

Minutes of the Newburyport Parks Commission

April 13, 2022

Senior Community Center, First Floor Room A

Call to order: 6:00 p.m.

A quorum was present

In attendance: Chair Ted Boretti, Charles Griffin, Matt Ellsworth, Paul Swindlehurst

Also in attendance: Parks Manager Mike Hennessey, Parks Director Lise Reid, (attendee list attached)

APPROVAL OF MEETING MINUTES

Motion to approve March meeting minutes with a notation that Commissioner Swindlehurst's name be removed as an attendee by Commissioner Ellsworth, seconded by Commissioner Griffin. So voted on a voice vote, 3 yes. Commissioner Swindlehurst abstained.

OLD BUSINESS

Outdoor restaurant dining in Market Square (Vera Ristorante)

The Commission considered a request by Vera Ristorante to use a 600 square foot portion of Market Square for outdoor dining (40 feet by 15 feet abutting the front of the restaurant). Chair Boretti expressed his desire to keep park space open for all, and suggested that perhaps the best use in this case could be outdoor dining. The Chair questioned whether this use is consistent with the mission of the Parks Commission. Commissioner Griffin stated that he would support this use as it aligns with restaurant use of City sidewalks. Chair Boretti stated that a new variant of Covid-19, combined with the Commission's ruling to allow Mission Oak to use Brown Square for another season, suggests that Vera should be allowed to use this park space for another season. Commissioner Swindlehurst recalled Nu Kitchen presenting their outdoor dining on Patrick Tracy Square, and their subsequent decision to withdraw that application based on Parks Commission feedback, which suggested that outdoor dining was not the best use of that park. Commissioner Swindlehurst stated that he also voted against outdoor dining two years ago at Brown Square because he is concerned about giving up long term use of parks space to seasonal businesses. Swindlehurst went on to state that he felt transient use of parks is acceptable, but seasonal dining effectively closes these parks to the public for extended periods of time and that would be his reason for not supporting this initiative.

Several members of the public commented on this agenda item. One questioned the discrepancy between the fee charged for parks versus the amount charged for parklets. Chair Boretti explained that the City Council set the fee for restaurant use of street parking spaces at \$5/sf, and the Parks Commission set the fee for parks at 1.5 times that amount (\$7.50/sf), as was suggested by the City Council Ad Hoc Committee for outdoor dining. The Chair contended that dining in an historic space within a park is more pleasant than dining in a roadway, added that parks are public open space for all, and that justified the increased fee for dining within parks. Joe Jammallo stated that it is a 'no brainer' to give permission, because Market Square is such a large park and this 600 sf is only a small portion of the overall park. Rob Ciampitti, Zoning Board Chair spoke as a private citizen who owns a business on Liberty St and has witnessed the activation of this small portion of the bullnose. He supports this use of the park as a way to support small business, engage visitors in a post-Covid environment, and reflect the culture of our City as an open and inviting place. He believes that the Commission's support of this use would reflect the spirit of its mission to allow for flexibility of open space use. Esther Sayer, business owner on Inn Street said she was confused as to how other restaurants on Inn Street are allowed and yet this one could be denied, and went on to suggest it would be

discriminatory to deny this use. Frank Heart stated his 'wholehearted agreement' with Ciampitti and said during his travels abroad, he witnessed all that outdoor dining can bring to the spirit of a place. Meg Stewart expressed her support of this use, saying it creates a welcoming environment, and thought this would be a nice use for a small fraction of the bullnose. Stewart also stated that Vera's owner takes good care of the space. Glen Kolidos stated that what Vera is doing is improving public space. Nick Kedian stated that in the 10 years he has worked in this town he has witnessed the negative impact Covid has had on restaurants. Laura Bentley expressed her support of Vera in their request and said the City is lucky to have them as owners as they take good care of the space and are good for the local economy.

Motion by Commissioner Griffin to allow Vera Ristorante to use 600 sf of park space in accordance with their application at a cost of \$7.50/sf, seconded by Commissioner Ellsworth. So voted on a voice vote, 3 yes, 1 no.

NEW BUSINESS

"Share the Trail" signage, approve (Coastal Trails Coalition)
This item was tabled.

