



# TOWN OF WEST NEWBURY

381 Main Street, West Newbury, MA 01985

## ZONING BOARD OF APPEALS APPROVED MEETING MINUTES 6-2-20

ZBA Members attending: Paul Kelly (Chair), Patrick Higgins (Member), William Bachrach (Member), Judith Gregg (Member), Richard Davies (Member) and Dennis Lucey (Associate Member).

Absent members: None

Meeting was called to order at 4:10 PM. Meeting was by remote participation. Meeting was recorded.

1. Mike McCarron advised all ZBA meetings should be recorded to support the Mullin Rule, whereby any member who misses one meeting can review details of that meeting and attest to this review. This will preserve the member's future right to vote.
2. Angus Jennings introduced to the board Jon Witten of KP Law. The town has engaged Atty Witten to consult on matters related to Comprehensive Permits.
3. The town's "Comprehensive Permit Rules" were reviewed and revised by Angus Jennings, Sam Joselin, Mike McCarron, and Jon Witten. The revisions were addressed with the board resulting in additional changes suggested for inclusion.
4. Upon approval, the revised rules will replace the existing rules in their entirety. The revised rules will be filed with the Town Clerk. The rules will remain as current until they are again revised, approved by the board, and filed with the town clerk.
5. A developer can obtain a Project Application Package from Sam Joselin, the town's Building Inspector.
6. The ZBA has the right at any time to add or delete documents requested of the developer.
7. Member Pat Higgins agreed to review further all subdivision rules and regulations, and will suggest changes as needed.
8. Member Bill Bachrach had several questions about Pro Forma financials requested of the developer. It was noted that the ZBA generally hires a financial expert to assist with the review of the financials. The Pro Forma looks at the financial info at the start of the project. The ZBA can request updated Pro Forma Financials as the project progresses.

9. The ZBA discussed "uneconomic" conditions and was cautioned that Mass Housing is sympathetic to developers when board waivers are refused creating an uneconomic condition for the developer.
  10. Angus Jennings and Sam Joslin will make available to the public by June 4<sup>th</sup> a DRAFT of the revised regulations.
  11. Minutes of the 5/19/20 ZBA meeting were reviewed with suggestions for corrections. The minutes however were not approved, but postponed for additional review and approval at a future meeting.
  12. A hearing date for the public to review revised rules and regulations will be set for June 11<sup>th</sup>. Additional revisions will be accepted at this time.
- The meeting was adjourned at 6:50 P.M.

Respectfully submitted,  
*Judith D. Gregg*  
Judy Gregg  
ZBA Board Member