

**City of Newburyport
Planning Board
November 2, 2016**

The meeting was called to order at 7:03 PM.

1. Roll Call

In attendance for the Planning Board: James Brugger, Sue Grolnic, Joe Lamb, Jim McCarthy, Leah McGavern, Andrew Shapiro, Bonnie Sontag, Mary Jo Verde, and Don Walters.

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

2. Old Business

- a) Evergreen Commons LLC c/o Lisa Mead, Esq.
18 Boyd Drive and 15 Laurel Road
OSRD Permit (2016-SP-03)
Continued from 10/19/16*

Attorney Lisa Mead, BBMT, 30 Green Street, said a continuance was required to make changes based on feedback. An amended application would be submitted and the hearing re-advertised, which would reset the 65 day decision time frame. Board members previously unable to participate would now be able join in the decision.

Bonnie Sontag made a motion to continue the OSRD Permit to December 14th. Leah McGavern seconded the motion 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) Evergreen Commons LLC c/o Lisa Mead, Esq.
18 Boyd Drive and 15 Laurel Road
Preliminary Subdivision Plan (2016-PSP-01)
Continued from 10/19/16*

Director Port said the board could approve, deny, or do nothing. The Board of Health letter was distributed. Chairman McCarthy said the filing would freeze zoning for a particular period of time. To date, there was insufficient information about the well water protection design. The OSRD Definitive Plan was still to come as well as a Definitive Subdivision Plan. The importance of details for the construction and configuration of stormwater and square footage of pavement in the WRPD was noted by peer review. The parallel processes of both plans were discussed.

Planning Board
November 2, 2016

James Brugger made a motion to take no action on the Preliminary Subdivision Plan. Andrew Shapiro seconded the motion 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.

3. General Business

a) 18 Boyd Drive ANR (2016-ANR-12)

Director Port explained the ANR and criteria for granting access. Mylar sheets, locked in Council Chambers, would be signed at a later date.

Bonnie Sontag made a motion to approve the ANR. Leah McGavern seconded the motion 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) 14 North Atkinson Street ANR (2016-ANR-11)

Members expressed concern about ZBA variances for substandard lots.

Bonnie Sontag made a motion to approve the ANR. Leah McGavern seconded the motion 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.

4. Old Business - Continued

c) Harris Street Six Realty Trust, Mark L. Janos, Trustee

***6 Harris Street
DOD Special Permit (2016-SP-06)***

Benjamin Prokop, private contractor, 22 Mount Vernon Street, Haverhill, said the exterior entry vestibule of the 1805 house had four windows that would be replaced by three windows. The fourth window had cut into the back of the columns. Chairman McCarthy said Sarah White, Chair, Newburyport Historical Commission, sent a letter at 5:00 PM this evening.

Public comment opened.

Tom Kolterjahn, 64 Federal Street, Co-Chair, Newburyport Preservation Trust said the proposal for the entrance was inappropriate for one of the finest entrances in Newburyport. The Trust filed with the building commissioner to halt work. Mark Janos, Trustee, agreed to find an appropriate solution for one column and the entrance. An agreement made with the Newburyport Historical Commission (NHC) allowed work to proceed on the platform, or porch portion, but not the column. A search was in process for someone who could replicate the column. If both columns had to be replaced, the issue would go back to the NHC. The old enclosure had damaged the columns; the new enclosure would be set back from the columns. When a good solution for the columns was found, they would be installed.

Director Port said as of now, nothing for the columns had been approved. There was no clarity on the final vestibule adjustment design and the board could not approve the project tonight. Members said the project could not be done in phases without the board's approval for both the vestibule and the columns and there was nothing to reference. Mr. Prokop described the details of the plan. Mr. Janos, who had drawings and design details, was at another meeting. Chairman McCarthy said nothing further could be done without a scale drawing.

Stephanie Niketic, 93 High Street, said the important entrance and columns were published in *The Architectural Heritage of the Merrimack*. One column had already been lost and replaced. The vestibule was installed after 1984. The project would redo very recent work, but there had been no opportunity for the public to see the work or the late arriving NHC comments without due process as provided by the ordinance. Director Port said the standard for supplying drawings that depicted proposed work would occur. Until then, the package was incomplete.

Mr. Kolterjahn said the porch needed stabilizing if left open for the winter. Mr. Prokop said he proposed removing the original column and installing a matching column to both preserve and match it. Mr. Kolterjahn said one vendor could replicate the column in place, another vendor would remove it for replication, and the vendor search was ongoing. Members said the column should stay in place. Nothing permanent should be done until the application was complete and a public hearing occurred. Information was insufficient for further discussion. Members asked if the NHC approved the vestibule? Ms. Niketic said the NHC requested the vestibule be built inside the columns. Director Port, quoted from Sarah White's letter, "...must replicate the Moses Brown house, but match the one on Fruit Street..."

Public comment closed.

Planning Board
November 2, 2016

Chairman McCarthy said the board needed to review Ms. White's suggestions and the scale drawings for the front and side of the house.

James Brugger made a motion to continue the DOD Special Permit to November 16th. Joe Lamb seconded the motion 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.

5. Planning Office/Subcommittees/Discussion

a) Updates

Sue Grolnic's last meeting would be November 16th. The December 7th meeting moved to December 6th. Discussed were the NED and Master Plan presentations, the MINCO project behind Michael's Harborside, and the MINCO litigation case.

6. Adjournment

Andrew Shapiro made a motion to adjourn. James Brugger seconded the motion and all members voted in favor.

The meeting adjourned at 8:10 PM.

Respectfully submitted -- Linda Guthrie