

November 7, 2012

Meeting Minutes

The meeting was called to order at 7:08 PM.

1. Roll Call

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

Absent: Noah Luskin

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

2. General Business

a) Approval of the minutes of October 3, 2012 Meeting

Bonnie Sontag made a motion to approve the minutes as amended.

Henry Coe seconded the motion.

The motion passed unanimously.

Minutes approved.

Votes Cast:

Dan Bowie: approve

Henry Coe: approve

Paul Dahn: approve

Sue Grolnic: approve

Noah Luskin: absent

Jim McCarthy: approve

Bonnie Sontag: approve

Don Walters: approve

Cindy Zabriskie: approve

b) Approval Not Required – 329 and 331 High Street

Everett Chandler, Director of Survey at Design Consultants, Inc., Somerville, presented a plan to correct an historical overlap on High Street at the entrance of the Bresnahan School. In 1955 the city took the parcel at 331 High Street for building the Bresnahan School and placed a number of monuments around the parcel. The record shows an overlap with an abutting parcel at 329 High Street. The overlap runs from High Street to near the end of the 329 High Street lot line. The ANR, which received approval from City Council and the mayor, resolves the discrepancy in deeds for both properties. Planning and Development Director Port participated in the discussions and is also in agreement.

Henry Coe made a motion to approve the ANR correcting the overlapping lot lines at 331 and 329 High Street.

Paul Dahn seconded. The motion passed unanimously.

Motion approved.

Votes Cast:

Dan Bowie: approve

Henry Coe: approve

Paul Dahn: approve

Sue Grolnic: approve

Noah Luskin: absent

Jim McCarthy: approve

Bonnie Sontag: approve

Don Walters: approve

Cindy Zabriskie: 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.

3. Old Business

**a) City of Newburyport School Department
331 High Street, Bresnahan School
Major Site Plan Review
*Continued from 9/19/12***

The School Department, Architects, Civil Engineer, Landscape Architect and Owner's Project Manager made presentations addressing the issues raised previously by the board, Christiansen & Sergei and abutters to the project. Representing the project were Laura Wernick, HMFH Architects, Nate Ketchel, Garcia-Galuska-Desousa, civil engineer, Mary Webb, Landscape Architect, Bob Michaud, MDM Traffic Consultants, and Anthony Pruner, Heery International, physical manager for all three projects, Deirdre Farrell, Chair of the School Building Committee and Assistant Superintendent.

Ms. Farrell, Chair of the School Building Committee and Assistant Superintendent, having met with Director Port and the Director of Facilities, Newburyport Schools, Steve Bergholm, presented a letter saying they had engaged HMFH to study the berm at the end of North Atkinson Street to address sight line issues. She also presented letters to the board from Newburyport Fire, Police and Public Services Department officials indicating their requirements for the project and a letter from HMFH addressing the Safe Routes to School program.

Director Port summarized the documents and the correspondence from Phil Christiansen, Christiansen & Sergei, and presented a draft list of conditions for the project's approval. Chairman Bowie indicated the board had not had a chance to review the letters and documents as yet.

Director Port added that there was a response to the most recent letter from Christensen & Sergei from Christopher Garcia of Garica, Galuska and Desousa, civil engineers for the project. There are no major revisions to the storm water plans and all comments in the October 19 letter have been addressed. Additionally, there were four points of concern on the November 5 letter from Christiansen & Sergei.

Director Port said the project reduces the run-off rate almost 50%, but the design increases the impervious area and there is some concern about increased water in the street. This issue will be reviewed with DPS. A portion of the site now draining toward Murphy Avenue in order to mitigate the volume that goes to North Atkinson Street will include some drainage structures on Murphy Avenue. This solution will also be reviewed with DPS. A concern about the stone specifications, because of the age of the students, should children happen to climb over the rocks, has been addressed by revising the stone specifications. There was a concern about plans being

stamped. The applicant has agreed to submit a complete stamped plan set to the Office of Planning & Development.

A member said two major issues are still open until the proposed solutions are reviewed with the DPS. Mr. Garcia indicated an on-going collaboration with the DPS. Director Port received acceptance of the situation on North Atkinson Street by DPS Director Anthony Funari and City Engineer Jon-Eric White.

