

**City of Newburyport  
Planning Board  
December 2, 2015  
Minutes**

The meeting was called to order at 7:04 PM.

**1. Roll Call**

In attendance: Sue Grolnic, Doug Locy, Leah McGavern, Jim McCarthy, Andrew Shapiro, Bonnie Sontag, and Don Walters. James Brugger arrived at 7:08 PM.

Absent: Noah Luskin

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

**2. General Business**

- a) The minutes of 11/18/2015 were approved as amended. Bonnie Sontag made a motion to approve the minutes. Doug Locy seconded the motion and seven members voted in favor.

***b) 2 Parker Street ANR***

Director Port demonstrated on the plan the location of Oak Hill Cemetery and a lot the cemetery would be selling for development. Zoned residential and just outside of the 40R District, the lot is located in an area that is part of a re-zoning effort. Chairman McCarthy said the lot met all requirements for access. He had advised the cemetery that the rail trail was likely to cross in front of the lot. Members agreed the new map would replace the one previously approved.

Doug Locy made a motion to endorse the ANR. Leah McGavern 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.*

**3. New Business**

- a) ***Geordie Vining, Office of Planning & Development  
Harbormaster Facility  
Request for Minor Modification (2015-SPR-01)***

Revised plans were distributed. Geordie Vining, Senior Project Manager, Office of Planning & Development, said bids on the approved plan were \$200,000 over budget. Cost reductions were

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made by changes in the footprint, materials, and finishes. He demonstrated on the plan where the western side of the building footprint was reduced four-to-five feet. That change altered the public bathrooms to two unisex toilets with a porch overhang and saved on framing, steel, and finishing items, as well as opened a corridor to the street by the Customs House. The building also shifted four-to-five feet towards the river. The original plan narrowed the roadway to expand the plaza and seating. The revised plan maintained existing plaza conditions, eliminating costs for site work, granite, and additional brick. Mr. Vining demonstrated where the monument and benches were. Additional plantings and seating could be done in the future. Other changes in material included a 50-year asphalt shingle roof instead of standing seam metal. Most of Newburyport used asphalt roof shingles and some people thought the change was an improvement. The reduced deck and stairway would use, instead of tropical hardwood, a durable PVC product that looked like wood. David Keery, architect, Keery Designs, Newburyport, said downsizing the deck allowed the building to push forward into what had become a costly four feet of space that had been added to the plaza. The character of the site had been retained.

Mr. Vining said a couple of smaller windows in each of the boater facility, bathrooms, and on the eastern side of the building were removed. Underground utilities would traverse the NED property instead of Customs House Way. Posts and rails would be aluminum instead of stainless steel. The thin film solar installation was eliminated in favor of a future power purchase agreement recommended by the Energy Advisory Committee. The City Council's first reading was two days ago. The second reading would occur mid-December.

Member comments: The changes represented a significant cost savings over the proposal. If bids were lower than the target, would the revised plan proceed? Mr. Vining said yes. He would add smaller items, if possible, during the course of development. The altered bathrooms would remain but interior built-in seating around the customer service area was a desirable add-in. What could be added would not be significant in scope. The revised footprint addressed public feedback that the project was too big. Members said the changes were a minor modification.

Chairman McCarthy asked for the reduction square footage? Mr. Vining said 173 square feet. Mr. Keery said the reduction was 10%. What were the total cost and the total amount reduced? Mr. Vining said the targeted reduction was \$350,000. The cost calculator was still determining whether that had been met. The low bid was \$231,000 over budget. The next lowest bid was \$400,000 over budget. The fixed budget was \$1.548 million, \$448,000 from a federal grant and a \$1.1 million bond serviced by the Harbor Enterprise. Were roof shingles asphalt or fiberglass? Mr. Keery said architectural shingles. Members recalled Site Plan Review discussions that restrooms were for the public good. Was there a perceived reduction in the public good? Mr. Vining said it was a good point and he, the harbormaster, and the architect would prefer not to change the bathrooms, but reducing them made the project work as opposed to having no public good and no project. The City had not supplemented the revenue needed for the larger facility. Would one of the bathrooms be locked? Mr. Vining said the visiting boater bathrooms, where showers were located, would be locked to a certain segment of the public. Mr. Keery said visiting boaters were the project's primary audience. Was there space to add another bathroom if funding was found? Mr. Vining said theoretically there was space but the two existing bathrooms would have to be removed for a reconfiguration. Director Port said a change order was possible before the facility was built. Mr. Keery would look at a reconfiguration before finalizing the