Approval of entrance garden at Cashman Park

Director Reid presented a landscape plan donated by Kim Turner for a planting design at the entrance of Cashman Park on Merrimac St, across from Park Lunch. The plan includes native and shade-tolerant trees, shrubs and perennials, the cost of which will be donated by a private donor. **Motion by Commissioner Swindlehurst to approve the planting plan as presented, seconded by Commissioner Griffin. So voted on a voice vote, 4 yes.**

New benches at Cashman Park

Director Reid presented a request to install several new memorial benches at Cashman Park. Commissioner Swindlehurst asked if there was a broader thinking about the layout of the benches and their impact on the space, much in the same way that Market Landing Park has a precise layout of benches with a broader design intent. Special Projects Manager Kim Turner replied that it was not as evident at Cashman Park, but agreed that the intent should not be to over-populate the park with benches. Manager Turner went on to state that the new design for Market Landing Park includes many benches and that there would be ample opportunity there for bench donations. **Motion by Commissioner Swindlehurst to approve new bench locations at Cashman Park, working with Manager Turner to finalize quantity and locations, seconded by Commissioner Griffin. So voted on a voice vote, 4 yes.**

Pickleball at Cashman Park

Director Reid presented a background of the pickleball program at Cashman Park. Pickleball Ambassador James Jones explained there is a growing interest in pickleball, that the group has executed an extensive site search within the City for play and has identified Cashman park as a good candidate for organized play. He went on to describe that scheduled, organized play is a vital instrument to accommodating the growing interest in our community, that not everyone can provide their own equipment, and so organized play allows everyone to play regardless of skill level, economic standing and age. He went on to describe the comradery and community building that is nurtured by this activity. Jones explained that two courts are currently in use at the Bresnahan School during the summer, but that additional court space is needed. They are requesting scheduled, organized play on Tuesdays and Thursdays from May through the end of August at Cashman Park from 8:30-noon. Commissioner Swindlehurst asked how many people are expected to use the time. Jones answered that 3.5 hours per day, for 2 days per week would serve at least 16 additional players.

Several members of the public commented on this item. Peter Carzasty stated that parks are for all of us, and there is segment of this community that would benefit from this dedicated time, which would amount to 1/8th of 1% of the hours at the park. Christianne Connor, who is new to pickleball, stated that she received lessons in Salisbury, and has met more people within her community in the past year by playing pickleball than she would have otherwise. Deb Manchile supported the morning hours as a good time to play when the temperatures are cooler, that lessons are important, but shouldn't occur during the height of pick-up play, and would like to see pickleball spread around to other parks. Maryanne Vesey is a former tennis player who now plays pickleball frequently at Cashman, and believes the courts are under-utilized there. She supports more pickleball play at Cashman. Jane Snow doesn't play pickleball but understands it has become an incredible sport for all ages and that it seems to be challenging for folks to find a place to play. She stated that she attends many meetings and has witnessed a lot of

pushback on pickleball, is concerned that parks are not being open to all, and believes pickleball should be open to all parks city-wide. Sandra Pilt stated that pickleball is the fastest growing sport in America, and that 'we need to get our act together and keep up with the rest of the country'. Gregg Roycroft started playing pickleball last year, loves the sport and is disappointed there is no place to play except the racquet club. Commissioner Swindlehurst requested to let the record show that a substantial number of people in attendance support pickleball in general. **Motion by Commissioner Swindlehurst to approve a program to include two three-and-a-half hour time slots of scheduled organized pickleball play at Cashman park courts, seconded by Commissioner Griffin. So voted on a voice vote, 4 yes.**

Art donation agreement approval

Director Reid presented a draft art donation agreement. Commissioner Griffin asked about how damage or destruction of an art piece would be handled, and if the City would be responsible. Director Reid answered that the Department may use any available proceeds for repair. Commissioner Swindlehurst suggested striking item 6 as it is not necessary because its handled under number 1. Director Reid suggested the City Solicitor may want item 6 included. **Motion by Commissioner Swindlehurst to approve the draft art donation agreement without item #6, seconded by Commissioner Ellsworth. So voted on a voice vote, 4 yes.**

Cherry Hill NYSA signage request (NYSA)

Director Reid presented a request by the Newburyport Youth Soccer Association to install a sign on the existing shed as well as a free-standing sign at the entrance to Cherry Hill at Daniel Lucy Way. Commissioner Swindlehurst stated that he would approve this, but as a former director of YMCA who is sympathetic to running youth sports, he thought the wording was a little sharp. Chair Boretti agreed that was also his initial reaction to the wording of the signs. Commissioner Ellsworth stated he felt the language was appropriate. **Motion by Commissioner Ellsworth to approve the signs as presented, seconded by Commissioner Swindlehurst. So voted on a voice vote, 4 yes.**

Cherry Hill NYSA construction of pergola or gazebo

Motion by Commissioner Griffin to table the construction of a pergola or gazebo at Cherry Hill, seconded by Commissioner Ellsworth. So voted on a voice vote, 4 yes.