A member asked Mr. Christiansen where drainage data comes from for the intensity of the 100-year storm level? Mr. Christiansen said storm water requirements are set by the city and the state. The member inquired whether city and state documents describing drainage design use the language 'should be' or 'shall be' designed to meet the 100-year storm water level? The member also asked if the design as presented does not meet the standards of the city? Mr. Christiansen said the standards are for rate-of-flow off the site, which the project meets. However, a volume increase not addressed in the standards was not analyzed for drainage off North Atkinson Street. He said C & S wanted to know if the DPS had any problems with the existing drainage off North Atkinson Street. The member said the specifications might not be specific enough if there is no requirement for the applicant to meet a drainage volume requirement. Mr. Christiansen said he needed to know if there was an existing problem in order to know if it can work. The member wanted to know, if there were to be a volume issue and if there is an existing issue, if the issue rested solely with the DPS or with the board.

Chairman Bowie verified the member was referring to the November 6th letter and Director Port said the letter was written before his conversation with DPS, therefore DPS comments were not incorporated in the letter. Mr. Garcia pointed out that there are two drainage ways, Murphy Avenue and North Atkinson Street, with all drainage running to the street. Based on his calculations, and looking at site drainage holistically, there is no increase in volume. Water runs over land, down to North Atkinson Street, and into drainage basins down the street. Mr. Christiansen it would be an easy change to reconnect the pipes (by redirecting to Murphy Avenue any post-development overflow on North Atkinson). Mr. Garcia was proposing piping this water down into their network to balance the amount of run-off. If the DPS is not comfortable with the way it's designed, they'll redo it. Director Port said there is no letter yet indicating his conversation with DPS, deferring the issue back to Mr. Christiansen.

A member said the natural direction of the water causes it to pool in fields behind the school. Piping it through the street maintains the natural flow of the water. Project Leader Anthony Pruner said there are catch basins now, a third of the way down. The member said while it was more costly previously, it is less costly to connect now because you are putting in sidewalks, and in Mr. Christiansen's view, it's the natural direction of the water. Mr. Garcia said he will have to look at exactly how much run-off that will handle. Mr. Pruner said they would work with the designers to make it safe and satisfy the DPS.

Director Port clarified that part of the issue for the board is whether something like this should be conditioned or the plan should be revised before the board signs off. Chairman Bowie said the board's experience shows it's better at minimum to be a condition, and seems a minor issue. Director Port said a letter from the DPS that the plan meets their approval was needed, or a

revised plan resubmitted to the board after it is peer reviewed. A member said ideally the board would like DPS and Mr. Christiansen to present a unified approval. DPS should say whether there is an issue, offsite and independently, instead of relying on Christiansen & Sergei. Another member said if this is the only open item, approving it as a condition would suffice. Chairman Bowie preferred Mr. Christiansen give an overview about the scope of his storm water review. Mr. Christiansen said he reviewed a set of plans from the design team and a drainage analysis report. He looked at the site for where water flows now. With all the new building and pavement, they are infiltrating the water back underground in large storms. First, he models the existing conditions and incorporates that into a program. He also does this for the proposed conditions of 2-10-15-25-100-year storm events, and calculates the flow rates at all the different design points. He reviewed a report like that and provided comments for changes. Changes were incorporated into the plan, he made another review, changing the piping, and that's where we are tonight.

Chairman Bowie said, at this point, the only remaining concerns are those raised tonight. Mr. Christiansen agreed, saying plans are stamped when they come in, substantiating that they've been professionally reviewed. A member said there are a couple of detention basins on the drawings and there's a substantial amount of sand as well, so the basins will mostly be dry. Mr. Christiansen said most of the water would be going into the ground; it would be infrequent that the infiltration system was full and water will stand only briefly. Mr. Garcia said leaching pits, infiltration trenches, and a berm are shown on the plan. With detention basins underneath the parking, everything is designed to have dry basins.

Moving to new issues, Mr. Pruner said there is an attorney's letter to the board on behalf of Mr. Wilkerson, an abutter, referencing that there is no storm water runoff onto the Wilkerson property. In addition, the site's lighting is dark-sky compliant, with lights shining downward as a result of shields placed on them, a requirement for the Massachusetts Chips Program, of which this project is a participant. There are no foot-candles off the property onto the abutting properties. Mr. Garcia added they are using LED lights on poles that are circuited for time-of-day and there is an ability to dim lights if ever there is an issue with light on the ground. They are lighting the parking lot for safety reasons. A member asked if all lights would calculate down to zero foot candles for all the lights? Mr. Garcia confirmed that they would.

