

COMMITTEE ITEMS

April 8, 2019

• **Committee Items Budget & Finance**

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- **ORDR090_03_11_19** – Parking Garage Rates.
- **TRAN042_03_25_19** – Health Ins \$28.5K to PRK PT/Seasonal Labor \$\$28.5K.
- **TRAN043_03_25_19** – Free Cash \$28K to CIP Slope Mower Purchase \$28K.
- **TRAN044_03_25_19** – CIP Reserv Terr Wall Constr \$22.5K to CIP PI Beach Dune \$22.5K.
- **ORDR093_03_25_19** – Gift of Artwork from Scott Signore.
- **COMM135_03_25_19** – Ltr from Chamber of Commerce re: Parking Permits in Garage.

BWP

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Amended as follows, with deletions ~~double-stricken and italicized~~, and additions double-underlined and italicized:

Date: March 11, 2019

THAT pursuant to the CITY OF NEWBURYPORT Code of Ordinances Section 13-180.1.(f)(1) and Section 13-166 the CITY COUNCIL of the CITY OF NEWBURYPORT hereby amends and approves the following schedule of parking fees and fines in the paid parking lots subject to introductory and time-limited discount incentive rates for paid parking permits pursuant to regulations promulgated by the Parking Clerk as described in Section 13-180.1.(f)(2):

Employee Monthly Pass for the Garage \$60.00

Councillor Sharif I. Zeid



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 MAR 19 PM 1:49

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 3/25/2019

Transfer From:

Account Name	<u>Health Insurance</u>	YTD Bal:	<u>\$ 2,485,405.23</u>
Account Number:	<u>01914001-51700</u>	Bud Cat:	<u>\$ 2,612,900.81</u>
Amount:	<u>\$28,500.00</u>	Trans I/O:	<u>\$ (30,500.00)</u>
Why are Funds Available:	<u>A surplus is anticipated in the health insurance line item at year-end.</u>		

Transfer To:

Account Name	<u>PRK PT/Seasonal Labor</u>	YTD Bal:	<u>\$ 120.08</u>
Account Number:	<u>01630001-51190</u>	Bud Cat:	<u>\$ 57,455.58</u>
Amount:	<u>\$28,500.00</u>	Trans I/O:	<u>\$ -</u>
Why are Funds Needed:	<u>Funding is needed to maintain the parks through fiscal year-end. See attached explanatory memo.</u>		

Donna D. Holaday, Mayor
 Ethan R. Manning, Auditor
 City Council Approval: (Stamp)

Donna D. Holaday
Ethan R. Manning

Date: 3/19/19
 Date: 3/19/19



To: Barry Connell, City Council President
Members of the City Council

From: Lisë Reid, Parks Director

Cc: Donna D. Holaday, Mayor
Richard Jones, City Clerk
Parks Commissioners
Matthew Coogan

Date: March 20, 2019

Re: Parks Department FY19 Supplemental Funding Request

Donna D. Holaday

I am writing to respectfully request that the City Council approve a transfer request to fund the following Parks Department needs:

1. COVERING SEASONAL LABOR THIS SPRING, \$28,500

The reason for this error in budget forecasting is that two sources of funding we had counted on to fund the FY19 labor budget did not materialize:

- Moseley Trust funding requests totaling \$19,600 were denied;
- After the budget was submitted, the School Department opted to hire their own field care staff, reducing our funding from them by \$21,600.

Newburyport Parks Department Spring Temporary & Part Time Labor Cost Projections		
Item	No. of Workers	Total
Temp labor, April 1 – May 17	2	\$8,400
Part-time labor, 13 weeks	1	\$4,500
Temp labor, May 18 – June 30	5	\$15,600
Total Labor Spring Costs (non-salaried)		\$28,500

2. IMMEDIATE EQUIPMENT NEED: SLOPE MOWER, \$30,000

The slope mower serves to resolve a critical safety need and a need for basic landscaping equipment for the Parks Department. Its purchase will serve the city in the

following ways:

