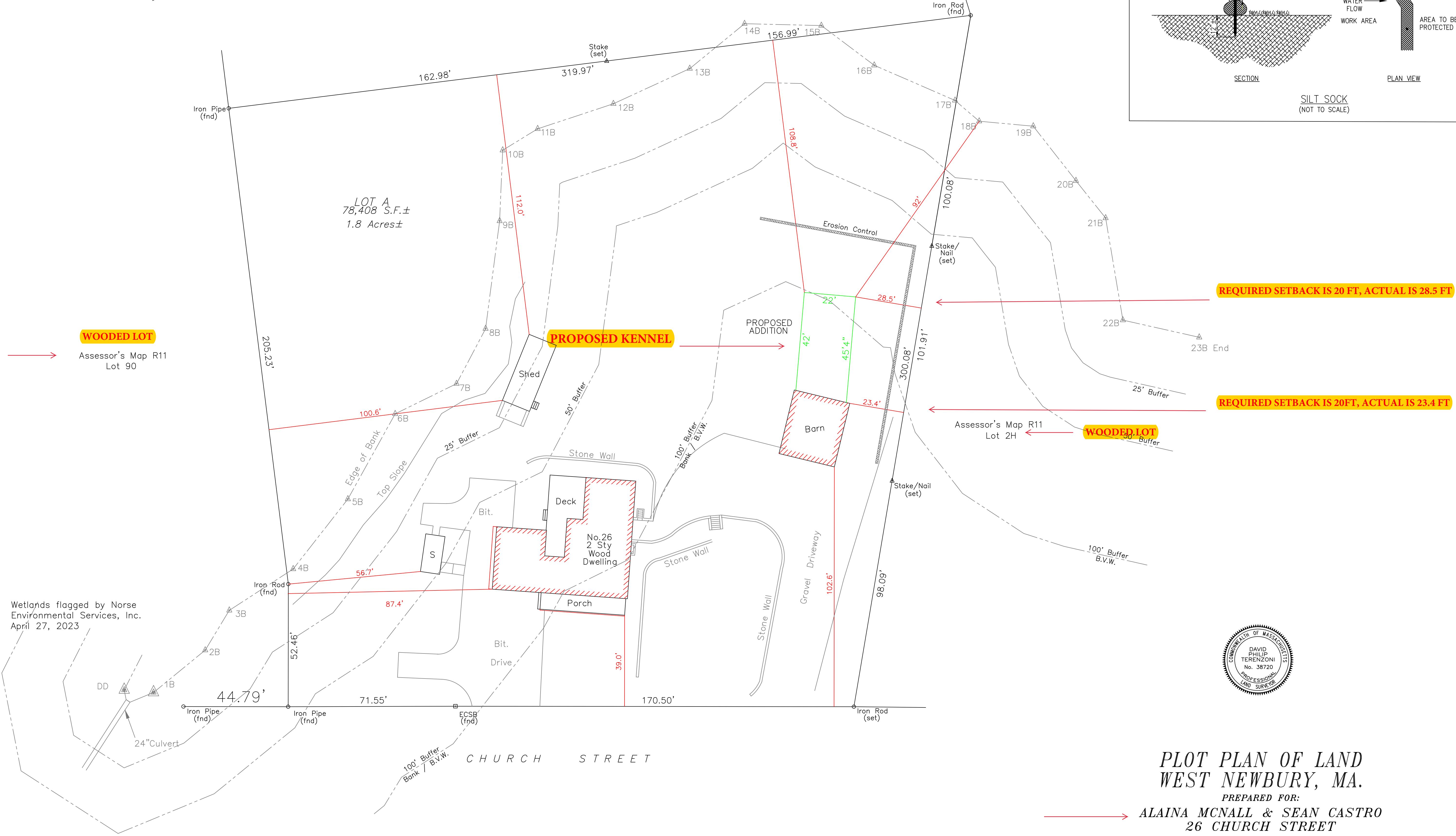
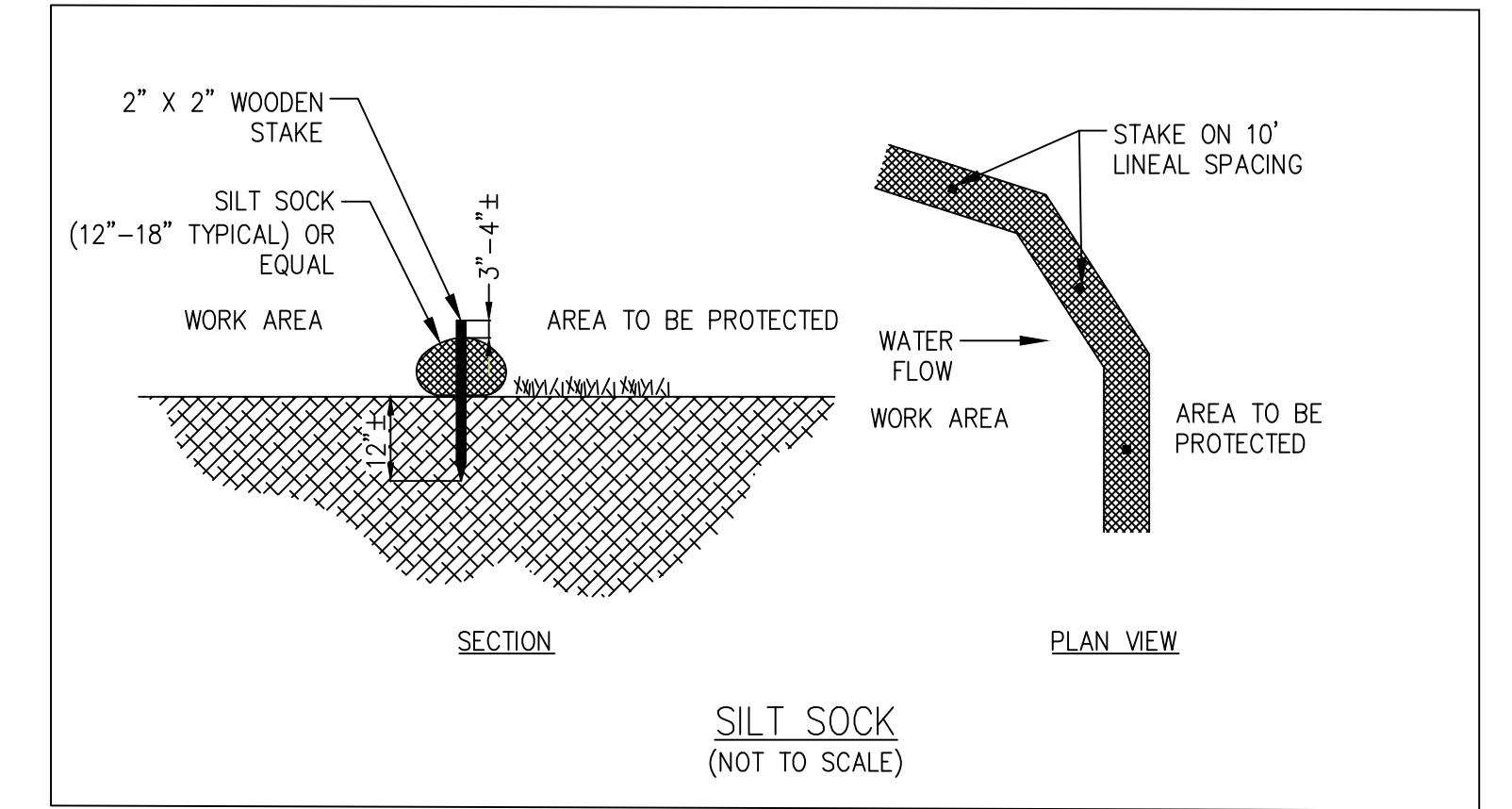
7.8.1. This bylaw shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building or special permit issued before the first publication of notice of the public hearing on such bylaw, or amendments thereto, as required by MGL c. 40A, § 5. Such prior, lawfully existing nonconforming uses and structures may continue, provided that no modification of the use or structure is accomplished, unless authorized hereunder.

#### 7.9 Commencement of Use or Construction

Construction or operations under a building or special permit shall conform to any subsequent amendment of the ordinance or by-law unless the use or construction is commenced within a period of not more than 12 months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.



Assessor's Map R11  
Lot 21



### PLOT PLAN OF LAND WEST NEWBURY, MA.

PREPARED FOR:  
**ALAINA MCNALL & SEAN CASTRO**  
26 CHURCH STREET

SCALE: 1"=20' DATE: JUNE 24, 2023  
DAVID P. TERENCEZONI, P.L.S.  
4 ALLEN ROAD, PEABODY, MA. 01960

**Application for Special Permit and Proposed Kennel Addition to the Existing Barn to Raise and Train Service Dogs**

Zoning District: RC  
Deed Reference: Book 41343, Page 196  
Assessor's Map R11, Lot 2  
Existing Lot Coverage = 5.0% ±  
Proposed Lot Coverage = 6.2% ±

# SUMMARY

SPECIAL PERMIT APPLICATION  
SEAN CASTRO  
26 CHURCH STREET  
WEST NEWBURY, MA

08/28/2023

**Business Description:**

To assist in raising and training service dogs for my current employer in Amesbury, MA. These services would require the dogs to be on-site. The secondary reason for the kennel addition is to provide a safe and secure place for not only the service dogs, but for my own dogs that I train and compete with. As a business, we will NOT be providing any services like grooming or daycare, therefore there will be little impact on additional traffic in or out of the premises. This will be a family-run business - there will be NO hiring of employees.

The kennel is constructed as both indoor and outdoor fenced in areas. All dogs would be placed inside during the night. The dogs would be rotated in and out to reduce any potential noise concerns. It is unlikely that the kennel would be at full capacity 24/7/365. Security systems will include door/window alarms and cameras to be installed for additional monitoring of the dogs.

Sincerely,

Sean Castro

**TOWN OF WEST NEWBURY PLANNING BOARD  
APPLICATION FOR SPECIAL PERMIT and/or SITE PLAN REVIEW**

Application for:  Special Permit  Site Plan Review  Both

(Adopted December 21, 2011)

Please type or print clearly.

1. Applicant: SEAN CASTRO

Applicant's Address: 26 CHURCH STREET, WEST NEWBURY, MA 01985

Telephone Number: 978-807-0813

2. Owners of the Land: SEAN CASTRO & ALAINA McNALL

Address: 26 CHURCH STREET, WEST NEWBURY, MA 01985

Telephone Number: 978-807-0813

Number of years of Ownership: 1

3. Year Lot was Created: \_\_\_\_\_

4. Description of Proposed Project, including applicable section(s) of the Zoning Bylaw: ADDING AN ADDITION TO EXISTING BARN TO BUILD A KENNEL FOR PERSONAL DOGS AND DOGS I AM RAISING/ TRAINING FOR SERVICE WORK FOR MY EMPLOYER IN AMESBURY, MA. ZONING BYLAW 5.A.3

5. Description of Premises: PRIMARY RESIDENCE/ WOODED LOT

6. Address of Property Affected: 26 CHURCH ST., WEST NEWBURY, MA 01985

Zoning District: RC

Assessors: \_\_\_\_\_ Map: R11 Lot #: 20

Registry of Deeds: \_\_\_\_\_ Book: 41343 Page: 196

Plan Book and Plan Number \_\_\_\_\_

7. Existing Lot:  
Lot Area (sq. ft.) 78,408

Street Frontage 242.05'

Front Setback 39'

Building Height \_\_\_\_\_

Side Setbacks 87.4'

Rear Setback \_\_\_\_\_

Floor Area Ratio \_\_\_\_\_

Lot Coverage \_\_\_\_\_

**8. Proposed Lot (if applicable):**

Lot Area (sq. ft.) \_\_\_\_\_  
Street Frontage \_\_\_\_\_  
Front Setback \_\_\_\_\_  
Floor Area Ratio \_\_\_\_\_

Building Height: \_\_\_\_\_  
Side Setbacks \_\_\_\_\_  
Rear Setback \_\_\_\_\_  
Lot Coverage \_\_\_\_\_

**9. Required Lot (as required by Zoning Bylaw):**

Lot Area (sq. ft.) \_\_\_\_\_  
Street Frontage \_\_\_\_\_  
Front Setback \_\_\_\_\_  
Floor Area Ratio \_\_\_\_\_

Building Height \_\_\_\_\_  
Side Setbacks \_\_\_\_\_  
Rear Setback \_\_\_\_\_  
Lot Coverage \_\_\_\_\_

**10. Existing Building (if applicable):**

Ground Floor (sq.ft.) 576  
Total sq. ft. 576  
Use: BARN

# of Floors 1  
Height 24'  
Type of Construction WOOD

**11. Proposed Building:**

Ground Floor (sq.ft.) 924  
Total sq. ft. 924  
Use: \_\_\_\_\_

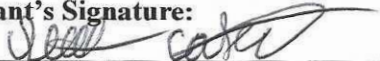
# of Floors 1  
Height 22'  
Type of Construction WOOD

**12. Has there been a previous application for a Special Permit or Site Plan Review from the Planning Board on these premises?** NO **If so, when, what type of construction, and the action made?**

**13. Applicant and Landowner signature(s):**

Every Application for a Special Permit/Site Plan Review shall be made on this form which is the official form of the Planning Board. Every Application shall be filed with the Town Clerk's Office. It shall be the responsibility of the Applicant to furnish all supporting documentation with this application. The dated copy of this Application received by the Town Clerk or Planning Office does not absolve the Applicant from this responsibility. The Applicant shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Planning Board Regulations, may result in a dismissal by the Planning Board of this Application as incomplete.

