

March 2, 2011

**Planning Board
Newburyport City Hall
March 2, 2011**

The meeting was called to order at 7:00 P.M.

A quorum was present.

1. Roll Call

In attendance: Dan Bowie, Paul Dahn, Bonnie Sontag, Jim McCarthy, Anne Gardner, Julia Godtfredsen, Don Walters

Absent: Henry Coe, Sue Grolnic.

Emily Wentworth of the Planning Office was also present.

2. General Business

a) Approval of the minutes of the February 16, 2011 meeting.

Don Walters made a motion to approve the minutes as submitted.

Bonnie Sontag seconded the motion to approve the amended minutes.

The motion passed unanimously.

3. Old Business

None

4. New Business

**a) James C. Bourque Construction Inc.
Andrew Turbide Lane
Definitive Subdivision Modification
Special Permit Amendment**

The notice of public hearing was read aloud for the record.

Julia Godtfredson stated that she would recuse herself because she is an abutter.

James C. Bourque reviewed the project. He started off by sharing a picture of the completed Bromfield Street Project with the Board.

Mr. Bourque mentioned that the last time he was in front of the Board regarding Andrew Turbide Lane was in October 2010. Since that time his clients (Brian and Maryelien Zampell) have purchased Lots 2 and 3 and he has purchased Lot 1.

Mr. Bourque provided a site plan for the proposed changes. The changes basically fell into three categories: changing the road, moving from four houses to three houses, and moving the electrical wires underground. As far as the road design is concerned, the original hammer-head design has been replaced by a cul-de-sac design. Instead of four houses, there will now be three houses. The houses will be non-imposing, shingle-style homes. Today there is no symmetry or consistency on the street. With the new homes, it will bring consistency to the area and it will feel as if you are coming into a small neighborhood. The electric wires will be moved underground.

The road name will change to William Griffin Way. William Griffin was an uncle to Mr. Bourque. He passed away 2 years ago and was Vice President of Towle Silversmiths. He was awarded 2 bronze stars and 2 purple hearts in World War II. The Police and Fire Departments indicated they were pleased with the name change.

Steve Sawyer, from Design Consultants, Inc. of Somerville, Massachusetts reiterated much of what Mr. Bourque had said and provided some more detail. He indicated that the cul-de-sac was the only change to the roadway. A ladder truck and a SU30 box truck can turn on the cul-de-sac. With an overlay graphic, he indicated how the largest ladder truck could turn around. With the original hammer head drive, the ladder truck would have had to back out. He mentioned that by reducing the number of homes, the pervious surface had been reduced from 10,780 to 9,135. The private way had been reduced by 930 square ft. With these reductions, there was no need to increase storm water capacity. He asked that they be able to reconfigure the conservation area. They couldn't make the changes they have proposed with the conservation area remaining the same.

Discussion: Conservation Area

Members of the Board wanted more detail on the conservation area. The presenters indicated that the final impact on the land will be reduced because the footprint is reduced and the open space increased. The overall lot coverage is reduced so the land impact is reduced. They reduced the conservation area, but maintained the intent to protect the perimeter. There are no accessory structures in this area. A board member asked about the amount of proposed conservation area versus the total area. They responded with the fact the conservation area had been reduced from 37,333 to about 20,000. The Board asked about a small strip of conservation area and whether it could be put back in. Mr. Bourque said that the existing conservation area was unappealing. It looks very grubby now. He would like to clean it up, and would put the small strip back. The strip can become a landscaped area with no accessory structures. A board member indicated that this is not OSRD so there are no requirements for percent coverage of the conservation area. The board requested that Mr. Bourque put a landscaped area in the plan to create a visual barrier between abutters and the proposed properties. Landscape only, no accessory structures will be allowed in that area. A board member asked that the landscape be colored on the plan as part of the conservation area.

J. Godtfredsten, an abutter, agreed that the current conservation area is not nice - no nice trees. The garage will be closer to property line than existing house. Doing more planting and creating more of a buffer in the conservation area would be better for the abutters. The Board indicated

that they have to amend restricted covenant. It was redone before this, but it still has to be amended.

The Board questioned why this would not apply all around because there are abutters on all sides. The conservation area should be cleaned up and create a natural buffer. Mr. Bourque, agreed, indicating that they had been conserving conservation area that did not look good. A board member indicated that they would be more comfortable if they could get an arborist out there before they approved the special permit amendment. The arborist will determine what is worth saving and what makes sense to change. Mr. Bourque agreed with the arborist suggestion and indicated they would come back with a report from the arborist and a plan. A board member requested that someone from the Planning Department be there with the arborist. Ms. Godtfredsen requested that she be included as well.

Additional Discussion Items: Grade, Storm Water, Lot Line, Manhole Cover, Fire Truck

There was a question from the Board about whether there was a grading change or not. Mr. Bourque indicated that the grade matched or dropped from the existing grade. They were attempting to reduce the impact by pressing into the grade. The new ridge height of the building is only 29 feet. A board member asked if it was safe to say that all storm water from the described property will stay on-site. The storm water plan was not redone since the impact of the current proposal was less than with the original plan. A board member asked about Comment #4: detached garage having running water. Is there a bathroom? Mr. Bourque indicated that it is a 3 car garage with toilet, sink, and heat. The board member mentioned that on the original 4 lot plan there is an angle on Lot 1 and asked if they had considered squaring it off? Mr. Bourque indicated they haven't modified this piece of the plan. The board member indicated that in the ideal world you would square the lot. However, the Board is not making it a requirement, just wants him to think about it. The Board questioned why the manhole cover is on the detail sheet? Mr. Bourque indicated that it is already constructed and is on plan just as a record. Emily Wentworth indicated that they would need to get an "ok" from the fire department in writing about the room for the fire truck to maneuver.

It was reiterated that a Landscape plan should cover the entire project, not just the conservation area.

Discussion: Timeline

Mr. Bourque indicated he can provide information within a week and wanted to come back at the next meeting. Excluding the planting plan, he would have revisions available tomorrow. The arborist will visit the site next week. Mr. Bourque will bring the restricted covenant to next meeting and it will address the conservation issues. A board member indicated that technically the deadline is today for the next meeting, but they were willing to be flexible. Mr. Bourque indicated he is on the Zoning Board Agenda for March 22nd for the special permit for the in-law unit which is attached via a covered porch and that they would like to break ground in 4 weeks.

Public Comment

- Julia Godtfredsen, 10.5 Christopher Street, an abutter, said that it is a nice design for the area.
- James Zampell, Wenham Massachusetts, is happy his son wants to put his roots down in Newburyport, will be a good neighbor good citizen in the community.

Public Comment Portion of Hearing Closed

The hearing was continued to March 15, 2011.

5. Planning Office/Subcommittees/Discussion

Items Discussed:

- Charter commission update and discussion.
- Oleo Woods Development update from Emily Wentworth and discussion.
- Proposed Newbury development off Scotland Road for adults discussed because Newburyport is an abutter and it could potentially impact our water supply. The Water Department is involved. Emily explained notification process between communities with projects.
- Discussion about MBTA property dates and piece of land in Port Plaza.

6. Adjournment

Motion made to adjourn.

Motion seconded.

Motion approved unanimously.

Meeting adjourned at 8:20 P.M.

Respectfully submitted, Jennifer Lamarre – Note Taker.