- The Parks Department's "fleet" of mowers is down to one relatively new right-stander mower, an almost non-functional, non-commercial-grade mower and an old commercial mower that we borrow from the Belleville Improvement Society to mow Atkinson Common. This purchase will give us one of the two additional mowers that we need to purchase immediately. The second, less expensive mower can be purchased in the new fiscal year using our operating budget.
- Our existing mowers are not suited to mowing the many sloped lawns at Bartlet Mall, March's Hill, Perkins Park, and along Clipper City Rail Trail. On two occasions during FY19 Parks Manager Mike Hennessey and I were warned by OSHA representatives of the dangers of using inadequate equipment to mow steep slopes. To continue using regular ride-on mowers to mow our many sloped lawns is irresponsible and could be seen as negligence should an accident occur.
- The slope mower can be shared with the School Department and Department of Public Services for mowing a dozen or more sloped lawns throughout the city, including the Eaton Ball Field slope behind the Nock-Molin school, cemeteries, and other areas mowed by DPS.
- The slope mover has a large mowing deck that can also be used for larger, flatter areas at Woodman Park, Cashman Park, Perkins Park, and the Rail Trail, saving time. For example, the slope mower will significantly reduce mowing time at Bartlet Mall from 40 man hours to 4 hours.



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

CITY CLERK'S OFFICE
NEWBURYPORT, MA
MAR 19 PM 1:49

bvt

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 3/25/2019

Transfer From:

Account Name	<u>General Fund - Free Cash</u>	YTD Bal:	<u>\$ 2,025,864.00</u>
Account Number:	<u>01-35910</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$28,000.00</u>	Trans Out:	<u>\$ (119,850.00)</u>
Why are Funds Available:	<u>The Massachusetts Department of Revenue certified Free Cash for FY2019 at \$2,145,714. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.</u>		

Transfer To:

Account Name	<u>CIP Slope Mower Purchase</u>	YTD Bal:	<u>\$ -</u>
Account Number:	<u>3904-49700</u>	Trans In:	<u>\$ -</u>
Amount:	<u>\$28,000.00</u>	Trans Out:	<u>\$ -</u>
Why are Funds Needed:	<u>A slope mower appears in the Capital Improvement Program for FY20. Funding is needed at this time prior to the spring growing season. See attached explanatory memo.</u>		

Donna D. Holaday, Mayor
 Ethan R. Manning, Auditor
 City Council Approval: (Stamp)

Donna D. Holaday
Eth R. Manning

Date: 3/19/19
 Date: 3/19/19



City of Newburyport

FY 2019

BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

BWH

MAR 19 PM 1:49

Department: Mayor's Office
Submitted by: Donna D. Holaday, Mayor **Date Submitted:** 3/25/2019

Transfer From:

Account Name	CIP Reserv. Terrace Wall Construction	YTD Bal:	\$ 22,500.00
Account Number:	3901-59630	Trans In:	\$ -
Amount:	\$22,500.00	Trans Out:	\$ -
Why are Funds Available:	<i>Funding was put in place to construct a wall on a section of Reservation Terrace that is susceptible to erosion and flooding.</i>		

Transfer To:

Account Name	CIP P.I. Beach/Dune Nourishment	YTD Bal:	\$ -
Account Number:	3906-49700	Trans In:	\$ -
Amount:	\$22,500.00	Trans Out:	\$ -
Why are Funds Needed:	<i>The City is partnering with residents on Plum Island to provided much needed erosion control on the Newburyport section of the island. See attached explanatory memo.</i>		

Donna D. Holaday, Mayor
 Ethan R. Manning, Auditor
 City Council Approval: (Stamp)

Donna D Holaday
Eth R Manning

Date: 3/19/19
 Date: 3/19/19



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4413 • (978) 465-4402 (FAX)
WWW.CITYOFNEWBURYPORT.COM

Donna D. Holaday

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 19, 2019
Subject: Budget Transfer Request – Plum Island Dune Nourishment

I am requesting the City Council approve a budget transfer of \$22,500 to fund dune nourishment and erosion control near Reservation Terrace on Plum Island. This budget transfer reflects an updated and more informed strategy to address the ongoing issues related to erosion of the dune system in this area. The entire project will be completed through a public private partnership, with funding coming from multiple sources, including from Plum Island residents. The \$22,500 would cover the City's commitment that includes survey work, engineering, rental of equipment, and overall project supervision. Our legislative delegation and state agencies have been working together to expedite a window of opportunity for nourishment beginning in April, and this funding is necessary cover the City's share of costs.

