

WEST NEWBURY PLANNING BOARD
Minutes of Meeting
June 4, 2013

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a meeting of the West Newbury Planning Board was held on June 4, 2013 in the Planning Board Office and Second Floor Hearing Room. Board members Ann Bardeen, Raymond Cook, Richard Bridges, Brian Murphey, and John Todd Sarkis, Chair, attended. Associate Member Dennis Lucey and Administrator Jean Nelson were also present.

The Meeting was called to order at 7:00 PM in the Planning Board Office.

Planning Board Office:
Minutes of May 7 and May 21, 2013

The Minutes of May 7 were reviewed and edited.

Motion made by Bardeen, seconded by Bridges, to approve the Minutes as edited. The vote in favor was unanimous.

The Minutes of May 21 were not reviewed.

Board Reorganization

Murphey requested to take the Agenda item out of order. He made a motion to nominate Ann Bardeen as Chairman effective immediately for a period of one year, or until the next election. The motion was seconded by Cook. Murphey noted that Bardeen brings a good and balanced approach to the Board. The vote in favor was unanimous.

Cook asked if Bridges is interested in the Vice Chairman position. Bridges said that he would like to remain as Clerk.

Motion made by Cook, seconded by Sarkis, to nominate Brian Murphey as Vice Chairman, and to nominate Rick Bridges as Clerk for a one year term. The vote in favor was unanimous.

Cook thanked Sarkis for his hard work and terrific job as Chairman for the past two years.

Bardeen noted that positions of MVPC and CPC Representatives are up for re-appointment. Murphey noted that he has enjoyed his tenure as MVPC Rep, and would like to be reappointed. Cook offered to be alternate.

The Board moved to the Second Floor Hearing Room at 7:30 PM.

**7:30 PM Continued Public Hearing, Second Floor Hearing Room:
Continued Public Hearing to consider an application for a Special Permit for
Open Space Preservation Development (Zoning Bylaw §6.B.) and for Site
Plan Review (Zoning Bylaw §8.B.) for thirty units of single-family residential
housing and related infrastructure at 18 Sullivan's Court.**

Bardeen opened the Continued Public Hearing and informed the public that she is now Chairman. Chip Hall introduced those present tonight, Chris Lorrain of LandTech, Nick Cracknell of Keystone Planning, and Jeffrey Dirk of Vanasse & Associates. Cracknell gave an overview of the OSPD submittal and plan and summarized the proposed density bonuses.

Lisa Holmes, Police Chief and Gary Bill, DPW Director, were present for the Public Hearing.

Jeffrey Dirk of Vanasse & Associates (VAI) introduced himself as the Traffic Engineer and summarized how he will be proceeding. He stated that the traffic counts were taken in November, 2012, at the intersection of Whetstone and Main Streets. Peak period (7-9 AM and 4-6 PM) turning movements and type of vehicle were counted manually. Murphey noted that with the Rocks Village Bridge closed, the counts would be impacted. Dirk said that his study looked at the detour routes and found that they did not affect the traffic analysis. He concluded that the detour route sent traffic down Main Street and resulted in some increases, and some decreases. Cook said that he feels people have found other ways to get around. Nelson said that MVPC has traffic counts posted on their website for various dates.

Dirk said that volumes from Whetstone are low, and are not to the extent of a safety or capacity issue. His study reviewed a three year crash history at the intersection using data from the Registry of Motor Vehicles. There are no reported crashes at the intersection in that database. The posted speed limit is 30 miles per hour, and 28 mph was the witnessed average speed.

Dirk continued that there is a sidewalk on Main Street for pedestrians. There are wide shoulders for bicycles. Cook noted that people park on the shoulders on Main Street, although he feels it is not permitted.

Dirk said that predictions have been made for a five year planning window, through 2017, and account for a compounded growth rate. Traffic increase has been relatively stable over the past ten years.

As part of the research, VAI checked with the Department of Transportation regarding the Route 95 and Rocks Village Bridges.

The Trip Generation Manual is used to predict trips based on single family residential housing. According to the calculations, a 30 unit project will generate 348 trips in and

out per day, including deliveries. Peak morning hours will generate 31 trips, and evening hours will be 36 two-way trips. Currently, during peak hours, Whetstone Street generates less than 10 trips according to Dirk.

Based on US Census Data, VAI is able to predict where people travel. Dirk said that it is estimated that 55% will travel north, turning left, and 45% will travel south, turning right onto Main Street.

