

CITY COUNCIL MEETING

AGENDA

May 22, 2023 7:00 pm

City Council Chambers, City Hall

60 Pleasant Street, Newburyport

Zoom details for City Council Meeting:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. LATE FILE - ORDR00458_05_22_2023 Hale Street Resolution
5. MAYOR'S COMMENT
6. PUBLIC COMMENT

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

7. APPROVAL OF MINUTES

- May 8, 2023 (Approve)

8. COMMUNICATIONS

- APPL00140_05_22_2023 Block Party 51 Prospect St. August 3rd 6:30pm (L&P)
- APPL00141_05_22_2023 Block Party 14 Dove St. August 5th 5:30pm-10pm (L&P)
- COMM00485_05_22_2023 Newburyport Maritime Days June 30th-July 10th Custom House Lawn (R&F)
- COMM00486_05_22_2023 Newburyport Comprehensive Economic Development Strategy (B&F)

9. TRANSFERS

- TRAN00154_05_22_2023 DPS: General Fund-Free Cash \$253,294.14 & Snow & Ice-Labor \$17,840.72 to Snow & Ice-Expenses \$271,134.86 (B&F)
- TRAN00155_05_22_2023 Health Insurance: General Fund-Free Cash \$61,195 to Health Insurance Premiums \$61,195 (B&F)
- TRAN00156_05_22_2023 Fire Dept: FIR Dues & Memberships \$1,291.54 to Emergency Mgmt. Coordinator \$922.58 & Emergency Mgmt. Deputy Coordinator \$368.96 (B&F)
- TRAN00157_05_22_2023 Police: POL Fuel/Oil Vehicle \$8K, POL Misc. Supplies \$2K, & POL MIS/Comm. \$2K to POL Maint-Equipment \$12K (B&F)
- TRAN00158_05_22_2023 Library: LIB Salary Librarian \$7K & LIB Salaries Staff \$13K to LIB Purchase Books \$3K, LIB Heat/Electricity \$12K, & LIB Maint-Equipment \$5K (B&F)

10. APPOINTMENTS

- APPT00404_05_22_2023 Edward Noymer 8 Lucey Dr. Historical Comm. 6/1/2026 (P&D)
- APPT00405_05_22_2023 Ronald Thurlow 28 Hancock St. Harbor Comm. 6/1/2026 (PW&S)
- APPT00406_05_22_2023 Murphy Hesse Toomey & Lehane LLP City Solicitor 7/1/2023-1/31/2024 50 Braintree Hill Office Park Suite 410 Braintree MA 02184 (GG/COTW)

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

GENERAL GOVERNMENT

- COMM00464_02_27_2023 Brown School RFI Councillor Zeid Redline (COTW) *amended*
- ORDR00428_02_27_2023 RFI Brown School Property (COTW) *amended*

LICENSES & PERMITS

- APPL00134_05_08_2023 9th Annual Harborside Half Marathon & 5K 11/12/2023 9am-1:30pm
- APPL00135_05_08_2023 Paws for a Cause 10/14/2023 10am-12pm
- APPL00136_05_08_2023 Yankee Homecoming July 29th-August 6th *amended*
- APPL00137_05_08_2023 Olive's Backyard Makers Market 7/22/2023 9am-2pm
- APPL00138_05_08_2023 Lions Bed Race August 3rd 5pm-8pm
- APPL00139_05_08_2023 Block Party 31 Howard St June 14th 12pm-9pm
- COMM00484_05_08_2023 Newburyport Pride Parade Information

PLANNING & DEVELOPMENT

- APPT00391_04_24_2023 Marc Cendron 91 High St. Historical Commission 5/1/2026
- APPT00394_04_24_2023 Madeline K. Nash 19 Arlington St. Affordable Housing Trust 5/1/2025
- APPT00396_04_24_2023 Jane Healey 38 Winter St. Community Preservation Comm. 5/1/2026
- ORDR00450_05_08_2023 NBHI Interpretive signs locations
- ORDR00456_05_08_2023 344 Merrimac St. Preservation Restriction

PUBLIC WORKS & SAFETY

- APPT00403_05_08_2023 Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028
- ODNC00150_05_08_2023 Amend Municipal Fees Street Permits and Employee Permits (COTW)
- ODNC00151_05_08_2023 Amend Ch 13-180 Residential Permits (COTW)
- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities (COTW)
- ODNC00153_05_08_2023 Amend Ch 13-166 Anti-Shuffling (COTW)

END OF CONSENT AGENDA

REGULAR AGENDA

9. MAYOR'S UPDATE

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00398_05_08_2023 Ilene Harnch-Grady 10 Cushing Ave Council on Aging 6/1/2026
- APPT00401_05_08_2023 Annie Maurer 17 Otis Pl. Council on Aging 6/1/2026

14. ORDERS

- ORDR00457_05_22_2023 FY24 Revolving Funds Spending Limits

15. ORDINANCES

- ODNC00135_01_30_2023 **2nd reading** Zoning Amendment ITIF Remove Residential Use *Amended*

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)
- TRAN00153_05_08_2023 Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 (COTW)
- ORDR00451_05_08_2023 PEG Center Gift Acceptance
- ORDR00452_05_08_2023 FY2024 Budget Order (COTW)
- ORDR00453_05_08_2023 FY2024-2028 Capital Improvement Program (COTW)

Community Services

In Committee:

- COMM00474_04_10_2023 Newburyport Public Art Policy
- ORDR00455_05_08_2023 ACO Intermunicipal Agreement

General Government

In Committee:

- **COMM00464_02_27_2023** **Brown School RFI Councillor Zeid Redline (COTW) amended**
- **ORDR00428_02_27_2023** **RFI Brown School Property (COTW) amended**
- *ORDR239_02_8_2021* *Council Rule 7 and 10B*
- COMM00461_02_27_2023 Brown School Gymnasium Considerations (COTW)
- COMM00468_03_13_2023 Brown School Proposal (COTW)
- ODNC00146_03_13_2023 Amend Ch 2-34 Responsibilities of Committee on Community Services
- APPT00390_04_24_2023 Caitlin Haire 43 Prospect St. Board of Registrars 5/1/2026
- APPT00402_05_08_2023 Steven Wallace 20 Allen St Waterfront Trust 6/1/2026

Licenses & Permits

In Committee:

- **APPL00134_05_08_2023** **9th Annual Harborside Half Marathon & 5K 11/12/2023 9am-1:30pm**
- **APPL00135_05_08_2023** **Paws for a Cause 10/14/2023 10am-12pm**
- **APPL00136_05_08_2023** **Yankee Homecoming July 29th-August 6th amended**
- **APPL00137_05_08_2023** **Olive's Backyard Makers Market 7/22/2023 9am-2pm**
- **APPL00138_05_08_2023** **Lions Bed Race August 3rd 5pm-8pm**
- **APPL00139_05_08_2023** **Block Party 31 Howard St June 14th 12pm-9pm**
- **COMM00484_05_08_2023** **Newburyport Pride Parade Information**
- ODNC047_01_27_2020 General Ordinance - Short Term Rental Units Rules

Planning & Development

In Committee:

- **APPT00391_04_24_2023** **Marc Cendron 91 High St. Historical Commission 5/1/2026**
- **APPT00394_04_24_2023** **Madeline K. Nash 19 Arlington St. Affordable Housing Trust 5/1/2025**
- **APPT00396_04_24_2023** **Jane Healey 38 Winter St. Community Preservation Comm. 5/1/2026**
- **ORDR00450_05_08_2023** **NBHI Interpretive signs locations**
- **ORDR00456_05_08_2023** **344 Merrimac St. Preservation Restriction**
- ODNC00141_02_27_2023 Zoning Amendment STRU (COTW)

Public Works & Safety

In Committee:

- APPT00403_05_08_2023 **Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028**
- ODNC00150_05_08_2023 **Amend Municipal Fees Street Permits and Employee Permits (COTW)**
- ODNC00151_05_08_2023 **Amend Ch 13-180 Residential Permits (COTW)**
- ODNC00152_05_08_2023 **Amend Ch 13-181 Municipal Parking Facilities (COTW)**
- ODNC00153_05_08_2023 **Amend Ch 13-166 Anti-Shuffling (COTW)**
- COMM00412_05_31_2022 Ltr Ann Jaronyk re: Traffic Safety
- COMM00414_05_31_2022 Ltr. Emily Dunn re: Traffic on Merrimac Street
- COMM00456_12_12_2022 Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.
- ODNC00103_01_10_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- COMM00459_01_30_2023 Ltr. Residents concerned with speeding on Arlington St.
- COMM00462_02_27_2023 Ltr. From Kathleen O'Connor Ives re: drinking water concerns
- ORDR00449_04_24_2023 Approving Shared Streets Grant, High Street Traffic Calming
- COMM00479_04_24_2023 Ward 4 Street Sidewalk Traffic Safety Priorities
- COMM00480_04_24_2023 Merrimac St. Safety Items
- COMM00482_04_24_2023 Constructions projects at the Central Waterfront
- APPT00404_05_08_2023 *Re-appointment* James Knapp 24 Cutting Dr. Harbor Comm. 6/1/2026
- COMM00483_05_08_2023 Residential HP App 12 Merrill St.
- APPT00399_05_08_2023 Brett Carrier 231 Middle Rd. Byfield Asst Hrbrmstr/Shlfsh Cnstbl/SpPO 6/1/2026
- APPT00400_05_08_2023 Robert Dow 185 Storey Ave Harbor Comm. 6/1/2026
- ORDR00454_05_08_2023 Storey Avenue bicycle lane

17. GOOD OF THE ORDER

18. ADJOURNMENT

LATE FILE ITEMS



IN CITY COUNCIL

ORDERED:

May 22, 2023

Resolution

Whereas: Hale Street, despite being built originally as a rural road, has evolved to be a major link for residents in Wards 3, 5 and 6 and a busy throughway for trucking into Newburyport Business Park, and

Whereas: currently 5000 residents are blocked from safe pedestrian and/or bicycle access to schools, links to rail trail or downtown, and

Whereas: the City has previously commissioned a survey of the Right of Way and has the results therefrom, and

Whereas: the City has solicited and received bids from 3rd party vendors To continue to explore options and next-step tasks needed for a share-use pathway along Hale Street, and

Whereas: pursuant to Section 2.5 of the City Charter, all powers of the city shall be vested in the city council which shall provide for their exercise and for the performance of all duties and obligations imposed upon the city by law.

Now Therefore, the City Council hereby requests that the Administration allocate up to One Hundred and Thirty Thousand (\$130,000) Dollars to fund the next phase of design including the identification of longer term funding sources for the completion of a safe pedestrian pathway along Hale Street.

Councillor James J. McCauley

CONSENT AGENDA

CITY COUNCIL MEETING

MINUTES

May 8, 2023 7:00 pm

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60 Pleasant Street, Newburyport

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Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone US: +1 929 205 6099

Webinar ID: 812 9999 0548

1. **MOMENT OF SILENCE** Remembering Coach Jim Stehlin, Donna Volpone, Jack O'Keefe

2. **PLEDGE OF ALLEGIANCE**

CALL TO ORDER 7:00 pm City Clerk Richard B. Jones called the role, the following City Councillors answered present: Preston, Vogel, Wallace, Wright, Zeid, Cameron, Donahue, Khan, Lane, McCauley, and Shand. 11 present (2 remote JD, AK).

3. **LATE FILE**

- COMM00484_05_08_2023 Newburyport Pride Parade Information (L&P)
- ORDR00455_05_08_2023 ACO Intermunicipal Agreement (CS)
- ORDR00456_05_08_2023 344 Merrimac St. Preservation Restriction (P&D)
- APPT00403_05_08_2023 Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028 (PW&S)
- APPT00404_05_08_2023 *Re-appointment* James Knapp 24 Cutting Dr. Harbor Comm. 6/1/2026 (PW&S)
- APPL00139_05_08_2023 Block Party 31 Howard St June 14th 12pm-9pm (L&P)

Motion to waive the rules, accept the late files, and refer to the recommended committees by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

4. **MAYOR'S COMMENT**

5. **PUBLIC COMMENT**

Tarah MacGregor	City Employee
Timothy Greenwood	151 High St.
James Jones	2 Wills Lane
Andrea Weetman	183 high St.
Eric Fisher	12 Cutting Dr.
Evelyn Kovach	16 Laurel Lane
Drew Shapiro	20 Eagle St.
Darrell Stroope	93 Prospect St.
Mary McDonald	30 Madison St.
Stephanie Niketic	93 High St.
Jane Snow	9 Coffin St.
Jeanette Isabella	100 Water St.

CONSENT AGENDA

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6. **APPROVAL OF MINUTES**

- April 24, 2023

(Approve)

7. COMMUNICATIONS

- APPL00134_05_08_2023 9th Annual Harborside Half Marathon & 5K 11/12/2023 9am-1:30pm (L&P)
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- APPL00138_05_08_2023 Lions Bed Race August 3rd 5pm-8pm (L&P)
- COMM00483_05_08_2023 Residential HP App 12 Merrill St. (PW&S)

8. TRANSFERS

- TRAN00153_05_08_2023 Mayor: Multiple \$3,483,773 to Multiple \$3,483,773 (B&F & COTW)

9. APPOINTMENTS

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- APPT00399_05_08_2023 Brett Carrier 231 Middle Rd. Byfield Asst Hrbrmstr/Shlfsh Cnstbl/Sp PO 6/1/2026 (PW&S)
Re-Appointments:
- APPT00400_05_08_2023 Robert Dow 185 Storey Ave Harbor Commission 6/1/2026 (PW&S)
- APPT00401_05_08_2023 Annie Maurer 17 Otis Pl. Council on Aging 6/1/2026
- APPT00402_05_08_2023 Steven Wallace 20 Allen St Waterfront Trust 6/1/2026 (GG)

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

BUDGET & FINANCE

- ORDR00436_03_27_2023 Katherine Day Gift Acceptance
- ORDR00437_03_27_2023 Morrill Foundation Gift Acceptance
- TRAN00151_04_24_2023 Mayor: Sewer Retained Earnings \$120,000 to SEW Plant Chemicals \$120,000 & Water Retained Earnings \$86,000 to WAT Plant Chemicals \$86,000
- TRAN00152_04_24_2023 Mayor: IT Sal Director \$14,673, AUD Sal Financial/Purchasing Analyst \$15,908, and TRS Sal Staff \$16,612.92 to IT Munis License \$14,194.06 and IT Software/Licensing \$32,999.86
- ORDR00444_04_24_2023 Central Congregational Church Gift Acceptance
- ORDR00445_04_24_2023 Friends of NYS Gift Acceptance
- ORDR00446_04_24_2023 Friends of Newburyport Trees Gift Acceptance
- ORDR00447_04_24_2023 FY23 Revolving Fund Spending Limit Increase
- ORDR00448_04_24_2023 PCB Class Action Settlement Payment Acceptance

LICENSES & PERMITS

- APPL00131_04_10_2023 GNCCI Spring Fest June 3rd-4th 12-5pm
- APPL00132_04_24_2023 Newburyport Pride Parade June 3rd 11:00am-12:45pm
- APPL00133_04_24_2023 Newburyport Lions Club Road Races August 1st 8am-8:30pm

PLANNING & DEVELOPMENT

- ODNC00135_01_30_2023 Zoning Amendment ITIF Remove Residential Use *Amended*
- COMM00469_03_13_2023 Retail Sale of Marijuana (COTW)
- ORDR00440_04_10_2023 64 Federal St. Plummer House Preservation Restriction

PUBLIC WORKS & SAFETY

- COMM00477a_04_10_2023 Petition for Pole on Briggs Ave

END OF CONSENT AGENDA

Motion to approve the Consent Agenda by Councillor Zeid, seconded by Councillor lane. Roll call vote. 11 yes. Motion passes.

REGULAR AGENDA

9. MAYOR'S UPDATE

Motion to receive and file by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

10. FIRST READING APPOINTMENTS

11. COMMUNICATIONS

12. TRANSFERS

13. SECOND READING APPOINTMENTS

- APPT00389_04_24_2023 Tara Cederholm 20 Fruit St. Fruit St. Historical Comm. 4/30/2026
- APPT00392_04_24_2023 Marc Cendron 91 High St. Fruit St Historical Comm. 4/30/2026
- APPT00393_04_24_2023 Jeanette Isabella 100 Water St. Emma Andrews Library Comm. 5/1/2024
- APPT00395_04_24_2023 Paul J. Harrington 251B High St. Tree Commission 5/1/2026
- APPT00397_04_24_2023 John A. Green 12 Finnegan Way Council on Aging 5/1/2026

Motion to approve collectively by Councillor McCauley, seconded by Councillor Vogel. Roll call vote. Roll call vote. 11 yes. Motion passes.

14. ORDERS

- ORDR00450_05_08_2023 NBHI Interpretive signs locations

Motion to refer to Planning & Development by Councillor Preston, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- ORDR00451_05_08_2023 PEG Center Gift Acceptance

Motion to refer to Budget & Finance by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

- ORDR00452_05_08_2023 FY2024 Budget Order

- ORDR00453_05_08_2023 FY2024-2028 Capital Improvement Program

Motion to refer to Budget & Finance and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

- ORDR00454_05_08_2023 Storey Avenue bicycle lane

Motion to refer to Public Works & Safety by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

15. ORDINANCES

- ODNC00143_03_13_2023 **2nd reading** Municipal Fee Schedule Amend Water Sewer Fees

Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- ODNC00148_04_10_2023 **2nd reading** Amend Municipal Fees 2-O Recycling and solid waste

Motion to approve on 2nd reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- ODNC00149_04_10_2023 **1st reading** Rules for Charitable Donations

Moved to a date certain May 8, 2023

Motion to approve on 1st reading by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 5 yes (CW, MW, SZ, BL, JM) 6 no (CP, BV, EC, JD, AK, HS). Motion fails.

- ODNC00150_05_08_2023 Amend Municipal Fees Street Permits and Employee Permits

- ODNC00151_05_08_2023 Amend Ch 13-180 Residential Permits

- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities

- ODNC00153_05_08_2023 Amend Ch 13-166 Anti-Shuffling
Motion to refer to Public Works & Safety and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

16. COMMITTEE ITEMS

Budget & Finance

In Committee:

- **ORDR00436 03 27 2023 Katherine Day Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00437 03 27 2023 Morrill Foundation Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 9 yes, 3 no (MW, BL, JM). Motion passes.
- **TRAN00151 04 24 2023 Mayor: Sewer Retained Earnings \$120,000 to SEW Plant Chemicals \$120,000 & Water Retained Earnings \$86,000 to WAT Plant Chemicals \$86,000**
Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- **TRAN00152 04 24 2023 Mayor: IT Sal Director \$14,673, AUD Sal Financial/Purchasing Analyst \$15,908, and TRS Sal Staff \$16,612.92 to IT Munis License \$14,194.06 and IT Software/Licensing \$32,999.86**
Motion to approve by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- **ORDR00444 04 24 2023 Central Congregational Church Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.
- **ORDR00445 04 24 2023 Friends of NYS Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00446 04 24 2023 Friends of Newburyport Trees Gift Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **ORDR00447 04 24 2023 FY23 Revolving Fund Spending Limit Increase**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 10 yes, 1 no (JD). Motion passes.
- **ORDR00448 04 24 2023 PCB Class Action Settlement Payment Acceptance**
Motion to approve by Councillor Zeid, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)
- ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)

Community Services

In Committee:

- COMM00474_04_10_2023 Newburyport Public Art Policy

General Government

In Committee:

- COMM00464_02_27_2023 Brown School RFI Councillor Zeid Redline (COTW) *amended*
- ORDR239_02_8_2021 *Council Rule 7 and 10B*
- COMM00461_02_27_2023 Brown School Gymnasium Considerations (COTW)
- ORDR00428_02_27_2023 Request for Expressions of Interest (RFI) for Brown School Property (COTW)
- COMM00468_03_13_2023 Brown School Proposal (COTW)
- ODNC00146_03_13_2023 Amend Ch 2-34 Responsibilities of Committee on Community Services
- APPT00390_04_24_2023 Caitlin Haire 43 Prospect St. Board of Registrars 5/1/2026

Licenses & Permits

In Committee:

- **APPL00131 04 10 2023 GNCCI Spring Fest June 3rd-4th 12-5pm**
Motion to approve by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

- **APPL00132 04 24 2023** **Newburyport Pride Parade June 3rd 11:00am-12:45pm**
Motion to approve by Councillor Vogel, seconded by Councillor McCauley. Subject to applicant being clarified. Roll call vote. 11 yes. Motion passes.
- **APPL00133 04 24 2023** **Newburyport Lions Club Road Races August 1st 8am-8:30pm**
Motion to approve by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC047_01_27_2020** **General Ordinance - Short Term Rental Units Rules**

Planning & Development

In Committee:

- **ODNC00135 01 30 2023** **Zoning Amendment ITIF Remove Residential Use Amended**
Motion to approve on 1st reading by Councillor Cameron, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.
- **COMM00469 03 13 2023** **Retail Sale of Marijuana (COTW)**
Motion to receive and file by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ORDR00440 04 10 2023** **64 Federal St. Plummer House Preservation Restriction**
Motion to approve by Councillor Cameron, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.
- **ODNC00141_02_27_2023** **Zoning Amendment STRU (COTW)**
- **APPT00391_04_24_2023** **Marc Cendron** **91 High St.** **Historical Commission** **5/1/2026**
- **APPT00394_04_24_2023** **Madeline K. Nash** **19 Arlington St.** **Affordable Housing Trust** **5/1/2025**
- **APPT00396_04_24_2023** **Jane Healey** **38 Winter St.** **Community Preservation Comm.** **5/1/2026**

Public Works & Safety

In Committee:

- **COMM000477a 04 10 2023** **Petition for Pole on Briggs Ave**
Motion to approve by Councillor Wallace, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **COMM00412_05_31_2022** **Ltr Ann Jaroncyk re: Traffic Safety**
- **COMM00414_05_31_2022** **Ltr. Emily Dunn re: Traffic on Merrimac Street**
- **COMM00456_12_12_2022** **Letters re: Curb Cut 4 Wilkinson Dr. & 34 Hale St.**
- **ODNC00103_01_10_2022** **Streets, Sidewalks, and Other Public Places Alterations & Maintenance**
- **COMM00459_01_30_2023** **Ltr. Residents concerned with speeding on Arlington St.**
- **COMM00462_02_27_2023** **Ltr. From Kathleen O'Connor Ives re: drinking water concerns**
- **ORDR00449_04_24_2023** **Approving Shared Streets Grant, High Street Traffic Calming**
- **COMM00479_04_24_2023** **Ward 4 Street Sidewalk Traffic Safety Priorities**
- **COMM00480_04_24_2023** **Merrimac St. Safety Items**
- **COMM00482_04_24_2023** **Constructions projects at the Central Waterfront**

17. GOOD OF THE ORDER

18. ADJOURNMENT

Motion to adjourn at 9:11pm by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

COMMUNICATIONS



RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAY -9 A 10:40

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

DATE OF REQUEST:	<u>May 4, 2023</u>
CONTACT INFORMATION	
FIRST AND LAST NAMES:	<u>Gilee Woodworth</u>
MAILING ADDRESS:	<u>51 Prospect Street</u>
PHONE NUMBER:	<u>978 462-2010</u>
E-MAIL ADDRESS:	<u>pcbahati@yahoo.com</u>
BLOCK PARTY INFORMATION	
BLOCK PARTY DATE:	<u>August 3, 2023 (Yankee Homecoming)</u>
DESIRED STREET CLOSING LOCATION:	<u>Federal + Temple Street</u>
Please indicate cross streets when requesting the closing of street sections <u>one way</u>	
STREET TO BE BARRICADED:	<u>Temple St - between Federal + Fair St</u>
DESIRED STREET CLOSING TIME:	<u>about 6:30 - as soon as bedrace ends</u>
Block Parties should run no later than 10:00 p.m.	

our 6th year
Gathering @ 52 Temple St - owners
Susen Crawford and Marie Roy
we have cones and sign

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within two (2) hours of the end of the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Applicant signature: *Ellie Woodworth* Date: *5/4/2023*

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL *[Signature]*
4 Green Street

FIRE CHIEF *[Signature]*
0 Greenleaf Street

DEPUTY DIRECTOR *[Signature]*
16A Perry Way

CITY CLERK *[Signature]*
60 Pleasant Street

City use only:
 Approved _____ Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAY 12 A 10:51

CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950**BLOCK PARTY APPLICATION**

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant Street, Newburyport, MA 01950 **at least eight (8) business days prior** to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978) 465-4407.

DATE OF REQUEST: _____

5/3/23

CONTACT INFORMATION

FIRST AND LAST NAMES: _____

Milissa Duncan

MAILING ADDRESS: _____

14 Dove St

PHONE NUMBER: _____

978-764-1019

E-MAIL ADDRESS: _____

milissaduncan@hotmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: _____

Sat. Aug 5th

DESIRED STREET CLOSING LOCATION: _____

Dove St. between Monroe & Merrimack

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: _____

Dove St.

DESIRED STREET CLOSING TIME: _____

5:30 - 10pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four (4) weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

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2. To be responsible for placement, maintenance and removal of barricades.
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- * 4. Amplified music shall be permitted with permission of the City Council.
5. **To leave AT LEAST A TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten (10) foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
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8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within five hundred (500) feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution.
11. Only approved readily removable Barricades will be permitted such as orange cones and sawhorses with a sign. No vehicles will be permitted to be used as a Barricade.
12. Block parties are permitted 10 A.M. – 10 P.M.

Applicant signature: Melissa Duncan Date: 5/3/23

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
4 Green Street

FIRE CHIEF
0 Greenleaf Street

DEPUTY DIRECTOR
16A Perry Way

CITY CLERK
60 Pleasant Street

[Signature]

[Signature]

[Signature] 5/11/23

[Signature]

City use only:

Approved _____ Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORTSPECIAL EVENT APPLICATION

Tel. **978 857 9249**Fax. **N/A** 2023 MAY 16 A 8:27

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: **Newburyport Maritime Days**Date: Time: from **0800 +/- 30 June 2023 to 1230 +/- 10 July 2023**Rain Date: Time: **N/A**2. Location*: **Custom House Maritime Museum (rear grass) and Boardwalk near public docks/ Harbormaster Office. *Note: Boardwalk will remain open to pedestrian traffic.***Please Note: If the location is a public park or the rail trail, please also contact the Parks Department- **Waterfront Trust notified.**3. Description of Property: Public: **Portion of Boardwalk for que to board tall ship Nao Trinidad.** Private: **Private grass area behind Custom House Maritime Museum.**4. Name of Organizer: **Custom House Maritime Museum** City Sponsored Event: **Yes/No**Contact Person: **Bob Cronin, General Chair, Maritime Days**Address: **126 Merrimac Street #46 Newburyport MA 01950** Telephone: **978 857 9249**E-Mail: **rcronin@TheCHMM.org**Cell Phone: **978 857 9249**Day of Event Contact & Phone: **Bob Cronin 978 857 9249**5. Number of Attendees Expected: **+/- 7500 over 10 days**6. MA Tax Number: **23-7013467**7. Is the Event Being Advertised? **Yes** Where? **Local/regional newspapers, radio, social media, Boston news outlets**8. What Age Group is the Event Targeted to? **All, youth education component mornings, families throughout the day**9. Have You Notified Neighborhood Groups or Abutters? **Yes.** Who? **New England/ Newburyport Development, Waterfront Trust, U.S. Coast Guard, Newburyport Harbormaster**

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

- A. Vending*: Food **NO** Beverages **NO** Alcohol **NO** Goods **Sold thru existing gift shop.**
- B. Total # of Vendors * **0** (**Note: A welcome Aboard event will be held and a stand alone permit will be sought.**)
- C. If checked signature from Health Director required (Page 3)
- D. B. Entertainment: (Subject to City's Noise Ordinance.) Live Music: (**Note: A Welcome Aboard event will be held with soft live music and sought on the separate permit.**)

Other Total # Name of Carnival Operator: **N/A** Address: **N/A** Telephone: **N/A**

D Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS). Will you be conducting the clean-up for this event? **Yes**

Updated April 1, 2022, If yes: a) How many trash receptacles will you be providing? **6**
b) How many recycling receptacles will you be providing? **6**
c) Will you be contracting for disposal of : Trash **Yes** Recycling **Yes** If yes, size of dumpster(s): **Existing system** Trash Recycling ii. **Existing system**

Name of disposal company: **Mello** Trash Recycling **Mello** iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes iv. If no, where will the trash & recycling be disposed? If no: a) # of trash container(s) to be provided by DPS b) # of recycling container(s) to be provided by Recycling Office c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS. All fees must be paid prior to the event. Check or money order is payable to the City of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet) # Standard # ADA accessible Name of company providing the portable toilets: **Two porta-potties, one ADA compliant, existing restrooms at Custom House Maritime Museum and public waterfront restrooms.**

No Updated April 1, 2022 FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY PARADE ROAD RACE WALKATHON 1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: 2. Name, Address & Daytime Phone Number of Organizer: 3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up 4. Date of Event: Expected Number of Participants: 5. Start Time: Expected End Time: 6. Road Race, Parade or Walkathon Route: (List street names & attach map of route): 7. Locations of Water Stops (if any): 8. Will Detours for Motor Vehicles Be Required? If so, where? 9. Formation Location & Time for Participants: 10. Dismissal Location & Time for Participants: 11. Additional Parade Information: • Number of Floats: • Locations of Viewing Stations: • Are Weapons Being Carried: Yes No • Are Marshalls Being Assigned to Keep Parade Moving: Yes No APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY CITY MARSHAL _4 Green St. FIRE CHIEF _0 Greenleaf St. DEPUTY DIRECTOR _16A Perry Way CITY CLERK

_____60 Pleasant St. HEALTH DIRECTOR _60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event) DEPARTMENT APPROVAL (for Committee Member use only): It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment. Approval Date: Signature Required 1. Special Events: 2. Police: Is Police Detail Required: **Police Detail will be requested for separate permit.** # of Details Assigned: 3. Traffic, Parking & Transportation: 4. ISD/Health: 5. Recycling: 6.

ISD/Building: 7. Electrical: 8. Fire: Is Fire Detail Required: **NO** # of Details Assigned: 9.
Public Works: Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc.
may apply Yes: \$ due on No Fee for Special Events applies Other requirements/instructions
per DPS __ 10. Parks Department: 11. License Commission The departments listed above
have their own application process. Applicants are responsible for applying for and
obtaining all required permits & certificates from the various individual departments

Internal Revenue Service

Department of the Treasury

District
Director

P.O. Box 1680, GPO Brooklyn, N.Y. 11202

Date: MAY 05 1968

Custom House Maritime Museum
P.O. Box 306
25 Water Street
Newburyport, Ma 01950

Person to Contact: C. Jones

Contact Telephone Number:

1 (718) 780-6681

Re: #23-7013467

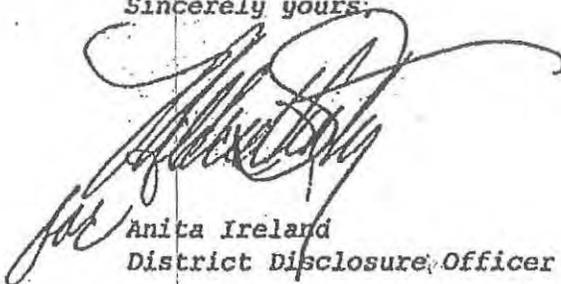
Dear Sir or Madam:

Reference is made to your request for verification of the tax exempt status of Newburyport Maritime Society, Inc.

A determination or ruling letter issued to an organization granting exemption under the Internal Revenue Code of 1954 or under a prior or subsequent Revenue Act remains in effect until exempt status has been terminated, revoked or modified.

Our records indicate that exemption was granted as shown below.

Sincerely yours,



Anita Ireland
District Disclosure Officer

Name of Organization: Newburyport Maritime Society, Inc.

Date of Exemption Letter: April, 1969

Exemption granted pursuant to 1954 Code section 501(c) (3) or its predecessor Code Section.

Foundation Classification (If Applicable): Not a private foundation as you are an organization described in section 509(a)(1) of the Internal Revenue Code.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/6/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Liberty Mutual Insurance PO Box 188065 Fairfield, OH 45018	CONTACT NAME: PHONE (A/C, No, Ext): 800-962-7132 FAX (A/C, No): 800-845-3666 E-MAIL ADDRESS: BusinessService@LibertyMutual.com	
	INSURER(S) AFFORDING COVERAGE	
INSURED Newburyport Maritime Society Inc 25 Water St C/O Tim Felter Newburyport MA 01950	INSURER A: West American Insurance Company NAIC # 44393	
	INSURER B: Ohio Casualty Insurance Company 24074	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 73786264 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>		BKW58010850	2/13/2023	2/13/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			USO58010850	2/13/2023	2/13/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	XWO58010850	9/4/2022	9/4/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Newburyport is listed as Additional Insured Owners, Lessees or Contractors per form CG2010.

CERTIFICATE HOLDER**CANCELLATION**

The City of Newburyport
 60 Pleasant St
 Newburyport MA 01950

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Kayla Schuler

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
The City of Newburyport 60 Pleasant St Newburyport, MA 01950	Various
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

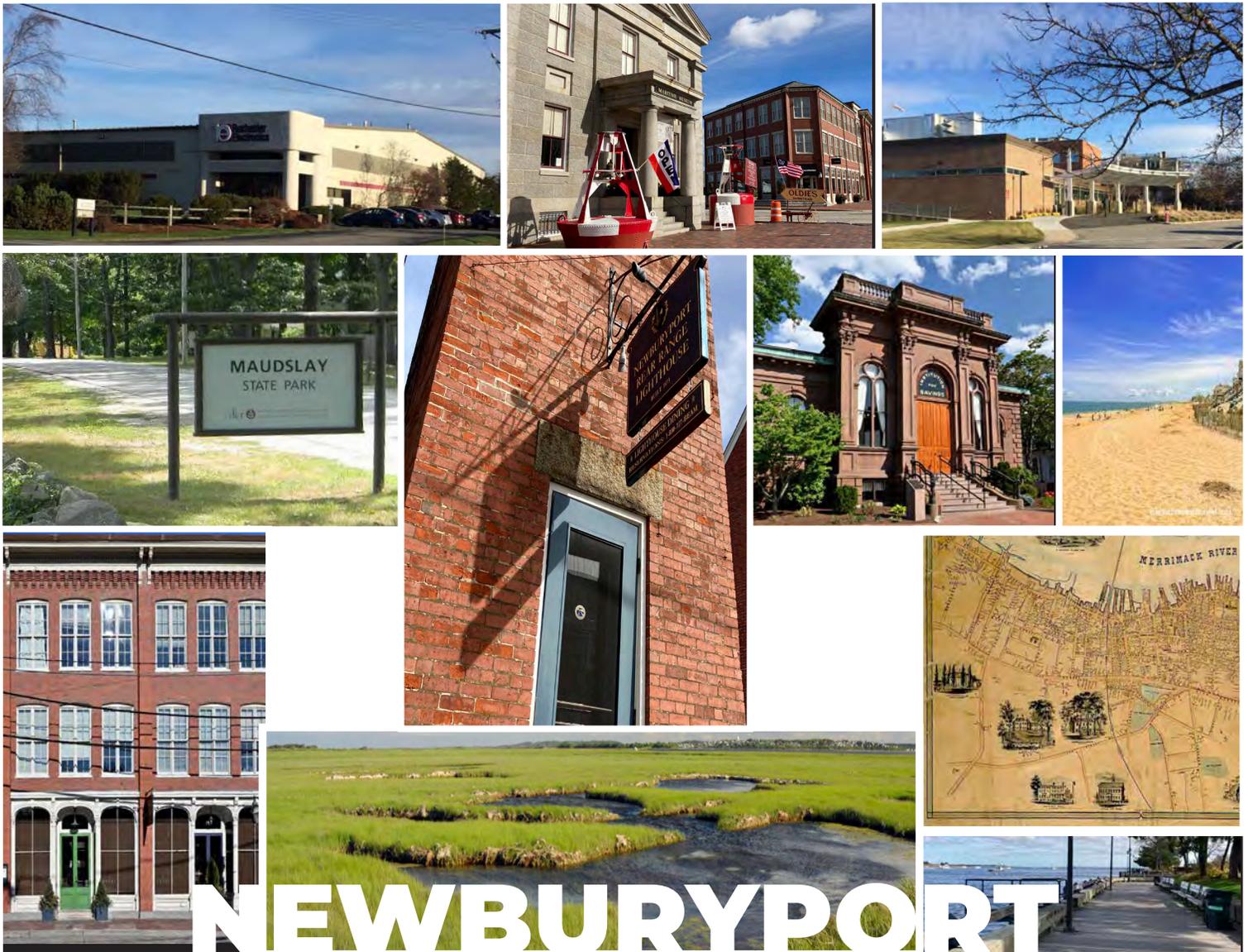
If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



NEWBURYPORT COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

April 2023



CITY OF NEWBURYPORT, MA

KARL F. SEIDMAN | CONSULTING SERVICES
with CivicMoxie, LLC



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To the Greater Newburyport Community,

After months of research, strategy development, and community engagement with a wide group of stakeholders, I am pleased to present the Comprehensive Economic Development Strategy for Newburyport. This is the result of a collaborative effort with the City, our consultants, a steering committee, and the greater community that focused on creating a vision for the future of Newburyport's economy and creating a strategy for how to achieve our many goals. This plan prioritized inclusive, sustainable economic development that will maintain the city's historic character while creating local employment and business ownership opportunities for residents.

The strategies outlined in this plan will help advance the overall goal of securing economic well-being now and in the years to come, while also improving the overall quality of life of residents and community members. It aims to keep a healthy tax base that can fund the municipal services the community expects, and to strengthen our downtown and other residential and commercial centers throughout the city. We also made sure that this economic development plan considered the vital role of arts and culture in Newburyport, and looked for opportunities to grow and sustain our cultural assets.

I first want to thank the Massachusetts Department of Housing and Community Development for their financial support of this project, and for their investment in cities and towns across the Commonwealth. I also want to thank our consultant team of Karl Seidman and his associates, Susan Silberberg and Sue Kim of Civic Moxie. Their ability to listen and engage with this community impressed us just as much as their analytical and strategy development skills, and the project benefited greatly from this. Thanks also goes to our Economic Development Steering Committee, whose thoughtfulness, vision, and passion for the community helped strengthen this strategy. Finally, I am grateful to all the City staff who assisted on this project, and all community members who offered their feedback along the way.

This community is rich in history, culture, and natural beauty, and we also host a diverse and thriving economy with a highly skilled and educated workforce. We have many assets to draw upon in order to face any future challenges, which include climate change and the high cost of living in this region. The plan you are reading now presents a blueprint for building on the best elements of our community and taking actions now that will sustain our economy in the years to come.

Onward, Forward,

Sean R. Reardon
Mayor

ACKNOWLEDGMENTS

This publication was funded by a Housing Choice Grant provided by the Massachusetts Department of Housing and Community Development. We are thankful to DHCD and the Commonwealth for their support.

This Comprehensive Economic Development Study (CEDS) was supported by the Mayor's Office of the City of Newburyport and was managed by the Mayor's Office and the Office of Planning and Development. A Steering Committee helped guide the CEDS work, and community members and organizations, businesses, and institutions were involved in planning and offered feedback during the process. Thank you to everyone who participated!

CITY OF NEWBURYPORT

Sean Reardon, Mayor
Andrew Levine, Chief of Staff and CEDS Project Manager
Kim Turner, Manager of Special Projects

City Council

Heather L. Shand, Ward 3, Council President
Edward C. Cameron Jr., Councillor At-Large
Jennie L. Donahue, Ward 2
Afroz K. Khan, Councillor At-Large
Byron J. Lane, Ward 6
James J. McCauley, Ward 5
Constance Preston, Councillor At-Large
Bruce L. Vogel, Councillor At-Large
Christine E. Wallace, Ward 4
Mark R. Wright, Councillor At-Large
Sharif I. Zeid, Ward 1

Department of Planning & Development

Andrew Port, Director of Planning and Development
Katelyn Sullivan, Planner

CEDS Steering Committee

Nate Allard, Greater Newburyport Chamber of Commerce and Industry
Patricia Cannon, Newburyport Cultural Council
Jennie Donahue, City Councillor Ward 2
Bethany Groff Dorau, Museum of Old Newbury
Ted Epstein, Loretta
Ginny Eramo, Interlocks
Alison Fruh, Fruh Realty
Julie Ganong, Chococoa
Deirdre Girard, Newburyport Arts Collective
Lloyd Ham, Newburyport Bank

Matthew Hillman, Parker River Wildlife Refuge
Mike Jones, Institution for Savings
Bob Koup, Planning Board
Stephen Leonard, Essex Street Inn
James J. McCauley, City Councillor, Ward 5
John Moynihan, Firehouse Center for the Arts
Cynthia Schartman, Andrew Sidford Architects
Heather Shand, City Council President, Ward 3
Chris Skiba, Newburyport Development
Mike Trotta, Crystal Engineering

Planning Team

Karl F. Seidman Consulting Services, Lead

Karl F. Seidman, Principal

CivicMoxie, LLC

support in arts, culture, and tourism planning

Susan Silberberg, Principal

Sue Kim, Senior Planner

WHAT IS ECONOMIC DEVELOPMENT?

We are defining Economic Development as the programs, policies, and activities in a city that seek to improve local and regional economic well-being by:

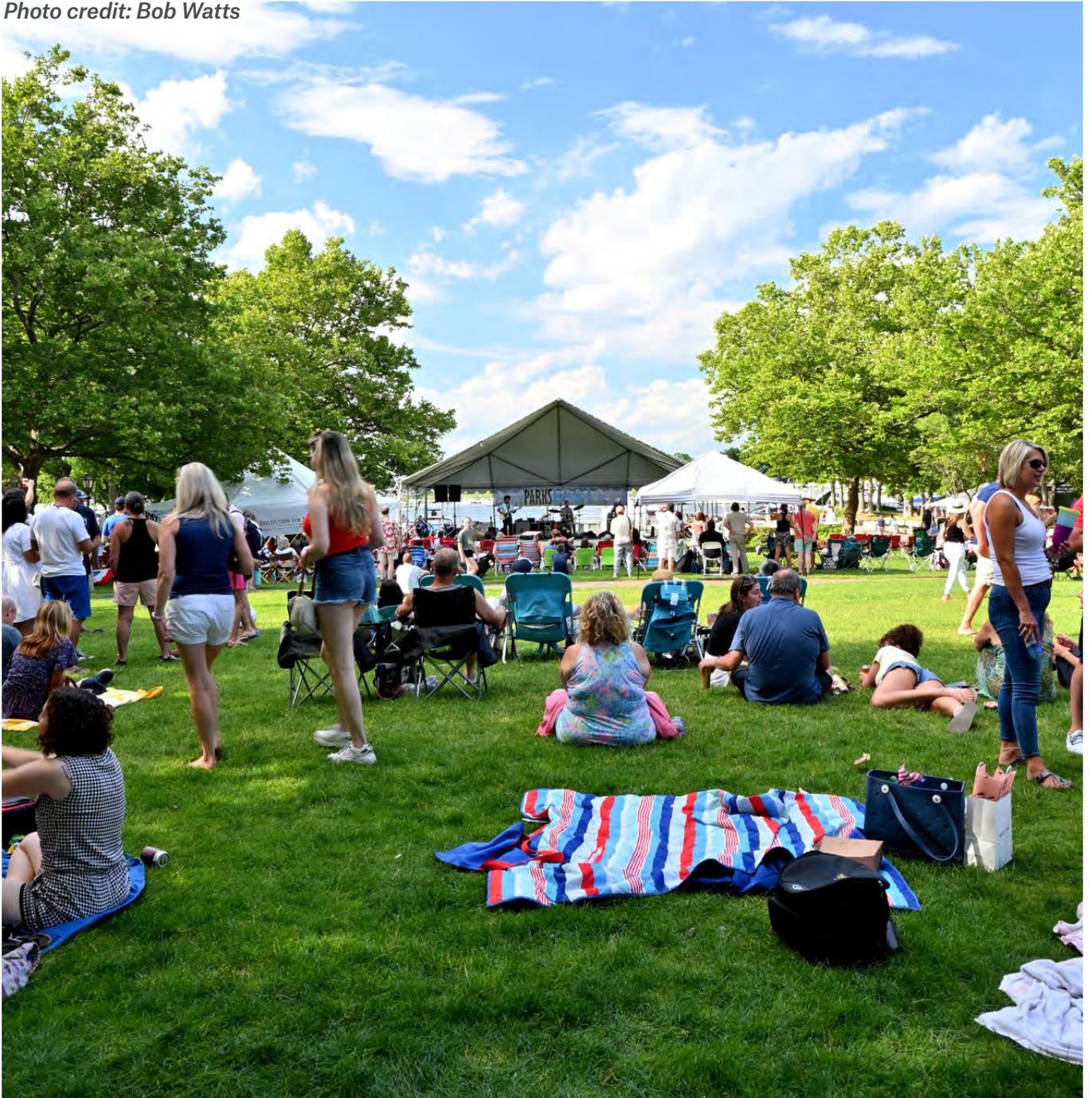
- 1. Increasing business and economic activity and assets and effectively distributing their benefits;**
- 2. Improving the community's overall quality of life; and**
- 3. Building the capacity to sustain a healthy economy and thriving community over time.**

EXECUTIVE SUMMARY	<i>(available as a separate file/document)</i>
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Photo credit: Bob Watts

Photo credit: Bob Watts



1

Introduction

1 INTRODUCTION

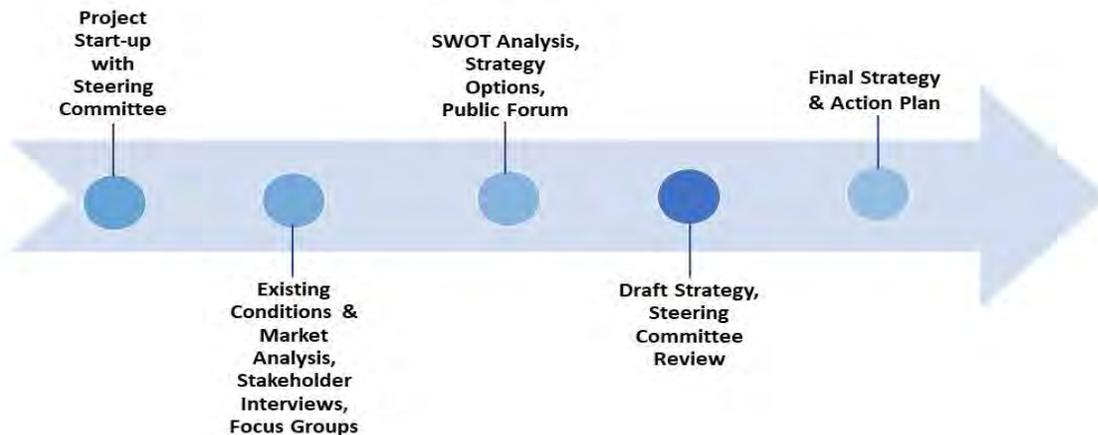
Newburyport has a diverse economy with multiple business districts that have benefited from past strategies to preserve its historic downtown, develop a business and industrial park and invest in a pedestrian-oriented waterfront, parks and other amenities. As Newburyport recovers from the Covid-19 pandemic and faces new challenges and a changing economic environment, it is formulating an economic development strategy to ensure that it is well positioned to address new challenges, fully capitalize on its assets and market opportunities, and align actions of the City government, the private sector and community organizations to advance shared priorities for the city’s future economic development.

STRATEGY FORMULATION PROCESS

Newburyport’s Comprehensive Economic Development Strategy (CEDS) was prepared over a six-month period from October 2022 through March 2023 under the direction of the Mayor’s Office and an Economic Development Strategy Steering Committee, working with the consultant team of Karl F. Seidman Consulting Services and CivicMoxie, LLC. The process, summarized in **Figure 1-1**, incorporated information, analysis and input from a variety of sources to formulate the strategy and implementation action plan including:

- A review of existing reports, plans, and studies by the City of Newburyport and other sources;
- An existing conditions analysis of the city and regional economy and labor force, local housing, transportation and real estate conditions, the city’s arts, cultural and historic resources and the local and regional “ecosystem” of organizations supporting economic development;
- Individual interviews with local businesses, property owners, arts, cultural and historic organizations, community leaders, the real estate community, and government officials;
- Five focus groups related to specific sectors: arts, culture and history; manufacturing; real estate; small businesses; and tourism;
- Input from a public forum held on January 11, 2023; and
- Input from three meetings with the Comprehensive Economic Development Strategy Steering Committee.

Figure 1-1. Overview of Strategy Formulation Process



ORGANIZATION OF STRATEGY REPORT

This report summarizes the results from the analysis and community input phases of the planning process and presents the goals, strategies and implementation action plan and timeline for the Newburyport Comprehensive Economic Development Strategy. This report is organized into five sections:

01 | Introduction

An introduction outlining the planning process and describing the sections of the report.

02 | Existing Conditions Analysis

An analysis of Newburyport's key economic development-related assets is presented, including its economic/business base, labor force, real estate, arts/culture/historic resources, housing and transportation. This section also summarizes the local and regional "ecosystem" of organizations supporting economic development and the arts/culture/historic sector.

03 | SWOT Analysis

A Strength, Weaknesses, Opportunities and Threats (SWOT) analysis of Newburyport is presented drawing on the existing conditions analysis, steering committee discussions, stakeholder interviews and focus groups. The results of the SWOT analysis are used to identify key opportunities, challenges and priorities that inform the overall strategy.

04 | Economic Development Strategy

The economic development strategy is detailed with an overall vision and goals, seven strategies to advance these goals and a proposed approach and organizational structure for implementation. The strategy is informed by the SWOT analysis, community input from interviews, focus groups and a public forum, guidance from the CEDS Steering Committee and the consultant team's knowledge of regional resources and best practices. For each strategy, its rationale and specific projects and activities to implement the strategy are discussed.

05 | Implementation Action Plan

An implementation action plan is provided that addresses phasing key tasks, identifies key partners and potential funding needs.





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Existing Conditions Analysis

section 2 EXISTING CONDITIONS ANALYSIS

This section summarizes information and findings from an analysis of Newburyport's existing conditions related to economic development. It is organized in seven parts:

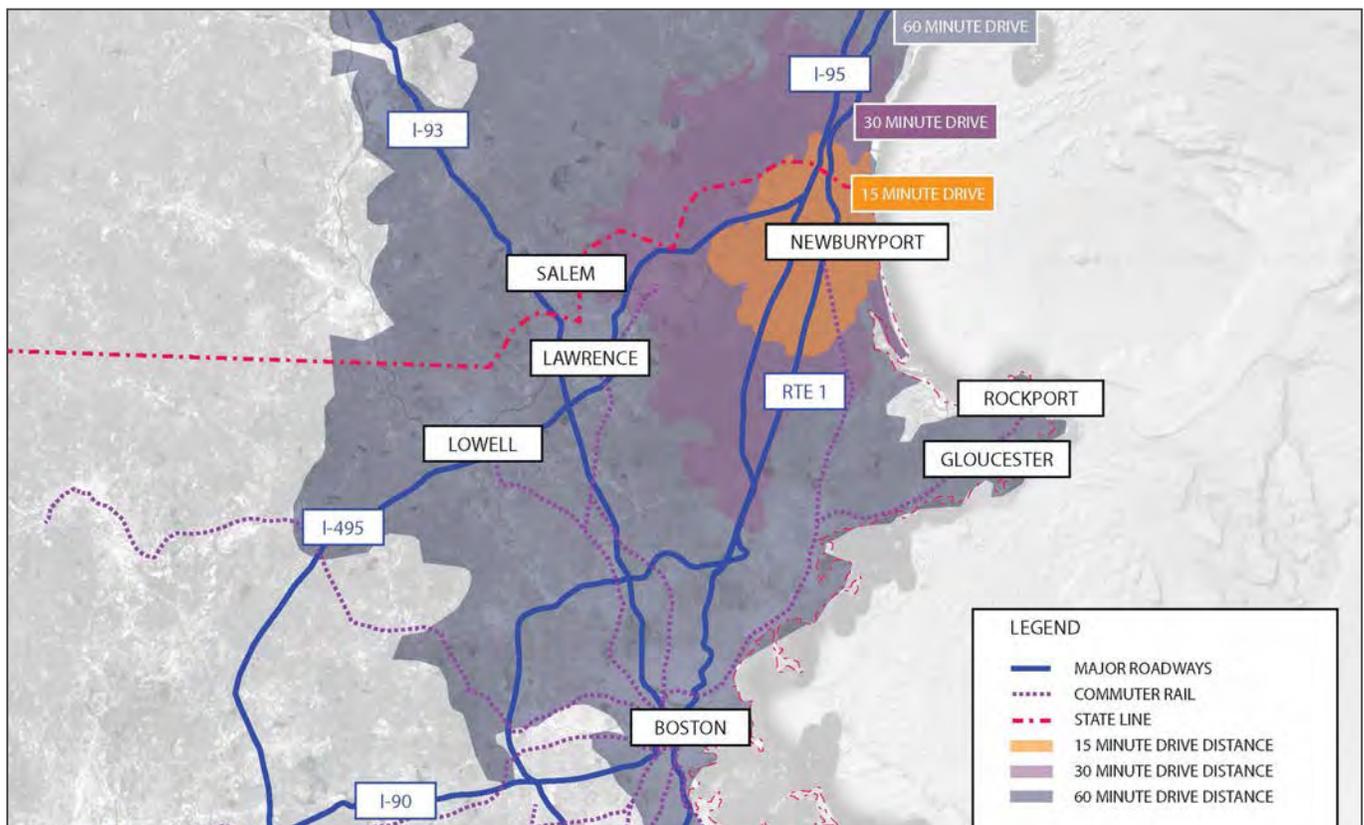
1. Newburyport's context within the region;
2. Newburyport's economic base & key industry clusters;
3. Real estate supply and conditions for future economic development;
4. A profile of the city's resident labor force and household economic conditions;
5. A summary of the city's arts, cultural, historic & natural resources;
6. Housing and transportation conditions; and
7. An overview of the local and regional ecosystem of organizations related to economic development, including key partners and system gaps.

This analysis highlights Newburyport's important strengths and assets to build upon in its economic development strategy along with key challenges and problems that help to inform economic development goals and priorities.

NEWBURYPORT CONTEXT

Newburyport is located at the northern part of the Boston metropolitan area which provides access to a large pool of households and workers in both Massachusetts and New Hampshire that live within a 30-to-60 minute drive (**Figure 2-1**). Newburyport's economy and outlook are closely linked to the larger Boston metropolitan area and Lower Merrimack Valley sub-region—these regions supply workers for Newburyport businesses; provide customers for the city's shops, restaurants and arts, cultural and historic destinations; and generate employment for many Newburyport residents. The city's location also provides good highway connections to these regions (and beyond) with its proximity to three important roadways—Interstate 95, Interstate 495 and

Figure 2-1. Map of Newburyport and North of Boston Region



Source: CivicMoxie, LLC

Route 1. Its river and ocean waterfront location are highly valued amenities and economic resources but also heighten risks from sea level rise and flooding with the growing impacts from climate change.

Newburyport also faces competition for businesses, residents, visitors and workers within the region, as there are many competing economic centers and tourism destinations within a 45-to 60-minute drive. This economic development strategy will help strengthen Newburyport’s position within the region and ensure it remains an attractive and desirable place to live, work, play and grow a business.

NEWBURYPORT ECONOMIC BASE

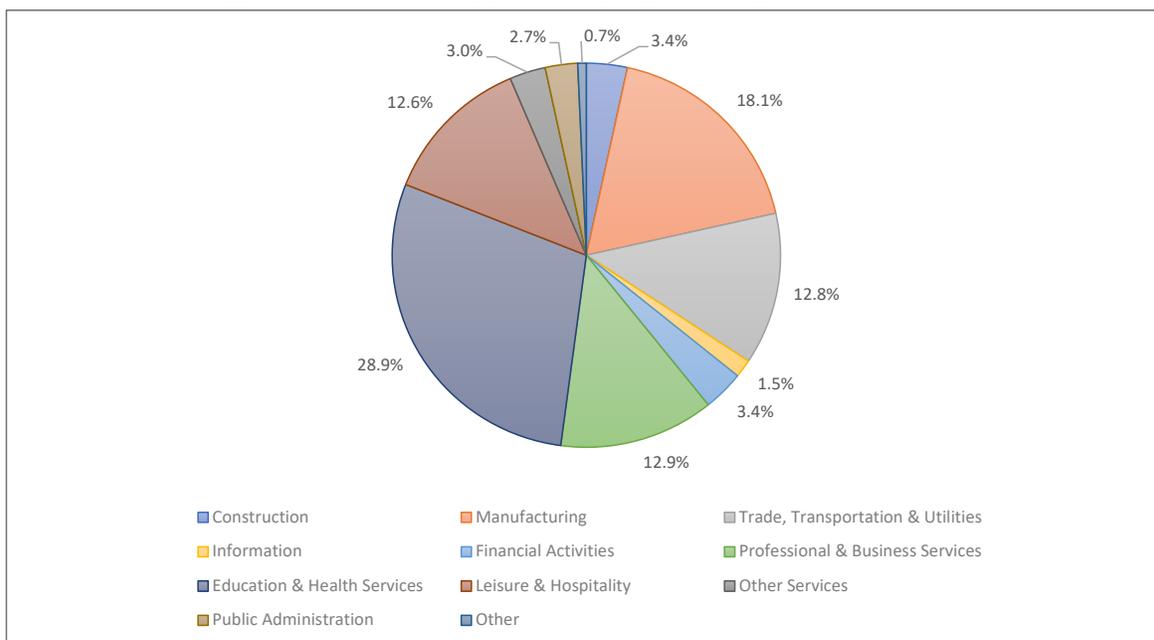
Newburyport has a diverse economic base that experienced good job growth from 2012 to 2021, exceeding that of the Merrimack Valley and Boston regions, including a stronger post-pandemic recovery. Newburyport had 990 establishments located within the city with average monthly total employment of 11,947 in 2021.¹ As shown in **Figure 2-2**, Newburyport’s economic base is well diversified with five sectors, each of which accounted for over 12% of total jobs in 2021.

Within these five sectors, Health & Education Services and Manufacturing are the largest, supplying 29% and 18% of 2021 jobs, respectively.

However, due to different wage levels, the sectors that provide the highest share of payroll vary from those with the highest share of jobs. **Table 2-1** compares each sector’s share of total jobs in 2021 with its percentage of total payroll. Three sectors, Health & Education Services, Manufacturing, and Professional & Business Services accounted for 69% of 2021 total payroll. For Manufacturing and Professional & Business Services (along with Construction, Information and Financial Activities), the share of payroll exceeded their share of jobs—indicating that their jobs offer relatively high average pay. Leisure & Hospitality and Trade, Transportation and Utilities, on the other hand, are low-paying sectors -- with their share of payroll less than half their share of jobs.

Small businesses dominate Newburyport’s economy. Half of all enterprises employ five or fewer workers, and 84% have less than 20 employees (**Figure 2-3**). Construction and Professional/Scientific/Technical Services have the highest share of very small businesses -- two-thirds of their firms have under 5 workers. Most businesses in the Retail and Arts/Recreation/Entertainment sectors are also small, as 90% have under 20 workers. Accommodation & Food Services, Manufacturing and Health Care & Social Assistance are sectors with lower shares of very small businesses and a large percentage of firms with 20 or more workers.

Figure 2-2. Newburyport Employment by Sector, 2021



Source: Quarterly Census of Employment and Wages (QCEW)

A comparison of Newburyport’s economic base with that of the Merrimack Valley and Boston regions helps to identify economic strengths and specializations for Newburyport, along with sectors in which it is under-represented. **Figure 2-4** compares Newburyport’s share of total jobs by sector to that of the Merrimack Valley (Merrimack WDA) and the Boston (Boston-Newton-Nashua NECTA) regions. This comparison highlights three points:

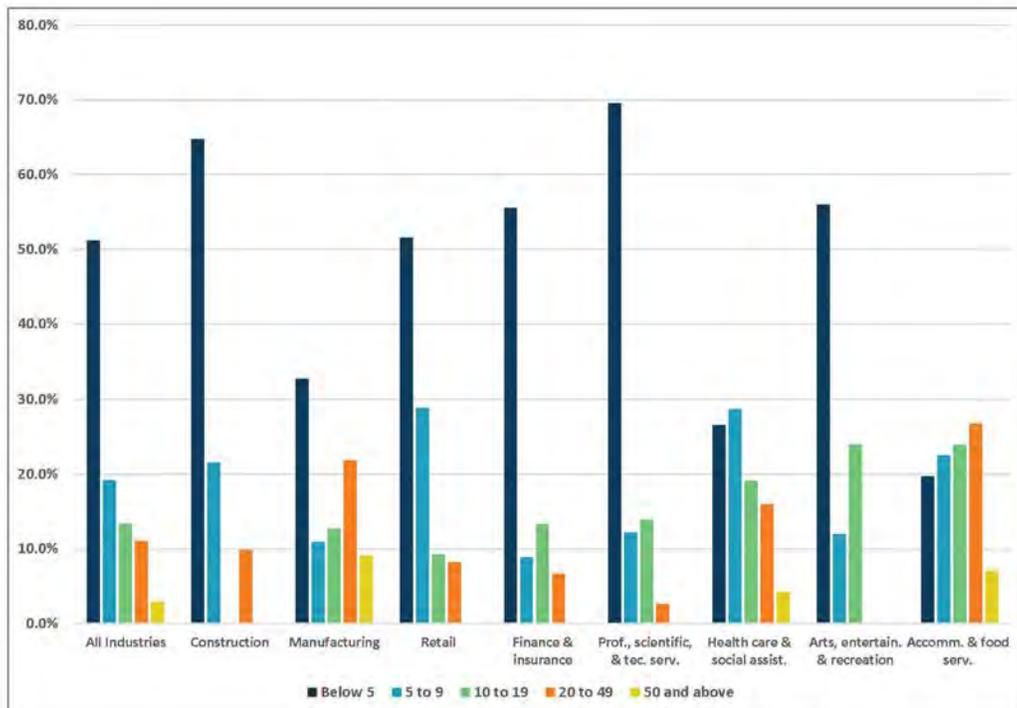
1. Newburyport jobs are more concentrated in Manufacturing and Leisure & Hospitality than both regions;
2. Newburyport is under-represented versus both regions in Construction, Trade/Transportation/Utilities and Professional & Business Services; and
3. The Health and Education sector has a comparable share of jobs in all three regions.

Table 2-1. Newburyport Employment and Payroll by Sector, 2021

Sector	Percent of Total Employment	Percent of Total Payroll
Construction	3.4%	4.0%
Manufacturing	18.1%	19.8%
Trade, Transportation & Utilities	12.8%	8.6%
Information	1.5%	2.4%
Financial Activities	3.4%	5.3%
Professional & Business Services	12.9%	26.0%
Education & Health Services	28.9%	23.6%
Leisure & Hospitality	12.6%	5.1%
Other Services	3.0%	2.1%
Public Administration	2.7%	2.7%
Other	0.7%	0.4%
Total	100.0%	100.0%

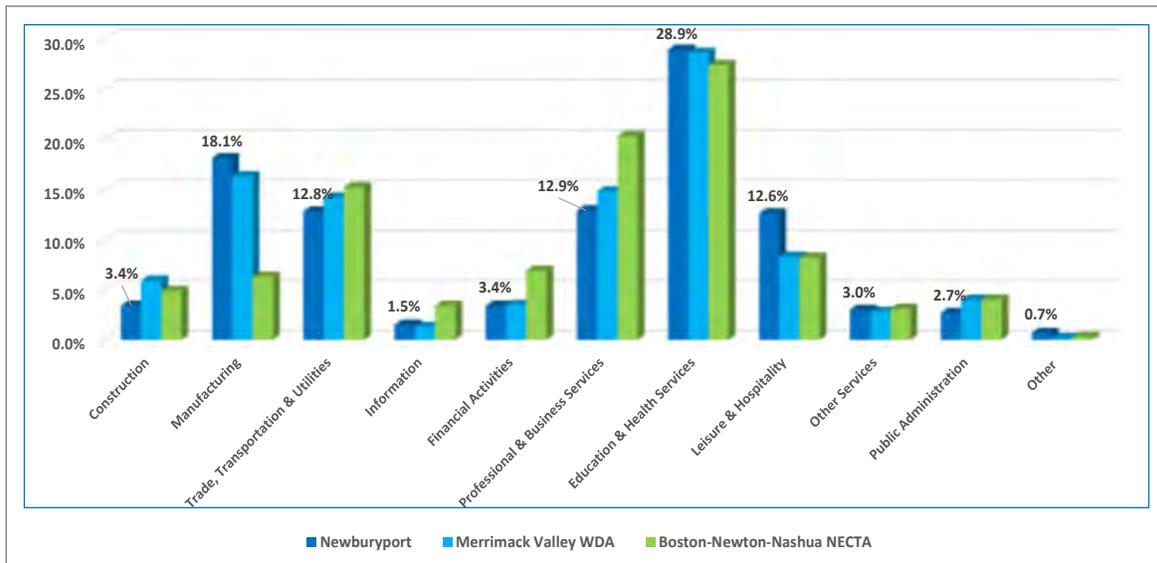
Source: Quarterly Census of Employment and Wages (QCEW)

Figure 2-3. Newburyport Businesses by Size, Selected Industries, 2020



Source: Quarterly Census of Employment and Wages (QCEW)

Figure 2-4. 2021 Employment by Sector, Newburyport and Region



Source: Quarterly Census of Employment and Wages (QCEW)

Table 2-2 uses Location Quotients (LQs) to identify industries in which Newburyport is specialized, showing industries in which Newburyport has a LQ>1. LQ measures the relative concentration of an industry or sector between two regions, i.e., it divides Newburyport’s percentage of jobs in a sector with that for the comparison region. LQ>1 is an indicator of specialization or advantage, especially if it is much higher than 1. This data indicates that Newburyport has regional specializations in three sectors with a sizeable job base:

1. Manufacturing with LQs of 1.11 and 2.88 compared to the Merrimack Valley and Boston regions, respectively, with the specialization greatest in non-durable goods;
2. Health Care & Social Assistance with LQs of 1.27 and 1.36 versus the Merrimack Valley and Boston regions, respectively; and
3. Restaurants with LQs of 1.71 and 1.95 compared to Merrimack Valley and Boston regions, respectively.

Newburyport’s LQ for Management of Companies (i.e., corporate headquarters) is also high, over 1.3, but there are few of these establishments in Newburyport, accounting for 379 jobs in 2021.

EMPLOYMENT PERFORMANCE

Newburyport’s economy performed well during the past decade with its rate of overall job growth from 2012 to 2021 (11.6%) exceeding that for the

Merrimack Valley region and Boston NECTA (**Table 2-3**). The job growth rate in five of nine sectors over this period was higher in Newburyport than the two comparison regions and above the Boston NECTA in two others. Key trends include:

- Newburyport manufacturing jobs grew by 3.4% compared to declines of 5.3% and 8.5% for the Merrimack Valley and Boston regions, respectively;
- Leisure & Hospitality employment increased 17.6% in Newburyport while declining by 3% in the Merrimack Valley WDA and 10.1% in the Boston NECTA;
- For the Financial and Professional & Business Services sectors, Newburyport had job growth close to 30% while employment was stable for the two comparison regions; and
- Newburyport experienced a large decline (19.6%) in the Trade/Transportation/Utilities sector while job growth for this sector in the Merrimack Valley was 9.6%. Two factors contributed to this decline—a loss of over 300 wholesale jobs between 2012 and 2015 and a post-pandemic drop of 85 retail jobs from 2019 to 2021.

Post-pandemic economic recovery in Newburyport has been strong, significantly outpacing the Merrimack Valley WDA and Boston NECTA. **Table 2-4** compares average monthly employment in 2019 with that of 2021 for Newburyport, the Merrimack Valley WDA and Boston Metropolitan NECTA. Newburyport reached 98.6% of its 2019 employment

Table 2-2. High Location Quotient Sectors for Newburyport

Economic Sector/Sub-sector	LQ vs. MV WDA	LQ vs. Boston Metro NECTA	NBPT 2021 Avg. Monthly Jobs	NBPT Avg. Weekly Wage
Manufacturing	1.11	2.88	2,159	\$1,667
Non-Durable Goods	1.73	4.73	1,161	\$1,588
Management of Companies	1.39	1.33	379	\$4,091
Education & Health Services	1.01	1.05	3,448	\$1,170
Health Care & Social Assistance	1.27	1.38	2,918	\$1,163
Leisure & Hospitality	1.01	1.05	1,504	\$577
Accommodation & Food Services	1.56	1.62	1,309	\$543
Restaurants	1.71	1.95	1,286	\$542

Source: Karl F. Seidman Consulting Services

Table 2-3. Percentage Job Growth for Newburyport, Merrimack Valley Region and Boston Region, 2012-2021

Sector	Newburyport	Merrimack Valley WDA	Boston-Cambridge- Nashua MA-NH Metropolitan NECTA
Total, All Industries	11.6%	5.9%	7.2%
Construction	54.7%	60.9%	42.4%
Manufacturing	3.4%	-5.3%	-8.5%
Trade, Transportation & Utilities	-16.2%	9.6%	-1.4%
Information	6.0%	-27.1%	7.8%
Financial Activities	29.0%	2.6%	3.2%
Professional & Business Services	27.7%	-0.2%	23.6%
Education & Health Services	19.8%	20.3%	13.0%
Leisure & Hospitality	17.6%	-3.0%	-10.1%
Other Services	-4.0%	-31.1%	-18.9%
Public Administration	5.5%	2.8%	2.5%

Source: Quarterly Census of Employment and Wages (QCEW).

Table 2-4. 2021 Average Monthly Employment as Percentage of 2019: Newburyport, Merrimack Valley Region & Boston Region

Sector	Newburyport	Merrimack Valley WDA	Boston-Cambridge- Nashua MA-NH Metropolitan NECTA
Total, All Industries	98.6%	96.3%	94.7%
Construction	88.7%	102.0%	100.0%
Manufacturing	95.8%	96.0%	95.1%
Trade, Transportation & Utilities	93.7%	98.8%	93.5%
Information	118.1%	97.4%	99.2%
Financial Activities	113.4%	95.6%	96.7%
Professional & Business Services	104.3%	100.9%	99.3%
Education & Health Services	100.3%	96.2%	97.2%
Leisure & Hospitality	94.7%	86.4%	75.6%
Other Services	87.1%	83.5%	86.5%
Public Administration	95.6%	99.6%	100.8%

Source: Quarterly Census of Employment and Wages (QCEW)

level in 2021, higher than levels for the MVWDA (96.3%) and Boston NECTA (94.7%). Furthermore, Newburyport not only recovered but grew beyond its 2019 level of employment in four sectors: Business & Professional Services, Education & Health Services, Financial Activities and Information.

The analysis in **Table 2-4** on the previous page highlights four key economic clusters in Newburyport based on the cluster's size and share of the city's job base and competitive strength in the region, based on the cluster's assets, relative growth rates and location quotient:

- Tourism with 100 firms and 1,504 jobs in 2021. This cluster includes restaurants, lodging, and arts/entertainment/recreation businesses, and reflects Newburyport's many natural, cultural, recreational attractions;
- Health care with 89 firms and 2,583 jobs in 2021. This cluster includes Anna Jacques Hospital, nursing & residential care facilities, and medical offices, and reflects the city's position as a regional health care center;
- Manufacturing with 68 firms and 2,159 jobs in 2021, and includes specializations in printing, metal fabrication, and computer & electronic equipment; and
- Food with over 90 firms and 2,200 jobs in 2021. This cluster includes restaurants, food stores, breweries, and food manufacturing, and overlaps with the tourism cluster.

REAL ESTATE CONDITIONS AND POTENTIAL FOR FUTURE ECONOMIC DEVELOPMENT

Newburyport's commercial and industrial real estate market is tight with limited vacant space and increasing rents. According to CoStar data provided by the Merrimack Valley Planning Commission, Newburyport's commercial vacancy rate was 2.8% in 2022 and was consistently below 5% over the past decade. Similarly, LoopNet listed four office and retail properties with 62,000 square feet (SF) of space for lease in December 2022, with the former K-Mart store on Storey Avenue accounting for 87% of this space. For industrial space, CoStar reports 159,000 SF of industrial space available for lease in December 2022 (7.7% of total space) with one building at 122 Parker Street accounting for 84% of the available space. LoopNet lists 77,741 SF of industrial space for lease in three Newburyport buildings that do not include the Parker Street property. One Newburyport

building also offers co-working space with 20 spaces of 100 SF available in December 2002.

The high cost of retail, office and industrial space was a common concern raised in stakeholder interviews, with several people reporting that some businesses have left Newburyport due to high real estate costs and the availability of lower cost space in other communities. Arts and cultural organizations and artists are particularly hard hit by high rents, as they often can only afford to pay a lower below-market rent. A limited supply of small professional offices was also noted by several stakeholders. Finally, there was a common concern that the absence of a hotel in Newburyport hurts the city's ability to attract tourists and to host and gain the economic benefits of small conferences and events, including weddings.

The strong market conditions have helped the city's economic growth over the past decade, as well as the success of past economic development efforts, including the preservation of the historic downtown, investments in the waterfront and pedestrian environment and development of the business and industrial park. However, rising rents make it more difficult for Newburyport to sustain the character and diversity of its downtown as it becomes more challenging for small independent businesses and arts and cultural enterprises to afford the rents needed to remain in or near downtown.

Newburyport is largely developed, with limited land available for future economic development. Consequently, its ability to address future real estate needs will depend on better utilization of its existing land resources through redevelopment and infill development. Fortunately, there are a number of sites and districts across the city that provide opportunities for Newburyport to support new development that can address a range of real estate needs related to economic development:

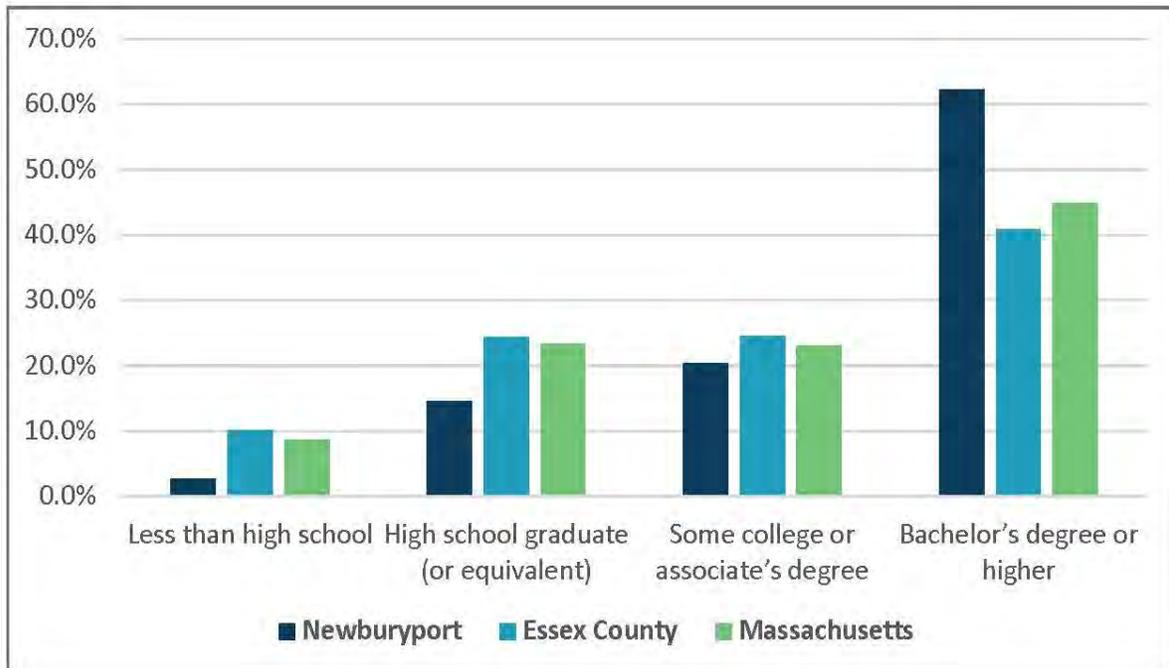
- Waterfront West site: potential for housing, a hotel, commercial space;
- Storey Avenue, including Port Plaza: potential for mixed-use infill and redevelopment with housing and retail and/or office space;
- 40R District: potential for infill and redevelopment with housing and mixed-use housing with retail/office space;
- Business and industrial park: potential for infill and building expansions for industrial and commercial uses; and
- Mersen and 122 Parker Street vacant space – new industrial or office tenants.

NEWBURYPORT LABOR FORCE AND ECONOMIC WELL BEING

Newburyport’s resident labor force is well-educated and largely employed in high-skill occupations but has barely grown over the past decade. Over 62% of Newburyport adults 25 years or older have a bachelor’s degree or higher, above 41% for

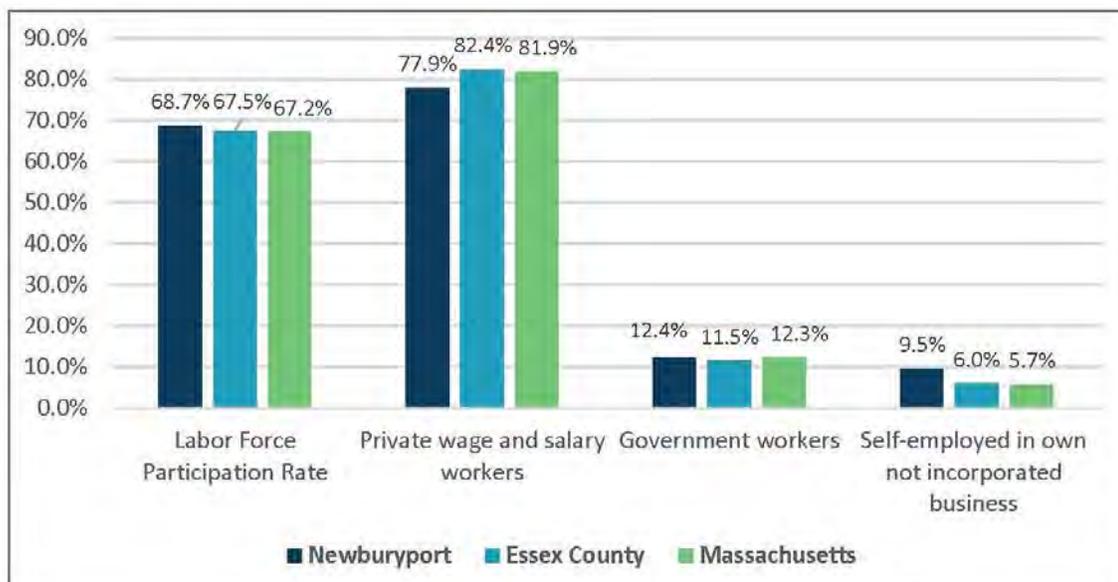
Essex County and 45% statewide (**Figure 2-5**). Furthermore, 62% of employed Newburyport residents work in higher-paying Management, Business, Science, & Arts occupations, compared to 44% for Essex County workers and the 48% share for Massachusetts workers. Newburyport also has a higher labor force participation rate² and a larger share of self-employed workers than Essex County and Massachusetts (**Figure 2-6**).

Figure 2-5. Educational Attainment for the Population 25 Years and Older, Newburyport, Essex County and Massachusetts



Source: American Community Survey, 2016-2020

Figure 2-6. Labor Force Status, 2020 Newburyport, Essex County and Massachusetts



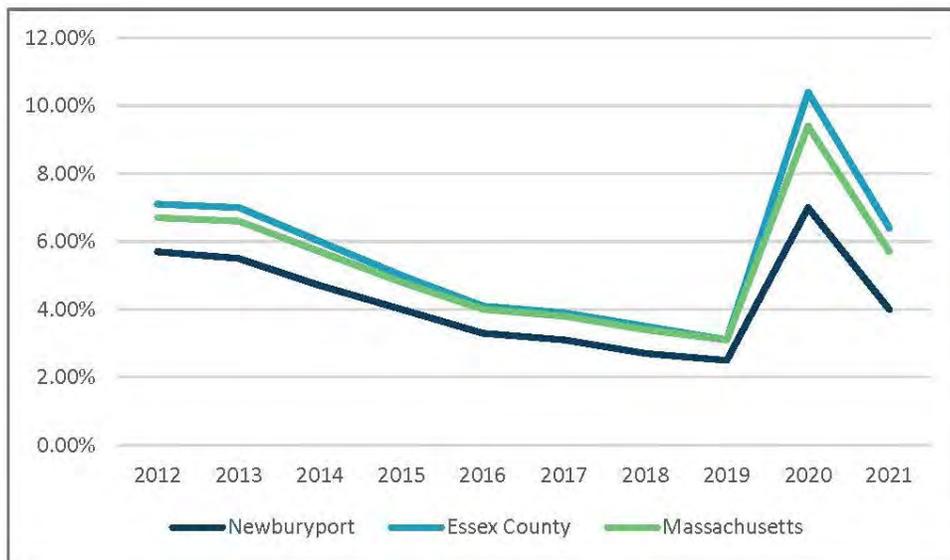
Source: American Community Survey, 2016-2020

Despite its many positive characteristics, Newburyport’s civilian labor force grew by only 155, or 1.6% from 2010-2020, compared to 9.8% growth for Essex County and 7.9% for Massachusetts. The minimal labor force growth reflects the city’s loss of 2,314 residents age 20 to 64, between 2010 and 2020. The decline in resident labor force, its high-skill professional composition and the size and staffing needs of Newburyport firms combine to make local employers highly dependent on the regional labor force. Newburyport’s large job base in manufacturing, health care and restaurants creates a mismatch between the skills and occupations demanded by the city’s employers and those supplied by Newburyport’s resident labor force. Moreover, Newburyport has a ratio of 1.18 jobs for every resident worker and, thus, must attract many workers who live outside the city.