**Applicant's Signature:**



**Print or type name here:**

SEAN CASTRO

**Date:** 08/24/23

Owner's Signature:

Sean Castro

Alaina McNall

Print or type name here:

SEAN CASTRO

ALAINA McNALL

Date: 08/24/23

08/24/23





# TOWN OF WEST NEWBURY

## CONSERVATION COMMISSION

381 Main Street, West Newbury, Mass. 01985

Office: 978-363-1100 x126 | Cell: 978-891-0238

[conservation@wnewbury.org](mailto:conservation@wnewbury.org)

July 28, 2023

Christopher Castro  
9 Bridle Way  
North Reading, MA 01864

Re: Determination of Applicability – 26 Church Street, West Newbury, MA

Dear Mr. Castro,

Enclosed is your Determination of Applicability for the Request for Determination of Applicability that was filed by you or your representative for construction of an addition to an existing barn at 26 Church Street, West Newbury.

The Determination is valid for three years from the issuance date for the work specified. Any future work at the property proposed in a buffer zone or resource area as defined in the Massachusetts Wetlands Protection Act will require a new permit issued by the Commission.

Please read the material carefully. It is your responsibility to ensure that all work at your property is done according to any issued conditions found on page 3 of the Determination. There is a ten-day appeal period before any work can begin however, you may begin earlier at your own risk.

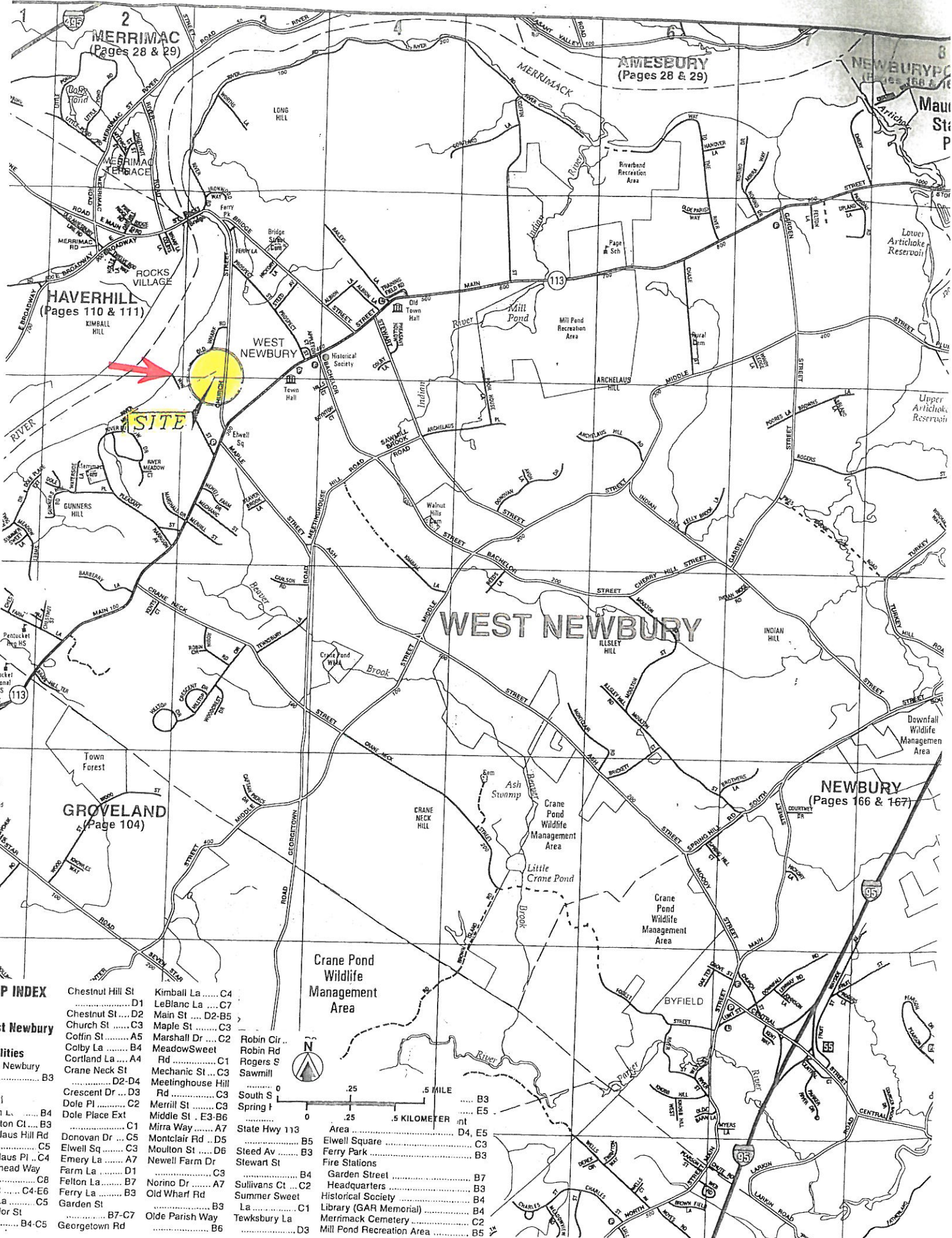
If you have any questions, please do not hesitate to contact me.

Sincerely,

Michelle Greene  
Conservation Agent

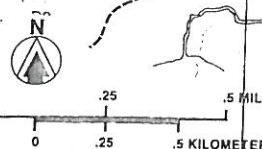
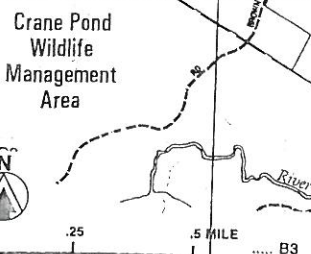
Cc: Sean Castro





**AP INDEX**

Chestnut Hill St	Kimball La	C4
Chestnut St	LeBlanc La	C7
Church St	Main St	D2-B5
Coffin St	Maple St	C3
Colby La	Marshall Dr	C2
Cortland La	MeadowSweet Rd	C1
Crane Neck St	Mechanic St	C3
Crescent Dr	Meetinghouse Hill Rd	C3
Dole Pl	Merrill St	C3
Dole Place Ext	Middle St	E3-B6
Donovan Dr	Mirra Way	A7
Elwell Sq	Montclair Rd	D5
Emery La	Moulton St	D6
Farm La	Newell Farm Dr	C3
Felton La	Norino Dr	A7
Ferry La	Old Wharf Rd	B3
Garden St	Olde Parish Way	B3
Georgetown Rd		B6
	Robin Cir	
	Robin Rd	
	Rogers S	
	Sawmill	
	South S	B3
	Spring St	E5
	State Hwy 113	
	Steed Av	B5
	Stewart St	B3
	Sullivan Ct	B4
	Summer Sweet La	C2
	Tewksbury La	C1
		D3



**West Newbury**

**Localities**

**West Newbury**

**Crane Neck St**

**Crescent Dr**

**Dole Pl**

**Dole Place Ext**

**Donovan Dr**

**Elwell Sq**

**Emery La**

**Farm La**

**Felton La**

**Ferry La**

**Garden St**

**Georgetown Rd**

**Crane Pond Wildlife Management Area**

**Area**

**Elwell Square**

**Ferry Park**

**Fire Stations**

**Garden Street**

**Headquarters**

**Historical Society**

**Library (GAR Memorial)**

**Merrimack Cemetery**

**Mill Pond Recreation Area**

**Area**

**Elwell Square**

**Ferry Park**

**Fire Stations**

**Garden Street**

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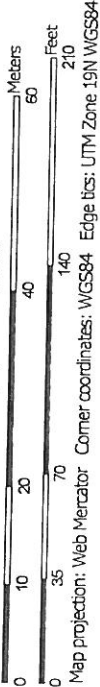
**Mill Pond Recreation Area**

Soil Map—Essex County, Massachusetts, Northern Part  
(26 Church Street - West Newbury)



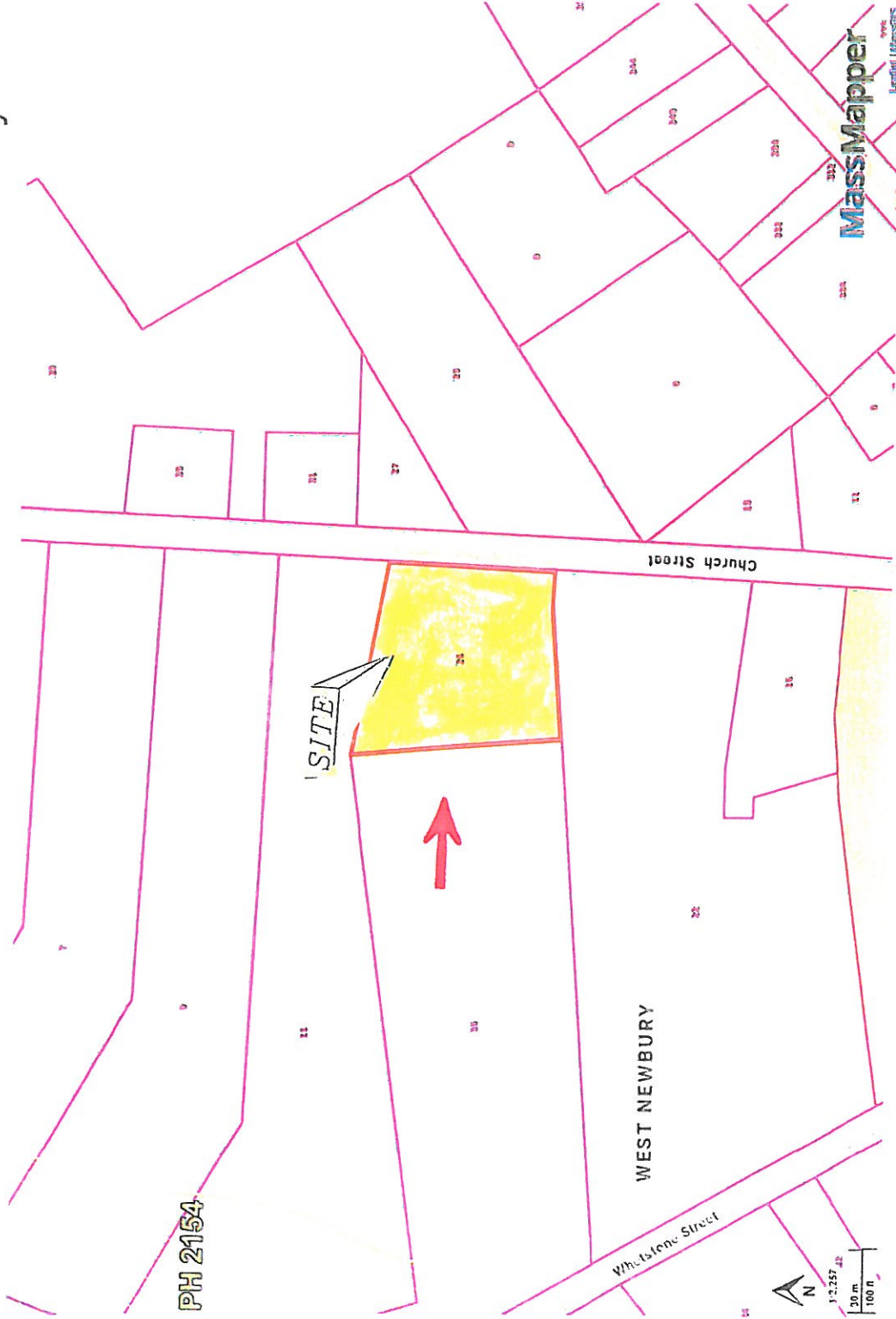
Soil Map may not be valid at this scale.

