

West Newbury Planning Board Meeting
MINUTES
November 19, 2019

Pursuant to a meeting notice posted by the Town Clerk that was delivered to all Board members, a meeting of the West Newbury Planning Board was held on November 19, 2019 at 7:00pm in the Planning Office at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Ray Cook, Tim Cronin and Brian Murphey and Associate Member Wendy Reed were present. Town Planner Leah Zambenardi and David Kelley from Meridian Engineering were also present. Member Richard Bridges was not in attendance

Call to Order

Murphy called the meeting to order at 7:03 PM.

Subdivision Approval Not Required Plan (SANR) – 80 & 82 Church Street – Patrick Corcoran and Renee Larkin-Corcoran

Attorney John Ryan III and Engineer Ed Dixon were in attendance on behalf of the applicant. The proposal is to convey a small triangular parcel from 80 to 82 Church Street. Zambenardi had reviewed the plan and found it to be in compliance with Zoning and Subdivision Regulations for ANR plans. Attorney Ryan stated that this same plan was filed at the Registry of Deeds in 2008 but did not include Planning Board Member's signatures. There are deeds on record reflecting the land transfer. This came to light as one of the properties is now being sold. A plan is now being filed to clear up this issue.

Attorney Ryan explained the history, issues, and asked for the Board to accept the ANR of 10 years ago. The Board examined the plan. Ryan supplied copies of the earlier plan and noted that there are no dimensional changes between the two maps. Murphey asked Zambenardi for her input. She had asked that trees to be included in the revised plan, which was done.

Murphey moved endorse the plan as one not requiring approval under the Subdivision Control Law, Bardeen seconded. The motion carried 5-0. Board Members then signed the plan.

Documents reviewed:

80 & 82 Church ANR, Prepared for John Ryan III, Esq. by Hancock Associates

Sullivan's Court Extension

Developer Tom Neve updated the Board on project status. He asked for a partial bond release, leaving funds for remaining work - \$10,000 for trail completion and \$700 for a beehive grate. He stated that he was in receipt of an inspection report by David Kelley, which noted that gravel shoulders still need to be installed and that work is needed on the culvert under the Lot 6 driveway. Zambenardi requested that as-built and street acceptance plans be submitted prior to the final bond release. Mr. Neve hopes to meet with David Kelley and the Conservation Commission Agent to get more clarification on what is needed on the Lot 6 culvert. He added that he would like to put up a guardrail at that location for safety reasons. Murphey acknowledged Neve's good faith efforts, but was not in favor of releasing bond funds at this time.

Murphey moved to release up to \$8,500 of the performance bond due to Tom Neve pending an approval letter or email from David Kelley with respect to the gravel shoulders and any other incomplete work.

Cook seconded the motion. Discussion: Cronin noted that the Conservation Commission must approve the bridge plans prior to bridge construction at the trail. The motion carried 5-0.

Neve submitted a check in the amount of \$3,500 for peer review services.

Scott Brown representing the Sullivan's Court Lot 3 owners, noted their concerns about drainage and the work completion dates. He stated that the finished work would be consistent with the approved plans, and that the current grading is temporary. He stated that a septic system still needs to be installed. He noted that a beehive grate is required and that the existing drain is not functional. He suggested its immediate installation. Neve disagreed, citing the late seasonal date. Murphey noted the drain was critical and suggested that questions be submitted to David Kelley. Kelley interjected and reviewed his recommendations for the site. He stated that erosion control needs to be installed to keep sediment from entering the retention basin. He noted that jute netting had been installed, but stopped short of the retention basin. He stated that the catch basin should be capped and filled in for the winter and that the beehive should be installed in the spring when the drainage system is anticipated to become active. Brown stated he misunderstood and that he would work with Kelley to get the correct information to the contractor on what needs to be done.

Documents Reviewed:

All documents created and received by the Planning Board on the matter.

Letter (via Email) from Meridian Associates to West Newbury Planning Board regarding Definitive Subdivision - Sullivan's Court Extension Release of Funds, Sullivan's Court Extension West Newbury, Massachusetts, dated 11/5/19.

Photographs of drainage issues contiguous to Lot 3 taken by Lot 3 owners.

Discussion of Work Planning/Prioritization (Zoning Bylaw Housekeeping)

The Board continued its review the Zoning bylaw recommendations prepared in 2011-2012. Zambenardi will contact the Board of Health regarding the jurisdiction of the keeping of pets and grazing animals, currently included in the Zoning Bylaws. Zambenardi will ask Town Counsel about changing the term "private residence" to "lodging." She noted the Selectmen had been looking at Airbnb issues, and suggested any changes to zoning language follow their examination of the issue. Cronin suggested Zambenardi review Newburyport's Airbnb regulations.

Bardeen suggested that the Commonwealth of Mass. may have applicable definitions. Murphey asked the Board to continue the review to a later date.

General Business

Updates

Murphey noted that the Pentucket Regional School District Building Project is scheduled to begin on Dec. 3. He will review one set of plans; additional copies will be ordered for the Planning Office and for Board review. The plans are also in the Planning Board Dropbox. Reed reported that three school abutters had attended a recent Conservation Commission meeting; but one reported that he had not received an abutters notice. Murphey stated that a land swap with an abutter is also being discussed at this point. An ANR will be filed eventually for this.

Vouchers

The Chair signed vouchers for the following: Meridian for Drake's Landing, Sullivan's Court, Dropbox annual charge, Certificate of Vote for Drake's Landing D unit, and current payroll.

Minutes

No minutes were reviewed.

Correspondence

There was no correspondence to review.

Administrative Detail

The Board signed the Certificate of Vote for Drakes Landing Minor Modification to D-Unit. Zambenardi stated that the Administrative Assistant prepared a draft of the 2020 Meeting Calendar, which will be placed on a later agenda for Board review. She stated that she will prepare a draft of the Annual Report for Board review at a later date.

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

There were no items.

Adjournment

Cronin moved to adjourn the meeting at 9:12PM. Murphey seconded and the motion carried 5-0.

Respectfully submitted,

Kathryn C. Carr
Recording Secretary