

WEST NEWBURY PLANNING BOARD
Minutes of Meeting
September 16, 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 September 16, 2014 in the Planning Board Office. Board members Ann Bardeen, Richard Bridges, Raymond Cook, Brian Murphey, Chairman, and John Todd Sarkis attended. Associate Member Dennis Lucey and Administrator Jean Nelson were also present.

The meeting was called to order at 7:03 PM.

Ocean Meadow, Steve Gillis, requesting Form J release of 60 Moody Lane and update of project status

Present for the discussion were Richard Gothage, 7 Ridgeway Circle, Richard Mandeville, 2 Ridgeway Circle and President of the Homeowners Association, and Robert Goss, 14 Ridgeway Circle, a Board member.

Sarkis related that he had seen Gillis in the parking lot, where Gillis told him he had an emergency at a site in Ipswich and had to leave. He said he would be paving within the next three to four weeks. He had left a folder with Sarkis. The folder included photos of the exterior of 60 and 62 Moody Lane and of 24/26/28 Moody Lane, a document entitled "Affordable Homes Marketing Timeline", Nelson's Summary of Units Released, dated September 12, 2014, and the Form J to be endorsed.

The last units on Moody Lane, 60 and 62, are at the point of plaster now, according to the residents. They questioned when the top coat of pavement would be applied. In Minutes from July, 2014 Gillis had stated that he would be paving in August. Gothage said that 62 Moody Lane is not finished. It is studded on the inside, but it is a shell.

Nelson said that she had talked with Gillis last week. The two affordable units, 24 and 26 Ridgeway Circle, are not completed yet. Gillis was required by DHCD to create a new marketing plan to be approved by DHCD. He had told her he hired a new consultant, Maureen O'Hagan, because Judy Epstein was too busy to write the new marketing plan for him. O'Hagan had submitted the plan to DHCD, but it has not been approved yet. He had told Nelson that he could not afford to finish the units until he could sell them. Nelson verified that she had contacted DHCD about another matter, and she had learned they are backed up on paperwork there.

Nelson said that she had missed recording a release in her tracking document, so the Form J releases did not conform to the terms of the Amended Form J, Item c.

The work needed to prepare for the second coat of pavement was reviewed. Sarkis said the pavement will have to be chipped out around the drainage structures. They will need to be raised. He said the base coat should be adequate, and it should be removed in any place where it is not in good shape.

Goss said that owners at Ocean Meadow have punch list items, such as siding, with Gillis. Cook said these items are not part of the Board's responsibility. The residents said that Gillis has been uncommunicative and unresponsive, and described examples to the Board.

The Board discussed amounts of potential costs to finish the paving, 24 and 26 Ridgeway Circle, and for the value of 62 Moody Lane. Sarkis felt that the approximate value of 62 Moody Lane as incentive to complete the roadway and the two affordable units was probably too close to call. The Board does not have a list with the value of work to be completed.

Motion made Murphey, seconded by Cook, to defer discussion of release of 60 Moody Lane to the next meeting. The vote in favor was unanimous.

Continued Public Hearing to consider an Application for a Special Permit for a "drive-in bank", (Zoning Bylaw §5.B.2.c.) and Site Plan Review (§8.B.), at 279-283 Main Street. Owner and Applicant is Haverhill Bank, 180 Merrimack Street, Haverhill, MA 01830. Premises are identified as Assessors Map U-1, Lot 52, in the Business District.

At 7:48 PM, Murphey opened the continued Public Hearing. Richard Sheehan, attorney, listed those in attendance: Tom Mortimer, President of Haverhill Bank, Gail Linehan and Brian Morriseau, MEG Group, Robert Masys, Ram Engineering, and Fred Clark, DRL Architects, Architect.

Murphey said that engineering issues would not be discussed tonight, since the review by Meridian Associates has not been completed.

Morriseau reviewed changes that were made. The following revisions were made to the plans: A bike rack has been added, the portico slope at the front of building was dropped, the comments from the DPW including changing the porous pavement have been addressed, a detail of front steps coming from the sidewalk was added, location of sign relative to the leaching field is shown, the water line coming from barber shop was added, details of landscaping plan were shown, height and construction materials of the stone wall are shown, the wall has been staked, photometric analysis, detailed lighting plan, aerials, gutters of building, revised drainage plan, and architectural elevations were added or revised. He said they had gone through the Regulations as a checklist as suggested.

