

**City of Newburyport
Planning Board
June 1, 2016
Minutes**

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

1. Roll Call

In attendance: James Brugger, Sue Grolnic, Doug Locy, Jim McCarthy, Leah McGavern, Andrew Shapiro, Bonnie Sontag and Don Walters

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

2. General Business

- a) The minutes of 5/18/16 were approved as amended. Sue Grolnic made a motion to approve the minutes. Bonnie Sontag seconded the motion and six members voted in favor. Andrew Shapiro and Don Walters abstained.

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) ***First Republic Corp. of America
260 Merrimac Street
Request for Minor Modification (2007-SP-03, 2007-SPR-04)***

Brian Murray, Millennium Engineering, 62 Elm Street, Salisbury, said the Towle project's approved site plan showed 28 accessible parking spaces based on an entire building of medical use related offices. The owner reviewed office space use and requested a reduction to 21 parking spaces based on 43% medical use occupancy. He met with the ADA coordinator and Director Port who did not object to the change based on square footage and use. Members asked if the medical use occupancy could be monitored over time to add more parking if medical use increased or use changed? Handicap accessibility might be more demand in the future based on an aging population. Director Port said the draft could be modified to say 'should there be a change in tenant use in the future, the item should be brought before the board for further review.' Members asked if each new business would come before the board for an occupancy permit? Mr. Murray said that was the building inspector's responsibility. Director Port said, legally, new occupants see the Building Commissioner who would check the permit for use. Members said the process was self-regulating. Where were the seven spaces to be eliminated?

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Mr. Murray said they were regular spaces. Members asked about opening up parking for off-hour use by the public? Parking signage indicated that parking was for Towle offices only with all others towed. Chairman McCarthy said there were conditions for off-hour use and a crosswalk for the public to cross safely from the parking lot to the athletic fields, as indicated on the last plan. Director Port asked Mr. Murray to get back to him on the signage changes and crosswalk.

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

Motion Approved.

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***b) Tropic Star Development, LLC
75-81 Storey Avenue
Section VI.C Special Permit (2014-SPR-02)
Request for Minor Modification (2016-SPR-03)***

Chairman McCarthy said no representative was present for Tropic Star's request to remove every other arborvitae along the fence and to remove the lattice and change fence material to vinyl instead of wood between the gas station and Atria's driveway, and shorten the fence between CVS and Children's Healthcare to provide access for generator maintenance. The fence bordering Atria was 100 feet long with 13 arborvitae plantings. Members considered specifying the distance between the arborvitae to 4 feet, no matter how many there were, or individual groupings of arborvitae for improving visual appeal. Director Port was partial to breaking up the view along the fence because it was the longer length of the property borders. The Planning Office was concerned about changing the wood fence to vinyl and removing the lattice. Members preferred a cedar fence but were not as concerned about the lattice. Vinyl fencing was not maintenance free and did not age as gracefully as cedar. Were the plantings on both sides of the fence? Director Port said no, plantings were on the gas station side only. Members said cars driving east on Storey Avenue would not see the plantings. Director Port concurred. Chairman McCarthy said the fence formed the corner with the stone wall. Members asked what remedy was in place when the fence fell into disrepair? Chairman McCarthy said the issue was how the fence looked as it aged. Members said the primary factor was the underground posts rotting. Director Port said if posts were treated they would last a long time. Members said a fence material change from cedar to vinyl was a major modification; all other requests were minor.

Bonnie Sontag made a motion to approve the minor modifications, excluding the major modification in fence material. James Brugger seconded the motion and all members voted in favor.

Motion Approved.

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5. Planning Office/Subcommittees/Discussion

Updates

Doug Locy's resignation letter, the Medical Marijuana district, the 223 High Street subdivision, the City Garage, Waterfront West, and the zoning consultant update were discussed.

6. Adjournment

Doug Locy made a motion to adjourn. Jim McCarthy seconded the motion and all members voted in favor.

The meeting adjourned at 8:12 PM.

Respectfully submitted -- Linda Guthrie