

**City of Newburyport  
Planning Board  
October 15, 2014  
Minutes**

The meeting was called to order at 7:06 PM.

**1. Roll Call**

In attendance: Henry Coe, Sue Grolnic, Doug Locy, Noah Luskin, Jim McCarthy, and Bonnie Sontag; Don Walters arrived after the start of the meeting

Absent: Paul Dahn

Director of Planning and Development Andrew Port was also present.

**2. General Business**

- a) The minutes of 10/1/2014 were approved. Henry Coe made a motion to approve the minutes. Sue Grolnic seconded the motion and five members voted in favor. Doug Locy abstained.

**3. Old Business**

- a) *7 Henry Graf Road LLC  
7 Henry Graf Road  
Major Site Plan Review  
Continued from September 17, 2014*

Doug Locy made a motion to continue the Major Site Plan Review to November 5. Henry Coe seconded and all members voted in favor.

**Motion Approved.**

*During the course of discussion and consideration of this application, plan(s), supporting material(s), department head comments, peer review report(s), planning department comments and other related documents, all as filed with the planning department as part of this application and all of which are available in the planning department, were considered.*

- b) *MINCO  
92 Rear Merrimac Street  
Informal Discussion*

Requirements for the Waterfront Marine Dependent (WMD) district would guide development of the Merrimac Street project in regard to building orientation, building materials, and windows. Director Port said no application had been filed yet. Chairman McCarthy had reviewed the rules

and said when a Site Plan Review was combined with a Special Permit request it had more teeth from a legal perspective. In a by-right plan, that was less true. A member asked whether Minco would go first to the ZBA for a Special Permit or present to the Planning Board first? Director Port thought they were likely go to the ZBA first. Chairman McCarthy was interested in straightening out Market Street as a part of the development in order to regain a view corridor. He would draft something for the Planning Office to issue to the applicant indicating that the board had reviewed the WMD requirements against the conceptual design presented and adjustments were needed. Concerning design, there was a different context if a building project was downtown or three blocks over from the downtown.

#### **4. New Business**

*a) Matthew Gillard, Colonial Brick Works  
33 Middle Street  
DOD Special Permit*

Chairman McCarthy read the notice. Matt Gillard, Colonial Brick Works, 3 Dewey Street, Amesbury, showed pictures, beginning with the corner of the building he repaired four and a half years ago. The second side was now ready to be done, as shown in another picture. A picture showed where the backside of the right chimney was restored three seasons ago. The left side chimney had water damage because of the use of new, hard brick and hard Portland cement mortar 8 years ago. Trapped moisture was damaging the bricks below. A picture of the area to be repointed was shown. Mr. Gillard met with the Historical Commission to familiarize them with his techniques and tools. Chairman McCarthy asked if the Commission asked him to do anything he was not already doing? Mr. Gillard said they had concerns about the mechanical means until he explained the steps that would be taken. Two or three members of the Commission were past customers who knew of his expertise and work.

Public hearing opened.

Public hearing closed.

Bonnie Sontag made a motion to find the recommended work acceptable as per the recommendation of the Historical Commission and approve the DOD Special Permit. Henry Coe seconded and all members voted in favor.

#### **5. Planning Office/Subcommittees/Discussion**

*a) Updates*

The Department of Public Services building on Perry Way is a large garage building with no room for the city engineer, water and sewer management and staff, who for many years have been located in adjacent trailers. A new administration building would be ready for a Site Plan Review on November 19. Plans, prepared by a City consultant, would not necessarily require a peer review, but if it was wanted, the process could begin. The board said a peer review should proceed. The fee was waived.

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The City would meet with New England Development (NED) to talk about the Waterfront West Overlay District and Waterfront Mixed Use zoning. The idea of a conceptual master plan for all of the NED property to be developed was proposed for consideration. The City could adopt the entire development with a master Special Permit for the entire development plan. It would require a lot of upfront work, but NED would not keep coming back for Special Permits for every lot as long as everything developed was consistent with the original Special Permit.

The board asked if the same approach would be taken with the ZBA? Director Port might want to waive some of those requirements instead of using a Variance as to not burden the applicant with appeals. NED was open to using some portion of the first floors for residential rather than all commercial or retail uses.

The board wondered about taking responsibility for eliminating a public review process by creating the opportunity for changes that came through to all be minor modifications. The board would be learning as reviews proceeded. Did the board have enough expertise to ask the right questions to make sure a master plan contained what they wanted? Could the board have a consultant? Chairman McCarthy would think about a consultant for the phasing and conditions. Director Port said the primary issue was to ask NED to lay all their cards on the table in order to avoid frivolous appeals and numerous Special Permits and Variances.

Councilor Cronin had brought forth an ordinance change from R3 to R2 for the Back Bay neighborhood. Not a lot could be accomplished. A board member said it sounded like spot zoning.

The Kelly School RFP went out again with new parameters including a minimum bid of \$750,000. Bids were due November 3.

## **6. Adjournment**

Don Walters made a motion to adjourn. Henry Coe seconded and all members voted in favor.

The meeting adjourned at 8:01 PM.

Respectfully submitted -- Linda Guthrie