

Newburyport Redevelopment Authority
April 29, 2008

Present: Nat Norton, Tim Brennan, and Rick Taintor

Absent: Erford Fowler and Patty Dorfman

Public Comment:

none

Sign Applications:

Oregano's – 16 Pleasant Street. Two separate applications were received, one for an awning, one for a sign. Mr. Taintor asked about the discrepancies between the two applications. The applicant said that Claude Elias is listed as the owner; Chester Cappucci is the authorized signatory. The awning application is to recover it in red, and there was no request for any wording. Mr. Taintor also asked if there was any window signage. Mr. Cappucci said no, that was all that was planned. Mr. Taintor motioned to approve both applications and Mr. Brennan seconded. All voted in favor and it was approved 3-0.

Zoom Logistics – 2 Threadneedle Alley. The applicant said it was a simple sign awning for a second floor business. The address is actually 30 State Street. Mr. Taintor said a variance would be necessary from the ZBA. Regulations state that only thing that is allowed is a directory sign. The applicant said it was a first floor entrance. The NRA asked the applicant to take the application to Building Department for a building department denial. The board took no action on the application. The applicant requested to withdraw the application.

Newburyport Clothing Company - 8 Market Square. The sign is too large. Mr. Taintor moved to disapprove and Mr. Brennan seconded. All voted in favor.

Lively Kids – 15 State Street. Moving the business location. The awning will be the same as the existing without the domed top. Mr. Sidford approved the application. Mr. Brennan motioned to approve, Mr. Taintor seconded and all voted in favor.

Mr. Norton handed out a letter from K&P regarding the ZBA's authority over signage in the downtown area.

Custom House request for lease of land:

The Custom House requested a long term lease. A formal decision would be made after speaking with the NRA's attorney. The museum's long term goal is to regain land for maritime purposes. They thought it was a good time since the NRA was now planning for the park. Allowing a lease could also allow them space for fundraising. The Custom House requested a two-year self-renewing lease. This short term lease could be granted until a long term lease could be figured out. Mr. Norton asked what the primary purpose was. On the short term, it would be used for fundraising events since there is little internal space. They were also trying to prevent conflicts over usage of the land. They hoped to be able to organize and schedule events. In the future, they hoped to expand the size of the Custom House. They felt that requiring NRA approval added another layer of complexity which doesn't help the ones putting on the event.

They said they have been taking care of the property for about 15 years. This would be a way to streamline it. They hoped that event promoters wouldn't need NRA approval to use the land. The Custom House also has the most vested interests in what happens on the property. They have their own liability insurance. Mr. Taintor wanted to ensure that the City wasn't liable. Mr. Norton asked if there were any short term plans that are being prevented by not having a lease. Mr. Norton also suggested that if the lease idea was rejected the NRA could still allow the Custom House to accommodate their needs by not allowing anyone else to use the property. Mr. Norton suggested that the lawn use could be changed with or without a lease to help with scheduling and streamlining. He said the NRA hopes to avoid any encumbrances on the land until the entire plans for the property are known. Mr. Taintor wanted to make sure that something could happen on the lawn in case the Custom House is unable to pull it off. He said that both groups have to work together and allow the NRA to still have some control over the property. It could also allow for a joint venture since they were looking to accomplish the same things. Mr. Norton asked if most of their fundraising would come from lawn events. They said they haven't really been able to promote the use of the lawn in the past but they hoped to in the future. Mr. Norton asked about handicapped accessibility. The only feasible way to add an elevator would be on the exterior of the Custom House in the rear. They had no short term plans at the moment. They said they were also trying to get the river dredged in order to get a ship to dock in front of the museum. Mr. Norton asked if they were any plans for additional lawn things such as picnic tables, etc. The answer was yes but they would also be using the area for exhibits, and more garden area. A café, public restrooms, patio, curator space, etc are long term goals. They were now committing to certain park features in the concept plan. Mr. Brennan said the Custom House's plans could still be accomplished without a 99 year lease. The representative said they were very interested in working together. They wanted to get beyond gifts and grants to a sustainable business model. He said the only way to do it is grow out to allow revenues to come into the Custom House. Mr. Norton said the NRA would have their attorney make some recommendations and vote on it at the next meeting. Mr. Norton also mentioned that lead contamination was found on the NRA property which they are now dealing with. A very high concentration of lead was found close to the Custom House museum. The NRA will be doing more sampling to determine the extent of the contamination. Mr. Norton and Mr. Taintor felt a Memorandum of Understanding (MOU) would address their needs without a lease.