This past fall, the City Council approved an allocation of these same funds through a budget transfer for DPS to purchase concrete blocks and construct a wall along a portion of dune system on Reservation Terrace as an effort to stabilize the system and reduce erosion. Since then, the administration has held several meetings with state agencies, including MassDEP, Coastal Zone Management (CZM), the Department of Conservation and Recreation (DRC), as well as our legislative delegation to find a way to install these blocks. Despite our best effort, it was made abundantly clear that there is no possibility to legally permit a concrete block wall as proposed last fall. Beyond the fact that the Wetlands Protection Act regulations prohibit any new hard barrier structures, we now understand these structures can exacerbate the erosion issues we were trying to alleviate.

Instead of a hard structure approach we are developing a new strategy encouraged by staff at CZM and permissible by MassDEP that can stabilize the dune and reduce erosion. Maintaining and nourishing the dune systematically through an annual dune management plan is the best way to protect the current dune.

Through the efforts of our legislative delegation, the City received an Emergency Declaration allowing for the relocation of sand from the Charos Family docks at Plum Island Point to the dune along Reservation Terrace. The City is working with GZA to provide the necessary engineering on the placement of the sand on the dune along reservation. GZA is also coordinating with the coastal engineer focused on the sand harvesting at from the Charos Family docks at Plum Island Point. This harvested sand will be stockpiled in a designated area at in the Plum Island Point parking lot, where it will be transferred and placed on designated areas of the beach using rented special equipment. PI residents will also be purchasing additional volume of sand to maximize the impact of the project. Depending on GZA's work, in some areas sand will be deposited to raise the dune, in other areas it will be used to expand it. Finally, the University of New Hampshire will provide beach grass and organize a group planting in order to stabilize the nourished dunes for erosion control.

This would be the first of ongoing dune maintenance efforts to proactively protect City infrastructure and limit storm and flooding impacts. Going forward, the administration will maintain the required permitting for sand placement and to update our Beach Management Plan. We are exploring new sources of revenue to fund future dune nourishments, and will continue to partner with local residents. We are working to secure large volumes of sand from future dredges of the Merrimack River.

I urge you to approve this transfer request and look forward to working with the council on a dune management program.

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 25, 2019

THAT, The CITY COUNCIL of the City of Newburyport accepts with gratitude a gift from Scott Signore of an oil painting by Richard M. Gibney of buildings along the waterfront before demolition by the Newburyport Redevelopment Authority in the amount of \$1,500.00 in accordance with M.G.L. Chapter 44, Section 53A.

Councillor Charles F. Tontar
Chair, Budget & Finance Committee



CITY CLERK'S OFFICE
NEWBURYPORT, MA
388 Merrimac Street, Newburyport, MA 01950
O: 978-462-6680 F: 978-465-4145

2019 MAR 20 PM 1:12
www.newburyportchamber.org
info@newburyportchamber.org

Tuesday, March 12, 2019

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President ^{Borrey}Connell and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry would like to thank you for your support of employee parking in the parking garage. The rate of \$60 per month for employees is supported by us, and our members are also amenable. The parking garage is a wonderful and much needed addition to the City of Newburyport. This garage will provide safe parking for employees and will also alleviate the use of parking spaces in the immediate downtown. This will allow for more spaces to be utilized by visitors and locals who are patronizing area businesses. More parking in downtown Newburyport will make visiting the city of Newburyport easier for locals and visitors, and will thus positively impact the city's economic development and keep the City of Newburyport a marketable destination.

As a vital organization that represents the interests of our 750+ members, who are from many different business sectors, the Greater Newburyport Chamber speaks as a collective voice on issues that impact business and the local economy. We thank you very much for your support, and for working with us over this last year to resolve the issue of parking in downtown Newburyport. We thoroughly enjoy showcasing the City of Newburyport and stimulating economic development throughout the entire Greater Newburyport area.