Map Scale: 1:777 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator. Corner coordinates: WGS84. Edge tics: UTM Zone 19N WGS84

# 26 Church Street West Newbury



Potential Vernal Pools



NHESP Priority Habitats of Rare Specie:



NHESP Estimated Habitats of Rare Wildlife



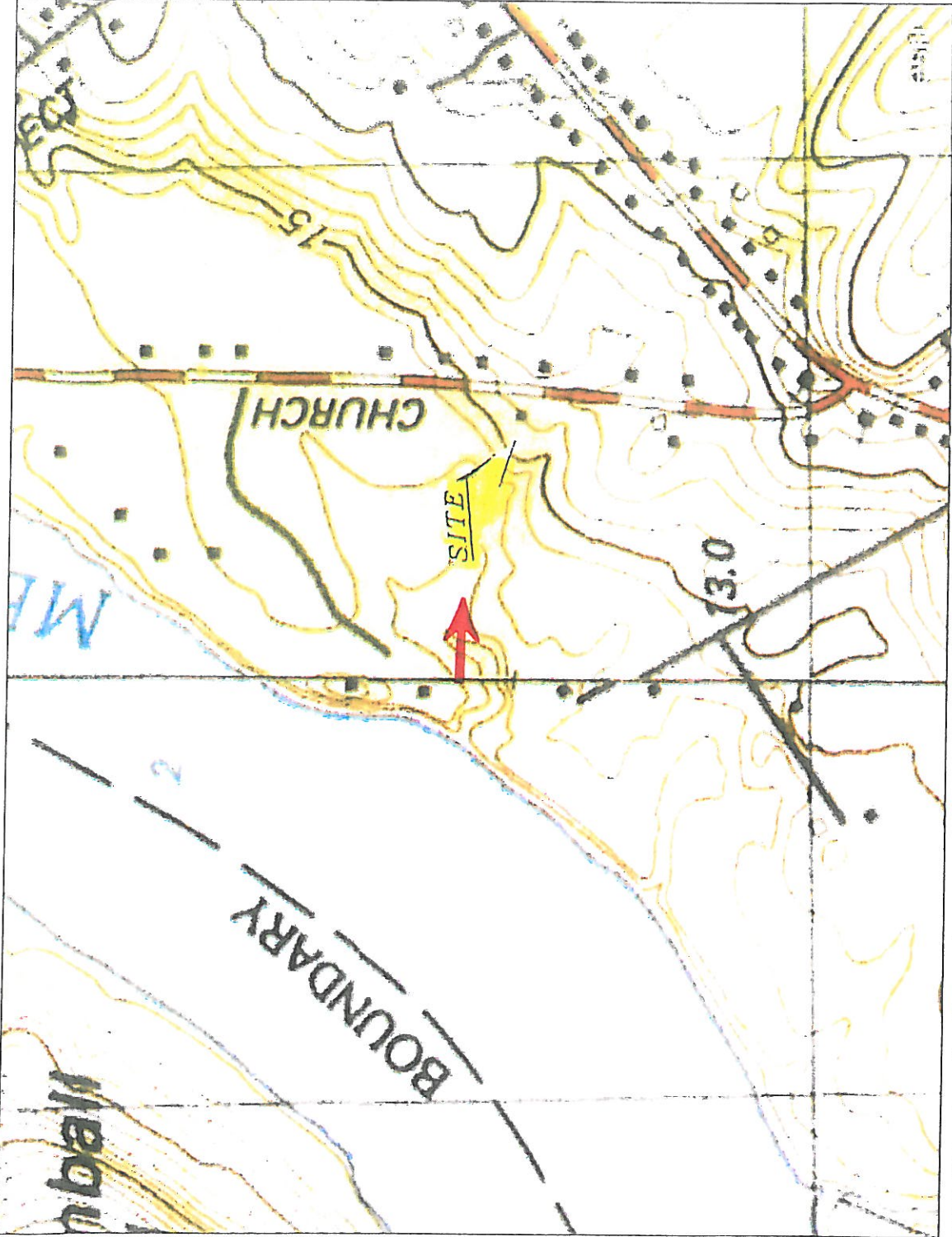
NHESP Certified Vernal Pools



Property Tax Parcels

# USGS Topographic Quadrangle Maps

No legend



USGS 1:25,000 Topographic Maps for Massachusetts. Scanned map images published as a tile service by MassGIS at ArcGIS Online.

USGS, MassGIS

## MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Area of Interest (AOI)		Stony Spot
	Soils		Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
	Special Point Features		Water Features
	Blowout		Streams and Canals
	Borrow Pit		Transportation
	Clay Spot		Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow		Background
	Marsh or swamp		Aerial Photography
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Essex County, Massachusetts, Northern Part  
Survey Area Data: Version 18, Sep 9, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 22, 2022—Jun 5, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
240A	Elmwood fine sandy loam, 0 to 3 percent slopes	0.2	11.1%
405C	Charlton fine sandy loam, 8 to 15 percent slopes	1.5	88.9%
Totals for Area of Interest		1.7	100.0%



# National Flood Hazard Layer FIRMette



190°5'W 42°48'13"N



70°59'27"W 42°47'47"N

0 500 1,000 1,500 2,000 Feet 1:6,000

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

Without Base Flood Elevation (BFE)  
Zone A, V, A99  
With BFE or Depth Zone AE, AO, AH, VE, AR  
Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile (Zone J)  
Future Conditions 1% Annual Chance Flood Hazard Zone X  
Area with Reduced Flood Risk due to Levee. See Notes, Zone X  
Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

NO SCREEN  
Area of Minimal Flood Hazard Zone X  
Effective LOMRs  
Area of Undetermined Flood Hazard Zone

**GENERAL STRUCTURES**

Channel, Culvert, or Storm Sewer  
Levee, Dike, or Floodwall

**OTHER FEATURES**

Cross Sections with 1% Annual Chance Water Surface Elevation  
Coastal Transect  
Base Flood Elevation Line (BFE)  
Limit of Study  
Jurisdiction Boundary  
Coastal Transect Baseline  
Profile Baseline  
Hydrographic Feature

**MAP PANELS**

Digital Data Available  
No Digital Data Available  
Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/3/2023 at 9:47 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

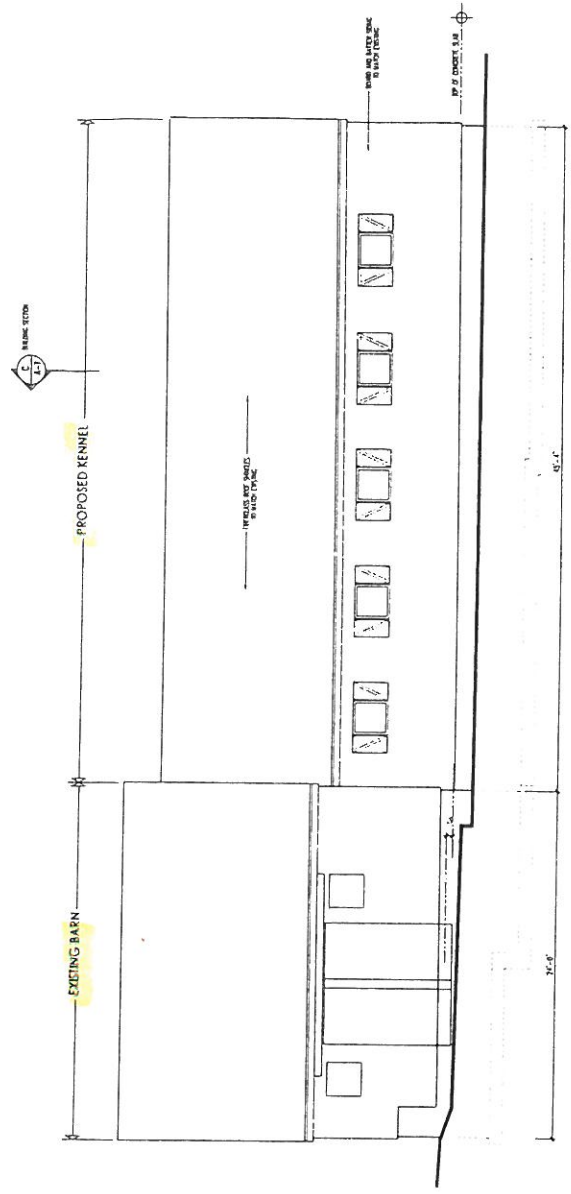
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

DATE	NOV 14 2013
BY	MM
CHECKED BY	MM
DATE	NOV 14 2013
PROJECT NO.	13-0000
PROJECT NAME	DOG KENNEL
SCALE	1/4" = 1'-0"

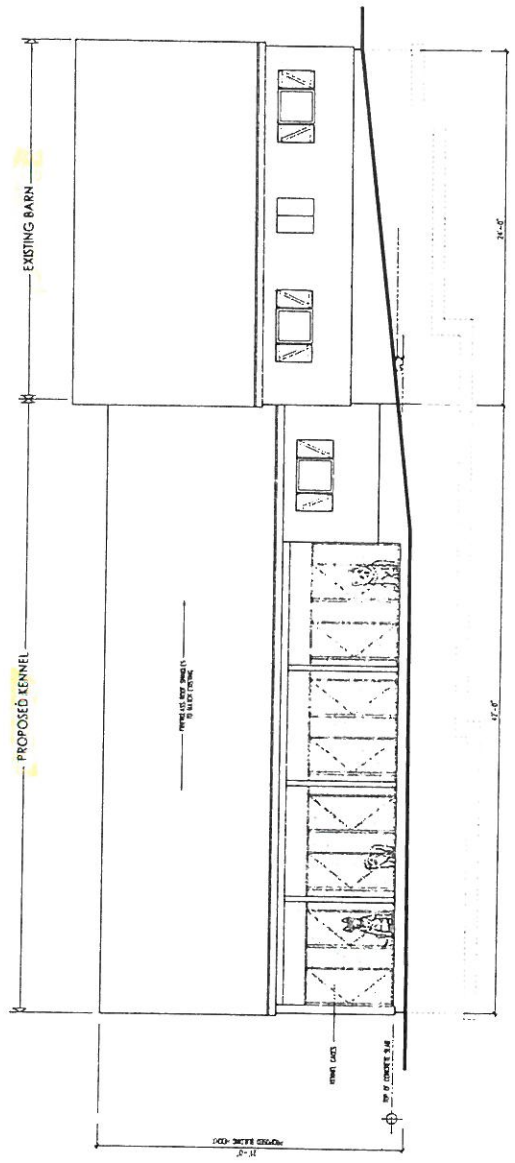
EXTERIOR ELEVATIONS

DOG KENNEL  
26 CHURCH STREET  
WEST NEWBURY, MA

JMA ARCHITECTS + PLANNERS  
Four New Street, Unit 101  
Newburyport, Massachusetts 01950  
(phone) 978.453.2253 (mobile) 978.521.0811



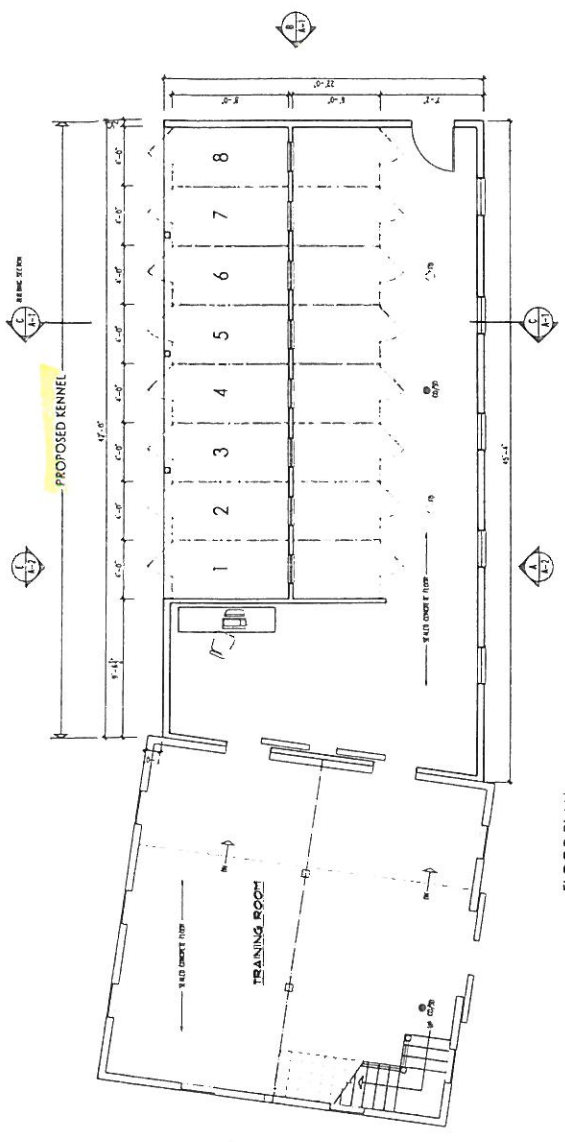
**D** RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



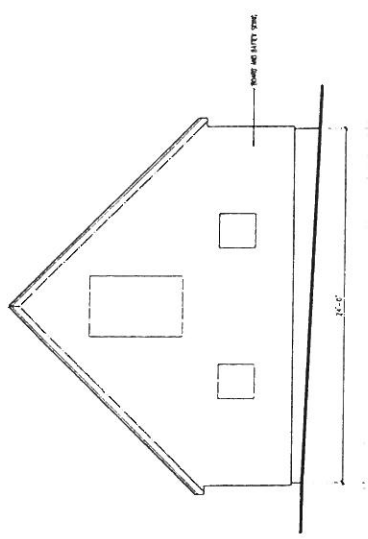
**E** LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

NO.	DATE	DESCRIPTION

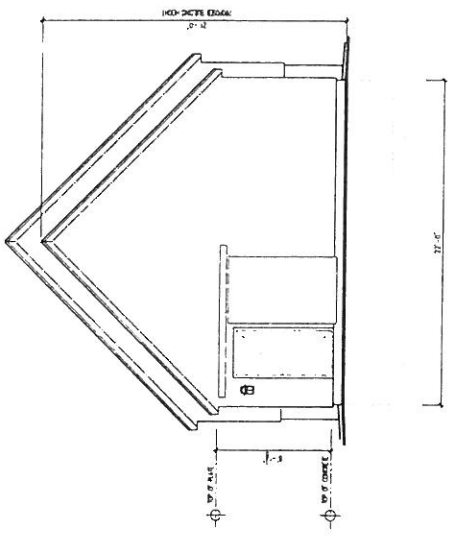
DATE PLOTTED	
SCALE	
PROJECT NO.	



