

MEMORANDUM – DRAFT FOR REVIEW

To	Martha Taylor, Planning Director, Town of Newbury Kristen Grubbs, Assistant Planner, Town of Newbury
From	Emily Keys Innes, AICP, LEED AP ND, President
Date	October 15, 2023 – Revised October 23, 2023
Project	21136 - Newbury
Subject	Final draft of 2023 Comprehensive Plan
Cc:	Madge Pate, Research Specialist

This memorandum documents the list of changes to the plan, which are now complete. This list does not include typographical errors, typographical consistency, or minor grammatical changes (e.g. subject-verb agreement).

Outstanding Questions

1. Did Chief Fisher have any additional text on the Animal Control Office? (Issue raised by Jack Rybicki.) Text from Chief Fisher added to page 105, formerly page 101.
2. Did Acting Chief Ziegler have changes on the text re: the Ambulance Service and the ownership of the Central Street building? (Issue raised by Jack Rybicki.) No – updated with text from Hazard Mitigation planning effort.
3. Is there any additional information on the Plum Island Bathhouse facility, including its status? (Issue raised by Jack Rybicki.) Added to page 114.
4. Should the plan include a recommendation for a full-time Conservation Agent? (Issue raised by Steve Magnion.) No – not discussed during process.

Changes made

1. Correct Open Space Map with Essex County Greenbelt Parcels supplied by Kristen Grubbs on 9/14/2023 and change source of base layers from MVPC to MassGIS. [In progress.]
2. Change picture of marsh with phragmites on the cover. [Check for picture of the Great Marsh]
3. Page 2. Mary Stohn is now a full voting member of the Board.
4. Page 20. Add text from the Plum Island SLR study. – Horsley Witten 2/2020; Jack Rybicki comments. Alternative text added.

5. Page 10/11: Revise “strengths in agriculture and fishing, (particularly shellfishing),”
6. Page 13. Protect housing from weather-related damage. [Note: Not limited to storms.]
7. Page 14. MPIC should prioritize the recommended goals and actions in the Implementation Plan.
8. Page 15. Specify that current planning efforts underway address similar issues to this master plan but on a shorter time horizon (5 years instead of 10).
9. Page 21-22 Land Use. Note that new development will need to address water and wastewater.
10. Page 23. Note that prime agricultural soils are clustered around Route 1A in Newbury.
11. Page 23. 3rd paragraph - Delete “the town center at”. Change to “While the area around the Upper Green...”
12. Page 23. Delete second and third sentences.
13. Page 23. Replace last sentence: “MassDOT began work on sidewalk improvements along Route 1A in 2022 and has rebuilt the sidewalk from Rolfe’s Lane to approximately Hay Street [should check on this – I don’t think it reached 105 High]. Reconstruction of the remainder of the sidewalk, from Hay Street to the Parker River, should be done.
14. Page 23. Remove redundancy with fourth and fifth paragraphs. The deed from Florence Bushee dated October 15, 1956 grants the Town the use of the parcel near the boat launch as a park, with right of access to the public landing.
15. Page 23. Reword second sentence in fifth paragraph with: Although most of the area has been built out, there are a few remaining undeveloped parcels, located mostly to the south of the river.
16. Page 23, fifth paragraph: Last sentence – after “spaces in”, delete “the Lower Green / Parker River” and replace with “this.”
17. Page 25. LU-1.6. Remove “waivers” and add “Provide for exceptions to minimum lot size, minimum frontage, and/or setback requirements.”
18. Page 25. LU-1.8. Define Inclusionary Zoning. Change to: Adopt Inclusionary Zoning, which requires a town-defined percentage of affordable housing in new developments, for conventional subdivisions.
19. Page 26. LU-2.6 Explain delineation of rights-of-way and provide a definition of a right-of-way. Change to “Delineate public access rights-of-way on Plum Island, creating a map and installing signage to ensure they are recognized. This allows everyone to understand where the public has historic rights of access to the shoreline.”
20. Page 27. LU-3.7: Identify the need to work with Newburyport. Add “Work with the City of Newburyport and” at the beginning of the sentence.
21. Page 27. LU- 3.8: Mention issues related to Parker River drought and limited supply. Change to: Identify properties and areas in town experiencing failing

wells and/or septic systems, especially as a result of drought and its impact on the Parker River and groundwater.