The traffic study assesses impacts. Level of Service, LOS, is defined by A through F, from best to worst. An A is 10 seconds wait time, and an F is a minute or more. A LOS of D, at approximately 35 seconds wait time, is acceptable. Calculations show that Whetstone Street is a B or C, with a delay of up to 22 seconds. The net increase in delay went up approximately two seconds. There was no delay seen on Main Street. The delay predicted is an average.

Cook noted that it is hard to see someone walking when turning into Whetstone Street from the east, and that walkers will be passed by more vehicles in an hour. Dirk said that Whetstone Street is a 16 to 18 foot travelled way, and they consider the potential for two cars to pass. He is recommending a shoulder, and a more proper intersection with squared-off corners. A roadway which is too wide leads to speeding. The threshold for increasing road width to 20 feet is generally approximately 400 vehicles per day.

He said that Whetstone Street is not the typical intersection. It does not meet Main Street at a 90 degree angle, there are driveways entering, and the utility pole is in the road. Lorrain showed a proposed detail on a slide entitled "Whetstone Street – Alternative Intersection Improvements". He explained that the original proposal has been revised. The Applicant is proposing to have the utility pole in the intersection moved at their expense. They may end up with two poles. Lorrain said that they would expect the Town to assist by putting pressure on the utility company to do this in a timely way. In order to make the intersection alignment as straight as possible, Dirk said that they are proposing to bring the curb line out on the west side of Whetstone Street, and closer to the property line at the corner on the east side, thus creating more of a right angle. Lorrain said the proposal meets with Mass Highway standards. Gary Bill commented that the intersection should be left as wide as possible. Lorrain noted that the wider the pavement is, the more uncontrolled it is.

Dirk was asked how snow would be handled. He said that the 18 foot width should be clear at all times, even with snow on the ground. He feels that a sidewalk should be differentiated from the roadway, and a collector for children waiting for the bus should be provided. Cook asked how the area near the barn would be handled. Dirk said the road has some flexibility, and the question needs to be addressed. He said that ideally there should be an area for school children to walk and wait for the bus.

Sarkis said that he feels the Traffic Report has been well done, and he felt the design standard should be for a minimum of 25 miles per hour. Dirk replied that for an 18 foot wide road the prima facia speed limit is 30 miles per hour, and it cannot be posted for less than 25 miles per hour.

Cook asked if the upper green is proposed to be one-way, or if there will be a stop sign. Dirk said there is no need to post stop signs internally.

Bridges asked if a comparison had been done for the by-right number of 20 vs. 30 proposed units. Dirk said no. He said that estimates are based on single family. Since the homes proposed will be smaller, the numbers may be on the high side. Estimates for single family homes are the highest, followed by apartments then age-restricted units.

Murphey asked Dirk to clarify the difference between VHB and VAI. Dirk said that Bob Vanasse left VHB twenty years ago and started a new company. VAI focuses on traffic engineering and traffic planning, and VHB practices many forms of engineering. Dirk has been a principal of VAI for 15 years. His firm performs a thousand studies in a year.

Lorrain said that in order to put a sidewalk on Whetstone Street, they would need to carve into the hillside and install a retaining wall. He said that how far they can go is a case of economics and if they cannot get 30 units, the pool of available improvements shrinks.

John McGrath asked what the vertical alignment is for stopping sight distance. Dirk said it is measured as a two foot object. McGrath said that he imagines that heavier loads will be going over the Rocks Village Bridge. He also asked about bus drivers and traffic. Dirk said he will report back on that. McGrath asked about construction vehicles during construction. Dirk said that the project should be bonded for the town roads used as access.

Murphey said that he is not in support of an elevated sidewalk. Gary Bill was asked for his opinion. He said that, as stated before, he recommends that for each foot the road is raised, it would result in an increase of 2.5 feet width. He said that the water main will need to be replaced anyway. There could be a white line for the sidewalk, which would be cheaper than building a wall.

Sarkis said that the site could handle 20 lots by-right at best. The Density Bonuses create additional units and traffic. This is a discretionary permit. Whetstone Street is narrow, steep, and a dead end. Concrete walls are not attractive, but safety governs. Bardeen suggested that a profile and cross-section of the roadway be done. Bridges said that he is glad to see the plan to move the utility pole. It is safer and would cause less confusion.

The discussion of traffic was ended. Dirk said he would furnish additional information from MVPC data for traffic counts when the Rocks Village Bridge was open.

