

Meeting Minutes
Newbury Planning Board
Wednesday, April 3, 2024
Virtual Meeting via Zoom

FINAL – approved April 17, 2024

Planning Board (PB) Chair Larry Murphy opened the April 3, 2024 Newbury Planning Board (PB) meeting at 7:00 p.m. Murphy took a roll call of Planning Board members present: Paicos, yes; Knight, yes; Stohn, yes; Murphy, yes; Associate Member Mangion, yes. Member Scott Kinter was not yet in attendance. Planning Director Martha Taylor and Assistant Planner Kristen Grubbs were present and stated so. Murphy welcomed other attendees.

Opening Statement from Chair: Murphy announced that this April 3, 2024 Open Meeting of the Newbury Planning Board was being conducted remotely in accordance with Chapter 2 of the Acts of 2023, 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, 2025. 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. 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. Murphy then described the ground rules and guidelines for the meeting proceedings and public participation. He concluded by stating that each vote taken in the meeting would be conducted by roll call vote.

Following these opening remarks, Murphy turned to the first agenda item.

ANRs/Submissions:

- Everett Chandler, Winter GEC, LLC: Submission of ANR Plan for Proposed Lot Line Changes between 53 Larkin Road, Map R19, Lot 70, and 55 Larkin Road, Map R19, Lot 1; Owner/Applicant (53 Larkin Road): Allen P. Rogers, Jr., & Nancy J. Rogers; Owner (55 Larkin Road): Larkin Road Realty Trust, Allen P. Rogers, Jr., Trustee

The plan was not submitted in time so the Planning Board passed over this item.

Monthly Financial Report: Murphy read the Planning Board’s March 2024 report into the record.

New Business:

- Overview of proposed revisions to *Chapter 117 Subdivision of Land* and to *Site Plan Review Submission Requirements and Procedures*; set public hearing date

Taylor explained that the Town had been notified that some of its regulations and bylaws related to stormwater management are not in compliance with the EPA’s “MS4” permit and require modifications. Taylor shared her screen to review a redlined version of the regs and bylaws submitted by the consultant who assists the Town’s DPW Department with the requirements of the MS4 program. Both the Site Plan Review submission requirements and procedures, and the Subdivision regulations require updates, which must proceed through a public hearing. There are also updates required for some of the Town’s bylaws (zoning, stormwater, and wetlands); however, these changes will require Town Meeting approval at a future date, as the deadline has passed for warrant articles on the April 30, 2024 Town Meeting.

Motion: Paicos made a motion to set the public hearing for the required updates to the regulations as May 15, 2024, at 7:15pm via Zoom. Knight seconded the motion. Members voted all in favor: Paicos, yes; Knight, yes; Stohn, yes; Murphy, yes.

- Discussion re. addition of Public Comment segment to Planning Board Agendas

Murphy opened a discussion on ways the Planning Board could modify the procedures for allowing public participation and comments during a public meeting. Language used by the Select Board and the Finance Committee was reviewed. Board members took a straw poll that they were all in support of clarifying the process and timing for public comments and encouraging public participation. Murphy and Taylor will work together to develop language and seek review of Town Counsel, and bring the proposal back to the Board.

Old Business: There was no Old Business.

Liaison & Meeting Reports:

- Select Board (SB): Taylor reported that the SB met on March 26. There were lots of clam licenses and a discussion of the regional committee that has formed to review the Whittier School regional and municipal agreements.
- ZBA: Murphy reported that the ZBA has not met since the last meeting in mid-March.
- Conservation: Knight reported that the Commission had a full meeting. One of the lots formed from the ANR approved by the Planning Board at 17 Main Street is before the Commission.

Scott Kinter joined the meeting at 7:25pm.

- MVPC: Taylor reported that the Commissioners met and discussed the TIP/STIP transportation plans. The MVPC regional planners' meeting included program updates from MVPC staff.

Planning Director's Report: Taylor reported that the Finance Committee met to review the financial impacts of warrant articles on the Annual Town Meeting April 30, 2024 Warrant. The FinCom voted 6-1-0 to recommend approval of the Article #14, Multi-Family Zoning Overlay District proposal, recognizing that there are negative financial implications of the Town for non-compliance. Staff are working with MVPC to plan outreach materials and additional information sessions leading up to Town Meeting. Taylor updated the Board on a couple new permitting projects that will be coming to future PB meetings, the Sunset Club on Plum Island Boulevard and a potential subdivision on Forest Street. The 68 Green St subdivision is finalizing construction with stormwater improvements and moving the project towards close-out. Grubbs updated the committee about some of the active transportation and "Safe Streets for All" projects moving forward with MVPC which will be seeking more local public input in the weeks to come.

Planning Board Meeting Minutes

Motion: Stohn moved to approve the March 6, 2024 meeting minutes as presented. Knight seconded. Members voted all in favor: Paicos, yes; Knight, yes; Stohn, yes; Kinter, yes; Murphy, yes.

The March 20, 2024 Minutes were not yet available for review.

Motion: Stohn moved to adjourn the meeting. Kinter seconded. Members voted all in favor: Paicos, yes; Knight, yes; Stohn, yes; Kinter, yes; Murphy, yes.

The meeting was adjourned at 7:48pm.

Respectfully Submitted,

Kristen Grubbs
Assistant Planner

Materials reviewed at the meeting:

- Proposed edits to site plan review and subdivision regulations required for the Town to comply with the EPA MS4 stormwater permit
- Select Board and Finance Committee agenda language regarding public comment

The Video archives of this meeting can be viewed here:

https://www.youtube.com/watch?v=RNq_sD24fsM&list=PLOXz2PtcuxoBefxzxTF9hNzSkSpWUgDxM&index=1