22. Page 28. Review LU-4.4 – is this the same as ED-1.1? If so, move to ED-1.1. Deleted and remaining LU-4.X renumbered.
23. Page 32. CS-3.1 – Clarify that this does not apply to Plum Island.
24. Page 33. CS-6 Consider a compost and yard waste facility. Already here but made the text stronger.
25. Page 29. Rewrite last sentence of second to last paragraph about the May 2023 ballot for Town Hall. Include the results of the 2023 ATM vote and ballot question vote.
26. Page 29. Add text about Triton and Whittier below.
27. Page 30. Change “the Center” to the Council on Aging and check for consistency throughout the document.
28. Page 31. Add impact of sea level rise on wells.
29. Page 32. Remove reference to new well sites in Byfield.
30. Pages 35 and 36. Add ecotourism and agritourism to discussion to offset concerns about economic development.
31. Page 38. ED-3. Removed “Definitively.”
32. Page 43. Add First Parish Church Burying Ground and note that this is a private cemetery.
33. Page 43-45, 151 . Incorporate edits from the Historic Commission.
34. Page 45. Change HC-4.5 to HC-4.4.
35. Page 46. Delete paragraph starting “Consider designating.”
36. Page 48. Note that older residents are facing housing cost burdens. [Do we have data?]
37. Page 50. Clarify that accessory apartments are not intended for short-term rentals.
38. Page 56. in the paragraph beginning “Results....” add reference to the 2023 survey/questionnaire, which showed that preservation of farmland remains one of the highest priorities?
39. Page 70. Change “Re-establish” to “Establish” in reference to eel grass.
40. Page 74. Note under T-1 that other intersections in Newbury may need study, such as the intersection of Route 1A (High Road) with Newbury Neck Road and Old Rowley Road.
41. Page 78. Add MVRTA bus stop by the Newbury Golf Center along a Scotland Road route.
42. Page 80. T-2.5: on the second bullet, add “Work with MassDOT...”
43. Page 80. T-2.6: Expand to address access for those with physical disabilities.
44. Page 82. T-3.5: Replace with “Rebuild the existing sidewalk on the westbound (north) side of Parker Street and extend it to the Clipper City (Phase II) Trailhead just east of the Newbury/Newburyport municipal boundary.

45. Page 84. T-4. Ensure that access to Plum Island for residents and visitors is safe and aligned with the Town’s goals for coastal resiliency”
46. Page 98. Add “The Town offices moved to 12 Kent Way on Friday, July 15, 2016. The Police Department then moved into the space on the main floor at 25 High Road and remained there until February 2021, when the new Police Station was ready for occupancy.”
47. Page 111. Check language on PIOD about new commercial. New businesses are not allowed under the Plum Island Overlay District because of agreements made when water and sewer were brought to Plum Island. Checked – language does not refer to new businesses.
48. Page 114. The Town of Newbury has developed a Community Choice Power Supply Program Aggregation Plan in partnership with Colonial Power Group, Inc. and the Massachusetts Department of Energy Resources. The comment period for the proposed plan ended August 11, 2023. The goal of the plan is to enhance the ability to provide price stability, savings opportunities, and the amount of renewable energy procured by the Town.
49. Page 128. Note that tax needs should consider both operating and capital costs which should include the work of the Capital Planning Committee.
50. Page 130. Add discussion of meal tax at appropriate point.
51. Page 130. Note that short-term rentals on Plum Island could be subject to a hotel tax which would assist with Town upkeep of local infrastructure.
52. Page 139. Table ED-11. Add discussion of agritourism and ecotourism.
53. Page 141. Remove non-neutral language.
54. Page 151. The Newbury Historical Commission has title to the Witchstone. Remove the reference to the preservation restriction.
55. Pages 107 and 108. Add Parker River National Wildlife Refuge to the list of active recreation (hunt/fish) areas.
56. Throughout. Change references to a 'national wildlife sanctuary' to Parker River National Wildlife Refuge (NWR).
57. Page 174. The Town is in the process of reviewing options for its Multifamily District and has not made a decision on the location or the size of the district. However, Plum Island is not considered an appropriate location for new multifamily housing.
58. Page 204. Increasing numbers of visitors to Plum Island contribute to dune and beach erosion.
59. Page 219. After “...and water-efficient.” Add “However, in some areas, retreat from properties suffering repetitive losses may be the more cost-effective approach in the long-term.”
60. Page 229. Add a sentence that the Salisbury Park and Ride route should include a stop on Scotland Road.
61. Page 89 - ADD. Incorporate Major Development since 2016 table in email from Martha on 08/24/2023. New pages 90-93; throws off all later page numbers by four pages.