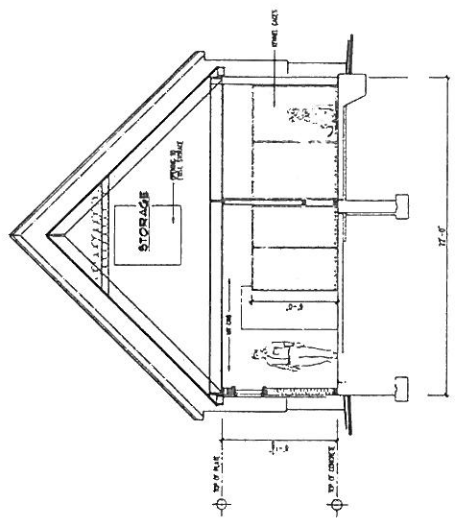
FLOOR PLAN  
 SCALE: 1/2" = 1'-0"



A FRONT ELEVATION - CHURCH STREET SIDE  
 SCALE: 1/4" = 1'-0"

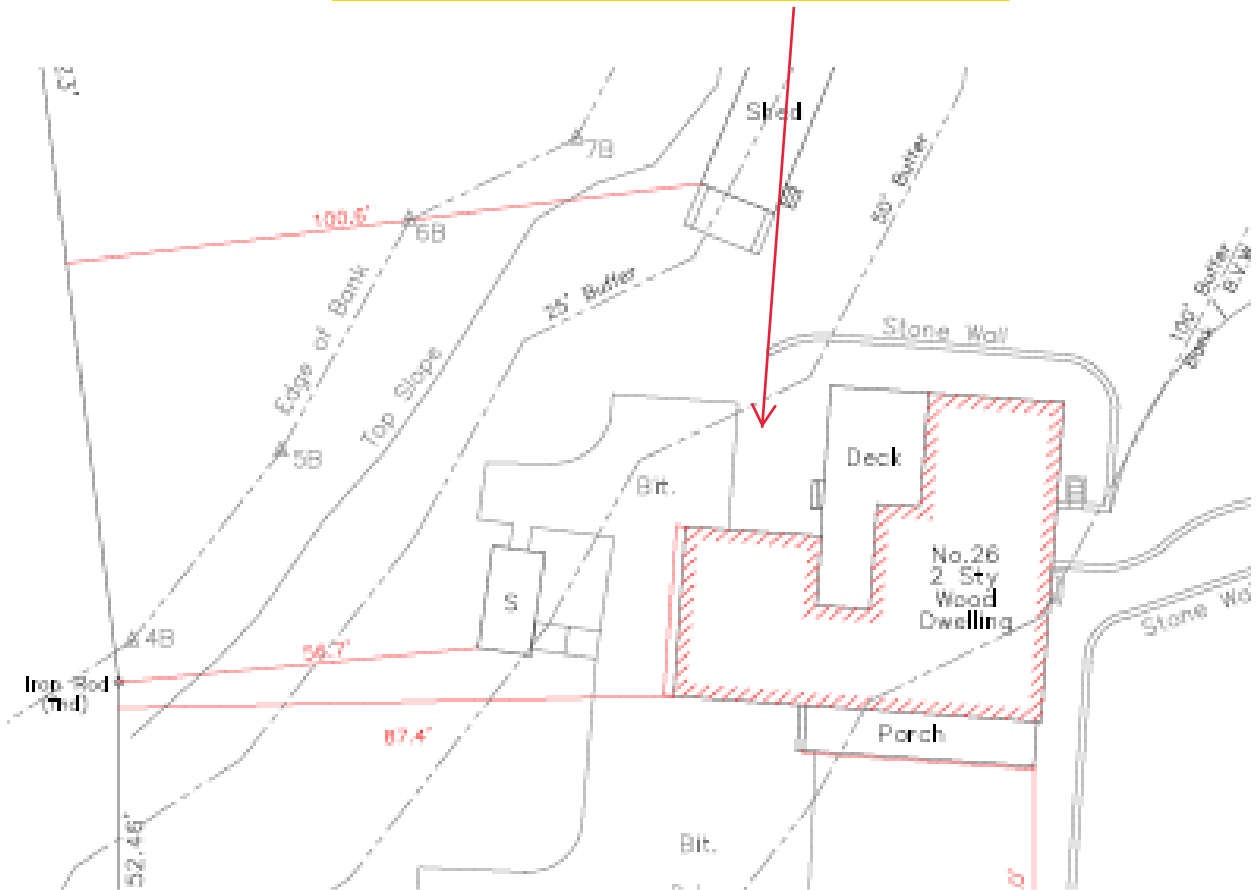


B REAR ELEVATION  
 SCALE: 1/4" = 1'-0"



C BUILDING SECTION  
 SCALE: 1/4" = 1'-0"

# DOG EXERCISE RUN LOCATION



**TOWN OF WEST NEWBURY PLANNING BOARD  
APPLICATION FOR SPECIAL PERMIT and/or SITE PLAN REVIEW**

Application for:  Special Permit  Site Plan Review  Both

(Adopted December 21, 2011)

Please type or print clearly.

1.  
Applicant: Brook View Trust (William & Dianne Spalding)

Applicant's  
Address: 87 Crane Neck Street, West Newbury, MA

Telephone Number: 508-662-0893

2. Owners of the  
Land: Same as Applicant

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Number of years of Ownership: 29 years

3. Year Lot was Created: 1994

4. Description of Proposed Project, including applicable section(s) of the Zoning  
Bylaw: Create a reduced frontage lot with access from Crane Neck Street  
Special permit under section 6.A.1 of the Zoning Bylaw

5. Description of Premises: Lot 2 as shown on ANR plan (attached). The lot is part of the existing property currently known as #87 Crane Neck Street. The proposed lot is 340,332 s.f. with frontage of 100.00 feet and a C.B.A. of 254,600 s.f.

6. Address of Property Affected: 87 Crane Neck Street, West Newbury  
Zoning District: Residence A  
Assessors: \_\_\_\_\_ Map: R3 Lot #: 14B  
Registry of Deeds: Book: 40466 Page: 164  
Plan Book and Plan Number book 294/page 46

7. Existing Lot:  
Lot Area (sq. ft.) 10.6 Acres Building Height \_\_\_\_\_  
Street Frontage 360.88 ft Side Setbacks \_\_\_\_\_  
Front Setback \_\_\_\_\_ Rear Setback \_\_\_\_\_

Floor Area Ratio \_\_\_\_\_

Lot Coverage \_\_\_\_\_

**8. Proposed Lot (if applicable):**

Lot Area (sq. ft.) 340,332 s.f.

Street Frontage 100ft

Front Setback \_\_\_\_\_

Floor Area Ratio \_\_\_\_\_

Building Height: \_\_\_\_\_

Side Setbacks \_\_\_\_\_

Rear Setback \_\_\_\_\_

Lot Coverage \_\_\_\_\_

**9. Required Lot (as required by Zoning Bylaw):**

Lot Area (sq. ft.) 160,000 s.f.

Street Frontage 100ft

Front Setback \_\_\_\_\_

Floor Area Ratio \_\_\_\_\_

Building Height \_\_\_\_\_

Side Setbacks \_\_\_\_\_

Rear Setback \_\_\_\_\_

Lot Coverage \_\_\_\_\_

**10. Existing Building (if applicable):**

Ground Floor (sq.ft.) \_\_\_\_\_

Total sq. ft. \_\_\_\_\_

Use: \_\_\_\_\_

# of Floors \_\_\_\_\_

Height \_\_\_\_\_

Type of Construction \_\_\_\_\_

**11. Proposed Building:**

Ground Floor (sq.ft.) \_\_\_\_\_

Total sq. ft. \_\_\_\_\_

Use: \_\_\_\_\_

# of Floors \_\_\_\_\_

Height \_\_\_\_\_

Type of Construction \_\_\_\_\_

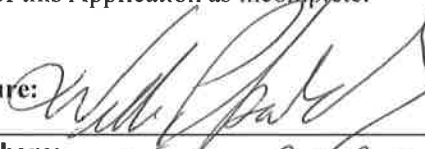
**12. Has there been a previous application for a Special Permit or Site Plan Review from the Planning Board on these premises?** none known **If so, when, what type of construction, and the action made?**

\_\_\_\_\_  
\_\_\_\_\_

**13. Applicant and Landowner signature(s):**

Every Application for a Special Permit/Site Plan Review shall be made on this form which is the official form of the Planning Board. Every Application shall be filed with the Town Clerk's Office. It shall be the responsibility of the Applicant to furnish all supporting documentation with this application. The dated copy of this Application received by the Town Clerk or Planning Office does not absolve the Applicant from this responsibility. The Applicant shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Planning Board Regulations, may result in a dismissal by the Planning Board of this Application as incomplete.

Applicant's Signature:




Print or type name here:

WILLIAM P. SPALDING

Date:

7/27/2023

Owner's Signature:   
Print or type name here: WILLIAM P. STANDING  
Date: 7/27/2023

# PLAN OF LAND IN WEST NEWBURY, MA

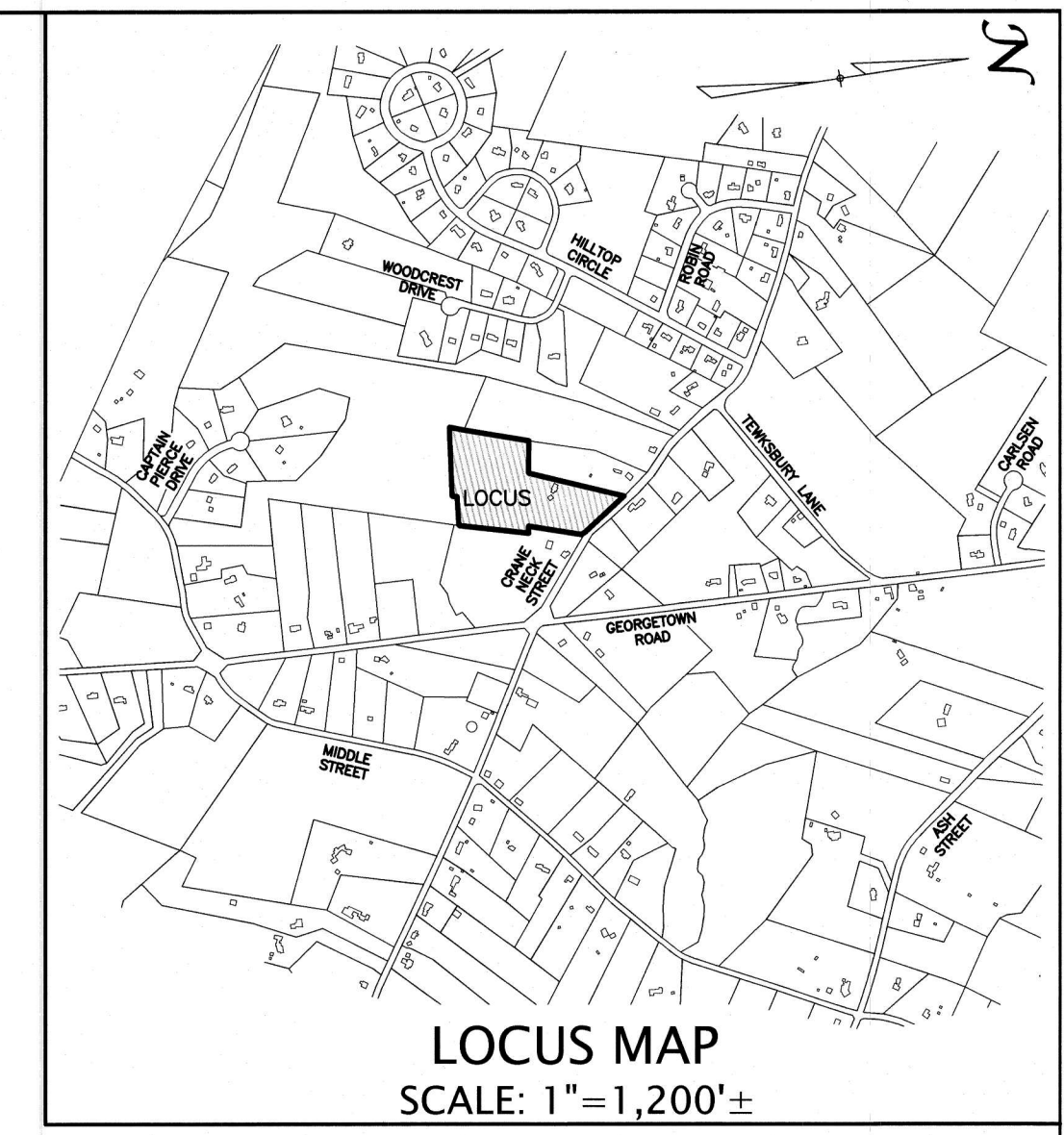
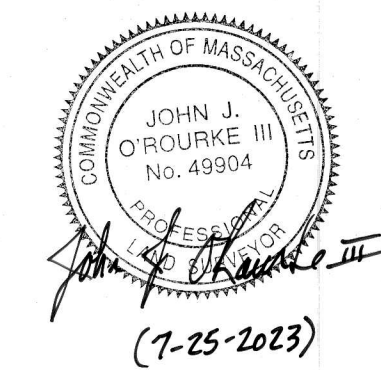
SCALE: 1" = 40' DATE: JULY 25, 2023