Cracknell summarized that the height restriction would be covenanted to prevent upward expansion. No ability to expand homes, and no increase in volume, density, and traffic.

Cracknell summarized the proposed Density Bonuses. He said that "accessory" is commonly an apartment or rental unit. Bardeen said that Town Counsel does not agree with the Applicant's interpretation of "accessory." She suggested that some units in the project could be attached. Hall said that duplexes are not a cottage community. They are not in the multi-family business.

A new Yield Plan was presented with three duplex units, totaling 23 units. Seven units would then be applied for through the bonuses. An Updated Yield Plan was shown. The plan included four lots with duplexes, and the location of leaching fields for each lot. That plan would bring the Base Maximum Density to 23, and seven units would be added through the Density Bonuses.

Cook said he is dismayed that the process has dragged on for so long. A lot of time has been spent on the Yield Plan. He feels the plan could yield 26 units, and that the OSPD is better for the Town as a whole. Bridges agreed.

Sarkis questioned the quality of the open space. He said there is a lot of disturbance planned. It is not what he feels is in the spirit of the OSPD. But since it is already cleared, it is different than a wooded site. The roadway does not have right of way around it, as a conventional subdivision would.

Hall noted that the site has been stripped. There are no observed buffer zones. He would have preferred to file a conventional subdivision plan but may not do so with a communal septic system.

Nelson asked if the Board wishes to discuss bids in response to the RFQ issued for peer review of the traffic study. Bardeen and Sarkis said they do not see a need for peer review at this time, and the Board agreed to table it for now.

John McGrath suggested that the upper green road be considered as a one-way street. It was scaled at approximately 750 feet in length. He said that he endorsed Cook's statement and understands Sarkis' concerns. He is pleased to see the new proposal for Whetstone Street. Lucey asked why he is interested in one-way traffic. McGrath said he gets headlights from only one direction, and it gives the opportunity to have a narrower street.

Bardeen said that she agrees with Yield Plan comments, and has concerns with the Open Space. The wetlands are already protected. Sarkis said that the application

complies with the literal terms of the Zoning Bylaw, and it would be hard to deny if it meets with the law.

Murphey said that he feels the Open Space is unique. Today the site is not stable, and as proposed, water and runoff will be better managed, and vistas will be preserved.

It was decided that members will review the revised Yield Plan, and decide the Base Maximum Density at the next meeting.

Motion made by Cook, seconded by Bardeen, to continue the Public Hearing to June 18, 2013, at 8:15 PM. The vote in favor was unanimous.

The Board returned to the Office, and Sarkis left the meeting.

Review dates for meetings in Summer

The Board will meet on July 16th as the only July meeting.

Correspondence regarding trees eaten by deer at Ocean Meadow

Paul Kelly, 801 Main Street and Priscilla and Robert Thistle of 19 Ridgeway Circle attended the meeting to discuss the problem of deer eating trees planted as a buffer at Ocean Meadow. E-mail messages had been sent to the Planning Board. Sheet 17 of 36 of the Ocean Meadow plan was reviewed for landscaping requirements.

Board members determined that the trees were planted according to the approved plan, and that they cannot require re-planting due to an act of nature. Bardeen suggested that condo fees could address such situations. Kelly and the Thistles left the room.

Review and endorsement of Certificate of Vote for 8 Merrill Street Scenic Road Application

The Certificate of Vote was reviewed and edited. Bardeen will sign the final copy.

Review and endorsement of Certificate of Vote for 520 Main Street, Long Hill Farm Special Permit Application

The Certificate of Vote was reviewed and approved. It will be signed by each Board member who voted.

Letter from Donald Batson sent to DHCD regarding Affordable Units at Ocean Meadow, and response from Toni Coyne Hall of DHCD

The Board reviewed the letter from Toni Coyne Hall. Nelson will draft a response to Mr. Batson, stating the Board's authority over the Special Permit and Definitive Subdivision matters, and their support of the distribution of the units.

Letter to Board of Selectmen regarding Appendices in the Town Meeting Booklet

No response had been received from the Board of Selectmen. The Board will request a meeting to discuss Site Plan Review with the Board of Selectmen and the Finance Committee.

Vouchers

Motion made by Cook, seconded by Bardeen, to authorize Bardeen and Bridges to sign Payroll. The vote in favor was unanimous.

Motion to adjourn, 10:35 PM.

Submitted by,

Jean Nelson
Planning Board Administrator

These Minutes were approved by the Planning Board on June 18, 2013.