

**Planning Board Meeting
Minutes
February 18, 2015**

<i>Approved on March 11, 2015</i>

Members present are Curtis Bryant, Cliff Pierce, Chris Thornton, Steve Kassiotis.

Larry Graham, the Planning Board Technical Review Agent and Kirk Baker, Town Planner are also present.

David Jaquith and Jean Pietrillo are absent.

Bryant calls the meeting to order at 7:30 pm. Thornton makes motion to open meeting. Peirce seconds the motion. All vote in favor of the motion 4-0.

56 Newburyport Turnpike

Thomas Ryder, Engineer on behalf of the applicant is present.

Bryant notes that the public hearing for 56 NBPT is continued. Baker notes that a meeting occurred between Ryder and Larry Graham with Baker also in attendance on December 17, 2014. The current revision submitted was intended to address those issues raised by Graham which centered on the rotation of the proposed 5,000 sf building so that it is parallel to the main road and is located between the road and the proposed parking area so that the gravel area where vehicles will be parked will be screened from view by the building itself.

Graham noted that his recent review letter outlined several items yet to be addressed. He notes, for example, that the gap in the row of screening trees between the building and the road should be closed. Ryder agreed to do so.

Pierce asked about the proposed landscaping row of trees still showing up as Arborvitae after he had requested that that tree-type be exchanged for another screening tree which is not eaten by wild deer. Ryder suggests White Pines instead.

Thornton makes motion continue this public hearing on March 11, 2015. Peirce seconds the motion. All vote in favor of the motion 4-0.

111 Newburyport Turnpike

Bryant reads the legal description prior to opening the public hearing. Thornton motions to open the public hearing. Kassiotis seconds the motion. All vote in favor 4-0.

Baker explains the case history behind the application and that the applicant has recently obtained variance approval from the Zoning Board of Appeals in regards to the dimensional aspect of the sign and is now requesting approval of an illuminated sign special permit. Baker

also notes that the sign specifications on the submitted exhibit are in compliance with the requirements outlined in Zoning Bylaw Section 6.5.1 (“Standards Pertaining to Illuminated Signs”).

Bryant asks for public comment on the project. There are no comments from the public. Thornton motions to close the public hearing. Kassiotis seconds the motion. All vote in favor 4-0 to close the public hearing.

Pierce makes motion to approve the illuminated sign special permit as submitted. Thornton seconds the motion. All vote in favor 4-0.

Proposed Main Street Zoning Amendment (Outlying District to Central District)

Bryant explains the recent background of the request to the Board and to the public sitting in the audience. He notes that based on a request for an annual license renewal on behalf of Todd Farms Flea Market, the Zoning Review Committee decided that a change in zoning from Outlying District (Agricultural/Residential) to Central District (Commercial) was necessary before a license for the Flea Market could be licensed by the Board of Selectmen.

Pierce explains that such a rezoning would open this area from its set of limited uses to a more comprehensive set of commercial uses. Baker explains that the ZRC discussed the alternative option of amending the Zoning Bylaw to allow for the Flea Market use in the Outlying District with a Special Permit from either the Planning Board or Zoning Board of Appeals, but, that the committee decided against it due to the fact that the greater portion of town is Outlying District. Several members of the public express their concerns as to the pros and cons what impact such a rezoning will pose to the neighboring properties. They also stated they would have appreciated more notice than the standard one-week prior in order to involve more neighbors. The Board pointed out that the notice given was a courtesy rather than a requirement but that if there is concern that other neighbors would like to make an appearance then perhaps the Board would continue the public hearing on March 11, 2015 at 8:15 pm.

Pierce motions to continue the hearing. Thornton seconds. All vote in favor 4-0.

As-Built / Street Acceptance Review

Dexter Drive:

Graham notes that the As-Builts are acceptable. He notes that the Street Acceptance Layout is also acceptable which he recommended in November 2013.

Baker notes that all Town Departments except for the Water department have given approval .

Pierce motions to approve the Dexter Drive As-Built plan and to recommend to the Board of Selectmen that they hold a formal street acceptance hearing and to put it on the warrant for the Spring 2015 Town Meeting. Thornton seconds the motion. All vote in favor of the motion 4-0.

Wild Pasture Estates:

Graham states that he has reviewed the As-Built Plan and the Street Acceptance Layout for Wild Pasture Estates and finds them to be acceptable.

Baker notes that all Town Departments except for the Water department have given approval . He also notes the applicant is in the process of closing out an order of conditions with the Conservation Commission but that this will be done prior to any Street Acceptance hearing.

Thornton motions to approve the Dexter Drive As-Built plan and to recommend to the Board of Selectmen that they hold a formal street acceptance hearing and to put it on the warrant for the Spring 2015 Town Meeting. Pierce seconds the motion. All vote in favor of the motion 4-0.

The Planning Board also considers the developer's request to reduce the \$346,000 Tripartite Agreement. Graham states that he has looked into this and agrees the Surety can be reduced.

Thornton motions to reduce the surety. Peirce seconds. All vote in favor 4-0.

Approval of Minutes:

The Board discusses a few minor corrections to the January 14, 2015 minutes. Thornton motions to approve the minutes with the corrections. Pierce seconds the motion. All vote in favor.

Adjournment:

Thornton motions to adjourn. Kassiotis seconds the motion. All vote to adjourn at 10:30pm.