Newburyport’s labor force and households have fared well in the regional economy with their unemployment and poverty rates below county and state levels, and relatively high household incomes. These outcomes reflect the city’s highly educated

and skilled workforce and its connection to job opportunities in the metropolitan Boston labor market. The unemployment rate for Newburyport’s labor force was 4% in 2021 compared to 6.4% in Essex County and 5.6% for Massachusetts. As shown in **Figure 2-7**, unemployment rates for Newburyport were consistently lower than the county and state rates from 2012 through 2022. Similarly, the poverty rate for Newburyport residents in 2020³ was 5.5%, almost half the rate for Essex County (10.1%) and Massachusetts (9.8%). Poverty rates were low for most age groups and households in the city with the exception of female-headed households, which had a 17% poverty rate, close to the 21% county and state rates. Median household income in Newburyport was \$110,740—one-third above that for Essex County (\$82,225) and Massachusetts (\$84,385) but below the average for all Merrimack Valley communities (\$119,000). Newburyport also experienced a higher increase in median household income (45%) from 2010 to 2020 than the 28% growth for Essex County and 31% rise for Massachusetts.

Figure 2-7. Average Monthly Unemployment Rates, 2012 - 2021
Newburyport, Essex County and Massachusetts



Source: Massachusetts Department of Economic Research

ARTS, CULTURAL, HISTORIC & NATURAL RESOURCES

Newburyport has strong assets in historic and natural resources and a large arts and cultural community of for-profit and nonprofit businesses and individual practitioners. The mostly intact historic downtown is unusual for its size and completeness and taken within the overall historic context of the surrounding residential areas, represents a unique destination. The arts and cultural community consists of several major institutional destinations, as well as smaller galleries, shops, and historic trails. Natural and recreational resources abound and include beaches and ocean destinations, natural areas, river resources, and parks and trails.

While there are robust assets and resources, the lack of coordination and marketing between sectors makes it difficult to find these resources and navigate available experiences and businesses. There are multiple labels for distinct areas in the city (historic districts, cultural district, trails) with no single map or descriptive system, and no single entity exists for coordinating, marketing, funding, and advocating.

Anecdotal examples indicate that there has been some loss of arts and cultural resources because of the high cost of space and the very low vacancy rate of commercial and other spaces suitable for arts, cultural, and gathering uses in the city. In addition, climate change/sea level rise poses a threat to both natural resources and tourist destinations such as Plum Island and the Park River National Wildlife Refuge as well as the downtown waterfront which hosts historic and arts/cultural sites and provides a gathering spot for events.

ARTS & CULTURAL RESOURCES

Arts and cultural resources are scattered mostly throughout the downtown. There is one performing arts theater (191 seats), an art house cinema, and scattered galleries and creative businesses. Public art exists along the Clipper City Rail Trail and in other locations in the form of murals and sculptures. The following sections provide more details on arts and cultural resources in the city.

The Newburyport Cultural District

The Newburyport Cultural District was created in 2013 with the intention of pursuing the goals of “attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.”⁴ As part of its efforts to “attract tourists and entrepreneurs, which in turn help communities foster their cultural sector and expand their tax base,” the Massachusetts Cultural Council allows cities with the district designation to apply for grants to support marketing, fund operational support for management, pay for artist or vendor fees, implement creative placemaking/ placekeeping activities, and develop collaborative cultural policies, among other things.

The Cultural District, shown on the map in **Figure 2-8**, encompasses much of downtown and this map has not been updated recently. There is no signage marking the district, and the map is located only on the City of Newburyport website, not on downtown promotion or marketing sites or in marketing materials.⁵



Figure 2-8. Newburyport Cultural District



Source: City of Newburyport, <https://www.cityofnewburyport.com/office-of-arts-tourism-and-cultural-affairs>

Public Art and Trails

This section contains information on public art and local/city trails. Regional and nature trails are described in the “Regional and Local Nature Trails and Networks” section.

Public art in the form of murals, sculptures and plaques can be found throughout the city with a good concentration of art in the downtown and along the waterfront. There is no formal map with information on art locations, artists, and possible walking routes. In addition to these scattered works, the Clipper City Rail Trail & Harborwalk (a 1.1-mile multi-use path connecting the MBTA commuter rail station with the waterfront at the Route 1 bridge over the Merrimack for a total path length of 3.9 miles – **Figure 2-9**) hosts a number of public art works and offers superb views of the waterfront.

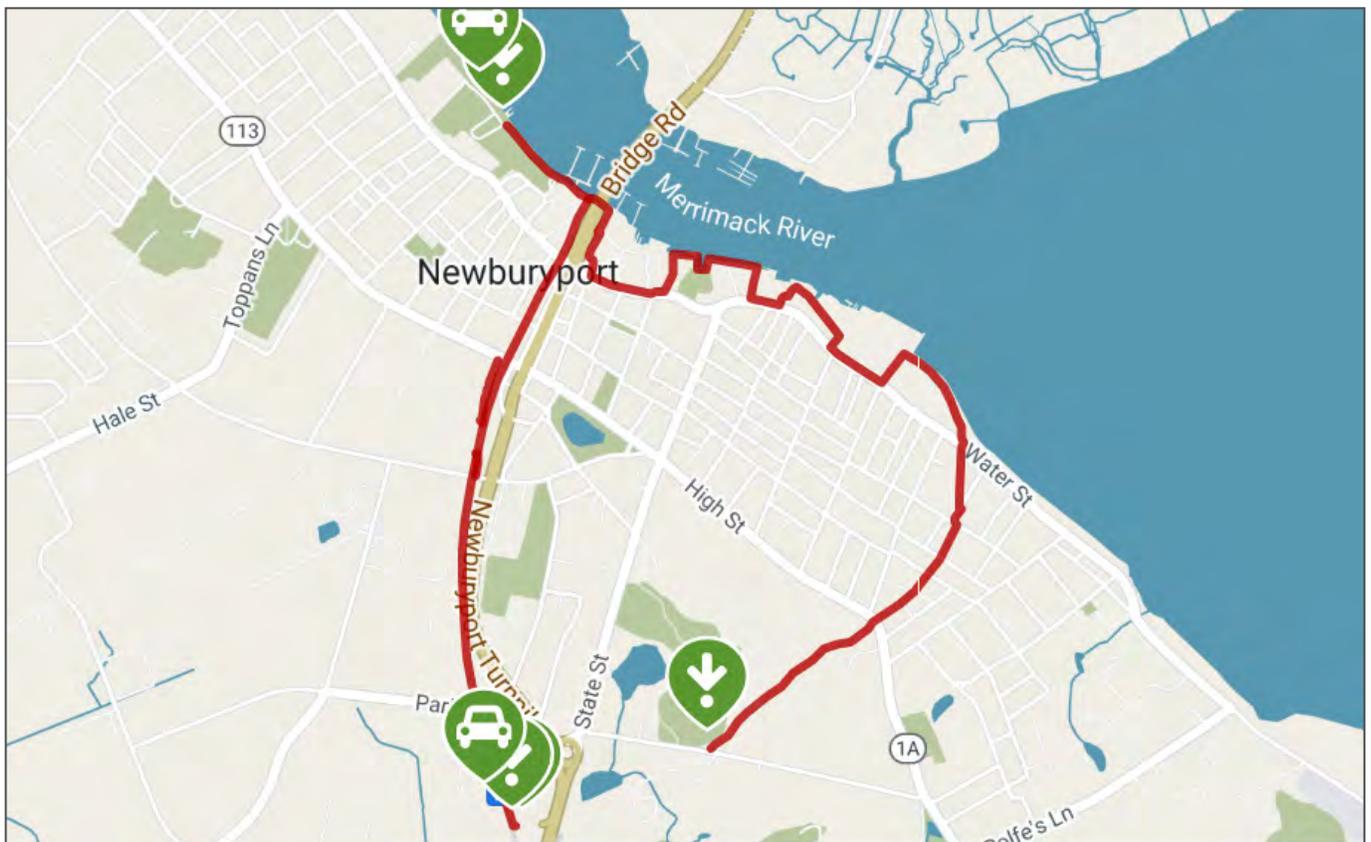
“The Clipper City Rail Trail is part of the Coastal Trails Coalition, which is developing in the four towns of Amesbury, Newbury, Newburyport, and Salisbury along the Merrimack River and will eventually be a link in the 28-mile Border to Boston Trail. When complete, the Clipper City Rail Trail will be a full loop.”⁶

The Clipper City Rail Trail has been highlighted in Rails to Trails magazine in Winter of 2013, and



American Trails in the Summer of 2011 (**Figure 2-10**). While photos of the public art on the trail can be found in these magazine articles, the only collection of online images is on the City of Newburyport Planning and Development web page.⁷ The map of the Newburyport Cultural District (**Figure 2-8**) has a public art category but no public art is shown on the map or in the map’s key listing.

Figure 2-9. Clipper City Rail Trail & Harborwalk



Source: <https://www.trailink.com/trail/clipper-city-rail-trail--harborwalk/>

Figure 2-10. American Trails Article on the Clipper City Rail Trail

The trail provides scenic access along Newburyport's harbor where the bronze sculptural bench by artist Michael Allano is a popular stop

FEATURED TRAIL
Clipper City Rail Trail, Newburyport, MA
A trail becomes a community centerpiece

City officials in Newburyport began with the vision that a trail can be a linear park that enhances the community's quality of life. There is a growing recognition that significant economic activity can be generated by the arts, and the Clipper City Rail Trail provided an opportunity to showcase public art in a big way.

The 1.1-mile trail runs from a commuter rail station to the shoreline of the Merrimack River near downtown Newburyport. In a relatively short distance, the trail corridor cuts through hills and connects with the harbor, passing through a variety of environments from the industrial park to a densely developed neighborhood and the waterfront.

Several years ago, Geordie Vining, the City's Senior Project Manager, traveled to Paris for a family vacation and was inspired by the sculpture along the banks of the Seine River. The City raised over \$160,000 from contributions by individuals, local businesses, nonprofit organizations, community yard sales, charitable foundations, and other grants to support the Rail Trail Enhancement Project and finish the trail.

Today, the Clipper City Rail Trail has a variety of figurative, abstract, and interactive sculptures, a mural along a highway underpass, custom signage, garden installations by the local "Green Artists League" and other volunteers, and a boardwalk, pedestrian bridge, and other functional elements designed to be aesthetically pleasing.

Read more about the Clipper City Rail Trail and a wide variety of art projects along trails and greenways at www.americantrails.org/resources/art.

A stainless steel heron by artist Bob Kimball is mounted on a granite block wall along the trail

PHOTOGRAPHY BY GEORDIE VINING

Fall colors glow along the trail, with the stainless steel "Eclipse" by Rob Lorenson in the foreground and the aluminum and glass "Torrential Flight" by Brian Russell in the background

Winter light casts shadows through a cedar fence along the plowed trail

Boardwalk section of the Clipper City Rail Trail with the stainless steel "G-Swirl" by artist Dale Rogers rising on top of an overlook in the background

Children interact with "Clyde," a horse sculpture made of wood and steel by artist Jamie Burnes (photo by Jay Havighurst)

34 SUMMER 2011 American Trails www.AmericanTrails.org 35

Source: American Trails, Summer 2011.

There are also a number of historic statues in the city, including:

- The Volunteer (Civil War Monument) and Obelisk honoring soldiers of all wars, Atkinson Common;
- William Lloyd Garrison, Brown Square (across from City Hall);
- George Washington (intersection of High, State, and Pond Streets);
- Bartlet Mall stone monument and plaque; and
- Other plaques throughout the city commemorating special places, people, and events.

Performing Arts, Organizations, Galleries, Creative Businesses

The Newburyport Local Cultural Council

Newburyport's Local Cultural Council is a ten-member volunteer board whose members are appointed by the Mayor and approved by the City Council, and who serve three-year terms. The Cultural Council's mission is to distribute

Massachusetts Cultural Council funding through grants to local creatives, organizations, and initiatives. The Council conducts an open and transparent process for discussing and voting on all submitted applications and grant applicants, and recipients must be listed on the City of Newburyport website.

Of the 34 applications received for Fiscal Year 2022 grants, the Cultural Council awarded 21 applicants an average grant of \$433 with the smallest grant being \$200 and the largest \$1000. Eighteen of the grantees were nonprofits or applicants on behalf of nonprofit initiatives or events, three grantees were individuals, and one grant was awarded to a public entity.

In May of 2022, the Cultural Council sponsored a one-day cultural forum in the city with the purpose of gathering arts, cultural, and historical organizations, advocates and individual creatives to discuss needs, opportunities, and future goals. Outcomes and goals related to this report include:

- Advocate and focus on cultural tourism to enrich lifestyle and increase revenue for our City, businesses and community;

- Commitment to broadening the arts & access to the arts;
- Foster collaboration with sister cities on the Northshore to promote cultural tourism; and
- Innovate technology to achieve our goals, utilizing AI tools to assist with labor shortages and increase reach in our community.

The Firehouse Center for the Arts

The Firehouse is a nonprofit center with a 191-seat theater on the downtown waterfront that is active throughout the year with Firehouse-produced events, partner presentations, and arts education programs. The Center’s educational programs are rooted in the belief that talent exists at every age and in people from every background, regardless of experience. These programs include February Teen Intensive, Second Act Readers’ Theatre, and Glee Club. The Firehouse Center collaborates with other organizations throughout the year, including the Actors Studio of Newburyport (which has relocated to Amesbury), to present shows and performances.



Newburyport Arts (Newburyport Arts Association)

Founded in 1948, Newburyport Arts is dedicated to promoting and exhibiting the work of its approximately 600 members, providing art education for students of all ages and skills, and keeping the visual arts accessible for students in local schools and for special needs adults. Newburyport Arts owns and has operations in 65 Water Street, a late 18th century former mercantile building along the waterfront. The nonprofit

operates three interior galleries, an outdoor sculpture garden, and an exhibition/education space adjacent to the Clipper City Rail Trail.

Newburyport Arts Collective

Formed during the COVID-19 pandemic, the Collective is a group of artists, organizations, and arts advocates who have joined forces to preserve and expand their arts and cultural offerings through advocacy, integrated promotion, and a free-flowing exchange of ideas, knowledge, and resources. The group’s mission is “to advocate for, engage, and elevate the nonprofit arts, culture organizations and individual artists in the greater Newburyport area.”



Photo credit: Bob Watts

Galleries

There are several galleries in the city, mostly located downtown, that include:

- Indigo (one artist);
- Minutia Gallery (in the Tannery);
- Valerie’s Gallery;
- Paula Estey Gallery;
- Blochaus (moved from Lawrence to the Tannery); and
- A Pleasant Shoppe.

There is anecdotal evidence that higher rents and shifts in the market during the pandemic have caused recent closings or a move to online only operations for several galleries, including:

- Connor Summers (closed);
- Lepore (closed);
- Sweethaven Gallery (now online only); and
- Walsingham (now online only).

Creative Clusters

The Tannery Marketplace is located just outside the downtown core, on Water Street, and has a collection of uses that includes a robust cluster of “Creativity and Learning” tenants. This cluster includes:

- Mintz Photo Studio/SEE Shore Photography;
- Nettie & Ro Creative Studio;
- The Artists Playground Studio space for artists, dance, yoga, acting and music;
- The Dance Place;
- Zach Field Drums & Music;
- The Screening Room (small art house local movie theater); and
- Blochaus Art Gallery.

In addition, the Tannery hosts many food and dining offerings, a bookstore, and the Sunday Newburyport Farmers’ Market in the summer.

Events

There are many events in Newburyport throughout the year. Some are organized by for-profit businesses and others by nonprofits with City support. Below is a list of events organized by season.

Summer

- Riverfront Music Festival
- Yankee Homecoming
- Greek Festival
- The Chamber Music Festival
- Kitchen Tour
- Newburyport Chamber Music Festival
- Waterfront Movie Series
- Classic Car Show

Autumn

- Annual Lantern Festival
- Fall Harvest Festival
- Oktoberfest and Riverfront Festival
- Documentary Film Festival (and year-round programming)
- Downtown Trick-or-Treat
- Friends of the Library’s Great Old Book Sale – Autumn Sale
- Witches Night Out
- Pumpkin Lighting

Winter

- Winter Carnival
- Merrimack River Eagle Festival
- Santa Parade and Tree Lighting
- Holiday Invitation Nights
- Custom House Maritime Museum Holiday House Tours

Spring

- Chamber of Commerce’s Spring Fest Field of Honor
- New Works Festival
- Earth Port Film Festival (temporarily closed)
- Newburyport Preservation Week
- Friends of the Library’s Great Old Book Sale – Spring Sale
- The Literary Festival
- Historical Society Garden Tour

HISTORIC RESOURCES

Newburyport's historic resources are extensive. The city's mostly intact downtown and surrounding historic residential fabric, coupled with its waterfront location, combine to make the city a quintessential New England community. The historic character is perhaps its strongest defining feature and the various historic elements, in both organizations, destinations, and narratives, are outlined here.

Organizations

Newburyport Preservation Trust

The Trust is a "nonprofit membership organization that brings together people from Newburyport and beyond who value the preservation of the city's period architecture, neighborhood ambiance, heritage landscapes, and authentic historic character." The organization offers the "Historic House Plaque Program" by which house markers identify the original owner/builder, their occupation (if known), and date. Central to the program, and of particular historical value, is the verification of dates, names, and facts by experienced researchers. The organization offers a stand-alone interactive map on its website that is a guide to all existing plaques, organized by date (**Figure 2-11**). Users can zoom in on the map and click on specific centuries to explore the houses that have markers. In November 2022 the organization awarded its 100th historic house plaque to Newburyport Art's building at 65 Water St.

Historic Districts

Newburyport has a National Register Historic District and a Local Historic District. The maps for both districts are not easy to find and are not available on any visitor or local information website. In addition, there is no local signage indicating the boundaries of the two districts. Information on building history and house plaques is also not integrated in any way with district maps, and the information on history, sites, and maps resides across many websites and entities.

National Register Historic District

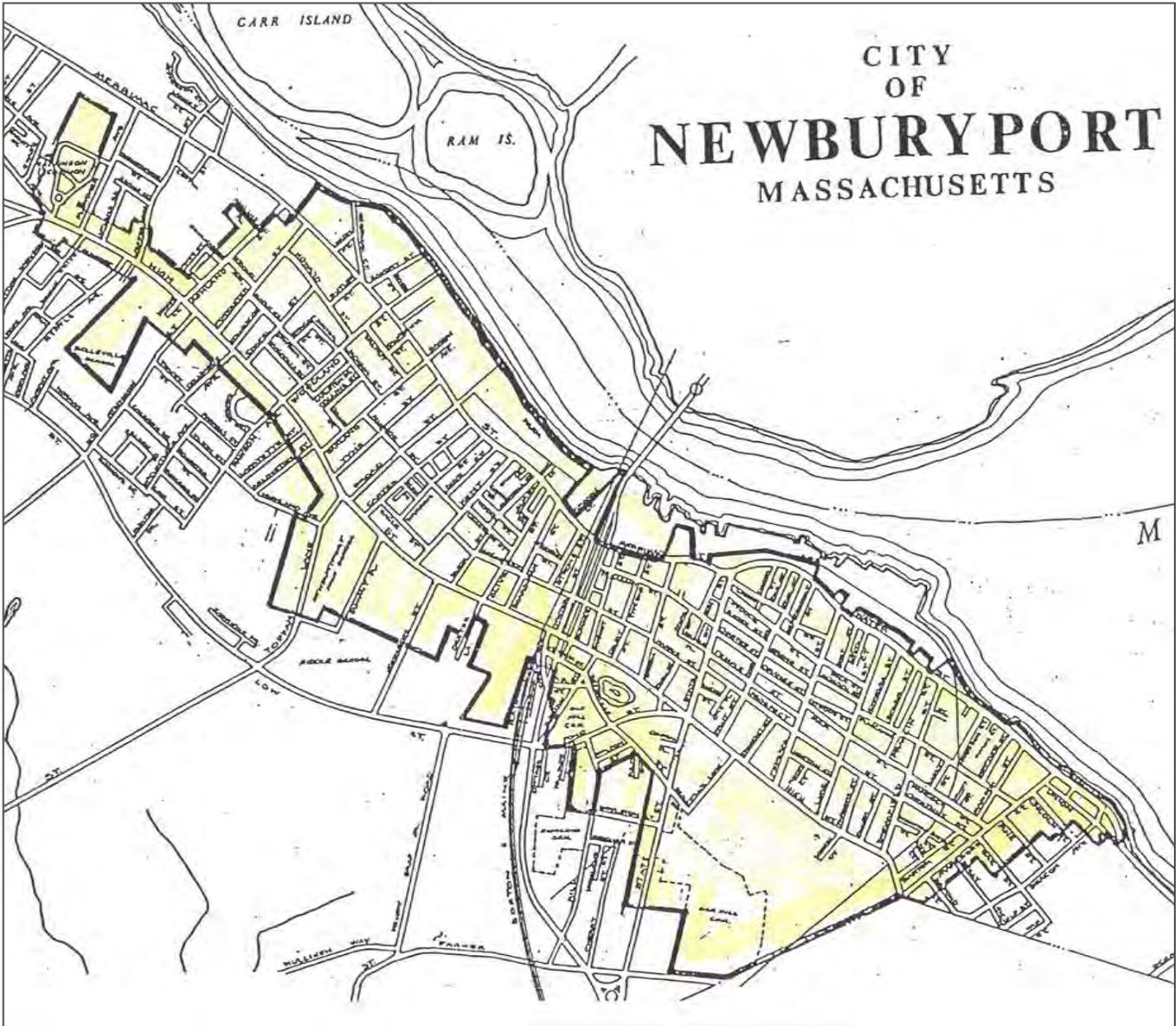
The National Register Historic District encompasses over 2,500 properties and covers approximately 750 acres which includes much of the downtown (Figure 12-2). The National Register District contains ten sub-districts. While many of the sub-districts highlight residential areas, with an emphasis on the Federal style of architecture which was popular during the city's time of greatest growth and prosperity (up to the War of 1812), there are a few sub-districts that highlight the commercial and industrial roots of the city, including the Merrimac Shipbuilding District and the Pleasant Street Industrial District. In addition to structures from the 17th Century and excellent examples of the Federal style, The National Historic District contains a large number of late 19th Century structures reflecting the shift of the city to a working class industrial base.

Figure 2-11. Historic House Plaque Location Map



Source: Newburyport Preservation Trust <https://public.tableau.com/app/profile/brendan.banovic/viz/Newburyport-MA-Historic-Plaques/Dashboard1?publish=yes>

Figure 2-12. Newburyport National Register Historic District

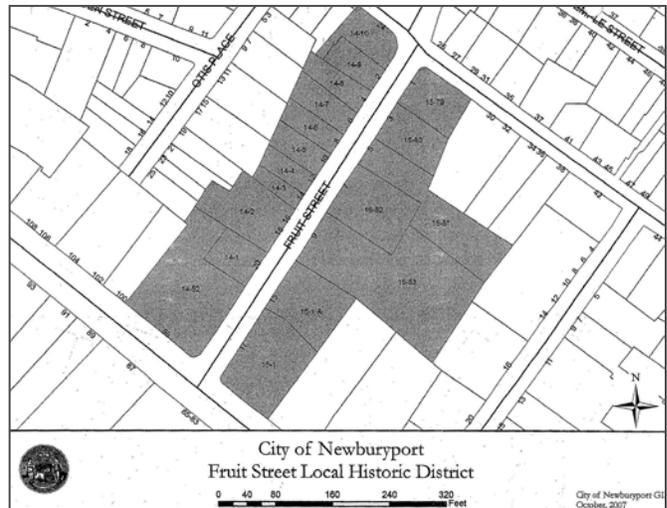


Source: City of Newburyport

Fruit Street Local Historic District

The Local Historic District encompasses 18 residential properties which are examples of the Federal style of architecture. Fruit Street is located just south of downtown between High and Prospect Streets (**Figure 2-13**). This short residential street was designated a Local Historic District in 2007 with the purpose of preserving and protecting the character of the houses. Information about the houses on the street is located on the City website with the user required to click on photos of each property to download a pdf with that property's information.

Figure 2-13. Fruit Street Local Historic District



Source: City of Newburyport

Museums/Resources

Custom House Maritime Museum

The Custom House Maritime Museum (CHMM) is an “education and cultural center; emerging research facility; and a meeting place for people seeking a unique venue for professional or social gatherings.” Housed in the 1835 Custom House, the museum contains galleries showcasing maritime objects, art, models, and historical documents. The Museum collaborates with local educational, artistic, business, and environmental organizations to further its mission and provide events and programs.



Photo credit: Bob Watts

Museum of Old Newbury

“For 145 years, the Museum of Old Newbury has been collecting, preserving, and presenting the history of Newburyport, Newbury, West Newbury, Byfield, and Plum Island. The museum includes:

- the 1808 Federal style Cushing House;
- the Perkins Engraving Plant; and
- Carriage House and Privy.

The museum offers lectures, exhibitions, educational programs, school tours, publications, a research library, and cooperation with area groups interested in local history. The collections also include numerous genealogical records including strong representation of documents pertaining to Newbury’s founding families. These records include “primary and secondary source materials that address family genealogies, Newburyport’s maritime heritage, local businesses and industries, landmarks, buildings, cemeteries and more.

Resources available for research use include local history books, ship logs, maps, photographs, genealogy books, diaries, ledgers and ephemera.” Family histories from the Mary Adams Rolfe Collection can be purchased online and in-person appointments can be made to access other archives. The Executive Director estimates that more than 20 million people worldwide can trace their ancestors to Newburyport and thus would have an interest in the town and genealogical records.⁸



Photo credit: Museum of Old Newbury

Newburyport Public Library and Archival Center

The Newburyport Public Library offers a range of programs and events from yoga to film nights, to lectures and craft programs. “The Archival Center collection focuses on genealogy and local history, primarily that of Essex County with additional material covering New England. It includes published monographs on Newburyport history and individual family genealogies as well as local primary source material. The Library has a microfilm collection that includes most of The Newburyport Daily News from 1773 to the present, as well as Essex County probate records and other materials.” There is also an extensive historic photograph collection.

Other Historic Sites

- Historic Wharves – under varied ownership, the wharves tell the shipbuilding and port history of the city and some old hidden fragments found in 2011 date back to before the Revolutionary War.
- Powder House – this restored 1822 building was a storehouse for gunpowder, flints, and musket balls, keeping these explosive

materials safe from residential areas. Used during the Civil War, the Powder House is now part of a park and learning center.

- Curzon Grist Mill – this mill is now a private residence on the Artichoke River and occupies the area where a corn mill was first constructed in 1678. While that mill building and subsequent structures burned over the years, part of the present structure dates to the 1840s.
- Plum Island Light – officially known as Newburyport Harbor Light, this structure was built in 1788 and the original 4th order Fresnel lens is still in use. Listed on the National Register of Historic Places, the lighthouse is owned by the City and leased to the Friends of Plum Island Light.
- Newburyport Superior Courthouse – this building, in the downtown, was designed in the Federal style by famous American architect Charles Bullfinch. Completed in 1805, it is one of the oldest active courthouses in the country.

Religious Facilities

Religious institutions and facilities provide historic context and architecture and, in some cases, also have available spaces or existing collaborations with other area groups and

initiatives to share spaces. In all, these facilities are historic and arts/cultural assets for the city.

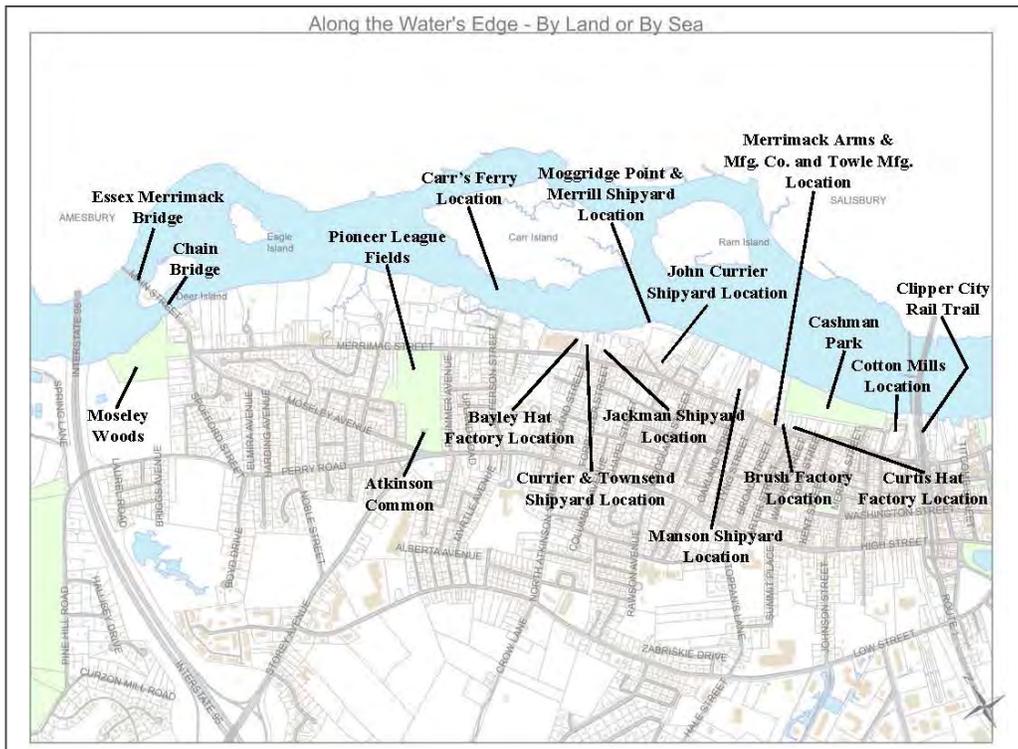
- Belleville Congregational;
- Central Congregational;
- Congregation Ahavas Achim;
- FRS Unitarian Universalist;
- Greek Orthodox Annunciation;
- Immaculate Conception;
- Old South Church;
- People’s United Methodist Church; and
- St. Paul’s Episcopal.

Historic Trails/Tours

Clipper Heritage Trail

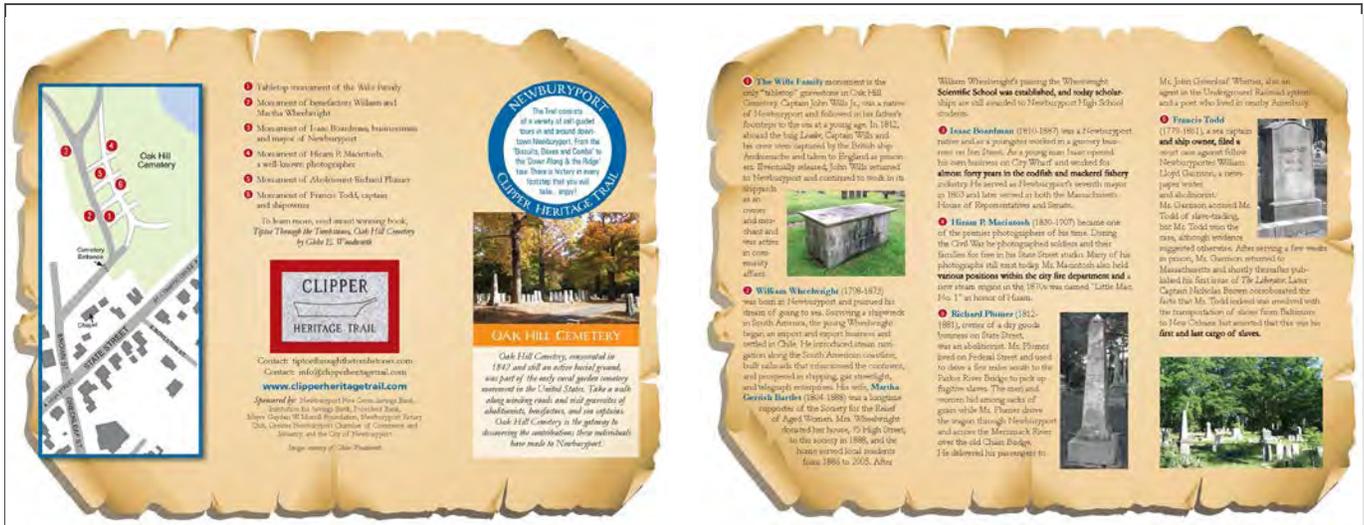
The Clipper Heritage Trail Website offers the most complete set of resources for a visitor or student of Newburyport history with audio, written historical information, and maps detailing 16 self-guided tours. The website and smartphone app combined offer tours and downloadable maps (**Figure 2-14**) and brochures (**Figure 2-15**).

Figure 2-14. Clipper Heritage Trail: Along the Water’s Edge Self-Guided Tour Downloadable Map



Source: Clipper Heritage Trail, Ghlee E. Woodworth, 2012.

Figure 2-15 Clipper Heritage Trail Oak Hill Cemetery Tour Brochure



Source: Clipper Heritage Trail, Ghlee E. Woodworth, 2012.

The Self-guided tours were developed by Ghlee Woodworth with the support and sponsorship of the City of Newburyport and numerous local businesses and organizations. Granite pavers were installed in the sidewalk in front of historical points of interests in the downtown area for easy navigation of the Clipper Heritage Trail in July 2013 (Figure 2-16).

Figure 2-16. Clipper Heritage Trail Markers



Source: Clipper Heritage Trail, Ghlee E. Woodworth, 2012.

Natural Resources/Recreation

Newburyport's natural areas and recreational resources make it a strong destination for outdoors activities and recreation, and for naturalist enthusiasts. Natural resources range from local parks and the downtown waterfront to places that are part of regional and national networks and management.

Major/Regional Destinations

Plum Island

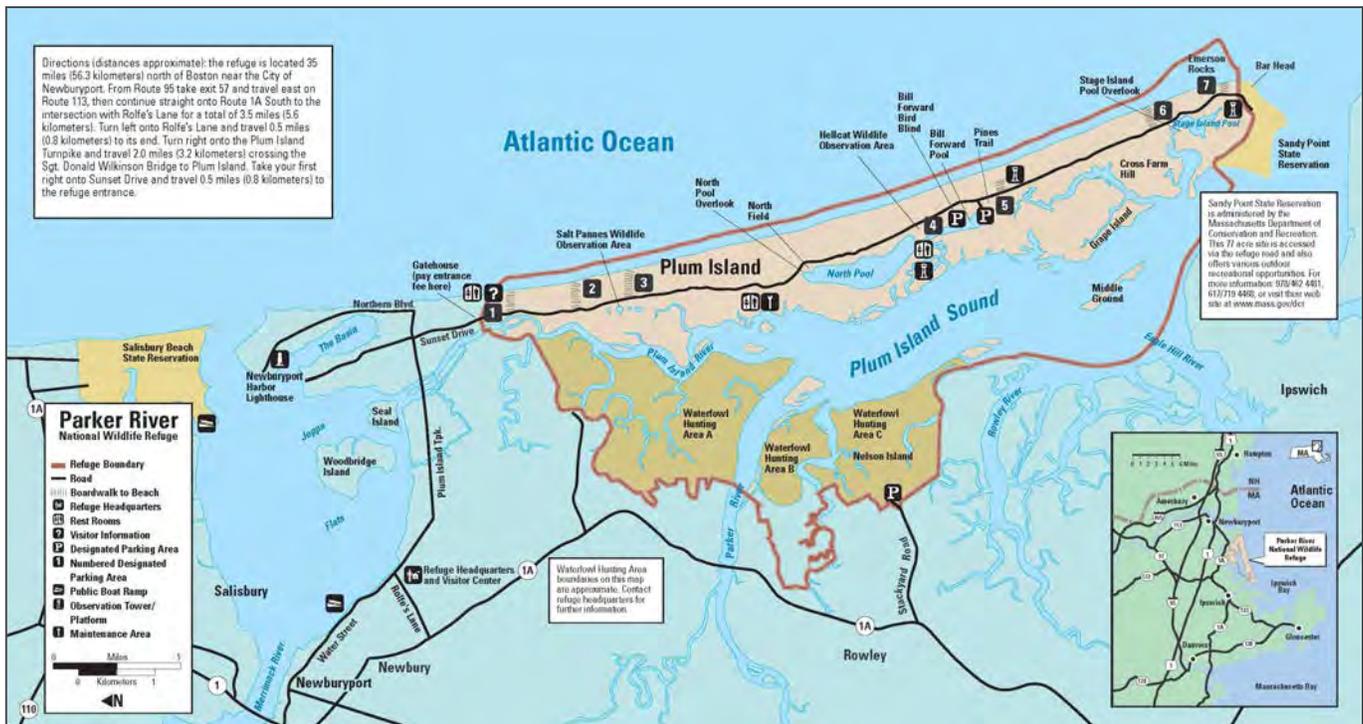
Plum Island is a barrier island that includes local beaches and the entrance to the Parker River National Wildlife Refuge. Eleven miles in length, Plum Island spans Newburyport and Newbury.

The island houses year-round residents, vacation rentals, public beaches, the Wildlife Refuge, and commercial enterprises mostly consisting of restaurants along Plum Island Turnpike. The three beach destinations on the island (Wildlife Refuge and North Point in Newburyport and Plum Island Center in Newbury) each have public parking and either public restrooms or portable toilets.

Parker River National Wildlife Refuge on Plum Island

The Parker River National Wildlife Refuge (The Refuge) has access from Newburyport along the Plum Island Turnpike and runs through Newbury, Rowley and down to Ipswich. The Refuge, managed by the US Fish and Wildlife Service, encompasses approximately 4,700 acres including beaches and salt marsh and provides a home for over 300 species of birds and additional species of mammals, reptiles, amphibians, insects, and plants. Public parking lots provide access to the beaches, interpretive trails, salt marsh board walks, and birding towers (Figure 2-17). The Refuge includes a visitor center with an auditorium and classroom with capacity for 85 and 50 people, respectively for community events and those sponsored by The Refuge. In 2017, the most recent year for which data is available, The Refuge received 686,774 visits, of which 116,752, or 17%, lived more than 50 miles away. In addition to habitat for varied and endangered species, The Refuge "also provides high-quality opportunities for nature-based recreation including walking & biking, wildlife observation & photography, hunting, fishing, paddling, and beach use." Refuge staff, volunteers, and community partners offer a range of nature-based programs and events throughout the year.

Figure 2-17. Parker River National Wildlife Refuge Map



Source: Parker River National Wildlife Refuge

Other parts of this wildlife refuge network include:

- Great Bay National Wildlife Refuge (Newington, NH);
- Wapack National Wildlife Refuge (Greenfield, NH); and
- Thacher Island National Wildlife Refuge (Rockport, MA).

Joppa Flats/Mass Audubon's Joppa Flats Education Center

The Joppa Flats Education Center overlooks the Merrimack River and is located on the way to Plum Island from Newburyport. The Education Center “offers educational programming for all, including explorations of the habitat” (salt marshes, mudflats, rivers, bays, and coastal waters) through guided tours, marine touch tanks, art exhibits, drop-in programs, and interpretive displays. Mass Audubon also offers the winter events, including the Superbowl of Birding and the Eagle Festival.

Maudslay State Park

Maudslay State Park features 19th century gardens and plantings, rolling meadows, towering pines, and one of the largest naturally-occurring stands of mountain laurel in Massachusetts. This park, managed by the Massachusetts Department of Conservation and Recreation (DCR) provides

space for walking, biking, picnicking, cross-country skiing, horseback riding, and mountain biking. Summer educational programming is also offered.

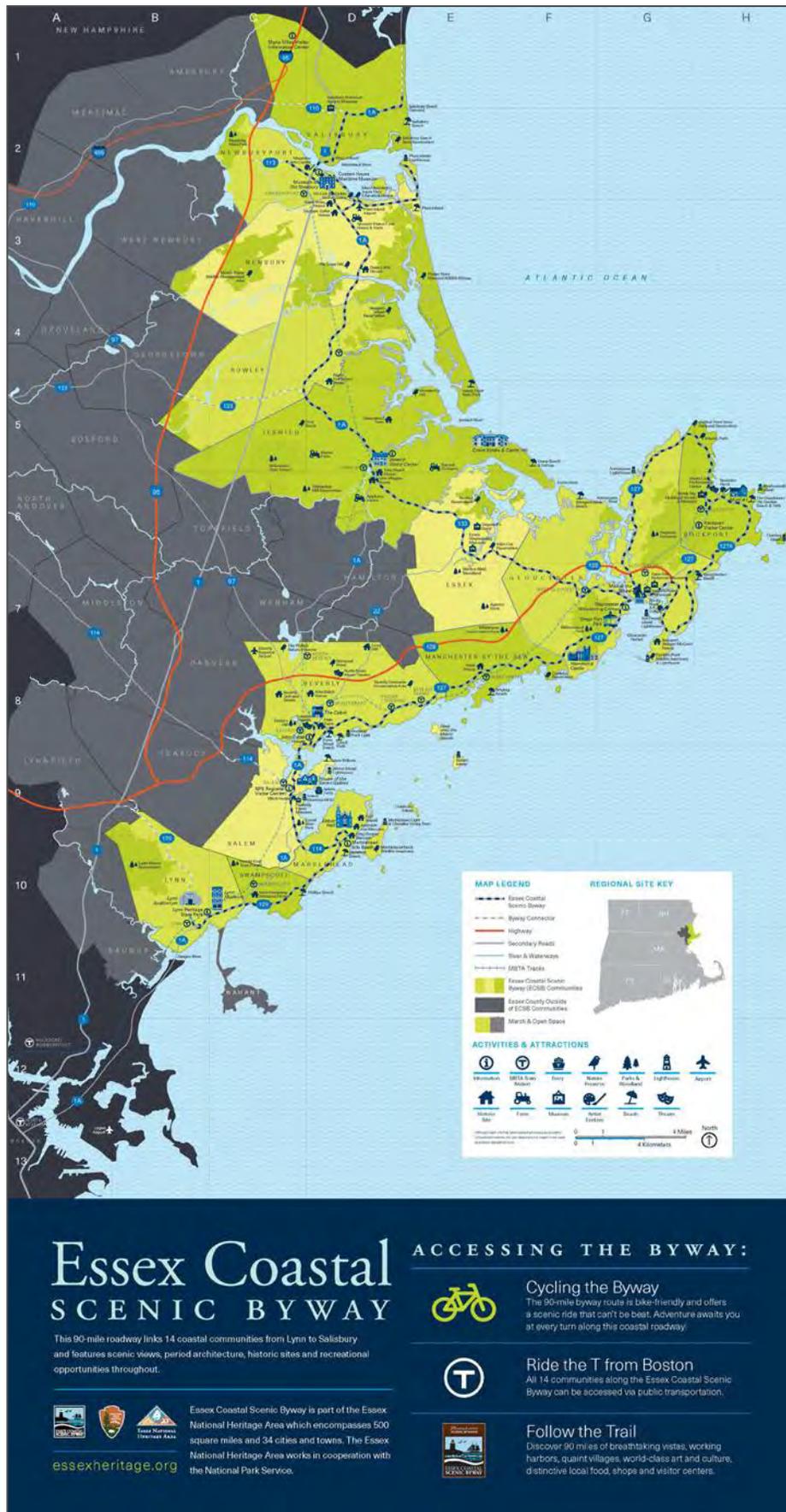
The Friends of Maudslay (Maudslay State Park Association) is a group committed to the care and preservation of the park, including undertaking restoration projects throughout the park.

Regional and Local Nature Trails and Networks

Essex National Heritage Area and Essex Coastal Scenic Byway

Newburyport is part of the Essex National Heritage Area which consists of 34 cities and towns that make up Essex County, spanning the North Shore and Merrimack Valley. The Heritage Area includes the Essex Coastal Scenic Byway (a state scenic byway), a 90-mile roadway linking 14 coastal communities including Newburyport with scenic views, period architecture, historic sites and recreational opportunities (**Figure 2-18**). The Byway receives “federal funding for a comprehensive management plan that is guiding community and regional leaders in their efforts to implement tourism-based economic development.”⁹ The Heritage Area website provides information on each community, blog articles on things to do across the area, and a comprehensive brochure of all highlights.

Figure 2-18. Essex National Heritage Area: Essex Coastal Scenic Byway



Source: Essex National Heritage Area, <https://essexheritage.org/explore/>

The Wildlife Refuges of Interstate 95

The US Fish and Wildlife Service provides an online resource with “a state-by-state glance at national wildlife refuges where travelers seeking a nature break might stop along the way. It includes expert tips about what a visitor might do and see during a one-hour stop at each refuge.”¹⁰ The Parker River National Wildlife Refuge is listed along with Great Bay NWR to the north in NH and the Assabet and Great Meadows NWRs to the south in Sudbury.

Coastal Trails Network

The Coastal Trails Network consists of an emerging 30-mile network of “public bicycle and pedestrian trails linking the unique coastal features, town centers, neighborhoods and transportation hubs in the communities of Amesbury, Newbury, Newburyport and Salisbury Massachusetts.”¹¹

Over 20 miles of the Coastal Trail is complete (**Figure 2-19**). The initiative is overseen by the nonprofit Coastal Trails Coalition (CTC), which is composed of citizens and communities in the Lower Merrimack Valley. The initiative has the support of the Essex National Heritage Commission, the National Park Service Rivers and Trails Program, and the Merrimack Valley Planning Commission.

The Little River Nature Trail

The Little River Trail System is 3.5-mile loop trail adjacent to Woodman Park. The trail offers birding, hiking, and mountain biking opportunities.

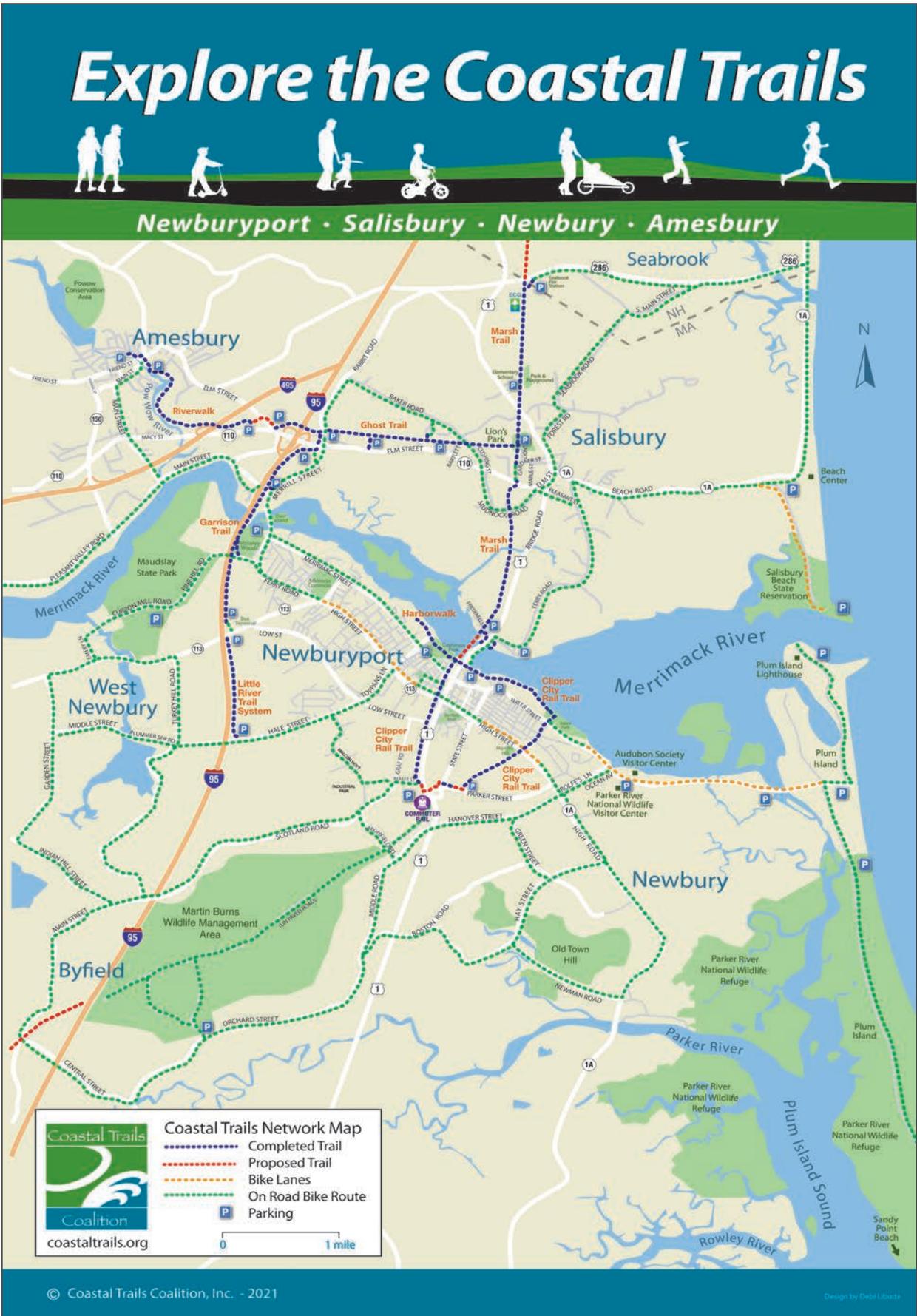
Other Local Recreational and Natural Resources

- The Common Pasture – this land dates to the original 1635 settlement of the town with large swathes that have been untouched since that time. The Common Pasture stretches from Newburyport to West Newbury and Newbury and is considered important conservation land for its scenic vistas, historical significance, priority and core species habitat, and home for endangered species.
- Merrimack River Harbor – the mouth of the Merrimack River provides a deep and wide channel and is safe for navigation in most weather conditions. Before the construction of the Middlesex Canal, the harbor was well-positioned to receive goods including timber from ports along the river.
- Kettle Hole at Bartlet Mall (the Frog Pond) – adjacent to the Superior Court House in downtown Newburyport, the Bartlet Mall hosts a glacial kettle hole that is known

as the Frog Pond. The Mall and Pond are popular local destinations for walkers and there is ice skating in winter. There are additional opportunities to further program this space in the warmer months should the water quality be improved in the future.

- The Artichoke Reservoir – a natural area around this reservoir along the Artichoke River that contains 24 acres of municipally-owned conservation land in Newburyport and West Newbury. This public-access area contains the Withers Conservation Area that provides a hiking path and shoreline views along the Upper Artichoke Reservoir.
- City Forest – this area sits on the northern side of Turkey Hill, one of the highest areas in the region. Newburyport’s Conservation Commission manages the land where more than 20,000 red pine seedlings were planted in the 20th century. There are paths and some signage.
- Moseley Woods – this is a 1.1-mile trail loop offering access for birding, hiking, and running.

Figure 2-19. Coastal Trail Map



Source: <https://coastaltrails.org/>

HOUSING AND TRANSPORTATION

Housing supports economic development by providing residences in Newburyport for part of the regional work force that businesses depend upon to thrive. Transportation offers mobility choices that connect the work force to employers, supports the movement of goods and supports the visitor economy.

HOUSING IN NEWBURYPORT

In terms of housing needs, the number of Newburyport households (HH) rose 3.4% from 2010 to 2020 (after a 4.6% decrease from 2000 to 2010), while the HH size rose from 2.23 in 2010 to an estimated 2.41 in 2020. This was unlike other parts of the state where household sizes have been decreasing.

The total number of housing units in the city declined by 109 from 8,264 in 2010 to 8,153 in 2020. Notably, rental units' share declined from 28.5% in 2010 to 24.9% in 2020 and are below county (36.2%) and state (37.5%) levels (**Table 2-5**).

While the total number of housing units in the city has decreased, the number of vacant housing units grew by 92 or 14.3% from 2010 to 2020. However, looking more closely at the vacancy figures, the “vacant units with seasonal/recreational/occasional use” almost doubled from 249 in 423 in 2020, accounting for 58% of vacant units (**Table 2-6**). This means that more of the “vacant” homes are being used as either second or seasonal homes, including short-term visitor rentals. The City of Newburyport’s 2018-2022 Housing Production Plan and 2017

Master Plan both provide points of focus for the City to address and prioritize housing needs as they impact residents and the city’s economy. These plans identified the following housing priorities:

- Affordable rental housing for seniors & families;
- Affordable homeownership for low- and middle-income HHs;
- Preservation of existing rental housing; and
- Affordable workforce housing for business employees & essential workers.

The 40R Smart Growth & Development District

As one strategy to increase the desired housing production, the City adopted the 40R Smart Growth District south of downtown and around the MBTA Commuter Rail Station in 2015 (**Figure 2-20**). This district’s intent is to address this need by allowing denser multi-family housing and mixed-use buildings near the MBTA Station. The City initially calculated approximately 540 new housing units to be built within the 40R District and has been reviewing the potential for more.

Since the approval of the 40R District, and after the 2018-2022 Housing Production Plan was completed, 76 units have been built at One Boston Way, and another 84 units are under construction at Three Boston Way. Another 92-unit development at 166 Route 1 has been approved. These projects have set aside 25% of their units as affordable—serving households with income limits at 80% Area Median Income(AMI).



Photo credits: Bob Watts

Table 2-5. Housing Units by Owner or Renter Occupancy

	2010 Newburyport	2020 Newburyport	Essex County	Massachusetts
Total Housing Units	8,264	8,153	313,956	2,913,009
Total Occupied Units	7,622	7,419	297,254	2,646,980
% Occupied Housing Units - Owner-occupied	71.50%	75.10%	63.80%	62.50%
% Occupied Housing Units - Renter-occupied	28.50%	24.90%	36.20%	37.50%

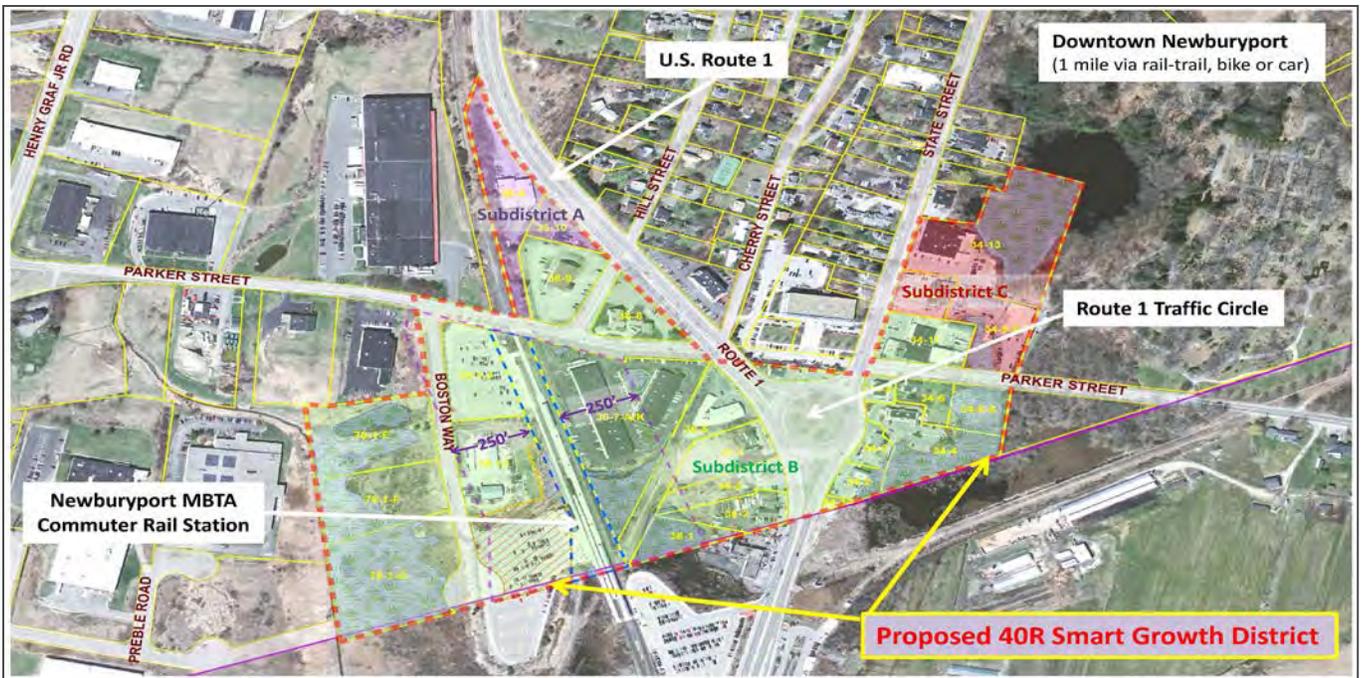
Source: American Community Survey, 2016-2020; 2010 U.S. Census

Table 2-6. Vacant and Seasonal, Recreational, or Occasional Housing Units

	2010 Newburyport	2020 Newburyport	2020 Essex County	2020 Massachusetts
Total Vacant Housing Units	642	734	16,702	266,029
% of Total Housing Units Vacant	7.80%	9.00%	5.30%	9.10%
% of Vacant Total Units that are seasonal, rec, or occasional use	38.80%	57.60%	31.30%	46.40%
% of Total Housing Units that are seasonal, rec, or occasional	3.00%	5.20%	1.70%	4.20%

Source: American Community Survey, 2016-2020; 2010 U.S. Census.

Figure 2-20. 40R Smart Growth District – Newburyport, MA



Source: City of Newburyport, Office of Planning & Development, January 20, 2015.

TRANSPORTATION NETWORK AND CONDITIONS

TRANSPORTATION NETWORK OVERVIEW

Overall, Newburyport has a strong transportation network with good highway access, multiple public transportation options and multi-use walking/bike trails.

In terms of vehicular access, the city has straightforward regional access from Interstate 95, Route 1, Route 1A, and Route 113/Storey Avenue. Vehicular congestion, however, is a problem downtown and in the Storey Avenue area, most noticeably during the peak tourism times.¹²

According to the City's 2018 "Newburyport Parking Program Review and Update," the city has over 2,900 public parking spaces to support the downtown area, including 2,000 free on-street spaces, 700 paid off-street spaces, and 207 spaces in the intermodal Titcomb Street parking garage completed in 2019. However, parking availability and traffic congestion related to parking are concerns, with wayfinding for parking and the specific summer and event peak demand being specifically noted. Several employers reported that the limited availability of long-term parking for employees close to their place of work is a problem.

Newburyport has public transportation access on the MBTA Commuter Rail station on the

Newburyport/Rockport Line and the Merrimack Valley Regional Transit Authority (MeVa) bus service (Routes 54 and 57). These regional public transit lines link to the multi-use Clipper City Rail Trail and Harborwalk and the intermodal Titcomb Street parking garage downtown. The City's Complete Streets Ordinance and Prioritization Plan prioritize action strategies to enhance walking and biking safety throughout the city.

COMMUTER HIGHLIGHTS



Looking at Newburyport residents who are employed, the following are highlights regarding commuting patterns:¹³

- 71% of Newburyport's employed residents drove alone to work in 2020, a decrease from 76% in 2010;
- Carpooling to work increased from 5.3% in 2010 to 7.9% in 2020;
- Public transportation use dropped from 4.2% in 2010 to 3.1% in 2020;
- Walking to work increased from 3.5% in 2010 to 5.7% in 2020;
- Estimated travel to work time for Newburyport residents averaged 34 minutes in 2020 vs. 30.2 minutes for Essex County, and 30 minutes for the state; and
- 10.5% of Newburyport residents worked from home in 2020- an increase from 8.7% in 2010 and above county (7.6%) and state (8.3%) levels.

Conversely, looking at employees who work in Newburyport, in 2019 (**Table 2-7**), almost 17%

also lived in the city, while about 8.2 % lived in Haverhill, 7.3% lived in Amesbury, and a significant percent living elsewhere.¹⁴ On a more regional level (Table 2-8), about 63% commuted from Essex County, about 15% from Rockingham County, NH, and just under 7% from Middlesex County, MA.

Table 2-7. Residence of Workers Employed in Newburyport by City or Town, 2019

Place of Residence	Number	Percentage
Newburyport	1,915	16.5%
Haverhill	955	8.2%
Amesbury	846	7.3%
Salisbury	523	4.5%
Newbury	398	3.4%
Lawrence	302	2.6%
Merrimac	248	2.1%
West Newbury	206	1.8%
Georgetown	200	1.7%
Seabrook	195	1.7%
All Other Locations	5,841	50.2%
Total all Jobs	11,629	100.0%

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics

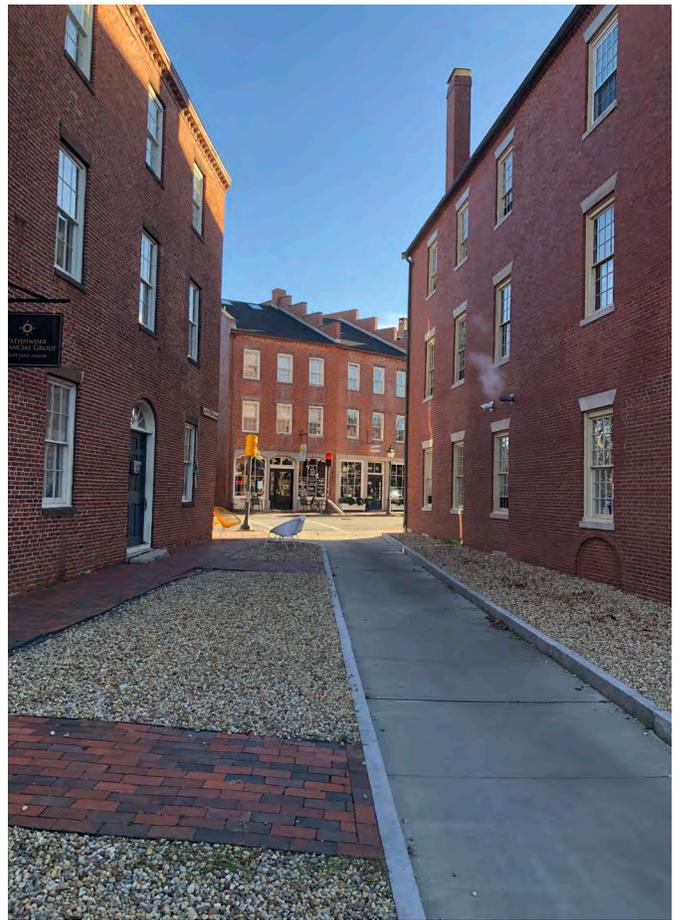


Table 2-8. Residence of Workers Employed in Newburyport by County, 2019

Residence	Number	Percentage
Essex County, MA	7,371	63.4%
Rockingham County, NH	1,740	15.0%
Middlesex County, MA	779	6.7%
Hillsborough County, NH	209	1.8%
Suffolk County, MA	204	1.8%
Strafford County, NH	167	1.4%
York County, ME	165	1.4%
Norfolk County, MA	152	1.3%
Worcester County, MA	135	1.2%
Plymouth County, MA	124	1.1%
All Other Locations	583	5.0%
Total all Jobs	11,629	100.0%

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics

ECONOMIC DEVELOPMENT/ARTS, CULTURE, & RECREATION ECOSYSTEM

Implementation of Newburyport’s economic development strategy will occur in the context of a larger ecosystem of local and regional organizations and entities/initiatives that deliver relevant projects, programs and services. This section summarizes this ecosystem in order to identify resources and partners that the City can use to deploy its strategy and identify ways to fill system gaps.

Table 2-9 details the existing ecosystem by type of activity for government entities, civic/nonprofit organizations and private for-profit businesses.

Table 2-9. Newburyport Economic Development/Arts, Culture & Recreation Ecosystem by Activity and Organization Type

Type of Activity	Government	Civic/Nonprofit Organizations	Private For-profit
Strategy Formulation/Coordination	1. Mayor's Office 2. Merrimack Valley Planning Commission (MVPC)	1. Chamber Economic Development Action Committee (EDAC)	
Business Attraction & Recruitment		1. Greater Newburyport Chamber of Commerce 2. MassEcon	1. New England Development
Place/Tourism Marketing	1. Mayor's Office	1. Greater Newburyport Chamber 2. North of Boston Convention and Visitors Bureau 3. Newburyport Preservation Trust 4. Museum of Old Newbury	
Small Business Assistance	1. Small Business Development Center-Salem 2. Salem Enterprise Center 3. Cultural Council 4. Mass Growth Capital Corp	1. Greater Newburyport Chamber of Commerce 2. SCORE 3. Mass Manufacturing Extension Partnership	1. Local Banks
Workforce Development	1. Merrimack Valley Workforce Board/ Mass Hire 2. Commonwealth Corp 3. Whittier Tech HS 4. Northern Essex Community College	1. Northeast Advanced Manufacturing Consortium (NAMC) 2. Opportunity Works, Inc.	
Real Estate Development	1. Historic Commission 2. Newburyport Waterfront Trust 3. MassDevelopment 4. Newburyport Housing Trust 5. Newburyport Housing Authority	1. Newburyport Preservation Trust 2. Business & Industrial Park Association	1. Private property owners 2. Private developers
Events & Programming	1. Newburyport Library, Youth Services, Council on Aging 2. Maudslay State Park 3. Parker River National Wildlife Refuge 4. Newburyport Waterfront Trust	1. Greater Newburyport Chamber of Commerce 2. Newburyport Arts Collective 3. Newburyport Art Association 4. Mass Audubon/Joppa Flats 5. Port Parks Alliance 6. Newburyport Documentary Film Festival 7. Custom House Maritime Museum 8. Museum of Old Newbury 9. Newburyport Preservation Trust 10. Firehouse Center for the Performing Arts 11. Historic New England 12. Essex National Heritage Area	1. Private property owners & businesses (e.g., The Tannery Farmers' Market)
Infrastructure, Open Space & Facilities	1. City Engineering, Parks, Public Services, Planning & Development, related Commissions 2. Newburyport Waterfront Trust 3. Merrimack Valley Regional Transit Authority (MeVa) 4. Parker River National Wildlife Refuge 5. Maudsley State Park	1. Mayor Gayden W. Morrill Charitable Foundation 2. Mass Audubon 3. Port Parks Alliance	



The information in **Table 2-9**, along with feedback from stakeholder interviews and focus groups, provides insights into Newburyport’s economic development and arts, culture and recreation ecosystems. These insights include:

SIGNIFICANT REGIONAL ECONOMIC DEVELOPMENT RESOURCES EXIST IN SEVERAL AREAS:

- Tourism and destination marketing (North of Boston Convention and Visitors Bureau, Essex National Heritage Trail, Essex Coastal Scenic Byway, the Wildlife Refuges of I-95, and the Coastal Trails Network);
- Small business support including one-on-one counseling, training classes, peer learning networks and customized technical assistance from several organizations (Service Corps of Retired Executives (SCORE)), Small Business Development Center (SBDC), Salem Enterprise Center, and Massachusetts Manufacturing Partnership);
- Workforce development including degree and non-degree skills training for occupations in several industries (construction, manufacturing, health care, restaurants/food service, hospitality,

technology and others), apprenticeship programs and customized training from regional educational institutions and consortia (Whittier Technical High School, Northern Essex Community College, North East Advanced Manufacturing Consortium); and

- Barriers to accessing these resources exists due to their distance from Newburyport and the alignment of some services with business needs.

STRONG LOCAL CAPACITY EXISTS IN SEVERAL AREAS:

- The Greater Newburyport Chamber of Commerce provides business networking and education, connections to resources and tourism marketing services (including staffing the seasonal downtown visitor information center), as well as organizing several events;
- Events and programming through multiple organizations that support the four-season event schedule described earlier and many other activities;

- Public infrastructure, facilities and services provided by the City of Newburyport;
- Local private banks which provide real estate and business credit, facilitate access to business development assistance, and have foundations that provide grant funding for local nonprofit organizations; and
- Real estate development through multiple developers and property owners that plan and complete projects to supply housing, commercial and industrial space.

THERE ARE NOTABLE GAPS IN LOCAL CAPACITY:

- No organization exists that focuses exclusively on Newburyport’s economic development and there is no City or nonprofit full-time staff with a primary responsibility for economic development;
- Lack of unified downtown management and marketing under a single organization or coordinating structure;
- Absence of unified tourism/visitor branding, marketing and management; and
- Absence of unified arts, cultural, and history advocacy, marketing and branding.

STRONG REGIONAL VISITOR DESTINATIONS EXIST:

- Open space, natural resources and wildlife/natural areas including Plum Island, Parker River National Wildlife Refuge, and Maudslay State Park;
- Firehouse Center for the Arts;
- Custom House Maritime Museum; and
- Newburyport Historic District.

LACK OF ONE-STOP INFORMATION SOURCE AND GUIDANCE ON THE VISITOR EXPERIENCE WITH CLEAR MESSAGING:

- Multiple sources of information, no complete online maps showing trails, destinations, and historic districts in context and in relation to one another. Maps are hard to find, information is scattered across sites and often found in unlikely places;
- No unified tourism/visitor branding, marketing, and management. There is no single message, historic resources and

destinations are often not mentioned on “top things to do” sites for Newburyport, and arts and cultural assets are also hidden;

- Multiple websites/confusing mix of sites for locals and visitors including: Little River Trail System; Essex Heritage Area; Market Square Historic District; Cultural District.
- Cultural District is mentioned on the City website along with a self-guided walking tour but there is no link, additional information or map; and
- The Historic District is not clearly marked or marketed on City and other websites.



SECTION 2 ENDNOTES

- 1 This data is for businesses and organizations with employees that are part of the unemployment insurance system and does not include self-employed individuals. Data for 2021 is used since it is the most recent year for which employment data was available.
- 2 The labor force participation rate is the percentage of the non-institutionalized civilian population 16 or older that is employed or actively looking for work.
- 3 Data on poverty rates and household income is from the American Community Survey 5-year 2016 to 2020 sample.
- 4 Letter to the City Council from the City of Newburyport liaison and the Chamber of Commerce, January 18, 2013.
- 5 The City received a \$15,000 grant from the MCC for the Cultural District in 2022 and \$7,500 in 2021.
- 6 Trillink.com
- 7 <https://www.cityofnewburyport.com/planning-development/pages/rail-trail-art-and-features>
- 8 CEDS public meeting 1/11/23.
- 9 <https://coastalbyway.org/communities/>
- 10 <https://www.fws.gov/story/wildlife-refuges-i-95>
- 11 <https://coastaltrails.org/>
- 12 Source: “2017 Newburyport Master Plan” and “2019 Downtown Newburyport Traffic Circulation Study.”
- 13 Source: American Community Survey, 2016-2020; American Community Survey, 2006-2010.
- 14 U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2002-2019).

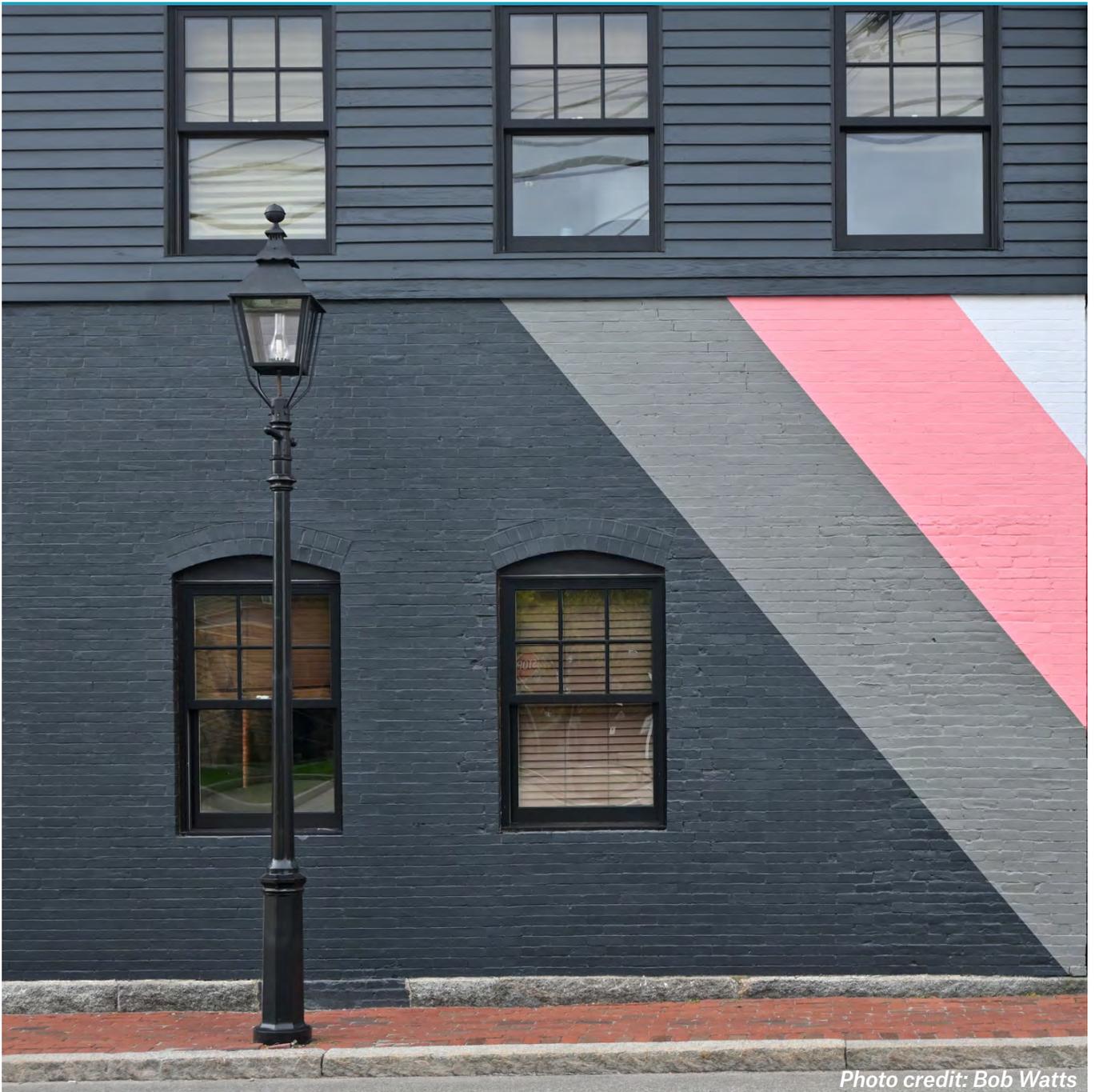


Photo credit: Bob Watts

3

SWOT Analysis

section 3 SWOT ANALYSIS

The consultant team identified Newburyport's key strengths, weaknesses, opportunities and threats (SWOT) to better assess factors shaping the City's economic development strategy and to connect strategy choices to specific assets, liabilities, opportunities, and risks. The SWOT analysis draws on information from the following sources:

- City and regional existing conditions analysis;
- Interviews and focus groups with diverse stakeholders including City staff and elected officials, businesses, real estate developers and brokers, local banks, and arts/cultural/historic/recreational organizations and destinations;
- Information and observations from the CEDS Steering Committee; and
- Consultant observations.

Figure 3-1 summarizes the SWOT analysis results. The following discussion highlights key findings under each category and then discusses their implications for the economic development strategy.

NEWBURYPORT'S STRENGTHS

Newburyport has many strengths that provide a strong foundation for future economic development. These assets fit within five categories:

- **Amenities and quality of place.** Newburyport has a rich and diverse combination of natural and recreational resources, arts/culture/historic activities and attractions, a walkable and attractive downtown with many restaurants, shops and services, good schools and a variety of neighborhoods and housing options. These amenities make Newburyport a desirable place to live, contribute to the city's well-educated and skilled local labor force, attract many visitors that help sustain local businesses and generate tax revenue and help to attract businesses that value local amenities in their location decisions.
- **Economic base and clusters.** Newburyport has a diverse economic base with several sizeable and competitive industry clusters—several of which serve as regional centers within the Lower Merrimack Valley. This diversity provides multiple opportunities for future economic development and reduces risks from economic and market forces that may hurt a single cluster. The size and role as a regional center for key clusters—health care, dining, arts/culture/recreation help to sustain them and attract other businesses that seek to benefit from locating in a regional center.
- **Built environment.** Multiple aspects of the city's buildings and infrastructure are economic advantages. These include: the preservation of its downtown commercial buildings and housing stock; the walkable pedestrian character of the Downtown and Waterfront; the trail network providing access to the waterfront and connections across the city; a large supply of downtown parking; water and wastewater treatment infrastructure; a large business/industrial park; a medical campus; and a strong local road network that connects to important interstate and state roadways.
- **Resident skills, creativity and civic engagement.** Newburyport's residents are a key asset that contribute to economic development in many ways: providing a skilled labor force for many businesses; as entrepreneurs starting and growing new businesses; providing leaders and volunteers for the city's many civic organizations and for the arts/culture/historic events and organizations; and as active citizens participating in public planning and decision-making.

Figure 3-1. SWOT Analysis Summary

<p style="text-align: center;">Strengths</p> <ul style="list-style-type: none">• Diverse and growing economic base that is a regional health care, dining, recreation, and arts/cultural center• Historic, pedestrian-oriented downtown with mix of restaurants, independent retailers, and arts, cultural and historic destinations• Ocean & riverfront uses and attractions• Regional network of open spaces, abundance of green spaces• Large business & industrial park with business diversity• Educated and skilled labor force with active entrepreneurship• Good highway access plus commuter rail and bus transportation• Local banks active in real estate, business lending, and philanthropy• Active regional chamber of commerce with strong focus on Newburyport	<p style="text-align: center;">Weaknesses</p> <ul style="list-style-type: none">• Ability to attract workers and diverse residents with high housing cost and limited affordable housing stock• Public transportation services for commuting• Availability and location of downtown parking for employees• Economic development capacity and alignment of efforts• Complex and slow development permitting process• Cost and limited supply of commercial and industrial real estate• Absence of strong identity and branding to attract visitors• Weak gateway from I-95• Fragmented marketing and promotion efforts• Absence of hotel/lodging• Information and wayfinding to discover amenities/destinations
<p style="text-align: center;">Opportunities</p> <ul style="list-style-type: none">• Establish Newburyport as a strong North of Boston visitor destination• Strengthen Newburyport as a regional dining, shopping, and arts/culture/entertainment destination• Leverage development opportunities at the Waterfront West site• Update zoning for business & industrial park to support and attract business growth• Redevelopment at Storey Avenue and 40R district to expand workforce housing and commercial space supply• Foster and sustain entrepreneurs and small businesses• Capitalize on regional training and transportation systems to address workforce needs• Capitalize on regional resources to support small businesses	<p style="text-align: center;">Threats</p> <ul style="list-style-type: none">• NIMBYism and resistance to change• Climate change impacts on key infrastructure, businesses, and attractions• Competition from nearby cities and towns with lower real estate and business costs• Competition from visitor destinations with stronger identity, branding, and marketing• Infrastructure capacity not meeting needs for future growth• Loss of identity and character from growth of chains, non-active ground floor uses, and loss of independent shops and cultural uses• River pollution impacting waterfront recreation and attractiveness

WEAKNESSES

Newburyport faces a number of weaknesses that impair its ability to fully capitalize on its strengths and opportunities. These weaknesses cut across four main areas:

- **Limited implementation capacity and alignment.** Without any full-time City staff or organization dedicated to economic development, Newburyport lacks core capacity needed to implement a strategy and on-going initiatives. Within City government, work related to economic development is divided among several staff, often as an add-on to their primary responsibilities. While the Greater Newburyport Chamber of Commerce is involved in economic development, it faces its own capacity constraints. Furthermore, as a membership-based organization with a regional focus, it is not well-suited to be the City's primary economic development entity. Newburyport is also challenged in coordinating and aligning the work of different organizations and stakeholders to advance shared priorities. Economic development is inherently multi-sector—it depends on the complementary resources and actions of City government, for-profit and nonprofit businesses, civic organizations, and the philanthropic community. Current efforts are often fragmented, do not promote a common value proposition about Newburyport, and lack formal and informal structures for communication and coordination.
- **Weak branding , marketing and communications.** Newburyport has not proactively defined and marketed what it offers and what differentiates it as a place to visit, establish and grow a business, or work. This has resulted in multiple, incomplete and confusing messages for visitors and very limited messaging and marketing to attract businesses and workers. Additional weaknesses in this realm include hard-to-access, incomplete and confusing information on Newburyport's rich collection of experiences and destinations and the I-95/Story Avenue gateway failing to convey what Newburyport is like and has to offer.
- **Insufficient infrastructure and limited services.** Like many older cities, Newburyport has infrastructure in need of updating and investment. Some of these needs, including downtown parking, water and sewer capacity reflect its growth and economic success. Other needs, such as better pedestrian infrastructure and connections in residential areas and in portions of the business and industrial park, reflect changing uses and needs over time. Infrastructure investment requirements are heightened by the need to protect significant economic assets along the waterfront from sea level rise and increased storm and flood risk. A related weakness is limited public transportation services to connect the regional workforce to Newburyport businesses; MVRTA bus transportation is not frequent and does not cover early morning and late night work schedules for many businesses.
- **High real estate costs, limited supply and complex regulations.** While Newburyport has significant real estate assets, current conditions create several weaknesses. High real estate costs in Newburyport make it challenging for businesses and arts/cultural/historic organizations to stay and grow in the city. Several businesses and organizations have left Newburyport due to the high cost of real estate. Employers report that high housing costs are a barrier to attracting and retaining



workers. There is very little land available for new development and a limited supply of vacant commercial and industrial space, which constrains the city's ability to attract new businesses and accommodate growth of existing enterprises. Expanding the supply of real estate for all uses, including housing, will require infill and redevelopment, which is often more difficult and costly than building on vacant land. Existing City regulations can be complex, adding to development costs and limiting development. These regulations and opposition to new development can make obtaining approvals for new businesses and development projects time-consuming and costly. Current zoning in the Business and Industrial Park does not reflect the increasing diversity of businesses seeking to locate there and limits development heights and density. Complying with zoning dimensional and parking requirements, building codes and health codes are particularly challenging for the historic structures and small lots in downtown Newburyport. In addition, the reuse of second floor spaces downtown may be hampered by code requirements. Businesses expressed concerns about how stringently and consistently these regulations are interpreted and applied.

