

April 6, 2011

**Planning Board
Newburyport City Hall
City Council Chambers**

The meeting was called to order at 7:04 P.M.

A quorum was present.

1. Roll Call

In attendance: Dan Bowie, Henry Coe, Paul Dahn, Sue Grolnic, Bonnie Sontag, Jim McCarthy, Anne Gardner, Julia Godtfredsen

Absent: Don Walters

Emily Wentworth of the Planning Office was also present.

2. General Business

a) Approval of the minutes

Minutes of March 16, 2011 Meeting

Henry Coe made a motion to approve the minutes as submitted.

Jim McCarthy seconded the motion to approve amended minutes.

Votes Cast:

Dan Bowie - approve

Henry Coe - approve

Paul Dahn - approve

Sue Grolnic - abstain

Bonnie Sontag - approve

Jim McCarthy - approve

Anne Gardner - approve

Julia Godtfredsen - approve

b) Hamilton Estates Performance Guarantee

The Wines are electing to go with a covenant. The issue being raised is whether the Board wants to condition its approval upon a specific completion date. Emily Wentworth from the Planning Department suggested a three year time limit on completion.

Anne Gardner made a motion to incorporate a three year limit.

Henry Coe seconded the motion.

Votes Cast:

Dan Bowie - approve

Henry Coe - approve

Paul Dahn - approve

Sue Grolnic - approve

Bonnie Sontag - approve
Jim McCarthy - approve
Anne Gardner - approve
Julia Godtfredsen - approve

During the course of discussion and consideration of this application, the 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.

A question was raised by Board Member Gardner about what happened to “Cease and Desist” Ms. Wentworth indicated it is still in place and will be until the plans are endorsed which should be within a couple of weeks.

3. Old Business

**a) James C. Bourque Construction Inc.
Andrew Turbide Lane
Definitive Subdivision Modification
Special Permit Amendment
*Continued from March 16, 2011***

Steve Sawyer, Director of Engineering, Design Consultants, Inc, presented the modified footprints on Lots 1 and 4 to more accurately reflect what Mr. Bourque intends to construct. Mr. Sawyer indicated that the Lot 1 house footprint was increased from 1,584 sf to 2,310 sf. This represents about a 46% increase in footprint size. The lot coverage allowed with zoning is 25% which would equal 2,817 sf. The 2,310 is substantially less (500 sf) than the allowed coverage. To cover any potential increase in stormwater, the capacity of the infiltration systems was increased by 50%. In order to do this, an additional infiltration system was added behind the garage. The plan to increase the infiltration system was sent to Christiansen and Sergi who indicated that the increase in sizing of the infiltration systems would handle the new building size.

Mr. Sawyer indicated that screening (plans include trees such as river birch and dogwood) was added on the north end. He also indicated that a note has been added to the plan restricting future division of Lot 5. He said that changes had been made to the restricted covenant to enable grading and pruning in the conservation area.

No Public Comment

Board Member Sontag read the conditions associated with the Andrew Turbide Lane, Definitive Subdivision Modification and the Andrew Turbide Lane, Section XXIII Special Permit.

The terms and conditions associated with the decision to approve the Definitive Subdivision Plan Modifications were modified from those read.

Emily Wentworth, Planning Department, suggested removing condition 2 which read: “Unless specifically amended by this modification all provisions of the Andrew Turbide Lane Definitive Subdivision Plan Approval granted by the Planning board on June 6, 2007 and modified on June 3, 2009, are reaffirmed.”

Conditions 3 through 6 were renumbered as Conditions 2 through 5.

The following verbiage was added to the end of Condition 3: “Except for square footage which shall not exceed 3500 square feet on Lots 1 and 4...” – Emily Wentworth also had some suggestions about better defining the floor area which were agreed to by the Board.

In addition, Condition 6 was added: “Garage dormers on Lot 4 shall not face 10.5 Christopher Street.

Condition 7 was added “Recharge trench on Lot 1 should be located outside the conservation area”

The terms and conditions associated with the decision to approve the Section XXIII Special Permit Amendment were then reviewed. It was determined that the Special Permit conditions should be modified in a manner similar to the conditions associated with the Definitive Subdivision Plan Approval. The Board also requested that the footprints and associated maximum square footage be provided on the endorsed plans and that this language be put in the Definitive Subdivision Modification and the Special Permit Decision Conditions.

Anne Gardner made a motion to approve both decisions.

Bonnie Sontag seconded the motion.

Votes Cast:

Dan Bowie - approve

Henry Coe - approve

Paul Dahn - approve

Sue Grolnic - approve

Bonnie Sontag - approve

Jim McCarthy - approve

Anne Gardner - approve

Julia Godtfredsen - abstain (recused herself)

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4. New Business

- a) Springwell Investments, LLC
 - Oleo Woods Subdivision/Russell Terrace Extension
 - OSRD Special Permit modification
 - Definitive Subdivision Modification

Board Chairman Bowie, read the Notice of Public Hearing for the OSRD Special Permit Modification and the Definitive Subdivision Plans for Oleo Woods/Russell Terrace Extension.

He stated that in the afternoon on 4/6/2011, the Planning Department received an e-mail from Michael Green, on behalf of his client, indicating that due to an illness of the lead engineer, Brian Murray, they would like to move the hearing to 4/20/2011. They apologized for any inconvenience.

The Board agreed to continue the hearing until 4/20/2011

Jim McCarthy made a motion to approve the continuance based on the absence of the engineer. Henry Coe seconded the motion.

Votes Cast:

Dan Bowie - approve

Henry Coe - approve

Paul Dahn - approve

Sue Grolnic - approve

Bonnie Sontag - approve

Jim McCarthy - approve

Anne Gardner - approve

Julia Godtfredsen - approve

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- b) 17 Graf Road Realty Trust
- 17 Graf Road
- Major Site Plan Review Application Completeness Vote
- Pre-application Conference

Emily Wentworth, Planning Department, has reviewed the application and it appears complete. Board members were concerned about the landscaping plan. They would like to see more detail. It was agreed that the fact a landscape architect had not been involved was not a problem. However, during the review process, a landscape architect may be required. The Board had a lot of questions related to the use of this site. If there were a better understanding of how it was going to be used, there could be a determination of whether items such as a traffic report would be required. The Board wanted Emily Wentworth, Planning Department, to convey to the applicants that there were many questions. The Board voted to waive the need for a landscape architect at this point in the process.

Jim McCarthy made a motion to accept.

Henry Coe seconded the motion.

Votes Cast:

Dan Bowie - approve

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Henry Coe - approve
Paul Dahn - approve
Sue Grolnic - approve
Bonnie Sontag - approve
Jim McCarthy - approve
Anne Gardner - approve
Julia Godtfredsen - approve

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5. Planning Office/Subcommittees/Discussion

6. Adjournment

Motion made to adjourn.
Motion seconded.
Motion approved unanimously.
Meeting adjourned at 8:10 P.M.

Respectfully submitted, Jennifer Lamarre – Note Taker.