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LISA L. MEAD
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By Hand

October 31, 2016

James McCarthy, Chair
Planning Board
City of Newburyport
60 Pleasant Street
Newburyport, Massachusetts 01950

RE: 18 Boyd Drive and 5 Brown Avenue – Amended Application for Open Space
Residential Development / Request for Continuance

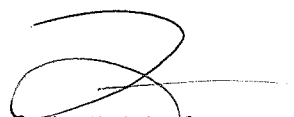
Dear Mr. Chair and Members of the Planning Board;

Reference is made to the above captioned matter. In that connection as you are aware, the Applicant has redesigned the proposed OSRD to provide for a roadway connecting at Boyd Drive and at Brown Ave. In order to accomplish this, the Applicant has now included 5 Brown as part of the OSRD application instead of Laurel Road. To that end the OSRD needs to be readvertised in order that the appropriate notice is given to the abutters.

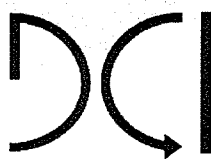
Additionally, the Applicant has agreed, pursuant to a request of the Chair and the Water and Sewer Commission, to undertake further water quality testing of the well and monitoring well for chemicals applied to the Evergreen Golf Course along with soil testing regarding same. The Applicant is working with AECOM to determine the exact tests for each. It is likely the results of those tests will not be available by the Board's meeting on November 2, 2016, let alone in time for the Applicant to provide the results to the City's Peer Review Consultant to review in advance.

As a result, the Applicant requests a continuance to your November 16, 2016 meeting. By this letter the Applicant further authorizes the time by which the Board has to make a determination on the OSRD under the Ordinance to November 20, 2016.

Respectfully submitted
Evergreen Commons LLC
By Its Attorney



Lisa L. Mead



Civil Engineering
Transportation
Water/Wastewater
Geotechnical
Land Surveying
Planning

DESIGN CONSULTANTS, INC.

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October 18, 2016

Project 2015-63

Jim McCarthy
Newburyport Planning Board
City Hall
Newburyport, Massachusetts 01950

RE: Evergreen Commons
18 Boyd Drive
Newburyport, Massachusetts

Dear Mr. McCarthy:

On behalf of Evergreen Commons, LLC, Design Consultants Inc. (DCI) is submitting the updated Conventional Subdivision Yield Plan and OSRD Sketch Plan. The revised OSRD plan provides a full through street as requested at the last planning board meeting. In addition the access for the through road has been moved to #5 Brown Avenue maintaining the cul-de-sac at the end of Laurel Road. The revised OSRD roadway layout also removed the vehicle connection to the cul-de-sac at the end of Boyd Drive but maintains a pedestrian and bicycle connection at that location.

We look forward to meeting with the Planning Board to present the plans and discuss the project in greater detail. In the meantime, if you have any questions regarding this project, please feel free to contact me at 978-884-6850.

Sincerely,
Design Consultants Inc.

Stephen B Sawyer

Stephen B. Sawyer P.E.
Director of Engineering

Enclosures

City of Newburyport Planning Board
Application for a SPECIAL PERMIT**AMENDED**

Petitioner: Evergreen Commons LLC

Address: c/o Lisa Mead, Esq. 30 Green Street, Newburyport MA 01950

Phone: 9784637700

Owner: DDJH LLC / Estate of Doris Cox

Address: 16 Boyd Drive and 5 Brown Avenue

Phone: _____ Years owned land: 6 years / 4 mths

Site Address: 18 Boyd Drive and 5 Brown Avenue

Assessor's Map and Lot(s): 110/20 and 111/13 Zoning District: R-1 and R-2

Book and Page #: 29288/376 & 5304/173 or Certificate of Title: _____

Ordinance section where relief is being requested:

- | | |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <input type="checkbox"/> One residential structure per lot (VI.C) | <input type="checkbox"/> Courts and Lanes (XXIII) |
| <input type="checkbox"/> Floodplain (XIII) | <input type="checkbox"/> Waterfront West Overlay District (XXIV) |
| <input checked="" type="checkbox"/> Open Space Residential Development (XIV) | <input type="checkbox"/> Towle Complex Redevelopment Overlay District (XXV) |
| <input type="checkbox"/> Water Resource Protection District (XIX) | <input type="checkbox"/> Downtown Overlay District (XXVII) |
| <input type="checkbox"/> Federal Street Overlay District (XXII) | |

Describe the Special Permit request:

Special Permit to create Open Space Residential Development Subdivision. Amend to Orig App.