Light House Preservation Society:

Jay Hyland of the Lighthouse Preservation Society said that the Front Range Light must be moved from its current location at the Coast Guard property. The LPS signed a 30 year lease with the Coast Guard, fixed up the building, and then the Coast Guard changed their policies due to 9/11 and their security concerns. Mr. Hyland said he went before the CPC last year to request funding for the lighthouse park and the Coast Guard decided to change their mind. They decided that they can't support the project even though they signed a lease. Mr. Hyland said the only option now is to move the lighthouse. He hoped that the NRA would recognize the maritime history of Newburyport. Mr. Norton also noted that that was the highest request by citizens to recognize history. He thought it was a fantastic park for the lighthouse. Mr. Hyland also said that the Coast Guard is very eager to get rid of the lighthouse as soon as possible. The original plan was about 20' x 30' for the entire park area. The Coast Guard gave figures around \$86K but the figures are a bit outdated. They initially looked for the money for the security fence in exchange for the land. Members agreed that it would be a great idea to incorporate the

lighthouse into the park. The Custom House was also interested in the idea. Mr. Norton asked if staff would be necessary. Mr. Hyland said they could set up the exhibits or work something out with the Maritime Society. There was also a historical statue and firework fountains proposed on the original design. Members noted that there were liability and maintenance issues involved with that sort of fountain. Mr. Hyland said that Newburyport is the birthplace of the Coast Guard and it isn't recognized as well as it should be. Mr. Norton noted there was a large enough area at the end of the Custom House lawn that was close to the water. All agreed that they would provide the information on the lighthouse and the statue to the Cecil Group to incorporate the lighthouse into the park. The Lighthouse Preservation Society could also provide the funding to move the structure. They were not looking to own the land, just the structure. Mr. Norton asked Mr. Hyland to provide the particulars in a document about exactly what they were seeking from the NRA. Mr. Taintor said he liked the compass rose idea incorporated upon the waterfront. Mr. Brennan thought they should ask the Cecil Group to come up with at least one conceptual layout incorporating the statue and lighthouse. They hoped to then come up with a consensus about the final conceptual plan. Mr. Hyland also requested to put the idea that the lighthouse would be on the waterfront in his brochure. Members agreed that it would be fine. Mr. Hyland also suggested the firework fountains could be set to a historical lesson, not just music. Mr. Hyland said that they would also need a letter from the NRA to the Coast Guard letting them know where the lighthouse will be moved from their property. Mr. Norton suggested that this could be the first phase of the park redevelopment if they were able to get funding. It would also help the NRA's fundraising and show that the project is moving forward. Mr. Taintor said he was leery of getting too detailed of a site plan. Thought it was better to give the idea to the Cecil Group and see what they have for ideas.

Treasurers Report:

Mr. Brennan presented a Treasurer's report showing YTD income and expenses. The ending balance is \$76,703.00. He said that the NRA is in good shape as they head into parking income season. Mr. Norton had a notice regarding the money market account saying there were too many debit withdrawals. 6 per statement are allowed. Mr. Brennan would follow up as members weren't certain why they exceeded the number of allowable withdrawals. Federal banking laws regulating money market accounts. All voted in favor to accept the report.

Correspondence:

A statement was received from the Cecil Group that money is owed. Mr. Taintor will follow up as members believed all invoices were paid.

Ms. Dorfman has been working on the MA Fair Share Contribution issue. DET is under the understanding that the NRA has employees and MA requires insurance. She will follow up.

Mr. Norton said he had a meeting with the Mayor, Waterfront Trust, and Harbor Commission. It was just an update meeting and a forum to talk amongst each other. They talked a bit about parking. Mr. Norton said that Mayor hoped to have all groups updating each other on a regular basis.

A letter from the Harbor Commission copied to the NRA to the Fire Chief was received. It appears the Harbor Commission is not making the headway on the fuel pumping. Mr. Norton

said he let everyone know at the joint meeting that the NRA hasn't made any formal decision yet and was waiting for a more formal request.

A package from Jeff Briggs was received providing pictures of a statue garden in Key West.

DEP Notice of Non-Compliance:

The Tier II Extension was mailed on April 22, 2008 and is due on the 30th. A few wording changes were made as discussed at the last meeting. The next deadline is 11/30/09 to submit a phase III report. The consultant hasn't submitted anything on funding yet to the NRA. Mr. Norton suggested having one member keep all grant related information together. Mr. Brennan asked if the consultant should provide a schedule or time line. Mr. Norton said he'd request it.

Park Planning:

Changes were to include improvements to the boardwalk in one of the concepts (which would provide a difference between the two concepts), to show the Matthews memorial on the plan, and to provide a cobbled walk to provide access to the boat ramps or another option for winter access to the embayment.

Mr. Brennan also requested that Cecil clearly differentiate between the Waterfront Trust parking area and the NRA owned parking areas perhaps using shading.

Minutes:

Mr. Brennan motioned to approve the minutes of 3/26, as amended. Mr. Brennan and Mr. Norton voted in favor, Mr. Taintor abstained.

Misc:

Mr. Taintor asked what the status of the parking contract was. Mr. Norton said the contract was automatically renewed. They were going with the same contract as last year. Standard may make some recommendations for charging on Fridays. They made more money but less income due to their labor costs.

Another issue of concern is the primary access to the Waterfront West site is through the NRA lot and Riverside Park. It's a popular belief that the in and out will be on Tournament Wharf and through Riverside Park. They would need an act of legislature to stop the park use.

Rick Taintor motioned to adjourn and Mr. Brennan seconded. Motion passed unanimously.

The meeting adjourned at 10:05pm.

Dianne Eppa
Note Taker