Clark addressed changes made to the building and elevations. He said gutters and downspouts have been added to the front entrance. The Main Street elevation and pitches to the roofs have changed.

Bardeen said she likes the revised roof pitches much better, and asked that the pitch of the parking lot entry be lowered. The pediment needs to come down. Clark said it is at 10/12, and will be brought down to 8/12. Bardeen pointed out that a solid row of trees are proposed at the rear door entrance on the landscaping plan, which should be corrected, since the door would be blocked.

Sarkis asked if there are any wall mounted light fixtures. Clark said wall pacs are not proposed. There is canopy lighting. The pole height at 15 feet was questioned. Bardeen said seven poles are proposed, and she asked how the number and location of the poles was determined. Clark said he would have to ask the lighting designer. Bardeen asked what the purpose of the lighting was. If it is to light the driveway, these are casting light upwards.

Cook said some of the poles are within a foot or two of the building. He asked about a code requirement for lighting at every door. Clark replied that they do have soffit lights for the doorways. Sarkis asked if there is a fire alarm system, and the response was yes. The fact that sprinklers are not proposed was discussed. Mortimer said it is mainly a cost saving issue, and Sarkis said the distance to any exterior doorway in the building very short.

Murphey commented that on one elevation the ATM is not shown. Clark said it will be added.

Lighting at the ATM was discussed. Murphey asked for the amount of lighting under the canopy. He wants to make sure that the lighting proposed is not more than what is needed.

Sarkis asked about the pole mounted lights off the corner of the building. Clark said they are the same type of poles. Sarkis noted that the poles next to the posts of the porticos would look rather funny. He asked about uplighting the building itself. Murphey suggested uplighting in the shrubbery plantings. Cook questioned the photometric analysis. Bardeen asked if the control is on a time clock, photo cell, or what method is used. Mortimer said there needs to be enough lighting for people using the drive up from dusk to sunrise. It should be discussed further. Nelson asked if the Board would like to have the lighting designer come to the next meeting to answer questions. Bardeen said that would not be necessary if someone else can answer questions. Clark said he will look at the whole design.

Cook suggested 10 to 12 foot poles. Murphey suggested bollards instead of pole lights. Bridges said that the downtown is relatively dark now, and lighting should be in perspective.

The sign was discussed. The hanging sign proposed is close to the intersection. Mortimer said that wording of the sign had been discussed and this wording was chosen. The sign is 2

feet by 40 inches, or approximately the size of a 24" x 36" plan. Sarkis and Cook said that this will appear small outside. Mortimer said lighting is not proposed for the sign. Murphey suggested that conduit be run in case the sign is not visible in the dark.

It was pointed out that the sign on the building may not be backlit. Mortimer said that lighting will be worked on. Sarkis asked about other signage. The Site and Grading Plan was reviewed. Clark noted that the signs for open and closed are missing from the drawings. There is a stop sign coming out of the driveway, directional sign for the driveway, open/closed sign for the drive through, and a sign indicating ATM and drive through lanes. Murphey summarized that there are proposed signs on poles and on the building. Sarkis asked for photos of the standard signs to be used as a detail.

Bridges asked about refuse containers and the response was that this will all be internal.

Sarkis asked if there has been any consideration in treating the concrete steps, tube rails, and the 5 foot walkway with something other than concrete for our cute little downtown. Cook said the concrete may not hold up well, and suggested that something else could be used, and suggested a cast iron railing. Bridges said the rail proposed is very attractive to skateboarders.

Nelson asked if the Waiver Request on the front page is the only Waiver Request. The landscaping plan was reviewed. Masys explained the Waiver Request as the distance of 10 feet from the roadway for a buffer of trees, shrubs, and grass. They cannot plant trees and shrubs because of the septic system. Murphey suggested that a seasonal planting bed along the walkway should be called out on the plan, because it looks plain. Mortimer said that type of planting occurs at all of the branches twice a year, and that will be done at this site also. It was suggested that these beds be shown on the plan to ensure that they do not interfere with conduit installation, etc. Bardeen said that she appreciates no-dye (red) mulch is specified.