87 CRANE NECK STREET



**OWNER/APPLICANT:**  
BROOK VIEW TRUST  
(WILLIAM P. SPALDING AND DIANNE E. SPALDING, TRUSTEES)  
87 CRANE NECK STREET  
WEST NEWBURY, MA 01985  
ASSESSORS MAP R3 LOT 14B  
(PARCEL ID 0030 0000 0014B)  
DEED REFERENCE: BOOK 40466 PAGE 164  
RECORDED AT THE ESSEX SOUTH REGISTRY OF DEEDS

**PLAN REFERENCE:**  
PLAN BOOK 294 PLAN 46  
RECORDED AT THE ESSEX SOUTH REGISTRY OF DEEDS



APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED  
WEST NEWBURY PLANNING BOARD

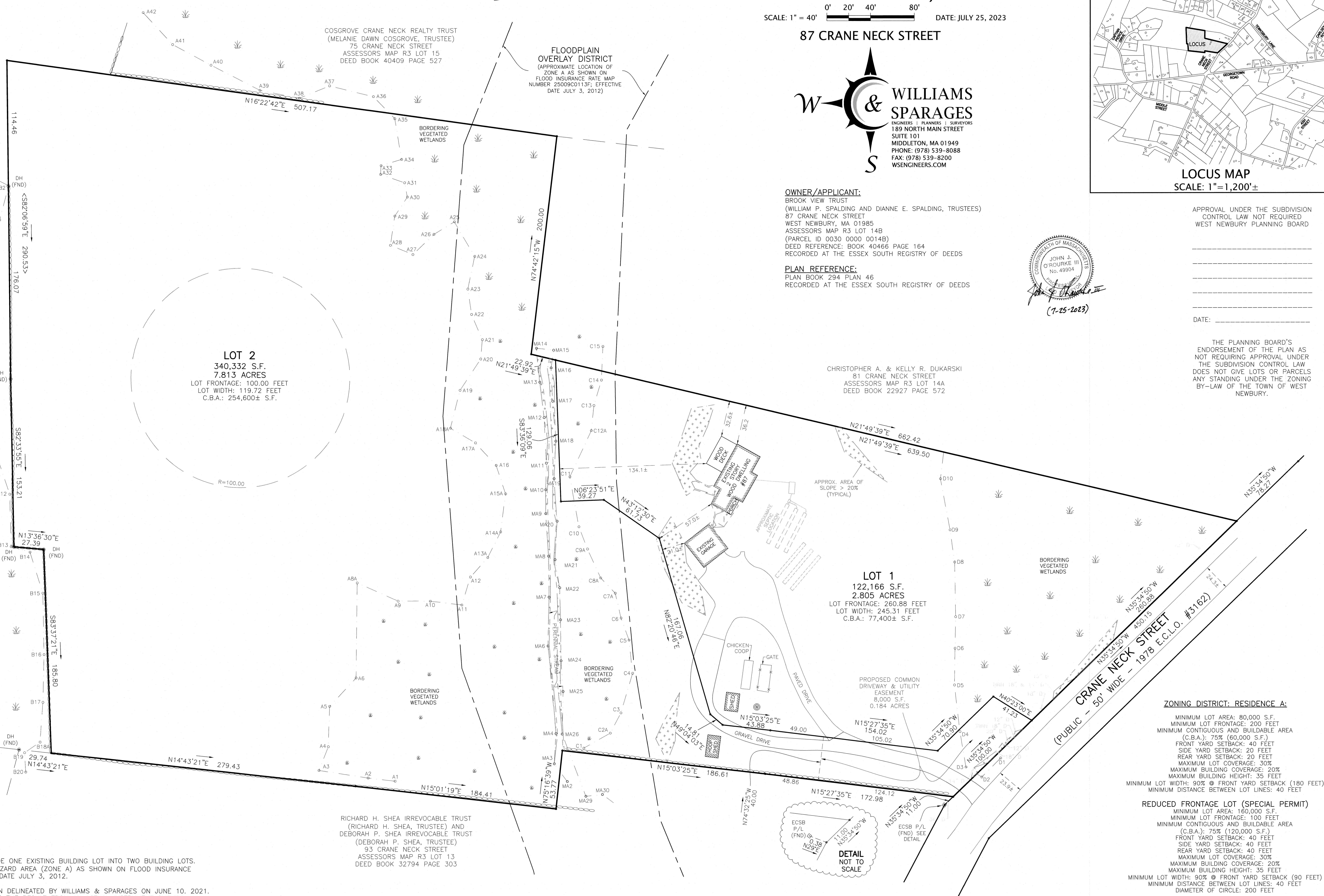
DATE: \_\_\_\_\_

THE PLANNING BOARD'S ENDORSEMENT OF THE PLAN AS NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW DOES NOT GIVE LOTS OR PARCELS ANY STANDING UNDER THE ZONING BY-LAW OF THE TOWN OF WEST NEWBURY.

I CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN PREPARING THIS PLAN.

*John J. O'Rourke III, P.L.S.*  
WILLIAMS & SPARAGES LLC

TOWN OF WEST NEWBURY CONSERVATION COMMISSION  
0 CAPTAIN PIERCE DRIVE  
ASSESSORS MAP R3 LOT 14C  
DEED BOOK 14284 PAGE 392

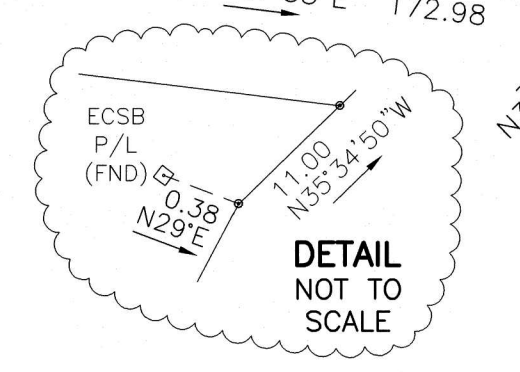


**LEGEND OF ABBREVIATIONS**

- DH - DRILL HOLE
- ECSB - ESSEX COUNTY STONE BOUND
- (FND) - FOUND
- 12" D - 12" DECIDUOUS TREE

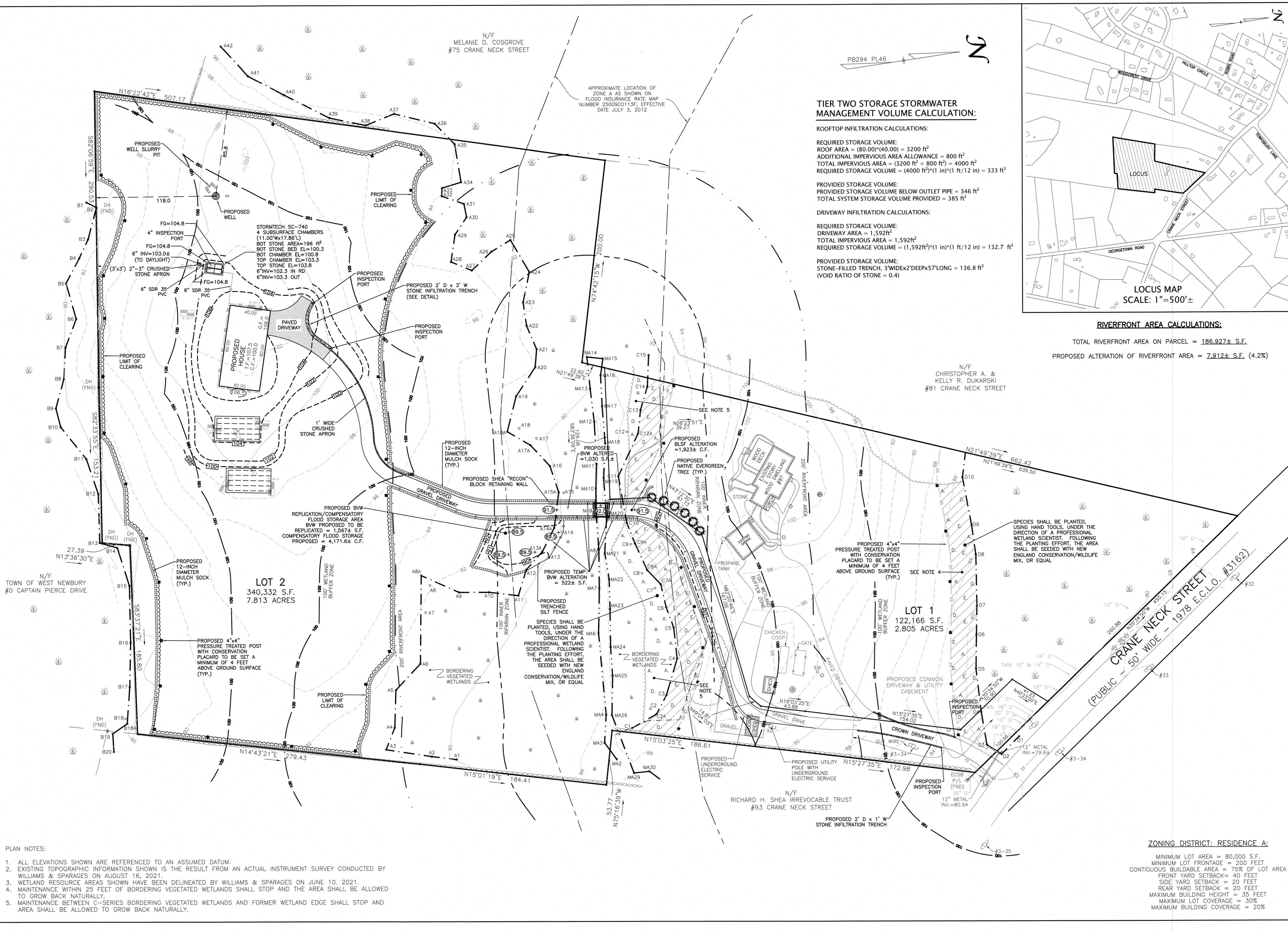
- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE ONE EXISTING BUILDING LOT INTO TWO BUILDING LOTS.
  2. THIS PROPERTY DOES LIE WITHIN A FLOOD HAZARD AREA (ZONE A) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 25009C0113F, EFFECTIVE DATE JULY 3, 2012.
  3. CRANE NECK STREET IS A SCENIC ROAD.
  4. WETLAND RESOURCE AREAS SHOWN HAVE BEEN DELINEATED BY WILLIAMS & SPARAGES ON JUNE 10, 2021.
  5. EXISTING TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT FROM AN ACTUAL INSTRUMENT SURVEY CONDUCTED BY WILLIAMS & SPARAGES ON AUGUST 16, 2021.

RICHARD H. SHEA IRREVOCABLE TRUST  
(RICHARD H. SHEA, TRUSTEE) AND  
DEBORAH P. SHEA IRREVOCABLE TRUST  
(DEBORAH P. SHEA, TRUSTEE)  
93 CRANE NECK STREET  
ASSESSORS MAP R3 LOT 13  
DEED BOOK 32794 PAGE 303



- ZONING DISTRICT: RESIDENCE A:**
- MINIMUM LOT AREA: 80,000 S.F.
  - MINIMUM LOT FRONTAGE: 200 FEET
  - MINIMUM CONTIGUOUS AND BUILDABLE AREA (C.B.A.): 75% (60,000 S.F.)
  - FRONT YARD SETBACK: 40 FEET
  - REAR YARD SETBACK: 40 FEET
  - SIDE YARD SETBACK: 20 FEET
  - REAR YARD SETBACK: 20 FEET
  - MAXIMUM LOT COVERAGE: 30%
  - MAXIMUM BUILDING COVERAGE: 20%
  - MAXIMUM BUILDING HEIGHT: 35 FEET
- REDUCED FRONTAGE LOT (SPECIAL PERMIT)**
- MINIMUM LOT AREA: 160,000 S.F.
  - MINIMUM LOT FRONTAGE: 100 FEET
  - MINIMUM CONTIGUOUS AND BUILDABLE AREA (C.B.A.): 75% (120,000 S.F.)
  - FRONT YARD SETBACK: 40 FEET
  - REAR YARD SETBACK: 40 FEET
  - SIDE YARD SETBACK: 40 FEET
  - REAR YARD SETBACK: 40 FEET
  - MAXIMUM LOT COVERAGE: 30%
  - MAXIMUM BUILDING COVERAGE: 20%
  - MAXIMUM BUILDING HEIGHT: 35 FEET
- MINIMUM LOT WIDTH: 90% @ FRONT YARD SETBACK (180 FEET)  
MINIMUM DISTANCE BETWEEN LOT LINES: 40 FEET
- PROPERTY PARTIALLY LIES IN FLOODPLAIN OVERLAY DISTRICT.