Landscape architect Mary Webb said the part of the site in question would have a mixed screen along the property lines of sugar maples, black spruce and white pines, located along the mound to which Mr. Garcia referred. In the views from Mr. Wilkerson's building to the school building, they've added a grove of dogwoods and honey locust trees in addition to the mixed screen. She showed views from the first and third floors of the school, both with trees and without. You can see the neighbor's house in the view with no trees. The neighbor has a solid fence, about 6 feet high. Without trees, from the 3rd floor, you see the neighbor's house and the whole neighborhood, and with the trees at foliage view, you don't see the neighbor's house. These views do not take into account the existing plantings of trees and shrubs on the neighbor's property. With no leaves, the view will open up more, but there is a density of branches and they have added a mixture of evergreen and deciduous plantings.

A member asked about the height of the trees. Ms. Webb answered that mature trees would be 50-60 feet high, adding that they are all quick growing trees, with the spruce somewhat slower

growing than the pine and maple. Honey locust grow to 40-50 feet high. A member asked what size trees were being planted? Ms. Webb said roughly 8-10 feet white pine and 15 foot sugar maples. It's a one-story house, we're planting very close to the house, and the trees will be effective at screening very quickly. Another member asked how far away the house was from the school? Ms. Webb said probably 60-80 feet away. Another member asked about screening between the school and Norman Avenue. Ms. Webb indicated that three large deciduous trees would be added to the existing vegetation at the corner, where the ball field is located. A member expressed concern about an area where a split rail fence made it possible to see right into backyards. The member asked what the grade of the parking lot was versus the grade of all the backyards? Ms. Webb said the grades were much the same, not changing at all. Mr. Pruner said it looked a little skinny right there, but Ms. Webb had ringed the parking lot with trees. If there were a need for more of a buffer, Ms. Webb would do that. There was never an intention to fence-off those properties because fences fall into disrepair over time, whereas plantings do not. They will put supplemental plantings in that area.

Chairman Bowie said, in the last meeting there was an abutter on Myrtle Avenue asking for additional screening from the service area. Ms. Webb responded that she added evergreens after that issue was raised. Ms. Farrell added that there was also a concern that trees would be taken out. She walked the area right after the meeting and noted that no trees or planting would be taken out surrounding the service area. Ms. Webb added that she had concerns about the hemlocks, and had the roadway pulled away from the existing sugar maples. A member asked if there were any houses along the far side of the parking areas? Ms. Webb said no.

Regarding Safe Routes to School, Ms. Webb said the blue lines indicated pedestrian and bicycle routes onto the campus from the adjacent streets. A 6-foot wide pedestrian walkway will accommodate bikes coming down the entry drive from High Street, connecting with a path coming in from Myrtle Avenue, crossing the entry drive and coming into the main entrance by the bus drop-off loop. The red marks are bike racks. Coming up from North Atkinson Street is another 6-foot wide pathway following the entry drive, crossing the road and going into the parent drop-off entry where there is a bike rack. And, coming in from Murphy Avenue, through the play areas, is another bike rack. A member asked if the bike route went around the back of the building? Ms. Webb said that was not encouraged because of delivery trucks and service area activity, but yes, there was a continuous pathway around the back of the building.

The member asked what the grade of the field was? Ms. Webb said it was as level as they could make it and still drain water. Graded at 2%, there is no room for a soccer field, but a t-ball field just fits. Service areas behind the building are also graded at 2%.

Chairman Bowie asked if there were any signs indicating a cross walk in the bus drop-off area where it intersects with the 6-foot pathway at the service entrance? Ms. Webb said no. A member said due to bus stacking and the pedestrian/bike path cutting across the service entrance, either raise the cross walk or put a sign in. Another member asked that textured paving be considered because a sign wouldn't stop anyone. Ms. Webb responded that only service vehicles would be driving across that crosswalk and textured paving works very well. A member asked what the distance was and Ms. Webb responded probably 30 feet. Mr. Pruner said site signage was not finalized. Ms. Farrell added that the location in question is also where cars and buses loop and

come back out. Another member commented that signage probably would not help and that the tree might affect sight lines at that crossing. Ms. Webb understood plantings should not block site lines. The standard rule is to keep plantings 20 feet away. She will check this particular tree, but her sense is that it is 20 feet away.

A member said there are more than bike paths on the Safe Routes to School list. Ms. Farrell responded that they looked at issues that could be dealt with on the site and did not address anything outside of the site.