Sarkis asked about two structures on the same lot, and if our zoning permits that. Nelson said that she had asked Glenn Clohocy about this, and he had checked with Town Counsel, and it was determined to be allowed.

Murphey asked if landscaping improvements are proposed at the barber shop. Mortimer replied not on this plan, but the bank will be making improvements to the structure, windows, etc.

Sarkis asked that the request for Waiver be discussed now. Bardeen said it makes sense relative to concerns the Board had for visibility at the corner. There is not a need to hide the use with screening. Sarkis added that it is not needed at a corner lot. Murphey stressed that

plantings should be placed along the walk. Masys said he can change the plans to show a two foot planting strip on either side of the walkway.

The 10 foot buffer was clarified further as along Main Street. A vote will be taken later. Murphey felt that conceptually the Waiver would be fine. Sarkis agreed that he would be inclined to accept the Waiver.

Nelson referred to Sheet 2 of 9, Note 11. She did not understand what it meant. Masys explained that on either side of driveway entrance, wheelchair ramps are proposed. This was designed to address the ramps. Cook suggested that the language be clarified. Nelson suggested that Masys talk to Gary Bill about this work, since it is in the right of way.

Jean Berkenbush asked about drainage at the abutting building that she and her husband Scott own. Murphey replied that it will be addressed with the engineering review comes in.

The barber from the shop was present. He said that he is thrilled that the bank owns the property and is proposing the project. The shop was built in 1962, and no work has been done there since then, according to him.

Nelson asked if the Board will be looking at Special Permit and Site Plan Review as two separate documents, or as one. Attorney Sheehan said that he thought the project meets the Findings of a Special Permit and stated that is it the drive-up which requires a Special Permit. He reviewed the two conditions stated in the Zoning Bylaw, which address vehicles standing and litter. He felt that requirement deals more with restaurants and litter. He reviewed the Findings from the Zoning Bylaw Section 8.A.2.f. and asked if the Board needs additional information for any of the Findings:

1) The specific site is an appropriate location for the use or structure.

Murphey said additional information is not needed.

2) The use developed will not adversely affect the neighborhood.

Murphey said that the Board is not ready to talk about this.

3) There will not be an undue nuisance or serious hazard to vehicles or pedestrians, and adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use, structure or condition.

Murphey said the Board does not need more information.

4) The proposed use or structure will be in harmony with the general purpose of this Bylaw.

Cook said the Board has the information that it needs.

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.

Murphey said the Board is not ready to address this. The engineering report must be reviewed.

Sarkis said he feels there are two drive-ups here. There are two lanes. He asked if this is allowed under the Zoning Bylaw. Murphey said this is a typical function at any bank. Lucey said that if a building had a different purpose in the future, that may be important. Sheehan pointed out the language of the Bylaw. It was noted "drive in" is a somewhat archaic term. Sarkis asked if the permit can be limited to this application, or if it runs with the land. Mortimer said that due to septic limitations, a restaurant use would be limited. Murphey said that "a drive-in bank facility" should be specified so if a future sale to a fast food restaurant takes place, the use would be specified. Drive-in funeral homes and liquor stores were mentioned as uses that now exist in parts of the country.

Bardeen will not be here on October 7th. Murphey said that she can invoke the Mullen Rule Law and if the Applicant wishes to consider that she will not be here, he can do so.

Motion to continue the Public Hearing to October 7, 2014, at 7:30 PM. Second by Bridges. The vote was unanimous.

The Applicant left the room at 8:50 PM.

The Cottages at River Hill, Discussion of Two-Car Garage concept

Chip Hall, Owner, Melissa Robbins, Attorney, Scott Brown, Architect, and Chris Lorrain, Engineer, appeared before the Board. Murphey introduced the topic as a discussion of two-car garages and a wide range discussion of things that will come up.

Hall handed out sheets with the current Type D with a one car garage. Robbins presented what is being proposed. The G.F.A. for D has been reduced to 1725 s.f. For the revision a total of four feet have been added. From scaling view the original was 46.5 feet wide from the street, and the new unit w/2 car garage will be 49 feet. The perimeter is 16 feet less all around the structure. Drainage calculations show no new impact to the drainage scheme.