a. **Table Title: Major Development since 2016 (completed or in the planning, permitting, or construction phase)**

Facility Type	Common Name	Location (parcel/ address)	Sq Feet	Total Housing Units	2016 Status	2023 Status
Commercial	Yoga Studio - Roots to Wings	76 Newburyport Turnpike	The property consists of 0.76 acres. Development includes construction of a two-story 5,295 g.s.f. mixed-use commercial building to house a yoga studio, related administrative offices and support spaces, and four rental office units, 14,300 s.f. of paving, including a driveway and parking for 28 cars, a subsurface sewage disposal system, stormwater management system, and a new well.	n/a	In pipeline	completed
Commercial	Self-Storage Facility - Newbury Self Storage	131 Newburyport Turnpike		n/a	In pipeline	Phases 1 & 2 completed and operating; Phase 3 under construction - buildings erected, sitework to be completed
Commercial	Driving Range and Ice Cream Stand - Newbury Golf Center and Ice Cream	131 Scotland Road	The property consists of 3 parcels totaling 27.67 acres. Development includes driving range with 5 target greens, covered and open tees, a short game area, a 1,350 s.f. building housing a pro shop and ice cream stand, a 1,200 s.f. maintenance shed, and a parking lot for 76 cars accessed by	n/a	Original application submitted 2017	completed and operating; project close-out pending

			a 22 foot wide asphalt driveway from Scotland Road			
Municipal	Newbury Police Station	7 Morgan Ave	The property consists of 2 parcels totaling 1.04 acres. Development includes construction of a new two-story Police Station with a footprint of approximately 4,795 s.f., construction of an asphalt parking lot for 41 vehicles, installation of granite curbing, landscaping, concrete sidewalks, utilities, and drainage structures.	n/a		completed, operating
Commercial	K & R Construction - site contractor's office and equipment storage facility	84 Boston Rd	The property consists of approximately 2.28 acres. Development includes construction of a 6,500 s.f. building, two paved driveways, a parking area for 10 employee vehicles, and two gravel areas for temporary storage of construction equipment and vehicles, a septic system, and a constructed wetland, and installation of drainage structures.	n/a		under construction
Mixed Use (Commercial/Residential)	Mixed use structure	3 Newburyport Turnpike	The property consists of three contiguous parcels, two in Newbury totaling approximately 1.59 acres and one in Newburyport totaling approximately 0.078 acres. Development includes construction of a 15,000 s.f. three story mixed use building, with a 5,000	14 condominium units on second and third floors; mix of one-bedroom and two-bedroom units		under construction

			s.f. footprint, an asphalt parking lot for 31 cars, two paved driveways, and installation of utilities and a rain garden for stormwater management. Total impervious area is approximately 21,126 s.f.			
Commercial	Restaurant - The Sunset Club	2 & 8R Old Point Rd (now using 4 Old Point Road as the property address)	The property consists of two parcels totaling approximately 0.99 acres. Development includes renovation of an existing two-bay garage into indoor restaurant seating, construction of an outdoor seating area for 136 people, installation of a 400 s.f. shipping container to serve as a mobile kitchen, construction of a parking lot (combination of asphalt, gravel, and stone dust) for 54 cars, construction of a raised sand dune on two sides of the property, installation of utilities and drainage improvements, including bioretention basins and swales	n/a		completed and operating
Commercial	Ground Mounted Solar PV Facility	140R Main Street (Byfield)	The property consists of approximately 93.6 acres. Development includes clearing of approximately 12 acres of existing forested area in order to construct a 2.795 mW Ground-Mounted Solar PV Installation, and associated stormwater	n/a		Original Special Permit granted in 2018; solar panels installed; road for utility access under construction (summer 2023)

