

Meeting Minutes
Planning Board
Wednesday, July 17, 2019
Newbury Municipal Offices

APPROVED

Members Present: Rachel McManus, Chair; Larry Murphy; Leslie Matthews; George Morse; Peter Paicos
Staff Present: Martha Taylor, Town Planner

Rachel McManus, Chair, called the meeting to order at 6:45 p.m.

A. Town Planner Report

M. Taylor reported that she received a letter to formally notify the Town of Newbury that a request for site approval has been made by Cricket Lane LLC under Mass Housing's New England Fund program for development of a 24-unit 40B at 55 Rear Pearson Drive. M. Taylor said that the process will not officially start until they receive a letter from the subsidizing agency, in this case is Mass Housing, then they will have 30 days to submit town comments. The Developer is Walter Ericson. He has done four 40B developments to date. As far as they can tell it is just a transference of the previous project.

M. Taylor reported that they received a request to come before the Board at the next meeting from Mark DePiero to discuss a subdivision at 105 High Road.

B. Public Hearing - Walk My Paws, LLC, Special Permit Application for "Animal Daycare – daytime only" (dog training and dog playcare), 90 Newburyport Turnpike, Map R36, Lot 19; Property Owner: 86 Newburyport Turnpike Realty Trust, Anthony Barbiris, Trustee; Business Owner/Applicant: Felice Bonfa, Walk My Paws, LLC

R. McManus opened the continued public hearing for the Walk My Paws, LLC, Special Permit Application for "Animal Daycare – daytime only" (dog training and dog play care) at 6:50 p.m.

R. McManus read the public hearing notice.

Felice Bonfa, Walk My Paws, came before the Board and said that everything in the decision looked good and as they discussed.

The Board had no comments.

P. Paicos confirmed some of the details with F. Bonfa including the number of dogs allowed on the premises at one time and the hours of operation.

Motion: a motion was made by L. Murphy and seconded by G. Morse to close the public hearing for Walk My Paws, LLC, Special Permit Application for "Animal Daycare – daytime only" (dog training and dog playcare), 90 Newburyport Turnpike, Map R36, Lot 19; Property Owner: 86 Newburyport Turnpike Realty Trust, Anthony Barbiris, Trustee;

Business Owner/Applicant: Felice Bonfa, Walk My Paws, LLC. The motion passed unanimously.

Motion: A motion was made by L. Murphy and seconded by L. Matthews to approve the decision as written and grant the Special Permit for Walk My Paws, LLC, Special Permit Application for “Animal Daycare – daytime only” (dog training and dog playcare), 90 Newburyport Turnpike, Map R36, Lot 19; Property Owner: 86 Newburyport Turnpike Realty Trust, Anthony Barbiris, Trustee; Business Owner/Applicant: Felice Bonfa, Walk My Paws, LLC. The motion passed unanimously.

C. Town Planner Report Continued

M. Taylor said that she did not make it to the FEMA meeting the day before – she had been planning on sharing the maps with the Board at the meeting and will share them when she receives them. M. Taylor said she registered for a webinar on Solar Siting in Massachusetts. M. Taylor said that the Trustees of the property at 277 High Road, for which the Board had endorsed an ANR Plan in November 2018, appealed the Board’s opinion that they would need a variance for the lot with the House and Barn on it because the setbacks were not sufficient. The appeal was successful based on some ambiguous language in the Town’s by-laws. M. Taylor said that her hope is to amend this language at the next Town meeting.

D. Old Business: Update on Proposed By-Law Revision: Wireless Communications Services Overlay District (requested by Board of Selectmen)

M. Taylor listed the different consultants that had been recommended to her. One came up a few times and she received a message directly from that consultant as well. M. Taylor also received two examples of wireless bylaws, one from Tewksbury and one from Lynnfield. R. McManus said that the consultant that contacted M. Taylor seems to do what they really need help with.

E. Liaison Reports

M. Taylor reported on the last Board of Selectmen meeting.

F. Continued Public Hearing – Site Plan Review Application, Newbury Police Station, 7 & 7R Morgan Avenue, Map U06, Lots 2 & 3; Applicant/Owner: Town of Newbury

R. McManus opened the continued public hearing at 7:15p.m.

Zeljko Tonic, Context Architects, project manager, came before the Board to present updated documents. The updates were based on previous Planning Board and Conservation Commission comments and were minor. These changes include the specifics of the Knotweed eradication.