Lorrain said that the length of the driveway has been decreased because the bedroom was moved to the back. The drainage system has capacity, since the calcs were conservative. The calculations assumed larger footprints. He said that currently the plan is for 12 Unit Ds total. He said that the layout is a moving target, and they had to get rid of some Type Bs and replace them with Cs and As. The layout now is conceptual, and in any one cluster they will have to place smaller units in that cluster.

Cook said the streetscape will have wider driveways, and that will affect the aesthetics.

Brown said that Type D is the only unit for this configuration. Hall said that Type D with the two-car garage is the smallest from a width standpoint. The garage is tighter than any he has ever designed. He said if this was a house, he would never recommend this size. The

door width is 8 feet, and the interior clear width is 21 by 20 feet. The garages have been jogged to reduce the massing, but they can't do much better in the back because of the sloping roof on the bedroom. Murphey asked Sarkis what an average garage size is. He replied he prefers a 24 foot by 24 wide two-car garage, with a 9 foot wide door. Hall reviewed the width of units in relation to the D unit. The D is still the second smallest unit.

Murphey asked what the ramifications are sales-wise with just eight units with the two-car garages. Hall said they have 160 people in their database. A certain percentage wants a two-car garage. People like this size of home for downsizing.

Hall continued there is a finite amount of room in the project for this layout. He said he will sign a paper saying that he will never come back for more two-car garages. This is an option for buyers who will have to pay for it. Robbins said it would be a dramatic change to go past eight. This is the limit of what they can do within all other parameters of the permit.

Murphey asked Hall if he considered dropping the number of units for more double garages? He asked if they are boxing themselves a year from now. Hall gave an example of an 18 foot wide roadway project in Scarborough with 18' wide roads, which were tight, granite curbing, 5 miles per hour speed limit, and a variety of units and a mix of what was available. Units there were selling. The benefit was there was no speeding. He related an anecdote where people need a garage for their stuff. They do not need a mower or a snowblower here. He said he does not think they are off the mark. Variety is good.

Sarkis asked if they are getting many first-time homebuyers. Hall said some families with young children are not interested because they cannot have a swing set. There is nothing to go out to in the yards. Murphey asked the price point for young families. Hall replied \$380,000 is the price for the Type E. He said he has four Purchase & Sales Agreements out for review, and others are waiting to see the model.

Bridges said you can't consider the garage in a vacuum. He is considering enclosed decks, building upward, etc., and asked if there will be a family component in the next round? Hall said the project is not family friendly. Brown said the first floor master does not work with people with young kids. Bridges said the final number of units in his mind would not have been 30. He is undecided in his opinion of this.

Hall said any improvements are to the back of the units, or an addition to the highest ridgeline only.

Lucey noted that there could be more cars and more drivers, with up to 32 more cars, because people could be using the garage and the driveway, with more cars potentially per home. The basements could potentially be used for living space. Robbins said that residents will be observing condo rules.

Bardeen said there seems to be overall more paving and more stuff.

Murphey said he would be reasonably inclined to approve the modification if it meets the drainage requirements, etc. Hall said he could have come in with all duplexes, asked for his 65% bonus, and been done.

Murphey noted that re-filing could open the door to new input from abutters, etc., and there is a limit to re-filing if a new application was denied.

Nelson asked the Board to consider that if approved, the condition regarding expansion of units to the roofline should be reviewed. Enlargement of the two-car garages would make the units very un-cottage like.

Robbins asked for an interpretation of setbacks for steps in the Certificate of Vote. She said that the steps are granite blocks. The Board reviews Section 6.A.4. of the Zoning Bylaw, and determined that such steps do not fall under the setback provision.

Hall drew the potential location of two mail stations on a plan sheet. Murphey said the Board will consider this for the next meeting. Sarkis said that safety will be considered.

Zoning Bylaw Amendments

Murphey and Bridges will attend the Finance Committee meeting on September 22nd. The draft Handout will be sent to members ahead of that meeting.

General Business

The Board will meet on November 3rd rather than on November 4th, which is Election Day.

The concept of a town-wide map was briefly discussed. Members were not in favor of soliciting ads for the map. They suggested an internet-based map which would be available to residents on line. Bridges suggested various layers which could be reviewed.

Motion to adjourn, 10:15 PM.

Submitted by,

Jean Nelson

These Minutes were approved by the Planning Board on December 16, 2014.