New fence on CCRT2 at Osprey sculpture

Director Reid presented a request by the Parks Department to replace the chain link fence on the Clipper City Rail Trail behind the Osprey sculpture with an ornamental fence. Commissioner Swindlehurst stated that he thought an ornamental fence would make more of a statement, and be more visible than the chain link, which disappears visually. Chair Boretti asked what the purpose of the fence is, and thought the chain link does a fine job at the utility it was intended for. Commissioner Swindlehurst stated that he would not approve the removal of an existing fence, and that he prefers the chain link. Commissioner Ellsworth stated he felt this project is not a priority, and would rather see money spent elsewhere. **Motion by Commissioner Griffin to deny the replacement of the fence as presented, seconded by Commissioner Swindlehurst. So voted on a voice vote, 4 yes.**

Removal of gardens from CCRT2 near Coast Guard Station

Withdrawn.

Install George Cashman Award monument on CCRT2 by Coast Guard (Andrew Casson)

Andrew Casson, Chair of the Harbor Commission presented this proposal. He explained the history of the designation of Newburyport as Coast Guard City, which means the City has gone above and beyond to support the Coast Guard Station. The City has been awarded this designation since 2011. The Commandant of the USCG put through an act of Congress to officially designate Newburyport as the birthplace of the Coast Guard. There are only 29 Coast Guard Cities across the country. The George Cashman award was established to recognize a Coast Guard man or woman who has gone over and above their job to support City efforts, youth services, etc. The award was not issued in 2020 or 2021 due to Covid, and so the group decided that the 2022 award should be issued directly to the station on the Merrimac River for staying open during the pandemic. They are proposing the monument be erected in honor of that award. Commissioner Swindlehurst stated that he was in support of the idea, but would like to see a more thorough proposal, showing what the memorial would look like. The applicant agreed to return to the Commission with more detail about the appearance of the memorial. No action was taken.

Permit application—RiverFest vendor fair at Market Square and Cashman Park (Chamber of Commerce)

Director Reid explained that the agenda was erroneously written, and that this permit was not part of RiverFest. Devon Cunard, who is partnering with the Chamber of Commerce, explained that this event would happen in conjunction with RiverFest, but was not affiliated with that event. The request was made for July 23-24 from 9 am to 4 pm, with the intent to load in and out on Thursday and Friday, and that no vehicles would drive into the park. All items would be removed by Sunday night. Devon owns and operates one of the businesses, and has hosted 45 craft show events over the past 11 years. This would be a ticketed event (\$10 per person), and 4' height snow fencing would be erected to limit access. Proceeds would be shared between the vendors and the Chamber. No alcohol will be served, and there would be approximately 50 10'x10' stations with appropriately sized aisles. No vendors would be located on the off-leash dog park. Traffic control would be managed by City staff. Commissioner Swindlehurst suggested that the applicant check with the larger group that is managing RiverFest, and expressed concern about whether or not this has been coordinated with both RiverFest and City decision makers who are managing that event. **Motion by Commissioner Ellsworth to allow the use of Cashman for Vintage Bazaar, not including the off-leash shared use area with the caveat that approvals are contingent with approval from the Harbormaster, Police, Fire, and Mayor's Office, seconded by Commissioner Swindlehurst. So voted on a voice vote, 4 yes.**

Permit application—Kona Ice permission to vend in parks

Nikki Vazeos, owner of Kona Ice, presented her request seeking approval to vend at all parks. She stated that she had received approval for a truck vendor license from the Licensing Committee, which would allow her to park for longer than 15 minutes in one place, pending the approval by the Parks Commission. Chair Boretti asked how this was different from the dog ice cream vendor that was rejected by the Commission prior, and Commissioner Ellsworth stated that vendor requested to be on the bike path. Commissioner Swindlehurst asked if this was a seasonal business, and Vazeos responded that it would be roughly 8 months of the year. The Commission discussed the differences between parks and City rights of way. **Motion by Commissioner Ellsworth to allow the truck vendor to visit parks in Newburyport on designated roadways and parking lots for a period of 6 months, seconded by Commissioner Griffin. So voted on a voice vote, 4 yes.**

Parks Director update

The Commission expressed their disappointment that Director Reid had presented a priority hierarchy at the Community Preservation Commission meeting that was in direct opposition to the priorities that had been set and voted on by the Parks Commission. Commissioner Griffin stated that he felt the Director compromised the success of the funding for these projects, due to the expressed conflicting priorities between the Parks Director and the Commission and asked how to remedy the situation. Commissioner Swindlehurst suggested that the Parks Chair draft a letter to the CPC clarifying the position of the Commission. He also suggested that Director Reid draft a letter clarifying her position as well, with the hopes of describing a clear and unified message.

Motion to adjourn by Commissioner Ellsworth, seconded by Commissioner Griffin. So voted on a unanimous voice vote.

Adjourned 9:03 p.m.