The minor changes include the removal of the indicated snow storage on the North side. The snow storage is limited to the swale between the parking lot and the fire station. The other modification would be the inclusion of the landscaping work that will be in the basic documents versus the alternates. Also, the site improvements that will be included in the alternates. Z. Tonicic said that the sequence of the alternates has not yet been determined.

G. Morse asked about the sidewalk from the street to the police station if there has been any discussion about how it should be handled if there would be an ADA ramp. Z. Tonicic said that it was intended to only be a walkway into the street. The only handicap access is from the parking lot. G. Morse asked if it is even necessary to have that walkway there to the street. Z. Tonicic said it is probably not necessary since there is no sidewalk along the street. There was some talk of there being a possible monument that people may want to walk to in front of the building.

R. McManus asked M. Taylor how they should proceed considering the Add Alternates and if the Board should approve them all. M. Taylor replied yes.

L. Murphy asked if all goes as planned, when they thought they would break ground. Z. Tonicic said hopefully by the end of September or, most likely, October.

R. McManus asked if everyone was satisfied and had no more questions.

Z. Tonicic asked how they would like to leave the sidewalk situation and if they wanted to have a condition to address it.

L. Murphy said that it is his understanding that they are permitted to construct the sidewalk if they so choose. He did not think the Board intended to require the sidewalk. The other members agreed. P. Paicos said that they should allow the committee to decide if they will make that change or not.

M. Taylor asked about the status of the Construction Documents. Z. Tonicic said that they are all supposed to be finished now but they are not. There are still some tweaks to be made. They are not going to change the design. M. Taylor asked when they are hoping to have them done. Z. Tonicic said they are hoping to have them done in a couple of weeks.

Motion: A motion was made by P. Paicos and seconded by G. Morse to close the public hearing for the Site Plan Review Application, Newbury Police Station, 7 & 7R Morgan Avenue, Map U06, Lots 2 & 3; Applicant/Owner: Town of Newbury. The motion passed unanimously.

Motion: A motion was made by G. Morse and seconded by P. Paicos to approve the decision with amendments for the Site Plan Review Application, Newbury Police Station, 7 & 7R Morgan Avenue, Map U06, Lots 2 & 3; Applicant/Owner: Town of Newbury. The motion passed unanimously.

G. Liaison Reports Continued

R. McManus reported on the items that came before the Conservation Commission at the last meeting. G. Morse reported that there was no Zoning Board of Appeals (ZBA) meeting. M. Taylor reported that there is nothing from the Merrimack Valley Planning Commission (MVPC). She said that they are working on their map updates for the MVPC.

H. Reorganization of the Board

R. McManus announced that she will be relocating to Florida in the near future and she would like to reorganize the Board so that it can be as smooth a transition as possible. She suggested that everyone just move up in their positions.

Motion: A motion was made by G. Morse and seconded by L. Murphy to elect Peter Paicos as Chair, Larry Murphy as Vice Chair, and Leslie Matthews as Clerk. The motion passed unanimously.

R. McManus said she would like to postpone a vote on the Board's recommendation for the new Planning Board member of the Conservation Commission until the next meeting.

R. McManus asked for someone to step up to be the ZBA liaison.

L. Murphy said that he would step into that position if G. Morse was not interested in continuing in this capacity.

Motion: A motion was made by P. Paicos and seconded by R. McManus to appoint Larry Murphy as the Zoning Board of Appeals Liaison. The motion passed unanimously.

The Board discussed the roles for the primary and alternate signatory authorities for payroll and invoices and ANR Plans.

Motion: A motion was made by G. Morse and seconded by L. Murphy to appoint P. Paicos as the Primary signatory authority and L. Murphy the alternate signatory authority for payroll and expenses. The motion passed unanimously.

Motion: A motion was made by G. Morse and seconded by L. Matthews to appoint P. Paicos as the Primary signatory authority and L. Murphy the alternate signatory authority for ANR plans. The motion passed unanimously.

On a motion made by P. Paicos and seconded by G. Morse, the Planning Board meeting was adjourned at 7:58 p.m.

Respectfully Submitted,

Emily Noble
Planning Board Administrator