

**City of Newburyport
Planning Board
November 19, 2014
Minutes**

The meeting was called to order at 7:09 PM.

1. Roll Call

In attendance: Doug Locy, Noah Luskin, Jim McCarthy, Leah McGavern, Bonnie Sontag, and Don Walters

Absent: Henry Coe and Sue Grolnic

Director of Planning and Development Andrew Port was also present.

2. General Business

- a) The minutes of 11/5/2014 were approved as amended. Doug Locy made a motion to approve the minutes. Don Walters seconded the motion and all members voted in favor.

3. New Business

- a) *Anna Jaques Hospital
25 Highland Avenue
Major Site Plan Review
2014-SPR-05*

Chairman McCarthy read the notice. Lisa Mead, Blatman, Bobrowski, and Mead LLC, 30 Green Street, Newburyport, said a rear parcel of the Rindler property acquired by Anna Jaques for employee parking would result in a total increase of 96 spaces. 102 spaces are being constructed, however there will be a loss of 6 due to aisle ways being created. The R2-zoned parcel received a Use Variance from the ZBA. Cut sheets for lighting and signage were provided.

Paul Avery, President, Oak Consulting Group, 21 Green Street, Newbury, MA, said a primary design constraint was protecting natural tree buffers. He described 24-foot islands and a concrete wall through the landscaped area with new tree plantings. Underground infiltration chambers were sized to accommodate the 100-year storm event. A deep layer of sand accommodated the proposal. Attorney Mead said the no-cut area followed the tree line for Avita Newburyport and was shown on the proposal.

Member comments: Why no evergreen plantings? Mr. Avery said tree plantings were Red Maples and White Oaks. Attorney Mead said a minor amount of clearing would be done for getting in and out, but existing pines along the edges would all be saved. Major trees were identified, would be protected, and built around. Members said it was a well thought out plan; trees should be put in the existing lot.

Planning Board
November 19, 2014

Chairman McCarthy asked if there was a grade change? Mr. Avery said the grade generally matched existing grades without much change. Members asked about people walking to existing offices; cross walks directed pedestrians to the sidewalks. Mr. Avery said all would be employees. Chairman McCarthy said the requirements were met.

Public comment open.

Virginia Eramo, 28 Toppans Lane, said the no-cut area directly abutted her property to the right. The grade change was a dramatic drop into her back yard; infiltration effectiveness was important. Would anything be cut near her property line? Attorney Mead said no. Mr. Avery elaborated that clearing was to facilitate entrance and egress and would not be in the woods.

Public comment closed.

Chairman McCarthy asked what the waivers were? Attorney Mead said the two waivers were for the traffic study and an environmental impact report. There was no new traffic nor hiring of new employees. There would be no impact on the sewer and water.

Don Walters made a motion to approve the Major Site Plan Review. Doug Locy 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) Gary Swerling, Packaging Realty Trust
3-5 Opportunity Way
Major Site Plan Review
2014-SPR-06***

Chairman McCarthy read the notice. Attorney Mead anticipated a continuance; CSI had just received a response to their comments. Packaging Specialties needed storage and wanted to bring all operations into one building. The proposed building expansion was mostly for storage with little to no new employee activity. Variances were received and an ANRAD approval was in process. A new wetland area was identified and a new ordinance relating to a 25-foot No Disturb Zone required a design change in the building. The ZBA hearing for a modification in the previously granted variance will be December 9th. A technical review meeting took place last week. The 2nd round of comments from CSI for wetlands and building changes was still to come.

CSI said four parking spaces were within the front-yard setback. While not the first building in the Industrial Park to have it, front parking was needed due to wetland constraints in the back. The building was the same essential design as today.

Planning Board
November 19, 2014

Taylor Turbide, of Turbide Engineering, Amesbury, MA, said a major issue was drainage for the added 31,000 square feet of building and parking. Realignment reduced the impervious area by 2,000 square feet. The pavement reduction was replaced with building, producing cleaner stormwater than pavement run off, with greater ease in treatment, handling, and discharging. The Park's flooding issues highlighted the importance of not increasing peak flow. A swale without treatment along the front at Opportunity Way did not meet current stormwater standards and two underground storage systems were designed. C & D soils could not be recharged; pipes would not be perforated. Storage area B increased the rate of flow into the swale. Two-, 10-, and 100-year storm event requirements were met. Sewer and water were relocated, with no added burden; a hydrant was relocated also.

