

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

The meeting was called to order at 7:02 PM.

1. Roll Call

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

Absent: Paul Dahn

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

2. General Business

The minutes of 12/10/2013 were approved. Henry Coe made a motion to approve the minutes, Jim McCarthy seconded the motion, and four members voted in favor: Henry Coe, Jim McCarthy, Bonnie Sontag and Dan Bowie. Two members abstained: Sue Grolnic and Cindy Zabriskie.

3. New Business

2 Mechanics Court LLC c/o Mark Griffin, Esq.

2 Mechanics Court

VI.C Special Permit Amendment

Chairman Bowie read the notice. Attorney Mark Griffin said the original applicant was Charthouse and petitioner Craig Pessina bought the property. The board granted a VI.C Special Permit in March 2013 for constructing a building of five and a building of four units. The barn was to be moved forward and the construction company office would continue to operate on the first floor. The construction is well under way; the barn is at the street. Exterior structures are all constructed. During the original transaction, the Perry Murphy business owner had a position in the building. The relationship was unsustainable because the owner did not have complete control of all buildings on the grounds. Attorney Griffin requested a modification of the original permit, from a professional office use to a residential condominium unit, with no exterior design changes. The only change would be the use of the space.

Chairman Bowie said the applicant received ZBA approval for change of use. A member inquired about the square footage. Attorney Griffin responded about 2500 square feet. The other units are not all uniform. Another member asked how the square footage compared to other units. Mr. Pessina responded that it was about 15% larger than some of the other units. The member asked if other changes have to be made to the building? Mr. Pessina responded no. Another member asked if there were two affordable housing units? Director Port said there was

one and that the Planning Office was happy with the project. Two additional parking spaces will be provided.

Public comment opened.

Public comment closed.

Don Walters made a motion to approve the V.I.C Special Permit Amendment. Bonnie Sontag seconded and all 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. Other Business

190 State Street – Informal Discussion

Architect Charles Nutter, Woodman Associates, 20 Inn Street Newburyport, MA, said changes were made to the architectural plan and the engineering after the last meeting. The building was pulled closer to the street and the top floor no longer hangs over the walkway.

A member asked if this building was exactly the same as one of the three buildings approved in the previous SPR. Chairman Bowie said only part of the parcel approved was being used now. The member asked if two years from now they came back to build the other two buildings, would those be the same as what was approved? Director Port said it could not be the same as the old layout. The member asked if one of the three buildings was rather large? Mr. Chris Theodorou said one building was a drive through and the building right at the front was 2400 square feet. This building would be considerably larger.

The member asked if one business could occupy all five units? Mr. Chris Theodorou said yes. Mr. Nutter said you could enter the stairwell from two different directions. Another member asked, if this building was larger, where was the additional space added? Mr. Nutter said the increase resulted from incorporating the overhanging space on the top floor into the building's first floor. Mr. Chris Theodorou said the aesthetics were better without the overhang.

The member said the board had talked about not having a curb cut directly onto the rotary for safety reasons and the access would be from the parcel next door. Mr. Nutter said they were creating another entrance. The member said the entrance to this parcel was right on the rotary and assumed it would be safer to enter from the neighboring parcel. Was there no way to close the new curb cut? Misterys Chris and Leo Theodorou said they wanted one clear access to the site. They were reducing the curb cut by moving it to a new location, making it possible to ease in from the rotary and they would close off the other curb cut. The member said the Leo's curb cut should be one way out so that Leo's customers entered from the new curb cut and exited from

Planning Board
October 2, 2013

the old Leo's curb cut. Mr. Nutter agreed the curb cut in front of Leo's should be a one way out. Director Port asked if they would be open to a condition to close the one curb cut since they were not consolidating both parcels into one right now? Mr. Chris Theodorou said that would be the right thing to do. A member asked if, during the formal application last time, there was any discussion of a traffic study? Director Bowie said no. The member did not know if this driveway was similar to what the board approved before. What about back ups in the rotary for people turning in? Mr. Theodorou said they would be going back to Mass Highway for approval. An old traffic study had a similar entrance in a similar location. Director Port preferred to reduce curb cut openings. Chairman Bowie said one traffic issue might be for exiting cars going around the circle. Could cars do that safely from the new curb cut opening? Mr. Theodorou said cars didn't have to cross over the rotary to get out.