			infiltration trenches, and access roadway and redevelopment of an existing cart path into a secondary utility access roadway, including installation of a 150-foot-long truss bridge. Approximately 82 acres are subject to a Conservation Restriction.			
Educational	Environmental Science Center - Governor's Academy	313 Newburyport Turnpike (on Governor's Academy Campus)	The property consists of a 98-acre parcel on the Governor's Academy campus. Development includes construction of a 6,200 s.f. one-story classroom and laboratory building, extension of an existing asphalt driveway, a parking area for 6 vehicles, a boardwalk from the building to the Parker River, and bioretention basins for stormwater management	n/a		nearly complete, to open Fall 2023
Commercial	Ground Mounted Solar PV Facility	75 Boston Road (on Town Landfill)		n/a		construction to begin summer/early fall 2023
Residential	40B	55/55R Pearson Drive		24 single family detached houses, including 6 affordable; condominium ownership		Comprehensive permit issued by ZBA in March 2021; construction start pending resolution of Conservation Commission appeals
Residential	Conventional Subdivision -	108 Main Street		5 single family detached houses		site clearing begun and then halted spring

	Colantoni Crossing					2021; no work since
Residential	Conventional Subdivision - Gadsden Lane	217/221 High Road		6 total - 4 new single family detached houses and 2 existing single family detached houses		under construction
Residential	Conventional Subdivision - Farm View Lane	68 Green Street		3 new single family detached houses		under construction
Residential	One Lot Conventional Subdivision - 23 Shandel Drive Extension	23 Shandel Drive Extension (previously known as "Off Rolfe's Lane")		1 new single family detached house		under construction
Residential	Open Space Residential Development (OSRD)- Fieldstone Lane	15 Coleman Road	The property consists of two parcels totaling approximately 31.7 acres. Development includes 7 building lots, a 402 foot long cul-de-sac with associated stormwater management structures, a shared septic system, and one open space parcel containing 27.18 acres	1 existing single-family detached house and 6 new single family detached houses		under construction; completion anticipated late summer/early fall 2023
Residential	Conventional Subdivision - Fields Way	170 Orchard Street		4 new single family houses		In permitting process with Planning Board - public hearing underway
Residential	Open Space	105 High Road		1 existing single-family		under construction

	Residential Development (OSRD) - Seagate			detached house and 9 new single-family houses; condominium ownership		
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62. Incorporate information about the Triton schools in email from Brian Forget to Kristen Grubbs dated 8/24/2023. Page 29

- a. Triton Regional School District applied to the Massachusetts School Building Authority (MSBA) in April 2022 and were denied in December 2022. Triton reapplied in April 2023 and are waiting for the decision in December 2023. The process from acceptance into the program to occupation of a completed school is 5-7 years. If Triton is accepted into the program in December 2023, the new school would not be ready for occupancy until 2028 or 2029 at the earliest.

63. Add information about the costs of regional school systems per email from Martha Taylor dated 09/21/2023. Page 29

64.

- b. The Whittier Regional Vocational Technical High School is building a new high school, which will take six years to complete. The total anticipated cost is \$440.6 million with the partner towns responsible for \$302.1 million.¹ Newbury's share is unknown but is expected to be proportional to its student population, similar to the calculation of the annual operating and capital budgets. In FY2022, Newbury's annual share of Whittier's operating budget was \$330,000 and the annual share of the capital budget was \$25,227.
- c. The Town of Newbury is also a member of the Essex North Shore Agricultural & Technical School. The FY2022 operating assessment for Newbury was \$114,000.

65. Check all goals to make sure they are consistent with the renumbering.

¹ WHAV News Staff, *State Signs Off on Planned \$404.8 Million W-Shaped Whittier Tech; Community Pitch Begins in Winter*, April 27, 2023.