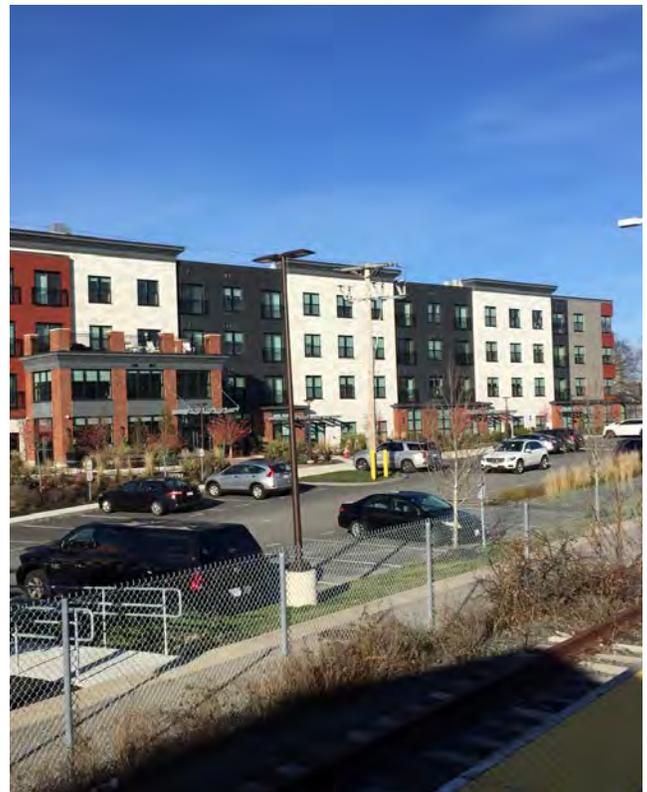
ECONOMIC DEVELOPMENT OPPORTUNITIES

There are several promising opportunities to strengthen and expand Newburyport's economy that capitalize on its own resources and favorable market conditions. Four key opportunities were identified:

- **Expand its market share of the visitor and regional market and audience.** As noted above under strengths, Newburyport has significant assets and attractions to draw both regional customers and visitors to New England. Its diverse combination of attractions, historic significance and preservation and density of dining, unique shops and arts/culture/historic activities within a pedestrian-oriented downtown and riverfront provide a strong value proposition to attract more people and grow its market share. It is also well-positioned, with its large and diverse cluster of downtown restaurants, to attract more spending from the \$195 million market among lower Merrimack Valley households. Visitors to Massachusetts and the Boston region are an even larger market - with approximately 29 million visitors in 2019, spending an estimated \$24.9 billion, including \$6.4 billion in lodging, \$5 billion in food, and \$2.2 billion on general retail. Given the limitations of Newburyport's current

marketing activities, there is an opportunity to more fully tap these large markets through improved branding and definition of its assets and unique character as a destination and more effective and expanded marketing. Attracting more visitors, especially in the peak season, does present trade-offs and added city service costs to manage expanded activity and congestion. It may also displace local resident patronage of downtown businesses.

- **Capitalize on its real estate assets.** Newburyport has several important sites and districts that provide opportunities for new real estate development to support business growth, address housing needs and support its many arts, cultural and historical enterprises and activities. These opportunities are threefold: (1) new development at vacant sites, particularly Waterfront West; (2) infill and redevelopment in existing development districts, including the Business and Industrial Park, 40R district and Storey Avenue; and (3) matching vacant and under-utilized spaces with priority economic development uses. To capitalize on these real estate opportunities, more proactive efforts will be needed to plan development aligned with economic development goals, establish appropriate zoning to facilitate this development, market Newburyport



and specific sites and match the special needs of arts/cultural/historic organizations with vacant and under-utilized spaces.

- **Apply the skills and creativity of its population.** Newburyport's existing population is one of its greatest resources that has been vital to its economic success to date. Local entrepreneurs and professionals have established many new businesses; local talent and creativity drives the city's vibrant arts and cultural sector; and civic engagement and volunteerism has shaped the city's development and supports its many civic activities, organizations and events. Newburyport can sustain and expand the economic development impact of this key asset by expanding opportunities and support for local entrepreneurs, artists and nonprofit organizations and finding ways to simplify regulations and processes and remove other barriers to local business and civic entrepreneurship.
- **Utilize regional resources to support economic development.** Newburyport has access to significant resources in the regional ecosystems for economic development and for the arts and culture sector. There are numerous opportunities to apply these resources to support the city's economic development priorities. These opportunities are especially relevant to support strategies related to small business development, workforce development, and visitor marketing. Through strengthening existing relationships and working with key regional organizations to design new services or projects that are customized to local needs, Newburyport can maximize the benefits from these resources.

THREATS

Several threats pose risks to Newburyport's continued prosperity and ability to maintain important community assets. Local actions to manage and mitigate the potential impacts from these threats should be part of Newburyport's economic development strategy. These threats are threefold:

- **Competition from other communities and destinations.** Newburyport faces competition on two fronts. First, other Merrimack Valley communities with lower real estate costs and faster, easier and less costly permitting processes may draw existing businesses, artists and nonprofit organizations away from the city and gain a larger share of future development.

Over time, significant losses of these enterprises threaten to weaken Newburyport's economic base, the character of its downtown and its position as a regional economic center in some sectors. High rents and growth of chain stores and/or non-active ground floor uses add to this threat. Second, Newburyport competes for visitors with other destinations—some of which have more visitor facilities and amenities, are better known and/or have more extensive and effective visitor marketing efforts. If this competition reduces Newburyport's visitor activity and spending, it will weaken the market support for local businesses and arts and culture venues, potentially leading to more failures and vacancies.

- **Climate Change and Infrastructure.** Newburyport is particularly vulnerable to the impacts of climate change on sea level rise and more frequent and intensive storms since many of its attractions and significant business and real estate assets are on or near the ocean and riverfront. Without careful planning and sufficient investment in infrastructure and other climate adaptation actions, Newburyport may suffer significant damage to and/or loss of these key assets and the associated economic losses. Newburyport also faces a related risk that the capacity of critical local infrastructure, including water and wastewater systems may not keep pace with new growth development and growing stresses related to climate change.
- **Managing and Adapting to Change.** Every community faces the challenge of adapting their policies, regulations and activities to address and manage the impact of changing conditions. Resistance to or long delays in recognizing and responding to critical changes poses a threat to Newburyport's continued economic development. A combination of "not in my back yard" (NIMBY) opposition to development and/or infrastructure projects, a complex set of overlapping regulations and resistance to revisiting or adapting long-standing regulations and their administration make adapting to change difficult in Newburyport.

ECONOMIC DEVELOPMENT STRATEGY IMPLICATIONS

Several themes emerge from the SWOT analysis that are critical for Newburyport to address in its economic development strategy:

- **Expanding economic development capacity and alignment.** Newburyport needs to expand staff and organizational capacity dedicated to economic development to be able to effectively implement new initiatives. Economic development is inherently multisector and requires collective and coordinated action across government, private industry, and the civic and nonprofit sector. Therefore, a related need is to continue the alignment of stakeholders around shared goals and priorities begun with the CEDS formulation along with coordinated actions as the strategies are implemented.

- **Establishing and marketing a clearer Newburyport image and brand.** To capitalize on its significant and multifaceted assets to sustain and grow its economy, Newburyport needs to establish a strong and shared brand to better market the benefits of visiting, living, working and locating a business in the city. The City also needs to develop audience-specific messages and outreach to these different markets (businesses, visitors, etc.) to ensure the messages are on point an reaching the correct audiences.

- **Strengthening the enterprise support and advocacy ecosystem.** With small businesses and the arts/culture/historic sector facing new challenges with higher costs, increased competition and post-pandemic recovery, Newburyport needs to ensure that local and regional resources are focused on supporting these two key parts of the local economy.

- **Revisiting and updating infrastructure and regulations.** This updating is important to ensure that Newburyport's zoning and regulatory environment enables existing properties and future real estate development to respond to changing market forces and address the threats posed by climate change while advancing city economic development goals.



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4

Economic Development Strategy

4 NEWBURYPORT COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

This section details the Comprehensive Economic Development Strategy (CEDS) prepared during the strategy planning process. Economic development contributes to Newburyport's well-being in several ways:

- Provides the economic underpinning for the downtown and supports the investments needed to maintain the city's historic character and architecture;
- Provides the services and amenities that contribute to Newburyport's excellent quality of life, including restaurants, shops, arts/cultural/historic activities, and health services;
- Generates significant tax base to help fund municipal services and infrastructure, and lowers the tax burden on residential property owners; and
- Creates local employment and business ownership opportunities for residents.

The CEDS is a proactive economic development strategy designed to help preserve and improve what people love about Newburyport while allowing the City to respond to new opportunities and challenges that are critical to its continued vitality. The CEDS is guided by the following vision statement that reflects goals and values articulated by the Steering Committee and other stakeholders:

Newburyport has a diverse economy that embraces and supports entrepreneurship and local independently-owned businesses and works to maintain a vibrant downtown, strong Business and Industrial Park, and health services campus. Appropriate development at under-utilized properties and districts is supported to expand the supply of diverse housing options, provide space for businesses and entrepreneurs

in a range of industries and in a manner that enhances the pedestrian environment, minimizes environmental impacts, and promotes resiliency. Newburyport's government, business, civic, and nonprofit sectors continue to invest in, and support, its rich historical, cultural, recreational, and natural resources to benefit residents, workers, and visitors, alike. The community welcomes visitors and recognizes the importance of a strong tourism sector in supporting local businesses and a vibrant downtown. The City and others work to promote activities and amenities that benefit both residents and visitors, and mitigate undesirable impacts associated with peak levels of tourism.

To advance this vision, the CEDS incorporates seven strategies that address distinct yet related areas that respond to key opportunities, threats, and weaknesses highlighted by the CEDS planning process:

1. Economic Development Capacity;
2. Small Business Support;
3. Unified Branding & Marketing for Tourism, Arts & Culture;
4. Support & Advocacy for Arts, Cultural & Historical Assets;
5. Real Estate Supply;
6. Workforce Attraction and Development; and
7. Climate Action and Resiliency.

A detailed plan of action for each strategy follows that explains its purpose, implementation parties, funding needs and options, and phasing, and elaborates on the strategy's component projects and activities.



#1 ECONOMIC DEVELOPMENT CAPACITY

Newburyport lacks sustained institutionalized capacity to advance its economic development vision and goals, address important opportunities and challenges, and work to coordinate and align the efforts of government, the nonprofit and for profit business community, and civic sector to achieve shared goals and priorities. As noted in the SWOT analysis, there is no full-time staff person dedicated to economic development, significant gaps exist in Newburyport’s tourism and arts/cultural/historic assets marketing infrastructure, and the City is not optimizing its use of resources within the state and regional ecosystem. A combination of new City staffing, expanding the capacity of the Greater Newburyport Chamber of Commerce (GNCC), and stronger relationships with, and utilization of, state and regional resources is needed to address these capacity gaps and enable CEDS implementation.

STRATEGY OVERVIEW

This strategy comprises the following five components:

1. Hire a full-time City Economic Development Director;
2. Create a cross-sector Economic Development Committee to oversee strategy implementation;
3. Revive the Business and Industrial Park Association;
4. Expand the Greater Newburyport Chamber of Commerce’s capacity to be a Destination Marketing Organization (DMO); and
5. Strengthen relationships with, and increase utilization of, state and regional organizations and resources.

Another tool available to add capacity is a Business Improvement District (BID), a Main Street organization, or another entity to undertake dedicated efforts to improve, manage, and market Newburyport’s downtown. A BID is initiated by property owners and funded through property assessments. Other options are typically nonprofit organizations initiated by downtown stakeholders with private and public sector participation and support. While a consensus does not currently exist to create this type of organization, downtown stakeholders may want to consider one of these tools in the future, especially if downtown Newburyport faces new challenges and needs expanded management and improvement efforts.

IMPLEMENTING ORGANIZATIONS

The City, through the Mayor's Office, needs to establish the Economic Development Committee and incorporate funding for a new Economic Development Director in FY2024 (and future budgets). Once funds are appropriated by the City Council, the hiring process can begin under the direction of the Mayor's Office and the Office of Planning & Development.

The GNCC needs to lead efforts to expand its funding and capacity as a DMO function, working closely with all of the tourism-related sectors.

Strengthening relationships with regional organizations is an ongoing activity that encompasses all the organizations and stakeholders involved in CEDS implementation and will be especially important for the new Economic Development Director.

FUNDING NEEDS AND OPTIONS

There are two major funding needs to expand economic development capacity:

- Ongoing funding for the new Economic Development Director position; and
- Sustained funding to expand the GNCC visitor-focused DMO activities.

City budget appropriations are needed to address the first funding need. Two promising funding options exist to address the second need:

1. Creating a cooperative paid marketing program among the restaurants, retailers, lodging owners, visitor destinations/services, and arts/cultural/historic enterprises to fund a robust and sustained visitor marketing program. DMOs in other cities, including Gloucester and Salem, rely on this revenue for the majority of their funding. Options should be created at different levels to reflect varied needs and resources and to make participation feasible for small businesses, artists, and nonprofit organizations.
2. Establishing a Tourism Marketing District. This is a new state-authorized tool to fund tourism marketing. It allows the majority of hotel and motel owners within a city or other defined "marketing district" to petition to establish a new 2% hotel/motel tax to fund tourism marketing efforts. The new tax is provided to the regional tourism marketing organization (North of Boston for Newburyport) to implement expanded marketing efforts

in partnership with local stakeholders. If established in Newburyport, the additional fee could raise close to \$100,000 per year.

PHASING

Since economic development capacity is the foundation for implementing all the other strategies in the CEDS, implementation of this strategy is a priority for the near term. Creating the Economic Development Committee and hiring an Economic Development Director are the most pressing first steps, but work to rebuild the Business and Industrial Park Association and expand GNCC capacity should also begin soon.

STRATEGY COMPONENTS AND MAIN IMPLEMENTATION ACTIONS

1.1 Hire a full-time City Economic Development Director

This new position will provide the core staff resource to coordinate CEDS implementation and drive key economic development benefits to the city. Key responsibilities for the new position include:

- Oversee day-to-day implementation of the CEDS, and serve as the point person for many of the below action items;
- Coordinate existing resources and support for small businesses;
- Serve as a resource and liaison to businesses and entrepreneurs in navigating City licensing, permitting and other regulatory processes;
- Serve as another resource in addressing the City's interest in developing more housing;
- Develop relationships with state and regional economic development agencies and programs and help the City and businesses access them; and
- Lead implementation of multiple CEDS initiatives (e.g., business outreach, economic development marketing, updating city business regulations and web information, etc.) and support implementation of others (e.g., small business grant program and business competition, industry workforce recruitment, unified branding and marketing, etc.).

Newburyport will gain multiple benefits from creating this position and the associated capacity to implement the CEDS:

- Maintaining Newburyport's economic diversity and character;

- Increasing the start-up, growth, and survival rate of small businesses;
- Better utilizing the city's land resources aligned with City goals and desired uses;
- Expanding the City property, meals, and lodging tax base and revenue; and
- Advancing City climate and resiliency goals to help protect destinations and spaces central to the city's image and economy, and providing a healthier environment for residents, workers, and visitors.

Implementation requires City appropriation of funds for the new position, creating the position with the City HR system, and completing the hiring process.

1.2 Create a cross-sector Economic Development Committee

This component establishes an entity accountable to the City to oversee CEDS implementation. The new Economic Development Committee would be appointed by the Mayor and include representation of key sectors of the city economy and key organizations responsible for CEDS implementation, including the GNCC, umbrella arts & cultural organization, Anna Jacques Hospital, and local banks. Additional subcommittees or working groups might be established in conjunction with the lead organization to implement specific strategy components.

Implementation requires recruitment and appointment of the committee through the Mayor's Office.

While the Greater Newburyport Chamber of Commerce currently has an Economic Development Action Committee that has similar responsibilities, we think this additional committee that is specifically designated to carry out this plan would be a strong addition to the local capacity. EDAC will still be able to speak for the needs of the local businesses and this additional committee will be tasked with implementing the CEDS.

1.3 Revive the Business and Industrial Park Association

The Business and Industrial Park Association (BIPA) once played a vital role in developing and promoting Newburyport's Business and Industrial Park but has become inactive. Reviving this organization will provide two valuable functions for businesses in the park: (1) a structure to undertake joint activities that address common needs of firms; and (2) a unified voice to work with the City to address issues

facing the park and its businesses. Since the city's manufacturing and industrial firms are concentrated in the park, the first function allows firms in this sector to collaborate around common needs such as workforce development. The second function has ongoing value to park businesses and the city, and is especially important as the City looks to update zoning and infrastructure needs for the park. While the businesses themselves will need to do much of the work in building and maintaining this structure and organizing the different activities, the Economic Development Director can play a role as a convener and initial organizer.

Key implementation steps include:

- Identify businesses in the park that are interested in reviving the association to lead the revival work;
- Conduct one-on-one outreach to businesses in the park to explain the purpose and value of reviving the association, get feedback on what activities businesses would like the association to undertake and how it should be structured; and confirm interest in participating in a revived association;
- Define a proposed association mission, activities, and structure based on results from the one-on-one meetings; and
- Convene meetings to finalize plans for the association and form a leadership group and working committees per the agreed upon activities and structure.

1.4 Expand the GNCC capacity as a Destination Marketing Organization (DMO)

Establishing stronger branding and unified marketing for Newburyport as a visitor destination and center for arts, cultural, and historic activities is needed for the city to better capitalize on its assets and this market opportunity. Since the GNCC is already active in marketing Newburyport to visitors and performs many activities typical of DMOs, it is best positioned to address this need. However, the GNCC needs more resources and capacity to implement the unified marketing strategy, including bringing together and aligning stakeholders on common branding and a unified marketing effort, creating the unified marketing infrastructure (visitor website, event/activity calendar, maps and themed narratives/experiences), preparing accessible information and materials, and building the capacity to track the impact of different marketing campaigns and tools. A key part of building this capacity will be creating a funding plan based on one or both of the tools discussed earlier. It will also require an

expanded liaison role with City and private efforts that involve the visitor economy (e.g., historic trails, public art initiatives and publicity, wayfinding, etc.).

Key implementation steps include:

- Confirm board and membership support for the GNCC expanding its role and capacity as a DMO;
- Form an advisory board to oversee and support DMO activities that is representative of all the key visitor-serving sectors (arts/cultural/historic organizations, restaurants, parks & recreation destinations, lodging, retailers, and other visitor destinations) and include the City Economic Development Director and Arts & Cultural Liaison;
- Formulate a funding plan and secure stakeholder buy-in for the plan;
- Work with the advisory board and stakeholders to implement the funding plan; and
- Deploy new funding to hire staff and consultants.

Key implementation steps are:

- Conduct outreach to target state and regional organizations;
- Identify services and resources that align with specific CEDS initiatives;
- Work with target organizations to access resources and support implementation; and
- Maintain ongoing relationships and communications.

1.5

Strengthen relationships with, and increase utilization of, state and regional organizations and resources

As noted in the SWOT analysis, Newburyport has access to a strong ecosystem of state and regional organizations and resources for economic development. Stakeholders have existing working relationships with several of these organizations. However, bolstering connections with these organizations will allow the city and local stakeholders to better utilize their resources to implement the CEDS and advance economic development goals. There are also many regional and state organizations working on providing resources around housing that the City should strengthen its relationships with. Organizations to target for building and maintaining relationships include the Essex Community Foundation, MassDevelopment, MassHousing, Mass Housing Partnership, Massachusetts Office of Business Development, MassHire North Shore Workforce Board, Merrimack Valley Planning Commission, Merrimack Valley Transportation Agency, Northern Essex Community College, North of Boston Conventional and Visitors Bureau, the regional Small Business Development Center, Salem Enterprise Center and Whittier Tech High School.

#2 SMALL BUSINESS SUPPORT

Newburyport's economy is built upon small businesses and independently-owned businesses. Small businesses face many challenges to their start-up, survival, and ongoing growth. There are many positive aspects of the city's support ecosystem for small businesses, including the availability of local bank financing, strong community support and patronage for local businesses, and the advocacy, events, marketing and other services provided by the Greater Newburyport Chamber of Commerce (GNCC). However, small businesses in Newburyport face many challenges to their continued success, including high commercial rents, difficulty in recruiting and retaining workers, challenges to understanding and navigating City requirements and regulations, and uncertainty or inconsistency in how some regulations are interpreted and administered. Given the importance of small businesses to the city economy and the importance of independent businesses to Newburyport's character and identity, this strategy is a proactive and multifaceted approach to address these challenges, strengthen the city's small business support ecosystem, and enhance its image as a business-friendly city.

STRATEGY OVERVIEW

This strategy comprises the following six components:

1. Designate the Economic Development Director to coordinate small business support;
2. Improve City online information;
3. Create a small business grant program;
4. Create an annual business competition;
5. Develop a business outreach program; and
6. Implement regulatory and policy changes to facilitate small business start-up and growth.

IMPLEMENTING ORGANIZATIONS

The City, through a new Economic Development Director, would oversee this strategy and lead implementation of most of its components, working closely with other City staff, the GNCC, and regional assistance providers, including SCORE, the SBDC, and the Salem Enterprise Center. The GNCC would lead implementation of the small business grant program and the small business competition, collaborating with local banks, the Economic Development Director, and the SBDC.

FUNDING NEEDS AND OPTIONS

This strategy will primarily be implemented through the Economic Development Director along with other existing City staff, existing staff at GNCC, local banks, and regional small business development organizations and volunteers. There are two new funding needs (beyond City funding of the Economic Development Director):

- Initial and on-going capital for the small business grant program; and

- Funding and donations for the competition prizes and promotion of the competition.

Potential funding sources to address these needs include:

- Grants or a new allocation of capital from the GNCC Foundation;
- Grants through local bank foundations, particularly Newburyport Bank, the Newburyport Institution for Savings, and foundations at regional banks and national banks active in the region with a strong focus on small business lending and support, such as Citizen’s Bank, Eastern Bank, Bank of America, and Chase Bank; and
- Business and corporate donations, including sponsorships for the business plan competition.

PHASING

Implementation of this strategy should begin in the near term, once the Economic Development Director is hired, with most aspects of small business support constituting an ongoing activity of the City, the GNCC, and business support ecosystem. Full implementation of the new programs and regulatory improvements can be completed in the medium term within two to three years. Proposed phasing of this strategy is:

- Near Term: Designate Economic Development Director as small business support coordinator; improve City online information.
- Medium Term: Launch the small business grant program and business competition; implement the small business outreach program; implement regulatory and policy changes.

STRATEGY COMPONENTS AND IMPLEMENTATION ACTIONS

2.1 Designate City Economic Development Director to Coordinate Small Business Support

The new Economic Development Director can play a vital role in coordinating existing resources and support for small businesses, and working to fill gaps in the local ecosystem. In this role, the

Economic Development Director should be charged with supporting small businesses in several ways:

- Becoming familiar with federal, state, and regional small business development programs and resources and serving as a “one-stop” source of information and referrals;

- Serving as a resource to help entrepreneurs understand local regulations and licensing requirements to start a business, expand their business, and address City-regulations;
- Consider providing technical assistance from the City for issues that are facing business owners;
- Being a liaison to other City departments to assist in resolving problems and coordinating needed actions or decisions across departments;
- Identifying grant opportunities that can benefit small businesses and preparing grant applications to help access these funds; and
- Assisting the GNCC in implementing the small business grant program and small business competition.

2.2 Improve City online information

The City’s website is an under-utilized resource to provide information and guidance to entrepreneurs seeking to start a business, as well as to existing businesses. This strategy component will improve the City government’s online information and resources for entrepreneurs and existing businesses by:

- Revamping the City’s business home page to be more informative and user-friendly, including links to key business support and development organizations and resources;
- Creating digital guides on how to start and open different common types of small businesses (retail stores, restaurants, professional service firms, construction contractors, etc.) and make them available on the business home page and/or a new economic development web page.

Key implementation steps are:

- Meet with the City IT Director to discuss the project, determine the process and what will be needed to update the web page, and set a timeline;
- Hold focus groups with small business owners (including those who recently opened in Newburyport) to learn what information and resources would be helpful to include on a revamped business website and start-up guides;
- Scan business websites in comparable cities to identify examples and ideas for well-designed sites and business start-up guides;
- Determine business types and content outline for guides plus a schedule for their preparation;

- Collect information from City departments on the requirements to open each type of business;
- Prepare draft guides and circulate for review by City staff, business advisors, and small business focus group;
- Develop the content and design for the new web page and prepare a beta version to test and review with the small business focus group and others; and
- Finalize and publicize new business website and guides.

2.3 Create a small business grant program

This program will provide financial support for start-up and early-stage businesses to reduce the cost barrier to establish a new small business and accelerate new business creation and success. It would be organized under the Greater Newburyport Chamber of Commerce Foundation and administered by the GNCC with support by the City Economic Development Director and a volunteer grant review committee. Funding for the grant capital can be raised from a combination of grants from the Chamber Foundation, local bank foundations, corporate and individual donations, and the City government. Key implementation steps are:

- Confirm interest of the GNCC and its Foundation in establishing the program and providing initial funding;
- Design the program, including the definition of small businesses eligible for grants, and raise grant capital;
- Meet with local banks and with City elected officials to gauge their interest in providing funding;
- Complete preliminary program design and review with local small businesses and other stakeholders;
- Secure funding from local and regional bank foundations, corporate donations, and City government, per results on earlier meetings;
- Finalize program design, application materials, and grant agreements;
- Launch first grant application/award round; continue annually; and
- Publicize the program and outcomes in economic development outreach materials.

2.4 Establish an annual business plan competition

An annual business plan competition promotes entrepreneurship, seeds new businesses, and generates broader community interest in, and support for, new local businesses. This competition would be organized as a partnership between the GNCC and local banks, and use the regional SCORE and SBDC as resources to help entrepreneurs create their business concepts and plan. The competition will need to be actively promoted to generate awareness and gain participation by aspiring entrepreneurs. The process of reviewing proposed businesses and deciding on winners could include public pitch contests in which entrepreneurs present their business concepts to the public to get feedback on their plans and generate local interest in potential businesses, with attendees voting on their preferred business plans. Depending on the level of interest, funding, and local goals, the competition might expand to include more than one category, e.g., overall new business, youth-owned business, women-owned business, BIPOC-owned business, or green business. Key implementation steps:

- Recruit SCORE, the regional SBDC office, and other volunteers with relevant expertise to serve as advisors to entrepreneurs in creating their business plans;
- Secure sponsorships and other funds to provide prizes and cover other costs for the competition;
- Research business competitions in other small cities;
- Design competition process and schedule, including publicity, registration/resource referral, business plan submission; reviewing/judging, and awards;
- Launch first competition;
- Review lessons from first competition and make adjustments as needed; and
- Publicize the competition and outcomes in economic development outreach materials.

2.5 Develop a business outreach program

This program will contact existing businesses regularly to discuss their plans and needs, connect them with resources/services to address these needs, and identify broader business concerns that the City might need to address. Outreach visits would be used to: inform firms of the City and regional economic development services; learn about any problems, needs, or challenges firms are

facing; and strengthen relationships between the City, especially its new Economic Development Director and the business community. The visits would be made by the Economic Development Director and trained volunteers. Since it is impractical to visit each business annually, visitation priorities each year would be set based on reaching diverse industries, newly established firms, and businesses that may be considering relocation or faced with special challenges. A reasonable goal would be to connect with businesses every two years, conducting between five and ten visits on average per week. The Economic Development Director would follow-up after the visit to connect firms to resources to address any identified needs and provide guidance related to on-site expansion issues or finding new space in Newburyport. Key implementation steps are:

- Design the outreach visit protocol and process;
- Recruit and train volunteers to assist with outreach visits;
- Schedule and conduct regular visits to businesses;
- Follow up with businesses needing additional information, services, assistance, or guidance as identified during visits; and
- Convene quarterly or semi-annual meetings of visitation “staff” to discuss any emerging trends or common issues emerging from the visits that may require broader action.

2.6 Implement regulatory and policy changes

City regulations and their administration have a significant impact on small businesses by setting requirements to open a business and rules for various aspects of operations and property improvements. Regulations and policies enable activities and consumer access that enhance business success but also can impose costs and delays that pose barriers to business start-up and viability. For example, the temporary outdoor dining regulations established during the Covid-19 pandemic were critical to helping restaurants adapt to the pandemic and survive. On the other hand, small business owners raised concerns about the financial burden to pay the \$7,500 per space fee for unmet parking spaces required for new uses under Section 7 of the City’s zoning ordinance, which can significantly add to the cost to open a new business, especially a restaurant. A second problem cited is the inconsistent administration of some regulations, especially when City staff have to interpret how regulations are applied. The following changes to

City regulations and policies are recommended to improve the environment for small businesses:

- Consider adjusting payment of the unmet parking fee for new uses to allow payment over a two-year or three-year period to reduce its financial impact on new businesses;
- Amend the zoning ordinance to make the current regulations for outdoor dining permanent and create more attractive and long-lasting infrastructure to define and protect the outdoor dining spaces. Use Massachusetts Department of Housing and Community Development (DHCD) Outdoor Dining and Retail Toolkit for examples of guidelines, dimensional requirements, and considerations to guide process; and
- Develop guidelines to clarify and provide more consistency in how discretionary decisions or interpretations for key business regulations are applied and administrated.

Key implementation steps are:

- Create a City interagency team to review and prepare zoning amendments, guidelines, and other actions to implement these regulatory changes. The team should include representations of the Building, Health, Finance, and Planning & Development departments;
- Review the proposed changes/actions with key stakeholders including relevant City boards, business owners, property owners, designers, engineers, and contractors, etc.;
- Finalize regulatory changes and submit them for approval by governing boards and the City Council; and
- Authorize City capital funding for outdoor dining infrastructure improvements.

#3 SUPPORT TOURISM AND ARTS & CULTURE BRANDING, MARKETING & DEVELOPMENT

Newburyport hosts a wide range of businesses, amenities, and destinations that are enjoyed by residents and visitors alike. The city's historic, pedestrian-oriented downtown has a robust mix of restaurants, independent retailers, and arts, cultural, and historic destinations. In addition, ocean & riverfront uses and attractions, and a regional network of open spaces, natural resources, and abundant green spaces combine to provide a unique destination and amenity-rich city serving residents and the varied interests of visitors.

Within this environment however, there is an absence of a strong city identity and brand to attract visitors, as well as a weak gateway from I-95 that does not express the character of Newburyport. Fragmented marketing and promotions efforts and the absence of hotel/lodging to attract visitors and facilitate longer stays present challenges for cultural destinations that depend on consistent audiences and for all businesses that serve not only residents but visitors. The lack of comprehensive information and wayfinding in the city makes it difficult to find resources, understand what is happening, and navigate available experiences and businesses. The multiple and uncoordinated names for the historic and cultural districts and the various trails with no single visual and descriptive system also create confusion and limit the potential customer base. With coordinated and enhanced branding and marketing, Newburyport can be a stronger North of Boston regional visitor destination for dining, shopping, and arts and cultural activities, supporting businesses and organizations enjoyed by residents and visitors.

STRATEGY OVERVIEW

This strategy comprises the following seven components:

1. Create branding for the city that addresses the visitor economy and includes arts, culture and historical destinations and experiences;
2. Create a unified tourism/events/arts & culture website;
3. Create visitor marketing materials and itineraries;
4. Finalize and implement the Wayfinding Plan, including visitor/arts & cultural destinations, cultural district and historic district signs;
5. Review/expand events;
6. Expand the visitor center; and
7. Develop a downtown bike share program.

IMPLEMENTING ORGANIZATIONS

The Greater Newburyport Chamber of Commerce (GNCC), which already oversees the main marketing for businesses and destinations in the city, would lead on implementation for most of the elements in this strategy with the City leading on the remaining elements. The GNCC will require support from local businesses, North of Boston, and the City on implementation of most of the elements it will oversee. Collaboration from arts, cultural, historic, and recreational organizations and destinations will be needed in branding and online calendar efforts. A designated Arts & Cultural Liaison in City Hall as well as an Economic Development Director, can ensure seamless coordination and alignment between all marketing and branding efforts.

FUNDING NEEDS AND OPTIONS

The GNCC's and City's leadership in implementing these strategy elements will require new funding support (beyond City funding of the Economic Development Director and any new staff time needed for an Arts & Cultural Liaison). New funding needs include:

- Initial and on-going staff support for GNCC destination marketing efforts;
- Consultant support for branding and marketing overall strategies;
- Creation and distribution of marketing materials;
- Wayfinding implementation;
- Website design, construction, and ongoing maintenance for activities calendar and one-stop visitor site;
- Capital funding for the new visitor center; and
- Funding for a bike plan feasibility study, implementation of a program.

Potential funding sources to address these needs include:

- Tiered membership structure and the advertising program revenue and increased hotel/motel tax to fund GNCC DMO activities as outlined in Strategy 1.4.
- Capital Fund for new visitor center and wayfinding implementation;
- Massachusetts Cultural Council Cultural District Grants for Cultural District marketing (Cultural District has significant overlap with downtown and with the National Register Historic District); and

- Area health foundations may provide support for a study and implementation of a bike share program. Private investors are another likely source of funding/partnership for a program.

PHASING

Implementation of select elements of this strategy should begin in the near-term, with most marketing and branding elements underway by the medium term of 2 to 3 years. Longer term capital investments will also be needed. The phasing for these elements is as follows:

- Near Term: Expand the GNCC's capacity to take on additional destination marketing organization (DMO) roles as highlighted under Strategy 1.4; create branding for the city that addresses the visitor economy.
- Medium Term: Create a unified tourism/events/arts & culture website; create visitor marketing materials and itineraries; review/expand events; develop a downtown bike share program.
- Longer Term: Wayfinding implementation; expand the visitor center.

STRATEGY COMPONENTS AND IMPLEMENTATION ACTIONS

3.1 Create branding for the city that addresses the visitor economy and includes arts, culture, and historical destinations and experiences

There is no one brand for the city. Is it about history? Recreation and the natural environment? Arts and culture? The robust selection of independent and unique businesses? Dining? A lack of a brand hampers efforts to attract visitors to Newburyport and was cited as a frustrating situation by many stakeholders. Key implementation steps include:

- Have the Economic Development Director manage the branding efforts and overall marketing strategy, potentially through the assistance of a consultant;
- Develop brand for city and create graphics, logos, and other digital assets and standards for use in all efforts (online/digital, print, City, Chamber, etc.); and
- Develop sub-brands for specific components as needed that fit into the overall strategy.

3.2 Create a unified tourism/event/arts & culture website

There is no single-source website for visitors on city attractions and experiences and for residents seeking a comprehensive calendar of activities and events. The current options are dense with visitor, resident, and regional information and have no clear message or brand. A clear, user-friendly website with robust calendar offers the first impression of the city for most visitors and can assist residents searching for local activities. Key implementation steps include:

- Oversee the creation of a website, either internally, through a consultant, or through local community members with the skills;
- Work with consultant to develop goals for website and overall framework. Use branding efforts to determine the overall design of the site and incorporate search engine optimizations tools to drive the new website to top search results;
- Develop a system for keeping an up-to-date visitor calendar of events, performances, etc. Work closely with city destinations to create a system for populating calendar that is the most cost and time-effective;
- Beta-test the website and calendar population features; and
- Launch website.

3.3 Create visitor marketing materials and itineraries

The multiple facets of Newburyport offer opportunities to appeal to a variety of interests, encourage longer stays, and bring more visibility to local businesses. These facets are currently uncoordinated and many are almost invisible to residents and visitors. The downtown Cultural District has no signage, there are no maps that show the Historic District, the Clipper Heritage Tours, and walking and bike paths. Public art locations are not mapped to show their relationship to all the other destinations in the city. Visitor marketing materials outlining the many possible experiences and offering various special-interest itineraries are needed to fully showcase the offerings of Newburyport. Key implementation steps include:

- Develop a range of narratives or itineraries for visitors (public art, the port, historic buildings, foodie experiences, etc.);

- Work with Clipper Heritage Trail, Clipper City Rail Trail, Harborwalk, and other destinations to create an integrated route map showing range of experiences and walks, parking, and transportation networks. Include Historic and Cultural Districts;
- Coordinate with wayfinding plan to integrate narratives and districts/trails into overall signage and maps throughout the city; and
- Create a range of digital and print assets for visitors and residents.

3.4 Finalize and implement the Wayfinding Plan including visitor/arts & cultural destinations, Cultural District, and Historic District Signs

The draft Wayfinding Plan offers a framework for the City to improve signage for visitors and residents. Better wayfinding to parking, demarcation of the Cultural and Historic Districts, destination signage, and better signage from Interstate-95 to the downtown are just some of the needs of the city. Wayfinding should reflect a single brand and graphic style for the city and comprehensive implementation can help limit resident and visitor frustration while potentially reducing traffic congestion and increasing visibility of businesses and cultural and recreational attractions. Key implementation steps include:

- Review draft Wayfinding Plan and identify areas that require updates based on tourism branding efforts, the need for better parking signage and maps, and clarity required for the various districts (Historic, Cultural), historic and art routes in the city and highlighting climate and resiliency themes;
- Update Wayfinding Plan and finalize; and
- Allocate City capital funding for wayfinding and implement plan.

3.5 Review/expand events

Newburyport is the location for multiple events throughout the year. An assessment of the location, size, and interest area of events can identify opportunities to spread events throughout the year and in varied locations to highlight local businesses and support the economy during the slow tourism months. It also can identify changes to existing events or new events that reinforce the new branding and itineraries. An assessment of local business impacts could yield new opportunities to include businesses in events and to ensure there are positive impacts for revenue on event days. The

GNCC would be the best lead entity for this work.

Key implementation steps include:

- Using list in CEDS as a start, review comprehensive list of events in city, including season, market characteristics of attendees, and location. Add and update information as necessary;
- Develop a list of goals for events (increase visitor economy, stretch tourist shoulder seasons, provide off-season or winter activities, support local businesses, etc.);
- Identify gaps in events according to established goals;
- Survey businesses to understand impacts of events and identify potential ways events can better support local businesses and organizations/destinations;
- Institute changes and/or additions to events to achieve goals (changes in location, framework for business and organizational visibility/participation, enhanced local marketing, etc.); and
- Develop new events or partner with organizations and organizers to broaden offerings, as necessary.

3.6 Expand the visitor center

The current waterfront visitor center consists of bathroom facilities and a small information kiosk. The location of this structure is ideal in terms of visibility, convenience to parking, and adjacency to downtown but it provides a minimum of visitor information and amenities. As the City reviews options for modernizing and expanding the visitor center, consideration should be given to providing a full-service indoor space for staff/volunteers, visitor materials, and improved bathroom facilities. Key implementation steps include:

- Review visitor facilities in comparable towns and cities to understand existing expectations and standards in similar markets. Consider Salem, MA; Plymouth, MA; Portsmouth, NH and Gloucester, MA as a start;
- Discuss options and potential constraints;
- Coordinate efforts with the Wayfinding Plan, Umbrella Arts & Cultural Organization for public art possibilities, and regional trails and marketing efforts for signage and maps;

- Develop a cost estimate for new visitor facilities, including staff/volunteer needs; and
- Allocate funding for center, implement design and construction plan.

3.7 Develop a downtown bikeshare program

Bikeshare programs can significantly contribute to enhanced mobility in cities. In Newburyport, the commuter rail and Clipper City Rail Trail offer an excellent opportunity to use bikeshare as a way to solve the first-last mile challenge, as well as replacing short car trips and providing an alternative mode of transportation for visitors and residents. Consideration for e-bikes can help broaden the appeal to a wider demographic of users and bikeshare can help reduce congestion and parking demand in downtown, particularly during the height of visitor season. Key implementation steps include:

- Conduct a community survey gauging interest in a bikeshare program including e-bike availability. Include intercept surveys of visitors to gauge interest. Ask residents and visitors how they would use the system and potential barriers to participation;
- Conduct outreach to area health foundations to explore interest in providing support and grants;
- Evaluate and identify opportunities for system integration of bikeshare facilities within overall transportation network of Newburyport and region (other bikeshare programs in adjacent communities, first and last mile options for commuters, etc.);
- Determine goals and metrics to measure progress for a city bikeshare program;
- Issue a Request for Expressions of Interest (RFEI) for private bikeshare companies/investors;
- Begin planning the system (service area, size, bikeshare type);
- Develop financial model; and
- Implement system.

#4 ARTS, CULTURAL & HISTORIC ASSETS

Newburyport is home to a varied and active arts and cultural community of for profit and nonprofit businesses, individual practitioners and significant historic assets and natural resources. Together, the range of experiences and destinations, from historic buildings and landscapes, to performing and visual arts, to beaches, forests, and other natural areas, offer residents and visitors unique opportunities. However, small groups of artists, cultural and historic institutions, natural resource and recreation entities all currently conduct separate marketing efforts and are competing for the same customer and donor base. Collaboration efforts have increased since the Covid-19 pandemic but these initiatives are limited in scope and there is no one central advocacy voice. Improving the coordination and marketing between sectors may help increase audiences and customers, and allow visitors, businesses, and city residents to fully connect with, and experience, what is available within Newburyport. The City can also undertake specific efforts to support the arts, culture, historic, and nature/recreation communities, including determining the extent of the concerns about space availability and costs and reducing the complexity of the permitting/licensing processes for programs and events that enliven the city.

STRATEGY OVERVIEW

This strategy comprises the following five components:

1. Designate an Arts & Cultural Liaison in City Hall;
2. Identify an existing or new group to serve as an umbrella advocacy and collaboration organization to represent all arts, cultural, and historic organizations and destinations;
3. Conduct a space supply and demand survey;
4. Develop criteria/goals to support local businesses and destinations during festivals & events; and
5. Streamline alcohol licensing, assembly, and events permitting.

IMPLEMENTING ORGANIZATIONS

The City of Newburyport Mayor's Office is the lead implementation organization for three of the five strategies. Considering the designated Arts & Cultural Liaison may be located in the Mayor's Office, coordination for strategies related to City staff and boards/committees, facilities, and policies, regulations, and processes lends itself to a central office for oversight. One of the strategies will rely on the arts, culture, and historic organizations collectively working on establishing a representative umbrella organization, and the remaining strategy may be led by the Great Newburyport Chamber of Commerce (GNCC) to create collaborative efforts between the arts, culture, and historic groups and businesses.

FUNDING NEEDS AND OPTIONS

Required funding resources to implement this strategy are twofold: for City-led strategies, most but not all of the funding needed is through allotted staff time; the other two strategies will initially require volunteer time and GNCC staff time. Potential funding sources to address these needs include:

- City General Fund for the initial consultant to create and populate the space supply database and conduct the space demand survey. This is a one-time cost, although the database and information will need to be maintained with periodic updates;
- Public or private foundation grants may be available if the umbrella arts & cultural organization decides to become an official and separate nonprofit organization; and
- Membership fees and event revenue can help fund an arts, culture, and history umbrella advocacy group although the potential for overlap of purpose with existing member organizations in the city makes this funding strategy less appealing.

PHASING

Creating a coordinated support structure for arts, culture, historic, and natural resources in the city will be an ongoing effort with much of the start-up work beginning in the near term. Some of the work may begin immediately, with other work dependent on staffing capacity, as follows:

- Near Term: Designating a City Arts & Cultural Liaison; identify an umbrella group for arts, culture, and historic resources advocacy and coordination; develop criteria and goals for festivals and events to improve two-

way benefits with the local businesses; and streamline permitting and licensing processes.

- Medium Term: conduct space supply and demand survey.
- Longer Term: creating a professionally staffed nonprofit arts and cultural advocacy organization.

STRATEGY COMPONENTS AND MAIN IMPLEMENTATION ACTIONS

4.1 Designate an Arts & Cultural Liaison in City Hall

While Newburyport has been home to many artists and arts, culture, and historic organizations and institutions, the City's current official connection to that community is through the Cultural Council. While the Newburyport Cultural Council has been distributing the Massachusetts Cultural Council's Local Cultural Council Program grants to arts and cultural organizations, it is a volunteer group whose mission is to direct funds for the program. The community has expressed a need to have a designated staff person as Liaison to address needs and help coordinate with City initiatives. The Arts and Cultural Liaison could be part of the responsibilities of the Economic Development Director. The role of the Liaison would be to:

- Act as the key City point person for arts, cultural, and historic nonprofits and related businesses;
- Coordinate with other City staff on special projects and events (licensing and permitting needs);
- Serve on ad hoc or standing committees regarding: arts, cultural, and historic issues and initiatives; visitor/tourism initiatives; and overall marketing and branding; and
- Offer guidance on grant applications that require City letters of support/collaboration.

Key implementation action steps to designate a Liaison include:

- Convene a meeting of arts, culture, historic stakeholders to discuss their needs and potential roles of the Liaison;
- Develop clear job description and roles;
- Designate a City staff person to be the Liaison; and
- Announce Liaison position with information on roles to the community.

4.2**Identify an existing or new group to serve as an umbrella advocacy and collaboration organization to represent all arts, cultural, and historic organizations and destinations**

During the CEDS planning process, artists as well as arts, culture, and historic nonprofit organizations noted that most of their collaborative work and coordination with each other on events and programs is informal in nature. The Newburyport Arts Collective (NAC), which includes the Newburyport Art Association and Firehouse Center for the Arts among its members, was formed during the Covid-19 pandemic as a vehicle to advocate for these organizations and individual artists. However, NAC is supported by volunteer efforts and uses a regional nonprofit as its fiscal agent, and there does not appear to be the capacity at this time to create a registered nonprofit organization with paid staff. There is concern that the volunteer nature of this group makes it unsustainable in the long run while there is an ongoing need for an umbrella/advocacy group with paid staff to coordinate efforts, apply for grants, and be a voice for these organizations and artists in larger initiatives. This strategy element has near and long term actions that recognize the arts, culture, and historic sector should have a cohesive and unified voice to advocate for the community but that formal organization is not possible at this time. Key implementation action steps include:

- Convene current members of the NAC as well as other groups, creatives, and organizations to review the work of the NAC and create an updated goals statement. Use the Spring 2022 Cultural Council Forum outcomes and the analyses presented in this study as a starting point;
- Determine how NAC can continue as the advocacy group for Newburyport arts, culture, and historic stakeholders including:

Near Term:

- » Review and revise, if applicable, mission statement;
- » Articulate near and medium term goals;
- » Determine Leadership (City Liaison should be included in some way);
- » Determine how representation will be provided for other CEDS implementation elements including branding, creating marketing materials and itineraries for visitors, maps of experiences, and wayfinding;
- » Identify assistance needed from City, GNCC, etc.;

- » Reaffirm choice of an outside fiscal agent for the near term; and
- » Advocate for City funding to develop itineraries and arts, culture, historic experiences (consultant(s) needed for itinerary development, graphics, etc., which could be an existing stakeholder or local expert).

Longer Term Actions:

- » Explore interest and capacity to create a formal Newburyport Arts, Culture, and Historic nonprofit with paid staff. Multiple models exist for funding these organizations. Its expanded roles could include:
 - Assist in coordination between artists, nonprofit groups, institutions, and businesses to more effectively use limited resources;
 - Pursue grants with City and other funders support to organization, planning, programs, and events;
 - Update and influence visitor experiences and itineraries;
 - Provide representation for members with City and GNCC in all planning efforts;
 - Build a connection with the Essex County Community Foundation, which could also be engaged as a funding partner for some of this work;
 - Collaborate with education institutions for programming and continuing education;
 - Collaborate with the Cultural Council to increase grants to local creatives and organizations;
 - Convene an annual or bi-annual summit; and
 - Program events and activities (and use revenue as a funding source).

4.3 Conduct a space supply and demand survey

One of the key issues raised by artists and cultural and historic groups is the lack of affordable space – for working, creating, displaying, practicing, and performing. Newburyport has low vacancy in commercial spaces, and the rents for these spaces have been rising. Anecdotal information indicates that artists and nonprofit organizations have been moving out of Newburyport, some specifically to Amesbury where there is more available space at lower costs and a welcoming local government. At the same time, there appear to be spaces that may be available because they are not used full time or are underutilized. These spaces, some of which may be in religious and historic buildings in the downtown, could provide much-needed space for arts and cultural activities while providing revenue to property owners. A survey to identify both demand for space and the available supply, and to explore challenges for property owners to rent and manage these spaces, can help unlock the potential to infuse arts and culture throughout the downtown and city. Unlocking these spaces will provide a network of activity and community connections to benefit all. The survey can result in a database of need and supply, and potential assistance for property owners in the leasing process. The Economic Development Director would be the natural person to take on these responsibilities. Key implementation action steps include:

- Allocate funding or City staff time to create an online space supply and demand survey. Use examples from other municipalities (Newton, MA conducted a survey in 2018) as a guide to simplify the effort. The survey should include questions regarding space size, times available if not full-time, sound restrictions, loading areas, natural light, electrical capacity if an issue, parking availability, etc.;
- Conduct a campaign to notify stakeholders of the pending survey with outreach through: existing arts, cultural, and historic organizations; contact lists of property owners including religious organizations, schools, nonprofits, etc.; City email blasts and listservs; and other methods;
- Distribute survey link and allow at least four weeks for responses and send reminders to all stakeholders listed above;

- Analyze results to determine three things:
 - Demand for space;
 - Possible supply of space; and
 - Challenges anticipated by property owners.
- Create and maintain a database of space supply including detailed characteristics;
- Consider creating guidelines for property owners that could include a sample lease agreement and liability release, tips on managing and programming space, assistance on pricing, and examples from other places with contact information;
- Create a list of arts/culture/historical organizations/individuals seeking space to facilitate matches and reduce vacant/underutilized spaces; and
- Market or make available the database to enhance the city's image as a welcoming place for arts, culture, history.

4.4 Develop criteria/goals to support local businesses and destinations during festivals and events

Festivals and large events in the city draw visitors and offer opportunities to support local businesses and arts/cultural/historic destinations. However, some events can draw custom away from businesses and venues when they are large, because they create disincentives for residents and others to shop locally due to crowds and the loss of available parking. Coordination between the GNCC, event organizers, the new City Arts & Cultural Liaison, and local businesses can help identify opportunities to increase visibility and customers for local businesses and organizations and offer incentives for repeat visits to the city.

Once residents or visitors are attending an arts or movie festival, farmer's market, or other event, both sectors should discuss and create guidelines to draw those attendees from one local activity to another local destination. By creating opportunities, either through advertising or providing special offers for those who combine shopping, dining, visiting museums, or seeing a show, for example, during their time in Newburyport, it is possible to

increase visibility, attendance and local spending. Key implementation action steps include:

- Survey businesses and organizations to determine past successes with events providing increased customer/audience base and perceived challenges presented by events;
- Use the survey to collaboratively develop goals and guidelines for festivals and events to better increase visibility and sales for local businesses and drive visitors and customers to arts/culture/historic venues/sites;
- Create a mechanism to measure results, draw return customers and receive ongoing feedback from local businesses and organizations; and
- Create ways to incorporate guidelines into discussions with event organizers and determine City/GNCC representation in planning events.

4.5 Streamline alcohol licensing, assembly, and events permitting

Arts, culture, historic, and nature/recreation programs and events enliven the city and improve its quality of life. Stakeholders indicated that the time spent navigating permitting and licensing processes and the fees required to host events are frustrating and costly, particularly for small businesses and nonprofits that have limited staff capacity to navigate the processes and attend licensing meetings. The City can encourage events and activities that provide life to downtown and in public spaces and support businesses and organizations, particularly during the shoulder seasons, by providing a clear permitting and licensing process/path for those looking to host events. In addition, codifying and making permanent outdoor dining in the city can standardize expectations and lower costs and time delays for restaurants while streamlining processes for City staff. This effort will require cross-departmental cooperation and coordination and should be led by the Mayor's Office, City Clerk, or the Office of Planning and Development. Key implementation action steps include:

- Designate lead/project manager in City Hall to coordinate this effort. A consultant may be needed to provide support;
- Examine similar streamlining efforts in other municipalities to help guide the process and simplify efforts, e.g., Fall River embarked on a similar effort in January 2022;
- Create a list of challenges for businesses and organizations as well as for City departments by surveying each and using information in the CEDS as a starting point;

- Convene all departments involved in the following permitting and licensing requirements:
 - Events and festivals; and
 - Alcohol licensing;
- Use meetings to develop potential methods for streamlining processes including the designation of a lead City contact or coordinator for permitting and licensing;
- Create process charts and checklists to help align expectations across City Departments and event organizers/organizations/businesses; and
- Consider simplified permitting for single events (one-day licenses), particularly for small-scale, and/or a mechanism for specified multi-event licenses, e.g., three events for a single organization/business either on specific dates or within a three or four-month window.

Newburyport is almost fully developed with limited buildable vacant land to support new development needed for business growth and to address pressing community housing needs. To address future needs, Newburyport increasingly will need to rely on infill development and redevelopment in existing business districts. Moreover, the diversity of the city's economy generates demand for multiple real estate types including industrial space, professional office space, medical offices, and ground floor space for retail and service businesses at a broader range of rents, as well as affordable space for artists and arts and cultural organizations. While future development will be impacted by the regional real estate market and the willingness and interest of existing property owners to undertake projects, Newburyport can undertake several planning and zoning actions to shape and facilitate future development that aligns with economic development and community goals. These efforts are primarily focused on three strategic areas with the greatest development potential: (1) the Business and Industrial Park; (2) Storey Avenue; and (3) the Waterfront West site.

STRATEGY OVERVIEW

This strategy comprises the following five components to shape development at four key districts and sites and market Newburyport to attract businesses:

1. Update zoning for the Business and Industrial Park;
2. Promote Storey Avenue mixed-use redevelopment;
3. Support Waterfront West development;
4. Encourage planning for reuse of the C & J Transportation site;
5. Attract hotel development;
6. Create a housing development strategy; and
7. Actively market Newburyport as a business and economic development location.

IMPLEMENTING ORGANIZATIONS

The City of Newburyport Office of Planning & Development is the lead implementation department since this strategy primarily entails development planning and zoning changes. The Office of Planning & Development will need to work closely with property owners in each district as well as area businesses, residents, and other stakeholders to formulate plans and revised zoning, as well as with the Planning Board and other City departments. A new Economic Development Director will lead the marketing effort, working with the Greater Newburyport Chamber of Commerce (GNCC), commercial real estate brokers and property owners, and the Merrimack Valley Planning Commission.

FUNDING NEEDS AND OPTIONS

Required funding to implement this strategy is twofold: (1) consultant services to support planning for some districts, especially Storey Avenue; and (2) infrastructure investment needed to support district development plans. Several state grant programs are available to help fund these activities, including:

- Community Planning Grant Program provides grants of \$50,000 to \$100,000 to support local planning and zoning revisions;
- MassDevelopment Site Readiness Program for site planning, site preparation and predevelopment activities to increase the state's supply of well-located sites and accelerate private-sector investment in industrial, commercial, and mixed-use projects. Most grants range from \$50,000 to \$500,000;
- MassDevelopment Real Estate Services Program provides technical assistance via the agency's staff and its "house doctor" consultants to address site-specific and/or district-wide economic development challenges; and
- MassWorks Infrastructure Program is a flexible grant program for municipalities and other public entities to help fund public infrastructure investments needed to support housing development or job creation through private investment and economic development projects. Grants range from several hundred thousand to several million dollars.

Newburyport can also use financing tools authorized under state law, that utilize increased tax revenues from new development to fund infrastructure, incentivize investment, or address other needs. These tools include the Economic Development Incentive Program (EDIP), District Improvement Financing (DIF), and the Infrastructure

Investment Incentive Program (I-Cubed). Newburyport is currently conducting a feasibility study on the use of DIF to finance infrastructure improvements for the Waterfront West district.

PHASING

Expanding Newburyport's real estate supply is an ongoing effort and will occur over many years. However, the planning and zoning changes to facilitate this development can occur in the near to medium term with the phasing of this work tied to the complexity of the work and readiness of each area for development, as follows:

- Near Term: Work on the Waterfront West district and the Business and Industrial Park can begin in year one, with the goal of putting zoning revisions in place within two years; begin steps necessary to attract hotel development.
- Medium Term: Given the scope and complexity of planning for Storey Area and the need to secure funding and engage stakeholders in the effort, this is a medium term project that might begin in year two and with the district vision, plan, and zoning recommendations completed in year three.
- Medium Term: Creating and implementing plans to market Newburyport as a business location can begin in the second half of year two once an Economic Development Director is hired, the overall branding of Newburyport is complete, an inventory of available space is prepared, and the nature of rezoning for Waterfront West and the Business and Industrial Park is clearer.
- Longer Term: While outreach to state officials to determine reuse issues and potential for the C & J site can begin in year one, it is likely to take several years to gain the legal changes necessary to make the site available for reuse and complete local plans.

STRATEGY COMPONENTS AND MAIN IMPLEMENTATION ACTIONS

5.1

Update Zoning for the Business and Industrial Park

There is broad consensus that the existing zoning for the Business and Industrial Park is outdated and needs to be revised to allow higher density multi-story buildings and more non-industrial uses without a special permit, reflecting the diverse uses that already exist and are desirable for the community (e.g., medical offices, gyms/recreation, etc.). Revised zoning should include requirements

for sidewalks, landscaping, and other infrastructure to create better connections within the park and to adjacent areas for improved pedestrian and bicycle safety as well as what zoning changes and pedestrian improvements are appropriate for the entire park and which ones need to vary for different sub-areas within the park. Zoning updates should also assess and reflect whether Newburyport has sufficient water and sewer capacity to support any new development allowed under revised zoning. Key implementation action steps include:

- Create an advisory committee with park businesses and property owners and stakeholders in adjacent neighborhoods to work with the Office of Planning & Development and Planning Board to review;
- Survey existing conditions within the park and connections with surrounding neighborhoods. As part of this process, the City should consider mapping wetlands in the park to better understand available land and development constraints;
- Obtain input from existing park businesses on their needs and future plans via the advisory committee, surveys and/or listening sessions, and collect information on key real estate market trends;
- Formulate proposed zoning changes based on above information, analysis and stakeholder input and review with the advisory committee; and
- Submit proposed zoning changes for public comment and adoption by the Planning Board and City Council.

5.2 Promote mixed-use, pedestrian friendly redevelopment for Storey Avenue

While there is considerable support for this goal, more planning and analysis is needed to move this general concept into formulation of feasible development scenarios and plans that have broad community support. This would help inform decisions about new zoning and site design guidelines and provide existing property owners or new developers with more predictability about the scale, design, and type of development that would ultimately succeed in gaining City approval. The City could lead a planning process to consider multiple options for future redevelopment of the district and build consensus on the desired mix of uses, overall density, circulation, and incorporation of greenspace and amenities, etc. This analysis should address whether sufficient water and sewer

capacity exists to support development under plan options and include financial feasibility of alternatives so that plans are grounded in market and financial realities with consideration of trade-offs or incentives that may be necessary to achieve desired redevelopment. The final plans would form the basis for new zoning, policies, and guidelines to advance the redevelopment plan. As part of this planning, Newburyport should consider assessing the potential benefits and feasibility of establishing a District Improvement Financing (DIF) area to help finance redevelopment. Key implementation action steps include:

- Develop the scope and secure funding for a Storey Avenue “Vision and Development Plan”;
- Issue a RFP and select a consultant team to support planning process;
- Complete planning process including recommendations for new zoning, development and design guidelines, and use of DIF and incentives needed for redevelopment feasibility;
- Explain and review recommended zoning and policies with the public and key stakeholders; and
- Work with the Planning Board and City Council to adopt the recommended plan, zoning, and related policies and guidelines.

5.3 Support Waterfront West Development

The Waterfront West district is an under-utilized and strategically located site that presents a unique opportunity to address City economic development and housing goals while building a resilient project that can weather potential storms and sea-level rise. While New England Development, as the land owner, needs to decide on a new development program, City officials and other stakeholders can support and advance development by defining economic development goals for development at the site, articulating the desired benefits to the community from future development, and considering what public infrastructure investments and other actions would enhance development plans, mitigate impacts, and strengthen the site’s connection to the downtown and larger waterfront. This work is already underway with the City currently conducting a feasibility study on establishing a District Improvement Financing (DIF) area to help fund site infrastructure. The City, through the Office of Planning & Development, should continue communications with New England Development on its plans for the site and articulate how future site development can advance

economic development goals, mitigate potential negative impacts, and generate desired community benefits. Once New England Development has created a development plan that aligns with City priorities, the development plan will need to be approved by the City along with an associated site infrastructure plan, community benefit/mitigation agreement, and DIF district, if deemed feasible.

5.4 Encourage planning for future reuse of the C & J Transportation site

This large site is the gateway to Newburyport from Interstate 95 and is no longer in active use following the relocation of C & J Transportation to Seabrook, New Hampshire. Given its size and strategic importance as a key gateway to the city, Newburyport should work to create and implement a plan for its future reuse. This will require working with the Massachusetts Department of Transportation (MassDOT), and possibly other state and federal agencies, to understand current legal restrictions on its use, gain their support to create a reuse plan, and make the site available for new uses that create greater benefits for the city, state, and other stakeholders. Newburyport should also explore interim uses of the site, such as hosting events and public art installations while the planning for long-term reuse occurs. The initial actions entail engaging with MassDOT and other state officials to determine the existing status and legal use limitations and identify what actions are needed to allow for its reuse. Once a clear pathway and process for reuse is clarified, a process to create a reuse plan can be designed. Key initial implementation steps include:

- Brief Newburyport’s state representative and state senator on the importance of the site to the city and the desire to create a legal pathway and plan for reuse;
- Meet with the city’s legislative delegation and MassDOT to learn of any plans they have for the site, the potential for reuse, and the legal issues and constraints that will need to be addressed for reuse; and
- Formulate next steps to advance reuse planning and provide for interim uses based on what is learned from these initial steps: will reuse involve federal action or does the state government control the site and future uses?; what can be done under the existing site limitations?; what is needed to open up additional options?; are any short-term or interim uses possible?.

5.5 Attract hotel development

Without one or more hotels that are in or adjacent to downtown and that can handle small to medium conferences, Newburyport is hampered in its ability to attract visitors off-season and to increase its share of extended-stay visits. Extended-stay visitors, on average, spend significantly more than day visitors in the local economy, and hotels can attract events and conferences that can help balance business in the shoulder and off-tourist seasons of late fall through late spring. An Economic Development Director would be able to devote resources to this work. Key implementation steps include:

- Identify near-term sites appropriate for hotel development;
- Work with property owners/developers to ensure City goals are met; and
- Streamline permitting where possible.

5.6 Create a housing development strategy

Given the importance of housing cost and supply for Newburyport’s future economic development, the City needs to have a comprehensive strategy to foster expanded housing development, including affordable units and more diverse housing options. Newburyport is currently updating its 2018 Housing Production Plan (HPP), and this strategy can be included in that planning process to advance the HPP’s implementation. Complying with the new state requirement for MBTA communities to provide as-of-right zoning for multi-family housing near MBTA stations is an additional layer to be included in the City’s overall housing development strategy. In formulating this strategy, Newburyport can consider several policy and program options to advance diverse housing development that include:

- Expanding the current 40R district;
- Incorporating multi-family and affordable housing in planning and zoning changes for the Storey Avenue district and Waterfront West;
- Updating regulations to expand options and simplify approval process for accessory dwelling units in appropriate neighborhoods;
- Expanding funding sources for the Affordable Housing Trust Fund; and
- Utilizing appropriate surplus City-owned property for housing development.

Key implementation action steps include:

- Incorporate a housing development strategy, particularly to increase diversity in price, size, and rental opportunities, into the current scope for the updated HPP;
- Identify and assign new research, analysis and planning tasks for the housing development strategy;
- Formulate and incorporate strategy into the updated HPP.

5.7 Actively market Newburyport as a business location

Newburyport does not actively market the city as a business location and site for economic development projects. This places the city at a competitive disadvantage with other communities that actively promote themselves, and may result in missed opportunities to attract new business investment and desired development projects. Under the direction of the new Economic Development Director, Newburyport should begin marketing the city as a business location, working with local property owners and real estate brokers. This will first require articulating the value proposition for locating a business in the city and compiling and presenting information that demonstrates its economic development assets from a business perspective, e.g., its diverse business base, access to a skilled local and regional labor force, good highway access, excellent local amenities and services, etc. This information should also include profiles of a diverse mix of local businesses that highlight how locating in Newburyport has contributed to their success.

Once this core information is in place, additional marketing steps can be implemented including: establishing an economic development page on the City's website; creating and maintaining an up-to-date inventory of available space and sites linked to state and regional site inventories maintained by MassECON and the Merrimack Valley Planning Commission; participating in key regional industry and economic development organizations to increase Newburyport's profile; and directing outreach to state economic development agencies

(Massachusetts Office of Business Development, MassDevelopment) and key business advisors that influence business location decisions (site selection firms, major commercial/industrial brokers, etc.). Key implementation steps include:

- Define Newburyport's value proposition as a business location, compile information that demonstrates its advantages, and prepare brief marketing materials including business profiles;
- Create an inventory of available land, buildings, and space for lease and establish a process for regularly updating this information;
- Create a City economic development website to market the city as a business location that: presents the case for locating in Newburyport; profiles successful businesses; incorporates the available real estate inventory with links to real estate listings; highlights the Economic Development Director as the City contact about locating or initiating an economic development project; and links to other City information on business licensing/start-up and the development permitting process;
- Meet with key state and regional economic development organizations (MOBD, MassDevelopment, MassEcon, MVPC) to make them aware of Newburyport and establish on-going relationships; and
- Identify priority industry associations and business influencers for marketing Newburyport and create Newburyport ambassadors to these organizations and influencers, drawing on existing relationships and memberships among Newburyport businesses, officials, and professionals.

#6 WORKFORCE ATTRACTION AND DEVELOPMENT

Newburyport businesses consistently report that finding and retaining employees is a major challenge. Although this challenge exists nationwide, it is particularly important for Newburyport with large parts of its economy in especially hard-hit sectors, including health care and restaurants. Moreover, with more jobs than resident workers and a mismatch between resident occupations and the jobs in many Newburyport businesses, the city is particularly dependent on the region’s workforce to address hiring needs. This strategy seeks to address this critical business need through more proactive efforts to attract regional workers to Newburyport, capitalizing on the strong regional workforce training system, and by working to address housing and transportation barriers to employment.

STRATEGY OVERVIEW

This strategy comprises the following four components:

1. Organizing industry-based promotion of Newburyport as place of work;
2. Establishing a fund to support local apprenticeships and internships;
3. Exploring the feasibility of developing workforce housing on the Anna Jacques Hospital campus; and
4. Expanding commuting transportation services and options.

IMPLEMENTING ORGANIZATIONS

A combination of City government and business organizations need to lead implementation of this strategy, with the Economic Development Director coordinating its overall implementation. The Greater Newburyport Chamber of Commerce (GNCC) is best-positioned to lead the organization of industry-based workforce attraction efforts and creation of the apprenticeship/internship fund, aided by the revived Business and Industrial Park Association once it is established. Newburyport Bank is a key partner in establishing the apprenticeship/internship fund, as its President serves on the Board of Northern Essex Community College and has a strong interest in expanding funding for apprenticeship education. The City Office of Planning & Development is best positioned to work with Anna Jacques Hospital to assess the feasibility of building workforce

housing on its campus, and, through the Economic Development Director, work with local employers and the MeVa (formerly MVRTA) to advocate for improved commuter bus service and explore alternative transportation options.

FUNDING NEEDS AND OPTIONS

The main funding needs under this strategy include:

- Funding to establish the apprenticeship/internship fund;
- Consulting services to evaluate workforce housing on the hospital campus; and
- Potential funding for alternative transportation services.

Potential funding sources to address these needs are:

- Massachusetts' Community Planning Grant Program for consulting services for planning and/or feasibility analysis for the workforce housing project and alternative transportation services;
- Massachusetts Community Economic Development Assistance Corporation (CEDAC) provides technical assistance and funding to nonprofit developers for affordable housing projects, including planning grants (funded by the Kuehn Charitable Foundation) to help nonprofit corporations to explore the feasibility at the earliest stages of project development;
- Local foundations and employer donations are sources for the apprenticeship/internship fund. Key prospects include charitable foundations at Newburyport Bank, Newburyport Institution for Savings, and other regional banks serving Newburyport and large local employers. The core fund could be supplemented with internship and apprenticeship funding available through targeted programs at the Executive Office of Housing and Economic Development (EOHED) and grants available through Commonwealth Corporation's Workforce Training Fund; and
- Funding for transportation services would come through the MeVa and/or through employers working collaboratively to provide transportation services.

PHASING

The projects under this strategy are medium term initiatives that can begin in year two, after the Economic Development Director has been hired, the Business and Industrial Park Association is established, and other high-priority strategies are underway. Once implemented, the promotion of working in Newburyport, the apprenticeship/internship fund, and transportation services will be on-going activities. Full implementation of workforce housing on the hospital campus, if determined feasible, is a longer term project that may take close to five years to complete.

STRATEGY COMPONENTS AND MAIN IMPLEMENTATION ACTIONS

6.1 Organize industry-based promotion of Newburyport as a place to work

This initiative would organize industry-based efforts to promote Newburyport as a place to

work and connect the emerging workforce in key occupations with Newburyport employers. It would focus on students at the region's technical high schools, community colleges, and NAMC programs (for manufacturers), especially those enrolled in related vocational training programs. Manufacturing, health care, and restaurants/food service are the most promising industries for this effort. Each industry group could provide information to students, instructors, and career counselors in these programs on employers, types of jobs and the benefits of working for a Newburyport employer; host career discovery visits at local employers; and market internships and apprenticeships at Newburyport firms to build initial connections between young workers and local employers. Key implementation steps include:

- Outreach to employers in each target industry to gauge employer interest, identify existing and potential internships and apprenticeships, and recruit members for industry teams to organize their respective promotion efforts;
- Prepare industry information on employers, job and career opportunities, the benefits of working in Newburyport, and internships and apprenticeship options;
- Meet with appropriate staff at area schools to share information, discuss how to best inform students about internships, apprenticeships and employment in Newburyport, and test interest/support for a Newburyport career discovery activity;
- Plan and hold a pilot career discovery event with employers in one industry that includes follow-up contact with student participants and a process to track and assess its effectiveness;
- Implement additional career discovery events based on results and learning from the pilot event; and
- Maintain connections with area schools for on-going recruitment of interns, apprentices and employees.

6.2 Establish an apprenticeship/internship fund

This fund will provide funding to expand internships and apprenticeships at Newburyport employers in alignment with the above employee recruitment initiative. As discussed earlier, funding could be raised through local and regional bank foundations, local employers, and state workforce programs. The fund and the industry-based worker recruitment could include an equity and diversity

component to connect youth from low-income and historically racially excluded communities and other young people with barriers to employment to good jobs and career opportunities in Newburyport. Key implementation steps include:

- Develop a mission statement, goals, and core guidelines for how the fund will operate and deploy its funds;
- Prepare a “pitch deck” to explain the fund’s purpose and support the fund-raising appeal;
- Develop a list of potential donors and grant funding sources and assign responsibilities for soliciting funds/preparing grant applications;
- Secure initial lead gifts and launch funding appeal/campaign; and
- Initiate the first round of grant applications once a critical mass of funding is obtained.

6.3 Explore feasibility of workforce housing development at Anna Jacques Hospital campus

Anna Jacques Hospital occupies a large campus that includes large surface parking lots. It may be possible to build new housing on part of its surface parking lots while addressing existing parking needs through adding a level of parking at part of the site. The hospital campus is well located to provide housing for workers at the hospital, nearby medical offices, and the Business and Industrial Park. While Anna Jacques Hospital does not have the capacity to develop housing itself, it has expressed interest in exploring how it could lease land to a developer to build new housing while ensuring it maintains necessary parking. A study is needed to create a plan for incorporating new housing and sufficient parking at the site and determining if, and how, it would be financially feasible to implement. Key implementation steps are:

- Meet with Anna Jacques Hospital to confirm interest conducting a study and discuss process for undertaking the study;
- Secure funds to undertake the feasibility study;
- Complete a MOU with the hospital on each party’s respective roles and the study scope and process;
- Issue an RFP and select a consultant team to undertake the study; and
- Complete the study and determine next steps to advance the project, if it is deemed feasible.

6.4 Expand commuter transportation services and options

Public transportation services pose a barrier for Newburyport businesses to attract and retain workers from the regional labor force. The frequency and hours of MeVa bus service do not meet the needs of many workers and employers, especially for shifts with early start times and late evening end times. Furthermore, the communities served by existing bus routes may not correspond to where some workers live. To address this challenge, Newburyport employers and government leaders can advocate for, and work with, the MeVa to expand bus service to major employment centers (the Business and Industrial Park, downtown, and hospital campus) and adjust bus schedules and routes to better align with employer needs. Since the MeVa is unlikely to be able to address the full-range of commuter transportation needs, it may be worth exploring employer-sponsored shared transportation services as an alternative or supplement to improved MeVa bus service. Options might include a commuter shuttle between one or more communities with a concentration of employees, contracting with service providers to provide on-demand transportation, or shuttles to move employees from the commuter rail station, bus stops and/or parking lots to their workplaces. These services could be organized through a Transportation Management Association, which provides access to several state funding programs or more informally through agreements negotiated among employers. Key implementation steps are:

- Conduct an employee survey to better understand commuting patterns, transportation needs, and potential demand for different transportation services;
- Meet with the MeVa Executive Director to discuss transportation needs and demand identified through the survey and other means and how the MeVa can respond to these needs;
- Create a follow-up action/advocacy plan for MeVa services;
- Survey and convene employers to assess the demand and support for funding additional transportation services beyond what the MeVa will provide; and
- Conduct a feasibility analysis on services for which strong employer demand and support exist.

#7 CLIMATE ACTION AND RESILIENCY

Climate impacts pose a significant threat to Newburyport with considerable business activity and property value located adjacent to the riverfront. Rising sea level also poses risks to key tourism assets, most notably Plum Island and the waterfront boardwalk and park. Businesses and property owners also face a growing need to reduce their greenhouse gas emissions (GHG) and adopt more sustainable practices. The historic nature of the city and large National Historic District, as well as complex adaptation needs and threats related to climate change, create the need for more flexibility in City regulations to facilitate greater business investment to address these threats and advance City climate and resiliency goals. This strategy combines City actions to create a stronger enabling environment for climate and resiliency investments and expanded civic and business initiatives to promote awareness, information, and motivation to generate these investments.

STRATEGY OVERVIEW

This strategy comprises the following six components:

1. Adopt Commercial Property Assessed Clean Energy (CPACE) financing;
2. Organize training, information, and technical assistance on business sustainability practices;
3. Explore the feasibility and impact of establishing zoning requirements and/or incentives for sustainable/low GHG emission “green” buildings;
4. Assess conflicts and make adjustments to building, design and historic district regulations to better accommodate GHG reduction and resiliency investment needs;
5. Organize a community campaign for business adoption of sustainability, GHG reduction, and resiliency actions; and
6. Incorporate education and information on climate change into wayfinding, narratives, and experiences for residents and visitors.

IMPLEMENTING ORGANIZATIONS

City government and the Greater Newburyport Chamber of Commerce (GNCC) are the primary implementing organizations for this strategy. Since multiple City departments need to be involved in this strategy, the Mayor’s Office is best positioned to coordinate work to establish CPACE, explore the feasibility of new zoning requirements, and assess and adjust regulations, which cut across the Office of Planning & Development, Building Department, and Historic

District Commission. The City’s Climate Resiliency Committee and the GNCC can oversee organizing resources and campaigns to support business sustainability practices and investments, building off of the existing Forever Green committee and campaigns and tapping into expertise among existing Newburyport businesses, Mass Save, SCORE, and the SBDC. The GNCC’s new efforts as a DMO would lead work to incorporate climate change into wayfinding, narratives, and experiences, working with the City government, and umbrella arts & cultural organization.

FUNDING NEEDS AND OPTIONS

This strategy has limited funding needs as most of the activities are people-powered and can be implemented by City government and GNCC staff in conjunction with volunteers and state/regional resources (Mass Save, SCORE, etc.). The primary new funding needs are:

- Consultants to assist with the analysis on new green building zoning requirements and review of existing regulations;
- Funding for the staff, awards, and resources needed for the business resiliency challenge; and
- Funding for creating and installing the climate components of the wayfinding system, narratives, and experiences.

Potential funding sources include:

- Massachusetts Community Planning Grant Program provides grants of \$50,000 to \$100,000 to support local planning and zoning revisions;
- Massachusetts Municipal Vulnerability Preparedness (MVP) program provides action grants to municipalities that have completed MVP planning for investments that advance local priorities to enhance resiliency, including vulnerability assessments for specific sectors; and
- The Barr Foundation, one of the largest foundations in Greater Boston, provides grants to support communities in preparing for and adapting to climate change.

PHASING

Addressing climate change and resiliency is an ongoing and longer term process. However, most of the strategy components can be implemented in the near term and medium term to lay the foundation for sustained action and investment over time. The recommended phasing is:

- Near Term: Adopt CPACE.
- Near Term and Ongoing: Organize training, information, and technical assistance on business sustainability practices.
- Medium Term: Explore the feasibility and impact of green building zoning requirements/incentives.

- Medium Term: Assess and adjust building, design and historic district regulations to better accommodate GHG reduction and resiliency investment needs.
- Medium Term and Ongoing: Organize a community campaign for business adoption of sustainability, GHG reduction, and resiliency actions.
- Medium Term: Incorporate education and information on climate change into wayfinding, narratives, and experiences for residents and visitors.
- Longer Term: Implement revised zoning and regulations to better support climate and resiliency investments; evaluate and adapt regulations over time to improve their effectiveness.

STRATEGY COMPONENTS MAIN IMPLEMENTATION ACTIONS

7.1 Adopt Massachusetts CPACE program

Commercial Property Assessed Clean Energy (CPACE) is a funding tool that uses revenue from a property assessment to raise private debt capital to fund energy efficiency, renewable energy, and other property improvements. It is an effective financing tool that provides long-term (20 year) capital at affordable interest rates. Local governments collect the betterment assessment as part of their standard tax collection process and transfer it to the servicer for the financing intermediary to repay the private debt that finances property improvements. Massachusetts' CPACE program is administered by MassDevelopment and can be used for industrial, commercial, and multi-family housing properties. Under Massachusetts' law, communities must opt in to the program for it be available to local property owners. A majority vote of the City Council is needed to allow CPACE financing in Newburyport. Key implementation steps are:

- Contact MassDevelopment to express interest in opting into CPACE and confirm process for securing City Council approval;
- Prepare background information on CPACE and brief the City Councilors and the Treasurer/Collector on how it works and its benefits; and
- Prepare adoption resolution and submit to City Council vote.

7.2

Organize business training, technical assistance, and information sharing

Businesses face a growing set of issues in adapting to climate-related and environmental challenges that include how to best reduce their carbon footprint, adopting sustainable materials and practices, and creating resiliency and disaster plans. This project will organize training, information sharing, and technical assistance to help businesses address these challenges. Many Newburyport businesses have expertise and experience on some of these issues that can be tapped to assist local businesses while additional knowledge and resources exist in state and regional entities. The Forever Green project started work in this area, including its 2022 campaign for eco-tourism and waste reduction practices, and provides a foundation for expanding these efforts. One part of this effort would create a peer-to-peer network and peer learning opportunities among businesses that seek information on how to better address these issues. A second component is organizing more specialized training sessions on particular issues in response to business demand. Key implementation steps are:

- Survey Newburyport businesses on: 1) their interest in learning more about specific business issues (e.g., reducing waste, sourcing “green” chemicals and other inputs, energy efficiency, renewable energy, insurance for climate risks, resiliency/disaster planning, etc.); 2) their knowledge and experience with these issues; and 3) their interest in participating in a peer learning network and/or attending training events and preferred formats;
- Identify expertise and resources in state and regional organizations on priority issues to share with businesses and for delivering training events and other assistance;
- Organize peer learning groups among firms with shared learning priorities and support them in knowledge exchange activities (e.g., learning tours, meetings to share best practices, one-on-one advising, referral/resource sharing, etc.);
- Organize formal educational/training events based on priority issues and desired formats; and
- Evaluate participation in and effectiveness of different activities and use results to adjust activities.

7.3

Explore feasibility of new zoning requirements and incentives

Several communities have established zoning requirements and other policies to require and/or accelerate construction or conversion of buildings that lower GHG emissions and other environmental impacts. These policies include: requiring energy performance standards for buildings over a certain size (Washington, D.C.); requiring net zero energy for new buildings (Boston, Cambridge); requiring electric heating, cooling and appliances in buildings; and providing zoning relief or incentives for buildings that meet green building or energy performance standards. As Newburyport works to achieve its climate action goals, it should consider how local zoning and regulations can help accelerate conversion of buildings away from fossil fuel energy sources and promote other green building and resiliency practices. An analysis of the feasibility of adopting these policies is a critical first step in establishing appropriate policies. This analysis would consider: the nature of the city’s building stock and new construction; how different policies are likely to impact building construction costs, operating expenses and financial feasibility—including the impact of new federal tax incentives and advances in technology; lessons from policy adoption in other small and medium-size cities; and recommend appropriate zoning and policy changes. Key implementation steps:

- Form advisory committee to work with the Office of Planning & Development in overseeing the study with representation of building owners, building designers/engineers, environmental organization and residents;
- Compile examples of similar studies along with existing policy studies and guides on the topic;
- Secure funding to undertake the analysis;
- Write RFP and hire consultants to work with the city to complete the analysis; and
- Complete the analysis and prepare proposed zoning and other policy changes based on results.