A member asked if the building's design was all one plane in the front? Mr. Nutter said the front was slightly varied, with relief at the roofline, all pitched roofs to a point, but going flat for equipment - a sort of combo gable and hip roof. The roof would be seen from further than the train station. The gables were real. There were two front insets about 12 inches back, creating shadows and relief and consisting of painted clapboards with muntins in the bigger windows on top. The front elevation looked similar to what was in the previous proposal. He opened up the back to bring in more light, creating more variety in the back of the building. The member asked if the fenestration could be made less commercial looking? Mr. Nutter said he could add muntins. Mr. Nutter said awnings could also be added. Another member said awnings would be useful. Mr. Nutter said it would be nice to have windows instead of a door. The member asked if that could be done in the front also? Another member suggested the board take pictures of storefronts they liked in other places in order to have something to show people.

A member said landscaping could soften the building. Another member said it was all hardscape of pavement, sidewalk, and building, a tough place for plantings. Mr. Theodorou said plantings would necessitate moving the building back, and they just moved it forward. Mr. Nutter wouldn't want greenery to impact the site lines. There are plantings in the rear, and a nice area for people to hang out could be made with a couple of tables. Chairman Bowie said the board spent considerable time on landscaping during the first go around. He would look to that as a guide because landscaping was important. Mr. Theodorou said there was a swale just off the property that was fairly linear; maybe they could change it up with plantings. A member asked if there was a basement? Mr. Nutter said no, adding that they may need to raise the area a bit in order to move the water. You can't see the front of the building from a distance because of trees throughout the rotary. The building's look should bring a positive change to the circle. In the future, they could change the buildings on the other parcel. A member asked if you could walk to the train station from the location? Mr. Nutter said the path was not on the property. You could make your way over there but to get to the path was not a public access way.

Chairman Bowie asked about screening on the roof. A member added the board was concerned about all the mechanicals, such as cook ventilators, HVAC, and any pipes coming out. Could they be seen from the traffic circle? Mr. Nutter said he wanted to go flat with a slight pitch for water to run down. He will prepare a cross section. He could add a balustrade on the roof. Another member asked if a balustrade would fit with the architectural design? Mr. Nutter said

Planning Board
October 2, 2013

yes, it was used. A member asked that the utility meters be put in the rear. Mr. Nutter said they would go back before the ZBA for a freestanding sign.

Chairman Bowie asked if the board was comfortable with the overall layout of the building and parking? There has been a change, but there is still parking in front of the building. A member said it looked fine, especially with screening and landscaping. A member said the first two spaces on each side were going to be handicap, so it made sense. Chairman Bowie agreed.

A member said the building was okay but wanted to discuss fenestration on the bottom so it didn't look like Port Plaza. A member said that was very important, with no trees in front of the building that was level with the grade, but it was a very tight spot for landscaping. The other green space wasn't suitable for a tree. Mr. Theodorou said they were trying to get some more height by the grass swale for a bit more landscaping. Another member was okay with the general parking. One member asked how wide was the green strip in front? Mr. Theodorou said 20 feet x 80 feet. The member asked could they landscape where they plan to close off the curb cut? Mr. Nutter said it was too hard to talk about because it was in the future. Another member said, even if you can't get trees in the front, putting trees in the back parking lot would be good. You can see that from the train station. Director Port said it was worth noting. Another member said the board could write a condition for landscaping on the thin strip where the grass swale is, since it's not clear what's going to happen to the adjacent parcel. The member assumed the sign would be on the southern side. A member asked if the big trees in the back right corner were going to be kept? Mr. Nutter said most of the trees were right where the building was proposed.

A member asked if they had to go to the Conservation Commission again? Director Port said the Conservation Commission would have landscaping requirements. The member asked if it would be worth a site visit? Another member said this was informal and hoped the discussion would make everyone more careful. Chairman Bowie said the proposed swale to the south was actually located on the other parcel. Mr. Theodorou agreed.

Director Port asked if they planned to file in late February? Mr. Brian Murray, Millennium Engineering, 62 Elm St, Salisbury, MA said they would file in about three weeks. Mass Highway would not approve until they had local board approval.

5. Adjournment

Bonnie Sontag made a motion to adjourn, Jim McCarthy seconded and all members voted in favor.

The meeting adjourned at 8:25 PM.

Respectfully submitted -- Linda Guthrie, Note Taker