

**AMESBURY PLANNING BOARD
AMESBURY CITY HALL AUDITORIUM
MONDAY, FEBRUARY 11, 2013 @ 7: 00 P.M.**

Meeting is called to order at 7: 19 P.M.

PRESENT: Chair Howard Dalton, Stephen Dunford, Ted Semesnyei, Ara Sanentz, Karen Solstad.

ABSENT: David Dragonas, David Frick

ALSO PRESENT: Nipun Jain, City Planner, Paul Bibaud, Recording Secretary.

MINUTES:

Nov. 26, 2012 continued to February 25, 2013

Dec. 17, 2012 continued to February 25, 2013

Jan. 14, 2013 continued to February 25, 2013

Jan. 28, 2013 continued to February 25, 2013

FORM A

1353-13-2 Macy St., 19 (Neff)

Nipun Jain: This regards an ANR plan where map 77 lot 74A, which is towards the north of the subject property, it is the area bounded between the Route 110 and the dotted line. That parcel, based on deed research done by the applicant's engineer is separate parcel but within the boundaries of lot 74 Map 77, and this was as a result of action taken by the Municipal Council, which was the Board of Selectmen, way back in 1991. You would see that in the deed reference notes. This parcel, map 77 lot 74A that was created as a result of the abandonment by the city was supposed to go back to map 77 lot 74, which is the full parcel. This plan of land , approval not required, essentially confirms that on a plan of record. So there is no change in any way, shape or form, no new lot is being created. Mr. Cammett from Cammett Engineering is here, if there are questions, as is the applicant.

Woody Cammett, representing the applicant: In 1928, the right-of-way was relocated and widened to what is now known as Macy Street. MassDOT should have transferred all of the property on the southerly side back to the abutters. For some reason, they did not do that. This was discovered prior to 1990 with a deed research, and the town had an article before town meeting in 1991 to return all of the property that was the old right-of-way back to the neighbors that abutted the southerly side. So this is just correcting the deeds and making the title correct. So there may be one or two more lots that may come before the board, when and if they are sold. Mr. Neff is transferring ownership of NAPA Auto Parts, which is how this was discovered, during that transaction.

Motion by Stephen Dunford to abandoned property to return to lot 74. Motion was seconded by Ara Sanentz. Vote was All in Favor.

Stephen Dunford made a motion to take the Special Permit for 60 Pleasant Valley Road out of order. Motion is seconded by Ted Semesnyei. Vote was All in Favor.

CONTINUED PUBLIC HEARING:

Special Permit- Wetland and Floodplain - 60 Pleasant Valley Road (Corey)

Howard Dalton was not present at the first meeting on this item, which means there is no quorum of board members present to vote on this SPECIAL PERMIT. It must be continued to the next meeting on February 25.

Motion by Stephen Dunford to continue to the next meeting and seconded by Ara Sanentz. All in Favor.

SIGN APPLICATIONS:

SmartMart Auto- 41 Hillside Avenue

Nipun Jain: This is an application that was submitted because we pointed out to the building inspector that the new signs were not approved by the Planning Board. The building inspector directed the applicant to get approval for these signs before they can be considered legal. That's why you see photographs of the signs that are already on the site but were not permitted. The free standing sign is probably the same as what was there in terms of square footage. I cannot verify the building mounted sign. I believe that one is greater than what existed there before that. After a brief discussion, it was the board's decision to send a letter to the applicant requesting further information, including all dimensions, illumination, placement of signs on lot, etc. As it stands, this is an incomplete application. Nipun Jain will ask that the applicant meets with him prior to the February 25 meeting.

Motion by Ted Semesnyei to continue to February 25 meeting, with applicant responding and meeting with Nipun Jain prior to the next meeting on February 25. Motion is seconded by Stephen Dunford. All in Favor.

Genesis Health Care- 6 Morrill Place

Nipun Jain: The applicant proposes to do a face repainting of the existing sign. There is no change in square footage, no relocation proposed... it is the same sign box refaced with new painted panels as indicated on the sign application. There is no light, but there are two exterior lights that illuminate the sign at a 45 degree angle.