7.4

Assess and adjust barriers and conflicts existing building, design, and Historic District regulations

Changes to Newburyport’s existing building stock will be necessary in coming years to reduce climate impacts and adapt to flooding and storm risk from climate change, especially in the downtown waterfront and adjacent National Historic District. Potential changes may include installation of

rooftop solar energy, retrofit of air and geothermal heat pumps, raising buildings, installing green roofs, and constructing barriers for stormwater/flood management. Existing Historic District regulations along with other zoning, design, and building regulations may prevent some of these building adaptations or create barriers by adding costs that make the needed investment prohibitive. Newburyport should work proactively to understand these conflicts and find solutions to adjust regulations to allow and facilitate these critical investments. Key implementation steps are:

- Create a City working group to assess regulatory barriers and conflicts for building GHG reduction/resiliency/climate adaptation building changes with representatives of the Building Department, Historic Commission, and Resiliency Committee;
- Define potential building changes, identify applicable regulations to review and complete the assessment;
- Use the assessment results to formulate proposed changes to building, design and historic district regulations to reduce or eliminate conflicts and accommodate needed building changes in balance with critical goals of existing regulations;
- Inform residents, property owners, businesses, and other stakeholders about these conflicts and the proposals to update regulations and hold forums to review and discuss the proposed changes; and
- Submit proposed changes for deliberation and approval by relevant boards, commissions and the City Council.

7.5 Organize a business resiliency campaign

Many cities and civic organizations have used campaigns and competitions to broaden awareness and mobilize action around climate change, sustainability, or resiliency. These campaigns typically involve an initial outreach and education effort to recruit participants, assistance and support around implementing actions, a defined time period to make and document changes, and awards and recognition for both individual businesses and community-wide results. Examples of such campaigns include “kilowatt crackdowns” organized by building owner associations in several cities and the US DOE’s Better Buildings to promote energy efficiency improvements and business sustainability award programs or campaigns, including past ones organized by A Better City’s Challenge for

Sustainability in Boston and the Bay Area Green Business Program. Key implementation steps are:

- Confirm business support for the campaign;
- Design the key campaign elements, including target business types, breadth of focus, technical assistance/support provided, timeframe, goals and nature of recognition/awards;
- Secure funds to staff and implement the campaign;
- Recruit and register participants;
- Launch the campaign with a kick-off event and initial information/training session;
- Support the campaign with on-going assistance and by tracking and reporting progress;
- Hold an awards/recognition event to complete the campaign and document its accomplishments; and
- Conduct a post-campaign survey of participants to draw lessons and decide on future campaigns or other means to sustain business resiliency efforts.

7.6 Incorporate information on climate action and resiliency in wayfinding and themed experiences

Newburyport has done considerable work around climate action and resiliency with many examples of projects and initiatives in this realm. The City can use the work to create a new wayfinding system and define experiences around distinct themes to highlight this work and increase community awareness of the importance of these issues and how the City is working to address them. Key implementation steps:

- Collect information on key plans, projects, and initiatives related to climate and resiliency;
- Decide on several themes to use to organize the information and create connected narratives and sites for experiences;
- Create compelling and engaging content to use in the wayfinding materials and experiences; and
- Incorporate this content into the wayfinding and experiences created through the tourism and arts and culture branding, marketing, and development strategy.



5

Implementation Action Plan

section 5 IMPLEMENTATION ACTION PLAN

This section summarizes the overall approach to CEDS implementation and provides an action plan matrix detailing the funding, implementation parties, and key steps for each strategy component. A separate chart presents proposed phasing for implementation. Successful implementation will depend on cross-sector collaboration and a “collective impact” approach to economic development. No one sector or organization can undertake the work needed to achieve Newburyport’s economic development goals. Shared action and alignment of efforts will improve results and capitalize on the complementary resources and capacities of City government, for profit and nonprofit businesses and civic organizations, and the philanthropic community. The collective impact approach is reflected in: 1) forming a representative cross-sector Economic Development Committee to oversee implementation; and 2) working through a lead organization collaborating implementation partners to execute strategy components.

CEDS implementation will be led by the City of Newburyport in partnership with economic development stakeholders. The new City Economic Development Committee will oversee strategy implementation—working to align actions across organizations and stakeholders, holding parties accountable for following through on responsibilities, and reviewing and adapting the strategy over time in response to new conditions and incorporating learning as initiatives are implemented. The City Economic Development Director will be responsible for the day-to-day CEDS coordination, both overseeing implementation of several initiatives and supporting the organizations and teams responsible for others.

Table 4-1 presents the detailed implementation action plan organized by strategy with a row for each component initiative. Under each initiative, the required resources are noted along with the lead organization, implementation partners, and initial recommendations for implementation steps. These steps should be reviewed by the implementation parties as work begins, and adapted over time based on their experience and evolving conditions.

An implementation phasing plan is presented in **Table 4-2**. The CEDS is an ambitious strategy with many components that need to be phased over time to reflect the limitations in staff and volunteer capacity and the time required to

secure funding necessary to move forward with many initiatives. The phasing plan assumes that CEDS implementation will begin in FY2024 (July 2023 to June 2024) and details phasing through FY2018. Priorities during the first year are:

- Implementing the Economic Development Capacity Strategy to create a strong foundation for successful action on other strategies;
- Advancing planning work to expand real estate supply;
- Initiating work to establish the funding, branding, and infrastructure for unified marketing of tourism and arts/cultural/historic assets;
- Establishing the umbrella organization and City Arts & Cultural Liaison to advance support for the arts/cultural/historic sector; and
- Advancing climate and resiliency work by opting into the CPACE program and organizing resources to support business adoption of sustainability and resiliency practices.

Implementation of the Workforce Attraction and Development Strategy and several of the new Small Business Support programs is recommended for the second year (FY2025) to provide time to establish the new staff and organization capacity, ensure progress on other strategies and engage the volunteer teams and resource partners needed for implementation.

Table 5-1. CEDS Implementation Action Plan

Key to Table 4-1

BIPA	Business & Industrial Park Association	MassDOT	Massachusetts Department of Transportation
CPACE	Commercial Property Assessed Clean Energy financing structure	MVPC	Merrimack Valley Planning Commission
DMO	Destination Marketing Organization	MeVa	Merrimack Valley Transit
ED Director	City Economic Development Director	OP&D	City Office of Planning & Development
GNCC	Greater Newburyport Chamber of Commerce	SBDC	Small Business Development Center
GHG	Green House Gas	SCORE	Service Corps of Retired Executives
HPP	Housing Production Plan		
IT	Information Technology		

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#1 - Economic Development Capacity					
1.1	Create a City Economic Development Director staff position	Multi-year City funding ~\$100,000+/year	Mayor and City Council	OP&D	<ul style="list-style-type: none"> •Appropriate funds for position •Create the position in City HR system •Complete hiring process
1.2	Create Economic Development Committee to oversee strategy implementation	No cost; existing staff and volunteers	Mayor	Local businesses, banks, property owners, GNCC, Arts & Culture sector	<ul style="list-style-type: none"> •Recruit & appoint committee
1.3	Revive the Business & Industrial Park Association (BIPA)	Relies on volunteers; limited costs paid by business members	Park businesses & property owners	ED Director	<ul style="list-style-type: none"> •Form a committee interested in reviving the association; •Conduct one-one-one outreach to park business •Define association mission, activities and structure •Meet to finalize association plans & form leadership group & committees
1.4	Expand Greater Newburyport Chamber of Commerce capacity as a Destination Marketing Organization (DMO)	\$75,000 to \$125,000+/yr. from businesses advertising revenue, grants, hotel/motel tax assessment	GNCC	Businesses, lodging owners, North of Boston, Arts & Culture organizations. regional trails/coastal route, ED Director	<ul style="list-style-type: none"> •Confirm board & membership support for expanded GNCC role as DMO •Form advisory board to oversee & support DMO activities •Formulate funding plan & secure stakeholder •Implement the funding plan •Deploy new funding to hire staff & consultants
1.5	Strengthen state and regional relationships	No cost; existing staff and volunteers	City- ED Director	GNCC ; other implementing parties	<ul style="list-style-type: none"> •Conduct outreach to target organizations •Identify services & resources aligned with CEDS initiatives •Work with target organizations to access resources •Maintain ongoing relationships and communications

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#2 - Small Business Support					
2.1	Designate City Economic Development Director as Small Business Support Coordinator	No cost beyond ED Director & existing staff	City- ED Director	Other City staff, GNCC, SBDC, SCORE	<ul style="list-style-type: none"> •Hire Economic Developer •Review business websites & guides in comparable cities •Formalize tasks/responsibilities for small business coordinator function
2.2	Improve City online information	No cost beyond ED Director	City- ED Director	City IT staff	<ul style="list-style-type: none"> •Meet with the City IT Director on process and timeline •Hold focus groups with small business owners •Scan of business websites & guides in comparable cities •Determine business types & content for guides; schedule phased preparation •Collect information on requirements to open each type of business •Prepare draft guides and circulate for review •Develop web page content & design; prepare a beta version to test •Finalize and publicize new business website and guides
2.3	Create a small business grant program	Annual capital for grants (\$25,000 to \$50,000) - raised from chamber & bank foundations and donations; existing staff & volunteers	GNCC	Local Banks, BIPA, ED Director	<ul style="list-style-type: none"> •Confirm GNCC Foundation interest in program & providing initial funding •Design program & raise grant capital •Meet with local banks & city officials on providing funding •Complete program design & review with local stakeholders •Secure funding from bank foundations, corporate donations & others •Finalize program design, application materials, & grant agreements •Launch first grant application/award round & continue annually
2.4	Create an annual business competition	Annual funding/contributed services for prizes; existing staff & volunteer time	GNCC	Local Banks, BIPA, ED Director, SBDC	<ul style="list-style-type: none"> •Recruit SCORE, SBDC office & other experts to advise entrepreneurs •Secure sponsorships & other funds for prizes & other costs •Research business competitions in other small cities •Design competition process and schedule •Launch first competition •Review lessons from first competition & make adjustments
2.5	Develop a business outreach program	No cost beyond ED Director	City- ED Director	GNCC, local volunteers	<ul style="list-style-type: none"> •Design the outreach visit protocol & process •Recruit & train volunteers to assist with outreach visits •Schedule & conduct regular visits to businesses •Follow up with businesses on identified information/assistance needs •Convene meetings of visitation "staff" to discuss any emerging trends and issues
2.6	Implement regulatory and policy changes	No cost beyond ED Director & existing City staff	City- ED Director	OP&D, other City staff and boards	<ul style="list-style-type: none"> •Create interagency team to review & prepare amendments, guidelines & other implementation actions •Review proposed changes/actions with key stakeholders •Finalize regulatory changes/action & submit for approval by boards/City Council •Authorize City capital funding for outdoor dining infrastructure improvements

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#3 - Support Tourism and Arts & Culture Branding, Marketing & Development					
3.1	Create branding for the city that addresses the visitor economy and includes arts, culture, and historical destinations and experiences	Cost for consultant	GNCC	ED Director, City Arts & Cultural Liaison, task force of businesses and major cultural/historic/recreational destinations	<ul style="list-style-type: none"> Hire a consultant to lead branding efforts and overall marketing strategy Develop brand for city and create graphics, logos, and other digital assets and standards
3.2	Create a unified tourism/events/arts & culture website	Costs for initial website design (~\$40,000) and staff/consultant for ongoing maintenance/calendar listings (~\$1,000+ monthly)	GNCC	Info for calendar/self posting by businesses/organizations, City Arts & Cultural Liaison	<ul style="list-style-type: none"> Establish an advisory committee to advise on the creation of a tourism website Hire a consultant to create website Work with consultant to develop goals for website and overall framework Develop a system for keeping an up-to-date visitor calendar Beta-test the website and calendar population features Launch website
3.3	Create visitor marketing materials and itineraries	Cost for design, production, distribution	GNCC	Clipper Heritage Trail, Clipper City Rail Trail and Harborwalk, Cultural Council, City Arts & Cultural Liaison, other destinations and stakeholders	<ul style="list-style-type: none"> Develop a range of narratives or itineraries for visitors Work with stakeholders to create an integrated route map showing range of experiences and walks, parking, and transportation networks. Coordinate with wayfinding plan to integrate narratives and districts/trails into overall signage and maps throughout city; Create a range of digital and print assets for visitors and residents.
3.4	Finalize and implement the Wayfinding Plan, including visitor/arts & cultural destinations, cultural district and historic district signs	Cost for design, construction, installation - determined by Wayfinding Plan	City- OP&D	Coordinate with branding efforts, GNCC, Umbrella Arts and Cultural org, other stakeholders	<ul style="list-style-type: none"> Review draft wayfinding study and identify areas that require updates based on tourism branding efforts and CEDS recommendations Update Wayfinding Plan and finalize; Allocate City capital funding for wayfinding and implement plan
3.5	Review/expand events	Event funding - from private sources	GNCC, Arts/Cultural organizations	Coordination/participation with businesses and other destinations	<ul style="list-style-type: none"> Review comprehensive list of events in city, including season, market characteristics of attendees, and location. Add and update information as necessary Develop a list of goals for events Identify gaps in events according to established goals Survey businesses to understand impacts of events and identify potential ways events can better support Institute changes and/or additions to events to achieve goals Develop new events or partner with organizations and organizers to broaden offerings as necessary
3.6	Expand the visitor center	Cost for new structure and equipment	City	GNCC, Waterfront Trust, coordination with Wayfinding Plan, Umbrella Arts & Cultural org. for incorporation of public art, regional trails and marketing efforts for signage and maps	<ul style="list-style-type: none"> Review visitor facilities in comparable towns and cities to understand existing expectation and standards in similar markets Discuss options and potential constraints Coordinate efforts with Wayfinding Plan, Arts & Cultural Umbrella org for public art possibilities, regional trails and marketing efforts for signage and maps Develop a cost estimate for new visitor facilities, including staff/volunteer needs Allocate funding for center, implement design and construction plan
3.7	Develop a downtown bike share program	Cost to conduct initial planning via City funding, cost to establish may need grants	City with private operator	Collaboration with area health foundations (possible funding), GNCC, other bike share programs in region, possibly MBTA	<ul style="list-style-type: none"> Conduct a community and visitor survey gauging interest in a bikesharing program Conduct outreach to area health foundations to explore interest in providing support and grants Evaluate and identify opportunities for system integration of bikeshare facilities within overall transportation network Determine goals and metrics to measure progress for a city bikeshare program Issue a Request for Expressions of Interest (RFEI) for private bikeshare companies/investors Begin planning the system (service area, size, bikeshare type) Develop financial model Implement system

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#4 - Create Unified Support and Advocacy for Arts, Cultural, & Historic Assets					
4.1	Designate an Arts & Cultural Liaison in City Hall	No funding, existing City staff with clearly defined roles/time allotted for liaison activities	City- Mayor's Office	Cultural Council, Historical Commission	<ul style="list-style-type: none"> •Convene a meeting of arts, culture, historic stakeholders to discuss their needs and potential roles of the Liaison •Develop clear job description and roles •Designate staff person to be the Liaison •Announce Liaison position with information on roles to the community
4.2	Identify an existing or new group to serve as an umbrella advocacy and collaboration organization to represent all arts, cultural, and historic organizations and destinations	No funding if informal group with outside fiscal agent, start-up costs for a 501(c)3 (not recommended at this time)	Newburyport Arts, Newburyport Arts Collective, or other	Additional nonprofit organizations, institutions, and individual artists	<ul style="list-style-type: none"> •Convene current members of the NAC as well as others to review work of the NAC and create an updated goals statement •Determine how NAC can continue as the advocacy group: <p>Near Term Actions:</p> <ul style="list-style-type: none"> o Review and revise, if applicable, mission statement o Articulate near and medium term goals o Determine Leadership o Determine how representation will be provided for other CEDS implementation elements o Identify assistance needed from City, Chamber, etc. o Reaffirm choice of an outside fiscal agent for the near term o Advocate for City funding to develop itineraries and arts, culture, historic experiences <p>Longer Term Actions:</p> <ul style="list-style-type: none"> •Explore interest and capacity to create a formal Newburyport Arts, Culture, and Historic nonprofit with paid staff
4.3	Conduct a space supply and demand survey	Funding for consultant (~\$15,000), costs to maintain the resulting database or use information to match supply and demand	City Arts & Cultural Liaison, Mayor's Office	Cultural Council, Umbrella Arts & Cultural org, property owners/managers, real estate brokers, GNCC	<ul style="list-style-type: none"> •Allocate funding or City staff time to create an online space supply and demand survey •Conduct a campaign to notify stakeholders of pending survey •Distribute survey link •Analyze results •Create and maintain a database of space supply including detailed characteristics •Consider creating guidelines for property owners •Create a list of arts/culture/historical organizations/individuals seeking space to facilitate matches •Market or make available the database to enhance the city's image as a welcoming place for arts, culture, history
4.4	Develop criteria/goals to support local businesses and destinations during festivals & events	No funding	GNCC	GNCC, downtown businesses or businesses within area of events with input from Umbrella Arts & Cultural org, existing event organizers	<ul style="list-style-type: none"> •Survey businesses and organizations to determine successes in past and perceived challenges •Use survey to collaboratively develop goals and guidelines for festivals and events •Create a mechanism to measure and draw return customers and receive ongoing feedback from local businesses and organizations •Create ways to incorporate guidelines into discussions with event organizers and determine City/Chamber representation in planning
4.5	Streamline alcohol licensing, assembly and events permitting	No funding beyond existing City staff; may impact fee revenue	City- Mayor's Office, City Clerk, and/or OP&D	City Council, other City Departments, i.e., Public Services, Health, Police, Fire, and others, Waterfront Trust	<ul style="list-style-type: none"> •Designate lead/project manager in City Hall to coordinate this effort. Consultant may be needed to provide support •Examine similar streamlining efforts in other municipalities to help guide process and simplify efforts •Create a list of challenges for businesses and organizations as well as for City departments by surveying each •Convene all departments involved in g permitting and licensing requirements •Use meetings to develop potential methods for streamlining processes •Create process charts and checklists to help align expectations across all stakeholders and the City •Consider simplified permitting for single events (one-day licenses), particularly for small-scale, and/or a mechanism for specified multi-event licenses

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#5 - Real Estate Supply					
5.1	Update zoning for the Business and Industrial Park	No funding, existing City staff & Planning Board	City- OP&D	Advisory Committee of park stakeholders, Planning Board, City Council	<ul style="list-style-type: none"> •Create advisory committee to work with OP&D & Planning Board •Survey existing conditions and connections with surrounding neighborhoods •Obtain input from existing park businesses on their needs & future plans •Formulate proposed zoning changes & review with the advisory committee •Submit proposed zoning changes for public comment and adoption
5.2	Promote Storey Avenue mixed-use redevelopment	Funds for planning consultant	City- OP&D	Advisory Committee of area stakeholders, Planning Board, City Council	<ul style="list-style-type: none"> •Develop scope/secure funding for "Vision and Development Plan" •Issue RFP/select consultant to support planning process •Complete planning process with recommendations •Review recommended zoning & policies with public & key stakeholders •Adopt the recommended plan, zoning and related policies
5.3	Support Waterfront West development	Possible infrastructure funding, incentives	City- OP&D	New England Development, district stakeholders, Planning Board, City Council	<ul style="list-style-type: none"> •Complete DIF feasibility study •Work with NE Development to create plan aligned with City priorities •Determine impact mitigation & community benefits actions •Public review of City approval of development plan
5.4	Encourage planning for the future of the C & J Transportation site	Unknown	City- Mayor	OP&D, Legislative Delegation, MassDOT	<ul style="list-style-type: none"> •Brief state legislative delegation •Meet with the city's legislative delegation & MassDOT •Formulate next steps to advance planning and interim uses
5.5	Attract hotel development	Existing staff- no funding	City with property owner(s)	City Arts & Cultural Liaison and Umbrella Arts & Cultural org for possible incorporation of public art	<ul style="list-style-type: none"> •Identify near-term sites appropriate for hotel development •Work with property owners/developers to ensure City goals are met •Streamline permitting where possible
5.6	Create housing development strategy	Existing staff- no funding	City-OP&D	Affordable Housing Trust. Planning Board, MVPC	<ul style="list-style-type: none"> •Incorporate housing development strategy in Housing Production Plan (HPP) scope •Identify/assign new research, analysis & planning tasks for strategy •Formulate and incorporate strategy into the updated HPP
5.7	Actively market Newburyport as a business and economic development location	No funding beyond ED Director	City -ED Director	GNCC, Property owners, Real Estate brokers, MVPC	<ul style="list-style-type: none"> •Create marketing materials on Newburyport value proposition •Create an inventory of available real estate & process for updating •Create a city economic development website •Build relationships with key economic development agencies •Identify priority associations & business influencers to market Newburyport

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#6 - Workforce Attraction and Development					
6.1	Organize industry-based promotion of Newburyport as a place to work	No costs- volunteers with existing staff	GNCC	ED Director, BIPA, employers	<ul style="list-style-type: none"> •Conduct employer outreach & form industry promotion teams •Prepare information on NBPT employers, job/career opportunities, internships & apprenticeships •Meet area schools to share information on NBPT jobs, internships, apprenticeships and test Newburyport career discovery proposal •Plan and hold pilot career discovery event with employers in one industry •Implement additional career discovery events •Maintain connections with schools for ongoing recruitment efforts
6.2	Establish an apprenticeship/internship fund	Capital for fund, ED Director and volunteers to administer	GNCC	ED Director, Newburyport Bank, employers	<ul style="list-style-type: none"> •Develop fund mission statement, goals & guidelines •Prepare a “pitch deck” & materials for fund-raising •Develop a list of potential donors/funder with assignments •Secure initial lead gifts & launch funding appeal •Initiate first round of grant applications
6.3	Explore feasibility of a workforce housing development on Anna Jacques Hospital campus	Cost for feasibility study & parking options	City- OP&D and AJ Hospital	Fuller staffing for hospital and local businesses; expand housing options and affordable housing	<ul style="list-style-type: none"> •Meet with Anna Jacques Hospital to confirm interest & study process •Secure funds for feasibility study •Complete MOU on roles, study scope & process; •Issue study RFP & select consultant •Complete & determine next steps to advance the project, if deemed feasible.
6.4	Expand commuter transportation services and options	Funding for new services via MeVa, employers and/grants	City- ED Director	GNCC, BIPA, employers, & MeVa	<ul style="list-style-type: none"> •Conduct an employee survey on transportation needs/demand •Meet with the MeVa Executive Director on addressing identified transportation needs •Create follow-up action/advocacy plan for MeVa services. •Survey/convene employers to assess demand/support for additional services •Conduct a feasibility analysis for services with employer demand/support

#	Strategy and Components	Funding/ Resources Needed	Lead Implementor/ Convener	Implementation Partners	Implementation Action Steps
#7 - Climate Action and Resiliency					
7.1	Adopt CPACE	No cost	City Council		<ul style="list-style-type: none"> •Contact MassDevelopment •Prepare information/brief City Councilors & Treasurer/Collector •Prepare adoption resolution/submit to City Council vote
7.2	Organize training, information and technical assistance on business sustainability practices	No/low cost	GNCC	BIPA, City Resiliency Committee, Mass Save, businesses, SCORE, SBDC	<ul style="list-style-type: none"> •Survey Newburyport business on issue interests & expertise •Identify resources in state & regional entities on priority issues •Organize peer learning groups & support knowledge exchange activities •Organize formal educational/training events •Evaluate effectiveness and adjust activities over time
7.3	Explore feasibility/impact of zoning requirements and/or incentives for sustainable/low GHG emission buildings	Possible cost for consultant	City- OP&D	ED Director	<ul style="list-style-type: none"> •Form advisory committee •Compile similar studies & related policy research/guides •Secure funding for study/analysis; •Write RFP and hire consultants to help complete the analysis •Conduct analysis & prepare proposals based on results
7.4	Assess conflicts and make adjustments to building, design, and historic district regulations to better accommodate GHG reduction and resiliency investment needs	Possible cost for consultant	City- OP&D	City Building Department, Historic Commission, City Resiliency Committee	<ul style="list-style-type: none"> •Create City working group to assess regulatory barriers and conflicts •Define building changes, identify applicable regulations and complete assessment •Use assessment results to formulate proposed regulatory •Inform stakeholders about these conflicts and discuss proposals to update regulations •Submit proposed changes for approval by relevant boards and City Council
7.5	Organize a community campaign for business adoption of sustainability, GHG reduction, and resiliency actions	Costs for publicity, events; staffing	City Resiliency Committee	Forever Green committee, GNCC, Mass Save, BIPA, property owners & businesses	<ul style="list-style-type: none"> •Confirm business support for the campaign •Design the key campaign elements •Secure funds to staff and implement the campaign •Recruit and register participants •Launch campaign with kick-off event & information/training session •Support the campaign with assistance/tracking & reporting progress •Hold awards/recognition event to complete campaign & report results •Conduct a post-campaign survey of participants to inform future business resiliency efforts
7.6	Incorporate education/info on climate action and resiliency in wayfinding and themed experiences	Included in costs for wayfinding/tourism marketing	DMO	City , GNCC, Forever Green Committee, NAC	<ul style="list-style-type: none"> •Collect information on key plans, projects, and initiatives •Decide on several themes to create connected narratives & experiences •Create compelling and engaging content for wayfinding materials & experiences •Incorporate content into implemented wayfinding & marketing

Table 5-2. CEDS Implementation Phasing

#	Strategy Components	Year 1: FY 2024				Year 2: FY 2025		Year 3: FY 2026		Year 4	Year 5
		1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Half	2nd Half	1st Half	2nd Half	FY 2027	FY 2028
#1 - Economic Development Capacity											
1.1	Create a City Economic Development Director staff position										
1.2	Create a Economic Development Committee to oversee strategy implementation										
1.3	Revive the Business & Industrial Park Association (BIPA)										
1.4	Expand Greater Newburyport Chamber of Commerce capacity as a Destination Marketing Organization (DMO)										
1.5	Strengthen state and regional relationships										
#2 - Small Business Support											
2.1	Designate City Economic Development Director as Small Business Support Coordinator										
2.2	Improve City online information										
2.3	Create a small business grant program										
2.4	Create an annual business competition										
2.5	Develop a business outreach program										
2.6	Implement regulatory and policy changes										
#3 - Support Tourism and Arts & Culture Branding, Marketing & Development											
3.1	Create branding for the city that addresses the visitor economy and includes arts, culture, and historical destinations and experiences										
3.2	Create a unified tourism/events/arts & culture website										
3.3	Create visitor marketing materials and itineraries										
3.4	Finalize and implement Wayfinding Plan, including visitor/arts & cultural destinations, cultural district and historic district signs										
3.5	Review/expand events										
3.6	Expand the visitor center										
3.7	Develop a downtown bike share program										
#4 - Create Unified Support and Advocacy for Arts, Cultural, & Historic Assets											
4.1	Designate an Arts & Cultural Liaison in City Hall										
4.2	Identify an existing or new group to serve as an umbrella advocacy and collaboration organization to represent all arts, cultural, and historic organizations and destinations									Explore with professional staffing	nonprofit
4.3	Conduct a space supply and demand survey										
4.4	Develop criteria/goals to support local businesses and destinations during festivals & events										
4.5	Streamline alcohol licensing, assembly and events permitting										
#5 - Real Estate Supply											
5.1	Update zoning for the Business and Industrial Park										
5.2	Promote Storey Avenue mixed-use redevelopment										
5.3	Support Waterfront West development										
5.4	Encourage planning for the future of the C & J Transportation site										
5.5	Attract hotel development										
5.6	Create a housing development strategy										
5.7	Actively market Newburyport as a business and economic development location										
#6 - Workforce Attraction and Development											
6.1	Organize industry-based promotion of Newburyport as a place to work										
6.2	Establish an apprenticeship/internship fund										
6.3	Explore feasibility of a workforce housing development on Anna Jacques Hospital campus										
6.4	Expand commuter transportation services and options										
#7 - Climate Action and Resiliency											
7.1	Adopt CPACE										
7.2	Organize training, information and technical assistance on business sustainability practices										
7.3	Explore feasibility/impact of zoning requirements and/or incentives for sustainable/low GHG emission buildings										
7.4	Assess conflicts and make adjustments to building, design, and historic district regulations to better accommodate GHG reduction and resiliency investment needs										
7.5	Organize a community campaign for business adoption of sustainability, GHG reduction, and resiliency actions										
7.6	Incorporate education/info on climate action and resiliency in wayfinding and themed experiences										

TRANSFERS



CITY OF NEWBURYPORT

FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2023 MAY 16 PM 2:56

Department: Department of Public Services

Submitted by: Sean R. Reardon, Mayor

Date Submitted: 5/22/2023

Transfer From:

Account Name:	General Fund - Free Cash	Balance:	\$ 1,244,843.00
Account Number:	01-35910	Category:	n/a
Amount:	\$253,294.14	Trans I/O:	\$ 2,718,333.00

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2023 at \$3,963,176. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council. Includes pending transfer(s) in committee.

Transfer From:

Account Name:	Snow & Ice - Labor	Balance:	\$ 17,840.72
Account Number:	01423001-51301	Category:	\$ 17,840.72
Amount:	\$17,840.72	Trans I/O:	\$ -

Why Funds Are Available:

A surplus is anticipated at year-end.

Transfer To:

Account Name:	Snow & Ice - Expenses	Balance:	\$ (271,134.86)
Account Number:	01423002-52901	Category:	\$ (271,134.86)
Amount:	\$271,134.86	Trans I/O:	\$ -

Why Funds Are Needed:

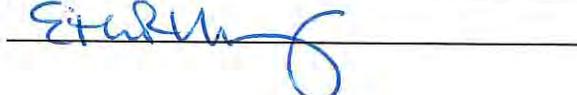
Snow and ice expenses are variable depending on winter weather conditions. This account is used to pay the cost of contractors hired to clear snow, equipment maintenance, as well as, materials such as salt and sand. State law allows communities to deficit spend in this category, however the deficit must be removed by fiscal year-end.

Sean R. Reardon, Mayor:



Date: 5/16/2023

Ethan R. Manning, Auditor:



Date: 5/16/2023

City Council Action:

City of Newburyport
Snow & Ice Expenditures Past 10 Years
 As of 5/16/2023

Fiscal Year	Snow & Ice Labor			Snow & Ice Expense ⁽¹⁾			Total		
	Budget	Actual	Surplus/ (Deficit)	Budget	Actual	Surplus/ (Deficit)	Budget	Actual	Surplus/ (Deficit)
FY2014	\$90,000	\$119,133	(\$29,133)	\$90,000	\$299,109	(\$209,109)	\$180,000	\$418,241	(\$238,241)
FY2015	\$90,000	\$173,007	(\$83,007)	\$90,000	\$712,489	(\$622,489)	\$180,000	\$885,496	(\$705,496)
FY2016	\$95,000	\$38,277	\$56,723	\$95,000	\$179,791	(\$84,791)	\$190,000	\$218,068	(\$28,068)
FY2017	\$100,000	\$141,202	(\$41,202)	\$100,000	\$292,402	(\$192,402)	\$200,000	\$433,604	(\$233,604)
FY2018	\$100,000	\$107,921	(\$7,921)	\$100,000	\$283,897	(\$183,897)	\$200,000	\$391,819	(\$191,819)
FY2019	\$105,000	\$93,518	\$11,482	\$105,000	\$259,412	(\$154,412)	\$210,000	\$352,930	(\$142,930)
FY2020	\$105,000	\$105,331	(\$331)	\$120,000	\$201,465	(\$81,465)	\$225,000	\$306,796	(\$81,796)
FY2021	\$110,000	\$109,762	\$238	\$150,000	\$265,499	(\$115,499)	\$260,000	\$375,261	(\$115,261)
FY2022	\$115,000	\$144,560	(\$29,560)	\$175,000	\$367,607	(\$192,607)	\$290,000	\$512,167	(\$222,167)
FY2023	\$120,000	\$102,159	\$17,841	\$193,000	\$464,135	(\$271,135)	\$313,000	\$566,294	(\$253,294)

⁽¹⁾ Cost of contractors, chemicals and other non-labor costs related to snow and ice removal.

Newburyport Snow & Ice Expenditures Past 10 Years





CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

Department: Health Insurance

Submitted by: Sean R. Reardon, Mayor

Date Submitted: 5/22/2023

Transfer From:

Account Name:	<u>General Fund - Free Cash</u>	Balance:	<u>\$ 1,244,843.00</u>
Account Number:	<u>01-35910</u>	Category:	<u>n/a</u>
Amount:	<u>\$61,195.00</u>	Trans I/O:	<u>\$ 2,718,333.00</u>

Why Funds Are Available:

The Massachusetts Department of Revenue certified Free Cash for FY2023 at \$3,963,176. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council. Includes pending transfer(s) in committee.

Transfer To:

Account Name:	<u>Health Insurance Premiums</u>	Balance:	<u>\$ 768,806.19</u>
Account Number:	<u>01914001-51700</u>	Category:	<u>\$ 828,052.54</u>
Amount:	<u>\$61,195.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

This account was underbudgeted for FY'23. Additional funds are needed to pay June 2023 health insurance premiums for city and school employees.

Sean R. Reardon, Mayor:



Date: 5/16/2023

Ethan R. Manning, Auditor:



Date: 5/16/2023

City Council Action:



CITY OF NEWBURYPORT FY 2023 TRANSFER/APPROPRIATION REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 MAY 16 P 12:45

Department: Fire Department
Submitted by: Stephen Bradbury, Jr., Acting Chief **Date Submitted:** 5/22/2023

Transfer From:

Account Name:	<u>FIR Dues & Memberships</u>	Balance:	<u>\$ 1,920.00</u>
Account Number:	<u>01220007-57300</u>	Category:	<u>\$ 1,920.00</u>
Amount:	<u>\$1,291.54</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

A surplus is anticipated at year-end.

Transfer To:

Account Name:	<u>Emergency Mgmt. Coordinator</u>	Balance:	<u>\$ 1,846.60</u>
Account Number:	<u>01291001-51101</u>	Category:	<u>\$ 2,169.92</u>
Amount:	<u>\$922.58</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

A deficit is anticipated in this account due to additional staffing that was needed during FY'23 to cover for the former chief's medical leave.

Transfer To:

Account Name:	<u>Emergency Mgmt. Deputy Coordinator</u>	Balance:	<u>\$ 323.32</u>
Account Number:	<u>01291001-51102</u>	Category:	<u>\$ 2,169.92</u>
Amount:	<u>\$368.96</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

A deficit is anticipated in this account due to additional staffing that was needed during FY'23 to cover for the former chief's medical leave.

Sean R. Reardon, Mayor:  Date: 5/16/2023
 Ethan R. Manning, Auditor:  Date: 5/16/2023
 City Council Action:



CITY OF NEWBURYPORT FY 2023

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

TRANSFER/APPROPRIATION REQUEST

2023 MAY 17 P 3:52

Department: Police

Submitted by: Mark Murray, Marshal

Date Submitted: 5/22/2023

Transfer From:

Account Name:	POL Fuel/Oil Vehicle(s)	Balance:	\$ 23,326.75
Account Number:	01210004-54801	Category:	\$ 45,633.77
Amount:	\$8,000.00	Trans I/O:	\$ -

Why Funds Are Available:

A surplus is anticipated at year-end.

Transfer From:

Account Name:	POL Misc. Supplies	Balance:	\$ 4,463.41
Account Number:	01210004-55800	Category:	\$ 45,633.77
Amount:	\$2,000.00	Trans I/O:	\$ -

Why Funds Are Available:

A surplus is anticipated at year-end.

Transfer From:

Account Name:	POL MIS/Communications	Balance:	\$ 8,553.77
Account Number:	01210008-58501	Category:	\$ 40,265.74
Amount:	\$2,000.00	Trans I/O:	\$ -

Why Funds Are Available:

A surplus is anticipated at year-end.

Transfer To:

Account Name:	POL Maint-Equipment	Balance:	\$ (5,898.61)
Account Number:	01210002-52402	Category:	\$ 915.21
Amount:	\$12,000.00	Trans I/O:	\$ -

Why Funds Are Needed:

This account is in a deficit and there is only \$915 left in the overall purchase of services category. This is primarily due to the unforeseen expense of repairing the building's generator and replacing the oil tank. Funds are needed to pay bills through year-end, including utilities and vehicle maintenance.

Sean R. Reardon, Mayor:

Date: 5/17/2023

Ethan R. Manning, Auditor:

Date: 5/17/2023

City Council Action:



CITY OF NEWBURYPORT FY 2023

TRANSFER/APPROPRIATION REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
352
2023 MAY 22

Department: Library

Submitted by: Sara Kelso, Head Librarian

Date Submitted: 5/22/2023

Transfer From:

Account Name:	<u>LIB Salary Librarian</u>	Balance:	<u>\$ 23,326.75</u>
Account Number:	<u>01610001-51101</u>	Category:	<u>\$ 241,338.46</u>
Amount:	<u>\$7,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

A surplus is anticipated at year-end due to the hiring of a new Head Librarian at a lower rate.

Transfer From:

Account Name:	<u>LIB Salaries Staff</u>	Balance:	<u>\$ 4,463.41</u>
Account Number:	<u>01610001-51156</u>	Category:	<u>\$ 241,338.46</u>
Amount:	<u>\$13,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Available:

A surplus is anticipated at year-end due to multiple position vacancies.

Transfer To:

Account Name:	<u>LIB Purchase Books</u>	Balance:	<u>\$ (6,286.60)</u>
Account Number:	<u>01610002-55102</u>	Category:	<u>\$ 29,101.15</u>
Amount:	<u>\$3,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

This account is in a deficit, even with nearly \$7,000 in books already billed to the Friends – Special Gifts to offset. A minor deficit in the purchase of services category is expected for expenses at the end of May and early June for outstanding billed items not covered by other budget line item balances (such as Audio/Visual, which has ~39% remaining balance of ~\$9,000).

Transfer To:

Account Name:	<u>LIB Heat/Electricity</u>	Balance:	<u>\$ 4,005.66</u>
Account Number:	<u>01610002-52101</u>	Category:	<u>\$ 29,101.15</u>
Amount:	<u>\$12,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

\$82,000 has been budgeted for Heat & Electricity for FY23. \$77,994.34 of this amount has been spent. Heat and Electricity bills for May and June 2023 have not yet arrived. Heat and electricity expenses have averaged \$7,800/month in FY23 thus far. Account balance as of 5/17/23 is \$4,005.66. An additional \$11,600 is anticipated in cost to cover remaining billed balances for the year. The anticipated increase in cost for Heat & Electricity has been factored into the proposed FY24 budget.

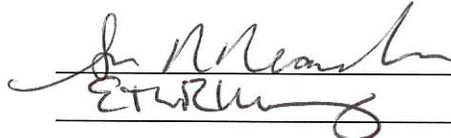
Transfer To:

Account Name:	<u>LIB Maint-Equipment</u>	Balance:	<u>\$ 15,281.89</u>
Account Number:	<u>01610002-52402</u>	Category:	<u>\$ 29,101.15</u>
Amount:	<u>\$5,000.00</u>	Trans I/O:	<u>\$ -</u>

Why Funds Are Needed:

\$31,185.42 has been billed to HVAC costs thus far for Maintenance Equipment in FY23. Current account balance as of 5/17/23 is \$15,281. An outstanding bill of \$10,213 will be paid with May 23, 2023 bills, leaving balance at ~\$5,000. An additional \$10,000 may be needed for repairs and ongoing maintenance in May and June. The anticipated increase in cost for HVAC maintenance and repair has been factored into the proposed FY24 budget.

Sean R. Reardon, Mayor:



Date: 5/17/2023

Ethan R. Manning, Auditor:



Date: 5/17/2023

City Council Action:

**APPOINTMENTS
FIRST READING**



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
SEAN R. REARDON, MAYOR NEWBURYPORT, MA

2023 MAY 12 A 9:58

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: May 22, 2023

Subject: Appointment

I hereby appoint, subject to your approval the following named individual as an alternate member of the Historical Commission. This term will expire on June 1, 2026.

Edward Noymer
8 Lucey Drive
Newburyport, MA 01950

Hello Christine,

I am interested in serving the City of Newburyport and volunteering to fill an appropriate vacancy on one of the city's boards and committees, following up the article that I saw in The Daily News.

I moved to Newburyport within the past year and retired from a successful sales career, and I now have the time and energy to give back. My resume is attached.

Prior to retirement, my schedule was full while raising two daughters, spending 10 years caring for two elderly parents, and a career that required business travel.

My roles in sales and sales management involved complex solutions, being part of virtual teams, and managing alliance partners. I highlight this in order to emphasize my ability to focus on customers, to work with teams, and to lead small groups.

Thank you for your consideration and I look forward to scheduling time to meet in order to further discuss the City's boards and committees and how I can help.

Sincerely,

Ed Noymer

M 978-361-7830

EDWARD NOYMER

(978) 361-7830 ♦ Newburyport, MA 01950 ♦ ednoymer@gmail.com ♦ www.linkedin.com/in/ednoymer/

ACCOUNT MANAGER

Accomplished sales professional that excels at selling contact center applications and complex IT solutions and Services. Demonstrated success covering a large territory, selling into multiple vertical markets and leading new product introductions. Proficient in leading the development of new and custom applications. Skilled at building relationships with decision makers and presenting to executives. Expertise in complex and multi-vendor environments.

KEY COMPETENCIES

- Developing executive relationships
- Utilizing consultative sales skills
- Working with alliance partners
- Negotiating agreements
- Introducing new offerings to market
- Managing relationships at all Levels
- Leading complex opportunities
- Guiding internal resources

PROFESSIONAL EXPERIENCE

Avaya, Inc. – Andover, MA

2017 – 2018

Senior Account Manager

Sold Avaya Professional Services for Unified Communications and Contact Center Solutions in New England and New York. Partnered with Channels, Account Managers and Sales Engineers to qualify, define and deliver professional services, including discovery sessions, installation and custom application development.

Collaborated with delivery teams to develop and present Statement of Work (SOWs).

- Closed third largest professional services deal for Avaya North America in Q1 for \$500K.
- Increased region bookings for custom Professional Services for Contact Center and UC by 50%.
- Developed \$8 Million pipeline of all Professional Services including packages and security services.
- Managed multiple third-parties to close business in order to meet customer requirements.

Sonus Networks – Westford, MA

2014 – 2016

Senior Account Manager

Developed and managed enterprise sales directly and through channel partners in the east region with a practice or concentration in, Unified Communications, Contact Center, and SIP Trunking. Led channel and enterprise sales for Session Border Controllers (SBCs), which provided security and interoperability. Directed joint sales activities with partners. Engaged in direct positioning products and solutions with end user customers in multiple vertical markets.

- Increased east region revenue generating fivefold; achieved 108% of quota.
- Recruited and developed six new channels into consistent revenue generating partners.
- Negotiated and signed agreements with three of the major DMR's, turning them into revenue generating relationships.
- Launched one national channel to revenue generating state with full accreditation.
- Sold first enterprise Monitoring as a Service (MaaS) customer.

Verizon Enterprise Solutions – Andover, MA

2013 – 2014

Senior Client Executive

Sold Verizon Enterprise Solutions offerings consisting of Network, Cloud, Security Services, Contact Center, and Unified Communications.

- Achieved 105% of quota.
- Closed deal for new Fiber Network for with major health insurance company.
- Expanded MPLS network for leading multi-site medical practice.
- Renewed multi-year contract for Security Services contract with a multinational pharmaceutical.

AudioCodes – Marlboro, MA

2005 – 2013

Enterprise Account Manager, 2009- 2013

Managed direct and channel sales in the east for media gateway and SBC products along with associated professional services. Recruited and managed channel partners. Conducted high touch direct sales. Initiated and managed regional alliance with Microsoft and Genesys to develop pipeline and close business for unified communications and contact center solutions.

- Recruited and developed nine new revenue producing channel partners.
- Achieved 128% of quota in 2012.
- Collaborated with HP and Microsoft to close largest deal for Lync deployment, valued at \$800K.
- Developed and secured the first major contact center win at Ticketmaster with Genesys.
- Achieved 110% of quota by generating more than \$5M sales to enterprise customers in the Eastern Region in 2010.
- Closed first customer for Network Readiness Assessment as a professional service offering in 2012 that launched a new offer and revenue stream.

OEM Account Manager, 2005 - 2009

Pursued and developed new accounts as design wins, managed existing accounts, penetrated and grew existing accounts with new products.

- Managed largest CPE OEM customer by doubling revenue to \$3M, increased product SKU's 30%.
- Initiated Interactive Intelligence IP PBX relationship, resulting in revenue of \$1M.
- Design win with Aspect, including private labeling multiple configurations, peaking at \$750K annually.
- Exceeded quota each year; annual quota range \$4.1M – \$4.6M.

Excel Switching – Andover, MA

2003 – 2005

Sales Director

Sold open service platforms deployed as differentiated media gateways, media servers, and signaling servers for service providers as an enhance service platform. Managed direct and channel sales to Service Providers, ASP's and Application Developer / VARs.

- Closed three new design account wins in first 12 months, leading North American sales in new business.
- Achieved 105% quota objective during 2004.
- Generated \$1.8 million in revenue in 2003.

PRIOR RELEVANT CAREER HISTORY

Cisco Systems – Chelmsford, MA

Account Manager

EDUCATION

Bachelor of Science - Business and Economics

Lehigh University



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAY 16 P 1:16

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: May 22, 2023
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Harbor Commission. This term will expire on June 1, 2026.

Ronald Thurlow
28 Hancock Street
Newburyport, MA 01950

Ronald Thurlow
28 Hancock Street
Newburyport, MA 01950

I have played an active role as a commissioner and below are some examples of this support:

- I lead the effort including the developing, and writing the package for the City's most recent Coast Guard City re-certification. This was a complex 45-page document that I researched, wrote the narrative, and coordinated and tracked obtaining the numerous political endorsements. I then tracked monthly with the Coast Guard Headquarters the review and ultimate approval by the Coast Guard City Approval Board.
- I developed an "Urgent-Emergent" relief process that allows a means and provides a funding source for Coast Guard personnel assigned to Station Merrimack during times of unexpected needs.
- The Commission recognized the high number of Kayak near misses and rescues in the Waterfront and other areas. As an experienced and trained Kayak Guide, I developed a comprehensive Kayak Safety class specific for Newburyport. I have conducted this course several times the last 3 years, through the Newburyport Continuing Education program. The class materials development, delivering the class and follow up support to students has all been a significant amount of time I have volunteered to provide to the City. I also designed Kayaking Safety signage for critical high-risk areas in the river. These efforts have had a positive impact on Kayak safety in Newburyport.
- I also supported the regional dredge efforts including several meetings and assessment input.
- I was the Harbor Commission member assigned to the Ordinance Review Team for the City.

These are a few examples of support I have provided to the Commission. Below are a few items I would like to support going forward:

- Relocation of the Federal Channel at the mouth of the river which will improve safety and save on dredging costs.
- Continuing to champion our Coast Guard City duties for both the local Coasties support and to ensure we are successful at the next recertification cycle.
- Creation of formal mooring and dock gear standards for the City.
- Create a City Spring waterfront fair to support:
 - Waterway Safety
 - Waterway Protection
 - Waterway Enjoyment

Except for my years as an Air Force Captain, I am a lifelong resident of Newburyport and have been on the waterways my whole life. I bring initiative, strong harbor knowledge, sometimes differing challenge, bias for action and value listening to all perspectives in supporting the goals of the Harbor Commission and City.



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAY 16 P 1:16

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean Reardon, Mayor
Date: May 22, 2023
Subject: Appointment

I hereby appoint, subject to your approval, the following named firm to serve in the office of City Solicitor. This term will expire January 31, 2024.

Murphy Hesse Toomey & Lehane LLP
50 Braintree Hill Office Park
Suite 410
Braintree, MA 02184

MEMORANDUM

TO: President Shand and Members of the City Council

FROM: Mayor Sean Reardon

RE: City Solicitor Appointment

DATE: May 16, 2023

I am pleased to appoint law firm Murphy, Hesse, Toomey and Lehane (MHTL), LLP as City Solicitor for the City of Newburyport. MHTL serves as legal counsel to more than 150 Massachusetts entities and is engaged in virtually every aspect of municipal law, including, but not limited to, litigation and administrative law, land use, zoning, public governance, procurement and contracts, labor and employment, finance and tax recovery matters, civil rights, elections, licensing, and document drafting and negotiation.

Attorney Karis L. North is the proposed lead municipal legal counsel, and Attorney Sarah C. Spatafore is the proposed lead labor and employment legal counsel. They will be backed up by other experienced attorneys from their Municipal Law Group and Labor and Employment Group. This proposed combination of attorneys routinely work with each other and other members of the Firm to provide seamless representation to the cities, towns and districts the Firm represents as Town Counsel.

Karis L. North has been practicing municipal and public sector law since 2006, and has over twenty years of experience counseling and resolving complex disputes for public clients. She is currently Town Counsel for the Town of Natick, Special Counsel to the Towns of Cohasset and Burlington, and provides legal services to other cities and towns in Massachusetts. Ms. North is also an experienced litigator on behalf of municipalities and municipal agencies, private parties, and non-profit organizations.

Her practice is focused on counseling and advocacy on behalf of municipal governments and agencies. She provides representation and advice in the areas of municipal governance, public records and open meeting law, regulatory and environmental counseling and enforcement, real estate transfers and transactions, affordable housing, land use and planning, conflicts of interest, and town meetings. Ms. North also represents municipalities in collective bargaining, arbitrations and other labor proceedings, as well as in wage and hour litigation and in employment litigation.

Ms. North has a B.S. from Cornell University and received her J.D. *cum laude* from Vermont Law School, where she was the Managing Editor of the *Vermont Law Review*. She is admitted to practice in state and federal courts in Massachusetts. Ms. North is a Director of the Massachusetts Municipal Lawyer's Association and a member of the Vermont Law School Board of Trustees, where she chairs the Governance Committee.

Attorney Sarah C. Spatafore is a partner with the firm. She practices primarily in the labor and employment area, representing both public and private clients. Ms. Spatafore also handles education issues. Ms. Spatafore has represented clients before a number of courts and administrative tribunals at both the state and federal level. Ms. Spatafore regularly advises clients on a variety of issues related to labor and employment, represents clients on issues related to collective bargaining, grievances, and arbitrations, and has conducted numerous workplace investigations both for existing clients and also as an outside investigator.

Ms. Spatafore graduated from Bates College. She received her Juris Doctor, with Honors, from Boston College Law School. In law school, Ms. Spatafore interned at the Massachusetts Superior Court.

My office selected MHTL after interviewing three firms and requesting proposals for services from all of them. MHTL offers competitive rates that are very similar to those we currently receive from our City Solicitor. They have a large enough firm that we believe they will be able to meet all our needs for services, while also being able to devote the resources necessary to understand the unique needs of our City. They have a firm understanding of Mayor/Council relations and have worked with Charters that are very similar to those of the City of Newburyport. They also have significant experience in the labor, land use, and municipal operations issues that we have required the most legal assistance from over the last few years.

We are very appreciative of our current City Solicitor, KP Law, for all their assistance over the last 12 plus years, and we look forward to working with them on their remaining cases with us. KP Law has indicated that they will work with us to close out any issues in which they are still engaged, and will assist with the transition to our new City Solicitor. We may retain KP Law as Special Counsel on any issues for which we still need their assistance.

May 8, 2023

VIA EMAIL & FIRST CLASS MAIL

Mayor Sean Reardon
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

***Re: Murphy, Hesse, Toomey & Lehane, LLP
City Solicitor Legal Services Proposal***

Dear Mayor Reardon:

I am writing in response to our meeting of April 26, 2023, to express our Firm's strong interest in providing City Solicitor legal services to the City of Newburyport ("Newburyport"). Our Firm serves as legal counsel to more than 150 Massachusetts entities. We are engaged in virtually every aspect of municipal law, including, but not limited to, litigation and administrative law, land use, zoning, conservation, environmental, real estate, public governance, procurement and contracts, labor and employment, collective bargaining, discrimination, harassment, discipline, eminent domain, finance and tax recovery matters, civil rights, elections, licensing, and document drafting and negotiation. Our broad and unique blend of legal experience, understanding of federal, state and municipal government, and appreciation of local issues, needs, and customs make Murphy, Hesse, Toomey & Lehane, LLP the ideal choice to serve as City Solicitor for the City of Newburyport.

Attorney Karis L. North is the proposed lead municipal legal counsel, and Attorney Sarah C. Spatafore is the proposed lead labor and employment legal counsel. They will be backed up by other experienced attorneys from our Municipal Law Group and our Labor and Employment Group. This proposed combination of attorneys routinely work with each other and other members of the Firm to provide seamless representation to the cities, towns and districts the Firm represents as Town Counsel. A hallmark of our Firm's practice is accessibility. Through a combination of in person, telephone and electronic communication, we will be fully accessible to the City of Newburyport fully capable of providing an immediate response to any legal issue that may arise. Please see the attached for Biographies of our proposed Team and other Firm attorneys that may be assigned to the City of Newburyport, as well as the Firm's price proposal.

We would be extremely honored to serve as City Solicitor to Newburyport and are committed to providing outstanding service and ensuring that the City's legal needs are fully satisfied.

Mayor Sean Reardon
City of Newburyport
May 8, 2023
Page 2

Thank you for considering Murphy, Hesse, Toomey & Lehane, LLP. We look forward to hearing from you in the near future. In the meantime, please contact us if we can be of service or provide any additional information to you.

Sincerely,



Karis L. North



Sarah C. Spatafore

Enclosures

ATTORNEY BIOGRAPHIES

Municipal Counsel

Karis L. North - Karis L. North has been practicing municipal law for over fifteen years and has more than twenty-five years of experience counseling and resolving complex regulatory and land use matters for her clients. She is currently lead counsel for the Towns of Natick and Mendon, and special counsel to the Towns of Cohasset and Dartmouth. She also counsels the Towns of Milton, Norwood, Mendon, and Dracut. Her expertise includes all of the areas necessary to advise a municipal corporation, including municipal governance, land use, procurement, employment, town meetings, public records, open meeting law, and legislation. She also practices municipal labor law, negotiating successor contracts and side agreements, advising on civil service matters, grievances and discipline, and labor arbitrations.

Ms. North is also an experienced litigator on behalf of municipalities and municipal agencies, private parties, and non-profit organizations. She has experience in bench and jury trials in state and federal courts, arbitrations, and administrative litigation. Her goal in any matter is to find the right solution for her clients. She engages in creative problem solving to resolve conflicts and has achieved favorable outcomes for her clients in many settings that take into account the client's needs as well as the facts and the law underlying each matter.

Ms. North is a graduate of Cornell University and a *cum laude* graduate Vermont Law School, where she was the Managing Editor of *The Vermont Law Review*. She is a regular speaker providing training and expertise to the Massachusetts Municipal Lawyer's Association (MMLA), MCLE, the Massachusetts Municipal Association (MMA) and to various law and graduate school classes. Ms. North is presently Vice President of the Massachusetts Municipal Lawyers Association, and served two terms as a member of the Vermont Law School Board of Trustees. She is also active in her community where she served as Chair of the Plymouth County Commission on the Status of Women and was an elected Town of Hull Library Trustee, including six years as Chair. Ms. North is admitted to practice in state and federal courts in Massachusetts and in the state of Maryland.

Sarah Spatafore – Ms. Spatafore is a Partner at the firm. She practices primarily in the labor and employment area, representing both public and private clients. Ms. Spatafore also handles education issues. Ms. Spatafore has represented clients before a number of courts and administrative tribunals at both the state and federal level. She regularly conducts seminars and training programs on unlawful harassment, preventing discrimination, and a variety of other labor and employment issues. Ms. Spatafore has completed all the Massachusetts Commission Against Discrimination-certified "Train-the-Trainer" courses.

Ms. Spatafore graduated from Bates College in 2007. Prior to attending law school, Ms. Spatafore spent a year working on a presidential campaign and then served as a presidential appointee at the National Aeronautics and Space Administration in Washington, D.C. She received her Juris Doctor, with Honors, from Boston College Law School in 2012. In law school, Ms. Spatafore interned at the Massachusetts Superior Court. As a law student, Ms. Spatafore

was a member of the Jessup International Moot Court team. The team won the Northeast Super Regional Competition and, in the Jessup Cup International Rounds, Ms. Spatafore individually placed 3rd among several hundred oralists. She was a co-recipient of the third year best oralist award at Boston College Law School. Prior to matriculating with the firm, Ms. Spatafore worked for a presidential campaign as a law clerk and was sent to a targeted swing state to serve as the Election Day Operations Director for the general election.

Peter L. Mello - Mr. Mello focuses his practice in municipal law and general civil litigation, including in the areas of construction, land use and zoning, wetlands and school law, among others. He practices routinely before state and federal courts and state agencies in Massachusetts and has written and presented extensively on wetlands, construction and labor issues for organizations such as REBA, the Massachusetts School Building Authority, the Massachusetts Municipal Lawyers Association and the Massachusetts Bar Association. Mr. Mello is currently the City Solicitor for the City of Attleboro.

Mr. Mello earned his B.A. in Politics, with a Certificate in Legal Studies from Brandeis University and is a graduate of Boston University School of Law. While at Boston University School of Law, Mr. Mello served as a staff editor of the American Journal of Law and Medicine.

Mr. Mello is a recent past President of the Massachusetts Municipal Lawyers Association.

He is admitted to practice in the Commonwealth of Massachusetts, the United States District Court for the District of Massachusetts and the United States Court of Appeals for the First Circuit.

Mr. Mello was recognized as a Rising Star by New England Super Lawyers magazine in 2012, 2013 and 2014.

Joseph W. Proctor – Mr. Proctor practices in the areas of municipal law, labor and employment law, and general civil litigation. In his municipal practice, Mr. Proctor has represented municipalities in litigation matters including defending against claims of adverse possession. Additionally, he has researched and provided guidance on municipal conflicts of interest, public records laws, eminent domain procedure, environmental issues, cannabis industry laws and regulations, personnel issues, and more. In his labor and employment practice, Mr. Proctor has participated in collective bargaining negotiations, grievance responses, and arbitrations. Further, he has advised public and private clients on a wide array of issues such as wage and hour laws, discipline and discharge, and compliance with state and federal rules and regulations.

Mr. Proctor graduated *summa cum laude* from the University of Massachusetts Amherst in 2017 with a Bachelor of Arts in History. He graduated *cum laude* from Boston University School of Law in 2021. During law school, Mr. Proctor served on the executive board of the BUSL Real Estate Association and was a member of the Public Interest Law Journal. He completed internships with the Plymouth Superior Court and the Office of the Attorney General. Mr. Proctor is a member of the Massachusetts Municipal Lawyers Association.

David A. DeLuca - Formerly an Assistant District Attorney with the Suffolk County District Attorney's Office, Mr. DeLuca handles a full spectrum of tort, contract, land use and workers' compensation litigation matters. Attorney DeLuca is lead counsel to the Towns of Danvers, Holbrook, Norwood and Dracut. He is experienced in all phases of state and federal trial and appellate court advocacy, having handled administrative law judge, bench and jury trials including personal injury, product liability, domestic litigation, zoning and tax disputes, insurance litigation, workers' compensation claims and civil rights violations. Mr. DeLuca advises building inspectors and planning directors on zoning, tax enforcement and tax title recovery matters. He represents municipal clients regarding zoning matters at town meeting and before trial and appellate courts. Mr. DeLuca also handles all phases of workers' compensation litigation for self-insured municipal clients and is a frequent participant in continuing legal education seminars on workers' compensation and related municipal/labor matters.

Mr. DeLuca is a member of the Massachusetts, Norfolk County and Quincy Bar Associations, the Massachusetts Municipal Lawyers Association, a member for the Massachusetts Bar Association Joint Bar Committee on Judicial Appointments, and former Chairman of a regional Hearing Committee for the Board of Bar Overseers. Mr. DeLuca is also a former instructor with the Northeastern University College of Criminal Justice. Mr. DeLuca is a graduate of Boston College and Suffolk University Law School.

Michael J. Maccaro - Mr. Maccaro is a Partner at the firm and represents employers in both the public and private sector, acting labor counsel for private entities and as both labor counsel and general counsel to governmental bodies, including numerous school districts. Mr. Maccaro's labor law practice includes representing employers in representation proceedings and campaigns, contract negotiation, collective bargaining matters, grievance administration and arbitration, and in proceedings before the Massachusetts Department of Labor Relations and the National Labor Relations Board. His employment law practice includes defending employers in a wide range of workplace claims, including claims of employment discrimination, retaliation, and wrongful discharge before the Massachusetts Commission Against Discrimination, and other enforcement agencies. Mr. Maccaro has successfully represented clients before the Division of Unemployment Assistance, the Civil Service Commission, the Massachusetts Superior Court, and the Massachusetts Appeals Court.

Prior to joining MHTL, Mr. Maccaro served as an Associate General Counsel for a large labor union, where he litigated over one hundred arbitration cases. Following law school, Mr. Maccaro served as a Law Clerk to the Justices of the Superior Court. Mr. Maccaro has served as an Adjunct Professor at Massachusetts School of Law where he taught legal writing. Mr. Maccaro regularly speaks to employers on matters such as collective bargaining obligations, employment practices, and drafting of workplace policies. Mr. Maccaro currently serves on the Executive Board of the Labor Employment Relations Association. Mr. Maccaro is a member of the bar of Massachusetts and is admitted before the federal District Court in Massachusetts. Mr. Maccaro graduated from Bates College with a Bachelor of Science degree in Biological Chemistry. He received his law degree from Northeastern University.

Kier Wachterhauser - Mr. Wachterhauser is a Partner at MHTL. Mr. Wachterhauser represents private and public sector clients in all areas of labor and employment law and maintains a litigation practice. Mr. Wachterhauser regularly counsels clients on employment matters, including wage and hour, leave entitlements, and discrimination and harassment matters, as well as the drafting of employment policies and contracts, and represents clients in employment-related litigation before state and federal courts and administrative bodies, such as the Massachusetts Commission Against Discrimination and the Equal Employment Opportunity Commission. Mr. Wachterhauser also maintains an extensive labor practice, representing public and private clients in the representation issues, the collective bargaining process, arbitration hearings, and proceedings in front of administrative agencies such as the National Labor Relations Board, the Civil Service Commission, and the Department of Labor Relations. Mr. Wachterhauser's clients include health care agencies, financial institutions, food service entities, local housing authorities and other State and local governmental entities.

Mr. Wachterhauser is a regular speaker at industry and trade groups, chambers of commerce, and other organizations on a wide range of labor and employment topics. Mr. Wachterhauser also conducts workplace training for organizations of all sizes. He received his Juris Doctor from Boston University School of Law, where he served as the Editor-in-Chief of the *Boston University Law Review*. In law school, Mr. Wachterhauser was awarded the Faculty Award for Academic Accomplishment. Prior to attending law school, Mr. Wachterhauser spent several years working in the consulting field, providing guidance to administrators of hospitals and universities on a variety of business-related matters. Mr. Wachterhauser received a Masters of Arts degree from Northwestern University and graduated from Swarthmore College with honors.

Kevin S. Freytag - Kevin S. Freytag is a member of the Firm's Municipal and Litigation practices. Mr. Freytag serves as lead counsel in MHTL's representation of the Town of Milton and the Town of Scituate. He represents individuals, businesses and municipalities in a wide range of disputes in the areas of construction, labor and employment, land use and real-estate tax. He has appeared in courts throughout the Commonwealth and successfully tried cases to verdict before judges and juries. He has also effectively represented clients at the Appellate Tax Board as well as the Massachusetts Appeals Court.

Mr. Freytag received his Juris Doctor from Suffolk University Law School. He was a member of the Trial Team and earned the honor of 2006 New England National Trial Competition Regional Champion. Mr. Freytag received a Bachelor of Arts degree from Stonehill College. Before entering private practice, he spent five (5) years working at the Norfolk County District Attorney's Office where he prosecuted countless cases in District and Superior Court. Mr. Freytag is admitted to practice in all state courts in the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts.

Madison Harris-Parks - Ms. Harris-Parks practices in the areas of municipal and labor and employment law, as well as general civil litigation. She has aided in the representation of municipalities in both proactive litigation, such as zoning enforcements, and in defense of municipalities against claims of arbitrary, tortious, and unconstitutional actions. She has

additionally conducted research in the areas of land use, conflict of interest law, procedural requirements for passing zoning and general bylaws, and employee discipline matters.

Ms. Harris-Parks graduated from the University of Florida with Bachelor of Arts degrees in English and Sociology, and graduated *cum laude* from Boston University School of Law in May 2021. During law school, Ms. Harris-Parks gained valuable litigation experience while interning with the Solicitor's Office of the U.S. Department of Labor, the Trial Division of the Massachusetts Attorney General's Office, and the Housing Division of Harvard's Legal Services Center. She also served as a Managing Editor of BU Law's Public Interest Law Journal, a Fellow for BU Law's first-year writing program, and a research assistant. Prior to joining MHTL, Ms. Harris-Parks clerked at the Massachusetts Appeals Court.

Brett R. Cavanaugh – Mr. Cavanaugh focuses his practice in municipal law, education and special education, and labor and employment. He has done research related to public housing, the First Amendment, wetlands violations, PFAS chemicals in drinking water, for cause termination, betterments, and license to carry laws. Additionally, he has experience responding to Open Meeting Law complaints. In his labor and employment practice, Mr. Cavanaugh represents both public and private employers. He has participated in collective bargaining matters and grievance administration for municipalities, including drafting last chance agreements and participating in termination hearings.

Mr. Cavanaugh graduated *cum laude* from Boston College Law School in May 2022 and joined MHTL in the fall of 2022. He is admitted to practice in the Commonwealth of Massachusetts. Prior to law school, Mr. Cavanaugh received both his Bachelor of Arts and his Master of Education from the University of Notre Dame. He worked in education for six years, including four years as a middle school math and social studies teacher. During law school, Mr. Cavanaugh was a legal intern with the United States District Court for the Eastern District of Michigan and worked as a summer law clerk at a labor and employment firm in Boston. He also provided legal and business training to aspiring entrepreneurs through a clinic serving formerly incarcerated individuals. In addition, he interned with the Boston College Athletic Department where he

assisted with compliance matters, and he gained in-house counsel experience at Spartan Race in Boston. Moreover, he served as the president of the St. Thomas More Society and provided legal services at a detention center in Texas.

CITY OF NEWBURYPORT

FEE PROPOSAL

Murphy, Hesse, Toomey & Lehane, LLP (“MHTL”) proposes the following rates for City Solicitor legal services for the City of Newburyport (“City”): for general municipal services we propose \$230.00 per hour blended rate for partners and associates; for litigation and labor services we propose \$250.00 per hour blended rate for partners and associates; and we propose \$115.00 per hour for paralegal and law clerk services. There is no charge for clerical staff. Please note, hourly fees may increase after the first year of the agreement, by mutual agreement of the parties.

Disbursements, including filing fees, stenographer’s fees, expert witness fees, overnight delivery fees, and computerized research fees are billed at their actual cost. Mileage, if any, is charged at the Federal Travel reimbursement rate, which is currently 58 cents/mile. All other office-related costs (e.g., clerical expense, postage, facsimile expenses, equipment supplies, etc.) are considered overhead and are not billed to the client.

MHTL strongly adheres to a cost-conscious, but effective representation of its municipal clients. Accordingly, we propose the follow approach to our representation:

- **Quarterly Budget Review:** Upon request, we will meet quarterly to review all pending legal matters and fees incurred. This will allow the City to make informed decisions about the amounts and purpose of legal fee expenditures.
- **Conscientious Time Keeping:** We consider it part of our professional responsibility to be meticulous about fair time keeping for our bills. We do not place undue pressure on our associates to meet unrealistic billing quotas. Each monthly billing statement to a client is detailed and any questions or discrepancies are promptly addressed.
- **In-Person Visits with Clients:** Although it may seem counter-intuitive, we have found that taking the time to meet face to face with department heads or municipal boards to discuss ongoing legal issues, or to provide briefings on litigation or collective bargaining matters promotes economy and efficiency in the course of our legal representation. Through discussions with the clients we can fully understand their priorities, explain various options and the potential consequences of those options.
- **Specialized Expertise:** We possess a broad range of specialized knowledge and experience which allows our municipal clients to avoid the added expense of special counsel for complex matters. Additionally, we are thoroughly familiar with the unique legal issues that municipalities regularly encounter. Thus, questions about municipal finance, collective bargaining, ethics, open meetings, public records, procurement, public construction and other recurring municipal issues can be addressed promptly and economically without the expense of extensive legal research.

- **Local Knowledge Contributes to Efficiency and Economy:** While the resources of our entire firm are available to address almost any legal issue, we do not expose our clients to a revolving door of numerous attorneys unfamiliar with the City. One senior level attorney will be assigned to the City who will be familiar with all pending legal matters and supervise the work of all other MHTL attorneys working on City matters. The senior level attorney would strive to learn the characteristics of the City and develop comfortable working relationships with public officials. This approach promotes effective communication and consistency while minimizing the expense of bringing additional lawyers up to speed on any particular legal matter.
- **Revenue Enhancements:** We are available to assist in the review of all municipal license and permit fees, fees for service requests, Payments in Lieu of Tax Agreements, and other collection items. We will assist in the vigorous enforcement of statutory liens, and third party recovery of funds owed from injury loss or damage to the City. Municipal government depends on the full realization of all sources of revenue, and the effective and efficient enforcement of all obligations.
- **Gatekeeper Forms:** Upon request, we will develop a form to be used by City employees seeking City Solicitor services. The form would require an employee to investigate other resources, including state agencies, to resolve a legal issue and then obtain written permission to contact counsel.

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**APPOINTMENTS
SECOND READING**

Second Reading Appointments

May 22, 2023

- APPT00398_05_08_2023 Ilene Harnch-Grady 10 Cushing Ave Council on Aging 6/1/2026
- APPT00401_05_08_2023 Annie Maurer 17 Otis Pl. Council on Aging 6/1/2026



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 APR 27 P 4:42

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: May 8, 2023
Subject: Appointment

I hereby appoint, subject to your approval the following named individual as a member of the Council on Aging. This term will expire on June 1, 2026.

Ilene Harnch-Grady
10 Cushing Avenue
Newburyport, MA 01950



March 23, 2023

Attn: Christine Jackson
Executive Assistant, Honorable Mayor: Sean Reardon
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Dear Christine:

Per our discussion, it is my honor to submit my name for consideration to the Newburyport Council on Aging Board of Directors.

In my present role as Health and Wellness & Encore Director at the YWCA Greater, I have the pleasure of working directly with seniors daily through my role as a Wellness Professional, Personal Trainer and leading the YWCA Encore program. In addition to my programming on site, the YWCA Greater Newburyport also collaborates and works closely with the Newburyport Senior Center providing on site programming as well as other joint efforts and programs to support our senior community. It has been my pleasure working with Paula Burke and Mary Kelly and I look forward to enhanced programming to grow our collaborations for seniors and special populations.

It has always been my passion to work with seniors to empower them to confidently continue their health and wellness activities in a safe and supportive environment. The importance of regular exercise for older adults is supported through evidence based research illustrating the many benefits both physically, socially and through improved mental health. This coupled with teaching practices tailored to multi-level, special populations enables seniors to feel empowered in their wellness journey. I bring over 30 years experience working both one on one and in a group setting with seniors helping meet their physical goals. In addition to the many benefits derived from regular exercise, it is a wonderful pleasure to see the many social benefits experienced by those who forge long term friendships and comradeships well beyond their exercise routines. I also work closely with the community developing tailored programs, health fairs and enhanced resources to support our senior community.

A native of Newburyport, I love supporting the community where I was raised and raised my own family. In my spare time, I enjoy speaking time with my family, walking my two rescue dogs and assisting with various equine therapy programs.

I thank you all in advance for your consideration to serve on the Newburyport Council on Aging Board of Directors.

Sincerely,

Ilene M. Hamch-Grady
Health and Wellness Director, YWCA Greater Newburyport
13 Market Street
Newburyport, MA 01950
igrady@ywcaneburyport.org or 978-225-6510

YWCA IS ON A MISSION

Ilene Harnch-Grady
10 Cushing Avenue
Newburyport, MA. 01950
(C) 978-479-8553
email: igrady@ywcanewburyport.org

Education:

Mass College of Liberal Arts:

North Adams, MA.

Awarded Bachelor of Arts: Communications, Minors: Business Management, Journalism

Northern Essex Community College

Haverhill, MA.

Awarded a A.A. Degree Liberal Arts and Executive Secretarial Program

Merrimack College

North Andover, MA

Direct Marketing Certificate Program

Newburyport High School

Newburyport, MA.

May 1981

Professional Experience

YWCA Greater Newburyport: Health and Wellness/Encore/Marketing Director

10/2007 – Present

Design and execute health and wellness programs for multi-level fitness populations, oversee Encore program, Development Committee, Marketing and Website endeavors. Work with community partners including Newburyport Senior Center offering health and wellness classes. Multi-level certifications including Boston Barre, 200 hour Yoga, Body Pump, BodyTraining System, Stott Pilates, Spin, AFAA Active Aging, Arthritis Foundation Aquatic/Land Program certifications.

ALOFT INC: Senior Account Manager, Newburyport, MA

11/2000 – 8/2002

Managed full-service advertising campaigns for diversified client base including trade show management, print and radio media, infomercials and production management.

Amergent: Account Manager, Peabody, MA

7/1997- 11/2000

Managed full service direct marketing campaigns for non-profit health care organizations.

CPS Direct: Senior Account Executive, Woburn, MA

6/1988- 6/1997

Managed direct marketing campaigns for top 3 revenue generating nonprofit, healthcare accounts.

City of Newburyport, City Councilor, Ward 6

11/1994 - 11/1996

Represented constituents of Ward 6 on municipal governing board comprised of 11 City Councilors and Mayor. Served on Zoning Committee.

Volunteer Experience

YWCA Greater Newburyport Development Committee

2008 - Present

Pelican Intervention Fund

2015 – Present

Anna Jacques Hospital Community Benefits Advisory Council

2009- Present

Newburyport/Triton Health and Wellness Advisory Council

2009 – Present

North of Boston Cancer Resource (original founder)

2014 - Present

American Cancer Society

1985 – 2010

REFERENCES: Gladly furnished upon request

PERSONAL: Native of Newburyport, married with 1 child



CITY OF NEWBURYPORT RECEIVED
OFFICE OF THE MAYOR CITY CLERK'S OFFICE
SEAN R. REARDON, MAYOR NEWBURYPORT, MA
2023 APR 27 P 4:42
60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: May 8, 2023
Subject: Re-Appointment

I hereby re-appoint, subject to your approval the following named individual as a member of the Council on Aging. This term will expire on June 1, 2026.

Annie Maurer
17 Otis Place #4
Newburyport, MA 01950

Attn: Christine Jackson
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

Dear Ms Jackson:

I have served on the Newburyport Council on Aging Directors since 2018 and as clerk of the Board since 2019. I am ending my initial term on the Board and am interested in serving another three year term.

During my time on the Board, besides serving as clerk, I have served on the Nominations and Transportation subcommittees as well as being part of the event planning team organized this year for the midwinter and spring events. My time on the Board has deepened my understanding of the challenges and opportunities offered by this community to its seniors and the role of city government and the people who serve in it.

I have lived in Newburyport since the mid-nineties and am thankful that I found this community. Serving on the Board has given me a way to give back to a city that has given me so many years of happiness. Please consider my desire to serve on the Board for another term.

Thank you,

Annie Maurer
17 Otis Place #4
Newburyport, MA 01959
anniemaurer174@gmail.com, 978-872-5244

Annie Maurer

17 Otis Place #4
Newburyport, MA 01950
978-872-5244
anniemaurer174@gmail.com

Experience

August 1978 - June 1998

St. Ann's Home and School, Teacher

- Taught special needs students in grades 4 - 7
- Supervised teacher assistants

August 1998 - June 2015

St. Ann's Home and School, Curriculum Specialist

- Created and obtained curriculum materials
- Directed, managed, and reported state mandated testing
- Organized and presented curriculum related workshops for teachers
- Supervised implementation of curriculum by teachers
- Maintained academic records
- Served as long-term substitute working with grades 2 - 11

Community Based Activities

- First Religious Society UU, Chair of Social Action Team: 2011 - 2018
- First Religious Society UU, Board member: 2013 - 2015
- First Religious Society UU, Board Chair: 2014 - 2015
- First Religious Society UU, Community Outreach, Emmaus House drive organizer: 2016 - 2019, 2023
- First Religious Society UU, Search Committee: 2017
- Newburyport Council on Aging, Board member: 2018 - present (clerk 2020 - present)
- Seacoast Raise Up Volunteers, Co-organizer: 2018 - present
- Small Solutions Inc., Clerk of the Board: 2019 - present

Education

- Santa Monica College, Santa Monica, California: 1968 - 1970
- Fort Lewis College, Durango, Colorado: 1972 - 1974
- Salem State College, Salem, Massachusetts: 1975 - 1978 Bachelors in Science
- Lesley College, Cambridge, Massachusetts: 1978 - 1981 Masters in Moderate Special Needs

ORDERS



IN CITY COUNCIL

ORDERED:

May 22, 2023

THAT, the City of Newburyport fix the maximum amount that may be spent during fiscal year 2024 beginning on July 1, 2023 for the revolving funds established in city ordinances for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, as follows:

Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	FY2023 Spending Limit	FY2024 Spending Limit	Change
Council on Aging	Director of Council on Aging	\$40,000	\$40,000	\$0
Recreational Services	Director of Youth Services	\$550,000	\$600,000	\$50,000
Historical Commission	Director of Planning & Development	\$2,500	\$2,500	\$0
Electrical Inspector	Building Commissioner	\$110,000	\$110,000	\$0
Plumbing Inspector	Building Commissioner	\$70,000	\$70,000	\$0
Gas Inspector	Building Commissioner	\$60,000	\$60,000	\$0
Disabilities Commission	ADA Coordinator	\$7,500	\$7,500	\$0
Emma Andrews Library	Director of Public Services	\$30,000	\$30,000	\$0
Transient Vendors	Director of Public Health	\$20,000	\$20,000	\$0
Planning & Zoning	Director of Planning & Development	\$70,000	\$70,000	\$0
Animal Control	Director of Public Health	\$6,000	\$6,000	\$0
Tree Commission	Newburyport Tree Warden	\$10,000	\$10,000	\$0
Health Programs	Director of Public Health	\$35,000	\$35,000	\$0
Veterans Services	Director of Veteran's Services	\$2,000	\$2,000	\$0
City Hall Maintenance	Director of Public Services	\$5,000	\$5,000	\$0
Senior/Community Center Maintenance	Director of Public Services	\$40,000	\$40,000	\$0
Parks Maintenance	Director of Public Services	\$15,000	\$15,000	\$0
Solid Waste	Recycling/Energy Manager	\$100,000	\$100,000	\$0
Assessor's Office	Assessor	\$2,000	\$2,000	\$0

Councillor Sharif I. Zeid

DEPARTMENTAL REVOLVING FUNDS

FY2023 YEAR-TO-DATE ACTIVITY (AS OF APRIL 30, 2023)

Account Name	Fund Code	Beginning Balance	YTD Revenue	YTD Expended	Transfers Out	Current Balance	FY23 Spending Limit	Remaining Budget	% Used	<u>Proposed</u>	
										FY24 Spending Limit	Change
Council on Aging	2802	\$791	\$24,416	\$19,865	\$0	\$5,342	\$40,000	\$20,135	49.7%	\$40,000	\$0
Recreational Services	2803	\$565,919	\$514,234	\$474,907	\$114,887	\$490,359	\$550,000	\$75,093	86.3%	\$600,000	\$50,000
Historical Commission	2804	\$9,502	\$1,300	\$1,800	\$0	\$9,002	\$2,500	\$700	72.0%	\$2,500	\$0
Electrical Inspector	2806	\$68,601	\$86,330	\$54,095	\$0	\$100,837	\$110,000	\$55,905	49.2%	\$110,000	\$0
Plumbing Inspector	2807	\$45,907	\$58,210	\$38,137	\$0	\$65,980	\$70,000	\$31,863	54.5%	\$70,000	\$0
Gas Inspector	2808	\$10,109	\$39,225	\$41,603	\$0	\$7,731	\$60,000	\$18,397	69.3%	\$60,000	\$0
Disabilities Commission	2809	\$42,028	\$10,660	\$2,354	\$0	\$50,334	\$7,500	\$5,146	31.4%	\$7,500	\$0 (1)
Emma Andrews Library	2810	\$52,201	\$16,000	\$9,828	\$0	\$58,372	\$30,000	\$20,172	32.8%	\$30,000	\$0
Transient Vendors	2812	\$25,331	\$3,675	\$2,825	\$0	\$26,181	\$20,000	\$17,175	14.1%	\$20,000	\$0
Planning & Zoning	2813	\$918	\$28,950	\$24,657	\$0	\$5,210	\$70,000	\$45,343	35.2%	\$70,000	\$0
Animal Control	2817	\$11,496	\$655	\$715	\$0	\$11,436	\$6,000	\$5,285	11.9%	\$6,000	\$0
Tree Commission	2818	\$6,424	\$0	\$6,424	\$0	\$0	\$10,000	\$3,576	64.2%	\$10,000	\$0
Health Programs	2835	\$59,403	\$26,555	\$22,891	\$0	\$63,067	\$35,000	\$12,109	65.4%	\$35,000	\$0 (2)
Veterans Services	2836	\$1,293	\$20	\$0	\$0	\$1,313	\$2,000	\$2,000	0.0%	\$2,000	\$0
City Hall Maintenance	2840	\$7,799	\$1,340	\$136	\$0	\$9,003	\$5,000	\$4,864	2.7%	\$5,000	\$0
Senior Comm. Ctr. Maint.	2841	\$78,394	\$24,749	\$24,487	\$0	\$78,656	\$40,000	\$15,513	61.2%	\$40,000	\$0 (3)
Parks Maint.	2842	\$0	\$22,537	\$5,484	\$0	\$17,053	\$15,000	\$9,516	36.6%	\$15,000	\$0
Solid Waste	2843	\$261,495	\$53,573	\$65,733	\$35,000	\$214,335	\$100,000	\$34,267	65.7%	\$100,000	\$0
Assessor	2844	\$3,655	\$290	\$0	\$0	\$3,945	\$2,000	\$2,000	0.0%	\$2,000	\$0
Total		\$1,251,268	\$912,719	\$795,942	\$149,887	\$1,218,158	\$1,175,000	\$379,058	67.7%	\$1,225,000	\$50,000

(1) FY'23 spending limit increased from \$3,000 to \$7,500 on May 8, 2023.

