

Planning and Development Committee Meeting

January 30, 2020

Newburyport City Council Chambers, 6:30

Attendees: Heather Shand, Christine Wallace, Jim McCauley

Public: Director of Planning and Development, Andy Port; Planning Board Chair, Bonnie Sontag; Amantha Moore, Stuart Johnson, Stephanie Nikatek, Newburyport Historic Commission Chair, Glenn Richards; Community Preservation Committee Chair, Michael Dissette

Agenda:

COMM214_01_13_2020 Ltr, Central Congregational Church, CPA funding,

COMM215_01_13_2020 Ltr. Colby Farm Open Space Beautification

Councillor Shand started the meeting at 6:30 having Director Port give background on the Central Congregational Church Preservation Restriction

Director Port stated the original grant was given in 2017 where \$75k was appropriated for work on the steeple and sanctuary with the requirement the church obtain a preservation restriction on the structure. While work was being completed on the steeple, the church also decided to start the process of replacing windows. The church went forward with replacement windows but questioned whether the CPA funding would have been granted had the intent of replacing windows with replacements been known at the time. As the preservation restriction has not as of yet been obtained, Director Port was looking for direction from the council regarding the remaining \$25k

Councillor Wallace asked what the timeline was for getting a preservation restriction.

Director Port said given the lack of staff at the MHC, they do take time.

Public Comment

Amantha Moore, 10 North Atkinson Street

Church member who wrote the application for the preservation restriction

- Filed the Preservation restriction in 2019. Commented it went back and forth with needed corrections numerous times and, as of the last writing, submitted 50 pictures of the church windows for review. Original funding went toward the steeple repairs and the front of the church.

Michael Dissette, CPC Chair

44 Jefferson Street

Explained the process for awarding the initial grant to the church after the NHC determined it was worthy or a preservation restriction. Stated at the time of the award and the preservation restriction paperwork being filed there was turnover in the planning department and there was no template for the applicants to follow. Without the institutional knowledge, a lay person would have a difficult time filing one correctly. Based on the Central Congregational Church

application, the CPC is recommending that applicants include funding in their requests that includes the application process. He also stated they've learned they need to include more in their write-ups beyond basic "structure" restrictions. Stated this had been an opportunity to learn. States as there was no request for the \$25k at this time he recommended waiting for the preservation restriction to be approved.

Councillor McCauley

CPA funds are tax money and we owe it to the citizens of Newburyport to spend them appropriately. He asked Director Port if the process in the planning department had been fixed? Director Port responded there was a template in place to reduce any confusion and that funds would not be released until the preservation restriction was in place.

Councillor McCauley commented the Preservation Restriction would be on something other than what the original intent of the grant had been, referring to the replacement windows now being part of the structure. He asked Director Port what the liability was for not allocating the \$25k. Director Port responded the original grant stated funds were to be used within the first year unless an extension was requested. Amantha Moore stated the windows were not put in with any evil intent. Stated they needed to do something as glass panes were falling apart.

Glenn Richards, Newburyport Historic Commission Chair
6 Kent Street

General comment was he had been new to the process in 2019 and would have preferred there be more collaboration with the historic commission and though going forward the process had been fixed.

Stephanie Niketik, Newburyport Preservation Trust
93 High Street

Stated the Preservation Trust had offered the names of three different contractors to have the windows assessed and have a architectural preservationist review them as well. No one from the church reached out to the Preservation Trust. Stated in 2017 the church hadn't started the PR but waited until after the planning board ruling to sue the city over the windows.

Commented the citizens of Newburyport were generous to churches and museums but questioned whether the CPA funds should continue to be given to non-municipal owned buildings. Stated Massachusetts Historical Commission provided letter two days after the lawsuit closed stating they would not provide the preservation restriction on the application.

Stuart Johnson
99 Lime Street

Member of Central Congregational Church. Stated the church didn't know what else to do after the Planning Board said they could not appeal the decision and thought they had no option but to sue.

Public Comment closed.

Councillors voted 3-0 to keep in committee and asked to be informed with the preservation restriction was in place before commenting on allocating on the \$25k.

Communication 214:Ltr Colby Farm Open Space Beautification

Councillor Shand received comments from Tony Furnari, DPS Director that the guard rail along Colby Farm lane had to stay for safety reasons.

Director Port discussed the area in question on Colby Farm Lane and the intent for the city to have an open space management plan. Recommended working with the conservation commission to document the management plan. City will not take ownership of the last parcel of land until the third unit in the Colby Farm Development is sold.

Councillors voted 3-0 to keep this in committee while Director Port contacted the conservation commission to discuss open space management plan.

Meeting adjourned at 7:40.