Mark Richard, district director for Genesis Healthcare: No internal illumination of the sign. This is strictly a face change copy and will not be altering the sign size, structure, foundation, etc. or lighting.

Motion by Ted Semesnyei to accept the sign application. Motion is seconded by Ara Sanentz. Vote was All in Favor.

PRE APPLICATION CONFERENCE:

Amesbury Animal Hospital – 277 Elm Street

Nipun Jain: The applicant has submitted architectural drawings as part of the follow-up on the board's request from the prior presentation. Since drawings are coming in at this time, the Planning Board needs time to study this new information and consider it part of the pre application review package. So at the applicant's request, a continuance was granted until the February 25 meeting.

The site visit scheduled for Sun. 2-10-13 was cancelled due to the blizzard. The visit should be rescheduled prior to the next Planning Board meeting on 2-25-13.

PUBLIC HEARING

Zoning Amendment - Bill # 2013-005 Section V: Table of Use Regulations to allow Veterinary

Hospital in the Office Park (OP) District with Site Plan Review (SPR)

Nipun Jain: This was originally scheduled for January 28 meeting. The proposed zoning amendment is to amend section 5. Currently, veterinary hospitals are allowed only in the residential district, and in no other non-residential district. Vet hospitals have changed greatly over the years, no longer a small business or home occupation as it used to be. It is a growing industry and now a commercial use that has a lot of patrons. This creates the need for expanded services, expanded facilities. That is one of the reasons why this hospital needed to look for a new site. The current space does not meet their current demands. We need to supply the ability for local businesses to expand. We looked at what could be done from a policy perspective as to create such opportunities for such businesses in town. It became clear quickly that we needed to allow such uses in non-residential districts. Substantial land is necessary these days in order to meet the needs of this type of business, both in facility size and frequency of traffic for patrons. The office park zoned area in town was deemed appropriate, which is also what the applicant found after doing their due diligence and research on available parcels in our commercial area, more so than residential districts. Currently, it is allowed as a special permit in the residential areas. But as a way to encourage commercial uses like this business, we present that it be allowed as a permitted use in the office park, but with site plan review.

Motion by Stephen Dunford to recommend to the Municipal Council to adopt this zoning change, Bill number 2013-005. Motion is seconded by Ara Sanentz. Vote was All in Favor. Motion by Ara Sanentz to close this hearing for City Council Bill 2013-005. Motion is seconded by Stephen Dunford. Vote was All in Favor.

ADMINISTRATIVE:

Spring Hill Subdivision

Nipun Jain: The Spring Hill subdivision is complete. They have filed for street acceptance and have asked the board and city to complete due diligence. Also, they have requested a reduction of the performance bond. At this time, the board is holding \$85,485 in a bond. I have reviewed their request and the staff recommends that we release \$64,025, leaving a balance of \$21,460 in the bond, until our review is complete of the work associated with acceptance of streets. We've asked our consultant to go out and verify certain aspects of the project for completion purposes, but due to inclement weather, that has not been done as yet. So work that has already been reviewed, we recommend release of monies for those already verified.

Motion by Stephen Dunford to release the \$64,025. Motion was seconded by Karen Solstad. All in Favor.

Stephen Dunford mentioned that there was an item deferred to this February 11 meeting that is not on the agenda. Nipun Jain explained the project referred to is the Village At Bailey's Pond. At the last meeting, the project was continued to the next meeting (tonight). But there was some confusion on meeting minutes, so it did not get posted on the agenda. We were also waiting for the board's consultant to finish reviewing the revised information which came to us earlier this week. It was decided that to give enough time for this to be looked at, so it would be best to continue this to the February 25 meeting.

Motion by Stephen Dunford that NOI for supplemental information Village At Baileys Pond, which was deferred to 2-11 from January 14 now be deferred to February 25. Motion is seconded by Ara Sanentz. Vote was All in Favor.

100-108 Whitehall Road (bond reduction)

Nipun Jain: This board had authorized the planning office to release monies, given the fact that the applicant had posted cash on the parking lot for the Lake Gardner apts. So I am letting the board know that we have released \$120,000 based on recommendation from the Planning Boards's consultant.