(2) FY'23 spending limit increased from \$25,000 to \$35,000 on May 8, 2023.

(2) FY'23 spending limit increased from \$25,000 to \$40,000 on May 8, 2023.

ORDINANCES



IN CITY COUNCIL

January 30, 2023

(As Amended in P&D Committee 5/4/2023)

ORDERED:

A ZONING ORDINANCE AMENDMENT TO REMOVE THE ALLOWANCE OF “ITIF” SPECIAL PERMITS FOR RESIDENTIAL USES

Be it ordained by the City Council of the City of Newburyport as follows:

Amend Section VII-A, entitled “Off-Street Parking Regulations” as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

New uses or development: No use of any premises shall be authorized or extended and no building or structure shall be erected or enlarged, unless on-site or off-site parking is provided for such extension, erection, or enlargement, as provided herein; provided, however, that for any use or structure both (1) lawfully existing as of December 17, 2017, and (ii) currently located within three hundred (300) feet of a municipal parking lot and/or municipal parking structure that is located within the Downtown Overlay District (DOD), any lawful deficiency in the number or dimensions of accessory, off-street parking spaces that existed on December 17, 2017, may be continued at the same lot by right, notwithstanding any lawful extension, alteration, or change of such use or structure at such lot, such that off-street parking regulations of this ordinance shall apply only to those parking spaces newly required by such lawful extension, alteration, or change of use or structure. Any outdoor parking spaces shall be treated with a surface binder, gravel or crushed stone surface. Except as otherwise provided under section XXIV or, alternatively, through a special permit from the planning board as set forth below, all parking spaces shall be provided as follows:

- (1.) For non-residential uses parking spaces may be (i) on site; (ii) off-site within a private parking lot or a private parking structure within three hundred (300) feet of the principal building, structure or use on the premises, by right with evidence of lease or easement of the minimum duration, as provided below; or (iii) off-site within a municipal parking lot and/or structure that is located within the Downtown Overlay District (DOD), within

three hundred (300) feet of the principal building, structure or use on the premises by special permit from the planning board with payment into the intermodal transportation improvement fund (ITIF), as provided below.

- (2.) For residential uses parking spaces may be (i) on-site; or (ii) off-site within a private parking lot or a private parking structure within three hundred (300) feet of the principal building, structure or use on the premises, by right with evidence of lease or easement of the minimum duration, as provided below; ~~or (iii) within a municipal parking lot and/or structure that is located within the Downtown Overlay District (DOD), within three hundred (300) feet of the principal building, structure or use on the premises by special permit from the planning board with payment into the ITIF, as provided below.~~

Notwithstanding the above, no development or use (residential or non-residential) may utilize, or obtain a special permit for use of, municipal parking lots and/or structures to meet the requirements of this section, where such development or use falls within the geographic boundaries of the Waterfront West Overlay District (WWOD).

When a private lot or parking structure is proposed to satisfy the parking requirements, a recordable lease or easement with a term of least five (5) years in duration must be provided to the permit granting authority.

The foregoing provisions regarding off-site parking are summarized in the following table:

	Private parking lot	<i>Private parking structure</i>	<i>Municipal parking lot that is located within the Downtown Overlay District (DOD)</i>	<i>Municipal parking structure that is located within the Downtown Overlay District (DOD)</i>
Residential use (principal building, structure or use within three hundred (300) feet)	By right, with evidence of lease or easement of minimum duration	By right, with evidence of lease or easement of minimum duration	Not Permitted Special permit from planning board with payment into ITIF	Not Permitted Special permit from Planning Board with payment into ITIF
Non-residential use (principal building, structure or use within three hundred (300) feet)	By right, with evidence of lease or easement of minimum duration	By right, with evidence of lease or easement of minimum duration	Special permit from planning board with payment into ITIF	Special permit from planning board with payment into ITIF

For the purposes of determining the distance requirement for off-street parking, the measurement shall be taken in a straight line from the ~~appropriate~~ closest lot line of the off-street parking lot or parking structure fronting on a public way to the closest lot frontage of the property containing a pedestrian entrance to the associated principal building, structure or use on the premises.

In the event a proposed development includes more than one use, the parking requirement shall be the sum total of the requirements for the individual uses.

Notwithstanding the requirements of this section, "shared" parking areas may be allowed to meet the requirements of this section (for a reduction in total parking spaces) by a special permit granted by the planning board, pursuant to this section, for uses having different peak times of parking demand. Grant of a special permit from the planning board for such "shared" parking arrangements shall be issued only after planning board review and approval of a written parking demand analysis provided by the applicant. The planning board may, at its sole discretion, require a peer review of such analysis.

Dimensional requirements: Exclusive of driveways or aisles, an area consisting of eighteen (18) feet by nine (9) feet shall be considered as one off-street parking space. The minimum aisle width for ninety-degree parking shall be twenty-four (24) feet for two-way traffic. Angle parking shall require a one-way traffic aisle with an eighteen-foot aisle width for sixty-degree parking and thirteen (13) feet for forty-five-degree parking.

Use of municipal lots: The planning board shall act as special permit granting authority (SPGA) for the purposes of permitting use of municipal parking lots and/or structures for ~~residential and~~ non-residential uses to provide required off-street parking. **For the purposes of this subsection and the subject Special Permit, Hotels and Inns (Use 105) shall be considered non-residential uses.**

The use of municipal parking lot(s) and/or structures is permitted for all ~~residential and~~ non-residential uses to provide required off-street parking by special permit from the planning board and payment into the ITIF, as provided below. The special permit for use of municipal parking lots and/or structures shall require both compliance with the requirements of the ITIF and a determination that the requested use is essential and/or desirable to the public convenience or welfare.

Intermodal transportation improvement fund (ITIF): The city hereby creates a dedicated municipal revenue fund whose purpose is to provide for necessary funding to support transportation related improvements that are necessitated by use of municipal parking lots and structures by ~~residential and~~ non-residential uses. The improvements necessitated by such uses are intended: to increase the supply of available public parking spaces which would otherwise be available if not for use of the municipal parking lots and/or structures by such non-residential users; to allow for related improvements that are necessitated by the use of municipal parking lots and/or structures by such non-residential users; and to pay for increases in the cost of operating and maintaining municipal parking lots and/or structures which said costs can be directly attributed to the use of the municipal parking lots and/or structures by such non-residential users. It is intended that all property owners that request a special permit from the SPGA to utilize a municipal parking lot(s) to meet their off-street parking requirements shall meet the requirements of this section.

Recognizing the particular intermodal transportation and parking needs of the relevant districts, the SPGA may allow an unmet parking need credit (UPNC) to be applied and deposited in the ITIF as a

method of meeting the parking requirements of section VII for ~~residential and~~ non-residential uses. As provided in this section, the UPNC may only be requested by a property owner of a ~~residential or a~~ non-residential use within three hundred (300) feet of an off-street municipal parking lot and/or structure. Applications shall be administered by the SPGA as part of the special permit process and calculated using the table listed in the intermodal transportation improvement fund.

To calculate this credit, any unmet parking need shall be calculated by multiplying the required unmet parking need by a rate of seven thousand five hundred dollars (\$7,500.00) per space in a municipal parking lot and/or structure, plus an adjustment (increase) in accordance with the consumer price index (CPI) for construction issued by the United States Bureau of Labor Statistics. Prior to the issuance of a building permit, the resulting dollar amount shall then be deposited in the ITIF. The ITIF shall be used to provide support for transportation related improvements cited above, operations and shall be controlled and administered by the city council. The use of funds collected under this ITIF limited to the above noted improvements or such other improvements that are directly necessitated by use of municipal parking structures by ~~residential or~~ non-residential uses to provide required off-street parking.

SPGA approval for the use of nearby municipal parking lots and/or structures to meet the off-street parking requirements of this section shall not constitute a permanent or exclusive right or guarantee of access to such parking spaces by the applicant, associated residents, tenants or otherwise. Rather, such SPGA approval (with corresponding payment into the ITIF) shall enable the applicant to take credit for nearby public parking spaces in fulfilling the minimum parking calculations required under this section for proposed uses at the time of permitting. Unless otherwise permitted by the City of Newburyport, all such parking spaces located in municipal parking lots shall be considered shared parking spaces, available on a first come, first served basis.

Councillor James J. McCauley

In City Council January 30, 2023:

Motion to refer collectively ODNC00135, ODNC00136, ODNC00137 to Planning and Development by Councillor Cameron, seconded by Councillor Wright. Friendly amendment by Councillor Khan to refer ODNC00136 and ODNC00137 to COTW in addition to Planning & Development. Roll call vote. 11 yes (1 remote, BL). Motion passes.

In City Council May 8, 2023:

Motion to approve on 1st reading by Councillor Cameron, seconded by Councillor Wright. Roll call vote. 11 yes. Motion passes.

COMMITTEE ITEMS

Committee Items – May 22, 2023

General Government

In Committee:

- COMM00464_02_27_2023 Brown School RFI Councillor Zeid Redline (COTW) *amended*
- ORDR00428_02_27_2023 RFI Brown School Property (COTW) *amended*

Newburyport Brown School Request for Expressions of Interest (RFI) Draft Outline

(As amended at the 5/15/2023 General Government Committee Meeting)

I. Objective

a. What is the opportunity?

The City of Newburyport is preparing to offer the former Brown School at 40 Milk Street for adaptive reuse. To ensure a successful RFP process, the City is seeking scenarios for highest and best use(s) of the property.

That portion of the property protected by Article 97 restrictions (see related Council Order) must be maintained and is not part of the RFI solicitation.

The City is open to reviewing concepts based on a fee interest sale of surplus property. The property has a FY2023 total assessed value of \$6,262,200.

b. Who is the Review Authority?

The Review authority is the City Council.

c. What is the solicitation?

- To ensure a successful potential RFP process, the City is seeking preliminary concepts and qualifications of development teams to assess feasibility of redevelopment scenarios and inform a future RFP.
- The City is using this solicitation to gather information on potential redevelopment scenarios. Since the City is not disposing of its interest in the property by way of this solicitation, it is therefore not subject to Uniform Procurement Act (Ch. 30B).

d. What is the solicitation process?

- The City is inviting responses from development teams that can demonstrate their ability to successfully preserve and reuse former school buildings for the production of affordable housing.
- After reviewing responses, the City will summarize and publicize the proposals to the Newburyport community and its City Council.
- The City may choose to invite all respondents for informational interviews in a fair and transparent manner.
- The City may or may not move forward with issuance of an RFP for Brown School at the conclusion of this solicitation.

II. Background

- a. Location of property, neighborhood context
- b. Brief history of Brown School: previous and current uses
- c. Site and building conditions: reference past studies and plans (i.e., feasibility studies, housing production plan)

- d. Regulatory conditions: existing zoning and other restrictions (i.e., park use, demolition of school building prohibited, requirement for a preservation restriction on the original/main school building, prevailing neighborhood conditions)

III. **Redevelopment Goals**

Include a summary of community feedback collected in past public outreach. Based on ad-hoc committee feedback:

- A - Production of affordable housing with a preference for older adults aged 62 and above. All affordable units must meet the requirements for inclusion in the Department of Housing and Community Development's (DHCD) Subsidized Housing Inventory (SHI).
- B - Preservation of the existing gym as a community space.
- C - A financially feasible project, where the non-profit or developer can demonstrate that the adaptive reuse program can be well cared for and maintained moving forward in a self-sufficient manner, and without continued financial assistance from the City.
- D - A project that comports with the character of the neighborhood, respecting the narrow streets and constrained access.

IV. **Submission requirements**

a. Qualifications

- Development team members: Demonstrate that the team has qualified professionals to accomplish the project successfully.
- Development team experience: Provide a narrative illustrating the team/organization's mission and areas of expertise. Describe the team's experience in similar projects within the past 5 years. Include information on team's relevant experience on permitting and financial capacity to successfully complete the project.

b. Development concept

i. - **Adaptive Reuse Concepts under Existing Zoning**

Prepare one or more development concepts for the property and building, based on the Redevelopment Goals outlined in Section III above. Each such concept shall be based on existing zoning and must be accompanied by a narrative including assumptions relative to permits required for the project, and the proposed timelines to secure such approvals.

ii. - **Adaptive Reuse Concepts Requiring Alternative Zoning and/or Removal of Gym:**

Prepare one or more alternative development concepts for the property and building, based on the Redevelopment Goals outlined in Section III above. Each such concept shall be accompanied by a narrative including assumptions relative to permits and/or zoning changes which may be required to support the applicable adaptive reuse concept, and the proposed timelines to secure such approvals. Where an adaptive reuse concept cannot adhere to, or be permitted under, the existing Brown School Overlay District (BSOD) zoning or does not involve preservation of the existing gym as a community space, respondents shall provide a written explanation as to why modification of the BSOD zoning, or removal of the gym, would be necessary to facilitate the proposed project, for the purposes of financing or as otherwise required for overall feasibility.

- iii. – All adaptive reuse concepts shall be accompanied by a summary of the following:
 - A. The number of market rate units proposed
 - B. The number of affordable units proposed, the proposed level or depth of affordability for such units.
 - C. The number of bedrooms associated with both affordable and market rate units.
- c. Project financing
 - Provide a preliminary pro forma, including sources and uses of funds for the foregoing adaptive reuse concepts.
 - Provide a brief narrative on how the development team plans to utilize proposed financing sources, including permanent loans, DHCD subsidies, tax credits, local funding sources, and other grant programs.
 - An estimated timeline for any such project
- d. Transparency
 - If the respondent has been directly contacted or invited, either verbally or in writing, to submit a response to this RFI by any City staff, elected official, or appointed member of a board or commission such direct invitation or outreach shall be disclosed along with the nature of said invite.

V. Review

The City will review responses based on, but not limited to, the following criteria:

- a. Completeness of proposal and inclusion of all submission requirements
- b. Responsiveness to redevelopment goals as outlined in Sec. III
- c. Demonstration of ability to successfully execute similar projects
- d. Qualifications of development team

VI. Important dates

- a. RFI available date
- b. Site tour
- c. Questions deadline
- d. Proposals due

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 27, 2023

AN ORDER TO APPROVE AND ISSUE A REQUEST FOR EXPRESSIONS OF INTEREST (RFI) IN RELATION TO THE FORMER BROWN SCHOOL PROPERTY

WHEREAS, on April 11, 2022, the City Council approved Order 324 (ORDR00324_03_14_2022), as amended, establishing the Ad Hoc Committee on Adaptive Reuse of the Brown School Property; and

WHEREAS, on September 27, 2022 the City Council approved Communication 432 (COMM00432_09_12_2022) amending the Membership and Proposed Timeline referenced in the prior Order 324, including anticipated completion of the Committee's work by February 2023; and

WHEREAS, the Ad Hoc Committee on Adaptive Reuse of the Brown School Property has met several times since its establishment, and on February 22, 2023 a vote was taken to approve the attached outline for substantive terms to be included within a Request for Expressions of Interest (RFI) in relation to future uses of the former Brown School property in advance of any formal vote of surplus property designation, authorization for disposition and issuance of a Request for Proposals (RFP); and

WHEREAS, said RFI is not a formal procurement/disposition process intended to satisfy the statutory/regulatory prerequisites for legal disposition (*sale/lease*) of municipal property, and the results and any responses thereto shall not be binding on the City; and

WHEREAS, the purpose of this RFI is to gather sufficient information from the private and non-profit sector as to what adaptive reuse options may be feasible and of interest in the current market;

NOW, THEREFORE, the City Council hereby approves the attached 5/15/2023 outline (COMM00464_02_27_2023, *As Amended*) for substantive terms to be included within a Request for Expressions of Interest (RFI) for the former Brown School Property; and

FURTHER, the City Council hereby forwards this approved outline to the Mayor and Director of Planning and Development with a request for their assistance: (a) towards the issuance of an RFI consistent with the attached outline; and (b) by forwarding a copy of all formal responses to said RFI ultimately received to the City Council for review and consideration in relation to any final disposition and adaptive reuse of the former Brown School property; and

FURTHER, upon approval of this Order the Council's Ad Hoc Committee on Adaptive Reuse of the Brown School shall be dissolved forthwith.

Councillor Heather L. Shand

In City Council February 27, 2023:

Motion refer to General Government and COTW by Councillor Vogel, seconded by Councillor Khan. Roll call vote. 9 yes, 2 no (BL, SZ). Motion passes.

Committee Items – May 22, 2023

Licenses & Permits

In Committee:

- APPL00134_05_08_2023 9th Annual Harborside Half Marathon & 5K 11/12/2023 9am-1:30pm
- APPL00135_05_08_2023 Paws for a Cause 10/14/2023 10am-12pm
- APPL00136_05_08_2023 Yankee Homecoming July 29th-August 6th
- APPL00137_05_08_2023 Olive's Backyard Makers Market 7/22/2023 9am-2pm
- APPL00138_05_08_2023 Lions Bed Race August 3rd 5pm-8pm
- APPL00139_05_08_2023 Block Party 31 Howard St June 14th 12pm-9pm
- COMM00484_05_08_2023 Newburyport Pride Parade Information

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)**NAME OF EVENT:** 9th Annual Harborside Half Marathon & 5KDate: 11/12/2023 Time: from 9:00 AM to 1:30 PMRain Date: N/A Time: from N/A to N/A2. Location*: Start Line: Industrial Park (40 Parker Street) Finish Line: Cashman Park

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: As per locations above Public Private 4. Name of Organizer: Ventures Endurance & Loco Races, LLC City Sponsored Event: Yes No

Contact Person

Address: 51 Dynamic Drive, Unit #3, Scarborough, ME 04074 Telephone: 860-921-6945 & 207-210-8655E-Mail: edolecki@venturesendurance.com
eboucher@venturesendurance.com Cell Phone: 860-921-6945 & 207-210-8655Day of Event Contact & Phone: Evan Dolecki - Race Director - 860.921.6945 & Erik Boucher - 207.210.86555. Number of Attendees Expected: 1,5006. MA Tax Number: N/A7. Is the Event Being Advertised? Yes Where? Online social media (Facebook, Instagram, etc)8. What Age Group is the Event Targeted to? 15-759. Have You Notified Neighborhood Groups or Abutters? Yes No Who? _____
Notice signs will be posted on the route. All establishments on the course will be sent a road race notice mailer prior to the event.**ACTIVITIES:** (Please check where applicable.) Subject to Licenses & Permits from Relevant City DepartmentsA. Vending*: Food Beverages Alcohol Goods Total # of Vendors 3

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ Radio/CD
On-Site
Performers Dancing Amplified Sound Announcer Stage C. Games /Rides: Adult Rides Kiddie Rides Games Raffle Other Total # Name of Carnival Operator: Address: Telephone:

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No

If yes:

- a) How many trash receptacles will you be providing? 15 managed by our staff and volunteers
- b) How many recycling receptacles will you be providing? 6 managed by our staff and volunteers
- c) Will you be contracting for disposal of : **Trash** Yes No **Recycling** Yes No
- i. If yes, size of dumpster(s): **Trash** 10 Yard **Recycling** _____
- ii. Name of disposal company: **Trash** Meadows Disposal Company **Recycling** Meadows Disposal Company
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes N/A No N/A
- iv. If no, where will the trash & recycling be disposed ? N/A

If no:

- a) # of trash container(s) to be provided by DPS None
- b) # of recycling container(s) to be provided by Recycling Office None
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

35 Standard # 3 ADA accessible

Name of company providing the portable toilets: United Site Services

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____ ROAD RACE WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Loco Sports, LLC & Ventures Endurance

2. Name, Address & Daytime Phone Number of Organizer: Evan Dolecki & Erik Boucher
51 Dynamic Drive, Unit #3, Scarborough, ME 04074
Daytime Phone: 860-921-6945 & 207-210-8655

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Evan Dolecki & Erik Boucher
51 Dynamic Drive, Unit #3, Scarborough, ME 04074
860-921-6945 & 207-210-8655

4. Date of Event: Sunday, November 12th, 2023 Expected Number of Participants: 1,500

5. Start Time: 9:00 AM Half Marathon, 9:15 5K Expected End Time: 1:30 PM

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): Middle Street, Chase Street
Rogers Street, Turkey Hill Street, Hale Street, Opportunity Way, & Perkins Way

7. Locations of Water Stops (if any): Yes. 5 water stops. Mile 2.1, Mile 4.4, Mile 6.2, Mile 8.7, Mile 11.8

8. Will Detours for Motor Vehicles Be Required? Yes. Brief Holds of traffic Yes If so, where? Parker Street & Muliken Way

9. Formation Location & Time for Participants: 7:45 AM - 9:00 AM at 40 Parker Street (Mark Richey Woodworking)

10. Dismissal Location & Time for Participants: 9:30 AM - 1:00 PM at Cashman Park (Finish Area)

11. Additional Parade Information:
- Number of Floats:
 - Locations of Viewing Stations:
 - Are Weapons Being Carried: Yes No
 - Are Marshalls Being Assigned to Keep Parade Moving: Yes No

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 3/30/23 4 Green St. FIRE CHIEF [Signature] APC 4/19/23 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] ADD 4/3/23 16A Perry Way CITY CLERK _____ 60 Pleasant St.

HEALTH DIRECTOR [Signature] 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

<i>Approval Required</i>	Date: _____	Signature _____
___	1. Special Events:	_____
___	2. Police:	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
___	3. Traffic, Parking & Transportation:	_____
___	4. ISD/Health:	_____
___	5. Recycling:	_____
___	6. ISD/Building:	_____
___	7. Electrical:	_____
___	8. Fire:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$_____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks Department:	_____
___	11. License Commission	_____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

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(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

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I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: Evan Dolecki

Date: 04/19/2023



VOLUNTEER & PARTICIPANT PARKING

PORTABLE TOILETS

MEDICAL

FINISH

REGISTRATION

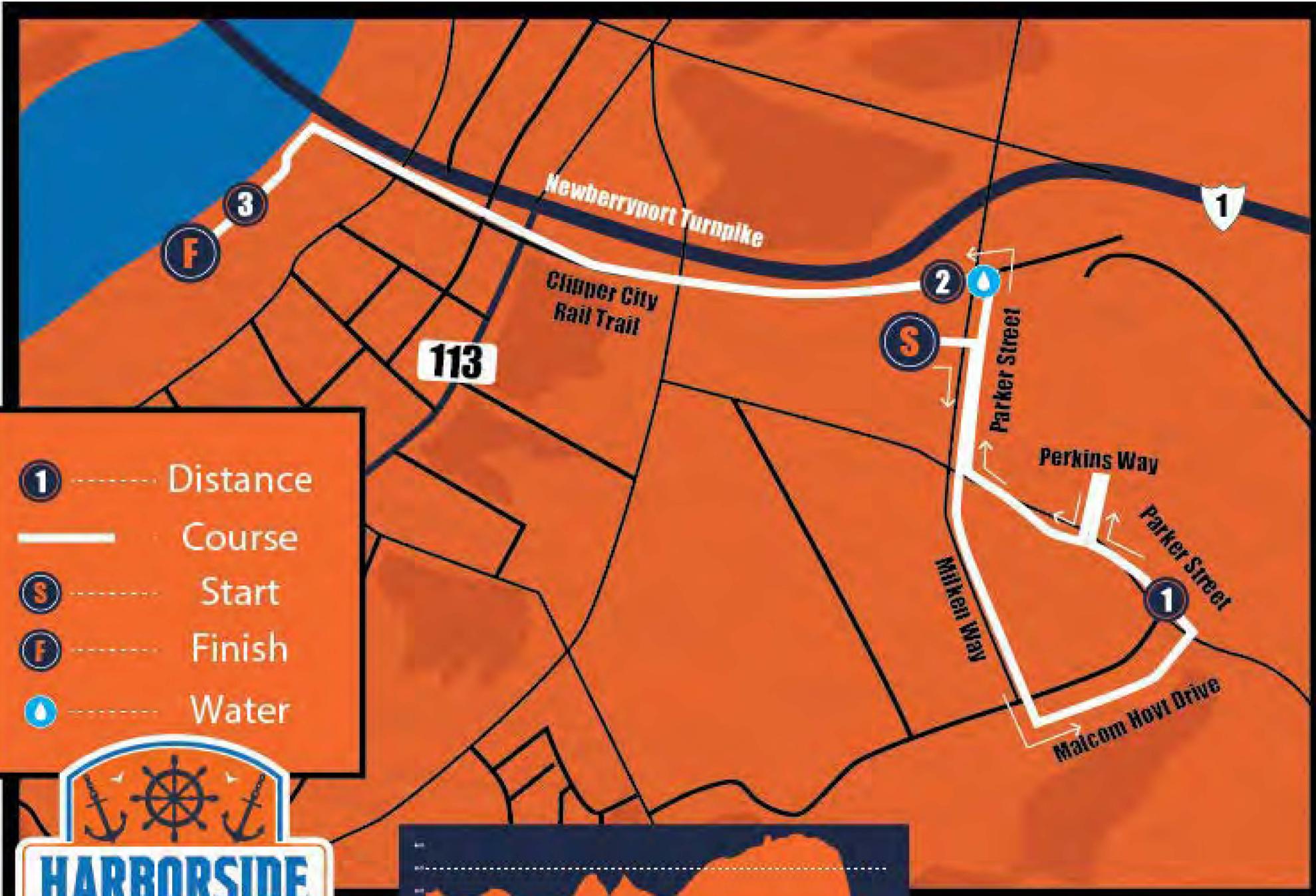
5K & HALF MARATHON FINISH

GEAR CHECK

**POST-RACE BEER GARDEN & FOOD
40' X 80' TENT**

STAFF PARKING

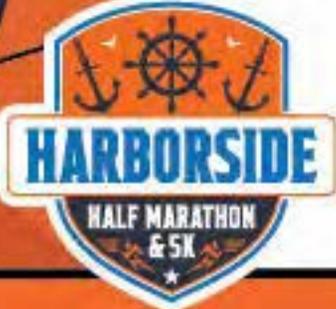
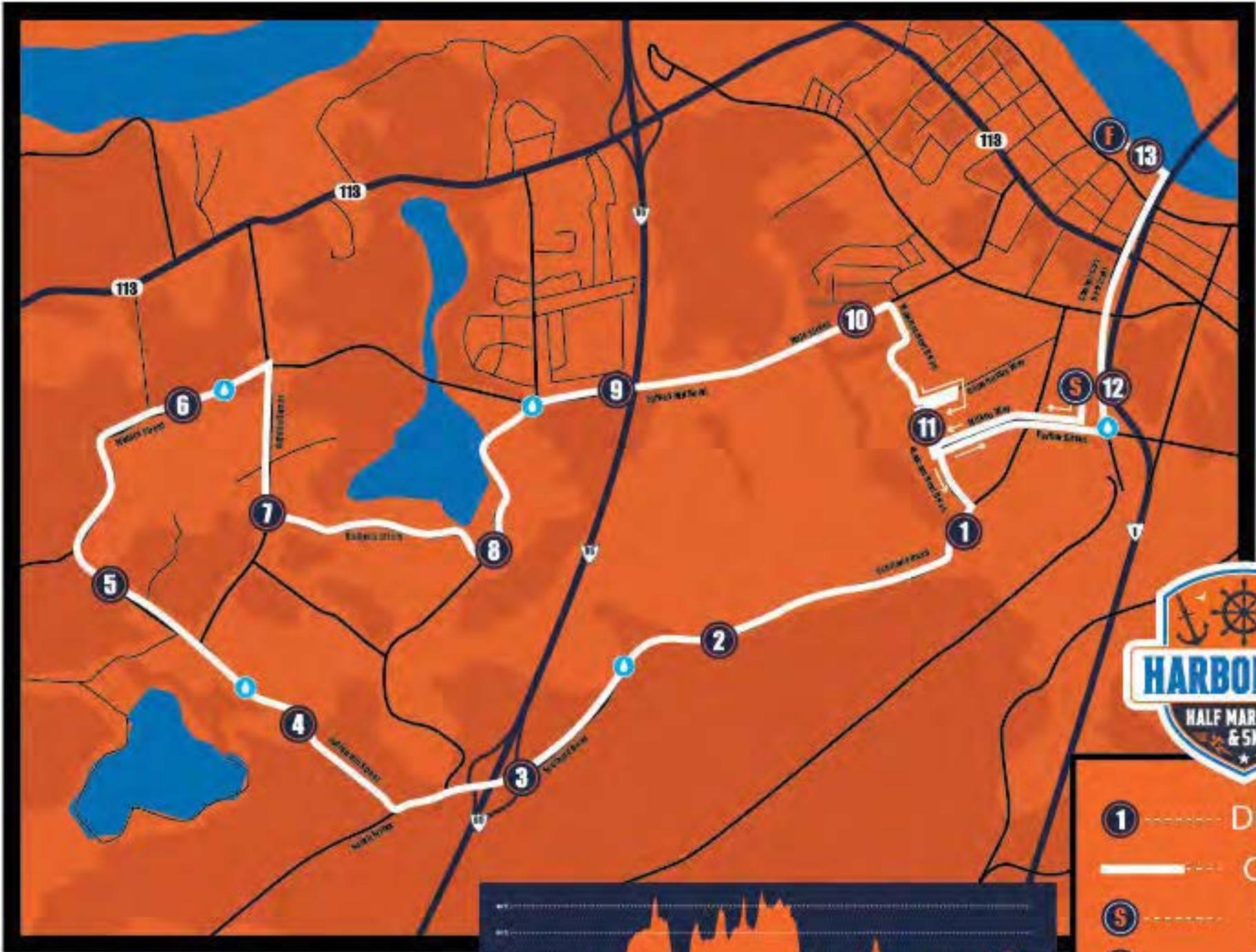




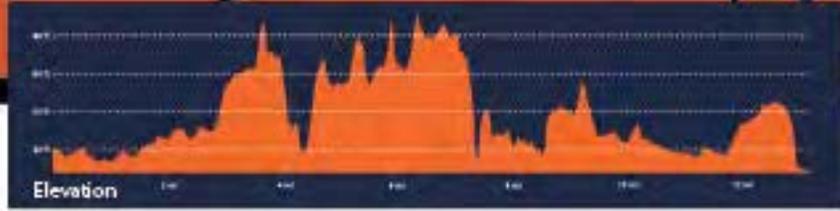
- 1** Distance
- Course
- S** Start
- F** Finish
- 💧** Water



2023 5K



1	Distance
	Course
S	Start
F	Finish
	Water



2023 Half Marathon



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
03/02/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Northeast, Inc. New York NY Office One Liberty Plaza 165 Broadway, Suite 3201 New York NY 10006 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105		
	E-MAIL ADDRESS:		
INSURED Ventures Endurance Events, LLC 85 Devonshire St. 9th Floor Boston MA 02109 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Everest National Insurance Co		10120
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

Holder Identifier :

COVERAGES **CERTIFICATE NUMBER:** 570098108129 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			SI8GL01746231	02/25/2023	02/25/2024	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$1,000,000 PRODUCTS - COMP/OP AGG \$1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION			SI8EX01516231	02/25/2023	02/25/2024	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT E.L. DISEASE-EA EMPLOYEE E.L. DISEASE-POLICY LIMIT

Certificate No : 570098108129

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE:Harborside Half Marathon & 5K.
Certificate Holder is included as Additional Insured in accordance with the policy provisions of the General Liability policy.
CERTIFICATE HOLDER**CANCELLATION**

City of Newburyport PO Box 550 Newburyport MA 01950 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel. 617-916-8984

Fax. N/A

2023 APR 27 A 10:55

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Paws for a Cause: Fundraiser-Dog Walk supporting The Karen Wellington Foundation for LIVING with Breast Cancer

Date: 10/14/23 Time: from 10 Am to 12 Pm

Rain Date: 10/14/23 (Saturday) Time: from 10 Am to 12 Pm

2. Location*: Clipper City Rail Trail from Washington St. to Parker St., Newburyport

*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Clipper City Rail Trail Public Private

4. Name of Organizer: The Karen Wellington Foundation City Sponsored Event: Yes No

Contact Person Debbie Hart-Klein

Address: 2 Hamilton Way, Newburyport Telephone: 617-916-8984

E-Mail: debbie.newengland@karenwellingtonfoundation.org Cell Phone: 617-916-8984

Day of Event Contact & Phone: Debbie Hart-Klein
617-916-8984

5. Number of Attendees Expected: 75

6. MA Tax Number: Federal Id#26-3768567 (Foreign Corp. Certificate of Registration attached)

7. Is the Event Being Advertised? Yes Where? Social media, through Chamber of Commerce,

8. What Age Group is the Event Targeted to? Any with flyers around town, and possibly in the Daily News.

9. Have You Notified Neighborhood Groups or Abutters? Yes not yet No , Who? we will notify residents abutting the relevant section of the rail trail: 180, 181 and 182 High St. and 28-40 Winter St. and 33 Washington St.

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

See attached description

A. Vending*: Food Beverages Alcohol Goods Total # of Vendors

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ Radio/CD

Performers Dancing Amplified Sound Stage

C. Games /Rides: Adult Rides Kiddie Rides Games Raffle

Other Total #

Name of Carnival Operator:

Address:

Telephone:

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No

If yes:

- a) How many trash receptacles will you be providing? 2
- b) How many recycling receptacles will you be providing? 2
- c) Will you be contracting for disposal of : **Trash** Yes ___ No X **Recycling** Yes ___ No X
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes ✓ No ___
- iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____

c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON Dog Walk

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:
The Karen Wellington Foundation for Living with Breast Cancer

2. Name, Address & Daytime Phone Number of Organizer:
Debbie Hart-Klein
2 Hamilton Way, Newburyport
617-916-8989

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up
Same as above

4. Date of Event: 10/11/23 Expected Number of Participants: 75

5. Start Time: 10 AM (staggered start Expected End Time: 12 PM
times every half hour from 10-11:30)

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**):
Entire event on Clipper City Rail Trail from Washington St to Parker St.
(see attached map)

7. Locations of Water Stops (if any): See attached map for approximate station locations

8. Will Detours for Motor Vehicles Be Required? No If so, where? _____

9. Formation Location & Time for Participants: Start on Rail Trail at Washington St., with start
times staggered every 30 mins. from 10-11:30

10. Dismissal Location & Time for Participants: End on
Rail Trail at Parker St at noon.

11. Additional Parade Information:

- Number of Floats: N/A
- Locations of Viewing Stations: N/A
- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No X

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF AC Brady 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 4/11/23 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

Newburyport Special Event Application

Attachment to Application for October 14, 2023 Paws for a Cause:

A Dog Walk Supporting the Karen Wellington Foundation for LIVING with Breast Cancer

Activities and Map

Our planned event is a dog walk along the Rail Trail from Washington Street to Parker Street in Newburyport with “stations” along the way, including:

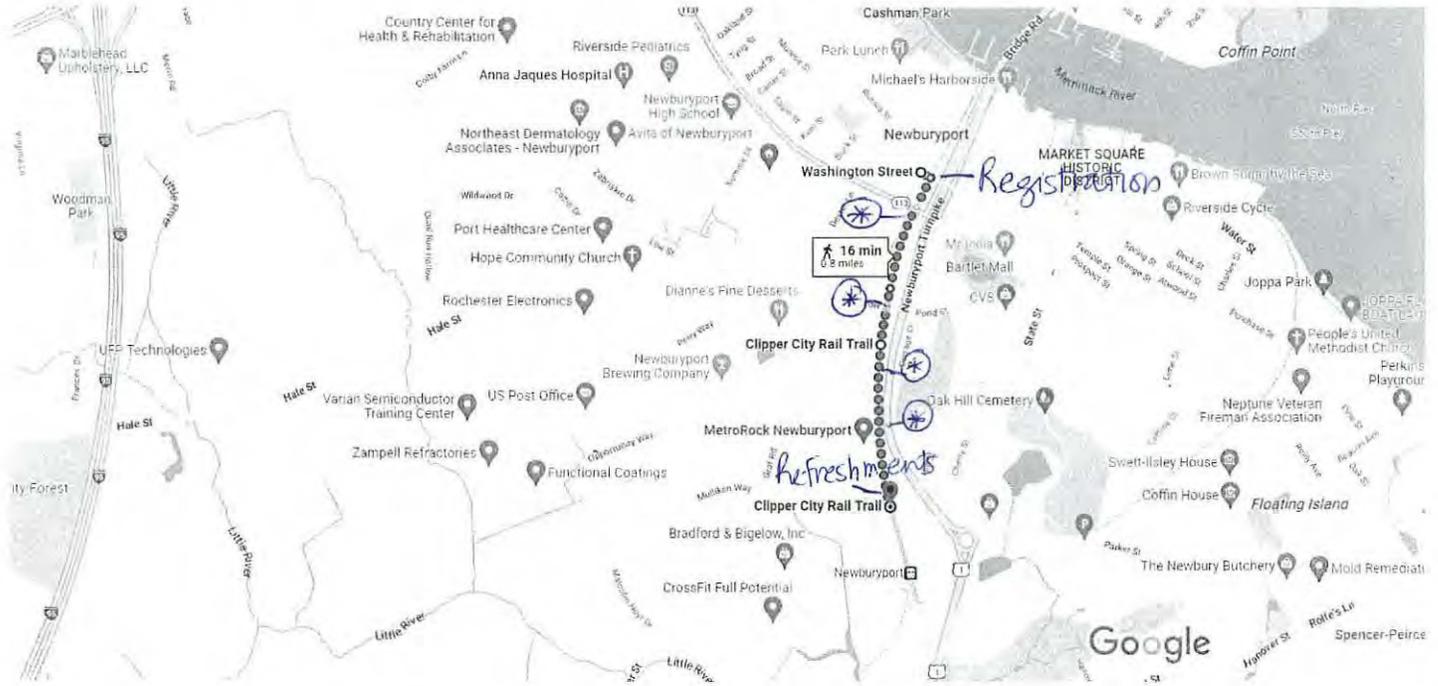
1. Registration (at the start and possibly midway for anyone who joins elsewhere)
2. Dog Treats and water (multiple locations)
3. Raffle (*we are submitting a separate permit application*)
4. Photographers
5. Karen Wellington Foundation information and branded items
6. Refreshments (at the end)

The approximate locations of stations along the route are marked on the attached map. In addition to the beginning and end, they are:

- bottom of the steps from High St
- end of the ramp from High St.
- entrance from Low St
- near one or two of the benches or sculptures between Low St. and Parker St.
- Alchemist Garden

Google Maps

Washington St, Newburyport, MA 01950 to Clipper City Rail Trail, Newburyport, MA 01950 Walk 0.8 mile, 16 min



Map data ©2023 Google 1000 ft


via Clipper City Rail Trail
16 min
0.8 mile

Mostly flat

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval Required Date: _____ Signature: _____

___ 1. Special Events: _____

___ 2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____

___ 3. Traffic, Parking & Transportation: _____

___ 4. ISD/Health: _____

___ 5. Recycling: _____

___ 6. ISD/Building: _____

___ 7. Electrical: _____

___ 8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____

___ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____

___ 10. Parks Department: _____

___ 11. License Commission _____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

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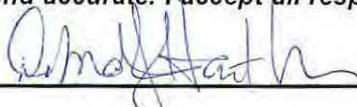
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I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed:  Date: 4/5/23

**F
FPC**

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

**Foreign Corporation
Certificate of Registration**
(General Laws, Chapter 156D, Section 15.03; 950 CMR 113.48)

(1) Exact name of the corporation, including any words or abbreviations indicating incorporation:

The Karen Wellington Memorial Foundation for Living with Breast Cancer

(2) Name under which the corporation will transact business in the commonwealth that satisfies the requirements of G.L. Chapter 156D, Section 15.06:

The Karen Wellington Memorial Foundation for Living with Breast Cancer Corporation

If applicable, please attach:

- an agreement to refrain from use of the unavailable name in the commonwealth; and
- a copy of the doing business certificate filed in the city or town where it maintains its registered office; and
- a copy of the resolution of the corporation's board of directors, certified by its secretary, the name under which the corporation will transact business in the commonwealth pursuant to 950 CMR 113.50(4).

(3) Jurisdiction of incorporation: Ohio

Date of incorporation: November 21, 2008 Duration if not perpetual: _____
(month, day, year)

(4) Street address of principal office: 312 Walnut St., Suite 1800, Cincinnati, OH 45202
(number, street, city or town, state, zip code)

(5) Street address of registered office in the commonwealth: 63 Rangeley Rd., Chestnut Hill, MA 02467
(number, street, city or town, state, zip code)

Name of registered agent in the commonwealth at the above address: Debbie Hart-Klein

I, Debbie Hart-Klein

registered agent of the above corporation consent to my appointment as registered agent pursuant to G. L. Chapter 156D, Section 5.02.*

(6) Fiscal year end: December 31
(month, day)

(7) Brief description of the corporation's activities to be conducted in the commonwealth:
Charitable purposes to raise money for women living with breast cancer.

(8) Names and business addresses of its current officers and directors:

	NAME	BUSINESS ADDRESS
President:	Please see attached list officers and Board Members	
Vice-president:		
Treasurer:		
Secretary:		
Assistant secretary:		
Director(s):		

Attach certificate of legal existence or a certificate of good standing issued by an officer or agency properly authorized in the jurisdiction of organization. If the certificate is in a foreign language, a translation thereof under oath of the translator shall be attached.

This certificate is effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date of filing is specified: _____

THE KAREN WELLINGTON MEMORIAL FOUNDATION FOR LIVING WITH BREAST CANCER

Officers

Name	Address
Kent Wellington, President	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Zand Walters, Vice President	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Michael Chasnoff, Treasurer	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Lisa Farrell, Secretary	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464

Board Members

Name	Address
Kent Wellington, Chair	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Michael Chasnoff, Treasurer	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Zand Walters, Vice Chair	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Dee Dirksing	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Randy Drosick, MD	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Lisa Farrell, Secretary	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Michael Holder	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
David Laug	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464

Name	Address
David Leurck	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Steve Perez, MD	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Michelle Jones	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Peg Ruppert	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464
Elizabeth Somers	312 Walnut Street, Suite 1800 Cincinnati, OH 45202 Phone: (513) 621-6464

Signed by:

Kent Wellington

(signature of authorized individual)

- Chairman of the board of directors,
- President,
- Other officer,
- Court-appointed fiduciary,

1726

UNITED STATES OF AMERICA
STATE OF OHIO
OFFICE OF THE SECRETARY OF STATE

I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show THE KAREN WELLINGTON MEMORIAL FOUNDATION FOR LIVING WITH BREAST CANCER, an Ohio not for profit corporation, Charter No. 1819890, having its principal location in Cincinnati, County of Hamilton, was incorporated on November 21, 2008 and is currently in GOOD STANDING upon the records of this office.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 16th day of May, A.D. 2017.

Jon Husted

Ohio Secretary of State

Validation Number: 201713601796

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF SECRETARY OF STATE

I, Jon Husted, Secretary of State of the State of Ohio, do hereby certify that the paper to which this is attached is a true and correct copy from the original record now in my official custody as Secretary of State.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 16th day of May, A.D. 2017.

Ohio Secretary of State

Jon Husted

Validation Number:

201713601798



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
11/24/2008	200832601360	DOMESTIC ARTICLES/NON-PROFIT (ARN)	125.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

GRAYDON HEAD & RITCHEY LLP
ATTN:STEPHANIE KABAT
511 WALNUT ST.
CINCINNATI, OH 45202

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jennifer Brunner

1819890

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
THE KAREN WELLINGTON MEMORIAL FOUNDATION FOR LIVING WITH BREAST CANCER
and, that said business records show the filing and recording of:

Document(s)
DOMESTIC ARTICLES/NON-PROFIT

Document No(s):
200832601360



United States of America

Witness my hand and the seal of
the Secretary of State at Columbus,
Ohio this 21st day of November,
A.D. 2008.



Prescribed by:

Ohio Secretary of State
Central Ohio: (614) 466-3910
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.sos.state.oh.us
e-mail: busseerv@sos.state.oh.us

Expedite this Form: (Select One)

Mail Form to one of the Following:

- Yes PO Box 1390
Columbus, OH 43218
** Requires an additional fee of \$100 **
- No PO Box 670
Columbus, OH 43218

INITIAL ARTICLES OF INCORPORATION

(For Domestic Profit or Nonprofit)

Filing Fee \$125.00

RECEIVED

NOV 21 2008

THE UNDERSIGNED HEREBY STATES THE FOLLOWING:

(CHECK ONLY ONE (1) BOX)

<input type="checkbox"/> (1) Articles of Incorporation Profit (113-ARF) ORC 1701	<input checked="" type="checkbox"/> (2) Articles of Incorporation Nonprofit (114-ARN) ORC 1702	<input type="checkbox"/> (3) Articles of Incorporation Professional (170-ARP) Profession _____ ORC 1785
--	--	---

SECRETARY OF STATE

Complete the general information in this section for the box checked above.

FIRST: Name of Corporation The Karen Wellington Memorial Foundation for LIVING With Breast

SECOND: Location CINCINNATI HAMILTON Cancer
(City) (County)

Effective Date (Optional) _____ Date specified can be no more than 90 days after date of filing. If a date is specified, the date must be a date on or after the date of filing.
(mm/dd/yyyy)

Check here if additional provisions are attached

Complete the information in this section if box (2) or (3) is checked. Completing this section is optional if box (1) is checked.

THIRD: Purpose for which corporation is formed

The purpose of the corporation includes helping to improve the quality of life of people battling cancer and to engage in any other lawful act or activity for which nonprofit corporations may be formed under Section 1701.01 to 1701.98 of the Ohio Revised Code. Continued on Exhibit A.

Complete the information in this section if box (1) or (3) is checked.

FOURTH: The number of shares which the corporation is authorized to have outstanding (Please state if shares are common or preferred and their par value if any)

(Refer to Instructions if needed)

(No. of Shares) (Type) (Par Value)

Completing the information in this section is optional

FIFTH: The following are the names and addresses of the individuals who are to serve as Initial Directors.

(Name) _____

(Street) _____ **NOTE: P.O. Box Addresses are NOT acceptable.**

(City) _____ (State) _____ (Zip Code) _____

(Name) _____

(Street) _____ **NOTE: P.O. Box Addresses are NOT acceptable.**

(City) _____ (State) _____ (Zip Code) _____

(Name) _____

(Street) _____ **NOTE: P.O. Box Addresses are NOT acceptable.**

(City) _____ (State) _____ (Zip Code) _____

REQUIRED
Must be authenticated
(signed) by an authorized
representative
(See Instructions)

Robert Kenneth Wellington II

Authorized Representative

Robert Kenneth Wellington II
(print name)

11/20/08

Date

Authorized Representative

(print name)

Date

Authorized Representative

(print name)

Date

Complete the information in this section if box (1) (2) or (3) is checked.

ORIGINAL APPOINTMENT OF STATUTORY AGENT

The undersigned, being at least a majority of the incorporators of The Karen Wellington Memorial Foundation for LIVING with Breast Cancer hereby appoint the following to be statutory agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. The complete address of the agent is

Robert Kenneth Wellington II

(Name)

1900 Fifth Third Center, 511 Walnut Street

(Street)

NOTE: P.O. Box Addresses are NOT acceptable.

Cincinnati

Ohio

45202

(City)

(Zip Code)

Must be authenticated by an authorized representative

Robert Kenneth Wellington II

Authorized Representative

Robert Kenneth Wellington II

11/20/08

Date

Authorized Representative

Date

Authorized Representative

Date

ACCEPTANCE OF APPOINTMENT

The Undersigned,

Robert Kenneth Wellington II

, named herein as the

Statutory agent for,

The Karen Wellington Memorial Foundation for LIVING With

, hereby acknowledges and accepts the appointment of statutory agent for said entity.

Breast Cancer

Signature: Robert Kenneth Wellington II

(Statutory Agent)

Robert Kenneth Wellington II

ARTICLES OF INCORPORATION
OF
KAREN WELLINGTON FOUNDATION
FOR LIVING WITH BREAST CANCER

ARTICLE THIRD CONTINUED:

Notwithstanding the foregoing, said corporation is organized exclusively for charitable, religious, educational and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in this Article. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or to the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Upon the dissolution of the corporation or the winding up of its affairs, assets shall be distributed to an organization exempt from federal income tax under Code Section 501(c)(3) at the time of such distribution, and, if not, shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Foreign Corporation
Certificate of Registration
(General Laws, Chapter 156D, Section 15.03; 950 CMR 113.48)

I hereby certify that upon examination of this foreign corporation certificate, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said certificate; and the filing fee in the amount of \$ 400 having been paid, said certificate is deemed to have been filed with me this 18 day of May, 2017, at 12:43 a.m. (p.m.)
time

Effective date: _____
(must be within 90 days of date submitted)

William Francis Galvin

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

Filing fee: \$400

TO BE FILLED IN BY CORPORATION
Contact Information:

Kyle Black

Graydon Head & Ritchey LLP

312 Walnut St., Suite 1800, Cincinnati, OH 45202

Telephone: (513) 629-2725

Email: kblack@graydon.law

Upon filing, a copy of this filing will be available at www.sec.state.ma.us/cor.
If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

0151

1289293

SECRETARY OF THE
COMMONWEALTH
CORPORATION DIVISION
2017 MAY 19 2:43 PM

88
Examiner
Barry
Name approval

C

M

Special Event Permit Application of The Karen Wellington Foundation for LIVING with Breast Cancer Paws for a Cause Dog Walk – October 14, 2023

Attached is the insurance rider from our event last year, naming the City of Newburyport as an insured.

Our insurance carrier has explained that it is too early to add this rider for the 2023 event, but that they will do so when the policy is renewed in September.

We will submit the updated rider to the City Clerk's office to add to this application as soon as possible.

Thank you.

Debbie Hart-Klein, KWF New England Chapter Leader

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

2023 MAY -1 A 11: 08

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Yankee Home coming

Date: July 29 - Aug 6th Time: from 7am to 10 pm

Rain Date: _____ Time: from _____ to _____

2. Location*: City Wide see attachments for major locations
*Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Bantlet Mill, Cashway, Dewart, Nock Scher Public Private _____

4. Name of Organizer: Yankee Home coming Inc City Sponsored Event: Yes _____ No
Contact Person

Address: Box 493 NBPT Telephone: 978-621-2967

E-Mail: jason lac 73 @ gmail, com Cell Phone: Same

Day of Event Contact & Phone: Jason Lacroix 9786212967

5. Number of Attendees Expected: _____

6. MA Tax Number: _____

7. Is the Event Being Advertised? yes Where? paper, Radio, Social Media, website

8. What Age Group is the Event Targeted to? 1-100

9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? Will be notifying through paper + hand out for Road Closures

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food Beverages Alcohol Goods Total # of Vendors _____
*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music DJ Radio/CD _____
Performers Dancing Amplified Sound Stage

C. Games /Rides: Adult Rides _____ Kiddie Rides Games Raffle _____
Other _____ Total # _____

Name of Carnival Operator: in house games, Rental Bouncy House Taylor Red
Address: _____
Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____

If yes:

- a) How many trash receptacles will you be providing? 100
- b) How many recycling receptacles will you be providing? 0
- c) Will you be contracting for disposal of : Trash Yes No Recycling Yes No
- i. If yes, size of dumpster(s): Trash 30 yrd Recycling 10 Brewfest
- ii. Name of disposal company: Trash G Mello Recycling G Mello
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes No
- iv. If no, where will the trash & recycling be disposed ? _____

If no: Requesting Dumpster location on low St @ Parks office

- a) # of trash container(s) to be provided by DPS 20
- b) # of recycling container(s) to be provided by Recycling Office negotiable, work w/ Molly
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: Reds Rest Rooms

Each site requires a different amount there will be an ADA at each site,

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

See Attached Break Down

PARADE ROAD RACE _____ WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: VHC Parade

2. Name, Address & Daytime Phone Number of Organizer: Same VHC Jason Lacroix

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up Jason Lacroix 978-621-2967

4. Date of Event: July 29 - Aug 6 Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): see attachments

7. Locations of Water Stops (if any): _____

8. Will Detours for Motor Vehicles Be Required? If so, where? closures, self explanation

9. Formation Location & Time for Participants: 10-12

10. Dismissal Location & Time for Participants: 12-2

11. Additional Parade Information:

- Number of Floats: 15
- Locations of Viewing Stations: side of High St
- Are Weapons Being Carried: Yes _____ No
- Are Marshalls Being Assigned to Keep Parade Moving: Yes No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 4/25/23 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 4/27/23 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR _____ 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

<i>Approval Required</i>	Date: _____	Signature _____
___	1. Special Events:	_____
___	2. Police:	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
___	3. Traffic, Parking & Transportation:	_____
___	4. ISD/Health:	_____
___	5. Recycling:	_____
___	6. ISD/Building:	_____
___	7. Electrical:	_____
___	8. Fire:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$ _____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	_____
___	10. Parks Department:	_____
___	11. License Commission	_____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____



Jason Lacroix

Date: _____

4-20-23

Yankee Homecoming 2023

July 29th-August 6th

"There is only one Newburyport"

Park usage for YHC 2023

Art on the Mall July 28-July 30

10am-4pm each day

Requesting the Northeast section bordered by High St and Pond St

Old Fashioned Sunday July 30st

DPS set up July 29th. Request the use of the entire Bartlett Mall and surrounding roads. See diagram

Brewfest July 29th

5pm-9pm

Requesting use of the Cashman Park Ball field. Also requesting use of the site for set up July 28th and cleanup the morning of July 30. See diagram

Downtown Market Place & Entertainment

Market Square, Inn St, Pop Park, municipal spaces along west lot.

July 28-Aug7th.

Requesting the use of these spaces for the set-up of a stage for Downtown Entertainment and vendors for the nine days of the festival. See diagram

Fireworks Display

Cashman park Aug 5th (rain date of August 6th)

Requesting the use of the park to close from midnight to midnight for the annual fireworks display. See diagram

Requested Street Closures

Old Fashioned Sunday July 30th

8am to be open by 5pm (or immediately after cleanup)

Pond St from Greenleaf to High

Greenleaf from Pond St to Auburn St

Pond St from Greenleaf to Hill St 3-5 only if there is a pump off (with Police permission)

Waiter Waitress Race July 31st

2pm-6pm (will open immediately after cleanup is done)

Liberty St from Fair St to State St

Craft Show August 1

7am-5pm

Pleasant St from State St to Hale's Court

Booths on both sides of street but leaving enough room for emergency Vehicles

Parade August 6th

12noon till complete cleanup 3pm latest

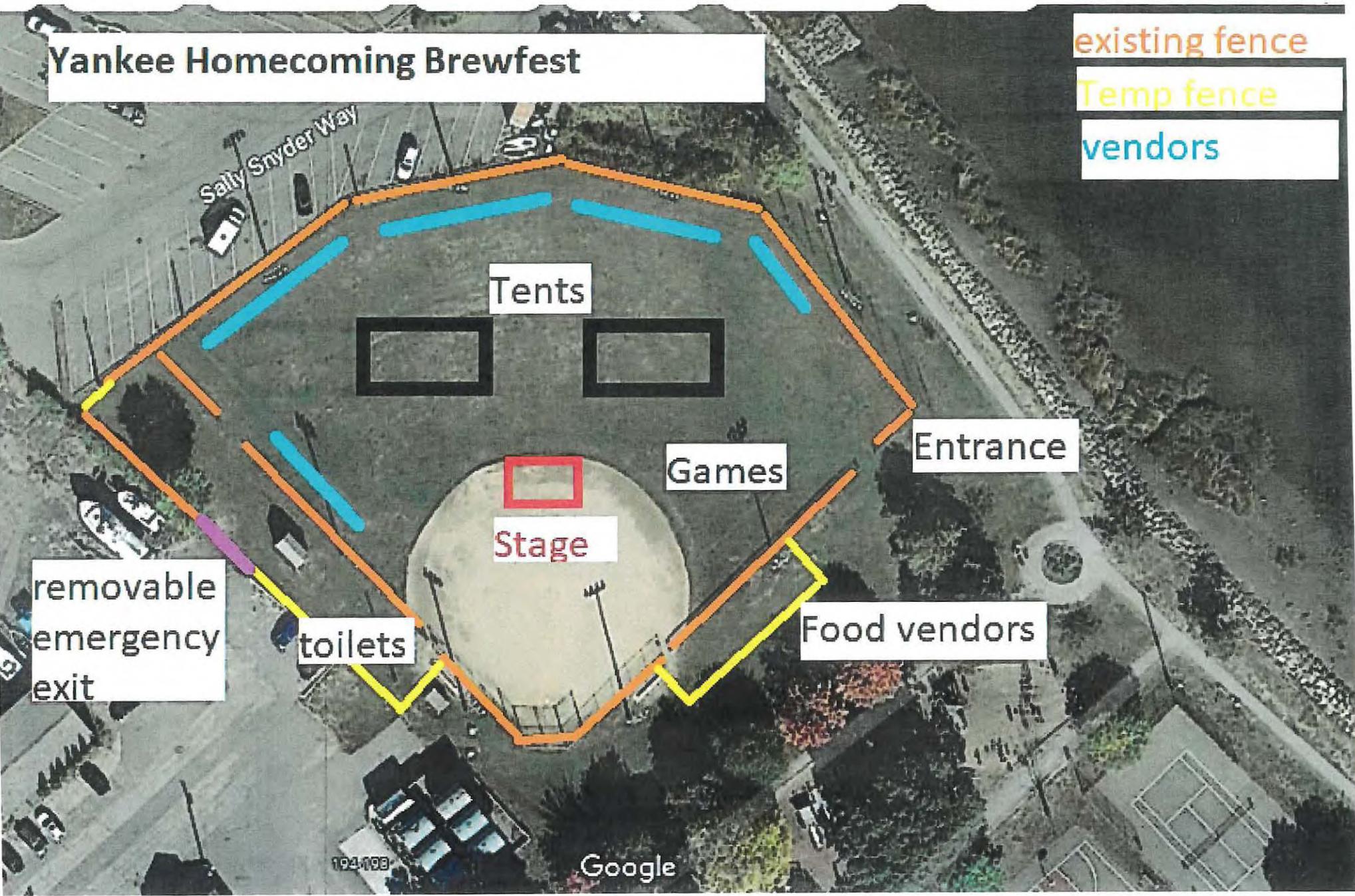
High St from 3 Roads to State St

Parade participants will exit onto Pond st

Police Details to be worked out with Police Department upon approval of permit.

Yankee Homecoming Brewfest

- existing fence
- Temp fence
- vendors



Tents

Games

Entrance

Stage

Food vendors

toilets

removable
emergency
exit

Sally Snyder Way

194-199

Google



**Old Fashioned Sunday
Parking Plan**

**Greenleaf closed at
Auburn and Pond St.
Pond St closed at
Greenleaf. Close Pond
st. will be used for
event staff. No Parking
will be posted**

**Pond st will be closed at High
St. Eppa Way will be closed
at High st. Pond st will be
used for antique cars and
remote race cars. All Pond st
residents/business will be
notified.**

**Yankee Homecoming
Old Fashined Sunday
Layout**

Cornhole

Art on the Mall

vendors and food

Games

Antique Cars



Google

Grounds Corp.
Landscaping

Synclinal
Quality Assurance





Vendors

Market Square
vendor layout

vendors

Stage

Brass Lyon
Gift shop

Newbury Franklin

U. McLaughlin
s clothing store

Market Square

Karol Flannery-Anchor
Realty Group

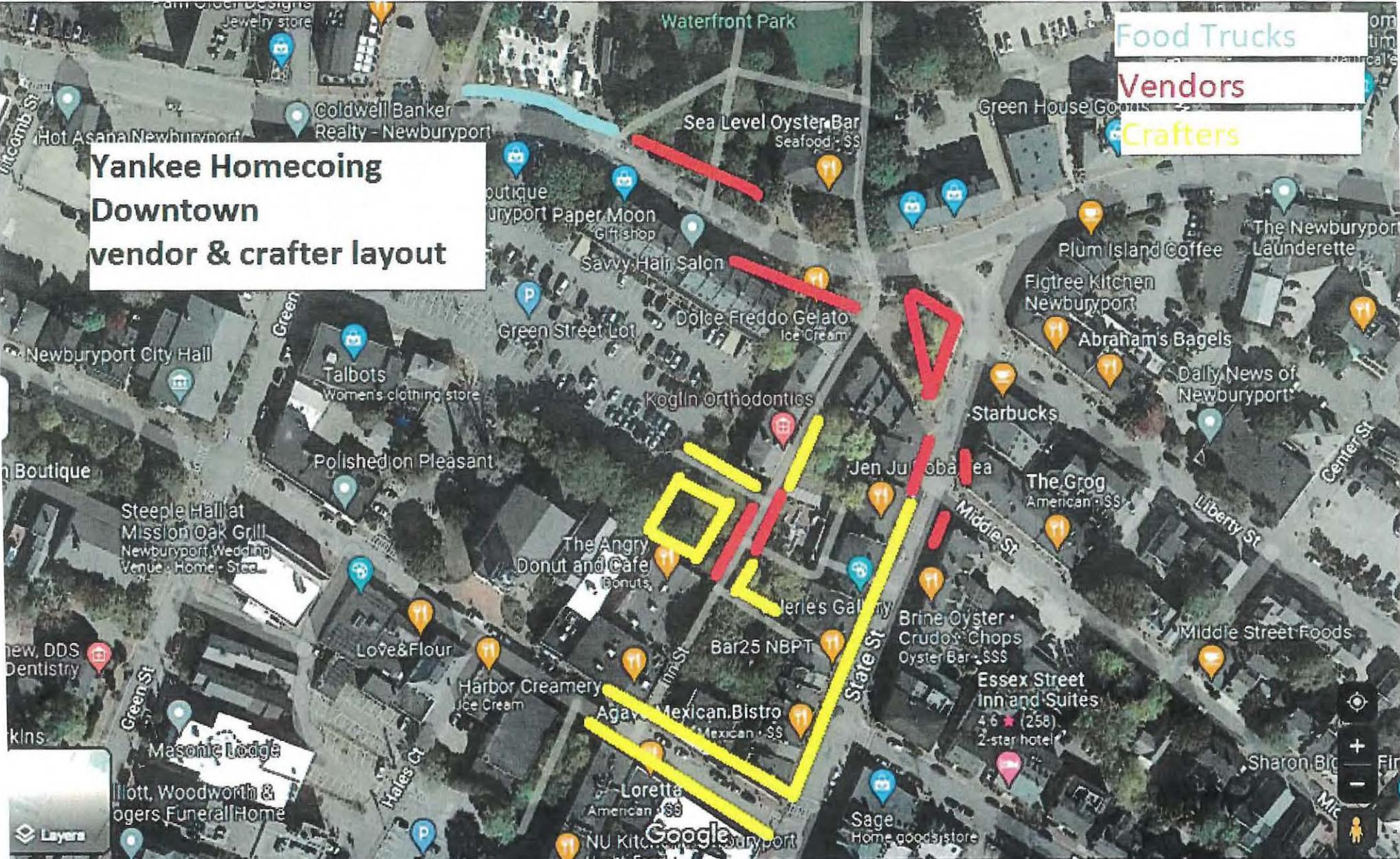
Google

Vera Ristorante

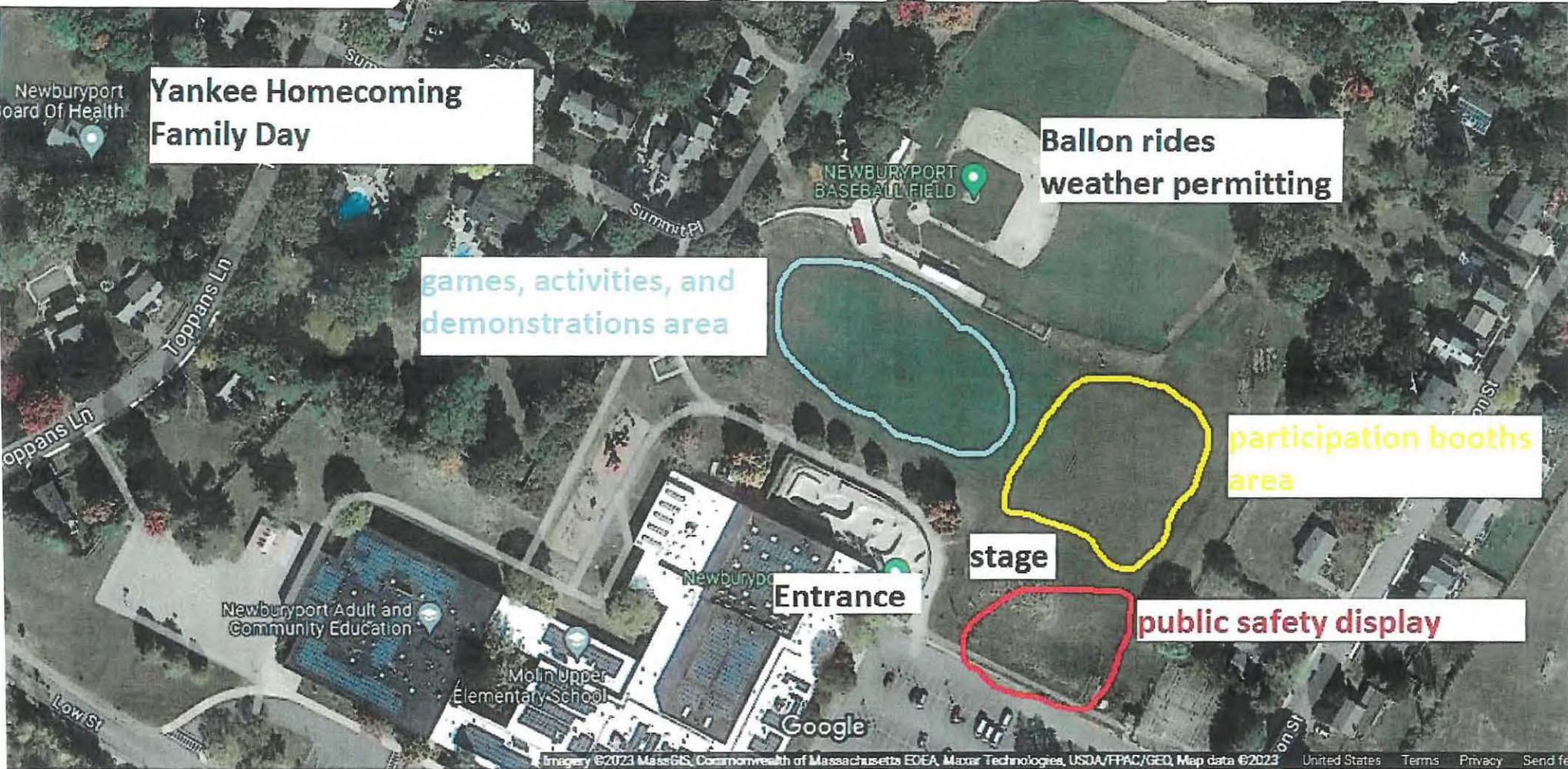
Layers

Food Trucks
Vendors
Crafters

Yankee Homecoing Downtown vendor & crafter layout



Layers



Newburyport
Board Of Health

**Yankee Homecoming
Family Day**

**Ballon rides
weather permitting**

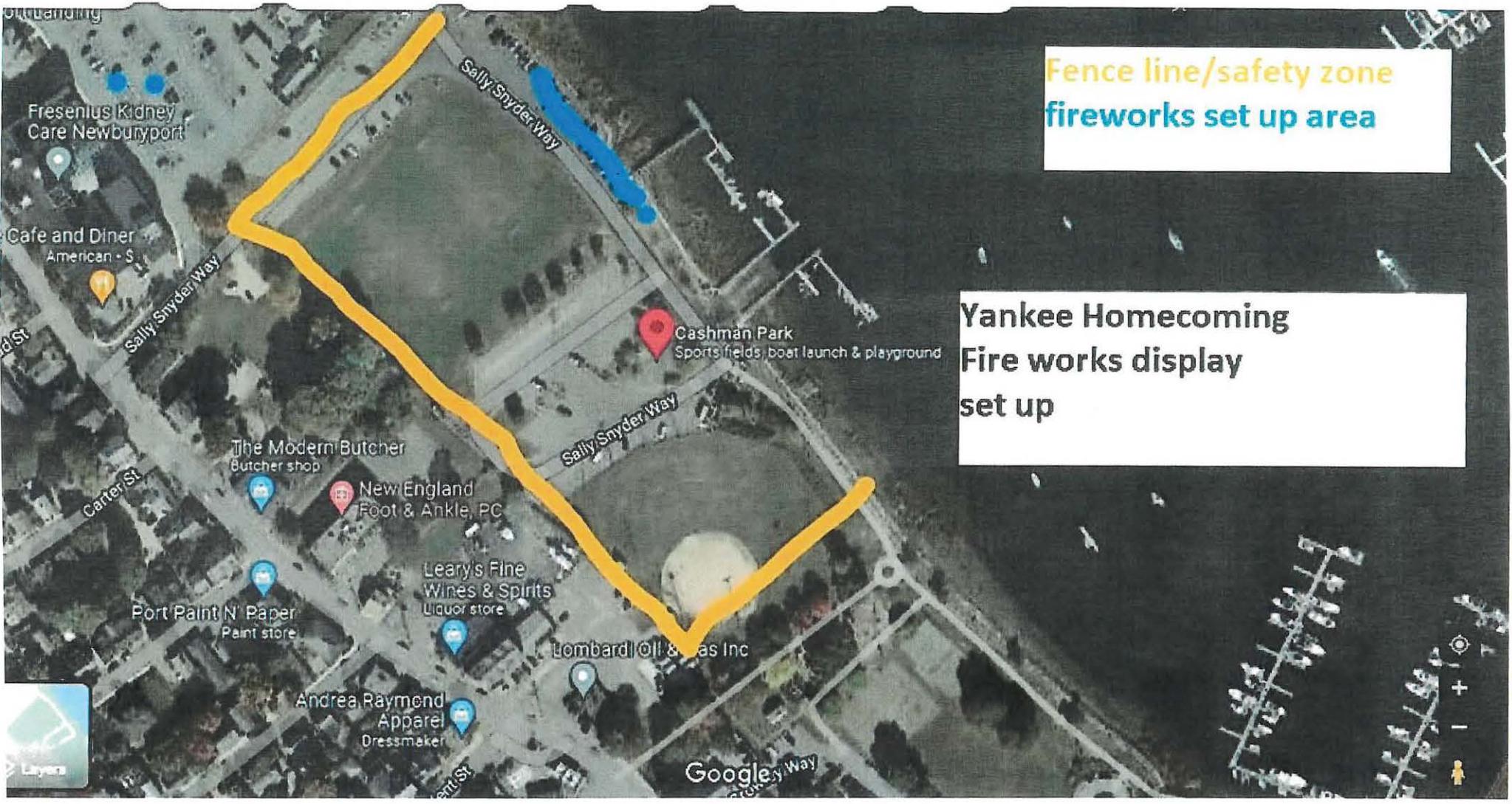
**games, activities, and
demonstrations area**

**participation booths
area**

stage

Entrance

public safety display



Fence line/safety zone
fireworks set up area

Yankee Homecoming
Fire works display
set up

Fresenius Kidney
Care Newburyport

Cafe and Diner
American - S

Cashman Park
Sports fields, boat launch & playground

The Modern Butcher
Butcher shop

New England
Foot & Ankle, PC

Leary's Fine
Wines & Spirits
Liquor store

Port Paint N' Paper
Paint store

Lombard Oil & Gas Inc

Andrea Raymond
Apparel
Dressmaker

Googley Way



Yankee Homecoming Parade plan 2023

- Parade Route
- Staging area
- Parade Exit





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/28/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Jacki Barrett PHONE (A/C No. Ext): 800-333-7234 E-MAIL ADDRESS: Selectwork@easterninsurance.com	FAX (A/C, No): 781-586-8244
	INSURER(S) AFFORDING COVERAGE	
INSURED YHC Inc PO Box 493 Newburyport MA 01950	INSURER A : Nautilus Insurance Co	NAIC # 17370
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 1393103077

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			NN1403121	5/15/2022	5/15/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

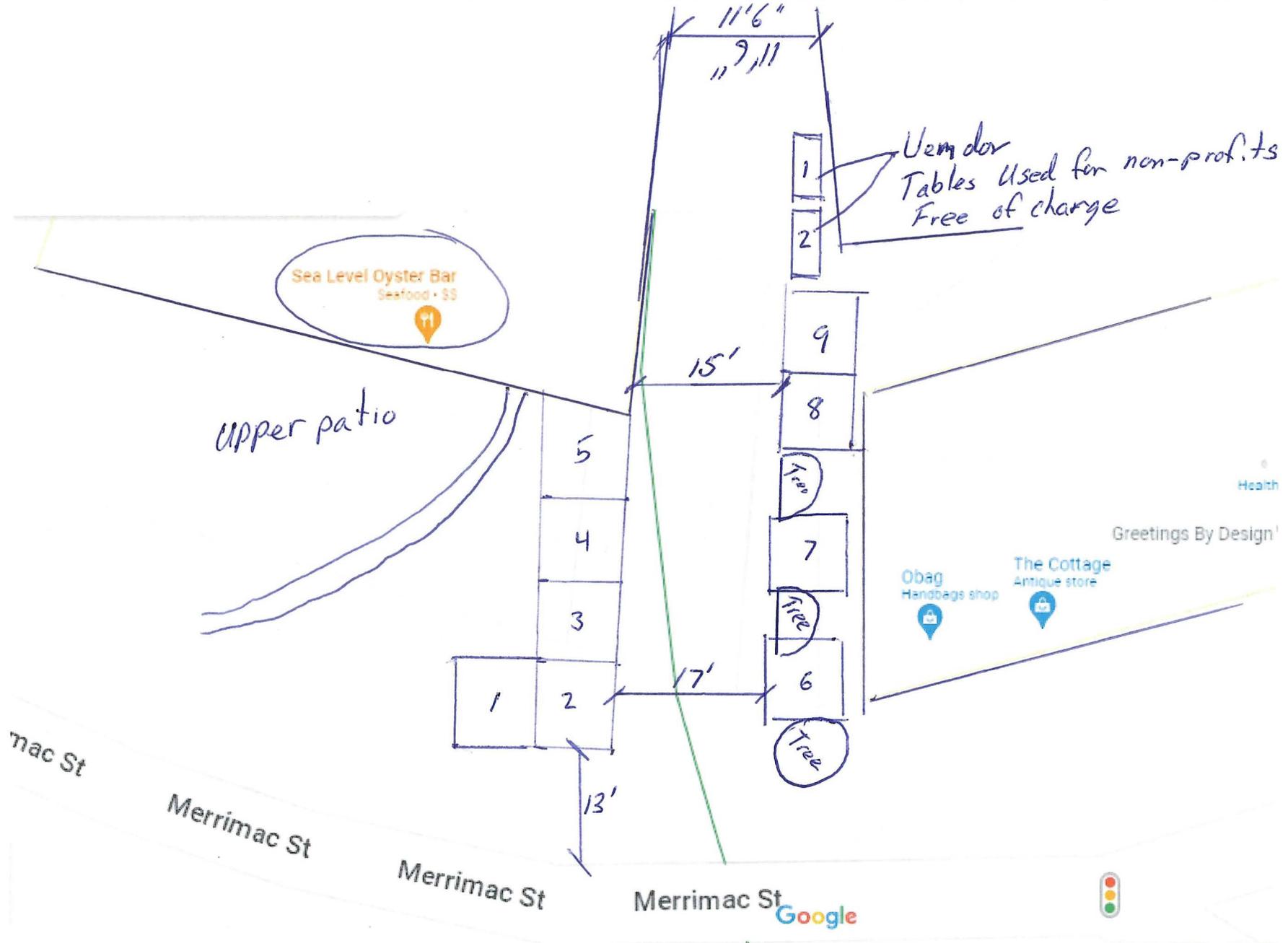
City of Newburyport is included as Additional Insured with respect to General Liability where required by written contract or agreement.

CERTIFICATE HOLDER**CANCELLATION**
 City of Newburyport
 60 Pleasant Street
 Newburyport MA 01950

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT SPECIAL EVENT APPLICATION

2023 APR 24 AT 11:11

Fax: _____

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Olive's Backyard Markers Market

Date: 7/22/23 Time: from 9:00 to 2:00

Rain Date: 7/23/23 Time: from 9:00 to 2:00

2. Location*: Olive's Coffee & Bake House

*Please Note: If the location is a public park or the rail-trail, please also contact the Parks Department

3. Description of Property: Backyard of my business Public _____ Private

4. Name of Organizer: Olive's Coffee & Bakehouse City Sponsored Event: Yes _____ No

Contact Person Debra Ball

Address: _____ Telephone: _____

E-Mail: olivescoffee2@gmail.com Cell Phone: 978-697-9138

Day of Event Contact & Phone: same

5. Number of Attendees Expected: 100

6. MA Tax Number: 4939699

7. Is the Event Being Advertised? Where? social media

8. What Age Group is the Event Targeted to? adults

9. Have You Notified Neighborhood Groups or Abutters? Yes No _____, Who? neighbors

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

A. Vending*: Food _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors 20

*If checked, signature from Health Director required (Page 3)

B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
Performers _____ Dancing _____ Amplified Sound _____ Stage _____

C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
Other _____ Total # _____

Name of Carnival Operator: _____

Address: _____

Telephone: _____

D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No _____

Diagram of event

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

PARADE _____

ROAD RACE _____

WALKATHON _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon:

2. Name, Address & Daytime Phone Number of Organizer: _____

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____

4. Date of Event: _____ Expected Number of Participants: _____

5. Start Time: _____ Expected End Time: _____

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____

7. Locations of Water Stops (if any): _____

8. Will Detours for Motor Vehicles Be Required? _____ If so, where? _____

9. Formation Location & Time for Participants: _____

10. Dismissal Location & Time for Participants: _____

11. Additional Parade Information:

• Number of Floats: _____

• Locations of Viewing Stations: _____

• Are Weapons Being Carried: Yes _____ No _____

• Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No _____

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 3/22/23 0 Greenleaf St.

DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.

HEALTH DIRECTOR [Signature] 4/24/23 3/22/23 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

<i>Approval Required</i>	Date: _____	Signature _____
___	1. Special Events:	_____
___	2. Police:	_____
	Is Police Detail Required: _____	# of Details Assigned: _____
___	3. Traffic, Parking & Transportation:	_____
___	4. ISD/Health:	_____
___	5. Recycling:	_____
___	6. ISD/Building:	_____
___	7. Electrical:	_____
___	8. Fire:	_____
	Is Fire Detail Required: _____	# of Details Assigned: _____
___	9. Public Works: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	
	Yes: \$_____ due on _____	No Fee for Special Events applies
	Other requirements/instructions per DPS _____	
___	10. Parks Department:	_____
___	11. License Commission	_____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

If yes:

- a) How many trash receptacles will you be providing? _____
- b) How many recycling receptacles will you be providing? _____
- c) Will you be contracting for disposal of : **Trash** Yes _____ No _____ **Recycling** Yes _____ No _____
 - i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
 - ii. Name of disposal company: **Trash** _____ **Recycling** _____
 - iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
 - iv. If no, where will the trash & recycling be disposed ? _____

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least one ADA accessible toilet)

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

(b) *Purpose and intent.* The use of city streets and sidewalks for the purpose of road races, walkathons or bicycle tours are positive events that promote exercise, general good health and Newburyport as a destination. These events do from time to time create hardships, impacting neighborhoods and traffic. To create a balance between conflicting interests, by safeguarding participants, residents, visitors and the City of Newburyport, this section will define and codify the procedure for the benefit of all.

(c) *Definitions.*

(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) **Insurance.** All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) **Event termination.** If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) **Event and traffic security.** The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) **Clean-up.** The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

10) **Parking.** The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) **Notification of previous event organizers.** To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) **Simplification.** Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) **Americans with Disabilities Act.** Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) **Enforcement.**

(1) **Regulations.** Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) **Warning.** In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) **Noncriminal disposition.** If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) **Violation.** The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

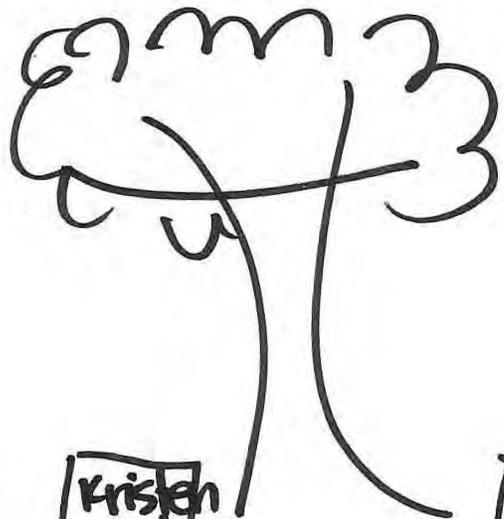
(5) **Failure to notify.** If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____

Date: _____

4-24-23



Salty Bees

Love Lissy
LOW

Kristen Kuster

Stephanie Krauss

Beach Goods

Lux Jewelry

Tayla Macramac

Ally Co.