Petitioner and Landowner signature(s):

Every application for a Special Permit shall be made on this form, which is the official form of the Planning Board. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Office of Planning and Development does not absolve the applicant from this responsibility. Failure to comply with application requirements as cited herein may result in the Planning Board dismissing the application as incomplete.

Signature of petitioner/owner: _____

Print name(s) here: _____

James Goodwin, Manager - Donna Koen, Manager, Dora MacLeod, P. Rep.

**OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD)
FOUR-STEP DESIGN PROCESS
[SECTION XIV(5)(A)(I)-(IV)]
ADDENDUM TO THE SPECIAL PERMIT APPLICATION**

ZONING INFORMATION

Acreage of the property(ies) (must be three acres or more) 36.42 acres

What is the property zoned (AC, R1, R2, BUS-1 I-B-ROD)? R-1 and R-2

If zoned R1 or R2, is the property less than three (3) acres? ☐ Yes ☒ No

SKETCH PLAN REQUIREMENTS

(check each step completed as part of the sketch plan)

☒ **Step 1: Identifying Conservation Areas and Potentially Developable Areas**

Primary Conservation Areas

List and describe briefly the primary conservation areas identified on the site. If present, attach documentation for areas protected by jurisdictional federal, State and local laws.

There is ILSF and a wetlands area on site as identified by the Conservation Commission in an Order of Resource Area Deliniation. See plan Attached.

Secondary Conservation Areas

List and describe briefly the secondary conservation areas identified on the site.

22.12 acres of open space, walking/bike paths, playground accessable to the public. See plan attached.

Potentially Developable Area (PDA): 14.72 acres If the PDA consists of areas separated by primary or secondary conservation areas or public right(s)-of-way, list acreages separately.

**Step 2: Locating House Sites**

Locate the approximate site of individual houses or structures and delineate the private yards and shared amenities, so as to reflect an integrated neighborhood that conforms to the existing topography and natural features.

43 Number of homes/dwelling units 0 Number of accessory structures

Lot Number	Acreage	Lot Number	Acreage
1	20,418	15	11,288
2	20,169	16	10,083
3	20,196	17	10,166
4	10,406	18	10,071
5	10,033	19	10,162
6	10,364	20	10,040
7	11,519	21	10,347
8	12,242	22	10,535
9	10,900	23	10,660
10	10,290	24	10,457
11	11,727	25	10,507
12	10,557	26	10,355
13	11,431	27	10,063
14	11,313	see attached	continued

**Step 3: Aligning Streets and Trails**

Align streets to access the house lots and lay out sidewalks and walking trails to create internal and external connections to existing and/or potential future streets, sidewalks and trails. These features should be shown on a sketch plan.

If walking trails or recreational trails are proposed, describe use, width and surface material(s).

The bike and walking trails will range from 4-6 feet and will have a surface of fine pea stone, stone dust or pavement as it currently exists.

**Step 4: Determining Lot Lines**

If any restrictive covenants or easements are proposed for common space, open space or individual lots, provide proposed language that describes briefly any use restrictions within the designated areas.

There will be a Home Owner's Association which will hold the conservation restriction on the open space and common space in accordance with section XIV-I(vii)(3) of the NZO.

<p align="center">Conventional Subdivision Yield Plan Requirements (refer to requirements described in Section 7 of the OSRD Ordinance)</p>

43 Number of lots or dwelling units permitted by a conventional subdivision yield plan

<p align="center">Waivers for Subdivision Requirements and Dimensional Requirements</p>

Provide a description of any waivers requested from the Rules and Regulations Governing the Subdivision of Land.

Provide a zoning analysis describing any waivers to the dimensional requirements in Section VI of the Zoning Ordinance and any other waivers of requirements in the Zoning Ordinance.

Refer to OSRD Ordinance for more detailed application and public hearing requirements and deadlines for OSRD projects.

Evergreen Amended OSRD Special Permit Application Addendum

LOT	Area
28	10,044
29	10,185
30	10,143
31	10,458
32	11,215'
33	10,780
34	13,497
35	12,661
36	13,008
37	13,087
38	13,082
39	13,724
40	13,669
41	13,107
42	12,823
43	12,679