Another member asked what they were proposing for pedestrians on Murphy Avenue because it was a crumbling, flat road with no lines. Mr. Pruner said their proposal had been reviewed with Fire and Police Departments. Mr. Garcia said because of all the utilities we're putting in -- a new sewer line, new drainage, and new water line -- we'll put a sidewalk on the north side of the street and a raised 6 inch reveal curb, reconstructing all of the driveways, working with DPS, making the street width an even 26 feet all the way down. We are reconstructing the road and sidewalk. Sidewalks on Norman Avenue will remain as is. There are some very large trees and utility poles we'll be working around on Murphy Avenue. A member said the trees were 45-year old.

Mr. Garcia said sidewalks on the north side of Low Street would be connected as they turn up, where all the houses are. Another member said the crosswalk on Low Street was on the other side, the east side. You might need to move the crosswalk on Low Street to the other side. Mr. Pruner said it would be adjusted. The member asked if there were any other measures taken to keep the traffic slow on Murphy and Norman Avenues where the houses are close together? Mr. Pruner asked what the standard was for Newburyport? Ms. Farrell responded that the standard 20-mile per hour signs were posted. If cars are stacked 8-10-12 at a time, there wouldn't be a chance to gain speed. The crosswalks planned at Norman Avenue will have a crossing guard. There will be a North Atkinson Street guard, a High Street guard, one at Murphy Avenue and Low Street, and maybe another one at Murphy and Norman Avenues. The member asked if there was any reconfiguration of the signage on High Street? Ms. Farrell responded that they want to redo High Street signage but have to coordinate with the Senior Center and will wait for a joint discussion with them.

Chairman Bowie asked what would happen at North Atkinson Street regarding the sight line issue? Mr. Pruner said there was a recommendation to re-grade, re-trim and improve line of sight for distance. The architect prepared a proposal to re-grade the hill providing the needed sight line. A member asked if there was documentation to that effect? Director Port responded that it was in a letter to the School Department and that the building commissioner and the Zoning Board of Appeals would also look at the signage, and this board would take that into consideration. Director Port suggested it as a condition in the decision document.

Chairman Bowie asked the board for feedback on Marshall Howard's letter. A member responded that it was open-ended; another member said the letter led to the inquiry about Murphy and Norman Avenues. Chairman Bowie read from the letter, "We'll see what the real impact will be." Director Port said his understanding is that Marshall Howard can't predict how it will be and is reserving comment until he sees how things work. Ms. Farrell said that was the

exact conversation they had with Marshall Howard. After reviewing the peer review traffic study, the original study, trying to consider how it would work operationally with all the students being added, the staggered drop offs, the options for establishing ridership and number of buses, the operational component is an unknown right now. Factoring how the Senior Center will interface with school buses coming in, considering that this is a very large elementary school, combining two schools together, there are open issues regarding how we operationalize it. Marshall Howard has to qualify what he says until the actual operations are evaluated. Director Port said the board could condition its decision. Ms. Farrell added that they had similar concerns when merging grades for the Molin School at the Nock School. We had to study the best ways to egress and we decided to stagger the start times. We segregated the populations so the numbers would work better on Low Street to bring everyone in on the same pathways from Low Street. A member stated that Marshall Howard's letter seemed specific to Norman and Murphy Avenues. Two members concurred that a comprehensive management plan needs to evolve; if a problem occurs, it can be addressed right away. Director Port added that they could meet twice a year to discuss how it's working, addressing changes that are needed. Ms. Farrell said that encompasses what already occurs when the school and the Police Department meet in August, which they've been doing for about eight years. A member asked if it made sense to meet more frequently than annually, in light of this new building. Another member concurred, in light of the later development of the Senior Center.

Public comment was opened.

Mike McCormick, 16 Norman Avenue, thanked the group for addressing water flow because water does pool significantly in the winter. He also thanked the group for raising issues of trees for screening. He sent an email to Director Port about his traffic concerns that he hopes will be forwarded to the board. He introduced an option for an egress to North Atkinson Street because Low Street is a nightmare with a lot of heavy truck and commercial traffic. He anticipates this to be a problem. He asked if it is only a right-hand turn at Murphy Avenue and Low Street?

Ms. Farrell responded that it was still under discussion. If cars are going anywhere other than Turkey Hill and Cherry Hill, they have to go out by way of North Atkinson Street. All egress is not onto Murphy Avenue. We'll work with parents to ensure that it is organized and will flow well. Going out the driveway to North Atkinson Street right now, we only allow a right turn because of the sight line and berm.