Olive's Backyard

Handwritten notes in a box, possibly including 'Lily's' and 'Sis'.

Colleen Temple

Old Friend Good

Sand & Flag

off mena pots

Not so Flatware

Handwritten notes in a box, possibly including 'GIRLS' and 'ink'.

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Street Closure or Any Use of a Public Way - Please complete page 3 of this application)

NAME OF EVENT: Newburyport Lions Bed Race

Date: August 3rd 2023 Time: from 5pm to 8pm
 Rain Date: August 4 2023 Time: from 5pm to 8pm

2. Location*: Federal St
 *Please Note: If the location is a public park or the rail trail, please also contact the Parks Department

3. Description of Property: Street Public Private

4. Name of Organizer: Newburyport Lions Club City Sponsored Event: Yes No
 Contact Person Bob Colomycki
 Address: 7 Goldsmith Dr Telephone: 978-462-7356
 E-Mail: johnbyeat@comcast.net Cell Phone: 617-275-9217
 Day of Event Contact & Phone: Bob Colomycki 617-275-9217

5. Number of Attendees Expected: Between 20-25 Beds

6. MA Tax Number: 1198893056

7. Is the Event Being Advertised? yes Where? social media, newspaper, radio

8. What Age Group is the Event Targeted to? 20-65yrs old

9. Have You Notified Neighborhood Groups or Abutters? Yes No Who? _____

ACTIVITIES: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments

- A. Vending*: Food N/A Beverages N/A Alcohol N/A Goods N/A Total # of Vendors _____
 *If checked, signature from Health Director required (Page 3)
- B. Entertainment: (Subject to City's Noise Ordinance.) Live Music _____ DJ _____ Radio/CD _____
 Performers N/A Dancing _____ Amplified Sound _____ Stage _____
- C. Games /Rides: Adult Rides _____ Kiddie Rides _____ Games _____ Raffle _____
 Other N/A Total # _____
 Name of Carnival Operator: _____
 Address: N/A
 Telephone: _____
- D. Organizer is responsible for clean-up during and after event. All trash must be collected and removed from event location immediately at the end of the event unless prior written agreement had been made with the Department of Public Services (DPS).

Will you be conducting the clean-up for this event? Yes No

FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA
2023 MAY -3 A 9:12

PARADE _____

ROAD RACE _____

WALKATHON ^{BedRace} _____

1. Name of the Group or Person Sponsoring the Road Race, Parade, Walkathon: Newburyport Lions Club

2. Name, Address & Daytime Phone Number of Organizer: Bob Colomycki 617-275-9217
7 Goldsmith Dr, Newburyport, MA

3. Name, Address & 24/7 Telephone Number of Person Responsible for Clean Up _____
Bob Colomycki 617-275-9217
7 Goldsmith Dr, Newburyport, MA

4. Date of Event: August 3rd 2023 Expected Number of Participants: Between 20-25 Beds

5. Start Time: 5pm Expected End Time: 8pm

6. Road Race, Parade or Walkathon Route: (List street names & **attach map of route**): _____
Bed Race Federal St

7. Locations of Water Stops (if any): N/A

8. Will Detours for Motor Vehicles Be Required? yes If so, where? Top & bottom of Federal St

9. Formation Location & Time for Participants: Top of Federal St 5 pm

10. Dismissal Location & Time for Participants: Bottom of Federal St 8 pm

11. Additional Parade Information:

- Number of Floats: N/A
- Locations of Viewing Stations: _____
- Are Weapons Being Carried: Yes _____ No X
- Are Marshalls Being Assigned to Keep Parade Moving: Yes _____ No X

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE OR ANY USE OF A PUBLIC WAY

CITY MARSHAL [Signature] 4 Green St. FIRE CHIEF [Signature] 0 Greenleaf St.
DEPUTY DIRECTOR [Signature] 16A Perry Way CITY CLERK [Signature] 60 Pleasant St.
HEALTH DIRECTOR [Signature] 60 Pleasant St. (only needed when Food & Beverage Vendors are included in the event)

Updated April 1, 2022

If yes:

- a) How many trash receptacles will you be providing? none
- b) How many recycling receptacles will you be providing? none
- c) Will you be contracting for disposal of : **Trash** Yes ___ No **Recycling** Yes ___ No
- i. If yes, size of dumpster(s): **Trash** _____ **Recycling** _____
- ii. Name of disposal company: **Trash** _____ **Recycling** _____
- iii. If no, will you remove trash & recycling with organizers' cars or trucks? Yes _____ No _____
- iv. If no, where will the trash & recycling be disposed ? Lions will pick up and dispose of trash

If no:

- a) # of trash container(s) to be provided by DPS _____
- b) # of recycling container(s) to be provided by Recycling Office _____
- c) \$45.00/hr/DPS employee charge must be paid by the organizer to DPS in advance of the event (Fee for Special Events). The hours required for the event will be determined by DPS.

All fees must be paid prior to the event. Check or money order is payable to the City

of Newburyport. E. Portable Toilets: (Each cluster of portable toilets must include at least

one ADA accessible toilet) N/A

_____ Standard # _____ ADA accessible

Name of company providing the portable toilets: _____

DEPARTMENT APPROVAL (for Committee Member use only):

It will be necessary for you to obtain permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event, and others may require advance payment.

Approval Date: _____ Signature: _____
Required

___ 1. Special Events: _____
___ 2. Police: _____
 Is Police Detail Required: _____ # of Details Assigned: _____
___ 3. Traffic, Parking & Transportation: _____
___ 4. ISD/Health: _____
___ 5. Recycling: _____
___ 6. ISD/Building: _____
___ 7. Electrical: _____
___ 8. Fire: _____
 Is Fire Detail Required: _____ # of Details Assigned: _____
___ 9. Public Works: *Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply*
 Yes: \$ _____ due on _____ No Fee for Special Events applies
 Other requirements/instructions per DPS _____
___ 10. Parks Department: _____
___ 11. License Commission _____

The departments listed above have their own application process.
Applicants are responsible for applying for and obtaining all required
permits & certificates from the various individual departments

Sec. 13-97. - Road races, walkathons, bicycle and other multidisciplined events.

(a) *Short title.* This section may be cited as the "road races, walkathons and bicycle events."

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(1) *Road race.* A competitive or non-competitive running event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(2) *Walkathon.* A competitive or non-competitive walk event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(3) *Bicycle race.* A competitive or non-competitive bicycling event that utilizes the streets, sidewalks and/or crosses over streets or sidewalks within city limits and in which an entry fee is required or charitable donation is solicited or suggested.

(4) *Multidisciplined event.* A competitive or non-competitive event requiring or offering running, walking, biking, swimming or any combination thereof in which an entry fee is required or a charitable donation is solicited or suggested.

(5) *Event.* Any road race, walkathon, bicycle race, multi-disciplined event as defined above.

(d) *Limitations.*

(1) *Procedure.* All events shall, through that event's organizer, board of directors, charity foundation or designee ("organizer") apply for city council authorization to hold the event through the office of the city clerk no later than sixty (60) days before the event's proposed date. There shall be a grace period through December 31, 2017, during which applications will be accepted beyond the prescribed due date. Prior to application with the city council, the event shall file and receive approval from all applicable city departments, boards, and commissions. Copies of such approved applications, including along with documentation of any fees, donations, in-kind donations paid as part of said application(s), shall be included as part of the city council application.

The date of application is the date a completed application is submitted to the city clerk's office and stamped by the same. The city clerk, upon review of the completed form, will place the application on the next regular city council agenda, even if such submission is a late file. Upon following the procedures of the council, as deemed appropriated in the sole judgment of the council, the application will be considered approved if the council votes favorably by majority. The application shall name one (1) person responsible on the application and shall provide contact information to include name, address, email address, and telephone number.

(2) *Exemptions.* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.

(3) *Course map.* All applications shall be accompanied by a legible, precise course map showing the event route, water stops, refreshment stops, and so-called "port-a-potties". The course map shall also include any road closures, detours and parking areas. The course map shall be approved by police, fire, department of public services, parks commission and harbor masters departments prior to submission to the city clerk.

(4) *Electronic amplifier.* Electronic amplifiers, loudspeakers and bullhorn use shall be requested at time of application. Under no circumstances will they be used for public address announcements or music before 8:00 a.m., except for Sundays when electronic amplifiers, loud speakers or bullhorns will not be used for public address announcements or music before 9:00 a.m.

(5) *Road closure.* No ways, public or private, boat ramps or parking lots controlled or patrolled by the city shall be closed without authorization. Authorization shall be considered granted only if said closure(s) are contained in the approved permit. It is the sole responsibility of the race organizers to notify residents fourteen (14) days in advance that neighborhood roads will be closed if no alternate route is available to those residents. Notification shall be made by race organizers by informational packet drop-off at all residences that may be impacted, including, but not limited to, road closures, restricted driveway access, parking restrictions, or noise. In the case of multi-family residences with so-called security doors, notification will be sufficient at said security door. A copy of the notification shall be provided to the city clerk and, when possible, posted on the city website and distributed via email. Further,

a list of all streets notified shall be provided to the city clerk to be date stamped and appended to the application record. Press releases and other media type notifications are encouraged.

(6) *Insurance.* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an additional insured. The policy shall be no less than two million dollars (\$2,000,000.00).

(7) *Event termination.* If in the judgment of the city marshal, fire chief or department of public services (DPS) director or designees thereof determine that an event is unsafe due to existing conditions, that event may be stopped, terminated or suspended. In the case of a multidiscipline event such as a triathlon, the harbormaster or his/her designee may likewise stop, terminate or suspend the swimming portion for cause.

(8) *Event and traffic security.* The city marshal, fire chief, DPS director or in the case of a triathlon, the harbormaster can require special duty personnel to assist in the organizing and coordinating the safety and security of the event. All special duty assignments will be paid by the event organizers.

(9) *Clean-up.* The event organizers shall be responsible for post event trash collection, removal of signage, directional arrows, advertisements or other promotional material associated with the event.

(10) *Parking.* The event organizers shall be responsible for including parking instructions in materials disseminated to event participants. If the event is happening within one-half mile of municipal parking, then participants shall be asked to park at such parking facilities.

(11) *Notification of previous event organizers.* To the extent reasonably possible, the city clerk shall notify all event organizers from events held from 2014—2016, inclusive, by a one-time phone, email, or letter of the new application timeline and other requirements.

(12) *Simplification.* Departments are encouraged to unify their respective applications into a singular application, managed and distributed by the city clerk's office.

(13) *Americans with Disabilities Act.* Event organizers are reminded of the importance of and expectation of adherence to the Americans with Disabilities Act of 1990 (42 U.S.C § 12101) and subsequent applicable amendments.

(e) *Enforcement.*

(1) *Regulations.* Consistent with this section, the city shall promulgate regulations to enforce and otherwise implement the provisions of this section upon passage by the city council. Any event previously approved by city council shall be deemed permitted.

(2) *Warning.* In the circumstance that this section is violated, the enforcement may consist of a warning. Any warnings issued for violation(s) will be reported to the city clerk and city council and may be used as a factor in future application approvals and denials.

(3) *Noncriminal disposition.* If the city determines that a violation has occurred in which a noncriminal violation is issued, the named event organizer shall be penalized by a non-criminal disposition as provided in Massachusetts General Law as adopted by the City of Newburyport as a general ordinance in section 1-17 of chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in subsection (e)(4) below.

(4) *Violation.* The non-criminal violation shall be one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for second and subsequent offenses. Any non-criminal citations issued for violation(s) will be reported to the city clerk and city council and shall be used as a factor in future application approvals and denials.

(5) *Failure to notify.* If the event fails to notify residents and provide documentation to the city clerk, pursuant to subsection (d)(5) above, shall render that organization ineligible to receive an event permit for a period of twelve (12) months unless special leave is granted by two-thirds supervote of the city council.

I fully understand and agree to all the terms set forth in this application. The information that I have provided is truthful and accurate. I accept all responsibility related to this event.

Signed: _____ Date: _____

View
From: Desiree Morris dmorris@dspins.com
Subject: RE: Newburyport Lions-Bed Race & Road Race
Date: Apr 10, 2023 at 3:24:31 PM
To: ROBERT COLOMYCKI jobobyeat@comcast.net

I have revised the certificates to include additional insured in favor of the city as you requested. Thanks!

Desiree Morris | Customer Service Representative
P: 847-485-2412 | F: 847-934-6186
1900 East Golf Road, Suite 650, Schaumburg, IL 60173
dmorris@dspins.com | www.dspins.com | 

From: Desiree Morris
Sent: Friday, April 7, 2023 2:27 PM
To: ROBERT COLOMYCKI <jobobyeat@comcast.net>
Subject: Newburyport Lions-Bed Race & Road Race

Here are the certificates you requested that I send to you. Thanks!



Desiree Morris | Customer Service Representative
P: 847-485-2412 | F: 847-934-6186
1900 East Golf Road, Suite 650, Schaumburg, IL 60173
dmorris@dspins.com | www.dspins.com | 

Receipt of email by any DSP Insurance Services employee does not constitute an agreement to bind, write or revise any type of coverage. This communication, together with any attachments hereto or links contained herein, is for the sole use of the intended recipient(s) and may contain information that is confidential or legally protected. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of this communication is STRICTLY PROHIBITED. If you have received this communication in error, please notify the sender immediately by return e-mail message and delete the original and all copies of the communication, along with any attachments hereto or links herein, from your system.

Disclaimer

The following persons or organizations granting use of real property, including structures thereon are included as Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the insured shown above and not out of the sole negligence of said additional insured.

*** City of Newburyport ***

PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

CERTIFICATE HOLDER	CANCELLATION
City of Newburyport 60 Pleasant St Newburyport, Massachusetts 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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ACORD 25 (2016/03)

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/01/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DSP Insurance Services, Inc. 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams PHONE: (815) 353-1100 FAX: (815) 353-1100 EMAIL: lionsclubs@dspins.com ADDRESS: 1-800-316-6705 FAX (Alt. No.): 847-934-6186
INSURED Newburyport Lions Newburyport Massachusetts	INSURER(S) AFFORDING COVERAGE INSURER A: ACE American Insurance Company NAIC #: 22667 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSUREE NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURER	TYPE OF INSURANCE	INSURER (INSR. NO.)	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured \$ 32,000,000 GEN. AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> PER POLICY <input type="checkbox"/> PER CLAIM <input type="checkbox"/> PER ACCIDENT		HDC 647352241	03/01/2023	09/01/2023	1. AUTO COLLISIONS: \$ 1,000,000 2. DAMAGE TO RENTED PREMISES (Per occurrence): \$ 1,000,000 3. MED. EXP. (Per one person): \$ 5,000 4. PERSONAL & ADJ. INJURY: \$ 1,000,000 5. GENERAL AGGREGATE: \$ 10,000,000 6. PRODUCTS - COMP/OP AGG: \$ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO: <input type="checkbox"/> OWNED <input type="checkbox"/> NON-OWNED MOTOR: <input checked="" type="checkbox"/> OWNED <input checked="" type="checkbox"/> NON-OWNED UMBRELLA LIAB. <input type="checkbox"/> EXCESS LIAB. <input type="checkbox"/> RETENTIONS		ISA H1076122C	09/01/2022	09/01/2023	1. BODILY INJURY (Per person): \$ 1,000,000 2. BODILY INJURY (Per accident): \$ 3. BODILY INJURY (Per occurrence): \$ 4. BODILY INJURY (Per accident): \$ 5. BODILY INJURY (Per occurrence): \$ 6. BODILY INJURY (Per accident): \$ 7. BODILY INJURY (Per occurrence): \$ 8. BODILY INJURY (Per accident): \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXEC. THE EMPLOYER IS EXCLUDED (Mandatory in NH) EMP. OCCASIONAL/RECREATIONAL OPERATIONS PERM.		N/A			1. WORKERS COMP. LIMITS: \$ 2. EMPLOYERS' LIABILITY: \$ 3. WORKERS COMP. LIMITS: \$ 4. EMPLOYERS' LIABILITY: \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101 Additional Remarks Schedule if more space is required)

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: Newburyport Lions Bed Race 8/3/23

The following persons or organizations granting use of real property, including structures thereon are included as Additional Insured(s), but only with respect to General Liability arising out of the use of premises by the insured shown above and not out of the sole negligence of said additional insured

City of Newburyport

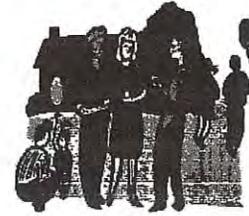
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES.

CERTIFICATE HOLDER	CANCELLATION
City of Newburyport 60 Pleasant St Newburyport Massachusetts 01950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS
	AUTHORIZED REPRESENTATIVE 

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RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAY -8 P 1:56



CITY OF NEWBURYPORT
60 PLEASANT STREET
NEWBURYPORT, MA 01950

BLOCK PARTY APPLICATION

Please fill out the application below and obtain the approving signatures for the street closure. Mail or drop off the completed signed application at: City Clerk's Office, City Hall, 60 Pleasant St., Newburyport, MA 01950 at least 8 business days prior to a City Council meeting. The requested Block Party needs approval by the City Council. For any questions, please contact The City Clerk's Office at (978)465-4407.

DATE OF REQUEST: 3/6/2023

CONTACT INFORMATION

FIRST AND LAST NAME: Christina Manning

MAILING ADDRESS: 31 Howard St

PHONE NUMBER: 978-790-5828

E-MAIL ADDRESS: Christina216@gmail.com

BLOCK PARTY INFORMATION

BLOCK PARTY DATE: Last Day of School - June 14, 2023 ^{Wednesday}

DESIRED STREET CLOSING LOCATION: Howard St., between Forester + Chapel

Please indicate cross streets when requesting the closing of street sections

STREET TO BE BARRICADED: Howard St. (From Forester to Chapel St.)

DESIRED STREET CLOSING TIME: Noon - 9pm

Block Parties should run no later than 10:00 p.m.

REGULATIONS

By signing, I agree that I am a legal adult 18 years of age or older and understand this permit does not release me of any liability for damages that may result from the conducting of this Block Party. Further, I agree to comply with all requirements listed below:

I understand that applications for block party permits may take up to four weeks to process.

Block parties will be conducted only on low-volume residential streets, dead-end streets, or cul-de-sacs. No thoroughfares or collector streets may be used.

It is hereby agreed that, by signing and presenting this application, signer(s) represents to the City of Newburyport that the following statements are true and correct, and agrees to and will abide by the following:

1. All residents living on the street or block for which the party is planned request the Block party, or have been contacted and do not object to the Block Party.
2. To be responsible for placement, maintenance and removal of barricades.
3. A block party permit does not allow the sale of alcohol or the consumption of alcohol on public property (in city streets, sidewalks, parks, etc.) alcohol is allowed only on private property. All state and city alcohol laws still apply during Block Parties.
4. Amplified music shall be permitted with permission of the City Council.
5. To leave **AT LEAST a TWELVE (12) FOOT AISLE** in the street to permit passage of emergency vehicles or vehicles of residents. Failure to maintain a ten foot aisle during the entire period of the party will necessitate denial of requests for subsequent block parties. **Public safety personnel will monitor the party for strict adherence to this rule.**
6. To maintain adult supervision at all times during the party.
7. Applicant(s) shall be responsible for the pick-up of trash and garbage within 2 hours of the end the party.
8. Streets may not be barricaded later than 10:00 P.M.
9. No residents of the area designated shall be prohibited from attending the party.
10. No such activity may be conducted within 500 feet of any school, church, hospital, nursing home or similar operation unless endorsed by the management of such institution e
11. Only approved readily removable Barricades will be permitted such as, orange cones and sawhorses with a sign. No vehicles will permitted to be used as a Barricade.
12. Block parties are permitted 10AM-10PM

Applicant Signature Christina Manning

Date 3/6/2023

APPROVAL SIGNATURES REQUIRED FOR STREET CLOSURE

CITY MARSHALL
 4 Green Street
 FIRE CHIEF
 Greenleaf Street
 DEPUTY DIRECTOR
 1 Perry Way
 CITY CLERK
 60 Pleasant St.

[Signature]
[Signature] 3/8/23
[Signature] 5/17/23
[Signature]

City use only:

Approved _____ -Denied _____ Date _____

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA**Newburyport Pride Parade**

Information, Rules & Regulations

2023 MAY -4 P 2: 13

Parade Line up: June 3, 2023, 11:00 am at the Bartlett Mall, in front of the Old Courthouse (Essex County Superior Court), 145 High Street, Newburyport, MA

Parade Starting time: June 3, 2023, 12:00 pm

Parade Route: Route of travel shall commence from the staging area, cross over High St, proceed down Green Street, cross over Merrimack St, proceed through the parking lot to the Boardwalk on the waterfront, continue on the Boardwalk for a short time, proceed into Waterfront Park (in front of the Firehouse Center for the Arts), and end lining the walkway around the Park. The parade route is under 1 mile and should take 20 – 30 minutes to complete. At the end of the parade, we ask all participants to line the walkway around Waterfront Park until all participants have arrived.

General Rules:

1. Newburyport Pride requests that each Group/Organization have one person designated as the “parade representative”. They are responsible for working with the Parade Committee on their group’s setup and controlling the flow of their group. The parade representative shall check in upon arrival at Bartlett Mall and receive further information
2. You are encouraged to use Signs/Banners/Logos for your group; however, we ask that you please be respectful – no messages of hate or shame towards peoples of different views, no offensive or adult language, and try to keep messaging positive and uplifting.
3. Small pets such as dogs and cats are permitted in the parade, but you are responsible for cleaning up after your pet at all times.
4. No items can be *thrown* to the crowds lining the street. Items can be given out during the parade, but they must be physically handed to people lining the street. Items can include Pride flags, wristbands, candy, beads, etc.
5. Participants shall wear appropriate attire while participating in the parade. Please refrain from wearing g-strings, jock straps or any clothing that reveals too much. Remember, this is an all-ages, family-friendly event
6. Please listen to all information and follow all directions of the volunteers during set-up and parade execution. Please keep a safe distance between your group and others, but please do not allow large gaps between the groups

7. Please do not engage any hostile protestors. They may be there, but please respect their freedom of speech.
8. No alcohol or drug use is permitted during set-up or parade execution
9. The parade will be held rain or shine, please plan accordingly
10. There are restroom facilities at the END of the parade route, but NOT at the beginning. Please plan accordingly
11. Nothing can be left at the set-up area at Bartlett Mall. Please bring all belongings with you (including trash).
12. Bullhorns, megaphones and confetti are prohibited
13. Any performances or routines must be performed while moving forward within the Parade (no stopping)
14. Participating children below the age of 16 must be supervised by an adult at all times
15. Non-registered, unapproved groups will not be permitted to join on parade day. Newburyport Pride reserves the right to refuse participation of any group.
16. No motorized vehicles allowed

Committee Items – May 22, 2023

Planning & Development

In Committee:

- APPT00391_04_24_2023 Marc Cendron 91 High St. Historical Commission 5/1/2026
- APPT00394_04_24_2023 Madeline K. Nash 19 Arlington St. Affordable Housing Trust 5/1/2025
- APPT00396_04_24_2023 Jane Healey 38 Winter St. Community Preservation Comm. 5/1/2026
- ORDR00450_05_08_2023 NBHI Interpretive signs locations
- ORDR00456_05_08_2023 344 Merrimac St. Preservation Restriction



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 APR 13 P 1:46

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the
City Council

From: Sean R. Reardon, Mayor

Date: April 24, 2023

Subject: Re-Appointment

I hereby re-appoint, subject to your approval the following named individual as a member of the Historical Commission. This term will expire on May 1, 2026.

Marc Cendron
91 High Street
Newburyport, MA 01950

CURRICULUM VITAE

Date Prepared: June , 2018

Name: **Marc Cendron, M.D.**

Home Address: 91 High Street
Newburyport, MA 01950

Office Address: Department of Urology
Children's Hospital Boston
300 Longwood Avenue
Boston, MA 02115

Phone: 617-355-7796

E-Mail: Marc.Cendron@childrens.harvard.edu

FAX: 617-730-0474

Place of Birth: Bois-Colombes, France (Citizenship: U.S.A.)

Education:

1973-1975	Pre-Medical Studies		Université Paris VII
1976-1798	B.A., Cum Laude	Biology	Bowdoin College, Brunswick, ME
1980-1984	M.D.	Medicine	Tufts University School of Medicine, Boston, MA

Postdoctoral Training:

1984-1985	Intern	Surgery	Hospital of the University of Pennsylvania, Philadelphia, PA
1985-1986	Resident	Surgery	Hospital of the University of Pennsylvania, Philadelphia, PA
1986-1990	Resident	Urology	Hospital of the University of Pennsylvania, Philadelphia, PA
1990-1991	Fellow	Pediatric Urology	James Buchanan Brady Urological Institute, Johns Hopkins Hospital, Baltimore, MD

Faculty Academic Appointments:

1990-1991	Instructor	Urology	Johns Hopkins School of Medicine, Baltimore, MD
1991-1994	Assistant Professor	Urology	Tufts University School of Medicine, Boston, MA
1994-1996	Assistant Professor	Surgery (Urology) & Pediatrics	Dartmouth Medical School, Hanover, NH
1996-2001	Associate Professor	Surgery (Urology) & Pediatrics	Dartmouth Medical School, Hanover, NH
1997-2003	Clinical Associate Professor	Urology & Pediatrics	University of Vermont, College of Medicine, Burlington, VT
2001-2003	Professor	Surgery (Urology) & Pediatrics	Dartmouth Medical School, Hanover, NH
2003-present	Associate Professor	Surgery (Urology)	Harvard Medical School, Boston, MA

Appointments at Hospitals/Affiliated Institutions:

1991-1994	Attending Staff	Pediatric Urology	New England Medical Center, Floating Hospital, Boston, MA
1992-1994	Consulting Staff	Pediatric Urology	Goddard Hospital, Stoughton, MA
1993-1994	Consulting Staff	Pediatric Urology	Winchester Hospital, Winchester, MA
1993-1994	Consulting Staff	Pediatric Urology	Newton Wellesley Hospital, Newton, MA
1994-2003	Attending Staff	Urologic Surgery	Dartmouth-Hitchcock Medical Center, Lebanon, NH
1994-2003	Consulting Staff	Pediatric Urology	V.A. Medical Center, White River Junction, VT
1995-2003	Consulting Staff	Pediatric Urology	Elliot Hospital, Manchester, NH
1995-2000	Consulting Staff	Pediatric Urology	Southern New Hampshire Regional Medical Center, Nashua, NH
1995-1999	Consulting Staff	Pediatric Urology	Cheshire Regional Medical Center, Keene, NH
1996-2001	Consulting Staff	Pediatric Urology	Lahey Clinic, Burlington, MA
1996-2003	Consulting Staff	Pediatric Urology	Fletcher-Allen Medical Center, Burlington, VT

1999-2001	Consulting Staff	Pediatric Urology	Crotched Mountain Rehabilitation Center, Greenfield, NH
2003-present	Attending Staff	Urologic Surgery	Boston Children's Hospital, Boston, MA
2003-present	Consulting Staff	Pediatric Urology	Brigham and Women's Hospital, Boston
2013-2017	Surgical Staff	Pediatric Urology	Beverley Hospital, Beverley, MA

Other Professional Positions:

1978-1980	Research Assistant	Department of Gastroenterology, Carney Hospital, Tufts School of Medicine
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Major Administrative Leadership Positions:

Local

1996-2003	Director of Urology Research Laboratory	Dartmouth-Hitchcock Medical Center, Lebanon, NH
2000-2003	Director, CHAD Currents (CME Program for Pediatricians)	Children's Hospital at Dartmouth, Lebanon, NH
2001	Director of Pediatric Surgical Services	Dartmouth Hitchcock Medical Center, Lebanon, NH
2002-2003	Chairman, Search Committee Pediatric Urology	Dartmouth Hitchcock Medical Center, Lebanon, NH
2010- present	Chair, Associate Attending Committee, Department of Pediatric Urology	Boston Children's Hospital, Boston, MA
2013-present	Chair, Observership committee, Department of Urology	Boston Children's Hospital, Boston, MA
2012-present	Administrator of the CME program, Department of Urology	Boston Children's Hospital, Boston, MA

Regional

1994-2003	Director of Pediatric Urological Services	Dartmouth-Hitchcock Medical Center, Lebanon, NH
1996	Chairman of Search Committee for position of staff Urologist	Pediatric Urology, Dartmouth-Hitchcock Medical Center, Lebanon, NH

1996-1997 Chairman of Ad-Hoc Committee for the Care of Inpatient Pediatric Surgical Patients

1998-2001 Director of Children's Hospital at Dartmouth Outreach Services

International

1996	Organizer/Team Leader for Friendship Bridge	Humanitarian/Teaching trip to Vietnam (Hanoi/Ho Chi Minh City)
1997	Organizer/Team Leader for Friendship Bridge	Humanitarian/Teaching Trip to Vietnam (Hanoi/Haiphong)
1998	Team Member Physicians for Peace	Humanitarian/Teaching Trip to Egypt (Tanta, Mansoura, Cairo)
2000	Team Member Physicians for Peace	Humanitarian/ Teaching trip to Egypt (Cairo)
2001	Program Co-Chairman	Annual Meeting, Society for Pediatric Urology
2002	Organizer / Program Chairman	Annual Meeting, Club Francophone d'Urologie Pediatrique
2002	Program Chairman	Annual Meeting, Society for Pediatric Urology
2007	President	Society for Pediatric Urology
2007-2010	Chairman, Program Committee World Congress of Pediatric Urology	Society for Pediatric Urology / ICCS/APAPU/SIUP/SFU
2009-2010	Program Chairman	Annual Meeting, Pediatric Urology Winter Forum

Committee Service:

Local

1991-1993	Member, Tissue Committee	New England Medical Center Hospital, Boston, MA
1991-1993	Member, Day Surgery OR Management Committee	New England Medical Center Hospital, Boston, MA
1992-1994	Member of Pediatric Trauma Study Group	New England Medical Center Hospital, Boston, MA
1992-1994	Member of Maternal-Fetal Medicine Research Group	New England Medical Center Hospital, Boston, MA
1994-2003	Member of Spina Bifida comprehensive care team	Dartmouth-Hitchcock Medical Center, Lebanon, NH
1996	Member of Search Committee	Pediatric Nephrology, Dartmouth-Hitchcock Medical Center, Lebanon, NH
1997-2002	Member, Operating Room Committee	Dartmouth-Hitchcock Medical Center, Lebanon, NH

2000	Member, Nominating Committee Board of Governors	Dartmouth-Hitchcock Medical Center, Lebanon, NH
2008-present	Associate Attending Committee	Boston Children's Hospital, Boston., MA
2012-present	CME Administrator for Pediatric Urology Department	Boston Children's Hospital, Boston, MA
2016	Hospital Bylaws Committee	Boston Childrens Hospitaln Children's, Boston, Ma
2014-present	Member Hospital Wide Billing and Compliance Committee	Boston Children's Hospital, Boston, MA

Regional

1997-2002	Member, Executive Committee	Children's Hospital at Dartmouth, Lebanon, NH
1992-1994	Consultant	Organogenesis, Inc., Canton, MA
1992-1995	Consultant	Kendall, Mansfield, MA
1993-1994	Consultant	Autogenesis, Acton, MA
1995-1999	Consultant	Collagenesis, Beverly, MA

National

1999-2001	Member	North American Task Force on Intersex
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International

1994-1998	Board Member, Advisory Board	Rhone-Poulenc-Roher
1997	Moderator	Annual Meeting, International Children's Continnence Society

Professional Societies:

1990-present	Member	The Tufts University Medical Alumni Association
1991-1994	Member	Massachusetts Medical Society
1991-1994	Member	Suffolk County Medical Society
1991-present	Member	The Johns Hopkins Medical and Surgical Association
1992-2001	Member	The Urodynamic Society
1992-1996	Member	American Fertility Society
1994-present	Corresponding Member	European Society for Pediatric Urology
1994-present	Member	The New Hampshire Medical Society
1996-present	Member	New England Section American Urologic Association
1996-present	Fellow	American Academy of Pediatrics
1996-present	Member	American Urologic Association
1997	Moderator	Annual Meeting, Society for Fetal Urology

1998	Program Chairman	Annual Meeting, Society of Fetal Urology
1997-1998	President	The Society for Fetal Urology
1998	Abstract Reviewer	Annual Meeting, American Urological Association
1998	Abstract Reviewer	Annual meeting, American Academy of Pediatrics (Section of Urology)
1998	Moderator	Annual Meeting, American Academy of Pediatrics (Section of Urology)
1998-2005	Member	Physician for Peace
1998-present	Member	The Society for Fetal Urology
1999-present	Member	Club Francophone d'Urologie Pediatric
1999-present	Fellow	The Society for Pediatric Urology
2000	Moderator	Annual Meeting, American Academy of Pediatrics (Section of Urology)
2000	Chairman, Round Table; Prenatal diagnosis of genito-urinary anomalies	Annual Meeting, European Society for Pediatric Urology
2002	Member, Medal Committee	American Academy of Pediatrics (Section of Urology)
2004-2004	Member, Program Committee	American Urological Association
2002-2005	Secretary/Treasurer	The Society for Pediatric Urology
2002-2006	Program Committee	American Urological Association
2003-2007	Member, Nominating Committee	Society for Pediatric Urology
2004-2010	Abstract Reviewer, Organizational Committee	Annual Meeting, American Urological Association
2005-2006	President	The Society for Pediatric Urology
2013	Steering committee for the ICUD consultation on congenital anomalies of the genito-urinary system	Societe International d'Urologie
2016	Chair, ICUD Committee on the Urologic Management of Children with Spinal Cord Injury	Societe International d'Urologie

Editorial Activities:Ad hoc Reviewer for:

- The Journal of Urology (editorial board)
- Pediatrics
- Journal of Pediatric Urology
- Urology
- American Family Physician
- British Journal of Urology International
- Dialogues in Pediatric Urology
- Frontiers in Urology
- World Journal of Urology
- Journal of Pediatric Surgery

Other Editorial Roles:

2006-present	Editorial Board	Dialogues in Pediatric Urology
2007-2012	Editorial Board, Pediatric Section	The Journal of Urology
2007-present	Editor-in-Chief, Pediatric Urology Section	eMedicine online journal

Honors and Prizes:

1988	First prize: Clinical study paper: Long-term follow-up of patients with cryptorchidism	Resident's Night Competition, Philadelphia Urological Society
1990	Maryland National Kidney Foundation Grant	
1991	Basic Research Surgery Grant (BRSG) Award	Tufts School of Medicine / New England Medical Center
1991	Finalist AAP	Section of Urology Research Prize
2007	Best Reviewer	Journal of Urology, Section of Pediatric Urology
2010	Top 10 reviewers	The Journal of Pediatric Urology
2014-2015-2016-2017-2018	Best Doctor (Pediatric Urology)	Boston Magazine

Report of Funded and Unfunded Projects**Funding Information****Past**

- 1977-1978 Research Assistant
Study of fatty acids in cell membranes from normal and dystrophic patients
Dr. John Howland - PI
Biochemistry Laboratory Bowdoin College, Brunswick, ME
\$2,000
- 1978-1980 Research Technician
Study of immunoreactive proteins in
gastric secretions from gastric cancer patients
Dr. E. Deutsch - PI
G.I. Laboratory, Carney Hospital, Tufts University School of Medicine, Boston, MA
\$5,000
- 1981 Research Assistant
Study of membrane interactions between macrophage plasma membrane vesicles and
Leishmania parasites
Dr. Mark Klempner - PI
Experimental Medicine Laboratory, Tufts University School of Medicine, Boston, MA
\$3,000
- 1990-1991 Principal Investigator
National Kidney Foundation
Fetal lamb model of partial urethral obstruction
Marc Cendron, MD - PI
\$5,000
- 1992-1993 Principal Investigator
BRSB (Biomedical Research Grant)
Effect of bladder outlet obstruction on the fetal lamb bladder ultrastructure and function
Marc Cendron, MD – PI
\$5,000
- 1993-1994 Principal Investigator
Autogenesis, Acton, MA
Biological behavior of autologous collagen injected in the urinary tract

- Marc Cendron, MD - PI
\$2,000
- 1993-1994 Principal Investigator
Kendall Corporation, Mansfield, MA
Evaluation of urodynamic catheter
Marc Cendron, MD - PI
\$4,500
- 1995-1996 Principal Investigator
Organogenesis, Canton, MA
Subcutaneous injections of collagen paste in rats for NMR analysis
Marc Cendron, MD - PI
\$5,000
- 1995-1996 Principal Investigator
Organogenesis, Canton, MA
Bladder neck injections of collagen paste in rabbits
Marc Cendron, MD - PI
\$5,000
- 1996-1997 Co-Investigator
Bard
A multicenter post-operative serologic and rheumatologic evaluation of patients treated with Contigen Bard collagen implant
Pamela Ellsworth, MD - PI
- 1996-1997 Principal Invest
Collagenesis grant
Biological behavior of various types of collagen compounds within the rabbit urinary bladder
Marc Cendron, MD - PI
\$36,000
- 1996-1997 Co-Investigator
Valley Lab grant
Evaluation of the thermal effects of electro cautery on the penis
Co-Investigator
Valley Lab grant
Evaluation of the thermal effects of electro cautery on the penis
Jack Hoopes, Ph.D. - PI
- 1998 Principal Investigator

- Collagenesis grant
Collagen treatment of VUR in pediatric/human population
Marc Cendron, MD - PI
\$80,000
- 1998-1999 Principal Investigator
Collagenesis grant
Evaluation of Extracellular Matrix- based Collagen as a bulking agent in the pig lower urinary tract
Marc Cendron, MD - PI
\$30,000
- 1999-2000 Principal Investigator
Bayer Pharmaceutical Company
Evaluation of Ciprofloxacin in the Treatment of Pediatric UTIs
Marc Cendron, MD - PI
\$10,000
- 1999-2002 Principal Investigator
Hitchcock Foundation Grant
Histologic Analysis of Epithelial Regrowth after Tubularized, Incised Urethral Plate Urethroplasty in the Treatment of Hypospadias
Marc Cendron, MD - PI
\$12,000
- 2001 Principal Investigator
Pharmacia Corporation
Phase I/II Open Label, Dose Escalating Pharmacokinetic, Pharmacodynamic (Urodynamic) and Clinical Effect, and Safety Study of Tolterodine Liquid in children with Detrusor Hyperreflexia age 5 to 10 years of age
Marc Cendron, MD - PI
\$19,200
- 2002 Principal Investigator
Pharmacia Corporation
Phase I/II, Open Label, Dose-Escalating Pharmacokinetic, Pharmacodynamic (Urodynamic) and Clinical Effect, and Safety Study of Tolterodine Liquid in Children with Detrusor Hyperreflexia 1 month to 4 years of age
Marc Cendron, MD - PI
\$20,000
- 2002 Principal Investigator
Pharmacia Corporation
Phase I/II open label, Dose Escalating Pharmacokinetics, Pharmacodynamic, (Urodynamic) and Clinical Effect and Safety Study of Tolterodine Liquid in Children age

11-15 years
 Marc Cendron, MD - PI
 \$19,200

- 2002 Principal Investigator
 Pharmacia Corporation
 An Open Label, phase III, 12 Month Study of the Long-Term Clinical Efficacy, Safety and Tolerability of Tolterodine Oral Solution and PR Capsules in Children with Detrusor Hyperreflexia ages 1 month to 16 years of age
 Marc Cendron, MD – PI
 \$4,608 per patient
- 2002 Principal Investigator
 Pharmacia Corporation
 An Open-Label, Multicenter, Multinational Study to Determine the Safety and Efficacy of Tolterodine Oral Solution in Children with Symptoms of Urge Urinary Incontinence Suggestive of Detrusor Instability
 Marc Cendron, MD - PI
 \$3,700 per patient

Current Unfunded Projects

- 2008 Principal Investigator Vesicoureteral Scoring System. This system proposed to evaluate patients with vesico-ureteral reflux using several clinical parameters. With Dr. Jonathan Routh (fellow).
- 2008 Principal Investigator Ureteral jets as seen on ultrasound. The project evaluates the ultrasound appearance of ureteral jets after treatment and correlates it with clinical outcomes.
- 2013 Principal Investigator Retrospective review of patients diagnosed and treated with penile curvature. IRB study carried out with Drs. J. McQuaid (resident)
- 2013 Principal Investigator Retrospective and prospective evaluation of patients with complex hypospadias. IRB study carried out with Drs. Schaeffer and McNamara, (fellows).
- 2014 Principal Investigator Retrospective review of Male Epispadias. IRB study carried out with Dr. Patricia Cho, (fellow)

2015	Principal Investigator	Review of hypospadias complications and their management. Dr. McNamara, fellow. The study was IRB approved.
2015	Principal Investigator	Prospective study of pediatric patients with complex hypospadias. (IRB approved)
2016	Co-Investigator	Retrospective study of pelvic floor laxity in adolescent girls
2018	Principal Investigator	Retrospective study of male patients with a prostatic utricle (IRB pending)

Report of Local Teaching and Training:

Teaching of Students in Courses

1998-2003	Fluid and Electrolytes course. Lecturer for 100 student attendance at Dartmouth Medical School. Lecture on obstructive uropathy. 20 hours preparation.
1998-2003	Obstructive Uropathy. Lecturer for 100 student attendance at Dartmouth Medical School. Lecture on obstructive uropathy. 20 hours preparation.

Formal Teaching of Residents, Clinical Fellows and Research Fellows (post-docs)

1991-1994	Teaching of residents in the Urology Department	New England Medical Center Tufts University School of Medicine
1993-2003	Clinical teaching of the residents in the Department of Urology. Also teaching of pediatric residents	Dartmouth Hitchcock Medical Center, Hanover, NH
	I was an invited lecturer for Grand Rounds in Urology and in Pediatrics at Dartmouth Hitchcock Medical Center. The topics presented included all aspects of pediatric urology such as urinary tract infection in children, vesicoureteral reflux, prenatal hydronephrosis and its management, maldescended	Preparation time for these lectures was approximately 10-12 hours.

testes, hypospadias, bladder exstrophy and reconstruction of the urinary tract.

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|--------------|---|---|
| 1991-2006 | I presented 2 lectures at the Countway Urology Grand Rounds, the major teaching conference for Urology residents, Urology faculty in the Greater Boston area. The topics I presented included bladder exstrophy and vesicoureteral reflux. | Harvard Medical School, Countway Urology Grand Rounds

Preparation time for these lectures was approximately 10-12 hours. |
| 1996-2003 | Clinic and operating room teaching of medical students and pediatric residents | University of Vermont, Burlington VT. |
| 2003-present | I have presented several lectures on congenital abnormalities of the lower urinary tract and of the genitalia. I also discussed embryology of the urinary tract. I present once or twice a year. The audience includes Radiology and Urology faculty, residents and medical students. The most recent presentation was on extra-testicular anomalies. | Department of Radiology, Boston Children's Hospital, Boston, MA. |
| 2003-present | I have been invited to discuss topics in Pediatric Urology 3 times annually at the Massachusetts General Hospital as part of the Urology Grand Rounds. Attendees include urology residents and faculty. | Massachusetts General Hospital, Boston, MA.
Grand Rounds.

Preparation time 2 to 3 hours |
| 2003-present | I have been invited to discuss various topics in pediatric urology as part of the teaching rounds at the VA Hospital. I review cases with the residents and provide them with references. I go over their presentations. | BU Medical Center and Brigham & Women's Medical Center. Grand Rounds at the VA Hospital.

Preparation time is usually 2 to 3 hours. |
| 2003-present | Pediatric Urology Grand Rounds. The audiences included Urology | Boston Children's Hospital, Boston, MA.
Pediatric Urology Grand Rounds. |

faculty, residents, medical students and fellows. The topics presented have been vesicoureteral reflux scoring system, complications of hypospadias repair, epispadias.

Preparation time 4 to 6 hours

Clinical Supervisory and Training Responsibilities

1991-1993	Training of Urology residents in the Urology program clinic and operating room, Tufts New England Medical Center, Boston, MA	
1993-2003	Training of Urology residents Urology Program in the clinic and operating room. Dartmouth-Hitchcock Medical Center	1:1 Supervision per week
1994-2003	Director of Pediatric Urological Services Dartmouth-Hitchcock Medical Center, Lebanon, NH	
1996-2003	Director of Urology Research Laboratory Dartmouth-Hitchcock Medical Center, Lebanon, NH	
2003- Present	Supervision of residents and fellows in the Department of Urology at Boston Children's Hospital in the operating room and clinic. Boston, MA	10 to 15 hours of 1:1
2003- Present	Supervision of clinical research project of fellows and residents in the Department of Urology at Boston Children's Hospital. Boston, MA	One hour office meeting per week.
2017- present	Supervision of nurse practitioners and physician's	Half to full day in clinic

assistant, Department of
Urology, Boston Children's
Hospital, Boston, Ma

Laboratory and Other Research Supervisory and Training Responsibilities

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|------------------|---|---|
| 1993-2003 | Supervision of laboratory research of residents at Dartmouth Hitchcock Medical Center | Two, one hour lab meeting per week
Direct supervision in the lab
(3 hours per week) |
| 1997-2001 | Direct supervision, Resident in Urology at Dartmouth Hitchcock Medical Center.
The study of enterocystoplasty in an animal model and autologous collagen injected into the bladder. The project was evaluating thermal effects of electrocautery on the penis using a computational model.
The level of effort was 6-8 hours of direct supervision with review of data. | |
| 1999-2003 | Direct supervision, Resident in Urology at Dartmouth Hitchcock Medical Center.
The study entailed evaluating an animal model of urethral healing after hypospadias repair.
The level of effort was 6 hours per week with review of data. | |
| 2000-2003 | Direct supervision, Resident in Urology at Dartmouth Hitchcock Medical Center.
The study evaluated the thermal effects of electrocautery on the penis. | |
| 2003-
Present | I have supervised several clinical projects which have involved residents and fellows in the department of urology at Boston Children's Hospital. The most recent ones have been on penile curvature, complex hypospadias and the prostatic utricle. | |

All projects have resulted in peer-reviewed publications and presentations at national and international meetings

2013-
Present I have organized and moderated Pediatric Urology Journal Club 3 or 4 sessions per academic year in the Department of Urology, Boston Children's Hospital, Boston, Ma

Formally Mentored Medical Students

1997 JL Latini, Dartmouth Medical School Class of 1998 (article #28)

Other Mentored Trainees and Faculty

1996-2002 Bruce Slaughenhaupt, MD
Career stage: Attending Pediatric Urologist. Research advisor
Publication of article 7 and 14 p 35 +36 Fellowship in Pediatric Urology

1996 M. Curtis, MD
Career stage: Attending role Urologist. Research advisor
Published paper ref #5 p35

1997 David Cozzolino, M.D.
Career stage: Attending in Urology role. Research advisor
Published papers ref #8 p 35 and ref #1 p 36

2001-2004 Joseph F Lopes, M.D.
Career stage: Attending Urologist. Research advisor
Publication of two peer reviewed articles and presentation of one abstract
See p 33 # 34 + 35

2002-2005 Carlos Estrada, M.D., Associate in Surgery (Urology), Attending at Boston Children's Hospital, Boston, MA. Direct supervision in the operating room and in the pediatric urology clinic as well as editing and review of manuscript on vesico-ureteral reflux.
Career stage: Associate professor HMS and attending Urologist at Boston Children's Hospital.
Publication article p 34 # 45

- 2011-2012 Paul Kokorowski, M.D., MPH, Instructor in Surgery (Urology), Children's Hospital, Boston, MA. Direct supervision in the operating room and in the pediatric urology clinic. Associate professor of Urology, UCLA, Los Angeles, Ca.
- 2013-2015 Erin Mc Namara, M.D., MPH. Instructor in Surgery (Urology), Boston Children's Hospital, Boston, Ma. Supervised and mentored research project reviewing the follow-up of patients with complex hypospadias. Fellow in the department of Urology, Boston Children's Hospital.
Publication article #54
- 2013-2015 Patricia Cho, M.D. Instructor in Surgery (Urology). Boston Children's Hospital
Supervised and mentored research project on male epsipadias. Fellow in the department of Urology at Boston Children's Hospital.
Publication #56
- 2013-2015 Joseph McQuai, M.D. Urology resident at Massachusetts General Hospital. Supervised and mentored research project on penile curvature in boys. Boston Children's Hospital.
Publication p 39 # 45. Fellow in the department of Urology at Boston Children's Hospital.
Publication #55
- 2016-2017 Didi Teva, M.D. Urology resident at Boston Medical Center. Project on the prostatic utricle. Publication is pending.

Formal Teaching of Peers (e.g. CME and other continuing education courses)

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|-----------|--|--|
| 1994-2003 | Bladder exstrophy, UTIs, cryptorchidism, prenatal hydronephrosis. CME
Pediatric Urology Monthly Conference. | Single presentation 4-6 years
Department of Pediatrics,
Dartmouth Hitchcock Medical
Center, Lebanon, NH |
| 1998 | Urology for the Generalist Seminar, 1) Hematuria; 2) Pediatric Urology for the Generalist. CME | Single presentation
Department of Urology,
Dartmouth Hitchcock Medical
Center, Lebanon, NH |
| 1998 | Pediatric Urology: What's New?
Family Practice Grand Rounds. | Single presentation
Department of Family Practice,
Dartmouth Hitchcock Medical
Center, Lebanon, NH |
| 2001 | Long-Term Consequences of Testicular Maldescent. CME | Single presentation
New England Section of
American Urologic Association,
Newport, RI |

2001	Fertility and Malignancy, Long-Term Consequences of Cryptorchidism.	Single presentation American College of Surgeon's Meeting, New Orleans, LA
2002	Embryology of the Urinary Tract. American Urologic Association review course,	Single presentation Chicago, IL
2003	The Acute Scrotum. CME CHAD conference.	Single presentation Department of Pediatrics, Dartmouth Hitchcock Medical Center, Manchester, NH
2004	Scrotal Pathology. Frontiers in Pediatric Surgical Specialties. CME	Boston Children's Hospital, Boston, MA.
2004	Embryology of the Urinary Tract. American Urologic Association review course, CME	Chicago, IL
2008	GU Embryology.	Department of Urology, Brigham & Women's Hospital, Boston, MA
2008	Prenatal Hydronephrosis: Postnatal Management. Annual meeting, plenary session. American Urologic Association	Orlando, FL
2012	"Epispadias in Boys, review of the BCH experience". Boston Children's Hospital Grand Rounds Department of Urology	Boston, MA
2012	"Circumcision" Essential Pediatric Urology for the Primary Care Clinician. Sponsored by Harvard Medical School	Boston, MA
2014	"UTI's". Visiting specialist at Harvard Vanguard Pediatrics	Boston, MA
2014	"Circumcision and complications". Essential Pediatric Urology for Primary care Physician	Boston, MA
2014	"Varicocele in the pediatric age group". Essential Pediatric Urology for Primary care Physician	Boston, MA
2015	"Evaluation of children with UTIs". Visiting Specialist at Tricounty Pediatrics	Stoughton, MA

- 2016 Update on Pediatric Urology for the Primary care Physician. Harvard-Vanguard Boston, Ma
- 2018 Evaluation of Testicular Torsion. Pediatric Grand Rounds, Beverly Hospital Beverly, Ma

Local Invited Presentations

- 1997 Testicular Maldescent. Pediatric Grand Rounds, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1997 Bladder Exstrophy: Current Concepts. Urology Grand Rounds, Department of Urology, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1997 Hypospadias. Urology Grand Grounds, Department of Urology, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1998 Prenatal hydronephrosis. Pediatric Conference for Family Practice residents, Department of Family Practice, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1998 Intersex. Urology Grand Rounds, Department of Urology, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1998 Urinary Tract Infections. Pediatric Grand Rounds, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1999 Testicular Maldescent: Current Concepts. Urology Grand Rounds, Department of Urology, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1999 Enuresis. Urology Grand Rounds, Department of Urology, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1999 The Acute Scrotum. Pediatric Grand Rounds, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 1999 Pediatric UTIs. Pediatric Grand Rounds, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 2000 Bladder Exstrophy. Surgical Grand Rounds, Department of Surgery, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 2000 Enuresis, Current Concepts. Pediatric Grand Rounds, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 2000 Obstructive Uropathy. Dartmouth Medical School, medical student lecture, Hanover, NH

- 2001 Obstructive Uropathy. Dartmouth Medical School, medical student lecture, Hanover, NH
- 2001 Posterior Urethral Valves. Urology Grand Rounds, Department of Urology, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 2001 UTIs. Pediatric Acute Care Conference, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 2002 Newest of the New "Scrotal Pathology." Pediatric Conference, Department of Pediatrics, Dartmouth Hitchcock Medical Center, Lebanon, NH
- 2002 Obstructive Uropathy. Dartmouth Medical School, medical student lecture, Hanover, NH
- 2003 Obstructive Uropathy. Dartmouth Medical School, medical student lecture, Hanover, NH
- 2004 Voiding Dysfunction in Children. Pediatric Grand Rounds, Department of Pediatrics, Elliott Hospital, Manchester, NH
- 2004 Circumcision. Pediatric Grand Rounds, Department of Pediatrics, South Shore Hospital, Weymouth, MA
- 2004 Vesicoureteral Reflux Update. Anesthesia Grand Rounds, Department of Anesthesia, Children's Hospital, Boston, MA
- 2007 UTI's Department of Pediatrics, Lawrence General Hospital, Lawrence, MA
- 2008 Urologic Embryology. Lecturer
Urology Teaching Conference, Brigham & Women's Hospital, Boston, MA. Department of Urology.
- 2009 Bladder Diverticula in Children. Lecturer
Urology Grand Rounds, Massachusetts General Hospital, Boston, MA. Department of Urology
- 2009 Hemorrhagic Cystitis in Children. Lecturer.
Urology Grand Rounds, Massachusetts General Hospital, Boston, MA. Department of Urology
- 2009 Evaluation and Treatment of UTI's. Department of Pediatrics, St. Joseph's Hospital, Nashua, "Prenatal hydronephrosis".
Pediatric Grand Rounds, Elliot Hospital, Manchester, NH
- 2009 "Choice Choices and Options: A Carrier in Pediatric Urology". Invited speaker at medical school reunion. Alumni Leaders in Medicine. Tufts University School of Medicine. Boston, MA

- 2012 Pediatric Grand Rounds: "Update on UTI management; the urologist's perspective". Beverly Hospital, Beverly, MA
- 2012 Pediatric Gran Rounds: "UTI in children". Lowell General Hospital, Lowell, MA
- 2012 Essential Pediatric Urology for the Primary Care Clinician "Circumcision". Sponsored by Harvard Medical School, Boston, MA.
- 2012 Essential Pediatric Urology for the Primary Care Clinician "Hypospadias, evaluation and management". Sponsored by Harvard Medical School, Boston, MA
- 2013 "Update on the AAP Guidelines for Circumcision" Peabody Boston Children's Hospital Office, Peabody, Ma.
- 2013 "Hypospadias" Brigham and Women's Hospital Department of Urology Grand Rounds: " Boston, Ma.
- 2014 "Prenatal hydronephrosis". Pediatric Grand Rounds, Elliot Hospital, Manchester, NH
- 2015 "The effects of the neurogenic bladder on the upper urinary tract in children" Department of Urology Grand Rounds at the Massachusetts's General Hospital, Boston, Ma.
- 2015 "Erectile dysfunction in boys" Department of Urology Grand Rounds at the Massachusetts's General Hospital, Boston, Ma.
- 2015 "The Page kidney". Department of Urology, Boston Medical Center, Boston, Ma.
- 2016 "The duplicated ureter". Department of Urology Grand Rounds at the Massachusetts's General Hospital, Boston, Ma.
- 2016 "Testicular Maldescent". Department of Urology, Boston Medical Center, Boston, Ma.
- 2016 "Update on posterior urethral valves" OR Nursing Grand rounds, Boston Children's Hospital in Waltham, Ma.
- 2017 "Hypospadias in 2017" Combined Urology Grand Rounds. Departments of Urology Brigham and Women Hospital and Boston Children's Hospital, Boston, Ma.
- 2017 "Infertility in the pediatric age group" Department of Urology Grand Rounds at the Massachusetts's General Hospital, Boston, Ma.
- 2018 "Pediatric Priapism" Department of Urology Grand Rounds at the Massachusetts's General Hospital, Boston, Ma.
- 2018 "Prenatal Hydronephrosis". Combined Urology Grand Rounds. Departments of Urology Brigham and Women Hospital and Boston Children's Hospital, Boston, Ma.

2018 “The Voiding Cystourethrogram”. Uroradiology Conference, Boston Children’s Hospital, Boston, Ma.

Report of Regional, National and International Invited Teaching Presentations:

Regional

- 1997 Voiding Dysfunction in Children. Lecturer.
Pediatric Grand Rounds, DHMC Department of Pediatrics, Manchester, NH.
- 1997 Primary Nocturnal Enuresis. Lecturer.
Rockville General Hospital Department of Pediatrics, Rockville, CT.
- 1997 What is New in Pediatric Urology? Lecturer.
Rutland General Hospital Department of Pediatrics, Rutland, VT
- 1997 Update in Pediatric Urology. Lecturer.
Pediatric Grand Rounds, Concord Hospital Department of Pediatrics, Concord NH
- 1997 UTIs: Evaluation and Treatment. Lecturer.
Grand Rounds, Springfield Hospital Department of Pediatrics, Springfield VT
- 1997 Enuresis. Lecturer.
Grand Rounds, Monadnock Regional Hospital Department of Continuing Medical Education, Peterborough, NH
- 1998 Primary Nocturnal Enuresis. Lecturer.
Grand Rounds, Eastern Maine Medical Center Department of Pediatrics, Bangor, ME
- 1999 Update on Pediatric Urology. Lecturer.
Family Practice/Pediatric Grand Rounds, Cheshire Medical Center Department of Pediatrics, Keene, NH
- 1999 Update on Pediatric Urology. Lecturer.
Pediatric Grand Rounds, Concord Hospital Department of Pediatrics, Concord, NH
- 1999 Update on Pediatric Urology. Lecturer.
Pediatric Grand Rounds, Wentworth Douglas Hospital Department of Pediatrics, Dover, NH
- 1999 Voiding Dysfunction in Children. Lecturer.
Cheshire Medical Center Department of Pediatrics, Keene, NH
- 1999 Prenatal Diagnosis of Urologic Anomalies. Lecturer.

- Concord Hospital Department of Pediatric, Concord, NH
- 1999 Prenatal Diagnosis of Urologic Anomalies. Lecturer.
Wentworth Douglas Hospital Department of Pediatrics, Dover, NH
- 2000 Update on Pediatric Urology. Lecturer.
Pediatric Grand Rounds, DHMC Department of Pediatrics, Manchester, NH
- 2000 Pediatric UTIs. Lecturer.
Pediatric Grand Rounds, Exeter Hospital Department of Pediatrics, Exeter, NH
- 2000 Update on Pediatric Urology. Lecturer.
Pediatric Grand Rounds, Southern New Hampshire Regional Medical Center Department of Pediatrics, Nashua, NH
- 2000 Pediatric UTIs. Lecturer.
Pediatric Grand Rounds, Exeter Hospital Department of Pediatrics, Exeter, NH.
- 2000 Update on Pediatric Urology. Lecturer.
Pediatric Grand Rounds, Southern New Hampshire Regional Medical Center Department of Pediatrics, Nashua, NH
- 2000 Evaluation and Treatment of UTIs in Children. Lecturer.
Pediatric Grand Rounds, Concord Hospital Department of Pediatric, Concord, NH
- 2001 Childhood Urinary Incontinence. Lecturer.
Pediatric Grand Rounds, Androscoggin Valley Hospital Department of Pediatrics, Berlin, NH
- 2001 Clean Intermittent Catheterization. Lecturer.
Crotched Mountain Rehabilitation Center Department of Pediatrics, Greenfield, NH
- 2002 Enuresis. Lecturer
Pediatric Grand Rounds, Southern New Hampshire Regional Medical Center, Nashua, NH. Department of Pediatrics, Nashua, NH
- 2002 Voiding Dysfunction. Lecturer.
CHAD Currents Conference, Frisbee Memorial Hospital Continuing Medical Education, Rochester, NH
- 2007 Management of Congenital Anomalies of the Genitalia. Lecturer.
Pediatric Grand Rounds, St. Joseph's Hospital Department of Pediatrics, Nashua, NH
- 2007 Management of Prenatally Diagnosed Hydronephrosis. Lecturer.
Pediatric Grand Rounds, Lawrence General Hospital Department of Pediatrics, Lawrence, MA

- 2010 Annual NE-AUA meeting. Transitional Urology. Newport, RI.
- 2016 Update on Pediatric Urology” Harvard-Vanguard Pediatric Practice. Cambridge, Ma

National

- 1997 Pediatric Urology Trip to Vietnam. Lecturer.
American Urologic Association, New Orleans, LA.
- 1997 High Grade Vesicoureteral Reflux in the Male Child. Lecturer.
Pediatric Urology Winter Forum (PUWF), Colorado. PUWF.
- 1998 Use of Autologous Collagen in the Treatment of Vesicoureteral Reflux. Lecturer.
Pediatric Urology Grand Rounds, Children's Hospital of Philadelphia Section of Pediatric Urology., Philadelphia, PA
- 1998 Promimal/Distal Hypospadias Repair; The Dartmouth Experience. Lecturer.
Pediatric Urology Winter Forum (PUWF), Telluride, CO. PUWF
- Society for Fetal Urology: Update. Lecturer.
Pediatric Urology Winter Forum (PUWF), Telluride, CO. PUWF.
- 1999 Interview on circumcision program, "The Exchange."
National Public Radio, Concord, NH.
- 1999 Perinatal Testicular Infarction.
Pediatric Urology Winter Forum (PUWF), Telluride, CO
- Autologous Collagen in the Treatment of Incontinent and Vesico-Ureteral Reflux.
Pediatric Urology Winter Forum (PUWF), Telluride, CO
- 1999 Lower Urinary Tract Reconstruction in Children. Visiting Professor.
Brown University School of Medicine Department of Urology, Providence, RI
- 2000 The Challenge of Bladder Neck Reconstruction. Lecturer.
New England Medical Association Meeting, Steamboat, CO
- 2001 Hypospadias Repair: Current Concepts. Visiting Lecturer.
Pediatric Urology Rounds, Brown University School of Medicine, Hasbro Children's Hospital, Providence, RI
- 2002 Perinatal Vesicoureteral Reflux Panel.

- Annual meeting, plenary session. American Urologic Association, Orlando, FL
- 2003 Urethral Healing in Hypospadias Repair. Visiting Professor.
Vanderbilt School of Medicine, Nashville, TN
- 2004 Update on Enuresis. Visiting Lecturer.
Pediatric Grand Rounds, Cedar Sinai Hospital, Department of Pediatrics, Los Angeles, CA
- 2004 Update on Enuresis. Visiting Lecturer.
Pediatric Grand Rounds, Schneider Children's Hospital Department of Pediatrics, Hyde Park, NY
- 2005 Prenatal Detected Hydronephrosis: Post-Natal Diagnosis and Management.
Annual meeting, plenary session. American Urologic Association, Orlando, FL
- 2005 Prenatal Hydronephrosis. Visiting Professor.
Schneider Children's Hospital Department of Urology, Hyde Park, NY
- 2006 "Primary Hypospadias Repair in the TIP era". Visiting Lecturer.
Children's Hospital of Philadelphia Department of Urology, Philadelphia, Pa.
- 2008 "VUR Scoring System". Visiting Lecturer.
Children's Hospital Department of Pediatric Urology, Salt Lake City, UT.
- 2010 "Tale of 2 Bladders". The Pediatric Urology Winter Forum, Colorado
- 2012 "Epispadias in boys: A spectrum within a spectrum". The Pediatric Urology Winter Forum, Utah.
- 2013 "The no-knife hypospadias repair". The Pediatric Urology Winter Forum. Montana
- 2014 "Penile Curvature in boys without hypospadias". Pediatric Urology Winter Forum, Montana.
- 2015 "The no-knife hypospadias technique for hypospadias". Pediatric Urology Winter Forum, Telluride, Colorado.
- 2016 "Evaluation and treatment of the Page kidney in the pediatric population". Pediatric Urology Winter Forum, Big Sky, Montana.
- 2017 "Pelvic floor laxity in young females with urinary incontinence". Pediatric Urology Winter Forum, Big Sky, Montana.
- 2018 "Bilateral ectopic ureters: options in management". Pediatric Urology Winter Forum, Colorado.

- 2019 “Simon Duplay: the dawn of hypospadiology”. Pediatric Urology Winter Forum, Telluride, Colorado.
- 2023 “The Unloved Clinic”. Pediatric Urology Winter Forum, Big Sky, Montana

International

- 1996 Update on pediatric urological surgical care and techniques. Lecturer. Institute for the Child’s Health, Hanoi, Vietnam. Department of Pediatric Surgery
- 1997 Teaching basic pediatric surgical care and techniques. Lecturer. Haiphong’s Children’s Hospital, Haiphong, Vietnam. Department of Pediatric Surgery
- 1997 Genitoplasty in Girls with Congenital Adrenal Hyperplasia. Lecturer. Grand Rounds, Hospital for the Protection of Children’s Health, Hanoi, Vietnam. Department of Pediatric Surgery
- 1997 Combination Therapy for Primary Nocturnal Enuresis. Invited Lecturer. International Children’s Continence Society (ICCS) Meeting, Paris, France. ICCS.
- 1998 Hypospadias Repair at CHAD. French Pediatric Urology Club, London, England
- 1998 Testicular Maldescent: Current Concepts. Grand Rounds, Tanta University School of Medicine, Tanta, Egypt
- 1998 Lower Urinary Tract Reconstruction. Grand Rounds, Center for Urology and Nephrology, Mansoura, Egypt
- 1998 Prenatal Diagnosis of GU Anomalies. Grand Rounds, Al-Azhar University Medical Center, Cairo, Egypt
- 1999 Neonatal Torsion of the Testicle. Club d’Urologie Pédiatrique, Lyon, France
- Rare and Unusual renal Tumors in Children. Club d’Urologie Pédiatrique, Lyon, France
- 2000 “Fetal Urology in 2000”, Moderator Session on Hypospadias. Club Francophone d’Urologie Pédiatrique, Lyon, France
- 2000 Adolescent Testicular Maldescent. Egyptian Urological Association Meeting, Cairo, Egypt

- 2000 Neurogenic Bladder in Children.
Egyptian Urological Association Meeting, Cairo, Egypt
- 2000 Proximal Hypospadias Management.
Egyptian Urological Association Meeting, Cairo, Egypt
- 2000 Recent Advances in Pediatric Urology.
Al-Azhar University Medical Center, Cairo, Egypt
- 2001 Healing of the Urethral Plate After Tubularized, Incised Urethral Plate,
Histopathologic
Analysis
Pediatric Urology Winter Forum (PUWF)
- 2001 Guerrisson de l'Uretre apres Operation de Snodgrass.
Club Francophone d'Urologie Pediatrique, Paris, France
- 2004 Robotic Approach to Stone Disease in Children.
Pediatric Urology Winter Forum (PUWF), Telluride, CO
- 2004 Journée Deflux: Update on endoscopic treatment of reflux.
Q Med.Conference, Paris, France
- 2005 Desmoplastic Round Cell Tumor in Children.
Pediatric Urology Winter Forum (PUWF), Whistler, British Columbia, Canada
- 2006 The History of French Pediatric Urology.
Pediatric Urology Winter Forum (PUWF), Val d'Isere France
- 2006 Chaos of Prenatally Diagnosed Hydronephrosis.
Pediatric Urology Winter Forum (PUWF), Telluride, CO
- 2007 A New Grading System for VUR.
Pediatric Urology Winter Forum (PUWF), Telluride, CO
- 2007 Mythes et Realites du Reflux Vesicoureteral.
French Pediatric Urology Club, Padova, Italy
- 2008 Vesicoureteral Reflux Score.
French Pediatric Urology Club, Marseille, France
- 2008 Testosterone in the Management of Hypospadias.
Pediatric Urology Winter Forum (PUWF) meeting, Jackson Hole, WY
- 2008 Complications of Hypospadias Surgery and How to Avoid Them.

- Asian Pacific Association for Pediatric Urology meeting, Hawaii
- 2008 Setting up a Laparoscopy Program.
Asian Pacific Association for Pediatric Urology, Hawaii
- 2009 Hypospadias Repair complications. Vietnam Urologic and Nephrologic
Association meeting/ Federation of Asian Urological Associations joint meeting.
Ho Chi Min City, Vietnam.
- 2009 Management of ureteropelvic junction obstruction in the pediatric age group:
Open versus laparoscopic versus robotic-assisted. Vietnam Urologic and Nephrologic
Association meeting/ Federation of Asian Urological
Associations joint meeting. Ho Chi Min City, Vietnam.
- 2009 Androgenic therapy for hypospadias. Club Francophone d'Urologie
Pediatrique meeting. Bruxelles, Belgium.
- 2010 25 years of Endoscopic Treatment of Vesico-ureteral Reflux. Hopital Robert Debre, Paris
France.
- 2010 Meeting of the Chilean Urologic Association and Sociedad Iberica de Urologica
Pediatria. Testicular maldescent in 2010. Wilms Tumor management. Case discussion,
Santiago, Chile
- 2010 Egyptian Urologic Association Annual Meeting. 3 lectures: Megaureter, Pediatric Renal
Tumors, The Future of Vesico-Ureteral Reflux, Charm El Shaikh, Egypt
- 2011 AUA Annual meeting. Report on the WCPU. Atlanta, Ga.
- 2012 Meeting of Sociedad Iberica de Pediatrica Urologia. 5 lectures: Bladder diverticula;
Epispadias; Hypospadias, a new technique; Robotic sling procedure for incontinence;
Update of Reflux. Punta del Estes, Uruguay
- 2012 "Sacral agenesis: urological implications." Pediatric Urology Winter Forum, Utah.
- 2012 "Update on epispadias in boys" 36th Collegio Meeting Mexicano de Urologia Nacional,
Leon, Mexico.
- 2012 "The no-knife hypospadias repair". 36th meeting of the Collegio Mexicano de Urologia
Nacional, Leon, Mexico.
- 2012 "Update on epispadias in boys". Club Francophone d'Urologie Pediatrique, Munster,
France.
- 2013 Epispadias in Boys: preoperative evaluation. Societe International d'Urologie, Vancouver,

- Canada.
- 2014 Penile curvature in boys without hypospadias. Pediatric Urology Winter Forum, Montana
- 2014 Long-term follow-up of patients with complex hypospadias. Club Francophone d'Urologie Pediatrique. Catagna, Italy.
- 2015 Management of proximal hypospadias with a 2 stage procedure: 20 year experience. Pediatric Urology Winter Forum, Montana
- 2016 Pelvic floor laxity in young girl as a cause of urinary incontinence. Club Francophone d'Urologie Pediatrique, Essaouira, Morocco
- 2016 Assessment of surgical skills in Pediatric Urology. Club Francophone d'Urologie Pediatrique, Essaouira, Morocco
- 2016 SIU-ICUD Joint Consultation on the urologic management of children with spinal cord injury. Societe International d'Urologie. Buenos Aires, Argentina
- 2017 « L'Utricule Prostatique ». Club Francophone d'Urologie Pediatrique, Montreal, Canada.
- 2017 "The Devastated Bladder Neck". American Urologic Association Annual Meeting, Boston, Ma.
- 2017 "Epispadias in boys". Visiting professor, the Italian Hospital, Buenos Aires, Argentina.
- 2017 "Prenatal Urology". Visiting professor, the Italian Hospital, Buenos Aires, Argentina.
- 2017 "Pelvic floor laxity in young females with incontinence". Pediatric Hospital, Mendoza, Argentina.
- 2017 "Neurogenic bladder secondary to sacral agenesis" Pediatric Hospital, Mendoza, Argentina.
- 2018 "The Mathieu technique applied to the surgical repair of megameatus intact prepuce variant of hypospadias. Pediatric Urology Winter Forum (PUWF), Telluride, Co.
- 2018 "Simon Duplay: the Dawn of Hypospadiology". American Urologic Association Annual Meeting, San Francisco, Ma.
- 2018 "Special Considerations in the Urologic Management of Children with SCI". Urologic Management of Patients with Spinal Cord Injury, International Conference at the Hospital del Trabajador, Santiago, Chile.
- 2018 "UTIs and Colonization of Patients with SCI". Urologic Management of Patients with Spinal Cord Injury, International Conference at the Hospital del Trabajador, Santiago, Chile.

- 2018 “Bladder neck Reconstruction in Children with SCI”. Urologic Management of Patients with Spinal Cord Injury, International Conference at the Hospital del Trabajador, Santiago, Chile.
- 2018 “Urinary Diversion in Children with SCI”. Urologic Management of Patients with Spinal Cord Injury, International Conference at the Hospital del Trabajador, Santiago, Chile.
- 2019 “Pediatric Urology Consequences of Spinal Cord Injury”. Pediatric Urology Winter Forum, Utah
- 2019 “The History of French Pediatric Urology”. European Society of Pediatric Urology Meeting, Lyon, France.

Report of Clinical Activities and Innovations:

Current Licensure and Certification

- 1984 Massachusetts Medical License (current)
- 1984 Pennsylvania Medical License (inactive)
- 1990 Maryland Medical License (inactive)
- 1993 New Hampshire Medical License (current)
- 1994 Vermont Medical License (inactive)
- 1994 American Board of Urology
- 2005 American Board of Urology Recertification
- 2008 American Board of Urology - Certificate of added qualification in Pediatric Urology
- 2018 American Board of Urology - Recertification of added qualification in Pediatric Urology

Practice Activities

Pediatric Urology

- Ambulatory care, Outpatient Clinic, Pediatric Urology, Children's Hospital, Boston, MA. Two to Three full day sessions/week.
- Surgery, ambulatory and inpatient, Pediatric Urology, Children's Hospital, Boston, MA.
- One to two sessions/week. Ambulatory surgery at the Waltham and Lexington campuses of Children’s Hospital, Boston, 1 session per week

- Ambulatory care, subspecialty clinic, Waltham Children's Hospital, Waltham, MA, Lexington Children's Hospital Specialty Clinic, Lexington, Ma, Peabody Children's Hospital, Peabody, MA, Bedford, NH, Nashua, NH.
One to two sessions per month.

Clinical Innovations:

- 1991 Invention and simple mentation of a tool box containing all necessary equipment for catheterizing patients in a busy hospital
This was reported and published in ref #7 p 32
- 1994 First reported cases of desmoplastic round cell tumor involving the urinary tract
This was reported and published in ref. # 14, p.33
- 1995 Use of an anterior bladder tube as a catheterizable stoma for clean intermittent catheterization.
This was reported and published in ref. #26 p 33
- 1995 Combination therapy for the treatment of enuresis using desmopressin and an anticholinergic agent.
This was reported and published in ref. #30 p33
- 1998 Atrophic or nubbin testicles do not need to be removed because of the very low risk for malignancy.
This was reported and published in ref. #29 p. 33
- 1999 Use of autologous collagen as a bulking agent for the treatment of vesicoureteral reflux. Use of autologous collagen for the treatment of vesicoureteral reflux. This past project Translational study of a new bulking method for the treatment of vesicoureteral reflux. This project initially started in an animal model (rabbit). Results were promising and Human studies were planned but a new product (deflux) came on the market making Autologous collagen a less viable solution to the treatment of vesico-ureteral reflux ref
This was reported and published in ref. #17 p. 32
- 2001 The role of cystoscopy prior to ureteral reimplantation in children.
This was been reported and published in ref #34 p. 33
- 2004 The vesicoureteral reflux score. This clinical tool was evaluated to help in the assessment and management of patients with vesicoureteral reflux. Several variables are included in the score so as to provide a longitudinal assessment of patients with vesicoureteral reflux. This was been reported and published in ref #46 in p 34
- 2006 Prenatal hydronephrosis and postnatal outcome. Based on an extensive meta-analysis the information enables clinicians to predict the postnatal outcomes based on the degree of hydronephrosis. The study is important as it provides a clinical tool for prenatal

counseling.

This was been reported and published in ref #40 p 34

2018

A new diagnostic evaluation and diagnosis of urinary incontinence in young women with pelvic floor laxity was described and published in ref # 58 p39

Report of Technological and Other Scientific Innovation:

- | | |
|---|--|
| <p>A fetal lamb model of partial urethral obstruction: experimental protocol and results</p> | <p>Development of an animal model of partial Urethral Obstruction in a fetal sheep. This allowed us to map out the changes in the developing urinary tract under conditions of outlet obstruction.</p> <p>This model was described in ref #13 p 35</p> |
| <p>Is penile electrocautery safe? Temperature assessment in a sheep model.</p> | <p>Development of an animal model to study the effects of electro cautery on the penis.</p> <p>This model was described and reported in ref #1 p 40</p> |
| <p>Histologic analysis of epithelial regrowth after Tubularized, Incised Urethral Plate Urethroplasty</p> | <p>Elaboration and development of an animal model of hypospadias which allowed the study of the time course of healing.</p> <p>This was reported and published in ref # 34 and 35 p 37</p> |
| <p>A new technique for hypospadias repair</p> | <p>Elaboration and development of a new hypospadias repair technique which allows for better anatomic visualization of the urethral plate and reduces the risk for injury in patients with the megameatus intact prepuce variant of hypospadias</p> <p>This was reported and published in ref. # 57 p.39</p> |

Report of Education of Patients and Service to the Community:

Activities

- 1996-1997 Humanitarian trip to Vietnam organized by Friendship Bridge (Dr. Ted Ning).
- 2006-present Pan Massachusetts Challenge (PMC). The PMC raises money (\$4500 per participants for 2015) for life-saving cancer research and treatment at Dana-Farber Cancer Institute through an annual bike-a-thon that crosses the Commonwealth of Massachusetts. This is my 9th year participating.
- 1992-current Volunteer work for the former Historical Society of Olde Newbury, now known as Museum of Old Newbury as Docent, program chairman, co-chair of the Collections Committee and member of the Board of Directors.
- 1998-2001 I have also participated in two educational trips to Egypt with the organization Physicians for Peace.
- 2022-Current Member of the Newburyport Historical Commission.

Educational Materials for Patients and the Lay Community

Books, monographs, articles and presentation in other media

1. **Cendron M.** Best Practice for Treatment of Primary Nocturnal Enuresis: Strategies for the Clinician from Leading U.S. Enuresis Clinic, 2000.
2. **Cendron M.** Nocturnal Enuresis: Practical Approaches to a Common Problem, 2001.
3. **Cendron M.** Bed wetting and children: Removing the stigma. Health News Digest. Com, March 2002.
4. **Cendron M.** Enuresis : Do's and Don't. 24Dr.Com. June 2002.
5. **Cendron M.** Vesicoureteral reflux. Review for online journal eMedicine, 2005.
6. **Cendron M.** Wilms Tumor. Review for online journal eMedicine, 2006.
7. **Cendron M.** Vesicoureteral reflux update. Review for online journal e-Medicine, 2006.

Patient educational material

- 1994-1998 Educational brochures for parents and patients regarding pediatric urologic conditions, Children's Hospital at Dartmouth (CHAD): Maldescended Testicles, Voiding Cystourethrogram (VCUG), The Child with Reflux, Pediatric Urology Home Care Instructions, Hypospadias Repair with Urethral Catheter, After Orchidopexy, Preparing Your Child for Ureteral Reimplantations, Hydronephrosis Diagnosed Prenatally, Hernias and Hydroceles, Hypospadias

- 2000-2003 Creation of parent educational material for postoperative care after pediatric urologic surgery, Dartmouth Hitchcock Medical Center.
- 2000-2003 CME program for nurse and nurse practitioners on topics of pediatric urology, Dartmouth Hitchcock Medical Center.
- 2012-present Creation and accreditation of the CME Grand Rounds Program for the Department of Urology at Boston Children's Hospital

Recognition

- 1998-2000 Board Member International Volunteers in Urology
- 1998 President of the Society of Fetal Urology
- 2000-present National Registry of Who's Who
- 2005-2006 President of the Society for Pediatric Urology
- 2013-2014- Best Doctors Boston Magazine
2015-2016-
2017-2023

Report of Scholarship:

Publications

Peer Reviewed Publications in Print or other media

Research investigations

1. Deutsch E, Apffel CA, Walker JE, **Cendron M**. Immunological markers in gastric cancer secretions. *Am J Gastroenterol* 72(3):334, 1979.
2. Klempner MS, **Cendron M**, Wyler DJ. Attachment of plasma membrane vesicles of human macrophage to *Leishmania tropica* promastigotes. *Journal of Infectious Disease* 148(3):377-384, 1983.
3. Carpiniello VL, **Cendron M**, Altman HG, Malloy TR, Booth R. Treatment of urinary complications after total joint replacement in elderly females. *Urology* 23:186-188, 1988.
4. **Cendron M**, Keating M, Huff DS, Koop CE, Snyder HM, Duckett JW. Cryptorchidism, orchiopexy and infertility: a critical long-term retrospective analysis. *Journal of Urology* 142:559-562, 1989.

