

**City of Newburyport
Planning Board
October 2, 2013
Minutes**

The meeting was called to order at 7:01 PM.

1. Roll Call

In attendance: Dan Bowie, Henry Coe, Noah Luskin, Jim McCarthy, Bonnie Sontag, and Cindy Zabriskie

Absent: Don Walters, Sue Grolnic, and Paul Dahn

Andy Port, Director of Planning and Development, was also present.

2. General Business

The minutes of 8/21/2013 were approved. Henry Coe made a motion to approve the minutes. Cindy Zabriskie seconded the motion and four members voted in favor (two abstained).

3. New Business

***Janet Morris for property at
36 North Atkinson Street
Request for Minor Modification to Landscaping Plan***

Janet Morris assured the board all elements of the approved landscaping plans had been implemented, with the last piece to be completed. Her landscaper strongly urged her not to plant hemlocks as designated because they are disease-prone and require annual disease-free certifications. When she wrote letters dated August 29, 2013 to the Planning Board and September 6, 2013 to neighbors, she thought it wouldn't be possible to find Shadblow trees. She has now located 10 Shadblow trees that meet the caliper requirements of the approved plan and would like permission to plant all Shadblow trees to meet the outstanding landscape plan requirements.

Director Port said the Preservation Restriction agreement on the Greek Revival structure had been submitted to City Council, and that it had been referred to the Planning and Development (P&D) committee. Although a formality to have City Council adoption, the applicant cannot receive an occupancy permit until the final PR agreement is adopted and recorded.

Ms. Morris had already contacted her Ward Councilor, Brian Derrivan, who sits on the P&D Committee. Board members encouraged her to contact Councilor Jones, the P&D committee chair, with an explanation of her situation and a request for consideration of the PR agreement. Director Port will continue trying to reach Councilor Jones to move consideration of the PR agreement forward.

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Henry Coe made a motion to approve the minor modification of the landscape plan to allow plantings of all shadblow trees. Jim McCarthy seconded and the motion passed unanimously. 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.

Related to this discussion: James McGregor, an abutter, requested that Ms. Morris remove a sumac tree bordering his property because of its highly invasive character. The tree was not included in the approved landscape plan but has a caliper greater than 4"; therefore Ms. Morris would need board approval to remove it. The board decided that the tree would not be referenced in the certificate of vote on the minor modification and has no objection to its removal.

5. Planning Office/Subcommittees/Discussion

Director Port asked members to sign mylars for Northbridge Companies' Wright's Court project at 30 Toppan Lane. The signed mylars would be held until the covenant was delivered and both would be officially recorded together.

Director Port updated the Planning Board about zoning amendments submitted to City Council; planned meetings with MINCO, the potential developer of some of the MBTA parcels; the Whittier Bridge project; the Mechanics Court project; zoning revision RFP.

A member asked how Waterfront West meshed with a design review? Director Port would like to take the core of the downtown business district that Waterfront West was part of and implement design standards that give downtown the same energy all around it. Residential areas were more sensitive. A member would eliminate the Waterfront West Overlay and everyone agreed. The member would also eliminate the Federal Street Overlay to create a consistent downtown standard instead of having a patchwork of requirements. A member asked about highlighting the historic character of downtown and another member said compatible designs, like the Tannery, should be acceptable. Another member said the library was a good example of compatible design and that there were several other good examples. Director Port would include graphics of examples to better illustrate what could and could not be done.

6. Adjournment

Henry Coe made a motion to adjourn. Cindy Zabriskie seconded and all members voted in favor.

The meeting adjourned at 7:28 PM.

Respectfully submitted -- Linda Guthrie, Note Taker