Maureen Woods, 17 Myrtle Avenue, was concerned about the bus stacking area, regarding blocked sight lines, the sound and the smell. Another concern was the neighboring view of the dumpster area, with food being delivered and trash being picked up. Ms. Farrell stated Massachusetts General Law regarding bus idling. Buses and cars cannot idle any more than 5 minutes. Buses arrive all at once as a convoy and turn their engines off when they get on site. They start up, one at a time, after they are loaded, to pullout. Sometimes diesel engines are a problem in winter, but it's fairly quick. She has to balance cold weather issues with over-idling. Any concerns go right to her office.

Ms. Woods said there is no row of sugar maples. She has a fence, but her house sits up very high and her views are over the fence. Mr. Pruner said delivery trucks are not supposed to be there

before 6 AM and she could contact him directly regarding odors from deliveries or noise too early in the morning from delivery trucks.

Public comment was closed.

A member said it would be good to cover the outstanding issues with conditions. Director Port added some conditions to his draft list of conditions as a result of tonight's conversations. Another member wanted increased buffering on Norman Avenue. Director Port added fencing and screening, and the submission of a revised plan or excerpt of the plan to the draft list of conditions. He added that the applicant would review the storm water connection to North Atkinson Street.

A member requested Director Port require the applicant to come back to the board for any additional revisions to the plan, suggesting that revised plans "shall be reviewed and may be approved." Another member asked Director Port to use his judgment on what should come back to the board. Director Port read the draft list of conditions with his additions from the conversations.

A member, concerned about the age of pedestrians for a pre-K through grade 3 school, asked about the Massachusetts law making it unlawful not to stop for a pedestrian and the signs showing a pedestrian.

Bonnie Sontag made a motion to approve the major site plan review.
Paul Dahn seconded. The motion passed unanimously.

Motion approved.

Votes Cast:

Dan Bowie: approve
Henry Coe: approve
Paul Dahn: approve
Sue Grolnic: approve

Noah Luskin: absent
Jim McCarthy: approve
Bonnie Sontag: approve
Don Walters: approve
Cindy Zabriskie: 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

Lake Realty Trust

6 Opportunity Way

Completeness Vote for Minor Site Plan Review

Director Port said the application appears to be complete but for the request to waive the architectural renderings. We should pay more attention to buildings, as well as sites. Typically, the board wants to see architectural elevations. This is an extension of an existing building, the

architecture is warehouse design, the addition is on the back of the building that people are not going to see, with no change of materials. The Conservation Commission approved the project, subject to a storm water design review by Christiansen & Sergei.

A member asked if it was on the corner of Malcolm Hoyt Drive or further inland? Director Port stated that it was further inland, adjacent to Greencore. The member asked if it was remote? Director Port said it was in the center of the Business Park at a dead end and not much was changing. Another member asked if the board would at least get the dimensions of the building?

Scott P. Cameron, PE, McKenzie Engineering Group, Inc. said the dimensions were on the site plan. He showed a photo of the building and what the back would look like with the addition. The business manufactures specialty machine parts and the addition will be filled with dry products. A member asked if the board waived it now, did that forever waive it, in case an abutter came forward at some point in time? Director Port stated that the board could waive it exactly as submitted, so that they would have to come back if there were any modifications. The member said it was a 5,000 square foot extension of a box, small in overall size. A member requested the waiver to read exactly as Andy stated.

Paul Dahn made a motion to approve completeness for the minor site plan review.
Henry Coo seconded. The motion passed unanimously.

Motion approved.

Votes Cast:

Dan Bowie: approve
Henry Coo: approve
Paul Dahn: approve
Sue Grolnic: disapprove

Noah Luskin: absent
Jim McCarthy: approve
Bonnie Sontag: approve
Don Walters: approve
Cindy Zabriskie: 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.

5. Planning Office/Subcommittees/Discussion

a) Updates

The Northbridge application had a public hearing with the City Council and the Zoning Board of Appeals. They are trying to convert Wallace Bashaw Jr. Way into the hospital to a private drive. The city has no intention of accepting that roadway. When Northbridge comes in for the modification, he recommended the board view it as a minor modification. He did not receive any letter and there were no physical changes to the drive. They will be back in for the modification on the subdivision and then another application for the site plan approval for the assisted living project.

6. Adjournment

Henry Coe made a motion to adjourn.

Bonnie Sontag seconded the motion. Motion approved unanimously.

Meeting adjourned at 9:44 PM.

Respectfully submitted, Linda Guthrie, Note Taker