

WEST NEWBURY PLANNING BOARD
Minutes of Meeting
June 17, 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 June 17, 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.

ANR Plan, 9 Kimball Road, Assessors Map R-8, Lots 13A and 13B, Joan G. and William H. Carlson, Owners and Applicants

Mr. and Mrs. Carlson were not able to be present at the meeting. The plan was reviewed and found to be in order. The Carlsons had purchased the abutting property, and the plan was prepared to remove the lot line.

Motion made by Cook, seconded by Bardeen, to endorse the plan as not requiring approval under the Subdivision Control Law. The vote in favor was unanimous.

Minutes April 22, 2014

Motion made by Murphey, seconded by Cook, to approve the Minutes as amended. The vote in favor was unanimous.

Minutes June 3, 2014

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

Public Hearing to consider an Application for a Special Permit for a residential unit located in the same building as a commercial enterprise (Zoning Bylaw §5.B.2.f.) and for Site Plan Review (Zoning Bylaw §8.B.) at 318 Main Street. Owner and Applicant is John Sibley, 24 Meetinghouse Hill Road, West Newbury MA. Premises are identified as Assessors Map U-1, Lot 32, in the Business District.

Murphey opened the Public Hearing at 7:30 PM. Sarkis read the Legal Notice. He then read correspondence from Strada LLC and David and Kathy Jennell, who wrote in support of Mr. Sibley's Application.

Present for the Applicant were John and Maureen Sibley. Abutters David and Kathy Jennell, 314 Main Street, and Richard and Leona Preble, 11 Church Street, were also present.

Sibley presented the proposed floor plans. He employs two to three people in his business on site. He proposed to use the front rooms for the business, and with a new bedroom and bathroom, on the first floor. Other living area will be on the second floor. Parking will be kept for four cars, which will be enough for family and employees, according to Sibley. Some of the existing parking will be converted to lawn.

Sarkis suggested that Site Plan Review submittal requirements be waived, as had been discussed at the Pre-Application Conference. He felt that the existing Site Plan, prepared in 1994, should not be recorded with this decision.

Motion made by Cook, seconded by Murphey, to waive the requirements of Site Plan Review submittal, as no exterior construction is proposed. The vote in favor was 5-0.

Dick Preble, 11 Church Street, said that in the past as businesses were added and septic systems installed, all water flowed to the back of his property. A new brook was formed which joined an existing brook across Atwoods' property.

Sarkis said that he felt that when some of the parking reverts to grass, runoff will be slowed down. Sibley said the biggest problem is the Comb Factory driveway. Preble said it is a mess behind Sibley's property, and on his own property also. Sibley said he will try to make his property better.

Preble said that a light in the back of the 318 Main Street property had in the past been very bright. Sibley said that was because it had been a commercial property which was unoccupied at night. He said that the light will not be on all night once the property is occupied. It was decided that the lighting will be taken care of in a neighborly manner by Sibley.

It was suggested that a narrative in the Decision include the fact that no exterior construction is proposed, and that some parking will be replaced with grass.

Motion made by Murphey, seconded by Sarkis, to close the Public Hearing. The vote in favor was unanimous.

The Board found the Findings of Section 8.B. as follows:
Section 8.A.2.f. Planning Board Acting as Special Permit Granting Authority:

The Planning Board makes the following Findings under Section 8.A.2.f.:

1. The specific site is an appropriate location for the use.
2. The use developed will not adversely affect the neighborhood.
3. There will not be an undue nuisance or serious hazard to vehicles or pedestrians, and adequate and appropriate facilities have been provided to ensure the proper operation of the proposal.
4. The proposed use is in harmony with the general purpose of the West Newbury Zoning Bylaw dated May, 2013.
5. The requested use will not overload any public water, drainage, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the town will be unduly subjected to hazards affecting health, safety or the general welfare.

Standard Conditions for a Special Permit were reviewed and revised to suit the Application.

Motion made by Murphey, seconded by Cook to approve with Conditions the Application for Special Permit for a single residential unit located in the same building as a commercial enterprise under Section 5.B.2.f. of the Zoning Bylaw. at 318 Main Street.

The vote in favor was unanimous. John Sibley thanked the Board and left the room.

Thomas E. Neve, discussion of potential 40B filing at Sullivans Court, Assessors Map R-11, Parcel 18, Louise Beard, Kathryn Coffin, Priscilla Santos and Vincent Sullivan, Owners, Thomas E. Neve, dba Neve Holdings, Inc., Applicant

Neve told the Board that he has not built a 40B, but his company Corporation is an approved 40B developer. He is working on a 100 unit 40B in an abutting town. He is not a multi-family developer.

He said that since the last meeting he has decided to renovate the barn for his own home.

He has never appealed a decision nor been denied an application, and has not had a decision appealed.

He presented a sketch of a new plan with two lots on the river. The common driveway has been eliminated. The road would be 100 feet shorter, and the plan would be for nine lots including the barn. Cook said he felt this fits the land better.

Bardeen asked if there were any waivers needed. Neve said yes, the length of road.

Bridges asked if there was public access on this plan, and Neve replied yes, he would provide access to the river and perhaps build a platform or a gazebo.

Murphey asked about Whetstone Street and Sullivans Court improvements. Neve said he could improve the intersection at Sullivans Court and Whetstone Street, loop the water, and widen Sullivans Court from 18 feet to 20 feet.

For a 40B, building could be three to four units, 1800 to 2400 square feet duplexes, colonial style condos, with individual septic systems.

Neve said he has decided to buy the land and develop it.

The third option he presented was to extend the right of way of Sullivans Court which would provide for five lots. The Board of Selectmen would need to lay out the right of way. He would negotiate with the family. There would then be no need for any road improvements. Sarkis said that four long drives would be goofy. They might look alright through woods, but do not look good through a meadow.

Cook said he felt that five or nine lots would work. He supported an overlook. Bardeen and Murphey said they do not care about an overlook. Murphey said the Board will think about it, and chat off-line. He said the plan would feel better to him with five units.

Bridges said the location is tough. Kids will be walking up the hill to get the bus, and this would be increasing exposure to the Town. Murphey said the Board will discuss it. Bardeen said that she would support a connection, and that five or nine lots fit better.

General Business:

..Minutes April 22, May 20, June 3, 2014

The Minutes of April 22, 2014 were reviewed and edited.

Motion made by Murphey, seconded by Cook, to approve the Minutes as amended. The vote in favor was unanimous.

..The Cottages at River Hill, update on Pre-Construction Conference held on June 5, 2014

Nelson had attended the meeting. There are still various permits required prior to construction.

..Jean's Summer hours

Nelson will take Mondays off on an as-needed basis through July and August.

..Discussion of FY 2015 Goals, as requested by Board of Selectmen
The Goals which were submitted with the Budget will be submitted to the Board of Selectmen in response to the request.

Submitted by,

Jean Nelson
Planning Board Administrator

These Minutes were approved by the Planning Board on August 5, 2014.