**TIER TWO STORAGE STORMWATER MANAGEMENT VOLUME CALCULATION:**

**ROOFTOP INFILTRATION CALCULATIONS:**

REQUIRED STORAGE VOLUME:  
 ROOF AREA = (80.00' x 40.00') = 3200 ft<sup>2</sup>  
 ADDITIONAL IMPERVIOUS AREA ALLOWANCE = 800 ft<sup>2</sup>  
 TOTAL IMPERVIOUS AREA = (3200 ft<sup>2</sup> + 800 ft<sup>2</sup>) = 4000 ft<sup>2</sup>  
 REQUIRED STORAGE VOLUME = (4000 ft<sup>2</sup>) x (1 in) x (1 ft/12 in) = 333 ft<sup>3</sup>

PROVIDED STORAGE VOLUME:  
 PROVIDED STORAGE VOLUME BELOW OUTLET PIPE = 346 ft<sup>3</sup>  
 TOTAL SYSTEM STORAGE VOLUME PROVIDED = 385 ft<sup>3</sup>

**DRIVEWAY INFILTRATION CALCULATIONS:**

REQUIRED STORAGE VOLUME:  
 DRIVEWAY AREA = 1,592 ft<sup>2</sup>  
 TOTAL IMPERVIOUS AREA = 1,592 ft<sup>2</sup>  
 REQUIRED STORAGE VOLUME = (1,592 ft<sup>2</sup>) x (1 in) x (1 ft/12 in) = 132.7 ft<sup>3</sup>

PROVIDED STORAGE VOLUME:  
 STONE-FILLED TRENCH, 3' WIDE x 2' DEEP x 57' LONG = 136.8 ft<sup>3</sup>  
 (VOID RATIO OF STONE = 0.4)



**RIVERFRONT AREA CALCULATIONS:**

TOTAL RIVERFRONT AREA ON PARCEL = 186,927 ± S.F.  
 PROPOSED ALTERATION OF RIVERFRONT AREA = 7,912 ± S.F. (4.2%)

- PLAN NOTES:**
- ALL ELEVATIONS SHOWN ARE REFERENCED TO AN ASSUMED DATUM.
  - EXISTING TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT FROM AN ACTUAL INSTRUMENT SURVEY CONDUCTED BY WILLIAMS & SPARAGES ON AUGUST 16, 2021.
  - WETLAND RESOURCE AREAS SHOWN HAVE BEEN DELINEATED BY WILLIAMS & SPARAGES ON JUNE 10, 2021.
  - MAINTENANCE WITHIN 25 FEET OF BORDERING VEGETATED WETLANDS SHALL STOP AND THE AREA SHALL BE ALLOWED TO GROW BACK NATURALLY.
  - MAINTENANCE BETWEEN C-SERIES BORDERING VEGETATED WETLANDS AND FORMER WETLAND EDGE SHALL STOP AND AREA SHALL BE ALLOWED TO GROW BACK NATURALLY.

**ZONING DISTRICT: RESIDENCE A:**

MINIMUM LOT AREA = 80,000 S.F.  
 MINIMUM LOT FRONTAGE = 200 FEET  
 CONTIGUOUS BUILDABLE AREA = 75% OF LOT AREA  
 FRONT YARD SETBACK = 40 FEET  
 SIDE YARD SETBACK = 20 FEET  
 REAR YARD SETBACK = 20 FEET  
 MAXIMUM BUILDING HEIGHT = 35 FEET  
 MAXIMUM LOT COVERAGE = 30%  
 MAXIMUM BUILDING COVERAGE = 20%

**WILLIAMS & SPARAGES**  
 ENGINEERS, PLANNERS, ARCHITECTS  
 100 MAIN STREET  
 SUITE 101  
 MIDDLETON, MA 01949  
 TEL: (978) 339-8200  
 FAX: (978) 339-8200  
 WWW.WSINCORP.COM

**Owner/Applicant:**  
 William P. Spalding  
 87 Crane Neck Street  
 West Newbury, MA 01985

**Designed By:** CJH  
**Drawn By:** PMB  
**Reviewed By:** RLW  
**Project Manager:** CJH  
**Drawing File Number:** WNEW-0048  
**Drawing File Folder:** WNEW48

Drawing Issued for Review  
 Drawing Issued for Permit  
 Drawing Issued for Construction

**SEAL**  
 RICHARD H. SHEA  
 CIVIL ENGINEER  
 No. 10100  
 7/26/2023

**COMMON DRIVEWAY & STORMWATER MANAGEMENT PLAN**  
 87 CRANE NECK STREET, WEST NEWBURY, MA

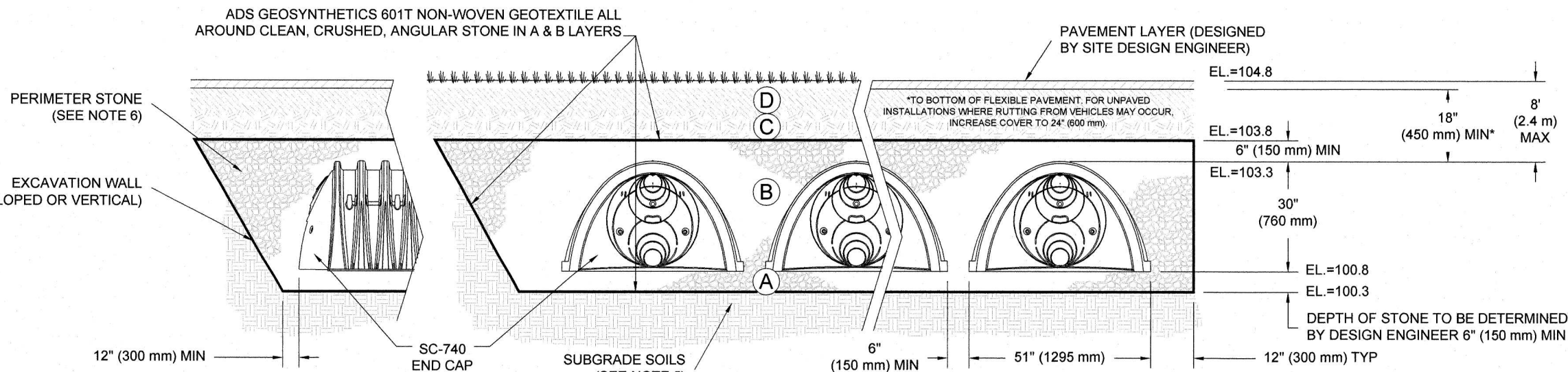
**DRAWING: C1.1**  
**SHEET 1 OF 2**

SCALE: 1" = 40'  
 JULY 26, 2023

**ACCEPTABLE FILL MATERIALS: STORMTECH SC-740 CHAMBER SYSTEMS**

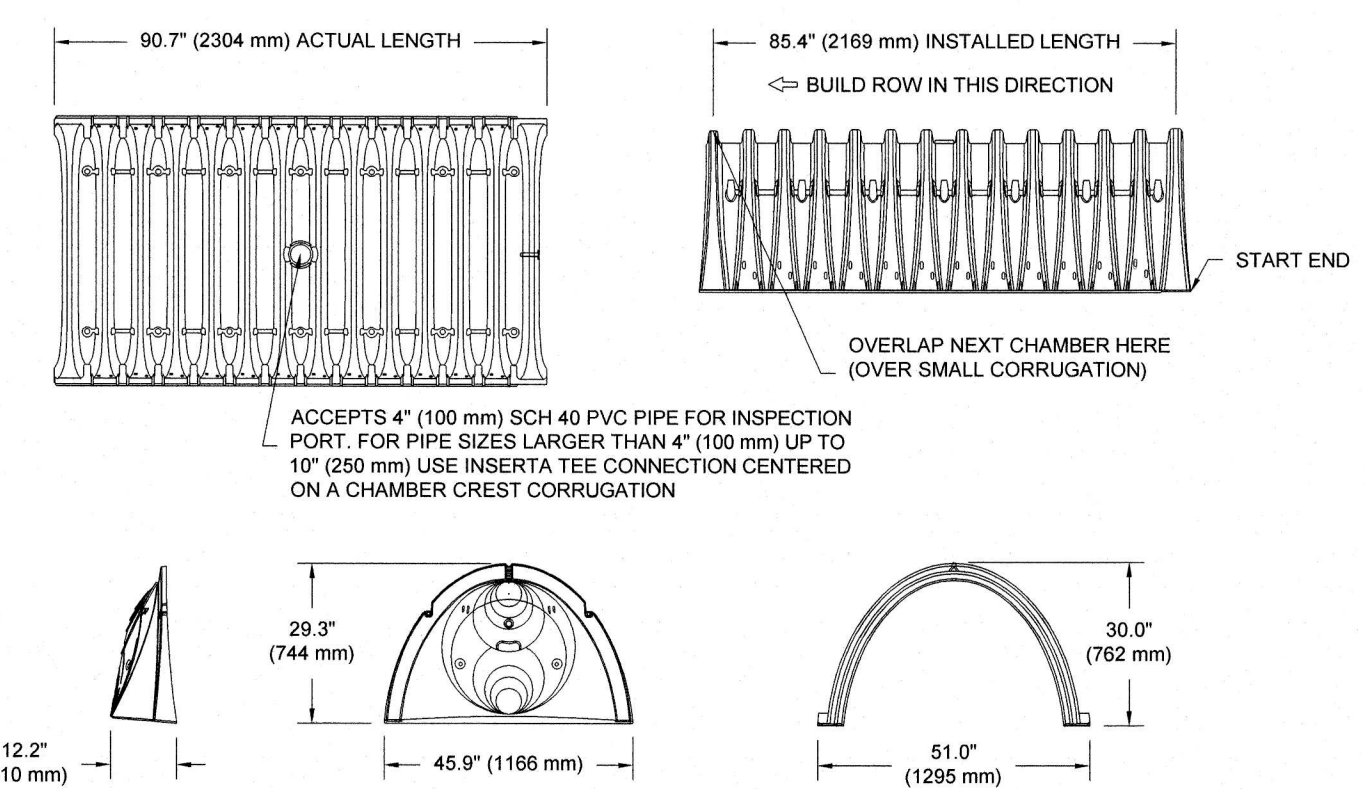
MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	<b>FINAL FILL:</b> FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	<b>INITIAL FILL:</b> FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B' LAYER) TO 18" (450 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	AASHTO M145* A-1, A-2.4, A-3 OR AASHTO M43* 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" (150 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
B	<b>EMBEDMENT STONE:</b> FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE.	AASHTO M43* 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	<b>FOUNDATION STONE:</b> FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	AASHTO M43* 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE. **

PLEASE NOTE:  
 1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".  
 2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 6" (150 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.  
 3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.



- NOTES:**
- SC-740 CHAMBERS SHALL CONFORM TO THE REQUIREMENTS OF ASTM F2418 "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS", OR ASTM F2922 "STANDARD SPECIFICATION FOR POLYETHYLENE (PE) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
  - SC-740 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
  - "ACCEPTABLE FILL MATERIALS" TABLE ABOVE PROVIDES MATERIAL LOCATIONS, DESCRIPTIONS, GRADATIONS, AND COMPACTION REQUIREMENTS FOR FOUNDATION, EMBEDMENT, AND FILL MATERIALS.
  - THE "SITE DESIGN ENGINEER" REFERS TO THE ENGINEER RESPONSIBLE FOR THE DESIGN AND LAYOUT OF THE STORMTECH CHAMBERS FOR THIS PROJECT.
  - THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
  - PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
  - ONCE LAYER 'C' IS PLACED, ANY SOIL MATERIAL CAN BE PLACED IN LAYER 'D' UP TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER 'C' OR 'D' AT THE SITE DESIGN ENGINEER'S DISCRETION.