AFFORDABLE HOUSING STUDY – Update on Current Planned Production Plan and Strategies for Creation of Affordable Housing

Stephen Dunford said he reviewed the packet sent out to the board. He said it was very much in detail as to where the housing market is going. Of interest was that it requires an additional 203 units to achieve a total of 704 units or 10% affordable housing units or 10% of its existing housing stock. How many of those 203 units have been accounted for by a contractor or something for potential use?

Nipun Jain: The 203 units is the gap between what is permitted or in existence or restricted by deed and what we need to meet the 10% requirement of the state.

Stephen Dunford: Something like this is too important for each board to independently review. We should have a joint meeting of the Ordinance Committee, Planning Board and City Council to discuss this. So what is your intention for the Planning Board to do with this?

Nipun Jain: Part of it comes from the Master Plan. This addresses the goals and objectives in the economic development section, the infrastructure section, the housing section of the Master Plan. The Master Plan identifies housing as a key component of any economic development strategy. It also identifies housing as playing an important role in how the city develops, expands, maintains its public utility infrastructure, including roads, sidewalks, sewer, etc. The housing stock itself has a key role to play in not only supporting families in town, but also what kind of employers are drawn to town. If it's affordable, it brings in more diverse employee base and helps draw more people into Amesbury. So those factors together make housing an important part of any planning exercise. The other side is; the 40B developments. These are allowed by state mandate where, if cities and towns don't have 10 % affordable housing stock (affordability is established by state map) then a developer can pursue housing development that is exempt from application or zoning bylaws. They can create housing in any district of any density, and it is supported by the state. That has impacts on the cities' infrastructure, has impact on the neighborhood, via traffic or otherwise, impact on schools. So the state encourages cities to have a housing production plan that outlines the strategies that the city or town would adopt to demonstrate that they have given thought to where housing should be developed, how it should be providing a diverse housing base or stock where you have rental and ownership properties, where you have single, two or three bedroom properties, and where you have affordability criteria. So in order to meet the second objective of showing the state that Amesbury has thought of how to meet the various housing needs of the city, this plan looked at demographics, housing data, existing stock, discussions with stakeholders such as realtors, developers, financial institutions, as well as the Planning Board, which is the lead agency in development policies and regulations and how housing development in Amesbury should be developed and presented. That was the background.

The next step for this is, once the Planning Board recommends that this document is ready to go forward to the state for endorsement, we would take it to municipal council and give it to them to either endorse it to be sent to the state or to amend it. The document itself is non-binding. It is a mission statement on how the city will create policies or regulations to achieve the five year

action plan. That is the objective of this plan.

Stephen Dunford: What is the date of the Master Plan?

Nipun Jain: 2004.

Stephen Dunford: And that's a five year plan?

Nipun Jain: It's a five to ten year plan. We're coming up to that one year when we have to do something.

Stephen Dunford: I happen to agree with Mr. Jain on the 40B. When I was on municipal council, we had 40B's come up, and basically our hands were tied, unless you had a good plan to work with. A developer can grab a piece of property and build low income housing and get subsidies from the state to do, with very little concern about the impact it will have on the neighborhood. I recommend that we have everybody read this document and defer it to the next meeting, then really sit down and go through this for the recommendation. The document itself is in good shape, but the rest needs lots of discussion.

Nipun Jain: What we'd like to see is, if the Planning Board was to recommend that we move forward with giving this to the state. The state has to review this, seeing if there are sections that need amendment or if they need further information.. They would also need a letter of endorsement from municipal council for final approval. So we hope that on Feb. 25, 2013, if the Planning Board would recommend it be sent to the state as well as to Municipal council for endorsement, then it will keep the plan moving forward. I ask that the Planning Board members submit your question to me within the next week or so, so that the consultant can address them in time for his presentation at the Feb. 25 meeting. or before.

Stephen Dunford: Makes a motion that we defer the housing production plan study analysis to the Feb. 25, 2013 meeting, with all questions from the Planning Board submitted by the nineteenth. All in favor.

Motion to adjourn by Ara Sanentz. Motion seconded by Karen Solstad.

Meeting is adjourned at 8:35 P.M.