

Meeting Minutes
Newbury Planning Board
Wednesday, January 3, 2024

FINAL – Approved February 7, 2024

Planning Board Chair Larry Murphy opened the January 3, 2024 Newbury Planning Board (PB) workshop at 3:07p.m. in the 2nd Flooring Hearing Room of the Newbury Town Offices at 12 Kent Way, Byfield, MA. Planning Board members present when the meeting opened included Woody Knight, Mary Stohn, Scott Kinter, and Larry Murphy. Planning Director Martha Taylor, Assistant Planner Kristen Grubbs, and Ian Burns of the Merrimack Valley Planning Commission were also present. Planning Board member Peter Paicos arrived at 3:09pm.

Murphy reviewed the process required for putting zoning bylaw amendment articles on a Town Meeting Warrant, explaining the Board was gathered in person for the workshop to discuss articles to be brought to the Spring 2024 Annual Town Meeting. Murphy welcomed Burns, who turned to discussion of the MBTA Communities Multi-Family Zoning proposals for the Town of Newbury. Burns reminded the Board of the previous presentations and discussions.

Burns walked through a description of the parcels currently under consideration for inclusion in the proposed overlay zoning district allowing multi-family housing by right. The proposed district in the North section of Newbury includes parcels located along Route 1 proximate to the Newburyport MBTA station and on Hanover Street near to Newbury Elementary School. Parcels proposed for the South district in Newbury include lots in Byfield located near Route 95 on Kent Way and on Central Street. A fifth subdistrict for consideration includes a parcel located on Scotland Road near to the municipal boundary with Newburyport.

Burns reminded the Board that this project is focused on zoning for multi-family districts—not production, and, as such, does not require that parcels demonstrate access to public water or sewer nor have proven septic capabilities. He also explained that each subdistrict of the proposed overlay district can include specific parameters around design and other site characteristics, including, for example, a requirement for 40% of the parcel to remain open space, setbacks, height restrictions, and parking requirements. The regulation allows a community to choose to include an affordable housing requirement, such that up to 10% of units on a developed site to be affordable for 80% of the Area Median Income. The Town can also develop design standards and other site guidelines in regulations (separate from the bylaw), which can incentivize aspects of a project, including but not limited to higher affordability requirements, green energy design, or increased open space.

Board members discussed different parcels proposed to be include in the overlay district, considering pros and any cons. Discussion included conversation about how this initiative fits in with the Town’s recently adopted Master Plan, emphasizing that the Town has control about where to implement this zoning and to consider design guidelines to fit housing in the character of the Town, discussing considerations such as roof height and restrictions on the number of floors in a multi-family structure.

The Board identified the need for developing a communications plan to help in educating and engaging the public in advance of Town Meeting. There will be public hearings with the Planning Board and Select Board. Burns offered to hold drop-in hours for information sessions if helpful. Communications could also include social media, a mailer to residents, and additional info sessions.

Ian Burns departed the meeting at approximately 4:25pm.

The Board members discussed the two other articles proposed for the 2024 Annual Town Meeting warrant:

- Wireless Communications Facilities – Proposed expansion of Wireless Communications Tower District (WCTD)

Taylor explained that the addition of new parcels to the wireless communication district is being proposed so as to improve gaps in cellular service near the Triton High School on Elm Street in Byfield and along High Road (Route 1A) in Old Town Newbury. Zoning additional parcels for inclusion in the wireless overlay district will allow phone companies the ability to apply for a special permit to install new towers. Adding towers would both address safety concerns arising from the lack of service and “dead zones”, and would also potentially bring new revenue to the Town or to the Triton School District.

- Water Supply Protection Overlay District (WSPOD) – Proposed correction of inaccurate references and inconsistencies in WSPOD By-Law

Taylor explained that there are housekeeping corrections needed to the language in the Water Supply Protection District section of the zoning bylaw. The section was originally written and passed by Town Meeting in 1999. The Board suggested that the bylaw revisions be reviewed by Town Counsel as part of the overall housekeeping review of the bylaw.

Motion: Knight made a motion to accept as written the Planning Board Minutes from meetings held on December 6, 2023 and December 20, 2023. Stohn seconded the motion. Members voted: Knight, yes; Stohn, yes; Kinter, yes; Murphy, yes. Paicos abstained.

Motion: Paicos made a motion to adjourn the meeting. Kinter seconded the motion. Members voted: Paicos, yes; Knight, yes; Stohn, yes; Kinter, yes; Murphy, yes.

The meeting was adjourned at 4:52 pm.

Respectfully Submitted,

Kristen Grubbs
Assistant Planner