**STORMTECH SC-740 CROSS SECTION SWMA1P**  
NOT TO SCALE



**NOMINAL CHAMBER SPECIFICATIONS**

SIZE (W X H X INSTALLED LENGTH)	51.0" X 30.0" X 85.4"	(1295 mm X 762 mm X 2169 mm)
CHAMBER STORAGE	45.9 CUBIC FEET	(1.30 m³)
MINIMUM INSTALLED STORAGE*	14.9 CUBIC FEET	(0.42 m³)
WEIGHT	75.0 lbs.	(33.6 kg)

\*ASSUMES 6" (152 mm) STONE ABOVE, BELOW, AND BETWEEN CHAMBERS

STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"  
STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"

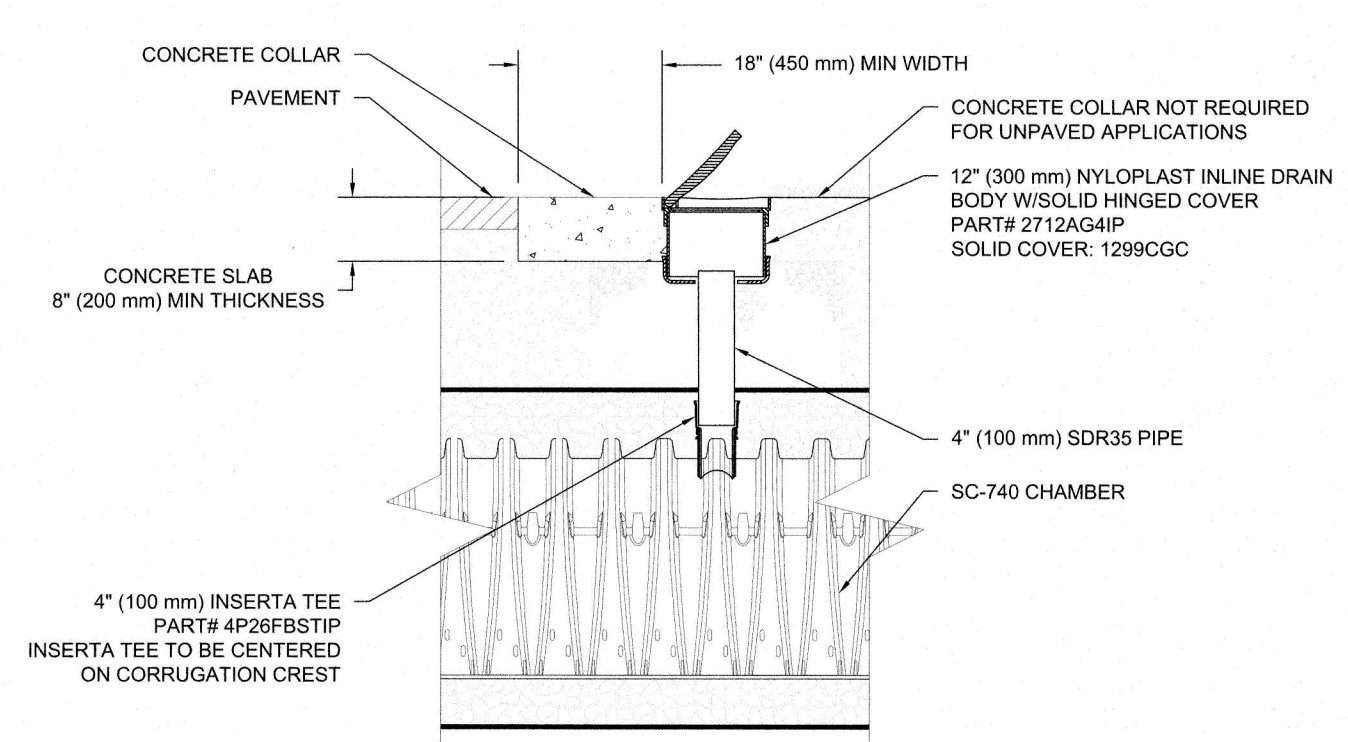
PART #	STUB	A	B	C
SC740EP06T / SC740EP06TPC	6" (150 mm)	10.9" (277 mm)	18.5" (470 mm)	---
SC740EP08B / SC740EP08BPC	8" (200 mm)	12.2" (310 mm)	16.5" (419 mm)	0.5" (13 mm)
SC740EP08T / SC740EP08TPC	8" (200 mm)	12.2" (310 mm)	---	0.6" (16 mm)
SC740EP08B / SC740EP08BPC	10" (250 mm)	13.4" (340 mm)	14.5" (368 mm)	---
SC740EP10T / SC740EP10TPC	10" (250 mm)	13.4" (340 mm)	---	0.7" (18 mm)
SC740EP10B / SC740EP10BPC	12" (300 mm)	14.7" (373 mm)	12.5" (318 mm)	1.2" (30 mm)
SC740EP12T / SC740EP12TPC	12" (300 mm)	14.7" (373 mm)	---	---
SC740EP12B / SC740EP12BPC	15" (375 mm)	18.4" (467 mm)	9.0" (229 mm)	---
SC740EP15T / SC740EP15TPC	15" (375 mm)	18.4" (467 mm)	---	1.3" (33 mm)
SC740EP15B / SC740EP15BPC	18" (450 mm)	19.7" (500 mm)	5.0" (127 mm)	---
SC740EP18T / SC740EP18TPC	18" (450 mm)	19.7" (500 mm)	---	1.6" (41 mm)
SC740EP18B / SC740EP18BPC	24" (600 mm)	18.5" (470 mm)	---	0.1" (3 mm)
SC740EP24B*	---	---	---	---

ALL STUBS, EXCEPT FOR THE SC740EP24B ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-892-2894.

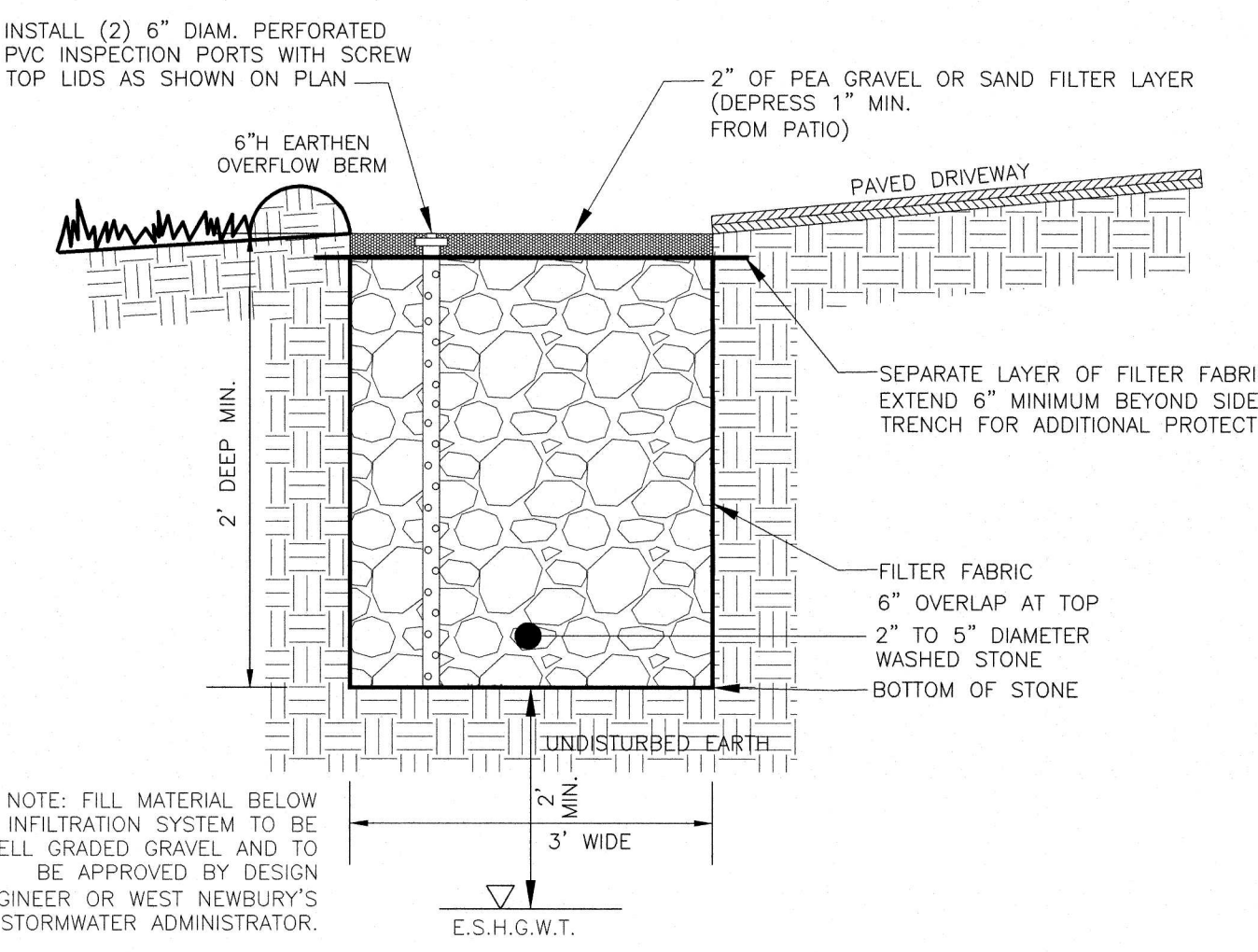
\* FOR THE SC740EP24B THE 24" (600 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 1.75" (44 mm). BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

NOTE: ALL DIMENSIONS ARE NOMINAL

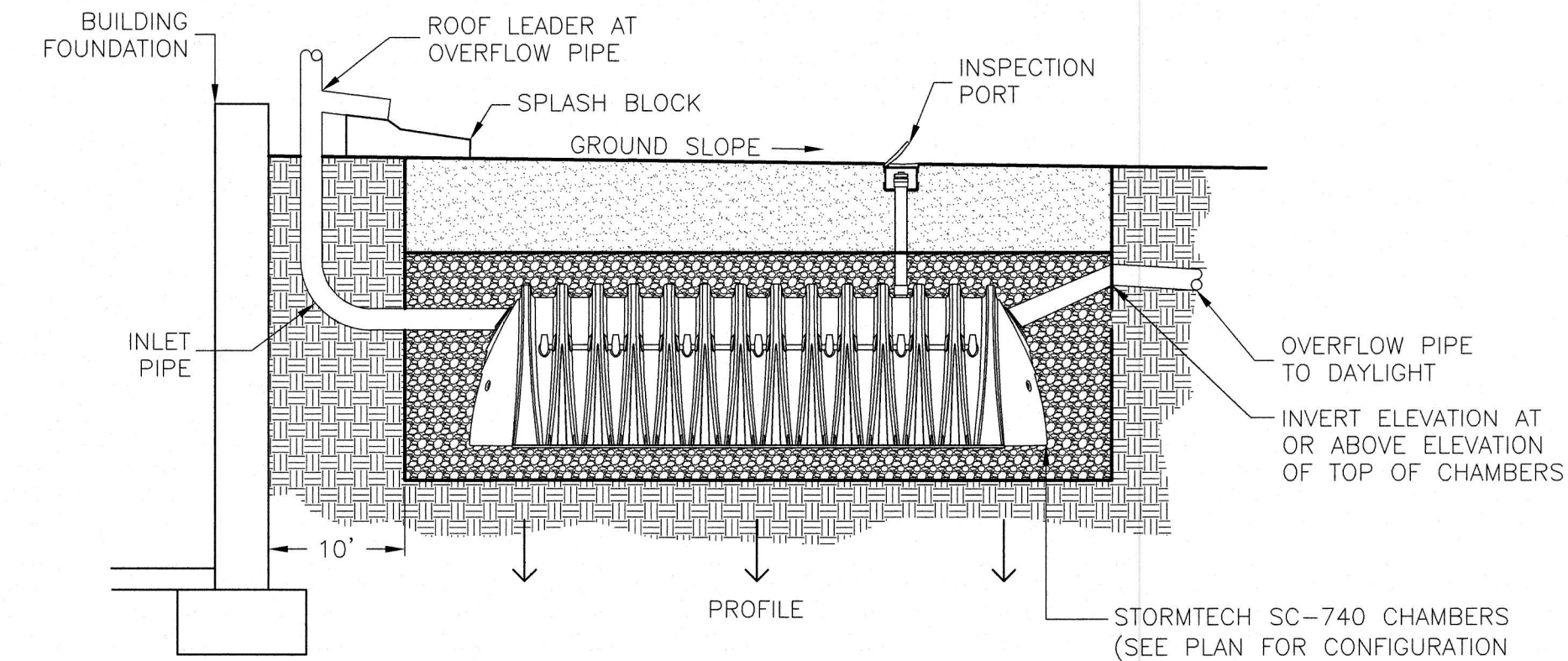
**STORMTECH SC-740 TECHNICAL SPECIFICATIONS**  
NOT TO SCALE



**STORMTECH SC-740 INSPECTION PORT**  
NOT TO SCALE



**INFILTRATION TRENCH FOR DRIVEWAY RUNOFF**  
DETAIL  
DETAIL N.T.S.



**TYPICAL ROOF RECHARGE SYSTEM**  
DETAIL N.T.S.

**INFILTRATION RATES FOR CHAMBERS & TRENCH:**

SANDY LOAM = 1.02 INCHES/HOUR

**DRAWDOWN TIME FOR SUBSURFACE INFILTRATION POND:**

$T_{drawdown} = [R_v \text{ total} / (K)(\text{Bottom Area})]$

$R_v = 333 \text{ CF OF STORAGE REQUIRED}$

$K = 1.02 \text{ in/hr (Rowis Rate)}$

Bottom Area = 196.5 SF

$T_{drawdown} = 333 / [(1.02)(196.5)/12] = 19.9 \text{ hours} < 72 \text{ hours; Okay}$

**DRAWDOWN TIME FOR INFILTRATION TRENCH:**

$T_{drawdown} = [R_v \text{ total} / (K)(\text{Bottom Area})]$

$R_v = 132.7 \text{ CF OF STORAGE REQUIRED}$

$K = 1.02 \text{ in/hr (Rowis Rate)}$

Bottom Area = 57 FT LONG x 3 FT WIDE = 171 SF

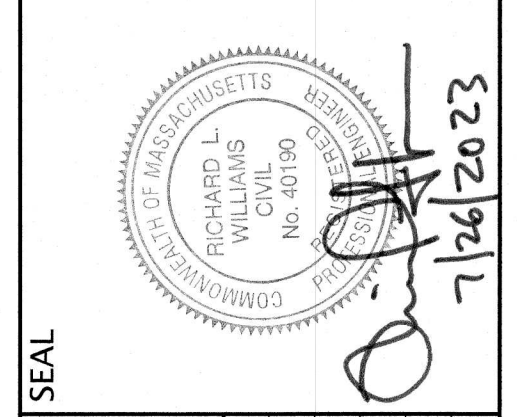
$T_{drawdown} = 132.7 / [(1.02)(171)/12] = 9.1 \text{ hours} < 72 \text{ hours; Okay}$



Owner/Applicant:  
William P. Spalding  
87 Crane Neck Street  
West Newbury, MA 01985

Designed By: CJH  
Drawn By: PMB  
Reviewed By: RLW  
Project Manager: CJH  
Drawing File Number: WNEW-0048  
Drawing File Folder: WNEW48

Drawing Issued for Review  
 Drawing Issued for Permit  
 Drawing Issued for Construction



**COMMON DRIVEWAY & STORMWATER MANAGEMENT PLAN**  
87 CRANE NECK STREET, WEST NEWBURY, MA

6	12
5	11
4	10
3	9
2	8
1	7

SCALE: NONE

JUNE 26, 2023

DRAWING: C-1.2

SHEET 2 OF 2

**TOWN OF WEST NEWBURY PLANNING BOARD  
APPLICATION FOR SPECIAL PERMIT and/or SITE PLAN REVIEW**

Application for:  Special Permit  Site Plan Review  Both

(Adopted December 21, 2011)

Please type or print clearly.