The current site has 47 parking spaces. Regulations require 75 spaces; 20 new spaces would be added and an island relocated. Other than providing more room for turning, there were no changes in truck circulation. Howard Snyder and Mark West, wetland mitigation and cosmetic specialists, would handle landscaping. The relocated island had a new tree. Larger trees would be added for wetland mitigation.

Member comments. Were trees planted for mitigation? Mr. Turbide said new trees were for wetland buffer zone mitigation. Would the board hear Conservation Commission comments? Attorney Mead said yes, upon their return. The Conservation Commission wanted more plantings because the building was in the 50-foot area, which was allowed with buffer zone mitigation through appropriate plantings. Would the two detention areas capture the roofline run off? Mr. Turbide said yes, because of the way the roof grades, coupled with the down spouts. More conservative regulations were used, should there be flooding issues, and overflows in the gutters were added. Does major flooding occur now? Mr. Turbide said not since the applicant has been there beginning in the mid 1980s. Would the storage area discharge down to the swale? Mr. Turbide said yes, through a drainage pipe. The drainage that reached the swale would be cleaner than today's. Members: Despite much comment about swales not being maintained, this property owner was maintaining his. Attorney Mead said the swale was not mowed and functioned well.

Chairman McCarthy asked what CSI's issues were? Attorney Mead said basic comments for regulation compliance, such as drainage calculations and a missing lighting cut sheet, the four parking spaces in the front setback area, and a space removed for car turning movements. Members: What was the grade change toward the swale? Attorney Mead said maybe a foot. Members: The ground water was 9-12 inches, what about the fact that the pipes would always be filled with 9-12 inches of water? Mr. Turbide said the pipes were wrapped in a membrane; Mr. Christiansen recommended it be removed.

Chairman McCarthy asked about the list of waivers. Attorney Mead said there was no new signage on site, and the photometrics, traffic impact, and environmental impact was not different from the present. They were not adding employees or bathrooms; there was no new access on or off the site; and no new services or utilities. The stamped landscaping plan was delivered today. Topography was on the plans. Criteria for stormwater had been met. The plantings were an improvement; currently it was grass only. Public safety had been met in a technical review.

Planning Board
November 19, 2014

Public comment opened.
Public comment closed.

Attorney Mead asked for a continuance to December 17th.

Bonnie Sontag made a motion to continue the hearing to December 17th. Doug Locy seconded and all members voted in favor.

Motion Approved.

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**c) New England Development
83 Merrimac Street and 90 Pleasant Street
Definitive Subdivision
2014-DEF-02**

The applicant asked for a continuance until January 21st. Director Port said more time was needed for their engineer to review information. Member comments: Was a list of waivers in the package? The board would treat the application as a real subdivision.

Don Walters made a motion to continue the hearing to the January 21. Doug Locy seconded and all members voted in favor.

2. General Business continued

b) 16A Perry Way – SPR Completeness Vote

Chairman McCarthy said the Water Department would move out of City Hall into the new building. The general public would be using the building. The roof had no gable.

Don Walters moved to approve the SPR as Complete. Leah McGavern seconded and all members voted in favor.

Motion Approved.

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5. Planning Office/Subcommittees/Discussion

a) Updates

Paul Dahn forwarded his resignation to the Mayor.

Zoning Code Review: New zoning would be ready to bring to the Council by summer 2015. The zoning rewrite would address revised specifications for multi-family and two-family structures. Related discussion occurred about the proposed zoning amendment to down-zone sections of the Back Bay neighborhood from R3 to R2.

Director Port was in process on development of architectural design guidelines for 40R zoning. He described a proposed 40R zoned area.

The Tropic Star decision was not appealed.

Two proposals came in on the second round of RFPs for the Kelly School; both were developers from the first round. Proposals were \$750,000 for 10 units and \$1 million for 8 units. Both have parking underneath the building. A selection could be made during the first week of December.

6. Adjournment

Bonnie Sontag made a motion to adjourn. Don Walters seconded and all members voted in favor.

The meeting adjourned at 8:41 PM.

Respectfully submitted -- Linda Guthrie