

**WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
JANUARY 7, 2014**

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 January 7, 2014 in the Planning Board Office. Board members Ann Bardeen, Chair, Richard Bridges, Raymond Cook, Brian Murphey, and John Todd Sarkis attended. Associate Member Dennis Lucey and Administrator Jean Nelson were also present.

The Meeting was called to order at 7:00 PM.

12 Steed Avenue, Jack Foley and Woody Cammett, discussion of proposed new plan for the Foley land

Woody Cammett, Engineer, and Jack Foley, owner of the parcel, appeared before the Board for a Pre-Application Conference for a Special Permit Application. Gregg Haladyna, attorney for abutter Maureen Dragon, was present for the discussion.

Cammett summarized that the Board had approved a Special Permit for Reduced Frontage in 2009. Since then, an adverse possession suit has been filed against the Foleys. The preliminary plan as submitted would split off a parcel of land to be conveyed to Dragon as settlement of the suit. That would bring her garage into conformity. Cammett said that Dragon has a variance for the garage.

The Zoning Bylaw amendment which changed the 200' circle to 150' in the reduced frontage lot has made revision of the plan better, according to Cammett. Foley can save the existing house or build a new house. It was noted that in the previous filing, the abutters supported the plan because the house was to be demolished. Board members agreed that the preliminary layout is more desirable than the existing plan.

Haladyna requested that he be notified of a Public Hearing when it is scheduled.

Foley and Cammett thanked the Board and left at approximately 7:20 PM.

279 Main Street, Pre-Application Conference for Site Plan Review, possible Special Permit, for Haverhill Bank

Present for the bank were:

Gail Linehan, The MEG Companies, Development Administrator
Thomas Mortimer, President of Haverhill Bank, Applicant
Bill Collins, RAM Engineering, Engineer
Fred Clark, DRL Architects, Architect

Craig Fishman, NES Group, Project Manager

Linehan introduced those present. She summarized that the bank had purchased the property in August, 2013. A two-family house and barber shop are located on the site. The bank is proposing a new two-story building. They are here tonight to obtain input from the Board.

Collins reviewed the preliminary Site Plan. The vehicle entrance to the site would be from Maple Street with a one-way driveway to the ATM and drive-up lane. The building will face Main Street. Cook suggested a curb cut from Main Street to reduce the amount of pavement needed. Collins said that would not result in enough area for queuing.

Mortimer said that four employees would be on site. Eleven parking spaces and two handicap spaces will be provided. The Merrimac branch has 15-16 customers per hour. Peak times are Thursday and Friday at 5:30 PM.

Collins said that the septic system would be located in the front. He was asked to show the curb cuts for businesses across the street on a future plan. In response to questions, Mortimer said that the second floor would be used as a break room and for storage.

Bardeen commented that the building as proposed has three stories, and asked why there is a window on the third floor. Clark said he was mimicking the existing house, and distributed pictures of the existing building. Mortimer said that the bank is not hung up on this issue.

Items that should be addressed included lighting, curb cuts, paving, and signage. Mortimer said there will be modest signage on the building. Hours would be 7 AM to 7 PM on Thursday and Friday, and Saturday from 9:30 AM to 12 PM, no hours on Sundays.

Mortimer said that there seems to be public support for keeping the barber shop. It was discussed that it has no historic significance. The septic system would be tied into the bank. They would spruce up the shop. Sarkis asked if they want to keep the building or not and suggested they consider what they want ideally in their submittal.

The proposed retaining wall and grading were reviewed. The septic system will be raised. Stockade fencing is encroaching on the parcel. Setbacks appear to be conforming. The dumpster will be located in the triangle area which abuts the music school.

Nelson pointed out Section 6.A.5., and suggested that the Applicant get an interpretation from the Building Inspector as to the 60,000 square foot requirement for a Special Permit, and for two uses on one lot.

Lucey asked if the Applicant has plans for the sidewalk on Maple Street. Mortimer said the bank would want to put in a new sidewalk.

Murphey disclosed that the company he works for has retained NES Group in the past for various projects. Bardeen asked him to state this again later.

The group thanked the Board and left at approximately 8 PM.

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. Present for the Applicant were Chip Hall, Applicant, Melissa Robbins, Attorney, Chris Lorrain, Engineer, and Nick Cracknell, Planner.

Bardeen said that the street name is being revisited. Jane Wild had submitted maps from 1865 indicating that the former name of Whetstone Street was Follinsbee Lane. Spelling has changed through the years. Nelson said that the deed to the current owners referred to Follansbee Lane in the deed description.