5. **Cendron M**, Whitmore KE, Carpiniello V, et al. Traumatic rupture of the corpus cavernosum: evaluation and management. *Journal of Urology* 144:987-991, 1990.
6. **Cendron M**, Deserable D, Malkowicz SB, Wein AJ. The urology crash box. *Journal of Urology* 146:389, 1991.
7. **Cendron M**, Leonard MP, Gearhart JP, Jeffs RD. Endoscopic treatment of vesicoureteral reflux using cross-linked bovine dermal collagen. *Pediatric Surgery International* 6:295-300, 1991.
8. Haberlik A, **Cendron M**, Sauer H. Biliovenous fistula in children after blunt liver trauma: proposed for a simple surgical treatment. *Journal of Pediatric Surgery* 27(9): 1203, 1992.
9. Turek PJ, Malloy TR, **Cendron M**, Carpiniello VL, Wein AJ. KTP-532 laser ablation of urethral strictures. *Urology* 40:330-334, 1992.
10. **Cendron M**, Huff DS, Keating MA, Snyder H, Duckett JW. Anatomical, morphological and volumetric analysis: a review of 759 cases of testicular maldescent. *Journal of Urology* 149:570-573, 1993.
11. Karim OMA, **Cendron M**, Mostwin JL, Gearhart JP. Developmental alterations in the fetal lamb bladder subjected to partial urethral obstruction in utero. *Journal of Urology* 150:1060-1063, 1993.
12. Crombleholme TM, Harris HH, Jacir NN, Lautchaw LA, Kretschmar CS, Rosenfield CG, Wolfe LC, **Cendron M**. The desmoplastic round cell tumor: a new solid tumor of childhood. *Journal of Pediatric Surgery* 28(8): 1023-1025, 1993.
13. **Cendron M**, Horton CE, Karim OMA, et al. A fetal lamb model of partial urethral obstruction: experimental protocol and results. *Journal of Pediatric Surgery* 29(1): 77-80, 1994.
14. Carroll JC, Klauber GT, Kretschmar CS, Ucci A, **Cendron M**. Urologic aspects of intra-abdominal desmoplastic small round cell tumor of childhood: a preliminary report. *Journal of Urology* 151:172-173, 1994.
15. Hiort O, Klauber GT, **Cendron M**, Sinnecker GH, Lutz K, Schwinger E, Wolfe HS, Yandell Dw. Molecular characterization of the androgen receptor in boys with hypospadias. *European Journal of Pediatrics* 153:317-321, 1994.
16. Klauber GT, **Cendron M**. Continent vericostomy using a catheterizable posterior bladder tube: Modification of the Mitrofanoff Principle. *Journal of Pediatric Surgery*, 29 (1):71-73, 1994.
17. **Cendron M**, DeVore D, Connolly R, Ucci A, Sanh G, Ucci A, Calahan R, Klauber GT, Cohen A, Heilman C, Lewis M, Harris B. The biological behavior of autologous collagen injected into the rabbit urinary bladder. *Journal of Urology* 154:808-811, 1995.
18. Crombleholme TM, D'Alton ME, **Cendron M**, et al. Prenatal diagnosis and the pediatric surgeon: the impact of prenatal consultation on perinatal management. *Journal of Pediatric Surgery* 31:156-163, 1996.
19. Morin L, **Cendron M**, Crombleholme TM, Garmel SH, Klauber GT, D'Alton ME. Minimal hydronephrosis in the fetus: clinical significance and implications for management. *Journal of Urology* 155: 2047-2049, 1996.

20. Garmel SA, Crombleholme TM, **Cendron M**, D'Alton ME. The vanishing fetal ureterocele: a cause for concern. *Prenatal Diagnosis* 16(4): 354-356, 1996.
21. Schned A, **Cendron M**. Pathologic findings in the vanishing testis syndrome. *Journal Urologic Pathology* 6:95-107, 1997.
22. Lottman HB, Melin Y, **Cendron M**, Lombrahl P, Beze-Beyrie P, Cendron J. Bladder exstrophy : evaluation of factors leading to continence with spontaneous voiding after staged reconstruction. *Journal of Urology* 158: 1041-1044, 1997.
23. Curtis MR, Mooney DP, Vaccaro TJ, Williams JC, **Cendron M**, Shorter NA, Sargent Sr. Prenatal ultrasound characterization of suprarenal mass: distinction between neuroblastoma and subdiaphragmatic extra lobar pulmonary sequestration. *Journal Ultrasound Medicine* February 16(2):75-83, 1997.
24. Lottmann HB, Archambaud F, Hellal B, Pageyral BM, **Cendron M**. 99m-Tc DMSA renal scan in the evaluation of potential long-term renal parenchymal damage associated with extracorporeal shock wave lithotripsy (ESWL) in children. *Journal of Urology* 159 :521-524, 1998.
25. **Cendron M**, Klauber G. Combination therapy in the treatment of persistent nocturnal enuresis. *British Journal of Urology* 81, suppl. 3, 26-28, 1998.
26. Merguerian PA, Merovach RA, Shortliffe LDS, **Cendron M**, Laparoscopy for the evaluation and management of the nonpalpable testicle. *Urology* 51 suppl. 3-6, 1998.
27. Latini JM, Curtis MR, **Cendron M**, Crow HC et al. The Prenatal Failure to Visualize the Kidneys: A Spectrum of Disease. *Urology* 52:2, 306-311, 1998.
28. **Cendron M**. Tratamiento quirurgico del hipospadias distal. *Archivos Espanoles de Urologia*; 51:6, 539-549, 1998.
29. **Cendron M**, Schned AR, Ellsworth, PI. Histological evaluation of the testicular nubbin in the vanishing testis syndrome. *The Journal of Urology*, 160, 1161-1163, 1998.
30. Cozzolino D, **Cendron M**, Hoopes J, DeVore D. Biological behavior of autologous collagen based extra cellular matrix injected in the rabbit's bladder wall. *Neurology and Urodynamics* Vol. 18-5, pp 487-495, 1999.
31. **Cendron M**, Ellsworth PI. Traitement des Hypospades complexes par la technique de Snodgrass (Tubularized, Incised Urethral Plate). *Annales d'Urologie* Vol. 33, no. 5, pp. 364-367, 1999.
32. Ellison L, **Cendron M**. Early diagnosis of fetal bladder outlet obstruction. *Journal of Pediatric Surgery*, Vol 35, No 3 (March), 513-514, 2000.
33. Lopes JF, Ellsworth PI, **Cendron M**. Cystoscopy at the time of ureteral reimplantation for primary vesicoureteral reflux: is it necessary? Incidence of undetected anomalies and cost. *Urology*, 57(6), 1156-1159, 2001.
34. Lopes JF, Ellsworth PI, **Cendron M**. Histologic analysis of epithelial regrowth after Tubularized, Incised Urethral Plate Urethroplasty, *Journal of Urology*, 166:1014-1017, 2001.

35. Edney MT, Lopes JF, Schned A, Ellsworth PI, **Cendron M**. Time course and histology of urethrocutaneous fistula formation in a porcine model of urethral healing. *European Urology*, 45(6), 806-810, 2004.
36. Eaton SM, Estrada CR, **Cendron M**, Bauer SB, Borer JG, Cilento BG, Diamond DA, Peters CA, Retik AB. Intermittent testicular torsion: diagnostic features and surgical outcomes. *Journal of Urology*, 174(2):1532-1535, 2005.
37. Elder JS, Diaz M, Caldamone AA, **Cendron M**, Greenfield S, Hurwitz R, Kirsch A, Koyle MA, Pope J, Shapiro E. Endoscopic therapy for VUR: a meta-analysis. I. Reflux resolution and urinary tract infection. *Journal of Urology*, 175(2):716-722, 2006.
38. Lee R, **Cendron M**, Kinnamon DD, Nguyen HT. Antenatal hydronephrosis as a predictor of postnatal outcome: a meta-analysis. *Pediatrics* 118: 586-593, 2006.
39. Lee R, Passeroti C, **Cendron M**, Estrada CR, Borer JG, Peters CA. Early results of robotic assisted laparoscopic lithotomy in adolescents. *Journal of Urology*, 177:2306-2310, 2007.
40. Higham-Kessler J, Reinert SE, Snodgrass WT, Hensle TW, Koyle MA, Hurwitz RS, **Cendron M**, Diamond DA, Caldamone AA. A review of failures of endoscopic treatment of vesicoureteral reflux with dextranomer microspheres. *Journal of Urology* 178(2):652-655, 2007.
41. Wang Il, Perrlman EJ, Zuppan C, Brundler MA, Cheung CR, Calicchio ML, Dubois S, **Cendron M** Murato-Collins J, Wenger G, Strelecki DBS, Barr FG, Collins T, Perez-Atayde AR, Kozakewch H.. Desmoplastic small round cell of the kidney in Childhood. *Am JK Surg pathol* 31(4) :576-84, 2007.
42. Passeroti C, **Cendron M**, Gargollo P, Nguyen H. Minimally invasive surgical approaches to retrovesical structures. *International Journal of Medical Robotics and Computed Assisted Surgery*, 3:307-311, 2007.
43. Nelson CP, Diamond DA, **Cendron M**, Peters CA, Cilento BG. Extracorporeal shock wave lithotripsy in pediatric patients using a late generation portable lithotripter: experience at Children's Hospital Boston. *Journal of Urology* 180(4):1865-1868, 2008.
44. Estrada C, Passerotti C, Graham D, Peters C, Bauer S, Diamond D, Cilento Jr B, Borer J, **Cendron M**. Nomograms for predicting yearly resolution of primary vesicoureteral reflux: results from 2462 children. *Journal of Urology* 182 (4 Suppl):1535-42, 2009.
45. Diamond DA, Xuewu J, Bauer SB, Cilento BG, Borer JG, Nguyen H, **Cendron M**, Rosoklija I, Retik AB. Surgery for bulbous urethral strictures in boys - what is the optimal surgical strategy? *Journal of Urology*, 182(4 Suppl): 1755-6, 2009.
46. Diamond DA, Xuewu J, Cilento BG Jr, Bauer SB, Peters CA, Borer JA, Mandell J, **Cendron M**, et al. Varicocele Surgery: A decade's experience at Children's Hospital. *British Journal of Urology International*, 104(2):246-9, 2009.
47. Passerotti C, Chow JS, Silva A, Schoettler CL, Rosoklija I, Perez-Rossello J, **Cendron M**, Cilento BG, Lee RS, Nelson CP, Estrada CR, Bauer SB, Borer JG, Diamond DA, Retik AB, Nguyen HT. The Utility of Ultrasonography in Evaluating Children with Urolithiasis: a Prospective Study Comparing Computed Tomography and Ultrasonography. *J Urol* 182(4suppl): 1829-34, 2009.

48. Nguyen HT, Herndon A, Cooper C, Gatti J, Kirsch A, Kokorowski P, Lee R, Perez-Brayfield M, Metcalfe P, Yerkes E, **Cendron M**, Campbell JB. The Society for Fetal Urology consensus statement on the evaluation and management of antenatal hydronephrosis. *Journal of Pediatric Urology* 6: 213-231, 2010
49. Hong YK, Onal B, Diamond DA, Retik AB, **Cendron M**, Nguyen HT. Robot-assisted laparoscopic excision of symptomatic retrovesical cysts in boys and young adults. *J Urol* 186: 1567-1570, 2011.
50. Zanetta VC, Rosman BM, Bromley B, Shipp TD, Chow JS, Campbell JB, Herndon DC, Passerotti CC, **Cendron M**, Retik AB, Nguyen HT. Variations in management of mild prenatal hydronephrosis among maternal-fetal medicine obstetricians, and pediatric urologists and radiologists. *J Urol*. 2012 Nov; 188 (5): 1935-9.
51. Harty, NJ, Nelson CP, **Cendron M**, Turner S, Borer JG. The impact of electrocautery method on post-operative bleeding complications after non-newborn and revision circumcision. *J Pediatr Urol*. 2013 9(5): 634-7.
52. Cho P, **Cendron M**. The surgical management of male epispadias in the new millennium. *Current Urol Rep* 2014 15(2):472.
53. Rosman BM, Barbosa JA, Passerotti CP, **Cendron, M**, Nguyen HT. Evaluation of a novel gel-based ureteral stent with biofilm resistant characteristics. *Int. Urol. Nephrol*. 2014 46(6):1053
54. McNamara ER, Schaeffer AJ, Logvineko T, Seager C, Rosoklija I, Nelson CP, Retik AB, Diamond DA, **Cendron M**. Management of proximal hypospadias with 2-stage repair: 20 year experience. *J Urol* 2015 Oct; 194 (4): 1080-5 PMID 25963188\
55. McQuaid JW, Johnson EK, Andrews E, Rosoklija I, **Cendron M**. The efficacy of congenital penile curvature repair in preadolescent males: early outcomes. *Urology*. 2016 Jun: 92:95-9 PMID 26845052
56. **Cendron M**, Cho PS, Pennison M, Rosoklija I, Diamond DA, Borer JG. Anatomic findings associated with epispadias in boys : Implications for surgical management and urinary incontinence. *J Ped Urology* 2017; 09:22. PMID 29150195
57. **Cendron M**. The megameatus, intact prepuce variant of hypospadias: use of the inframeatal vascularized flap for surgical repair. *Front. Pediatr* 2018, Mar 14; 6:55 PMID 29594086
58. Bauer SB, Vasquez E, **Cendron M**, Wakamatsu MM, Chow JS. Pelvic floor laxity: A not so rare but unrecognized form of daytime urinary incontinence in peripubertal and adolescent girls. *J Pediatr Urol*. 2018 Jun 07. PMID: 29909988.
59. Hayes L, **Cendron M**. Comorbidity of Obsessive-Compulsive Symptomatology and Bowel and Bladder Dysfunction in a Tertiary Children's Hospital: A Case Series. *Urology*, In press. URL -D-22-02166

Other peer-reviewed publications (case reports and reviews)

1. Garber BB, **Cendron M**, Cohen R, Whitmore KE. Xanthogranulomatous pyelonephritis and amyloidosis: a rare association. *Journal of Urology* 142:114-116, 1989.
2. **Cendron M**, Wein AJ, Schwartz SS, Murtagh F, Livoisi VA, Tomaszewski JE. Germ cell tumors of the testis in a patient with von Hippel-Lindau disease. *Urology* 27:69-71, 1991.
3. **Cendron M**, Garber BB. Sulfadiazine urolithiasis in a patient with AIDS. *Infectious Urology* March/April: 60-62, 1993.
4. **Cendron M**, D'Alton ME, Crombleholme TM. Prenatal diagnosis and management of the fetus with hydronephrosis. *Semin Perinatol* 18:201-220, 1994.
5. Curtis M, Schned A, Hakim S, **Cendron M**. Papillary transitional cell carcinoma of the bladder with lymphangiectasis in an eight-year-old boy. *Journal of Urology* 156(1): 202, 1996.
6. Robertson FM, **Cendron M**, Klauber GT, Harris BH. Renal cell carcinoma in association with tuberous sclerosis in children. *Journal of Pediatric Surgery* 31(5): 729-730, 1996.
7. Slaughenhaupt BL, Al-Hindi HN, Wallace EC, Ucci A, **Cendron M**. Capillary hemangioma of the testis. *Journal of Urologic Pathology*.4: 283-288, 1996.
8. Cozzolino DJ, **Cendron M**. Bilateral renal vein thrombosis in a newborn: a case of prenatal renal vein thrombosis. *Urology* 50:128-131, 1997.
9. Lerner L, **Cendron M**, Rous SN. Nephrolithiasis from Indinavir, a new human immunodeficiency virus drug. *Journal of Urology* 159, 2074-2075, 1998.
10. Ellsworth PI, **Cendron M**, Walker RD. Pediatric and adolescent gynecology for the urologist. *AUA Update Series, Lesson 36, Volume XVII*, 1998.
11. Ellsworth PI, Gormley EA, **Cendron M**. Urodynamic testing in the pediatric patient. *AUA Update Series, Lesson 12, Volume XVIII*, 1999.
12. Edney MT, Ellsworth PI, **Cendron M**, Schned AR, et al, Priapism in a 15-year old with congenital dyserythropoietic anemia, type II. *Journal of Urology*, 167:309-310, 2002.
13. Weidman E, **Cendron M**, Schned AR, Harris R, Scrotal lymphangioma: an unusual location. *Journal of Ultrasound Medicine*, 21:669-672, 2002.
14. Edney MT, Ellsworth PI, Slaughenhaupt BL, **Cendron M**. Antimicrobial Therapy in Pediatric Urology, *Contemporary Urology*, pp. 35-48, July 2002.

15. Kim S, Linden B, **Cendron M**, Puder M. Pediatric anorectal impalement with bladder rupture: case report and review of the literature. *J Pediatr Surg*; 41(9):E1-3, 2006.
16. Eaton SH, **Cendron M**. Primary desmoplastic small round cell tumor of the kidney in a 7 year old girl. *Journal of Pediatric Urology*. 2(1): 52-4, 2005
17. **Cendron M**. Antibiotic Prophylaxis in the Management of Vesicoureteral Reflux. *Advances in Urology*, 2008 - 825475, Hindawi.com. 2008
18. **Cendron M**. Reflux Nephropathy. *Journal of Pediatric Urology* 4:414-421, 2008.
19. Psutka S, **Cendron M**. Bladder diverticula in children. *Journal of Pediatric Urology*, 2013: 129-138.
20. Hartman RJ, Welchons DR, Teot L, Chow J, **Cendron M**. Incidental capture of a rarely diagnosed pediatric tumor: an infant with clear cell sarcoma of the kidney. *Urology*. 2013 82(5): 1416-8.

Non-peer reviewed scientific or medical publications/materials in print or other media

Proceedings of meetings or other non-peer reviewed research publications

1. Hoopes PJ, Cozzolino DJ, **Cendron M**, Paulsen KD et al. Is penile electrocautery safe? Temperature assessment in a sheep model. *Thermal treatment of tissue: Energy delivery and assessment*, Thomas P. Ryan, Editor *Proceedings of SPIE*, Vol. 4247, pp. 77-87, 2001.

Reviews, chapters, monographs and editorials

1. **Cendron M**, Hanno PM. *Impotence: Evaluation and Treatment*. Health and Medical Horizons, Macmillan Publishers, 1989.
2. **Cendron M**, Pollack HM. The diagnosis of seminal vesicle cyst associated with ipsilateral renal agenesis. *Contemporary Urology* June-July, 1989.
3. **Cendron M**, Payne CK, Pollack HH. Diseases of the retroperitoneum. In: Gillenwater JY, Grayhack JT, Howards SS, Duckett JW (eds). *Adult and Pediatric Urology*, 2nd ed. Chicago: Mosby Year Book Company, 1991.
4. **Cendron M**, Gearhart JP. The Mitrofanoff procedure. *Urol Clin North Am*, November 1991.
5. **Cendron M**, Duckett JW. The Maldescended Testicle. *AUA Update Series*. Lesson 28 (10) 1991.
6. **Cendron M**, Gearhart JP, Jeffs RD. Technique of Sub-trigonal Collagen Injection Therapy for Vesicoureteral Reflux. *Report on Urologic Techniques* 1(4), 1991.

7. **Cendron M.** Clinical presentation of genital anomalies in the female pediatric age group. *Dialogues Pediatric Urology* 16:6, 1993.
8. **Cendron M.** Diseases of the retroperitoneum. In: Hanno PM, Wein AJ (eds). *A Clinical Manual of Urology*, 2nd ed. Pergamon Press, 1993.
9. **Cendron M** (Guest Editor). Developmental bladder physiology: emerging concepts. In: *Dialogues in Pediatric Urology*, March 1993.
10. **Cendron M**, Grous CA. Urologic surgery. In: *Perioperative Nursing: a Comprehensive Textbook*. Philadelphia: W.B. Saunders, 1993.
11. **Cendron M**, Klauber GT. Ureteral pathophysiology. In: Sant GR (ed). *Pathophysiologic Principles of Urology*. Blackwell Scientific Publications, 1994.
12. **Cendron M**, Sant GR. Testicular disorders and disorders of the scrotal contents. In: Noble J (ed). *Primary Care in General Medicine*. Chicago: Mosby Year Book Company, 1994.
13. **Cendron M.** Temporary cutaneous diversion in children. In: **Cendron M** (ed.) *Dialogues in Pediatric Urology*, 1995.
14. Williams JC, **Cendron M.** Evaluation and management of the acute scrotum. In: Elder J (ed). *Topics in Clinical Urology*. Iga-Shoin Medical Publishers, 1995.
15. Slaughenhaupt B, **Cendron M.** Antimicrobial use in pediatric urology. *Complications in Surgery* 1996, Medscape (<http://medscape.com>)
16. **Cendron M**, Elder JS, Duckett JW: Perinatal urology. In: Gillenwater JY, Grayhack JT, Howards SS, Duckett JW (eds). *Adult and Pediatric Urology*, 3rd ed. Chicago: Mosby Year Book Co., 1996.
17. **Cendron M.** Clinical significance of prenatally diagnosed hydronephrosis. In: Rous SN (ed). *Urology Annual*. Blackwell Science, 1996.
18. **Cendron M.** La derivazione urinaria temporanea. In: U. Beseghi, V. Jasonni (eds.) *Edi-Meeting Urologia Pediatrica*. Italia: Editeam s.a.s, 1996.
19. **Cendron M.** Perinatal urology. In: Howards SS (ed). *Review of Adult and Pediatric Urology*. Chicago: Mosby Year Book Co., 1996.
20. Canning DA, Atala A, **Cendron M**, et al. Options and obstacles in bulking agent therapy. *Contemporary Urology* 8(2):36-56, 1996.
21. Sargent S, **Cendron M.** Prenatal ultrasound diagnosis of urinary tract abnormalities. In: Rous SN (ed). *Urology Annual*. Blackwell Scientific, 1997.
22. **Cendron M**, Gormley EA. Pediatric Urodynamics: how, when and for whom? *Contemporary Urology*, 9 (4):21-36. April 1997.
23. **Cendron M**, Miller R. Simple Elegance, generations of Newburyport Silversmiths. *The Historical Society of Old Newbury*, 1998.

24. **Cendron M** . Long-term follow-up after ureterocystoplasty in a small cohort of patients. *Dialogues in Pediatric Urology*, Vol. 21, No 8 (August), 1-4, 1998.
25. **Cendron M**. La Derivation Urinaire Temporaire. In: Guys JM, Aubert D (eds). *La Vessie Neurologique de l'Enfant*. Sauramps Medical, Montpellier, France, 1998.
26. Ellsworth PI, **Cendron M**, Ritland D, McCullough M. Hypospadias repair in the 1990's. *AORN J*. 69, 148-161, 1999.
27. **Cendron M**, Primary nocturnal enuresis: current concepts. *American Family Physician*, Vol. 59-5, 1205-1214, 1999.
28. **Cendron M**. Book Review: *Pediatric Surgery and Urology: Long-term Outcomes*. *Journal of Urology*, April, 161, 4 pp. 1424, 1999.
29. Ellsworth PI, **Cendron M**, McCullough MF: Surgical Management of Vesicoureteral Reflux. *AORN Journal*, Vol 71, No 3 (March) 498-513, 2000.
30. Editorial comments on Clinical Results of Fetal Obstructive Uropathy Treated by Vesicoamniotic Shunting Procedure, *Urology*, 55(1) 2000, pp 118-122.
31. **Cendron M**. Die Uberzahlize Urethra. In: Hohenfellner R, Thüroff JW, Schulte-Wissermann H (eds). *Kinderurologic in Klinik und Praxis*. Stuttgart, Germany: George Thieme Verlag, 2000.
32. **Cendron M**, John Clark, MD: New England's First Lithotomist. *Urology*, Names in Urology, 58:129-131, 2001.
33. Grous C, **Cendron M**. In Phippen, M and Papanier-Wells, M, (eds). *Perioperative Nursing Practice, Urologic Surgery*, Second Edition, 2001.
34. **Cendron M**. *Surgical Reconstruction of the Bladder Neck*. Edited by Corcos, J and Schick, E., Marcel Dekker, N.Y., N.Y., 2001.
35. **Cendron M**. *Disorders of the Penis and Scrotum.*, Gearhart JP, Rink RC, Mouriquand P. (eds). W B Sanders, Philadelphia, 2001.
36. **Cendron M.**, Elder, JS. *Perinatal Urology*. Gillenwater Grayhack H, Duckett. Editors, Mosby Yearbook, 2001.
37. **Cendron M**. Editorial comment on Prospective comparison and one year follow-up of a single endoscopic subureteral polydimethylsioxane vs dextranomer/hyaluronic acid copolymer injection for the treatment of vesicoureteral reflux in children. *Urology*, 60(5), pp. 898, 2002.
38. **Cendron M**. *Prenatal Urology*. JP Gearheart, Editor, Saunders, Humana Press, 2003.
39. **Cendron M**. Editorial comment on article Desmopressin Toxicity, *Journal of Urology*, 176, 758, 2006.
40. **Cendron M**. Unusual conditions of the bladder including bladder trauma, urachal anomalies and bladder diverticula. In: Kellalis-King-Bellman *Textbook of Clinical Pediatric Urology*, 5th ed. Docimo, Canning, Khoury (eds), Informa, 2006.

41. **Cendron M.** Editorial: Endoscopic treatment for vesicoureteral reflux: Let's not get carried away! *Urology* 68:2, pp. 239-241, 2006.
42. **Cendron M.** Expert commentary: Sheath approximation technique. 2nd ed. of *Hinman's Atlas of Pediatric Urology*, Hinman Jr F, Baskin L (eds), 2008.
43. **Cendron M.** Expert commentary. Perimeatal-based Flap repair (Mathieu). 2nd ed. *Hinman's Atlas of Pediatric Urologic Surgery*, Hinman Jr F, Baskin L (eds), 2008.
44. **Cendron M.** Evolutionary Ideas in Pediatric Urology. *Dialogues in Pediatric Urology*. Vol. 29 (4), 2008.
45. **Cendron M.** Editorial comment. *J Urol* 2010 184(2); 680-681.
46. Chaing G, **Cendron M.** Anomalies of the penis and scrotum. Chapter 42. In: *Pediatric Urology*, 2nd ed. Gearhart, Rink, Mouriquand (eds), Elsevier, 2010
47. Letters to the Editor- **Cendron M** Editorial comment. *J Urol*. 2012 Feb; 187 (2): 681.
48. **Cendron M.** Urethral Duplication. Chapter 24. In: *Thüroff/Sehulte-Wisseemann. Kinderurologic in Klinik and Praxis*. 2012
49. Gomez P, **Cendron M.** Unusual conditions of the bladder, including bladder trauma, urachal anomalies and bladder diverticula. Kellalis, King and Belman *Textbook of Pediatric Urology*. 6th edition, Informa, 2013.
50. Barnewolt C, **Cendron M.** Prenatal imaging of the genito-urinary tract in Pediatric and Adolescent Urologic Imaging. Palmer and Palmer, Editors. Springer 2014.
51. **Cendron M** Flap repair (for Hypospadias) Opposing views. *J Urol*, 2014; 193: 780
52. **Cendron M.** Reflux Nephropathy and Vesicoureteral Reflux. In: *Core Concepts in parenchymal. Kidney disease*. FC Fervenza, J Lin, S Sethi and AK Singh, editors. Springer, 2014.
53. McQuaid JW, **Cendron M.** Author reply. *Urology*. 2016 06; 92:99. PMID: 2673319
54. **Cendron M.** International Consultation on Urologic Diseases. The Urologic Management of Children with Spinal cord Injury. *Urology*, 2017
55. **Cendron, M.** Editorial comment. *J Urol*.2018 Aug; 200(2): 446-447. Pii:S0022-5347 (18)43095-9. Pmid: 29750915
56. Eswara JR, Castellan M, González R, Mendieta N, **Cendron M.** The urological management of children with spinal cord injury. *World J Urol*. 2018 Oct; 36(10):1593-1601. PMID: 30105455.

Professional Education Materials or Reports, in print or other media

1. Syllabus. GU embryology. American Urologic Association board review course used for board certification review.

2. Syllabus. Obstructive uropathy. Dartmouth Medical School basic science course used by medical students as part of basic science curriculum.
3. Syllabus. Fluids and electrolytes. Dartmouth Medical School basic science course used by medical students as part of basic science curriculum.
4. Syllabus. Hernia and hydrocele. Societé International d'Urologie. International review course for physicians.
5. Syllabus. Cryptorchidism. Societé International d'Urologie. International review course for physicians.

Clinical Guidelines and Reports

Core Curriculum for Pediatric Urology at Children's Hospital. This material was being compiled for by pediatric urology fellows and residents to ensure that all aspects of pediatric urology are covered during their training. 2010

ICUD-SIU Joint Consultation on the Urologic Management of Children with Spinal Cord Injuries 2016

Thesis

Honors Thesis: Study of fatty acids in cell membranes in patients with Duchene muscular dystrophy. Bowdoin College, 1978.

Abstracts, Poster Presentations and Exhibits Presented at Professional Meetings (last 3 years)

1. McNamara E, Schaeffer AJ, Seager CM, Rosoklija I, Retik AB, Diamomd DA, **Cendron, M.** Management of proximal hypospadias with 2-stage repair: 20 year experience. Pediatric Urology Fall Congress, Miami, 2015.
2. McQuaid, JW, Cendron, M. The efficacy of congenital penile curvature repair in pre-adolescent males without hypospadias: early outcomes. New-England AUA meeting. Providence, RI. 2015
3. Eswara J, Cendron M. The urologic management of children with spinal cord injury. Societe International d'Urologie meeting, October 2016 Buenos Aires, Argentina
4. Weiss D, Cendron M, Goetz J, Bore J, Groth T, Shukla A, Mitchell M, Canning D. Epispadias repair offers favorable continence outcomes: an 18-year multi-institutional experience. The Society for Pediatric Urology Spring Meeting, San Francisco, Ca, 2018
5. Cendron M, McNamara E, Kurtz M, Diamond D. Simon Duplay : The dawn of hypospadiology. American Urologic Association, Annual Meeting, San Francisco, Ca, 2018

Narrative Report

My carrier in pediatric urology did not start on an auspicious note: after two years of medical school in France, I simply did not make the grade and was forced to quit. Forty years later, 20 of which at Boston Children's Hospital and Harvard Medical School, it appears that I may have righted the ship. I left France and transferred to Bowdoin College where I was given the opportunity to discover research and academic pursuits which have been an integral part of my life ever since through medical school, residency, fellowship and finally into clinical practice. From exploring the molecular attachment of a parasite to developing animal models and new surgical techniques, my carrier has been driven by curiosity and motivated by the challenges of discovery.

Broadly my carrier can be divided into three parts. The first fifteen years were devoted to research focused on three areas of pediatric urology: prenatal urology, vesico-ureteral reflux and hypospadias. Through the establishment of animal models I was able to recreate clinical situations that could be studied in the laboratory.

Starting with an animal model of partial urethral obstruction which I developed during my fellowship, I have carried out both bench research and clinical studies which have subsequently been presented at various national and international meetings and published several articles, the most recent one having been published in the journal *Pediatrics*. This article provides a comprehensive meta-analysis of the current information on prenatally diagnosed hydronephrosis and its postnatal outcomes. This paper, which has been quoted widely, offers clinically relevant information which can be used as a prenatal counseling tool for parents whose fetus carries the diagnosis of hydronephrosis.

In the area of clinical research on vesico-ureteral reflux, I have carried out translational research looking to apply the use of autologous collagen for the treatment of vesicoureteral reflux. An innovative animal model was developed and studied to evaluate the use of this new bulking agent. I have also produced several clinical research articles on the topic of reflux as well as several review papers. The most recent one entitled *Reflux Nephropathy* is a comprehensive review of the long-term effects of reflux on the kidney.

My mentor John Duckett, M.D. had a lasting influence on my interest in hypospadias which led me first to organize and implement an animal model of hypospadias focused on assessing the time line and histology of the urethral healing process after hypospadias repair. Subsequently, after carrying out a retrospective review of a large series of patient with proximal hypospadias, I have set-up a prospective IRB-sponsored long-term study so as to better ascertain the factors that may positively influence the surgical outcomes of patients with complex hypospadias.

In 1998 the second phase of my carrier came to be as I was elected Program Chairman for the Society for Fetal Urology and since that time have been involved in organizing a number of national and international meetings. This administrative and leadership experience has been further expanded by my election to Program Chairman for the Annual Meeting of the Society for Pediatric Urology and subsequently to the position of Secretary/Treasurer of the Society for Pediatric Urology (SPU). During my tenure as Secretary of the SPU, the Society was completely reorganized. A new administrative structure was put in place. Fundraising was expanded and reached the level of \$150,000 per year. A new research grant award system was also initiated. In 2007, I was honored to become the president of the SPU. More recently, I have organized the Pediatric Urology Winter Forum, a meeting which invites the top pediatric urologists both from the United States, South America and Europe. This is a five day, six hours a day meeting during which cutting edge research is presented and discussed. Finally, I was the Chairman and organizer of the First World Congress of Pediatric Urology which was held in 2010 in

San Francisco. For the first time ever, this meeting brought together all of the international pediatric urology societies and showcased the most recent advances in pediatric urology. This project represented a huge political and logistical effort which was rewarded with the participation of over 1000 physicians, nurses and allied health members.

When I moved to Boston Children's Hospital for the third phase of my carrier, my focus has shifted towards clinical practice and teaching. Teaching is an activity that I enjoy probably more than anything in my day-to-day activities. The interaction with medical students, residents, fellows and colleagues has always stimulated me and provided me with further ideas for research. While at Dartmouth Hitchcock Medical Center, I set up a CME program for primary care physicians. This quarterly program provided lectures on pediatric topics. On a national level, I have taught several courses for the American Urologic Association including a board review course on urologic embryology and on the long term consequences of testicular maldescent.

At Children's Hospital, I am directly involved in the teaching of the residents and fellows, both in the operating room and in the clinics. I am responsible for the organization and planning of two CME programs within the department of urology: the weekly Grand Rounds and Indications conference. I have also initiated and implemented the pediatric urology Journal Club. Teaching medical students and residents has enabled me to share my enthusiasm for pediatric urology and have been rewarded by the fact that a number of them have gone on to successful careers in pediatric urology. In my teaching of urology residents and fellows, I like to emphasize the importance of good communication, safe practice, attention to detail and the importance of long-term follow-up as well as the importance of critical thought and a need improvement and innovation.

Educational writing has helped me focus my attention on some of the topics that I found interesting and challenging. I have been very fortunate to have had articles published in peer reviewed journals and classic textbooks in pediatric urology. The feed-back and comments that I received about these publications has been very rewarding. Furthermore, the experience has helped me with my editorial activities with the Journal of Urology and with the online peer-reviewed medical reference site, eMedicine, for which I am Editor-in-Chief for Pediatric Urology.

Over the 30 years, I have enjoyed a career in pediatric urology and have seen the sub-specialty grow enormously having become recognized as a stand alone sub-specialty sanctioned by a certificate of added qualification. I am fortunate to have thrived in an academic environment at Harvard Medical School having been able to pursue both translational and clinical research, to carry out administrative and leadership activities as well as having had the opportunity to teach and mentor a large number of young aspiring urologists and pediatric urologists here at home and abroad.



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SEAN R. REARDON, MAYOR

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60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: April 24, 2023
Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Affordable Housing Trust. This term will expire on May 1, 2025.

Madeline K. Nash
19 Arlington Street
Newburyport, MA 01950

A handwritten signature in cursive script, appearing to read 'S R Reardon'.

Madeline K. Nash
19 Arlington St.
Newburyport, MA 01950
(978)499-0258 . mknash66@gmail.com

Professional Summary:

Innovative community development leader offering extensive experience with community based nonprofits as well as municipal, regional and state entities. Expertise in affordable housing development with a strong track record in implementing complex real estate transactions utilizing strategic partnerships and highly competitive funding sources. Deeply committed to building healthy and sustainable communities.

Career Summary:

**Senior Project Manager, Community Economic Development Assistance Corporation, Boston, MA
2017 to present**

Senior Project Manager for a quasi-state community development finance institution that provides financial resources and technical expertise for community-based and other non-profit organizations engaged in effective community development in Massachusetts. Responsible for underwriting acquisition and predevelopment loans to nonprofits to support the development of affordable housing that is consistent with the priorities of the Commonwealth and is designed to meet the needs of local communities.

Senior Program Manager, Local Initiatives Support Corporation, Boston MA 2014 to 2017

Developed and administered the Equitable Transit Oriented Accelerator Fund, a state-wide loan fund designed to support affordable housing development near key transit nodes. Underwrote acquisition and predevelopment loan funds for affordable housing and economic development initiatives and implemented loan fund and asset management reporting.

Director of Real Estate, Coalition for a Better Acre, Lowell, MA, 2006 to 2014

Transformed underperforming real estate development department to one with a high level of productivity and professionalism that has resulted in measurable positive community impacts. This work involved identifying new development opportunities, conducting feasibility analysis, and negotiating acquisitions; securing project financing from local, state, federal and private sources; overseeing the local permitting process; supervising the project development team and construction activities; maintaining relationships with funders and community interest groups; asset management for a portfolio of 425 residential units and 33 commercial units; facilitating the CBA Real Estate Committee comprised of members of the CBA Board of Directors and community leaders; supervision of real estate development staff.

Accomplishments include:

- Enhanced CBA's long-term effectiveness and sustainability by facilitating CBA's transition from a single neighborhood focused organization to a regional development entity and initiating CBA's first real estate development outside the city of Lowell;
- Executed over \$55 million in completed real estate projects that resulted in the creation of 60 new, and 279 renovated, tax credit financed housing units while contributing to the measurable stabilization of one of Lowell's most distressed neighborhoods;
- Stabilization of the largest property in CBA's portfolio through the \$33 million refinancing and rehabilitation of the occupied 267-unit North Canal Apartments;
- Enabled CBA to be recognized as an accomplished historic preservation developer through the adaptive reuse of two historic school buildings into residences;
- Enabled CBA to be recognized as a green building specialist with the City of Lowell's 2011 Green Building Award and energy efficiency improvements throughout CBA's existing portfolio including

- the installation of a 827 panel photovoltaic system in partnership with Boston Community Capital;
- CBA's 2012 receipt of the Excellence in Affordable Housing and Community Development award from the Massachusetts Housing Investment Corporation (MHIC);
- Deepened CBA's effectiveness as a vehicle for enriching the lives of its residents by the development of programs for resident support services through building partnerships, and through increasing capacity within CBA's existing property management team;
- Contributed to the financial sustainability of CBA through earning over \$4.4 million in developer overhead and fees with the impletion of five affordable housing projects in six years all of which were completed within budget and on schedule while initiating CBA's pipeline housing projects with \$14.6 million in development resources including over \$1.3 million in developer fees;
- Built strategic partnerships which resulted in CBA's enhanced effectiveness to compete for limited development funds and fulfill its mission of addressing the needs of low income households with a comprehensive community-based approach.

Director of Real Estate Development, Salem Harbor Community Development Corporation, Salem, MA, 1999 - 2006

Managed all aspects of affordable housing initiatives for a nonprofit community development corporation. This work involved coordination with community leaders and CDC staff to identify properties appropriate for redevelopment as affordable rental property or for sale to first time homebuyers, initiation of SHCDC's first residential new construction project, participation in the refinancing and rehabilitation of SHCDC's rental portfolio, and creation and administration of an innovative Lease-to-Purchase Program.

Responsibilities included: identifying properties for acquisition, working with community interest groups, securing funds from public and private sources, implementing the local permitting process, grant writing, financial management and reporting to funding sources, overseeing construction, marketing properties and assisting first time homebuyers in the homebuying process. Position also involved supporting activities of the Board of Directors, including serving as the Interim Executive Director and serving as a development consultant to the North Shore Housing Trust. Staff supervision.

HOME Program Director, City of Fitchburg, Fitchburg, MA, 1994 - 1999

Managed the federal HOME Program for the cities of Fitchburg and Leominster including initiation of lending programs for first time homebuyers and for the rehabilitation of distressed owner occupied and commercial properties; monitored community recipients for compliance with program regulations; completed reports to the federal Department of Housing and Urban Development and maintained financial records; developed contracts and loan closing documents; oversaw housing construction activities and approved requests for payment; supervised Housing Rehabilitation Specialists; administered a Commercial Improvement Sign and Facade Program.

Senior Planner, Windham Regional Planning Commission, Brattleboro, Vermont, 1989 - 1992

Served as regional housing and community development planner for 27 towns in Southeastern Vermont providing technical assistance to municipal officials and community interest groups on local and regional housing concerns; wrote grant applications, administrated Housing Rehabilitation Programs, and created an innovative Community Loan Fund financed through Community Development Block Grants and local banks; as a senior staff planner provided services to municipalities for the revision of zoning by-laws, town plans, and the review of development proposals of regional impact. Staff supervision.

Education:

M.S. in Regional Planning, University of Massachusetts, Amherst, MA.

B.A., Clark University, Worcester, MA, Magna Cum Laude, Political Science concentration.
Achieving Excellence in Community Development, Harvard University Executive Education

Public Service Experience:

Affordable Housing Trust member, City of Newburyport, 2010 to present

Community Preservation Act Committee member, City of Newburyport, MA, 2003 to 2010.

Planning Board member, City of Newburyport, MA, 1999 to 2004.



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978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members
of the City Council

From: Sean R. Reardon, Mayor

Date: April 24, 2023

Subject: Re-Appointment

I hereby re-appoint, subject to your approval, the following named individual as a member of the Community Preservation Committee. This term will expire on May 1, 2026.

Jane Healey
38 Winter Street
Newburyport, MA 01950

JANE A. HEALEY

38 Winter Street ♦ Newburyport, MA 01950 ♦ (978) 835-4979 ♦ jahealey@gmail.com

Qualifications Summary

Urban Planning Professional Focused on Environmental Sustainability with Experience in Government, Non-Profit, and Corporate Settings. Demonstrated capacity to engage and maintain the participation of diverse groups of stakeholders in the planning and implementation of community development and environmental programs. Excellent analytical abilities and critical thinking skills. Strong organizational skills and attention to detail. Enjoy working in multi-disciplinary settings while achieving results.

Education

Boston Architectural College – Boston, MA

Certificate in Landscape Ecology – 2020

Massachusetts Institute of Technology - Cambridge, MA

Masters in City Planning (MCP) – 2003

University of New Hampshire - Durham, NH

B.A., magna cum laude, Economics – 1995

Experience

Professionally Related Community Involvement

- Newburyport Climate Resiliency Committee – Chair (2021-present). Appointed position responsible for facilitating city staff- and volunteer-member efforts in the implementation of the Newburyport Resiliency Plan.
- Newburyport Community Preservation Commission - Vice Chair (2017-present). Appointed position responsible for evaluating Community Preservation Act applications for funding of local open space, affordable housing, outdoor recreational facilities, and historic preservation projects, At-Large Member (2011-2017).
- Merrohawke Nature School, Newburyport, MA – Member of Board of Directors, President (2023-present), Finance Committee (2019-present).
- Our Neighbor's Table, Amesbury, MA – Member of Strategic Advisory Board, Food Security Advisory Group Volunteer (2018-2020).

Turnstone Environmental Planning, LLC – Newburyport, MA

Principal

2015-2019

- Consulting firm focusing on domestic and international environmental economics and urban sustainability projects
- Local project - Solar canopy feasibility study for the City of Newburyport (2016)

(cont.)

JAH Consulting, Urban & Environmental Planning – Newburyport, MA

Independent Consultant

2012-2014

- Projects ranged from providing guidance to a local environmental nonprofit on assessing environmental impacts of a proposed casino project, to assisting state and regional level climate change policy initiatives.

Office for Commonwealth Development - Commonwealth of Massachusetts - Boston, MA

Program Coordinator, Transit Oriented Development (TOD) Program

2005-2006

- Administered \$30 million TOD Infrastructure and Housing Support Program to create compact, mixed-use, walkable development in close proximity to transit stations in the Commonwealth.
- Oversaw grant program development and implementation, including finalization of program guidelines, public outreach and issuance of Requests for Proposals.
- Led inter-agency task force in development of application rating criteria, interpretation of program guidelines and regulations, and recommendations for funding.

Merrimack Valley Planning Commission - Haverhill, MA

Alternative Transportation Planner

2004-2005

- Co-administrator of MVPC's Transit Planning Program.
- Supplied planning assistance to regional communities for on- and off-road bicycle and pedestrian facilities, alternative transportation plans, trail mapping and design, construction funding strategies.
- Guided regional communities on EO418 Community Development Plan (CDP) implementation – smart growth transportation goals and action plans.

Walden Asset Management - Boston, MA

Shareholder Advocate/Research Analyst

1996-2001

- Managed Walden's Community Development Investment Service (CDIS) - tripled investment portfolio from \$2 million to \$7 million in two-year period.
- Built and maintained relationships with external organizations such as Coalition for Environmentally Responsible Economies (CERES) and the Interfaith Center on Corporate Responsibility (ICCR).
- Improved corporate social performance of Walden portfolio holdings through corporate dialogue and shareholder advocacy.

Jane A. Healey



IN CITY COUNCIL

ORDERED:

May 8, 2023

Locations for Newburyport Black History Initiative Interpretive Signs

THAT the City Council of the City of Newburyport hereby authorizes the Mayor and his designated representatives to install interpretive signs related to the Newburyport Black History Initiative in the locations defined in the attached memorandum dated 4/25/2023 and entitled “Newburyport Black History Initiative – Locations for Historic Interpretive Signs.” The signs will be sited to maximize public viewing and honor the subject matter, to encourage viewing with sufficient space to avoid conflicts, and to be near features that are related to the subject matter.

Councillor Constance Preston

In City Council May 8, 2023:

Motion to refer to Planning & Development by Councillor Preston, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400

SEAN REARDON
MAYOR

MEMORANDUM

TO: **CITY COUNCIL**
FROM: **GEORDIE VINING, SENIOR PROJECT MANAGER**
SUBJECT: **NEWBURYPORT BLACK HISTORY INITIATIVE – LOCATIONS FOR HISTORIC INTERPRETIVE SIGNS**
DATE: 4/25/23

This memo requests the City Council's approval of locations for the installation of several Newburyport Black History Initiative interpretive signs. We are grateful for the City Council's approval of CPA funding for this project on 6/13/22. We continue to work with local resident and Northeastern University Professor of History and Africana Studies Dr. Kabria Baumgartner on the project along with many others. The signs will center the stories of Black Americans who lived and worked in Newburyport from the pre-Revolutionary War era to the early 20th century. We have finalized approximately half of the signs and are working on the balance. All of the signs have gone through a rigorous research, writing, and layout process which has included significant input from the Newburyport Public Library's Archival Center and the Museum of Old Newbury, as well as a number of other historians, editors, and Black community stakeholders.

In general, the criteria for siting the signs includes:

- Locating the historic interpretive sign near features, buildings, and sites that are related to the sign's subject matter and people as much as possible.
- Locating the signs in the shared public space of Newburyport's downtown core to maximize viewing by both residents and visitors and honor the Black history subject matter.
- Siting the signs just off of sidewalks and travelled ways to encourage viewing but with enough physical space to avoid clutter or conflicts.

See the attached appendix for illustration of the sites. We anticipate that these interpretive signs will be finalized, fabricated, and installed some time in 2023, and possibly into 2024. The Parks Commission has approved the location of the other interpretive signs in parks under the Commission's jurisdiction (Tracy Park, Brown Square, Bartlet Mall, Inn Street, and Rail Trail).

Please see the project page on the City's website for more materials about the Newburyport Black History Initiative, including videos, layouts, two magazine articles, and some images from the 2/1/23 event celebrating the installation of the first sign: <https://www.cityofnewburyport.com/planning-development/newburyport-black-history-initiative>

Thank you for your consideration.

Newburyport Black History Initiative

Interpretive Sign: *Caroline C. Cottrell – domestic servant in early 20th Century*

Caroline C. Cottrell (1856-1918) like most Black women of this era had few choices but to do domestic work and live away from their families – but saved money, put all her wealth in WWI Liberty War Bonds, and passed it on to her family at the end of her life. Caroline worked for the Morrill family, and raised future Mayor Gayden Morrill.

Location:

Within view of the old Baptist Church (her church, now Mission Oak Grille) off the Green St sidewalk in the grass buffer to the Green Street Parking Lot.



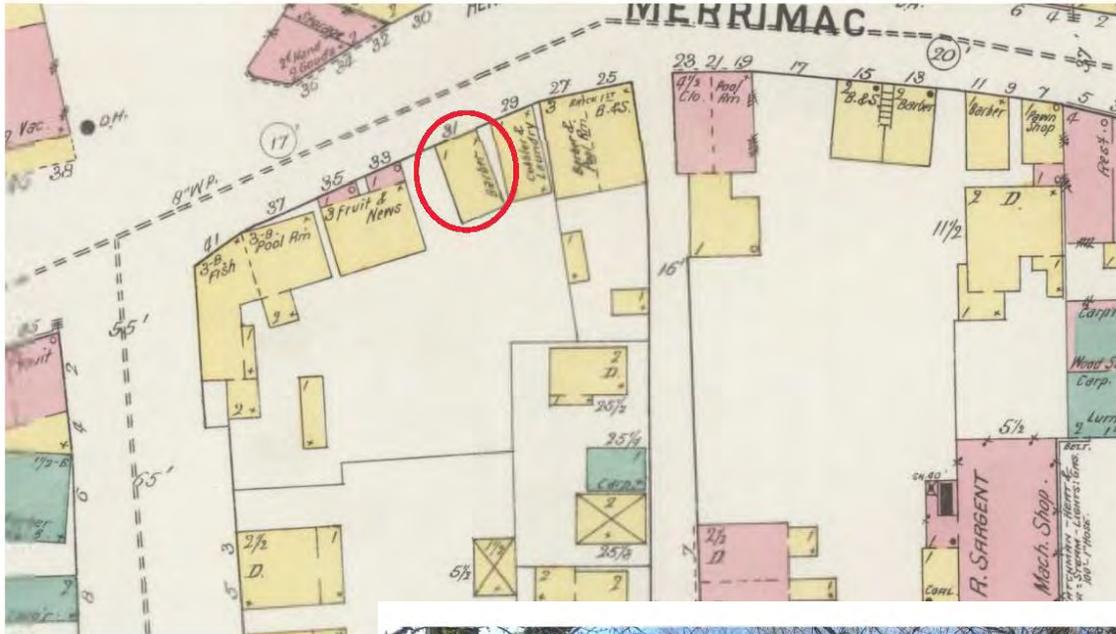
Newburyport Black History Initiative

Interpretive Sign: *Black owned Businesses in 19th Century Downtown Newburyport*

There was a significant concentration of Black-owned businesses in the area of Water Street, Liberty Street, and Elbow Lane during the 19th century that have been largely erased.

Location:

At former location of John C.H. Young's barber shop off Merrimac Street sidewalk in the grass buffer to the Green Street Parking Lot



(mock-up of sign location)

Newburyport Black History Initiative

Interpretive Sign: *The Life and Travels of Nancy Gardner Prince (1799-1859)*

Born to a sailor father in Newburyport in 1799, Nancy Prince wrote one of the few surviving autobiographies of a free Black woman in the pre-Civil War United States. Her life story is an extraordinary journey through 19th century America including travels by sailing ship to Russia and Jamaica.

Location:

In sight of the Merrimack River and its old wharves in front of the southeast corner of the Firehouse building, off of Railroad Avenue Way and Merrimac Street



(mock-up of sign location)

Old Hill Burying Ground – bronze plaque marker

There is a small unmarked section of the Old Hill Burying Ground off of Auburn Street near the historic Black neighborhood of 'Guinea' which has a concentration of gravestones from 1783-1889 for Black Newburyporters. A simple bronze plaque on a post is proposed to mark the spot.



**IN CITY COUNCIL****ORDERED:**

May 8, 2023

Be it ordained by the City Council of the City of Newburyport as follows:

THAT the City Council of the City of Newburyport hereby approve and authorize the acceptance of a perpetual Preservation Restriction (PR) between the City, acting through the Newburyport Historical Commission (NHC), and Samuel Bartow Kimball and Michelle Christine Kimball, for the property located at 344 Merrimac Street, said PR to be substantially in the form submitted to and approved by vote of the NHC at its meeting on June 23, 2022, and as further reviewed and approved by the Massachusetts Historical Commission (MHC).

; and

Further, that the Mayor of the City of Newburyport, the City Council President and City Clerk are hereby authorized to sign the subject Preservation Restriction as may be required, to act on behalf of the City and enter into any and all instruments, including acceptance of said Preservation Restriction in accordance with Massachusetts General Laws Chapter 184, and to take any other actions necessary to execute this acceptance and the associated Preservation Restriction accordingly.

Councillor Edward C. Cameron, Jr.

In City Council May 8, 2023:

Motion to waive the rules, accept the late files, and refer to the recommended committees (ORDR00456 to Planning & Development) by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

April 28, 2023

Paul J. Gagliardi
Dalton & Finegold, LLP
[BY EMAIL]

RE: Draft Preservation Restriction Agreement, 344 Merrimac Street (aka Levi Carr House),
Newburyport, Massachusetts (MHC # NWB.273)

Dear Mr. Gagliardi:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the revised draft Preservation Restriction Agreement for the above referenced property response to MHC's comment letter of January 24, 2023. The following comments are provided under the MHC's approval authority for preservation restrictions under M.G.L. Chapter 184, Section 32.

The MHC is prepared to approve the Preservation Restriction Agreement for 344 Merrimac Street, Newburyport, Massachusetts conditional upon the incorporation of the following comments:

- 1) Page 3. Second Recital. Please include the Planning Board Special Permit Decision number and the Book and Page recording information in this Recital. It should read: "WHEREAS, the City of Newburyport Planning Board (the "Planning Board") did, by Decision PBSP-22-4 dated June 15, 2022, and recorded with Essex South Registry of Deeds in Book 41249, Page 33, a copy of which is attached hereto and incorporated herein as Exhibit G, approve a Special Permit pursuant to Section VI.C of the Zoning Ordinance of the City of Newburyport to allow two residential structures on one lot (the "Planning Board Decision"); and". Please note that Exhibit G was missing from your submission.
- 2) Page 3. Seventh Recital. The reorganized Exhibits are not quite as MHC requested. The easiest solution is to revise the references here as follows.
 3. Exhibit C – Newburyport Assessors' Parcel Map with Building Footprint; and
 4. Exhibit D – Massachusetts Historical Commission Inventory Form B (NWB.273) (1980) amended and updated by Essex Preservation Consulting (2022); and a set of thirty-four (34) exterior photographs of the Building taken February 2022, and a set of ten (10) interior photographs of the Chimney taken March 2023;

[The photo lists then follow.]

- 3) Page 18. Exhibit A. Please delete "(Make sure this is correct)" form the title.
- 4) Page 19. Exhibit B. The plan included as Exhibit B is not the correct plan. The Plan must be the recorded Plan presently cited in both the First and Seventh Recitals, and referenced in Exhibit A. That is the 1987 plan recorded in Essex South Registry of Deeds Plan Book 224, as Plan 25.

220 Morrissey Boulevard, Boston, Massachusetts 02125

(617) 727-8470 • Fax: (617) 727-5128

www.sec.state.ma.us/mhc

- 5) Page 65. Exhibit G. Missing from your submission. Please add copies of the 13 pages of the Planning Board Special Permit recorded in Essex South Registry of Deed Book 41249, Page 33. Please continue the page numbering of the Agreement through these pages and renumber the Mortgagee Assent page that follows Exhibit G.

Once these final revisions are incorporated the Agreement should be executed by all parties and the signed and notarized assents of the mortgagees obtained. The complete original agreement including all exhibits and assents should then be forwarded to the Massachusetts Historical Commission for its signature approval. Please assure that the final, original agreement is a single-sided document as registries will not accept double-sided submissions. Prior to submitting the agreement to the MHC, please verify that all notary signature verifications have been correctly executed, as notary errors and omissions are common, and MHC will not approve agreements with any irregularities in the signature notarizations. The notary signature verification must positively indicate the form of identification used to verify the identity of the signatory.

We will return the approved agreement to you for filing at the Registry of Deeds. Once it has been filed at the Registry, we ask that a complete facsimile copy, showing registration and date-received stamps, be returned to MHC for our records.

Please don't hesitate to contact me with any questions regarding the comments included in this letter.

Sincerely,



Deputy State Historic Preservation Officer
Director, Preservation Planning Division
Massachusetts Historical Commission
Michael.steinitz@sec.state.ma.us
978-836-2438 (mobile)

Xc [email]: Newburyport Office of Planning and Development; Brad Kutcher; Sam Kimball; Nicholas Cracknell

PRESERVATION RESTRICTION AGREEMENT

between

**SAMUEL KIMBALL a/k/a SAMUEL BARTOW KIMBALL
AND
MICHELLE C. KIMBALL a/k/a MICHELLE CHRISTINE KIMBALL**

and the

CITY OF NEWBURYPORT, MASSACHUSETTS

BY AND THROUGH THE NEWBURYPORT HISTORICAL COMMISSION

THIS PRESERVATION RESTRICTION AGREEMENT is made this ___ day of May, 2023 by and between Samuel Bartow Kimball and Michelle Christine Kimball of 344 Merrimac Street, Newburyport, Massachusetts. 01950 (“**Grantor**”), and the CITY OF NEWBURYPORT (“**Grantee**”), a municipality duly organized under the laws of the Commonwealth of Massachusetts and located in Essex County, Massachusetts, to be administered, managed and enforced by its agent, the NEWBURYPORT HISTORICAL COMMISSION, located at 60 Pleasant Street, Newburyport, Massachusetts, 01950 (“**Commission**”),

WHEREAS, the Grantor is the owner of certain real property located 344 Merrimac Street, Newburyport, Massachusetts, referred to as “**the Property**” and containing about 14,373 square feet, more or less, as more particularly described in Grantor’s deed recorded in the Essex South District Registry of Deeds in Book 41197, Page 316, and in Exhibit A, incorporated herein by reference and attached hereto, and further described on a plan of land entitled “Plan of Land in Newburyport, Mass. prepared for Colin and Connie T. Nelson & N. Diane Koehler, dated January 1987,” recorded in the Essex South District Registry of Deeds in Plan Book 224, Plan 25, a copy of which is and incorporated herein by reference and attached hereto as Exhibit B, said Property improved by a building thereon known as the Levi Carr House and is referred to hereinafter as “**the Building**”, described as follows:

The original main block rises two and one-half stories from a rough-cut stone foundation and is finished with painted clapboard siding with wood trim elements, in the form of narrow corner boards, roof cornice, water tables, window trim, and entry surrounds (Photo 5). The gabled roof of the main block is currently finished with asphalt shingles and features a prominent broad central chimney, which is centered on the roof ridge. The chimney is parged with concrete but is likely of brick construction. The roofline at the facade is defined by a shallow box cornice and prominent fascia; the eaves at the rear are obscured by the two-story addition. The side gables of the main block are defined by compound fascia boards with shallow returns. Modern aluminum gutters and downspouts were installed around the building. Windows of the main block are trimmed with painted flat wood trim, except at the facade where windows are topped by shallow hood moulds. Window openings hold a combination of historic wood double-hung windows and modern replacements, as noted below. All windows are covered by modern storm windows.

The principal facade (southwest elevation) is five bays wide and laid out symmetrically around a central entry. The entry is framed by what appears to be the original surrounds, which consists of wide Tuscan pilasters supporting a tall entablature with dentil molding. The existing door is a fairly recent replacement. Access to the entry is by way of a modern poured concrete step. Window openings in the two northernmost bays of the facade hold modern replacement windows, while the remaining windows retain historic wood windows in a nine-over-six pane

configuration at the first floor and a two-over-one configuration at the second floor. Two small basement window openings (one on either side of the central entry) were likely added and are set within poured concrete window wells; the openings hold modern windows.

The northwest elevation is three bays wide and finished with painted clapboards. Fenestration is asymmetrically arranged, with windows (two per floor) in the easternmost bays only. All window openings hold modern replacement windows. A modern vent is centered beneath the gable peak within an untrimmed opening. The southeast elevation is finished with painted clapboards and is partially covered by a one-story enclosed porch and the two-story rear addition. Fenestration at the exposed upper levels of this elevation are similar to those at the northwest elevation, with a vent in the gable and windows in the two easternmost bays of the second floor. Here, the window opening in the central bay holds a historic two-over-one window, while the second opening has a one-over-one window that appears to be a replacement. The enclosed porch at the first floor was added after 1914. The porch is largely made up of grouped windows separated by slender mullions - two windows on the southwest wall and four on the southeast wall. These adjoining windows hold older wood two-over-one sashes. The porch is enclosed by a hip roof finished with asphalt shingles. The roof edge has shallow overhanging eaves with painted flat wood soffit and fascia boards.

Much of the rear ell is covered by later additions, however it is clearly discernible on the northwest side. The ell appears to have been constructed as a one and one-half story structure with a gable roof. It rests on a rough-cut granite ashlar foundation holding two small modern basement windows. The northwest elevation is finished with painted clapboards and features three asymmetrical windows, all of which hold modern replacement windows. A portion of the upper level was raised to create a full second floor with a single small window opening, which now holds a modern window. Only the upper portion of the ell's northeast elevation is visible; the remainder is covered by a single-story shed addition. The exposed gabled wall of the ell is finished in painted wood shingles and trimmed with narrow corner boards and a compound fascia. A single window set beneath the gable peak holds a modern window. The shed addition is a relatively recent feature, resting on a poured concrete foundation and featuring painted flat wood trim, modern windows, and a modern door on its southeast wall. Access to the entry is by way of an unpainted wood porch. The shed addition is finished with painted clapboards on the northwest wall and painted wood shingles elsewhere. Most of the southeast wall of the ell is obscured by the two-story rear addition, however a narrow section of the wall remains exposed. This section of wall is finished with painted wood shingles and features a single window opening with painted flat wood trim and a modern window.

The two-story rear addition covers the rear (northeast) elevation of the main block and wraps around to cover a small portion of the southeast elevation as well. The rear addition has a flat roof, poured concrete foundation, painted flat wood trim, and a combination of painted wood shingle siding (northeast elevation) and painted clapboards (southeast elevation). A slender brick chimney projects from the roof. Fenestration at the rear elevation of the addition is asymmetrical, with window openings of varying sizes and configurations, including single and paired windows. Most openings hold older two-over-one wood windows, although two windows have one-over-one sashes. The southernmost half of the addition has a narrow fascia board at the roofline, while the northern half has no visible trim along the roof edge. A portion of the rear addition at the southernmost end is covered by a fairly recent one-story shed addition with a cross gabled bay. This small addition has a combination of painted wood shingles and clapboards, painted flat trim, and contemporary windows. The one-story addition has an entry at its southeast wall; the entry holds a modern door and a screen door.

The Building is further depicted and described in Exhibit D incorporated herein and attached hereto by reference; and

WHEREAS, the City of Newburyport Planning Board (the “Planning Board”) did, by Decision PBSP-22-4 dated June 15, 2022, and recorded with the Essex South District Registry of Deed in Book 41249, Page 33, a copy of which is attached hereto and incorporated herein as Exhibit G, approve a Special Permit pursuant to Section VI.C of the Zoning Ordinance of the City of Newburyport to allow two residential structures on one lot (the Planning Board Decision”); and

WHEREAS, pursuant to the Planning Board Decision, the Grantor was required to enter into this Preservation Agreement; and

WHEREAS, the cultural, historical and architectural significance of the Building emanates from its construction around 1805 and its location as a contributing property within the Newburyport Historic District, designated August 2, 1984 and listed on State and National Registers of Historic Places. The Building is important for its associations with the social and religious history of Newburyport, and to the public’s enjoyment and appreciation of Newburyport’s architectural and historical heritage; and

WHEREAS, Grantor and Grantee recognize the architectural, historic, and cultural values (hereinafter “preservation values”) and significance of the Building and the Property, and have the common purpose of preserving the aforesaid preservation values and significance of the exterior of the Building, both the interior and exterior portions of the chimney (both the interior and exterior hereinafter referred to as the “Chimney”) and the Property; and

WHEREAS, the preservation values of the Building, Chimney and the Property are documented in a series of photographs and documents (hereinafter, “Baseline Documentation”) incorporated herein by reference and attached hereto as Exhibits A, B,C and D, which Baseline Documentation the parties agree provides an-accurate representation of the Building as of the date of this grant; and

WHEREAS, the Baseline Documentation (Exhibits A, B, C and D) shall consist of the following:

1. Exhibit A – Legal Property Description;
2. Exhibit B - Recorded Plan (Essex South District Registry of Deeds, Plan Book 224, Plan 25);
3. Exhibit C – Newburyport Assessors’ Parcel Map with Building Footprint; and
4. Exhibit D – Massachusetts Historical Commission Inventory Form B (NWB.273) (1980) amended and updated by Essex Preservation Consulting (2022); and a set of thirty-four (34) exterior photographs of the Building taken February 2022, and a set of ten (10) interior photographs of the Chimney taken March 2023;

A set of thirty-four (34) exterior photographs of the Buildings taken in February of 2022;

- a. Photos 1 - 4: Setting
- b. Photos 5 – 6; View northeast showing the principal façade and foundation
- c. Photo 7: View northeast showing chimney on main block
- d. Photo 8: View northeast showing principal façade and detail of cornice
- e. Photo 9: View northeast showing detail of main entry
- f. Photos 10-11: View northeast showing first and second floor windows

- g. Photo 12: View northeast showing detail of foundation and basement window
- h. Photo 13: View southwest showing northwest elevation
- i. Photos 14-15: View southeast showing northwest elevation detail of corner board, fascia, return at gable and typical window
- j. Photo 16: View southwest showing detail of foundation to ell and basement windows
- k. Photo 17: View north showing southeast elevation from the west end
- l. Photo 18: View northwest showing southeast elevation from the east end
- m. Photo 19: View north showing southeast elevation with detail of enclosed porch
- n. Photos 20-21: View northwest showing southeast elevation showing detail of second floor windows and of entry at east end
- o. Photos 22-25: View southwest showing the rear elevation with detail of the northeast addition, the central bays on the first and second floors
- p. Photo 26: View northwest showing southeast face of rear ell
- q. Photo 27: View northwest showing chimneys on roofs of main block and addition
- r. Photos 28-34: Views of non-historic outbuildings and the rear yard; and

A set of ten (10) interior photographs of the Chimney taken in March of 2023;

- Photo 1: View from southeast showing chimney in the basement
- Photo 2: View from southwest showing chimney foundation and brick arch in Basement
- Photo 3: View from southeast showing chimney foundation and fieldstone base in the basement
- Photo 4: View showing east side fireplace on first floor
- Photo 5: View showing west side fireplace on first floor
- Photo 6: View showing north side fireplace on first floor
- Photo 7: View showing east side fireplace on second floor
- Photo 8: View showing west side fireplace on second floor
- Photo 9: View showing southeast side of chimney in the attic
- Photo 10: View showing southside of chimney in the attic; and

WHEREAS, the Building and the chimney are in need of preservation and restoration; and

WHEREAS, the preservation of the Chimney and the Building is important to the public for the enjoyment and appreciation of its architectural and historical heritage and serves the public interest in a manner consistent with the purposes of Massachusetts General Laws, Chapter 184, Sections 31, 32 and 33 (“Act”); and

WHEREAS, the Commission is authorized to accept preservation restrictions in the name of the City of Newburyport and the Commission is a governmental body duly organized under the laws of the Commonwealth of Massachusetts, including the General Laws, Chapter 40, Section 8 (d), authorized and directed by the Grantee to manage the Property and Building burdened by such restrictions, consistent with the provisions of the Act and to administer and enforce this preservation restriction;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby irrevocably grant and convey to the Grantee in gross in perpetuity this Restriction over the Property, the Chimney and the exterior of the Building to be administered, managed and enforced by the Commission.

1. Purpose: It is the Purpose of this Restriction to assure that, the architectural, historic, and cultural features of the Chimney and the exterior of the Building will be retained and maintained forever substantially in their current condition or in a restored condition approved by the Commission for preservation purposes and to prevent any use or change of the Property or either the Chimney or the exterior of the Building that will significantly impair or interfere with the either the Chimney's or the Building's preservation values or alter views of either the Chimney or the exterior of the Building.

2. Preservation Restriction: The Grantor grants the Grantee the right to forbid or limit:

- a. any alteration to the appearance, materials, workmanship, condition or structural stability of the Chimney and the Building unless (i) clearly of minor nature and not affecting the characteristics which contribute to the architectural or historical integrity of the Chimney, the Building and the Property, or (ii) the Grantee has previously determined that it will not impair such characteristics after reviewing plans and specifications submitted by Grantor in accordance with the requirements of paragraph 7, which determination shall not be unreasonably withheld, or (iii) required by casualty or other emergency promptly reported to Grantee in accordance with the requirements of paragraph 9. For the purposes of this Agreement, interpretation of what constitutes alterations of a minor nature and ordinary maintenance and repair is governed by the Restriction Guidelines, which are attached hereto as Exhibit E and hereby incorporated by reference.
- b. any other act or use that may be harmful to the historic preservation of the Chimney, the Building or the Property.

3. Grantor's Covenants: Covenant to Maintain. Subject to Paragraph 2 and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, the Grantor covenants and agrees at all times to maintain the Chimney and the Building, including the maintenance/preservation of the entire central chimney from the basement (within the structure) to its termination above the roofline, in the a good structural condition. Grantor's obligation to maintain shall require replacement, repair, and reconstruction by Grantor whenever necessary to preserve the Chimney and the exterior of the Building. Subject to the casualty provisions of paragraphs 9 and 10, this obligation to maintain shall require replacement, rebuilding, repair, and reconstruction of the Chimney and the Building whenever necessary in accordance with the policies and procedures of the Commission and in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (36 CFR 67 and 68), as these may be amended from time to time (hereinafter the "Secretary's Standards").

4. Grantor's Covenants: Prohibited Activities. The following acts or uses are expressly forbidden except as otherwise conditioned in this paragraph:

- a. neither the Chimney nor the Building shall be demolished, removed, or razed except as provided in Paragraphs 9 and 10;
- b. the dumping of ashes, trash, rubbish, or any other unsightly or offensive materials is prohibited on the Property near the Building;
- c. no above-ground utility transmission lines, except those reasonably necessary for the existing Building, may be created on the Property, subject to utility easements already recorded;

- d. no additions and/or outbuildings may be attached to the Building without prior approval of the Grantee;
- e. no further subdivision of the lot shall be permitted and this condition shall be memorialized as a deed restriction for both structures; and
- f. moving the Building to another location shall be forbidden without prior approval of the Commission.

5. Conditional Rights Requiring Grantee Approval: Subject to Paragraph 4 and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, the Grantor shall not alter either the Chimney or the Building without prior express written approval of the Commission. Without said approval Grantor shall not make any changes to the Building, including the alteration, partial removal, construction, remodeling, or other physical or structural change, including permanent signs, and any change in material or color or any change to the footprint, size, mass, ridge-line, and rooflines of the Building. Grantor shall similarly, other than landscaping elements less than 36 inches in height, not make any alterations to the surrounding Property that would obscure the current view of the Building, such as the installation of permanent signage or trees or very large shrubs without approval of the Commission.

Activities by Grantor to maintain the Chimney, the Building and the Property which are intended to be performed in accordance with the provisions of paragraph 4.1, and which are of a minor nature, shall not require the prior approval of the Commission. For the purposes of this section, interpretation of what constitutes ordinary maintenance of a minor nature is governed by the Restriction Guidelines (Exhibit E), which are attached to this Agreement and hereby incorporated by reference.

6. Grantor's Reserved Rights Not Requiring Further Approval by the Grantee: Subject to the provisions of paragraphs 2 and 4.2, the following rights, uses, and activities of or by Grantor on, over, or under the Property are permitted by this Restriction and by the Commission without further approval by the Commission:

- a. the right to engage in all those acts and uses that:
 - (i) are permitted by governmental statute or regulation;
 - (ii) do not substantially impair the preservation values of the Chimney, Building and Property;
 - (iii) are not inconsistent with the Purpose of this Restriction; and
 - (iv) are listed in the Grantor's Proposed and Granted Changes and more particularly described in Exhibit F.
- b. pursuant to the provisions of Paragraph 4.1, the right to maintain and repair the Chimney and the Building strictly according to the Secretary's Standards. As used in this sub-paragraph, the right to maintain and repair shall mean the use by the Grantor of in-kind materials and colors, applied with workmanship comparable to that which was used in the construction or application of those materials being repaired or maintained, for the purpose of retaining in good condition the appearance and construction of the Chimney and the exterior of the Building. The right to maintain and repair as used in this sub-paragraph shall not include the right to make changes in appearance, materials, workmanship from that existing prior to the maintenance and repair without the prior approval of the Commission in accordance with the provisions of Paragraph 5;

7. Review of Grantor's Requests for Approval: Grantor shall submit to the Commission for the Commission's approval of those conditional rights set out at Paragraphs 2 and 5 two copies of information (including plans, specifications, and designs where appropriate) identifying the proposed activity with reasonable specificity. In connection therewith, Grantor shall also submit to the Commission a timetable for the proposed activity sufficient to permit the Commission to monitor such activity. Within forty-five (45) days of the Commission's receipt of any plan or written request for approval hereunder, the Commission shall certify in writing that (a) it approves the plan or request, or (b) it disapproves the plan or request as submitted, in which case the Commission shall provide Grantor with written suggestions for modification or a written explanation for the Commission's disapproval. Any failure by the Commission to act within forty-five (45) days of receipt of Grantor's submission or resubmission of plans or requests shall be deemed to constitute approval by the Commission of the plan or request as submitted and to permit Grantor to undertake the proposed activity in accordance with the plan or request submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time provided nothing herein shall be construed to permit the Grantor to undertake any of the activities prohibited hereunder.

8. Standards for Review: In exercising any authority created by this Restriction to inspect the Chimney and the Building; to review any construction, alteration, repair, or maintenance; or to review casualty damage or to reconstruct or approve reconstruction of either the Chimney or the Building following casualty damage, the Commission shall apply the Secretary's Standards.

9. Casualty Damage or Destruction: In the event that the Chimney, Building or Property shall be damaged or destroyed by fire, flood, windstorm, hurricane, earth movement or other casualty, Grantor shall notify the Commission in writing within fourteen (14) days of the damage or destruction, such notification including what, if any, emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the Chimney, Building and Property and to protect public safety, shall be undertaken by Grantor without the Commission's prior written approval of the work. Within sixty (60) days of the date of damage or destruction, if required by the Commission, Grantor at its expense shall submit to the Commission a written report prepared by a qualified restoration architect and an engineer who are acceptable to the Grantor and the Commission, which report shall include the following:

- a. an assessment of the nature and extent of the damage;
- b. a determination of the feasibility of the restoration of the Chimney and/or Building and/or reconstruction of damaged or destroyed portions of either the Chimney or the Building; and
- c. a report of such restoration/reconstruction work necessary to return either the Chimney or the Building to the condition existing at the date hereof or the condition subsequently approved by the Commission.

10. Review After Casualty Damage or Destruction: If, after reviewing the report provided in Paragraph 9 and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that the Purpose of the Restriction will be served by such restoration/reconstruction, Grantor and the Commission shall establish a schedule under which Grantor shall complete the restoration/reconstruction of the Chimney and/or Building in accordance with plans and specifications consented to by the parties up to at least the total of the casualty insurance proceeds available to Grantor.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that restoration/reconstruction of either the Chimney or the Building is impractical or impossible, or agree that the Purpose of the Restriction would not be served by such restoration/reconstruction and Grantor may, with prior written consent of the Commission, alter, demolish, remove or raze either or both the Chimney and the Building, and/or construct new improvements on the Property, Grantor and Grantee may agree to seek to extinguish this Restriction in accordance with the laws of the Commonwealth of Massachusetts and paragraph 23 hereof.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission are unable to agree that the Purpose of the Restriction will or will not be served by such restoration/reconstruction, the matter may be referred by either party to binding arbitration and settled in accordance with the Commonwealth of Massachusetts arbitration statute then in effect, and all other applicable laws, rules, regulations, and ordinances. Arbitrator shall have experience in historic preservation matters.

11. Insurance: Grantor shall keep the Building insured by an insurance company rated "A" or better by Best's for the full replacement value against loss from the perils commonly insured under standard fire and extended coverage policies and comprehensive general liability insurance against claims for personal injury, death and property damage. Property damage insurance shall include change in condition and building ordinance coverage, in form and amount sufficient to replace fully the damaged Building without cost or expense to Grantor or contribution or coinsurance from Grantor. Grantor shall deliver to the Commission, within ten (10) business days of the Commission's written request thereof, certificates of such insurance coverage. Provided, however, that whenever the Property is encumbered with a mortgage or deed of trust nothing contained in this paragraph shall jeopardize the prior claim, if any, of the mortgagee/lender to the insurance proceeds.

12. Indemnification: Grantor hereby agrees to pay, protect, indemnify, hold harmless and defend, at its own cost and expense, Grantee, its boards, commissions, appointees, agents, directors, employees, or independent contractors from and against any and all claims, liabilities, expenses, costs, damages, losses and expenditures (including attorneys' fees and disbursements hereafter incurred) arising out of or in connection with injury to or death of any person as a result of the existence of this Restriction; physical damage to the Chimney and/or the Building; the presence or release in, on, or about the Property, at any time, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any law, ordinance or regulation as a hazardous, toxic, polluting or contaminating substance; or other injury or other damage occurring on or about the Building; unless such injury, death, or damage is caused by Grantee or its boards, commissions, appointees, agents, directors, employees, or independent contractors. In the event that Grantor is required to indemnify Grantee pursuant to the terms of this paragraph, the amount of such indemnity, until discharged, shall constitute a lien on the Property with the same effect and priority as a mechanic's lien.

13. Written Notice: Any notice which either Grantor or Grantee may desire or be required to give to the other party shall be in writing;

Grantor: Samuel Bartow Kimball
Michelle Christine Kimball
344 Merrimac Street
Newburyport, MA 01950

Grantee: City of Newburyport
c/o Newburyport Historical Commission
City Hall
60 Pleasant Street
Newburyport, MA 01950

Each party may change its address set forth herein by a notice to such effect to the other party.

14. Evidence of Compliance: Upon request by Grantor, Grantee shall promptly furnish Grantor with certification that, to the best of Grantee's knowledge, Grantor is in compliance with the obligations of Grantor contained herein, or that otherwise evidence the status of this Restriction to the extent of Grantee's knowledge thereof.

15. Inspection: With the consent of Grantor, Grantee or its representatives shall be permitted at reasonable times to inspect the Chimney, the Buildings and the Property on an annual basis. Grantor covenants not to withhold unreasonably its consent in determining dates and times for such inspections.

16. Grantee's Remedies: The Grantor, for itself, its assigns and successors, expressly acknowledges that a violation of this Preservation Restriction Agreement may result in the Commission exercising its right to enforce the terms and conditions of the Restriction by seeking appropriate legal and equitable relief, including, but not limited to, restoration of the Chimney, the Building and such other legal and equitable remedies as may be available to the Commission to effectuate the purposes of this Restriction and to enforce the Grantor's obligations hereunder.

In the event Grantor is found to have violated any of its obligations, Grantor shall reimburse Grantee for any costs or expenses incurred in connection with Grantee's enforcement of the terms of this Restriction, including all court costs, and attorneys', architectural, engineering, and expert-witness fees. Grantor shall, at its own expense and with approval of Commission, reverse any actions or activities which violated this restriction and altered the Chimney and/or Building.

Nothing in this Restriction shall impose upon the Commission any duty to maintain or require that the Chimney and Building be maintained in any particular state or condition, notwithstanding the Commission's acceptance hereof Enforcement of the terms of this Preservation Restriction shall be at the discretion of the Commission. Any election by the Commission as to the manner and timing of the exercising of its right to enforce this Preservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights. By its acceptance of this Preservation Restriction, the Commission does not assume any liability or obligation relating to the condition of the Chimney, the Building or the Property, including compliance with hazardous materials or other environmental laws and regulations.

17. Notice from Government Authorities: Grantor shall deliver to Grantee copies of any notice of violation or lien relating to the Chimney, the Buildings or the Property received by Grantor from any government authority within five (5) days of receipt by Grantor. Upon request by Grantee, Grantor shall promptly furnish Grantee with evidence of Grantor's compliance with such notice or lien where compliance is required by law.

18. Notice of Proposed Sale: Grantor shall promptly notify Grantee in writing of any proposed sale of the Property and provide the opportunity for Grantee to explain the terms of the Restriction to potential new Grantors prior to sale closing.

19. Runs with the Land: Except as provided in Paragraphs 9 and 10, the restrictions, obligations and duties set forth in this Restriction shall run with the Property and shall inure to the benefit of the Commission and all parties claiming by, through or under the Commission and shall bind the Grantor and all parties claiming by, through or under the Grantor. The rights hereby granted to the Commission constitute the perpetual right of the Commission to enforce this Preservation Restriction Agreement. The Grantor hereby covenants for itself to stand seized and hold title to the Property subject to the terms of this Restriction. This Restriction shall extend to and be binding upon Grantor and Grantee, their respective successors in interest and all persons hereafter claiming under or through Grantor and Grantee, and the words "Grantor", "Grantee" when used herein shall include all such persons. Any right, title, or interest herein granted to Grantee also shall be deemed granted to each successor and assign of Grantee and each such following successor and assign thereof, and the word "Grantee" shall include all such successors and assigns.

Anything contained herein to the contrary notwithstanding, Grantor of the Property shall have no obligation pursuant to this instrument where such Grantor shall cease to have any ownership interest in the Property by reason of a bona fide transfer. The restrictions, stipulations and covenants contained in this Restriction shall be inserted by Grantor, verbatim or by express reference, in any subsequent deed or other legal instrument by which Grantor divests itself of either the fee simple title to or any lesser estate in the Property or any part thereof, including by way of example and not limitation, a lease of all or a portion of the Property.

20. Assignment: Grantee may convey, assign, or transfer this Restriction to a unit of federal, state, or local government or to a similar local, state, or national charitable corporation or trust that qualifies under the Act, and whose purposes include the preservation of buildings or sites of historical significance, provided that any such conveyance, assignment or transfer requires that the Purpose for which the Restriction was granted will continue to be carried out. Grantor shall give prior written approval of such conveyance, assignment, or transfer by Grantee, such approval not to be unreasonably withheld.

