

Meeting Minutes

Planning Board

Wednesday, August 21, 2019

Newbury Municipal Offices

APPROVED

Members Present: Peter Paicos, Chair; Larry Murphy; Leslie Matthews; George Morse

Staff Present: Martha Taylor, Town Planner

Peter Paicos, Chair, called the meeting to order at 7:01 p.m.

A. July 2019 Financial Report

P. Paicos read the July 2019 Financial Report into the record.

B. Meeting Minutes

Motion: A motion was made by L. Murphy and seconded by L. Matthews to approve the March 26, 2019 meeting minutes. The motion passed unanimously.

C. Mark DePiero, DePiero LLC – Informal discussion re. potential Open Space Residential Development (OSRD) at 105 High Road (Continued)

Bob Grasso, Engineering Land Services, Mark Griffin, and Tom Hughes came before the Board to continue the discussion started at the previous meeting about the potential OSRD (Open Space Residential Development) at 105 High Road for Mark DePiero, DePiero LLC. B. Grasso gave an overview of the existing conditions on the site. He gave an overview of the yield plan, showing the number of lots could be created with a conventional subdivision plan. He then gave an overview of the conceptual plan for the OSRD. B. Grasso gave the Board packets with general information about the project. He then provided some more details regarding the site and went through the waivers that they would be requesting in order to do this OSRD.

Tom Hughes, Hughes Environmental Consulting, then discussed the wetlands and addressed some questions from the Board. He said that the crossing that they need to make is short enough that they may not require a permit from the Army Corps, just a self-verification. There was discussion of how they would get back to the rear of the property with a road.

There was then discussion about the requested waiver for contiguous open space. They discussed the amount of open space and the largest contiguous parcel of upland present.

The Board then discussed the yield plan with B. Grasso and questioned whether the yield plan was actually viable. One primary concern was with the driveways and the ability of a fire apparatus to make it to the back of the property. There was some discussion about the source of water in the event of an emergency and the source of drinking water.

The applicant explained that they would like to seek a historic preservation restriction on the existing barn/carriage house in order to receive a bonus lot in the OSRD.

M. Taylor gave the applicant some feedback on her concerns regarding the proposed project, including the fact there has been no development that far back on any property along that section of High Road. They discussed sea level rise and the potential risk of high tide flooding and storm-related flooding on this property.

P. Paicos asked for any questions from the audience. There being none, he noted that the discussion had covered points for the Applicant team to consider moving forward, and then thanked Mr. DePiero and his representatives for their time.

D. 40B Site Approval/Project Eligibility Application – Byfield Estates, 55 Pearson Drive – Discussion of preliminary Planning Board Comments

M. Taylor announced that the Applicant was not able to make it to tonight's meeting. The Town has requested an extension of time to get the Town's comment letter to Mass Housing and an extension was granted until September 23, 2019. M. Taylor had prepared a preliminary draft of the Planning Board's letter to the Board of Selectmen and highlighted a few key points.

M. Taylor then asked for any comments on the letter to be emailed to her by September 12, 2019.

Ann Quill, 4 Great Meadow, asked about the OSRD that is proposed at 170 Orchard Street and said that, for many reasons, she is having a hard time imagining what will happen if both of these developments go forward.

Peter Franggos, 41 Pearson Drive, asked how Mass Housing can take a document that has errors, as M. Taylor noted, and use it to make a decision. M. Taylor says she does not have the answer but she knows that Mass Housing is doing their due diligence and will take the Board's comments under advisement. The issues identified may be sorted out in their vetting process, but M. Taylor said she is not sure how that process works.

Nick Cox, 5 Pearson Drive, asked about the number of cars and excess parking in the development.

Rebecca Bryan, 69 Pearson Drive, asked how this works and who has the authority. M. Taylor gave a brief overview of the process.

Brian Richardson, 58 Pearson Drive, asked, if this does go to the Zoning Board, whether the Zoning Board has the option to pair down the number of units. M. Taylor said the town doesn't have the authority to deny the size of a project. They could possibly negotiate. B. Richardson said that they are just concerned about the size of the development.

N. Cox asked about reassigning a property at 40B.

Barton Bracken, 69 Pearson Drive, said that they are very concerned with the environmental impacts. From the plans it seems that the development will be in the middle of a vernal pool. M. Taylor explained that the engineer went before the Conservation Commission with an abbreviated wetlands delineation and it was confirmed. She said she know that one of the vernal pools is certified and the other is not. Her understanding is that it will be taken into account.

E. Proposed and Potential Zoning Amendments

The Board discussed that they do not have adequate time to have the amendments ready for Fall Town Meeting. They discussed what the various amendments to be made are.

F. Town Planner's Report

M. Taylor said that the Governor's Academy wish to renovate and expand the French Student Center. An application will be coming before the Board soon.

G. Liaison Reports

M. Taylor had nothing to report from the Board of Selectmen. P. Paicos was not able to make the Conservation Commission meeting, so did not have a report. L. Murphy said that the Zoning Board of Appeals was scheduled to meet the following night, and the agenda includes a Request for a Variance from Newbury Storage because their sign is too big. M. Taylor had nothing to report on the Merrimack Valley Planning Commission.

On a motion made by L. Murphy and seconded by G. Morse, the Planning Board meeting was adjourned at 8:39 p.m.

Respectfully Submitted,

Emily Noble
Planning Board Administrator