Bardeen polled the Board for their input. Cook said that he felt the name should come from the Applicant. Robbins said this has been vetted before, and carriage making took place in the area. Murphey said that he thinks the name Follinsbee has deep ties to the location, and he would have been influenced at the prior meeting if he had seen the map. Sarkis said he will react to a proposal from the Applicant. Bridges said he is on the fence. He does not feel that Carriage Lane has a tie to West Newbury. Bardeen said that she agrees the name Follinsbee is significant. Sarkis said that people do not refer to a street name, but to the project name, and he would support Cottage. Bridges supported the name Follinsbee. It was agreed that the name of the street is Follinsbee Lane.

Deck expansion: Units B and C will have decks which may be converted to a three season porch.

The Board reviewed Waivers requested. The heading should read "Waivers Granted." They were discussed as follows:

Nelson noted that the Waiver requested from 5.11. has been eliminated. Lorrain said that the Waiver is not needed because the Applicant will follow state Building Code for fire alarm systems in the units.

4.2.4.4: Language to be revised to indicate the "minimum interior radii of the loop road have a radius of 35'. " It is not the radii of the pocket park.

4.2.6.3: acceptable.

4.2.7.1: acceptable.

4.2.8.2: acceptable. It was noted that the distance has been measured from Whetstone Street, and not from Main Street.

4.3.1.2 and 5.4.1. & 5.6: acceptable.

4.4.9.1: acceptable. Nelson noted that she had spoken to Gary Bill several months ago about this, and he had found it acceptable.

4.7.2, 5.10: acceptable. This had been discussed at a previous meeting.

5.2.1: acceptable.

5.2.3: had been discussed at a previous meeting where Charlie Wear was present, and found to be acceptable.

1.B.10.a.i: acceptable.

6.B.10.a.v: the second paragraph is an explanation and should be removed.

6.B.11.b.ii: This had been discussed previously relative to unit 15. Lorrain said that units 7 and 9 have been added because a trail goes between the two buildings.

Acceptable.

John Kaminski of Whetstone Street said that he is concerned with drainage from the site, which runs into his property. He is worried that the communal septic system will run into his property, and asked what happens if the system fails.

Cook responded that the design plans have to meet regulations. The Board hired an outside consultant to review calculations and the plans. He said that water is not allowed to leave the property differently than it does now. The Board of Health is reviewing the septic design and they are conservative.

Richard Kaminski, accompanying his son, said that the leaching field is at least ten feet high. It is a huge field, and breakout is possible. Cook said that because the field is large, breakout is less likely to happen. Kaminski said that the water table is high. Sarkis believed that monthly inspections will take place, and that there is DEP oversight.

Richard Kaminski asked if a vegetated landscape could be planted at the toe of the slope of the leaching field to block it from view. Cook said the intent has been to maintain the area as a field. Efforts have been made to lower the roof lines to preserve the view. Kaminski said that recharge is in the basement now.

John Kominsky asked what if his septic system fails? He said that he has two sump pumps in his basement now which can't handle all of the water.

Sarkis said he met with the design and review engineers who have utilized best management practices and a stringent application of the stormwater regulations. Pre and post drainage were the same. The largest building footprints were used in calculating runoff. He was satisfied with what he saw.

Nelson said that John Kaminski purchased Adam Connolly's house on Whetstone Street, and that his father is a civil engineer. R. Kaminski asked if he could talk to the peer review engineer from Meridian, and Sarkis said he doubted that he would talk with him. Nelson suggested that perhaps he could talk with the design engineer, who was present, but Kaminski said no, he did not need to do that.

R. Kaminski asked if a NPDES permit has been issued yet. Lorrain said that one is not issued until the project is approved.

The Public Hearing will be continued to January 21, 2014, at 7:30 PM.

Continued Public Hearing, Site Plan Review Regulations

The Board reviewed the draft Regulations, which had been amended at the December 19th meeting. Edits were made.

Motion made by Cook, seconded by Murphey, to approve the Site Plan Review Regulations as edited. The vote in favor was unanimous.

General Business:

Review of Budget documents for FY 2015:

The documents were reviewed.

Motion made by Cook, seconded by Bardeen, to submit the documents to the Finance Committee and Board of Selectmen. The vote in favor was unanimous.

Motion to adjourn, 10:45 PM.

Submitted by,

Jean Nelson
Planning Board Administrator

These Minutes were approved by the Planning Board on January 21, 2014.