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plans. Mr. Vining said a last minute contribution from the City was possible but not probable given the City's other priorities and commitments. The project relied on boater fees for funding. Chairman McCarthy said a reduced building volume would address public concern about losing views. Members said there were few opportunities for bathrooms on the waterfront. Unisex bathrooms provided more flexibility. Mr. Vining preferred them. All agreed additional bathrooms on the waterfront should be more centrally located rather than on the extreme eastern end. Mr. Vining said there would be additional bathrooms in a future visitor center. Chairman McCarthy said new bathrooms would be built at Cashman Park and The Alehouse. Did removing the huge plaza on one side move maritime markers to the other side? Mr. Vining said the markers bookended the plaza area. The other side had two monuments that would not change.

Leah McGavern made a motion to approve the Minor Modification. Sue Grolnic seconded and all members voted in favor.

**Motion Approved.**

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**4. Old Business**

- a) ***East Row Condominium Trust c/o L&M Properties  
12-22 Market Square, 1-2 Elbow Lane, and 1-11 Liberty Street  
DOD Special Permit (2015-SP-03)  
Continued from 11/18/2015***

Andrew Shapiro made a motion to continue until December 16<sup>th</sup>. Leah McGavern seconded and all members voted in favor.

**Motion Approved.**

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**3. New Business (continued)**

- b) ***George Asprogiannis for Pizza Factory  
8 Pleasant Street  
Informal Discussion***

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The applicant was not present. Chairman McCarthy said the considerable detail in the DOD gave the board sufficient power but the regulation was complicated. Director Port said the Building Department would need to determine whether the building was historic. The Planning Office could look at things like windows and awnings rather than bring those to the board if guidelines were met. Chairman McCarthy preferred applicants worked with professionals, particularly if a building was historic. Director Port said drawings did not arrive for the meeting. Had he known, the item would not be on the agenda. A new owner had taken over the building. The applicant and Famous Pizza had a mixed history. Not much effort went into the Famous Pizza architectural renovations. He hoped for a more professional approach this time around.

Members said the location was hugely popular. The proposal represented a dramatic change. Director Port said the applicant was not highly responsive during the process, perhaps due to the lack of involving professional expertise. Chairman McCarthy wondered if DOD language supported compelling the applicant to hire a professional? Director Port said the sketches were modern with metal and stone, indicating inattention to DOD criteria. Members asked when in the process an applicant appeared before the Newburyport Historic Commission? Director Port said when the filing was made, the Planning Office forwarded information to the Historical Commission. He had been unable to reach Chair Sarah White by phone today to provide an update. Members observed that their informal discussion would not reach the Historical Commission. Chairman McCarthy said the Historical Commission was a substantial resource for both the masonry project and 8 Pleasant Street but the board would be responsible for what was implemented. Members asked if the DOD provided for peer review? Director Port said justification would be needed. Peer review had more to do with demolition of a façade rather than a modification of materials used. The applicant was not proposing to demolish the façade, but to modify the appearance and materials used. The preferential nature of materials used meant there would be no expert opinion. Members wanted to know if the structure was original.

Chairman McCarthy concluded that an expert was needed when changing the façade of a DOD building because of the importance of downtown preservation.

## **5. Planning Office/Subcommittees/Discussion**

### ***a) Updates***

Section VI.C, the zoning code, and the Kaplan case were discussed.

## **6. Adjournment**

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

The meeting adjourned at 9:23 PM.

Respectfully submitted -- Linda Guthrie