

## **Meeting Minutes Planning Board**

Wednesday, October 19, 2022  
Virtual Meeting via Zoom

*Final – Approved April 19, 2023*

**Members Present:** Larry Murphy, Chair; Peter Paicos; Woody Knight; Leslie Matthews; George Morse; Mary Stohn (Associate Member)  
**Staff Present:** Martha Taylor, Planning Director

Chair Larry Murphy opened the Planning Board meeting at 7:00 p.m. and verified that all members and persons expected to be present were in attendance.

He then announced that this October 19, 2022 Open Meeting of the Newbury Planning Board was being conducted remotely in accordance with Chapter 107 of the Acts of 2022, 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, 2023. This Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location and allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. L. Murphy stated that the Planning Board was convening by video conference via Zoom, as posted on the Planning Board's agenda, and provided information on how people could view and join the Zoom meeting and participate when public comment was invited. He concluded by stating that each vote taken in the meeting would be conducted by roll call vote.

Following the opening remarks, L. Murphy turned to the agenda.

### **A. Liaison Reports:**

1. Select Board: L. Matthews reported that discussion at the October 11, 2022, Select Board meeting included: Announcement of Police Chief John Lucey's retirement, effective December 7, 2022; a proposal by D. Packer and T. Blais to provide an additional real estate tax exemption for disabled veterans and Purple Heart recipients; a request from the Library for ARPA funds to purchase a generator, which will allow the Library to serve as an emergency heating and cooling station for residents; appointment of a new member to the Recreation Committee; and a report from SB Members Heavey and Walker on the recent DCC meeting.
2. ZBA: L. Murphy reported that the agenda for the October ZBA meeting, which was scheduled for the next evening, October 20, included a continued public hearing on an application for a Special Permit/Finding for property at 17 10<sup>th</sup> Street and two new public hearings for Special Permit/Findings for 80 Northern Blvd. and 6 Girard Way. He noted also that ZBA member Elaine Baker has submitted her resignation and the Board will be discussing a recommendation to the Select Board for someone to be appointed to replace her.
3. Conservation Commission: P. Paicos reported on the October 18, 2022, Conservation Commission meeting and noted that the main item of interest for the Planning Board was the hearing on 140R Main St., which was continued.
4. MVPC: M. Taylor reported that she had attended an Economic Development meeting related to MVPC's update of the Community and Economic Development Strategy (CEDS) plan – the primary focus of the meeting was data regarding housing and transportation in the region. She noted that the MVPC Commissioner's October meeting was scheduled for the next day and that the October 27 Planners meeting would be the kick-off meeting for the update of the Housing Production Plan.

**B. Planning Director's Report:** M. Taylor reported that she had attended the fifth session of MHP's webinar series on MBTA Communities Multi-Family Housing – it included information required for the Action Plan, which is due January 31, 2023, and a presentation on tools that can be used in shaping the districts and determining where they should be located, including DataTown, which has demographic information for each municipality in Massachusetts, and "Residency," which will aid in analyzing existing density and will be released in a few weeks. She then updated the Board on the 108 Main Street Subdivision –John Colantoni is continuing to focus on the Parish Road development in Georgetown and will let her know when he intends to re-start construction at 108 Main St. She requested that Joe Serwatka and Samantha Holt look at the site to see if anything needs to be stabilized – both reported that it seems to be in pretty good shape.

**C. Meeting Minutes:**

**Motion:** A motion was made by L. Matthews and seconded by W. Knight to approve the meeting minutes of May 18, 2022, as written. There was no discussion on the motion. A roll call vote was taken: L. Matthews, yes; W. Knight, yes; L. Murphy, yes; G. Morse, abstain; P. Paicos, abstain, as he was not present at that meeting.

**D. Public Hearing (Continuance): Special Permit Modification Application, 140R Main Street (Map R41, Lot 42), requesting modification of the Special Permit granted to Borrego Solar Systems, Inc., on May 16, 2018, to allow construction of a utility access road, including a bridge, in the location of an existing cart path; Applicant: New Leaf Energy; Owner: Karen E. Yesair Thiel and Kavy N. Yesair, Successor Trustees of the Ruth A. Yesair Trust, 138 Main Street, Byfield, MA 01922.**

At 7:15, L. Murphy announced that Rob Roseen, Waterstone Engineering, had submitted a written request asking the Board to continue the public hearing to consider the Special Permit Modification Application for construction of a proposed utility access road at the ground-mounted solar installation at 140R Main Street to November 2, 2022, to allow for more time to make revisions to the Plans. The Board voted to continue the public hearing and there was no discussion on this Application.

**Motion:** A motion was made by P. Paicos and seconded by G. Morse to continue the public hearing on the Special Permit Modification Application for construction of a utility access road, including a bridge, for the Ground-Mounted Solar Photovoltaic Installation, 140R Main Street, Applicant: New Leaf Energy; Owner: Karen E. Yesair Thiel and Kavy N. Yesair, Successor Trustees of the Ruth A. Yesair Trust, to Wednesday, November 2, 2022, at 7:15 p.m. via Zoom. There was no discussion on the motion. A roll call vote was taken: P. Paicos, yes; G. Morse, yes; L. Matthews, yes; W. Knight, yes; L. Murphy, yes.

There being no further business, L. Murphy called for a motion to adjourn.

**Motion:** A motion was made by L. Matthews and seconded by W. Knight to adjourn the Planning Board meeting. There was no discussion on the motion. A roll call vote was taken: P. Paicos, yes; G. Morse, yes; L. Matthews, yes; W. Knight, yes; L. Murphy, yes. The meeting was adjourned at 7:19 p.m.

Respectfully Submitted,

Martha Taylor  
Planning Director