1. Applicant: Brook View Trust (William & Dianne Spalding)

Applicant's Address: 87 Crane Neck Street, West Newbury, MA

Telephone Number: 508-662-0893

2. Owners of the Land: Same as Applicant

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Number of years of Ownership: 29 years

3. Year Lot was Created: 1994

4. Description of Proposed Project, including applicable section(s) of the Zoning Bylaw: Common driveway to service 87 Crane Neck Street (Lot 1) & proposed Lot 2

Special permit under section 7.D. of the Zoning Bylaw

5. Description of Premises: Existing driveway servicing #87 Crane Neck Street, which is an existing single family home

6. Address of Property Affected: 87 Crane Neck Street, West Newbury

Zoning District: Residence A

Assessors: \_\_\_\_\_ Map: R3 Lot #: 14B

Registry of Deeds: \_\_\_\_\_ Book: 40466 Page: 164

Plan Book and Plan Number book 294/page 46

7. Existing Lot:  
Lot Area (sq. ft.) 10.6 Acres

Street Frontage \_\_\_\_\_

Front Setback \_\_\_\_\_

Building Height \_\_\_\_\_

Side Setbacks \_\_\_\_\_

Rear Setback \_\_\_\_\_

Floor Area Ratio \_\_\_\_\_

Lot Coverage \_\_\_\_\_

**8. Proposed Lot (if applicable):**

Lot Area (sq. ft.) \_\_\_\_\_  
Street Frontage \_\_\_\_\_  
Front Setback \_\_\_\_\_  
Floor Area Ratio \_\_\_\_\_

Building Height: \_\_\_\_\_  
Side Setbacks \_\_\_\_\_  
Rear Setback \_\_\_\_\_  
Lot Coverage \_\_\_\_\_

**9. Required Lot (as required by Zoning Bylaw):**

Lot Area (sq. ft.) \_\_\_\_\_  
Street Frontage \_\_\_\_\_  
Front Setback \_\_\_\_\_  
Floor Area Ratio \_\_\_\_\_

Building Height \_\_\_\_\_  
Side Setbacks \_\_\_\_\_  
Rear Setback \_\_\_\_\_  
Lot Coverage \_\_\_\_\_

**10. Existing Building (if applicable):**

Ground Floor (sq.ft.) \_\_\_\_\_  
Total sq. ft. \_\_\_\_\_  
Use: \_\_\_\_\_

# of Floors \_\_\_\_\_  
Height \_\_\_\_\_  
Type of Construction \_\_\_\_\_

**11. Proposed Building:**

Ground Floor (sq.ft.) \_\_\_\_\_  
Total sq. ft. \_\_\_\_\_  
Use: \_\_\_\_\_

# of Floors \_\_\_\_\_  
Height \_\_\_\_\_  
Type of Construction \_\_\_\_\_

**12. Has there been a previous application for a Special Permit or Site Plan Review from the Planning Board on these premises?** none known **If so, when, what type of construction, and the action made?**

\_\_\_\_\_  
\_\_\_\_\_

**13. Applicant and Landowner signature(s):**

Every Application for a Special Permit/Site Plan Review shall be made on this form which is the official form of the Planning Board. Every Application shall be filed with the Town Clerk's Office. It shall be the responsibility of the Applicant to furnish all supporting documentation with this application. The dated copy of this Application received by the Town Clerk or Planning Office does not absolve the Applicant from this responsibility. The Applicant shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Planning Board Regulations, may result in a dismissal by the Planning Board of this Application as incomplete.

Applicant's Signature: 

Print or type name here: WILLIAM P. SPADING

Date: \_\_\_\_\_

Owner's Signature:



Print or type name here:

WILLIAM P. STALORING

Date: \_\_\_\_\_

Following are Questions posed by Dodson & Flinker to help the consultant team move concept plans forward and draft zoning regulations.

- **How many districts should be created for MBTA compliance and which lot(s)?**
- **Should portions of 331 and 333 Main (Nathan Dennis properties) and 347 Main (Buschur and Hawkins property) be included in a MBTA Compliant District with Dunn?** *Dodson & Flinker think that 331 and 333 Main probably have the most value if they are used in combination with either Dunn or 347 Main. We know 331 Main has perc'ed successfully and that may be its best use. A street connection across all three properties--ideally connecting to Daley Drive--would be a big win. A connected street is more likely if all of the parcels have more development potential.*
- **Do you support the idea of rezoning the remainder of lot(s) that will have 6-acre MBTA zones?** *We mean rezoning with traditional zoning that is not intended for MBTA compliance. Here are some potential zoning revisions: moderately increasing the allowed density; ensuring that the remainder of lots with MBTA zones can be used for septic, stormwater facilities, and open space associated with development in an MBTA zone.*
- **Do you support rezoning the frontage lots along the south side of 113 from Dunn to Daley Drive?** *This would not be for MBTA compliance. The zoning changes would be intended to facilitate conversion of existing houses to multi-family. The town could allow conversion of existing historic structures to multi-family, either by right (with site plan review) or by special permit.*
- **Should the Business District Zone be expanded as part of this project, even though it wouldn't be included for MBTA compliance?** *For example, do you want to encourage commercial or mixed-use in the front portion of Dunn that is not currently included in the business district? Does the Business district need other zoning revisions to make business and/or mixed-use more viable and ensure high quality future development?*
- **Do you have comments on Dodson & Flinker's concept plans? Do they represent a good vision for development in these areas (given the density requirements of MBTA zoning)?** *All of the concept plans try to create places where buildings are organized around coherent streets and shared open spaces. They incorporate shared open spaces. Buildings are close together to provide larger open space elsewhere. Parking is hidden behind buildings, where possible. Multiple building types are incorporated into one project. Remember, Dodson & Flinker plans to base the zoning on the concept plans, so they want to make sure the concept plans show what the town wants.*



# WEST NEWBURY HOUSING OPPORTUNITIES INITIATIVE PLANNING BOARD PUBLIC FORUM #2 SEPTEMBER 5, 2023, 7-9PM MEETING NOTES

## Presentation

The meeting began with a presentation by Dodson & Flinker, the Town's consultants for this project. Dillon Sussman presented a brief overview of the work to date on the project. Peter Flinker presented scenarios for development on sites that have been previously identified by the planning process as having potential for multi-family zoning districts to comply with the MBTA Communities Law. The scenarios showed speculative development ideas on the Mullen Property, the Knapp Greenhouse property, and the Dunn Greenhouse Property. These speculative scenarios were commissioned by the town and are intended only to inform the development of zoning districts and standards. No actual development proposals are currently on the table.

Peter showed two concept plans for an approximately 6-acre portion of each site. (5.8 acres is the minimum size zoning district that meets West Newbury's MBTA Communities Law unit capacity requirement of 87 units at a density of 15 units per acre). For each site, the first concept plan showed development of approximately 90 units at 15 units per acre—or full build out under MBTA communities compliant zoning. However, housing is unlikely to be built at this density in West Newbury due to wastewater constraints. A development of this size requires a wastewater treatment plant, which is very expensive and may not be financially feasible for a 90-unit development. The second concept plan for each site showed a 90-bedroom build out. 90 bedrooms is the maximum size of development that can be permitted under Title V septic requirements. This scale of development is more likely in West Newbury.

Following the presentation of development scenarios, Dillon Sussman presented options for zoning changes that would meet Town goals while complying with 3A/MBTA Communities Law. Some of the zoning approaches that were shown go beyond the minimum requirements of the MBTA Communities Law. They were included because feedback from the Planning Board and some members of the community has indicated that there is a strong need for more diverse housing in West Newbury and support for zoning changes to enable it.

## Discussion

After the presentation, members of the Planning Board and the general public asked questions to staff from Dodson & Flinker, made comments, and engaged in a discussion as recorded below.

- Trescott Lambert: why are we rounding up from 87 to 90 units and from 5.8 to 6 acres?
- Answer from Dodson & Flinker: For ease of communication.
- Amy Lance: Why is there no plan for 331 Main Street?
- Answer from Dodson & Flinker: For this meeting, we decided to illustrate concept plans on sites that have been previously explored in the public process for this project.
- David Houlden: How are the soils on the Knapp & Dunn properties?









# Haverhill

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

September 7, 2023

## 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, September 26 2023 at 7:00 PM on a request from Attorney Michael Migliori for applicant JCG Investments to build 6 Condos for residential housing at 94 Gile st in the RM Zone.

(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link 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.

Advertise: September 7 and September 14 2023  
Haverhill Tribune

Kaitlin M Wright  
City Clerk

## PROPOSED ACCESSORY DWELLING UNIT BYLAW

### Additions to Section 2

#### New Section 4.2.4

To see if the Town will vote to amend the Zoning Bylaw of the Town of West Newbury, Massachusetts by striking the language below in italics and shown as struck through and adding the language in bold and underlined as follows, and further to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the Zoning Bylaw, or take any action relative thereto:

### Section 2. Definitions

**ACCESSORY DWELLING UNIT – A subordinate Dwelling Unit within, attached to, or detached from, an existing Single-Family Dwelling and as further defined in Section 4.2.4.**

**SINGLE-FAMILY DWELLING – A building designed or used exclusively as a residence and including only one principal Dwelling Unit.**

#### **Section 4.2.4. Accessory Dwelling Unit subject to and incompliance with the following:**

- a. **Purpose: This section authorizing the provision of Accessory Dwelling Units is intended to:**
  - o **Increase the number of small Dwelling Units available in the Town;**
  - o **Increase the diversity of housing that may serve the needs of the current and future population of the Town including, but not limited to, young adults and senior citizens;**
  - o **Provide homeowners with a means of obtaining rental income; and**
  - o **Encourage a more economic and efficient use of the Town's housing supply while respecting the residential character of West Newbury's neighborhoods.**
  
- b. **Use and Dimensional Regulations**
  - i. **The Building Inspector may issue a Building Permit authorizing the installation and use of an Accessory Dwelling Unit within an existing or new owner-occupied, Single-Family Dwelling, or in an existing or new structure accessory to an owner-occupied Single-Family Dwelling,**

**whether attached or detached, provided that it satisfies the requirements of this Section 4.2.4. and dimensional (Intensity of Use) requirements of Section 5.**

- (1) **The Accessory Dwelling Unit will be a complete, separate Dwelling Unit that maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress.**
- (2) **The Floor Area of an Accessory Dwelling Unit shall be no greater than ½ the floor area of the principal dwelling or nine hundred (900) square feet, whichever is smaller.**
- (3) **The owners(s) of the Single-Family Dwelling must continue to occupy at least one of the Dwelling Units as their primary residence, except for temporary absences per 4.2.4.b.iii.**
- (4) **The owners(s) of the Single-Family Dwelling must continue to occupy at least one of the Dwelling Units as their primary residence, except for temporary absences per 4.2.4.b.iii.**
- (5) **Any new separate outside entrance serving an Accessory Dwelling Unit shall be clearly secondary to the entrance of the principal Single-Family Dwelling.**
- (6) **No new curb cuts shall be allowed for an Accessory Dwelling Unit.**
- (7) **Adequate off-street parking shall be provided for the Accessory Dwelling Unit**
- (8) **The Accessory Dwelling Unit is intended to be an accessory use and the Accessory Dwelling Unit, the principal Single-Family Dwelling and the Lot shall be held by the same owner.**

**ii. Prior to issuance of a Building Permit, the owner must submit an affidavit to the Building Inspector stating that they will occupy one of the dwelling units on the Lot as their primary residence.**

**iii. An absence of six months each year will not constitute a violation of this bylaw.**

**iv. When a Lot with an Accessory Dwelling Unit is sold, the new owner, if they wish to continue use of the Accessory Dwelling Unit, must within sixty (60) days of the sale, submit an affidavit to the Building Inspector stating that they will occupy one of the dwelling units on the Lot as their primary residence.**

**c. Special Permit**

**Accessory Dwelling Units exceeding floor area or curb cut limitations may be allowed by Special Permit from the Planning Board per section 11.2. of the West Newbury Zoning Bylaws.**