21. Alternate Designee: Grantee may, at its discretion, remove and replace the Commission as its designee to administer, manage, and enforce this Restriction, provided that any new designee is qualified as such under the Act and other applicable law.

22. Recording and Effective Date: Grantee shall do and perform at its own cost all acts necessary to the prompt recording of this Restriction which shall become effective upon its being duly executed by the Grantor, the City of Newburyport, and the Newburyport Historical Commission, its being approved by the Massachusetts Historical Commission, and its being recorded with the Essex South District Registry of Deeds.

23. Extinguishment: Grantor and Grantee hereby recognize that an unexpected change in the conditions surrounding the Property may make impossible the continued use of the Property for the Purpose of this Restriction and necessitate extinguishment of the Restriction. Such a change in conditions may include, but is not limited to, partial or total destruction of the Building resulting from casualty. Such an extinguishment must meet all the requirements of the Act for extinguishment, including approvals following public hearings by the City of Newburyport and the Massachusetts Historical Commission to determine that such extinguishment is in the public interest. In the event of a sale of the Property, net proceeds of sale shall be paid to Grantor.

24. Condemnation: If all or any part of the Property is taken under the power of eminent domain by public, corporate, or other authority, or otherwise acquired by such authority through a purchase in lieu of a taking, Grantor and Grantee shall join in appropriate proceedings at the time of such taking to recover the full value of those interests in the Property that are subject to the taking and all incidental and direct

damages resulting from the taking. All expenses reasonably incurred by Grantor and Grantee in connection with such taking shall be paid out of the recovered proceeds. Such recovered proceeds shall be paid to Grantor.

25. Interpretation: The following provisions shall govern the effectiveness, interpretation, and duration of the Restriction:

- a. Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of the Property shall not apply in the construction or interpretation of this Restriction and this instrument shall be interpreted broadly to affect its Purpose and the transfer of rights and the restrictions on use contained herein.
- b. This instrument may be executed in two counterparts, one of which is to be retained by Grantor and the other, after recording, to be retained by Grantee. In the event of any disparity between the counterparts produced, the recorded counterpart shall in all cases govern. Except as provided in the preceding sentence, each counterpart shall constitute the entire Restriction of the parties.
- c. This instrument is made pursuant to the Act, but the invalidity of such Act or any part thereof shall not affect the validity and enforceability of this Restriction according to its terms, it being the intent of the parties to agree and to bind themselves, their successors and their assigns in perpetuity to each term of this instrument whether this instrument be enforceable by reason of any statute, common law or private Restriction either in existence now or at any time subsequent hereto.
- d. Nothing contained herein shall be interpreted to authorize or permit Grantor to violate any ordinance or regulation relating to building materials, construction methods or use. In the event of any conflict between any such ordinance or regulation and the terms hereof Grantor promptly shall notify Grantee of such conflict and shall cooperate with Grantee and the applicable governmental entity to accommodate the purposes of both this Restriction and such ordinance or regulation.

If any court or other tribunal determines that any provision of this instrument is invalid or unenforceable, such provision shall be deemed to have been incorporated herein automatically to conform to the requirements for validity and enforceability as determined by such court or tribunal. In the event any provision invalidated is of such a nature that it cannot be modified, the provision shall be deemed deleted from this Preservation Restriction as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect.

26. Amendment: If circumstances arise under which an amendment to or modification of this Restriction would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Restriction, provided that no amendment shall be made that will adversely affect the qualification of this Restriction or the status of Grantee under any applicable law. Any such amendment shall be consistent with the protection of the preservation values of the Property and the Purpose of this Restriction; shall not affect its perpetual duration; shall not permit any private inurement to any person or entity; and shall not adversely impact the overall architectural and historic values protected by this Restriction. Any such amendment shall be effective when the requirements of the Act with respect to amendments have been met and the amendment is recorded in the Essex South District Registry of Deeds. Nothing in this paragraph shall require Grantor or Grantee to agree to any amendment or to consult or negotiate regarding any amendment.

27. Release: This Preservation Restriction is intended to be a restriction in gross in perpetuity and may only be released, in whole or in part, by the Grantee pursuant to the procedures for release established by the Act and otherwise by law, including approvals following public hearings by the City of Newburyport and the Massachusetts Historical Commission to determine that such a release is in the public interest.

28. Archaeological Activities: The conduct of archaeological activities on the Property, including without limitation survey, excavation, and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by the Grantor and approved in writing by the Grantee and the State Archaeologist of the Massachusetts Historical Commission (M.G.L. C. 9, Sec. 27C, 950 C.M.R. 70.00).

29. Subordination of Prior Liens: Grantor represents and warrants to Grantee that the Property is not subject to any mortgages, liens, or leases prior in right to this Restriction other than the following: Mortgage granted by Grantor to the Institution for Savings in Newburyport and Its Vicinity recorded with Essex South District Registry of Deeds in Book 41197, Page 318. The Institution for Savings in Newburyport and Its Vicinity has subordinated its mortgage to this Restriction with the Assent attached hereto and recorded herewith. Grantor agrees not to enter into or permit other mortgages, liens or leases affecting the Property prior in right to this Restriction.

IN WITNESS WHEREOF, the Grantor sets its hand and seal this ____ day of May, 2023.

By:

GRANTOR:

Samuel Bartow Kimball

Michelle Christine Kimball

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of May, 2023, before me, the undersigned notary public, personally appeared Samuel Bartow Kimball proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principals), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purposes.

Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of May, 2023, before me, the undersigned notary public, personally appeared Michelle Christine Kimball proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principals), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purposes.

Notary Public
My Commission Expires:

ACCEPTANCE BY THE NEWBURYPORT HISTORICAL COMMISSION

Glenn Richards, duly authorized
Chair, Newburyport Historical Commission

COMMONWEALTH OF MASSACHUSETTS

Essex ,ss.

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purposes as duly authorized Chair of the Newburyport Historical Commission.

Notary Public
My Commission Expires:

ACCEPTANCE AND APPROVAL BY THE CITY OF NEWBURYPORT

I, the undersigned City Clerk of the City of Newburyport, Massachusetts, hereby certify that at a meeting duly held on _____, 2023, the City Council voted to approve and accept the foregoing Preservation Restriction Agreement for the preservation of the historic resources of said City and being in the public interest pursuant to Massachusetts General Laws Chapter 184, Section 32.

CITY OF NEWBURYPORT

By its Clerk

Richard B. Jones

The undersigned hereby certifies that the foregoing preservation restrictions have been approved and accepted by the City of Newburyport

CITY OF NEWBURYPORT

Sean Reardon, Mayor

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared Richard B. Jones, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purposes as Clerk of the City of Newburyport.

Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared, Sean Reardon, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purposes as Mayor of the City of Newburyport.

Notary Public
My Commission Expires:

APPROVAL BY THE MASSACHUSETTS HISTORICAL COMMISSION

COMMONWEALTH OF MASSACHUSETTS

The undersigned Executive Director and Clerk of the Massachusetts Historical Commission hereby certifies that foregoing preservation restriction has been approved pursuant to Massachusetts General Law, chapter 184, section 32.

MASSACHUSETTS HISTORICAL COMMISSION

By: _____

Executive Director and Clerk

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared, _____, Executive Director and Clerk, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purposes.

Notary Public
My Commission Expires:

EXHIBIT A

Legal Description

The land in said Newburyport with the buildings thereon, being Parcel "A" on a plan entitled "Plan of Land in Newburyport, Mass. owned by Bertram T. French, Jr., dated Aug. 5, 1961, scale one inch (1) equals twenty feet (20) by Walter T. Martin, Registered Profession Engineer and Land Surveyor", and being more particularly described as follows, viz:

Parcel "A" Beginning at a nail in a stake on Merrimac Street in said plan at the southwest corner of this parcel "A" by land of Bertram T. French et ux and thence running Northwesterly by said Merrimac Street sixty-six and no hundredths (66.00) feet to a spike at the southeast corner of Merrimac Street and Union Court as shown on said plan; thence running northeasterly along said Union Court one hundred twenty-three and eighty-two one hundredths (123.82) feet to a spike in a cut off old fence post at the corner of Parcel "B" as shown in said plan; thence southeasterly fifty-eight and twenty-four one-hundredths (58.24) feet by said Parcel "B" shown on said plan to a spike at land of Bertram T. French et ux and a corner of said Parcel "B"; thence southwesterly one hundred fourteen and ninety-four one-hundredths (114.94) feet by land of Bertram T. French et ux as shown on said plan to the nail in the stake begun at.

Containing approximately 7366 square feet.

Also: Another parcel, Parcel B as shown on said plan. Beginning at a spike in a cut off old fence post shown in said plan at the northwest corner of this Parcel "B" also at a corner of Parcel "A" and thence running northeasterly by said Union Court one hundred twenty and thirty-nine one-hundredths (120.39) feet to a spike as shown on said plan. Thence running southeasterly from said spike on Union Court twenty-nine and fifty-one hundredths (29.51) feet to a spike at a corner on Merrimac Court. Thence running southwesterly by said Merrimac Court twenty-five and no one hundredths (25.00) feet to a nail in a stake at a corner of other land of Bertram French shown on said plan as Parcel "C". Thence running southwesterly by said Parcel "C" eighty-two and fifty-eight one-hundredths (82.58) feet to a corner at land of Bertram T. French et ux and continuing running on the same southwesterly course by the land of said Bertram T. French et ux thirty-six and fifty-eight one-hundredths (36.58) feet to a spike at the corner of Parcel "A" as shown on said plan. Thence running northwesterly by said Parcel "A" fifty-eight and twenty-four one-hundredths (58.24) feet to the spike in the old cut off fence post begun at.

Containing approximately 7007 square feet.

See also plan of land entitled "Plan of Land in Newburyport, Mass. Prepared for Colin & Connie T. Nelson & N. Diane Koehler, dated January, 1987" recorded at Plan Book 224, Plan 25.

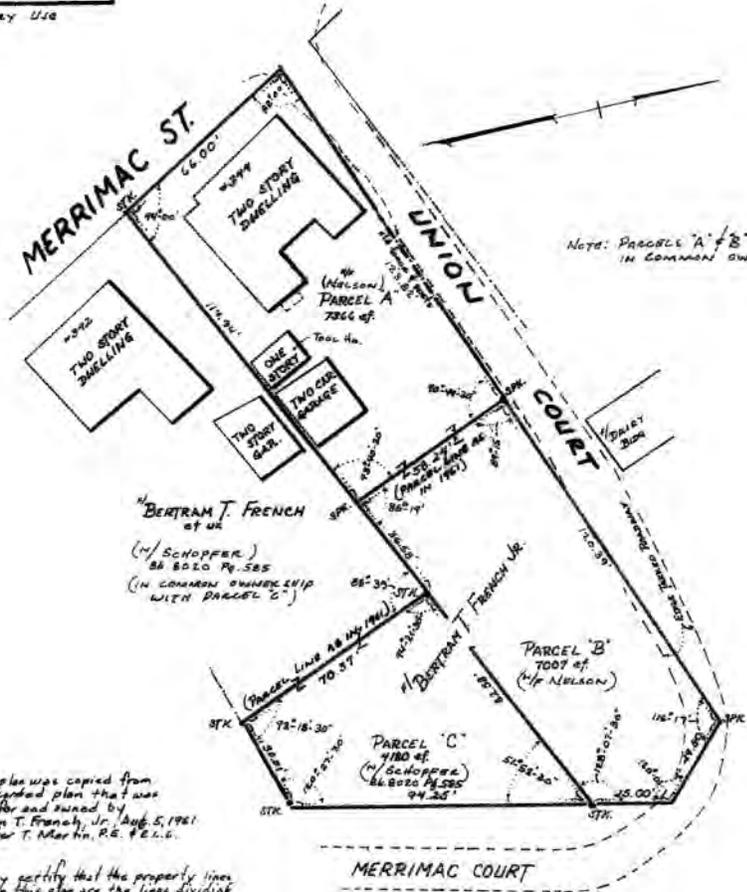
EXHIBIT B
RECORDED PLAN

PLAN BOOK 224 P. 25
 April 14, 1981
 J. J. [Signature]
 Register of Deeds

Reference: Assessor's Map 65 Parcel 9 = 1/4 Nelson
 Parcel 10-11 = 1/4 Schopfer
 Deed: B 8432 P. 22
 (M.B. 213 P. 53)

For Registry Use

25
 224



NOTE: PARCELS 'A' & 'B' NOW OWNED IN COMMON OWNERSHIP.

BERTRAM T. FRENCH
 of UK
 (1/4 SCHOPFER)
 86 B210 P. 585
 (IN COMMON OWNERSHIP
 WITH PARCEL 'C')

Note:
 This plan was copied from
 a unresurveyed plan that was
 drawn for and owned by
 Bertram T. French, Jr., Aug. 5, 1961
 by Walter T. Martin, P.E. & C.E.S.

I hereby certify that the property lines
 shown on this plan are the lines dividing
 existing ownerships, and the lines of
 streets and ways shown are those of
 public or private ways already established
 and that no new lines for division of existing
 ownership or new ways are shown.

Robert G. Goodwin 01/30/81
 I certify that this plan conforms
 with the Rules and Regulations
 of the Register of Deeds.



MERRIMAC COURT

PLAN OF LAND
 IN
NEWBURYPORT, MASS.
 FOR
COLIN & CONNIE T. NELSON
 & N. DIANE KOEHLER "344 MERRIMAC STREET ASSOCIATION"

SCALE: 1"=20'
 0 20 40 60

JANUARY 1981

EVERETT C. RAYMOND, JR.
 CONSULTANT
 857 BROADWAY - HAVERHILL, MASS.

ROBERT G. GOODWIN
 SURVEYOR
 82 CENTRAL ST. - ANDOVER, MASS.

EXHIBIT C

ASSESSOR'S MAP



EXHIBIT D

BASELINE DOCUMENTATION BASELINE PHOTOGRAPHS – FEBRUARY 2022

Baseline Documentation

(Massachusetts Historical Commission Inventory Form B cover sheet prepared 1980 by Mary Jane Stirgwolt. Continuation sheets prepared in 2022 by Essex Preservation Consulting.)

FORM B - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION



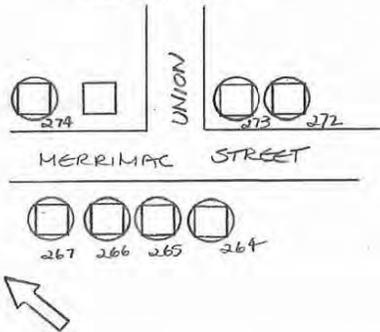
NWB.273

Area I+L	Form no. 273
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USGS - Newburyport

Newburyport
 Address 344 Merrimac Street
 Historic Name Levi Carr House
 Original Residence
 Present Residence
 Ownership: Private individual
 Private organization _____
 Public _____
 Original owner Levi Carr

Draw map showing property's location in relation to nearest cross streets and other buildings or geographical features. Indicate north.



DESCRIPTION:
 Date c. 1805
 Source Essex County Registry of Deeds
 Style _____
 Architect Unknown
 Exterior wall fabric Clapboards
 Outbuildings Garage and shed
 Major alterations (with dates) several additions at rear (dates unknown)
 Moved _____ Date _____
 Approx. acreage 14,373 sq. ft.
 Setting in residential area of late eighteenth and nineteenth century houses on the banks of the Merrimack River.

Recorded by Mary Jane Stirgwolt
 Organization Office of Community Development
 Date 01-04-80

ARCHITECTURAL SIGNIFICANCE (describe important architectural features and evaluate in terms of other buildings within community)

This two story house with pitched roof and symmetrical, five bay facade is an excellent example of the vernacular architecture built in Newburyport around the turn of the nineteenth century. Noteworthy features of the house include a large central chimney, simple Federal cornice moulding, and unusual, eared window lintels. The doorway is simple but is detailed with the pilasters and simple entablature characteristic of the period.

HISTORICAL SIGNIFICANCE (explain the role owners played in local or state history and how the building relates to the development of the community)

This parcel of land was purchased from George Burroughs by Jacob Whitmore in 1793. In 1801 when Whitmore sold the property to Levi Carr there was no house mentioned in the deed of sale. Carr was probably the original owner of this house.

In 1851 the owner of this house was Levi Carr, probably the son of the builder of the house. He was a shipcarpenter who was employed as a foreman by John Currier, Jr. for many years. The Currier shipyard was located on the riverbanks adjacent to this house. Carr was also part-owner of Carr's Island.

In 1872 Levi Carr still owned this house. Also in residence at that time was Charles H. Carr, also a shipcarpenter. Levi Carr died in 1876 at the age of eighty. At that time the house was willed to his heirs.

BIBLIOGRAPHY and/or REFERENCES

Assessor's Records 1890-1980
1851 Plan of Newburyport, Mass. H. McIntire
~~1872~~ Map of the City of Newburyport, Mass. D. G. Beers and Co.
1851, 1871 City Directories
Deed Research compiled by Mrs. Nancy Flynn and Mrs. Kathy Horden.

20M-2/80

INVENTORY FORM CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
 220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

NEWBURYPORT

Area(s) Form No.

NWB	273
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Architectural Description

According to the Massachusetts Historical Commission Inventory Form B for the property, the Levi Carr House at 344 Merrimac Street was constructed circa 1805. The house design is consistent with New England late Georgian style residences, with its rectangular plan, gable roof, symmetrical five-bay facade, center entry with prominent surrounds, and large central chimney (Photo 5). The Carr House (constructed ca.1805) is located roughly one mile to the northwest of the Newburyport downtown commercial district and sits just 700 feet southwest from the Merrimack River. Merrimac Street is the principal thoroughfare between the downtown center and Route 95 near the western edge of the city. The stretch of Merrimac Street in the vicinity of the Carr House is characterized by single-family historic homes from the 18th and 19th centuries (Photos 1 and 2). The same is true for Union Place, a narrow short lane running along the northwest side of the Carr House property (Photo 4), and Merrimac Court, another narrow lane leading to a cluster of houses behind (northeast of) the Carr House (Photo 3). Most of the homes in the immediate area of the Carr House are single-family residences, although a few, including the Carr House, have been converted to multi-family occupancy. The long narrow lot on which the Carr House stands includes 14,373 square feet of land and runs from Merrimac Street, along the length of Union Place, to Merrimac Court (Photo 32). The house is situated at the southwest end of the lot, fronting on Merrimac Street; the setback from Merrimac Street is roughly 15.5 feet (Photo 34). The property includes the house and two small outbuildings - a non-historic guesthouse (Photos 28 and 29) and a deteriorated shed structure (Photos 30 and 31). Although the house was converted to two condominiums, the exterior still reads as a single-family dwelling. The house has an irregular footprint due to several additions. The original rectangular main block is five bays wide, three bays deep, and enclosed by a gabled roof. As early as 1884 there was a small ell extending off the northwest end of the rear elevation (see attached map from 1884). This is likely the existing two-story gabled section with the granite ashlar foundation (Photo 13). A break in the foundation between the original main block and the ell suggests that the ell was not part of the original construction but was an early addition. A map from 1914 shows a second two-story rear addition, this one running the width of the main block (see attached map from 1914). This second addition was later enlarged widthwise (date unknown) to create the two-story rear addition with flat roof that exists today (Photo 22). The 1914 map also shows a single-story porch at the southeast elevation, located toward the rear of the house and adjoining the two-story rear addition. This porch is no longer extant, instead a one-story enclosed porch (likely a circa 1920s feature) runs along the southeast elevation of the main block (Photo 17). Finally, there are two more recent one-story additions projecting from either end of the rear elevation, creating a roughly U-shaped footprint for the building as a whole (Photo 22 and 23).

Main Block

The original main block rises two and one-half stories from a rough-cut stone foundation and is finished with painted clapboard siding with wood trim elements, in the form of narrow corner boards, roof cornice, water tables, window trim, and entry surrounds (Photo 5). The gabled roof of the main block is currently finished with asphalt shingles and features a prominent broad central chimney, which is centered on the roof ridge (Photo 7). The chimney is parged with concrete but is likely of brick construction. The roofline at the facade is defined by a shallow box cornice and prominent fascia (Photo 8); the eaves at the rear are obscured by the two-story addition. The side gables of the main block are defined by compound fascia boards with shallow returns (Photos 14 and 17). Modern aluminum gutters and downspouts were installed around the building. Windows of the main block are trimmed with painted flat wood trim (Photo 15), except at the facade where windows are topped by shallow hood moulds (Photos 10 and 11). Window openings hold a combination of historic wood double-hung windows and modern replacements, as noted below. All windows are covered by modern storm windows.

Continuation Sheet 1

INVENTORY FORM CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

NEWBURYPORT

Area(s) Form No.

NWB	273
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Principal Facade (Southwest Elevation)

The principal facade (southwest elevation) is five bays wide and laid out symmetrically around a central entry (Photo 9). The entry is framed by what appears to be the original surrounds, which consists of wide Tuscan pilasters supporting a tall entablature with dentil molding. The existing door is a fairly recent replacement. Access to the entry is by way of a modern poured concrete step. Window openings in the two northernmost bays of the facade hold modern replacement windows, while the remaining windows retain historic wood windows in a nine-over-six pane configuration at the first floor (Photo 10) and a two-over-one configuration at the second floor (Photo 11). Two small basement window openings (one on either side of the central entry) were likely added and are set within poured concrete window wells; the openings hold modern windows.

Side Elevations

The northwest elevation is three bays wide and finished with painted clapboards (Photo 13). Fenestration is asymmetrically arranged, with windows (two per floor) in the easternmost bays only. All window openings hold modern replacement windows (Photo 15). A modern vent is centered beneath the gable peak within an untrimmed opening.

The southeast elevation is finished with painted clapboards and is partially covered by a one-story enclosed porch and the two-story rear addition (Photos 17 and 18). Fenestration at the exposed upper levels of this elevation are similar to those at the northwest elevation, with a vent in the gable and windows in the two easternmost bays of the second floor. Here, the window opening in the central bay holds a historic two-over-one window, while the second opening has a one-over-one window that appears to be a replacement (Photo 20). The enclosed porch at the first floor was added after 1914. The porch is largely made up of grouped windows separated by slender mullions - two windows on the southwest wall and four on the southeast wall (Photo 19). These adjoining windows hold older wood two-over-one sashes. The porch is enclosed by a hip roof finished with asphalt shingles. The roof edge has shallow overhanging eaves with painted flat wood soffit and fascia boards.

Rear Ell (Northeast Addition)

Much of the rear ell is covered by later additions, however it is clearly discernible on the northwest side (Photo 13). The ell appears to have been constructed as a one and one-half story structure with a gable roof. It rests on a rough-cut granite ashlar foundation holding two small modern basement windows (Photo 16). The northwest elevation is finished with painted clapboards and features three asymmetrical windows, all of which hold modern replacement windows. A portion of the upper level was raised to create a full second floor with a single small window opening, which now holds a modern window.

Only the upper portion of the ell's northeast elevation is visible; the remainder is covered by a single-story shed addition (Photos 22). The exposed gabled wall of the ell is finished in painted wood shingles and trimmed with narrow corner boards and a compound fascia (Photo 13). A single window set beneath the gable peak holds a modern window.

The shed addition is a relatively recent feature, resting on a poured concrete foundation and featuring painted flat wood trim, modern windows, and a modern door on its southeast wall (Photos 23 and 26). Access to the entry is by way of an unpainted wood porch. The shed addition is finished with painted clapboards on the northwest wall and painted wood shingles elsewhere.

Continuation Sheet 2

INVENTORY FORM CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

NEWBURYPORT

Area(s) Form No.

NWB	273
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Most of the southeast wall of the ell is obscured by the two-story rear addition, however a narrow section of the wall remains exposed (Photo 26). This section of wall is finished with painted wood shingles and features a single window opening with painted flat wood trim and a modern window.

Two-Story Rear Addition

The two-story rear addition covers the rear (northeast) elevation of the main block and wraps around to cover a small portion of the southeast elevation as well (Photos 18 and 22). The rear addition has a flat roof, poured concrete foundation, painted flat wood trim, and a combination of painted wood shingle siding (northeast elevation) and painted clapboards (southeast elevation). A slender brick chimney projects from the roof (Photo 27). Fenestration at the rear elevation of the addition is asymmetrical, with window openings of varying sizes and configurations, including single and paired windows. Most openings hold older two-over-one wood windows, although two windows have one-over-one sashes (Photos 24 and 25). The southernmost half of the addition has a narrow fascia board at the roofline, while the northern half has no visible trim along the roof edge (Photo 25). A portion of the rear addition at the southernmost end is covered by a fairly recent one-story shed addition with a cross gabled bay (Photo 22). This small addition has a combination of painted wood shingles and clapboards, painted flat trim, and contemporary windows. The one-story addition has an entry at its southeast wall; the entry holds a modern door and screen door (Photo 21).

Continuation Sheet 3

INVENTORY FORM CONTINUATION SHEET

TOWN

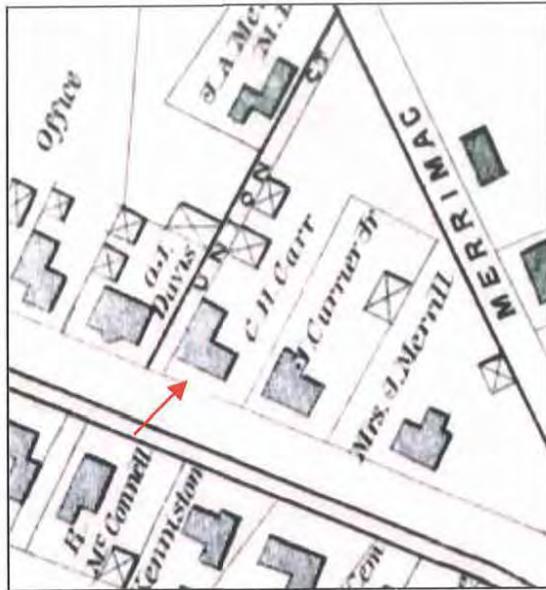
ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

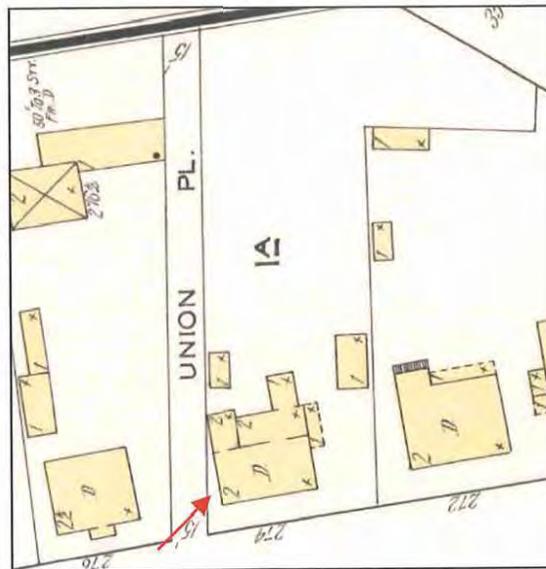
NEWBURYPORT

Area(s) Form No.

NWB	273
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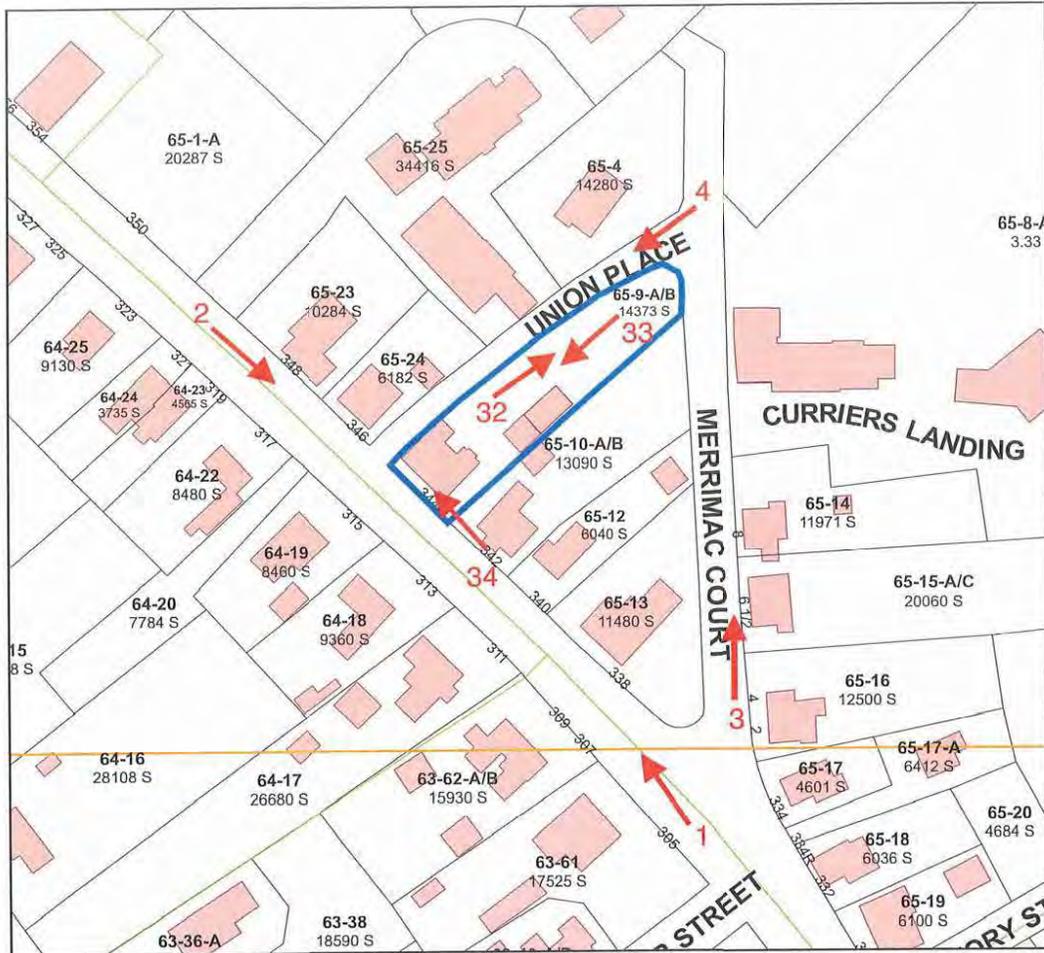


1884 Map



1914 Map

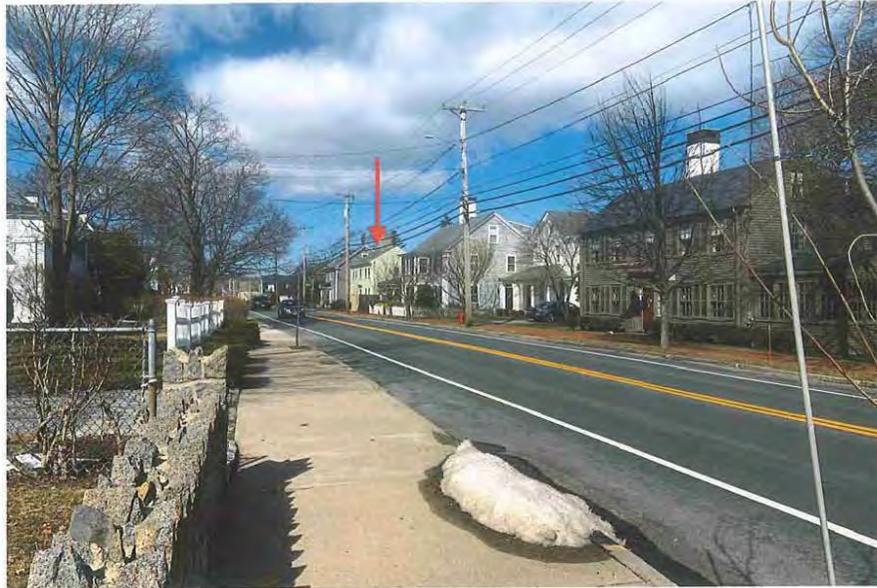
Continuation Sheet 4



 <p>ESSEX Preservation Consulting</p>	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS PHOTO KEY</p>
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 <p>ESSEX Preservation Consulting</p>	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS PHOTO KEY</p>
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1_ Setting - View northwest along Merrimac Street showing Carr House (center) and neighboring houses on northeast side of the street



2_ Setting - View southeast along Merrimac Street showing Carr House (left) and neighboring houses on northeast and southwest sides of the street

	<p style="text-align: center;">LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p style="text-align: center;">CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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3_ Setting - View north along Merrimac Court showing houses along east side of the street



4_ Setting - View southwest along Union Place showing rear of Carr House (left) and neighboring houses on northwest side of the street

	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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5_View northeast showing principal facade (southwest elevation)



6_View northeast showing principal facade (southwest elevation) - detail of foundation

	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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7_ View northeast showing chimney on main block and asphalt roof



8_ View northeast showing principal facade (northwest elevation) - detail of cornice

	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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9_View northeast showing principal facade (northwest elevation) - detail of main entry



10_View northeast showing principal facade (northwest elevation) - detail of first floor window at south end



11_View northeast showing principal facade (northwest elevation) - detail of second floor window at south end



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344 MERRIMAC STREET
NEWBURYPORT, MASSACHUSETTS

CURRENT PHOTOGRAPHS
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12_View northeast showing principal facade (northwest elevation) - detail of foundation and basement window at north end



13_View southwest showing northwest elevation



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344 MERRIMAC STREET
NEWBURYPORT, MASSACHUSETTS

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FEBRUARY 2022



14_View southeast showing northwest elevation - detail of corner board, fascia, and return at gable



15_View southeast showing northwest elevation - detail of typical window

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16_View southwest showing northeast elevation - detail of foundation to ell and basement windows



17_View north showing southeast elevation from west end

	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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18_View northwest showing southeast elevation from east end



19_View north showing southeast elevation - detail of enclosed porch

	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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20_View northwest showing southeast elevation - detail of second floor windows



21_View northwest showing southeast elevation - detail of entry at east end



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NEWBURYPORT, MASSACHUSETTS

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22_View southwest showing rear (southeast) elevation



23_View northwest at rear (southeast) elevation - detail of northeast addition

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24_View southwest showing rear (southeast) elevation - detail of central bays at first floor



25_View southwest showing rear (southeast) elevation - detail of central bays at second floor



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344 MERRIMAC STREET
NEWBURYPORT, MASSACHUSETTS

CURRENT PHOTOGRAPHS
FEBRUARY 2022



26_ View northwest showing southeast face of rear ell/
northeast addition - detail of porch, entry, and window



27_ View northwest showing chimneys on roofs of main block (right) and
rear addition (left)

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28_View south showing northeast elevation of non-historic guesthouse



29_View northeast showing southeast elevation of non-historic guesthouse

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30_View southeast showing northwest elevation of shed



31_View northwest showing rear (southeast) elevation of deteriorated shed

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32_View northeast at rear of house showing rear yard



33_View southwest at rear of house showing rear yard and driveway

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34_View north from south corner of property showing fence and landscaping along front of house (left)

	<p>LEVI CARR HOUSE 344 MERRIMAC STREET NEWBURYPORT, MASSACHUSETTS</p>	<p>CURRENT PHOTOGRAPHS FEBRUARY 2022</p>
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EXHIBIT E

RESTRICTION GUIDELINES ATTACHMENT TO PRESERVATION RESTRICTION AGREEMENT

The purpose of the Restriction Guidelines is to clarify paragraph 5 of the terms of the Preservation Restriction, which deals with alterations to the Premises, including the Building. Under this paragraph, permission from the Commission is required for any major alteration. Alterations of a minor nature, which are part of ordinary maintenance and repair, do not require Commission review.

In an effort to explain what constitutes a minor alteration and what constitutes a major change, which must be reviewed by the Commission, the following list has been developed. By no means is this list comprehensive: it is only a sampling of some of the more common alterations, which may be contemplated by building owners.

LANDSCAPE/OUTBUILDINGS

Minor - Routine maintenance of outbuildings and landscape including lawn mowing, pruning, planting, painting, and repair.

Major - Moving or subdividing buildings or property; altering of property; altering or removing significant landscape features such as gardens, vistas, walks, plantings, walls, fences; ground disturbance affecting archaeological resources.

HEATING/AIR CONDITIONING/ELECTRICAL/PLUMBING SYSTEMS

Minor - Repair of existing systems.

Major - Installing or upgrading systems which will result in major exterior appearance changes (i.e. exterior ducts, piping, ventilators, HVAC units); the removal of substantial quantities of original materials in the course of construction.

PAINT

Minor – Exterior hand scraping and repainting of non-decorative and non-significant surfaces as part of periodic maintenance.

Major – Painting or fully stripping decorative surfaces or distinctive stylistic features including ornamental, decorative or significant woodwork.

WINDOWS AND DOORS

Minor – Regular maintenance including caulking, painting and necessary reglazing. Repair or in-kind replacement of existing individual decayed window parts.

Major – Wholesale replacement of units; change in fenestration or materials; alteration of profile or setback of windows. The addition of storm windows is also considered a major change; however, with notification it is commonly acceptable.

EXTERIOR

Minor – Spot repair of existing cladding and roofing including in-kind replacement of clapboards, shingles, slates, etc.

Major – Large-scale repair or replacement of cladding or roofing. Change involving inappropriate removal or addition of materials or building elements (i.e., removal of chimneys or cornice detailing, existing and original corner trim, roof edge trim, the new replicated window trim, entry roof pediments and the original restored front and side doors; installation of architectural detail which does not have a historical basis); altering or demolishing building additions; spot repointing of masonry. Structural stabilization of the property is also considered a major alteration.

Changes classified as major alterations are not necessarily unacceptable. In fact, approval of such changes shall not be unreasonably withheld. Under the Preservation Restriction such changes must be reviewed by the Commission and their impact on the historic integrity of the Building assessed.

It is the responsibility of the property owner to notify the Commission in writing when any major alterations are contemplated. Substantial alterations may necessitate review of plans and specifications.

The intent of the Preservation Restriction is to enable the Commission to review proposed alterations and assess their impact on the integrity of the structure, not to preclude future change. The Commission will attempt to work with property owners to develop mutually satisfactory solutions that are in the best interests of the Premises.

EXHIBIT F

Grantor's Proposed and Granted Changes – Final Restoration Plan for Levi-Carr House at 344 Merrimac Street, Newburyport, MA

- Window Replacement** – All the windows located on the Merrimac Street and Union Place façades of the Levi-Carr House will be replaced using a Green Mountian, double-hung, SDL wood windows. The windows will replicate federal style mullions, include spacer bars and applied mullions, concealed jamb-liners, and a half screen. The windows will be sized to fit the existing openings and include the mullion patterns as shown in Figures 1 & 2. One (1) existing 2/1 wood window from the second floor of the Merrimac Street facade will be relocated to replace the 1/1 second floor wood window on the side porch. The first floor 2/1 windows in the porch addition shall be retained in-place. All other windows on the side and rear elevations may subsequently be replaced provided the size of the openings remain the same and the Green Mountian replacement window is used with the same mullion pattern to match the front facades on Merrimac Street and Union Place.



Figure 1A - Window Replacement on the Merrimac Street Facade



Figure 1B - Window Replacement on the Union Place Facade

2. **Window Casing** – The existing window casing shall be restored or repaired and shall remain in place. Care will be taken to maintain and preserve the moldings and trim on the casing as shown in Figure 2.



Figure 2 – Existing Window Casing on the Merrimac Street Facade

3. **Front Entryway and Door** – The existing arts and crafts door will be replaced with a federal-style door. Figure 3 shows an example of a federal-style door. Prior to installation, the applicant will provide the Chairman of the Historic Commission information, including but not limited to images, of the proposed federal-style door. The lighting and mailbox will also be consistent with a federal style fixture and mailbox.



Figure 3 – Example Federal-Style Door Replacement

4. **Chimney Repair** – The existing central chimney will be repaired as needed and remain parged above the roofline. The Preservation Restriction will be expanded to include preservation of the entire central chimney from the basement (within the structure) to its termination above the roofline.



Figure 4 – Chimney Repair and Full Preservation (including the Interior)

5. **Front Step and Walkway** – The existing concrete sidewalk will remain in place and the front concrete step will be replaced with a smooth faced granite step.



Figure 5 – Walkway Preservation and Step Replacement

6. **Shutters** – Wood shutters (with federal-style pintels and dogs) will be added to all the windows on the Merrimac Street façade. The shutters shall be operable and sized to fully-enclose the windows as shown in Figure 6.



Figure 6 – Example of Federal-Style Shutters

7. **Gutters and Downspouts** – The existing aluminum gutters and downspouts along the Merrimac Street façade will be replaced with copper half-round gutters and round downspouts as shown in Figure 7.



Figure 7 – Examples of Gutters and Downspouts

8. **Soffit, Trim and Clapboards** – As shown in Figures 8A and 8B, the existing wood clapboards will be repair and replaced where needed and scarf joints shall be used. All soffit, crown molding or trim repair shall be a restoration, repair of a replacement in-kind.



Figure 8A – Soffit and Trim Repair



Figure 8B – Clapboard Repair

9. **Fencing** – The existing wood privacy fence shall be replaced with a cedar privacy fence no taller than 4 feet with a top rail as shown in Figure 9.



Figure 9 – Proposed 4 Foot Cedar Fence

10. **Rear Shed** – As shown in Figure 10, the existing rear shed will be removed due to its dilapidated condition.



Figure 10 – Rear Shed to be Removed

EXHIBIT G

NEWBURYPORT PLANNING BOARD SPECIAL PERMIT DECISION

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2022 JUL 19 AM 11:16



CITY OF NEWBURYPORT
PLANNING BOARD
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400
WWW.CITYOFNEWBURYPORT.COM



SO.ESSEX #142 Bk:41249 Pg:033
10/17/2022 10:54 AM PERMIT Pg 1/13
eRecorded

**RECORD OF PROCEEDINGS AND
SPECIAL PERMIT DECISION**

APPLICANT: Brad Kutcher
138 Elm St., Salisbury, MA 01952

PROPERTY OWNER: Sam Kimball

FILE NO.: PBSP-22-4

PROPERTY ADDRESS: **344 Merrimac Street**

DECISION DATE: 06/15/2022

MAP/PARCEL(S): 65-9

BOOK/PAGE: 40515-0295

ZONING DISTRICT: WMD/DCOD

PROCEDURAL HISTORY:

An application for a Special Permit was filed for relief from the City of Newburyport's Zoning Ordinance Section VI.C by the above-referenced owner and filed with the Planning Board on 4/6/2022 for the following request: *allow two residential structures on one lot*

Notice of the public hearing was published on 5/3/2022 and 5/10/2022 in the Newburyport Daily News. The public hearing was held on 5/18/2022 and continued to 6/15/2022 and 7/6/2022.

At the close of the public hearing, upon a motion to approve made by Rick Taintor and seconded by Alden Clark, the Planning Board voted as follows:

Bonnie Sontag, Chair	<u>Yes</u>	Don Walters	<u>Yes</u>	Rick Taintor	<u>Yes</u>
Elisabeth DeLisle	<u>Yes</u>	Alden Clark	<u>Yes</u>	Robert Koup	<u>Yes</u>
Heather Rogers	<u>Yes</u>	Jamie Pennington	<u>Yes</u>	Richard Yeager	<u>Absent</u>

Having received the necessary two-thirds supermajority vote of the Planning Board, in accordance with M.G.L. Chapter 40A Section 9, as amended, the petition was therefore **APPROVED**.

PLANS AND DOCUMENTS:

The Board approved the project subject to the following plans attached hereto:

- "Proposed Front/Right Side Elevations, Proposed New Residence at 344 Merrimac Street, Newburyport, MA 01950" prepared by Scott M. Brown Architects and dated February 3, 2022; and
- "Proposed Rear/Left Side Elevations, Proposed New Residence at 344 Merrimac Street, Newburyport, MA 01950" prepared by Scott M. Brown Architects and dated February 3, 2022; and
- "Proposed Plan of Land, 344 Merrimac Street, Newburyport, MA" prepared by GA Consultants, Inc. dated October 11, 2021 and revised on January 8, 2022 and January 25, 2022 (ZBA referenced plan); and
- "Planting Plan, 344 Merrimac Street, Newburyport, MA" dated June 13, 2022 consisting of Sheet L10.0; and
- "Planting Details, 344 Merrimac Street, Newburyport, MA" dated June 13, 2022 consisting of Sheet L20.1; and
- "Materials Details, 344 Merrimac Street, Newburyport, MA" dated June 13, 2022 consisting of Sheet L20.2.

This application was also accompanied by the following plans, drawings, documents, and submittals, which are hereby incorporated into this decision:

- "VI.C Project Narrative for 344 Merrimac Street" dated April 5, 2022; and
- "Final Draft Preservation Restriction for 344 Merrimac Street, Newburyport, MA" accepted by the Newburyport Historical Commission on June 23, 2022.

Throughout its deliberations, the Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, as made at the public hearing.

FINDINGS:

In order to grant this Special Permit pursuant to Section VI.C, this Board must determine that the applicant's project meets certain specific criteria, as provided in Section X-H (7) and Section VI.C of the NZO. These criteria and the Board's project specific findings for each are enumerated here:

VI.C Special Permit Development Standards:

The lot and buildings do not comply with the two of the development standards set forth in Section VI.C(2)(a), but the Newburyport Zoning Board of Appeals has granted two variances from said development standards to allow the applicant to apply for this Special Permit:

- i. The applicant received a Variance from the (ZBA) to allow two dwellings on a lot with less than the required the lot area for a two-family dwelling in the WMD zoning district. The unique lot with frontage on three public streets was the primary hardship found by the ZBA in the granting of said Variance. Accordingly, the required dimensional standards for the subject structures/lots have been commensurately reduced for the purposes of compliance with Section VI-C(2)(a)(i).
- ii. The applicant received a Variance from the ZBA to allow a new principal single-family building on the lot with less than the required front yard setback for principal single-family buildings. The unique lot with frontage on three public streets was the primary hardship found by the ZBA in

the granting of said Variance. Accordingly, the required dimensional standards for the subject structures/lots have been commensurately reduced for the purposes of compliance with Section VI-C(2)(a)(ii).

- iii. But for the dimensional Variance approvals received and noted above, both residential buildings comply with all other applicable zoning regulations.
- iv. The applicant's lot is a corner lot with frontage on three public streets. The existing historic structure fronts Merrimac Street and the new structure will front Union Place. Each residential building will have a separate and distinct rear yard conforming to the rear yard requirement for the WMD zoning district.

VI.C Special Permit Criteria:

1. The design and layout of buildings and open spaces on the site is consistent with the established character, scale, massing and density of the surrounding neighborhood.
2. The buildings and accessory off-street parking areas maintain a compatible relationship to adjacent properties in terms of location and design, and will not significantly reduce the privacy of adjacent properties.
3. Developing a second residential building on the lot will be equally or more beneficial to the neighborhood than subdividing the lot or providing two (2) dwelling units in a two-family dwelling.

General Special Permit Findings:

1. **The use requested is listed in the table of use regulations or elsewhere as in the ordinances requiring a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.**

The property is located in the WMD zoning district. Two-family residential use is permitted in the WMD zoning district.

2. **The requested use is essential and/or desirable to the public convenience or welfare.**

The applicant proposes restoring the existing historic structure to a single-family residence and entering into a Preservation Restriction Agreement to ensure that the structure will be preserved in perpetuity. A perpetual Preservation Restriction final draft was accepted by the Newburyport Historical Commission on June 23, 2022.

3. **The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.**

The use on the property will remain a two-family use. The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

4. **The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety or the general welfare.**

The current use on the property is two-family and the applicant is seeking to separate the use into two separate structures. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety or the general welfare.

5. **Any special regulations for the use, set forth in the special permit table are fulfilled.**

There are no special regulations for the two-family use. The applicant has addressed the required criteria under Section VI.C.

6. **The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.**

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare. The proposed project will improve the integrity and character of the historic Levi-Carr House and **will be consistent with the character of** the structures and lots within the surrounding neighborhood.

7. **The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.**

There will not be a change in the two-family use of the property. The proposed project is consistent with the surrounding historic and current land use pattern within the immediate neighborhood.

8. **The proposed use is in harmony with the purpose and intent of this ordinance.**

More than one residential structure on a lot is allowed by Special Permit from the Planning Board. Two-family use is allowed in the WMD district. The proposed use is in harmony with the purpose and intent of this ordinance. No new non-conformities are being created.

9. **The proposed use shall not be conducted in a manner as to emit any dangerous, noxious, injurious, or otherwise objectionable fire, explosion, radioactive or other hazard, noise, vibration, smoke, dust, odor, or other form of environmental pollution.**

The proposed use will remain residential in nature and is therefore not expected to emit any dangerous, noxious, injurious, or otherwise objectionable fire, explosion, radioactive or other hazard, noise, vibration, smoke, dust, odor, or other form of environmental pollution.

STANDARD CONDITIONS:

In view of the foregoing findings, the Planning Board hereby grants a Special Permit approval subject to the terms and conditions stated below:

1. **Recording of Decision and Approved Plans:** The applicant shall file this decision with the Southern Essex County Registry of Deeds (or Land Court if registered land) and a copy of the decision stamped with the recording information (Book/Page or Land Court document number) shall be included with the application for any related Building Permits. To ensure compliance with this decision, site/construction plans issued to any contractors shall make clear reference to this written decision and conditions of approval contained herein.
2. **Permit Lapse:** This permit will lapse after three years from the date of granting and shall no longer be valid if a substantial use has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause, within this period. Excluded from any lapse period is the time required to pursue or await the determination of any appeal taken pursuant to MGL Chapter 40A Section 17.
3. **Modifications to Approved Plans:** The applicant, property owner, and their successors or assigns, shall adhere to the above referenced and approved plans which are incorporated herein by reference. Should the applicant and/or property owner determine that a plan(s) needs to be

modified, they shall notify the Planning Board and Office of Planning and Development (OPD) of the proposed modifications in writing and obtain approval from the Planning Board (or OPD as specified herein) for such modifications prior to making any changes in the field. The OPD shall determine whether such modifications are minor or major (material) in nature. The Planning Board shall schedule a public hearing for review and approval of any changes deemed major or material in nature to the permit originally issued. Any major or material alterations or changes to the above referenced plans shall require prior approval by the Planning Board. Minor changes may be approved in writing by the OPD without further review by the Planning Board. The determination as to whether an alteration or change in plans is material and therefore subject to Planning Board review shall be made at the discretion of the OPD.

4. Curb Cuts: Any new driveway opening or curb cuts that have egress to the public right of way must be approved by the Director of Public Services or Designee in advance of construction.
5. Fire Department Review and Approval: The applicant, owner, successors, or assigns shall be responsible for designing the utilities to meet City standards and ensuring compliance with fire codes prior to commencing work under this approval.
6. Stormwater Management Permit: If the project involves more than 10,000 square feet of land disturbance, the applicant, owner, his successors or assigns, shall obtain a Stormwater Management Permit under the City of Newburyport Stormwater Management Ordinance (Code of Ordinances, Chapter XVII) from the Department of Public Services prior to beginning any site work, including tree clearing and/or regrading. The applicant shall provide a copy of said permit to the Building Commissioner and Zoning Administrator with the application for any related Building Permits.
7. Code & Permit Compliance: The proposed exterior building demolition shall be limited to the scope of work shown in the above referenced and approved plans, and shall remain at all times in compliance with the Demolition Control Overlay District (DCOD) zoning provisions. Any changes that exceed the above scope (including but not limited to the removal of existing exterior wall wood framing) shall require that such modification be submitted to, and approved in writing by, the Zoning Administrator or the Planning Board, as the case may be, prior to such additional demolition.
8. Submission of As-Built Foundation Plan: A copy of the as-built foundation plan shall be provided to the Office of Planning and Development and Building Department upon foundation completion.
9. Site Lighting: All lighting fixtures, including but not limited to, signage, building, parking lot, site, decorative, and security, shall feature cut off fixtures so that the lights are pointed downward reducing light pollution and glare onto abutting properties.
10. Hours of Construction: The developer shall take reasonable care not to disturb surrounding properties and property owners during construction. Construction work shall be limited to the hours between 7 a.m. and 5 p.m. Monday through Friday and 8 a.m. and 4 p.m. on Saturday.
11. Trees and Sidewalks: The applicant shall be responsible for compliance with the applicable provisions of Sections II-B.46a, X-H.6.C, and X-H.7.B.10 of the Newburyport Zoning Ordinance. If at least one (1) dwelling unit is added or if the cost of the project exceeds more than 50% of the physical value of the entire property, the applicant shall obtain the written recommendation from the Newburyport Tree Warden and Department of Public Services prior to building permit with respect to plans and specifications for (1) the reconstruction, repair, and/or replacement,

where appropriate, of all city-owned sidewalks actually adjoining the project Property, in accordance with Sections 12-54 and 12-55 of the Newburyport Code of Ordinances; and (2) the planting, preservation, and/or replacement, where appropriate, of street trees along all public rights-of-ways actually adjoining the project Property, in accordance with article VI of chapter 12 of the Newburyport Code of Ordinances. Said improvements shall be completed prior to occupancy or a proposal shall be submitted to the Zoning Administrator indicating proposed completion schedule.

12. Submission of As-Built Site Plans: A copy of the as-built site plan stamped by a professional engineer shall be submitted to the Office of Planning and Development at the completion of the construction.

SPECIAL CONDITIONS

In addition to the foregoing standard conditions, the Planning Board hereby grants approval subject to the Special Conditions stated below:

1. No further subdivision: Per Section VI.C of the Newburyport Zoning Ordinance, no further subdivision of this lot shall be permitted. This condition shall be memorialized as a deed restriction for both structures.
2. Contribution to the Affordable Housing Trust: In consideration of the increase in value represented by the granting of a special permit under this section VI-C, the applicant shall make a financial contribution to the Affordable Housing Trust Fund in an amount equal to twenty dollars (\$20.00) per square foot of the additional second residential building on the lot, said payment to be made prior to the issuance of a building permit for said second residential building. The applicant has estimated the above referenced contribution to be approximately \$40,000 based on the proposed plans.
3. Prior to grant of any Building Permits for the proposed second/rear dwelling unit, the applicant/owner shall copy the Zoning Administrator and Office of Planning and Development on his/her submission to the Massachusetts Historical Commission (MHC) of a fully drafted perpetual Preservation Restriction (PR), including all applicable attachments and exhibits, approved by the Newburyport Historical Commission (NHC), for the existing primary structure at 344 Merrimac Street. All construction work, and building permits related thereto, shall comply with the stipulations identified in Special Condition #4 below.
4. Prior to grant of any Occupancy Permits for the proposed second/rear dwelling unit the applicant/owner shall provide the Zoning Administrator and Office of Planning and Development with a copy of the final, fully executed and recorded PR referenced in Special Condition #3 above, which shall incorporate the stipulations as recommended by the Newburyport Historical Commission as laid out in the above referenced Preservation Restriction accepted by the Newburyport Historical Commission on June 23, 2022.
5. Prior to grant of any Occupancy Permits for the proposed second/rear dwelling unit, the applicant/owner shall complete all restoration work as shown in the document entitled "Grantor's Proposed and Granted Changes – Final Restoration Plan for Levi-Carr House at 344 Merrimac Street, Newburyport, MA" which is included as Exhibit D in the above referenced PR. Completion of said work shall be verified in the field by the Zoning Administrator. The Board may, at its sole discretion, allow said Occupancy Permit to be released for the proposed second/rear dwelling unit prior to the completion of said work provided that financial security deemed adequate in the opinion of the Board, is provided to be held in escrow pending said recording.

6. Easement for Tree Maintenance along Union Place: Consistent with the applicable provisions of Sections II-B.46a, X-H.6.Q, and X-H.7.B.10 of the Newburyport Zoning Ordinance, the Applicant shall include in the condominium documents and on record for both *dwellings*, an easement to allow the City of Newburyport's Department of Public Services to access and maintain the proposed trees along *Union Place* since they will not be placed in the existing public right-of-way. Said provision shall be reviewed and approved by the Director of Planning and Development, and proof of proper recording shall be provided to the Zoning Administrator prior to the issuance of any Certificate of Occupancy.

CONCLUSION AND DECISION:

For all of the reasons stated herein, the petition for a Special Permit is therefore **APPROVED**.

APPEALS:

Appeals shall be made within twenty (20) days after the date of filing of this decision in the Office of the City Clerk directly to a court of competent jurisdiction in accordance with the provision of M.G.L. Chapter 40A Section 17.

SIGNATURE OF THE BOARD:

Electronic signatures appearing on this decision are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

Bonnie Sontag

Bonnie Sontag, Chair

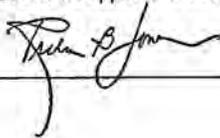
07/19/22

Date

CITY CLERK CERTIFICATION:

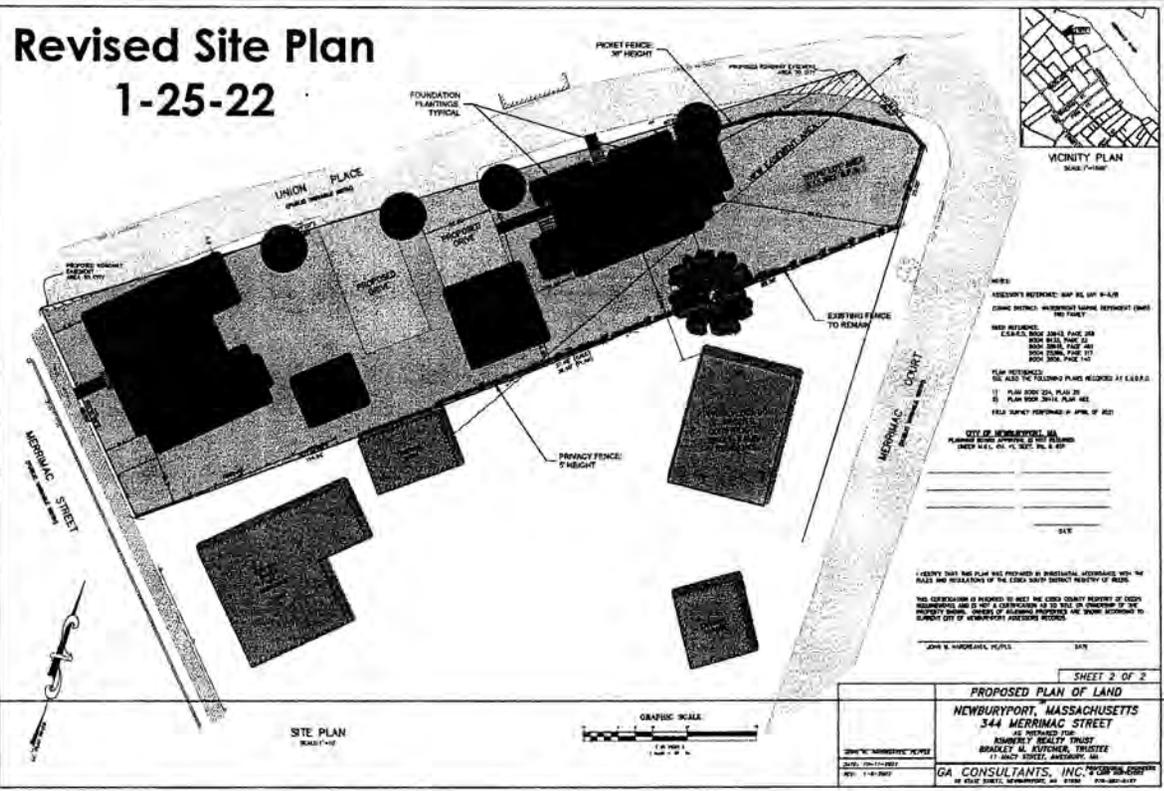
I, Richard Jones, City Clerk of the City of Newburyport, hereby certify pursuant to M.G.L. Chapter 40A Section 17, that the Special Permit decision for the property known as 344 Merrimac Street was filed in the Office of the City Clerk on July 19, 2022. Twenty (20) days have elapsed since the decision was filed and no appeal has been filed.

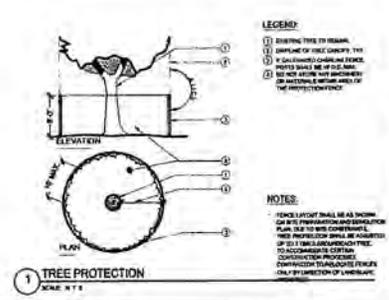
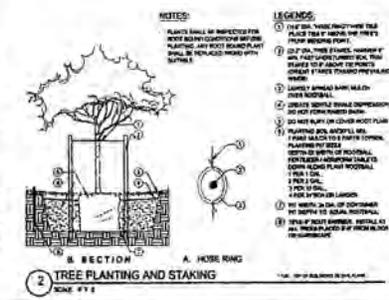
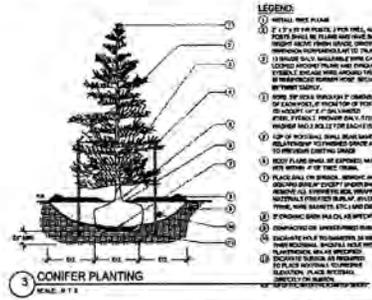
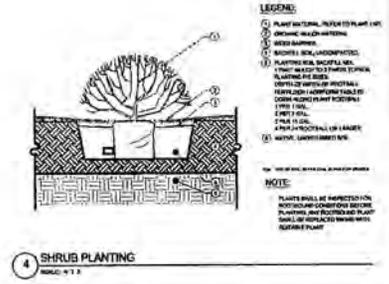
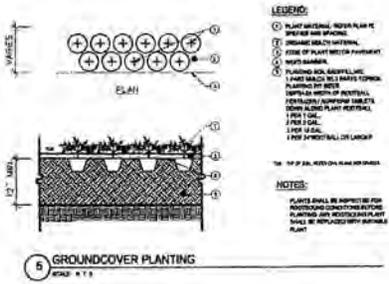
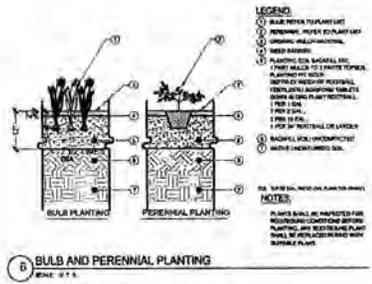
City Clerk



October 11, 2022

Date





PROPOSED PLAN OF LAND

DATE: 10/15/2010
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT: [Project Name]

PLANTING DETAILS

L20.1

1 of 1

ASSENT BY MORTGAGEE

Institution for Savings in Newburyport and Its Vicinity is the holder of a Mortgage from Samuel Bartow Kimball and Michelle Christine Kimball said mortgage being dated September 14, 2022, and recorded with the Essex South District Registry of Deeds at Book 41197, Page 318. The Premises affected by this instrument is 344 Merrimac Street, Newburyport, Essex County, Massachusetts. Said Mortgagee by this instrument assents to the Preservation Restrictions from its Mortgagor, Samuel Bartow Kimball and Michelle Christine Kimball, to the City of Newburyport as set forth in an Agreement dated _____, 2023, and recorded herewith, and agrees that upon the Mortgagee's exercise of its right to foreclosure on the mortgaged Premises it shall assume the burdens of the Preservation Restrictions accepted by the Mortgagor.

Signed as a sealed instrument this ____ day of _____, 2023

By: [Signatory Name]
[Signatory Title]
Institution for Savings in Newburyport and Its Vicinity

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2023, before me, the undersigned notary public, personally appeared, _____, proved to me through satisfactory evidence of identification being _____ to be the person whose name is signed on the preceding document and acknowledged to me she/he signed it voluntarily for its state purpose and had authority to sign in such capacity.

Notary Public
My Commission Expires:

Committee Items – May 22, 2023

Public Works & Safety

In Committee:

- APPT00403_05_08_2023 Stephen H. Bradbury III 24 Howard St. Fire Chief 6/1/2028
- ODNC00150_05_08_2023 Amend Municipal Fees Street Permits and Employee Permits (COTW)
- ODNC00151_05_08_2023 Amend Ch 13-180 Residential Permits (COTW)
- ODNC00152_05_08_2023 Amend Ch 13-181 Municipal Parking Facilities (COTW)
- ODNC00153_05_08_2023 Amend Ch 13-166 Anti-Shuffling (COTW)



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
SEAN R. REARDON, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2023 MAY -5 A 8:46

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council
From: Sean R. Reardon, Mayor
Date: May 8, 2023
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as Fire Chief for the City of Newburyport. This term will expire on June 1, 2028.

Stephen H. Bradbury III
24 Howard Street
Newburyport, MA 01950

MEMORANDUM

To: President and Members of Newburyport City Council

From: Mayor Sean R. Reardon

Re: Fire Chief Search Result

Date: May 6, 2023

After conducting a thorough search process in accordance with Section 2-316 of the Code of Ordinances, I am appointing Stephen H Bradbury III as the next Fire Chief for the City of Newburyport. This appointment has been submitted to you for approval by the Council, and will be effective June 1, 2023 should the appointment be approved at the Council's meeting on May 29th. Bradbury is the current Acting Chief in Newburyport, and also serves as acting Emergency Management Director. He has served as Deputy Fire Chief and Assistant Emergency Management Director since September 2000, and first joined the Newburyport Fire Department as a Call Firefighter in 1993.

The procedure for hiring a new chief follows the proscriptive process in the Code of Ordinances mentioned above, and begins with the selection and approval of a fire chief screening committee. I am grateful to former Essex County Sherriff Frank Cousins, who chaired this committee and kept the process on track. I would like to thank all members of the screening committee, Topsfield Fire Chief Jen-Collins Brown, HR Director Donna Drelick, Retired Police Officer Nora Duggan, Harbormaster Paul Hogg, Councillor Jim McCauley, Marshal Mark Murray, Fire Lieutenant Kevin Parseghian, and Councillor Connie Preston. This group reviewed the process for the solicitation and advertisement of the position, then performed a first review of all applications. They then arranged for interviews of selected candidates, after which they selected top candidates to proceed to an Assessment Center.

Five individuals were selected to participate in the Assessment Center. One removed their name from consideration before the event. The Assessment Center was held on Thursday, April 27th and was facilitated by consultant BadgeQuest, Inc. of Plymouth. BadgeQuest had four facilitators, three of whom were retired fire chiefs who ran the five exercises in which the candidates participated. These included evaluations of their fire management, leadership, employee management, and decision making. The four candidates all received passing grades and were given very good feedback by BadgeQuest.

After receiving the results from the Assessment Center, the Screening Committee voted unanimously to send all four candidates to the Mayor for interviews. I interviewed all the candidates and reviewed their resumes and the results of the Assessment Center. This is an important decision that will affect the future of the Fire Department, and I took many factors into account. The materials from the Assessment Center are very clear in stating that the appointing authority should not rely on numerical scores alone when making the decision on Chief, and that they should be used as a factor alongside other considerations.

Acting Chief Bradbury brings considerable experience from his over 20 years as Deputy Chief, and he has earned the respect of all his colleagues. He has stepped up as Acting Chief over the last 9 months, and has shown that he is comfortable with the budget and personnel management that the position requires, alongside other functions. In the Assessment Center he scored highly on activities designed to

STEPHEN H BRADBURY III

24 Howard St, Newburyport, MA 01950 · 978-265-4174

Sbradbury@cityofnewburyport.com

March 14, 2023

Donna Drelick
Director Human Resources
City of Newburyport
60 Pleasant St., PO Box 550
Newburyport, MA 01950

Dear Ms. Drelick,

Please accept this letter as part of my application for the City of Newburyport Fire Chief position. During the last eight months as the Acting Fire Chief/Emergency Management Director for the City of Newburyport, the fire department has continued to seamlessly move forward. The morale at the department is at an all-time high, and we continue to operate as a highly efficient emergency services provider.

I proposed a budget that successfully integrates within the city's overall spending plan for fiscal year 2024. Additionally, I have helped facilitate the design and secured the bonding of the new John F. Cutter Jr. West End Fire Station. I have reduced overtime spending and disposed of excess equipment that has been costly to the city.

During 22 years' experience as a Chief Fire Officer for the City of Newburyport, I have been incident commander at numerous fires, explosions and other emergencies. Furthermore, with a proven track record of supervising day-to-day operations in managing all administrative functions, over 48 personnel, interpretation of labor contracts and a vast background in fire prevention.

As a fire fighter and a lifetime resident of the City of Newburyport, with deep family ties that go back generations in this city, my qualifications speak for themselves. You will not find another candidate who is as vested in this community. I greatly appreciate the opportunity to apply for and continue to serve as the Fire Chief for the City of Newburyport.

Very respectfully,

Stephen H. Bradbury III
Acting Fire Chief/Emergency Management Director
City of Newburyport

STEPHEN H BRADBURY III

24 Howard Street, Newburyport, MA 01950 · (978) 265-4174

Sbradbury@cityofnewburyport.com

Dedicated, dynamic, and proven leader with 29 years of fire rescue experience with deep roots and ties to the City of Newburyport. High degree of knowledge in all aspects of fire department operations acquired through working over 22 years as a Chief Officer. Highly competent in fire administration, budget management, emergency scene operation, and investigation. Seeking to apply my knowledge and leadership skills to ensure the safety of the greater Newburyport community as the Fire Chief.

EXPERIENCE

JULY 2022 – PRESENT

ACTING FIRE CHIEF/EMD, CITY OF NEWBURYPORT, MA

- Providing leadership and supervision to the department staff of 46 personnel as Incident Commander at all major emergencies
- Oversee spending of the \$4.2M fire and emergency management budget
- Directing the preparation of FY24 departmental budget to ensure integration with overall city budget
- Responsible for planning and designing the new \$9.2M substation, with relocation of staff to fire headquarters
- Implementing department policy changes to ensure efficiency and standardization
- Overseeing implementation of our FIRST DUE SOFTWARE, the department's first software update in 20 years
- Consistently securing grants for the department including SENIOR SAFE for the first time
- Working to update the Comprehensive Emergency Operations Plan
- Managing Tier 2 chemical inventory reporting for industrial park and other required entities
- Working to reduce overtime levels
- Submitted a detailed capital improvement plan
- Secured funding for a Zetron alerting system for city headquarters
- Formed a committee to replace the fire boat
- Added a second member from our department to the state hazardous material team

SEPTEMBER 2000 – JULY 2022

DEPUTY FIRE CHIEF/ASSISTANT EMD, CITY OF NEWBURYPORT, MA

- Managed the day-to-day operations of the department that would include emergency response, fire prevention, inspections, budget planning, and training
- Formed a partnership with local police as the lead fire investigator for the last 10 years, and filed all required fire reports
- Incident commander of numerous fires, explosions, and other emergencies
- 2013 winner of Chief Michael Maloney 260 Forever "Heroes in Action"
- Fire inspector responsible for the completion of inspections, building permits, and certificates of occupancy in the City of Newburyport while following up for compliance
- Reviewed and approved commercial and residential building plans

- Oversaw the life safety requirements in the building/remodeling of all three schools, Anna Jaques Hospital, and several large apartment complexes
- Partnered with all local departments in the City of Newburyport to ensure public safety
- Assisted the Emergency Management Director with planning for emergencies from natural and manmade disasters
- IC and/or assistant IC to numerous storms on Plum Island
- Original member of the cities Technical Review Committee
- Member of the TSAC Committee
- Participated in Seabrook station drills

AUGUST 1996 – SEPTEMBER 2000

FIREFIGHTER, CITY OF NEWBURYPORT, MA

- EMT that trained in all aspects of firefighting
- Completed the Flammable Gas Firefighting program in 1997
- Appointed Chairperson of Fire Department Muscular Dystrophy Association in 1997
- Santa Clause Parade Chairperson since 1999
- Board of Director for the Sick Benefit Association
- Editor of Newburyport Fire Department yearbook

DECEMBER 1993 – AUGUST 1996

CALL FIREFIGHTER, CITY OF NEWBURYPORT, MA

- Member of Ladder Company No. 2
- Completed the Protective Breathing, Search and Rescue Program in 1994

EDUCATION

1988

BACHELOR OF SCIENCE IN BUSINESS, SALEM STATE COLLEGE, SALEM, MA

1992

ASSOCIATES IN FIRE SCIENCE TECHNOLOGY, NORTH SHORE COMMUNITY COLLEGE, DANVERS, MA

1996

EMERGENCY MEDICAL TECHNICIAN (EMT)

CERTIFICATIONS

- Massachusetts Emergency Management Director Program
- The Fire Officers Academy
- Fire Prevention Officer
- Basic Fire Investigation
- Hazardous Material – First Responder Operational
- Arson Awareness for The First Responder
- Emergency Response to Terrorism: Basic Concepts
- Fire Alarm Course
- Vehicle Extraction: New Technology

SKILLS

- Budget management and organization
- Implementation of fire department policies and procedures
- Incident command and emergency scene operations
- Solution driven leader
- Oral and written communication
- Fire prevention
- Fire laws and regulations
- Code enforcement
- Investigations
- Labor relations/union contracts
- Fleet management
- Supervision

ACTIVITIES

- 20-year co-chair of Santa for Kids
- 14-year treasurer of Fireman's Association
- Past chairman of firefighters Muscular Dystrophy Association
- Past board member of Fireman's Sick Benefit Association
- Member of Restore Our Stadium committee
- Building committee member for World War Memorial Stadium

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 8, 2023

Appendix B Municipal Fee Schedule

Section 2 Municipal Fees by Category

Section – 2-I - Parking fees (permits, rates).

The City Council of the City of Newburyport hereby amends Appendix B Municipal Fee Schedule Ordinance Section 2-J Parks and Recreation fees with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

2-I - Parking fees (permits, rates).

Parking Permits	Fee
Resident Annual Permit—Paid Parking Facilities	\$15.00 \$5.00, Senior Rate
Employee Quarterly Permit, All Day Parking Facilities <u>and Titcomb Street Garage</u>	\$50.00 <u>\$60.00</u>
Resident Monthly Pass for Titcomb Street Garage	\$60.00
Non-Resident Monthly Pass for Titcomb Street Garage	\$80.00
Employee Pass for Titcomb Street Garage	\$50.00
<u>Residential Annual Street Permit (sec 13-180)</u>	<u>\$10.00</u>
<u>Residential Daily Street Permit Visitor Pass (sec 13-180)</u>	<u>\$5.00</u>

Parking, Hourly Fees in Lots	Fee
Hourly Fee—Waterfront Trust Lot, State Street Lot, Titcomb Street Garage, NRA West and East Lot	\$1.00/hour
Hourly Fee—Green Street Lot, Prince Place Lot and Hales Court Lot	\$1.50/hour
Plum Island Parking Lot	Fee
Resident	\$10.00, Weekday \$12.00, Weekend
Non-Resident	\$15.00, Weekday \$20.00, Weekend

Councillor James J. McCauley

In City Council May 8, 2023:
Motion to refer to Public Works & Safety and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

May 8 , 2023

AN ORDINANCE TO AMEND CH. 13 SEC. 180 WITH RESPECT TO RESIDENTIAL PARKING ZONES

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Chapter 13 Section 13-180 of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to include the following parking restrictions with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

CHAPTER 13. – TRAFFIC AND MOTOR VEHICLES

Sec. 13-180. – Residential Parking Zones

(a) *Definitions.* As used in this section:

(3) Inn Street/State Street Mixed-Use Area shall mean the contiguous area generally bounded by Market Square to the northeast, State Street to the southeast, Pleasant Street to the southwest, and the Inn Street Mall to the northwest, and including all parcels within Assessor's Block 4, with the exception of Assessor's Parcels 4-1, 4-1-A, 4-2 (Inn Street Playground), and 4-30 (Inn Street Mall itself) and all properties on the east side of State Street from the southerly side of Liberty Street to northerly side Charter Street.

(g) Designation of two-hour residential parking permit zones.

(1) Zone 1: Includes the following streets between State Street, Water Street, Federal Street, And High Street:
Center Street, on the easterly side from Liberty Street to Middle Street.
Charter Street, on the southwesterly side for its entirety.
Essex Street, on both sides for its entirety.

Fair Street, on the southeasterly side from Water Street to Prospect Street, and on the northwesterly side the southwesterly edge of the driveway at 2 Fair Street (Map 008, Lot 028) to Prospect Street.

Fruit Street, on both sides for its entirety.

Garden Street, on both sides for its entirety.

Independent Street, on the northwesterly side from Water Street to Liberty Street.

Liberty Street, on both sides from Center Street to State Street.

Liberty Street, on both sides from Fair Street to Independent Street, and on the southwesterly side only from Independent Street to Federal Street.

Middle Street, on the southwesterly side from State Street to Federal Street.

Orange Street, on both sides for its entirety.

Otis Place, on both sides for its entirety.

Pike Street, on the westerly side from Liberty Street to the southwesterly lot line of 10 Pike Street (Map 008, Lot 013).

Prospect Street, on the southerly side from State Street to Federal Street.

Spring Street, on both sides for its entirety.

Temple Street on the southwesterly side from State Street to Federal Street.

(j) ~~Inn Street/State Street Mixed-Use Area.~~ A bona fide hardship exists for residents of the Inn Street/State Street Mixed-Use Area caused by unique or special conditions there that preclude designation of a residential parking permit zone incorporating any of the adjacent streets, which are commercial in nature. Notwithstanding anything in this [section 13-180](#) to the contrary, the parking clerk or their designee shall issue residential street parking permits for use ~~within the Green Street Parking Lot (Assessor's Parcel [3-28](#)) to no more than four (4) households that reside within the Inn Street Mixed-Use Area~~ within Zone 1 described above.

~~(1) Applicants under this subsection (j) may apply, and renew or transfer such permits pursuant to subsections (c) and (d), respectively, but shall remain ineligible always for visitor parking permits pursuant to subsection (f).~~

~~(2) A parking permit under this subsection (j) shall not guarantee or reserve a parking space within the Green Street Parking Lot, nor shall it excuse the permit holder from observance of any traffic or parking regulation other than the time limit on parking, or from having to move all vehicles from the Green Street Parking Lot as ordered by the city during a declared snow emergency.~~

~~(3) It shall be a violation of this section to use a parking permit issued under this subsection in any residential parking permit zone.~~

~~(4) The parking clerk or their [designee] shall issue parking permits under this subsection on a first come, first served basis, or by lottery if more than four (4) complete applications are filed on the same day.~~

Councillor James J. McCauley

In City Council May 8, 2023:

Motion to refer to Public Works & Safety and COTW by Councillor Zeid, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

City of Newburyport

05/17/2023



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Legend	
	Municipal Boundary
	Paved
	Unpaved
	Major Road
	Local Road
	Railroad
	Roads
	Road Right of Way
	Intrastate



IN CITY COUNCIL

ORDERED:

May 8, 2023

AN ORDINANCE TO AMEND CH. 13 SEC. 181 WITH RESPECT TO MUNICIPAL PARKING FACILITIES

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Chapter 13 Section 13-181 of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to include the following parking restrictions with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

CHAPTER 13. – TRAFFIC AND MOTOR VEHICLES

Sec. 13-181. Municipal parking facilities.

- (a) No person shall park a vehicle between the hours of 8:00 a.m. to 8:00 p.m. (6:00 p.m. from January 1st through March 31st) Monday through Saturday, and Sunday between the hours of noon to 6:00 p.m. in the following described municipal parking facilities without first satisfying the payment required by the City of Newburyport.
- (1) Prince Place Lot.
 - (2) Harris Street Lot.
 - (3) Green Street Lot.
 - (4) Market Landing Park East Lot.
 - (5) Market Landing Park West Lot.
 - (6) Somerby Landing Lot.
 - (7) Titcomb Street Garage.
 - (8) Hales Court Lot pursuant to the city's license from the United States Postal Service.

(b) In order to facilitate turn-over of parking spaces, no person shall park a vehicle for a period of time longer than three (3) consecutive hours between the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, and Sunday between the hours of noon to 6:00 p.m. in the following described lots.

(1) Harris Street Lot.

(2) Green Street Lot.

(3) Somerby Landing Lot.

(4) Hales Court Lot pursuant to the city's license from the United States Postal Service.

A person whose vehicle remains in one (1) of the above-listed lots beyond the three (3) consecutive hour time limit will be subject to fines for violation of this section as provided in section 1-18 of this Code, even if payment is made for additional time.

(c) No ~~campers or other vehicles designed to accommodate sleeping~~ shall park overnight in any municipal parking facility described in subsection (a) above from 11:00 ~~8:00~~ p.m. to 8:00 ~~7:00~~ a.m. ~~daily~~.

Councillor James J. McCauley



IN CITY COUNCIL

ORDERED:

May 8, 2023

AN ORDINANCE TO AMEND CH. 13 SEC. 166 WITH RESPECT TO ANTI-SHUFFLING

Be it ordained by the City Council of the City of Newburyport as follows:

CHAPTER 13. – TRAFFIC AND MOTOR VEHICLES
ARTICLE IV. SPECIFIC STREET SCHEDULES
DIVISION 6 STOPPING, STANDING AND PARKING

THAT Chapter 13 Section 13-166 of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to include the following parking restrictions with deletions ~~double-stricken and italicized~~ and additions double-underlined and italicized:

~~Sec. 13-166. – Amendment, addition and deletion by order.~~

~~In order to efficiently and expeditiously address parking issues within the City of Newburyport, any and all amendments, additions and deletions to these sections contained in division 6 may be by order of the council and, furthermore, the clerk's office shall maintain a list of said amendments, additions and deletions and post the same on the appropriate page of the City of Newburyport website.~~

Sec. 13-166 – Anti-Shuffling

The changing of the parked position of a vehicle from one parking space to another within a municipal parking lot or the same block on either side of the street or roadway shall be deemed one continuous time period as designated by related signs.

Councillor James J. McCauley