

November 16, 2011

**Planning Board
Newburyport City Hall**

The meeting was called to order at 7:07 P.M.

1. Roll Call

In attendance: Dan Bowie, Henry Coe, Paul Dahn, Anne Gardner, Julia Godtfredsen, Jim McCarthy and Bonnie Sontag

Absent: Sue Grolnic and Don Walters

Andrew Port, Director of Planning and Development arrived at 7:20 PM.

2. General Business

a) Approval of the minutes

Minutes of November 2, 2011 Meeting

Ann Gardner made a motion to approve the minutes as written.

Bonnie Sontag seconded the motion.

Minutes approved as written.

Votes Cast:

Dan Bowie: approve

Henry Coe: abstain

Paul Dahn: abstain

Ann Gardner: approve

Julia Godtfredsen: abstain

Jim McCarthy: approve

Bonnie Sontag: approve

b) Correspondence from Newburyport Affordable Housing Trust re: potential V.I.C on Parker Street

A Planning Board member asked to better understand the pricing of units and inquired about methods to influence how the units are maintained.

A member asked if there were separate units. Another member answered that there were two buildings and asked if pricing would be reasonable. One member mentioned they are adding four units. Another member stated that they are not providing the same plan views for the other buildings.

3. Old Business

a) Brad Kutcher

251 Merrimac Street

Section V.I.C Special Permit

Continued from 11/2/11

Chairman Daniel Bowie said conditions discussed previously, the tree and preservation issues, have all been addressed and the board is ready to vote. He asked for confirmation of the brick sidewalks agreement.

A Planning Board member remembered the choice was brick sidewalks and \$15K or non-brick sidewalks and \$25K donation to the Newburyport Affordable Housing Trust.

Brad Kutcher stated, between the brick versus concrete sidewalk, they want the brick with a grass strip between the curb.

No public comment.

The proposed Special Conditions from Andrew Port, Planning Office, were read out loud.

Brad Kutcher said a reference to the brick sidewalks is on the actual plan. Therefore it would not be necessary to have a special condition stating this requirement.

The board asked Brad Kutcher to read the conditions before starting to pull building permits and said if there are issues, to work it out with the Planning Office. The Planning Board thanked Brad Kutcher for his flexibility and patience.

Anne Gardner made a motion to approve the Section VI.C Special Permit.

Bonnie Sontag seconded the motion.

Motion approved as written.

Votes Cast:

Dan Bowie: approve

Henry Coe: approve

Paul Dahn: approve

Ann Gardner: approve

Julia Godtfredsen: approve

Jim McCarthy: approve

Bonnie Sontag: approve

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.

4. New Business

5. Planning Office/Subcommittees/Discussion

a) Zoning Amendments

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Chairman Daniel Bowie summarized the unresolved Joint Public Hearing zoning issues. The lot-width minimum amendment was not discussed. The proposed table of uses amendment regarding a community center was not approved due to lack of specificity in the definition. Andrew Port will refine the language for consideration at the next joint public hearing on this issue.

Andrew Port said the **lot-width minimum proposal** might stay in committee until the end of the year, then die. The proposal has been referred to the Planning Office for rewording.

Chairman Bowie asked Andrew about the lot width minimum issues. Andrew responded that it's the same language as last time, with concerns about grandfathered lots not adhering to the new requirement. The feedback Andrew received from the city council subcommittee on Planning and Development regarding new lots adhering to a lot shape requirement was 1) they'd concede to "instead of a square, 75 % to shrink the square," 2) it's onerous to change that square to a circle to free up the corners and 3) to eliminate old language for a universal language that applies to everyone.

Andrew's preference would be to have a standard, saying the issue is more about what people can accept for a standard. He's trying to minimize changes. He said Barry Connell is getting feedback from his members as well as the community that the language is too stringent.

Chairman Bowie wondered how it would work or be meaningful. Andrew said he has not analyzed how many existing lots would be affected by proposed changes. He can take a look at how this would play out for each of these scenarios, but no matter what we do there will be exceptions. A Planning Board member expressed concern about density and configurations that would result, saying it would be helpful to see it.

One member cited a negative example of a pork chop-shaped lot on Columbus Avenue. Another member said some pork chop lots are fine, others are not. 6Cs can do the same thing so this will be tricky.

Chairman Bowie said even if we don't get anything out of this, he would like to try again for those people who care about lot-width minimum. If the 75% circle isn't meaningful, let's go for the square and see if it's voted down.

A Planning Board member suggested removing references to everything going backward. Andrew Port said we're trying to affect only lots going forward, but there are issues with that. The council doesn't want to hurt growth.

Another member said in situations that don't meet the special lot width minimum, go for a special permit with the Planning Board and we'll take a look at what makes sense for each site where there are issues, working on a case by case basis.

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A member noted that grandfathering was the non-conforming part of the code. How effective is that language to leave it in?

Andrew recommended going with a single definition for all houses stating that the problems are with how it's written. Currently it's too hard to understand. There's resistance to having a midpoint definition with all these parallel lines. What's needed is a simpler definition. If the Planning Board feels inclined, it makes sense for you to make a recommendation. That needs to be on our agenda for the December meeting. Chairman Bowie said he left it that he and Barry would be talking further.

The Planning Director updated the board on the status of proposed zoning amendments before the city council:

The **Whittier Bridge filing** with the Conservation Commission is December 1, and the month of December will be meetings and public comment. It's moving faster than it was before.

The Waste Water Treatment Facility question of landscaping is being delayed. The Board asked for a completed landscape architecture plan. Peter Hartford has said he would return with a resolution but subsequently communicated that they are not coming back and will comply with the Board's decision.

However, the mayor seeks a compromise where she can commit to a specific date the work would be done in Phase 2. Andrew said possibly there are some smaller areas where they are moving equipment and don't want to put in vegetation yet, like leaving the path undone. They are starting to clean things up now. Plans for shading the parking lot blocks a beautiful view; the landscaping on this should be reworked.

Andrew said Storey Ave. **signage project** has to go before MassDOT where it will have a very low priority.

Adjournment

Motion made to adjourn.

Motion seconded. Motion approved unanimously.

Meeting adjourned at 9:15 PM.

Respectfully submitted, Linda Guthrie – Note Taker.