

Town of Newbury, MA

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Planning Board Meeting Minutes 2013-07-17

Meeting Minutes Approved as written, 8/7/2013

Planning Board

Wednesday, July 17, 2013

Newbury Town Hall

Members Present: John Weis, Chair; Kathleen Pearson; John O'Connell; David Powell

Members Absent: Linda McCamic; George Morse (Associate Member)

Staff Present: Martha Taylor, Town Planner

John Weis, Chair, called the meeting to order at 7:02 p.m.

- **Meeting Minutes:**

Motion: A motion was made by K. Pearson and seconded by D. Powell to approve the meeting minutes of May 15, 2013 as written. The motion passed unanimously.

Motion: A motion was made by K. Pearson and seconded by J. O'Connell to approve the meeting minutes of June 6, 2013 as written. The motion passed unanimously.

The Board postponed action on the minutes of April 22, May 1, and June 19, 2013 until the next meeting.

- **ANR – 61/67 Elm Street:**

Alan Berry of Caldwell Farm, LLC, appeared before the Board to request endorsement of an ANR plan showing the division of an 18.5 acre lot on Elm Street (Assessors Map R-02, Lot 11) into two "estate" lots. He noted that the Conservation Commission has already approved construction of a driveway in the buffer zone of the wetlands along the frontage of the lot that will become 61 Elm Street. The Board found that the lots had adequate frontage on a public way and voted to endorse the Plan.

Motion: A motion was made by K. Pearson and seconded by J. O'Connell to endorse as Approval Not Required the "Plan of Land in Newbury, MA, Showing a Proposed Subdivision on Elm Street (Assessors Map R-02, Lot 11)," dated July 15, 2013, prepared by Millennium Engineering, Inc., for Beals Associates, Inc.; Owner of Record – Caldwell Farm, LLC. The motion passed unanimously.

- **67/69 Newburyport Turnpike:**

Christine Rupp of Play Makers, Inc., Thomas Manna of Thomas Manna, Inc., and Matthew Cummings of Cummings Architects appeared before the Board for an informal discussion of a proposed Site Plan Review application for property at 67/69 Newburyport Turnpike. The existing house on the lot will be occupied by Ms. Rupp and her family; the existing mixed use building will house Play Makers' child enrichment programs and a residential tenant. The project will entail additions to both of the buildings on the site, increased paving and parking, and other site improvements. Given the small scope and scale of the project, the Board agreed that traffic, community impact, and environmental studies will not be required as part of the SPR application. However, the Board would like to see landscaping and lighting plans, signage, and an elevation of the site from the road. Ms. Rupp and her design team anticipate submitting the SPR application at the Planning Board's August 21, 2013 meeting.

- **Zoning Amendments for Fall 2013 Special Town Meeting:**

- **Medical Marijuana:** The Board will recommend that language for a moratorium on Registered Marijuana Dispensaries be included on the Warrant for the Fall Town Meeting, to allow time for the Town to develop a By-Law regulating this use. M. Taylor will consult with Town Counsel on appropriate language.
- **Solar By-Law:** The Board will propose amendments to the Ground-Mounted Solar Photovoltaic Installations by-law to correct scrivener's errors in the provisions for Site Plan Review.
- **Site Plan Review:** The Board determined that more time will be needed to develop a revised Site Plan Review by-law. Therefore, no changes will be proposed for the Fall Town Meeting. The Board will review the existing by-law in detail to

determine what provisions should be amended. In the meantime, the Site Plan Review information on the website should be updated.

- **Caldwell Farm Trail:**

Town Counsel has reviewed the documents pertaining to the Trail Easement granted to the Town for a public walking trail on the Caldwell Farm property on Elm Street and has advised that, per these documents, the Town has the right to create a trail on this property. J. Weis is to invite the Chair and members of the Caldwell Farm Homeowners' Association to a future Planning Board meeting to discuss next steps.

- **Revised Stormwater Regulations:**

M. Taylor is to format and incorporate final edits into the final draft of the revised Regulations, which will then be distributed for "in house" review.

On a motion made by D. Powell and seconded by K. Pearson, the meeting was adjourned at 9:40 p.m.

Respectfully Submitted,

Martha Taylor
Town Planner