Sincerely,

Frank G. Cousins, Jr.
President & CEO

CC: Newburyport Mayor Donna Holaday

April 8, 2019
Committee Items-
Planning & Development

1. APPT088_02_25_19 Wilbur Shenk 1 Beck St Waterfront Trust 12/01/2014
2. APPT089_03_11_19 Paul Healy 8 N St Conservation Commission 05/01/2022
3. APPT091_03_25_19 Rick Taintor 10 Dexter Street Planning Board 04/01/2020
4. COMM105_01_14_19 Ltr re: Newport Condominiums
5. COMM123_03_11_19 Comprehensive Update to the Newburyport Zoning Ordinance
6. COMM132_03_25_19 Free Standing Sign - 3 Perkins Way
7. ORDR086_01_28_19 CPC FY2019 Amended Recommendation for Affordable Housing Trust Funds
8. ORDNC003_01_29_18 Zoning – Amendment to Table of Use Regulations
9. ORDR024_04_09_18 Special Act to Dissolve Newburyport Redevelopment Authority (COTW)

pd

APPT088_02_25_19



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 FEB 14 PM 12:22

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the
City Council

From: Donna D. Holaday, Mayor

Date: February 13, 2019

Subject: Re-Appointment

Donna D. Holaday

I hereby re-appoint, subject to your approval, the following named individual as a member of the Waterfront Trust. This term will expire on December 1, 2024.

Wilbur Shenk
1 Beck Street
Newburyport, MA 01950



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

60 PLEASANT STREET - P.O. BOX 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

RECEIVED
FEB 21 10:55

Donna D. Holaday

To: President and Members
of the City Council

From: Donna D. Holaday, Mayor

Date: February 21, 2019

Subject: Re-Appointment

I hereby reappoint, subject to your approval, the following named individual as a member of the Conservation Commission. This term will expire on May 1, 2022.

Paul Healy
8 N Street
Newburyport, MA 01950

pkd



CITY OF NEWBURYPORT
OFFICE OF THE MAYOR
DONNA D. HOLADAY, MAYOR

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 MAR 19 AM 10:50

60 PLEASANT STREET - P.O. Box 550
NEWBURYPORT, MA 01950
978-465-4413 PHONE
978-465-4402 FAX

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: March 19, 2019
Subject: Appointment

I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board to fulfill the unexpired term of Andrew Shapiro. This term will expire on April 1, 2020.

Rick Taintor
10 Dexter Street
Newburyport, MA 01950

10 Dexter Street
Newburyport, MA 01950
March 11, 2019

Mayor Donna Holaday
City of Newburyport
City Hall
Newburyport, MA 01950

Dear Mayor Holaday,

I would like to be considered for appointment to a City board or committee in which I can provide the benefit of my extensive career in community and regional planning as well as my experience and interests in related areas. I would be interested in appointment to the Planning Board and/or the Merrimack Valley Planning Commission should an opening arise in either or both of those bodies. I would also be interested in contributing to boards or committees dealing with bicycle and pedestrian planning, other transportation planning issues, and issues relating to climate change resilience and adaptation.

My professional experience includes 18 years as a municipal planner and 22 years as a planning consultant:

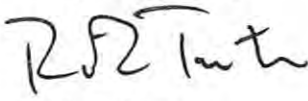
- Planning Director in Framingham, MA, and Portsmouth, NH;
- Consultant to communities throughout Massachusetts and in other New England states regarding comprehensive and strategic planning, zoning, and review of major development proposals;
- Consultant to state and regional agencies across the country relating to scenic byways, community-based tourism, and regional economic development.

My specific skills and areas of interest include:

- Development and site plan review, ranging from small retail and industrial projects to regional malls and shopping centers, as well as infill projects in historic districts;
- Drafting of zoning ordinances, site plan review regulations, and design guidelines for urban redevelopment;
- Bicycle and pedestrian planning, including network planning and infrastructure design;
- Resiliency planning.

I have attached my current resume which provides more detailed information on my experience. Thank you for considering my continuing interest in serving the City of Newburyport.

Very truly yours,



Rick Taintor

RICK TAINTOR, AICP

10 Dexter Street – Newburyport, MA 01950
978-872-8230 – rtaintor@gmail.com

SUMMARY OF EXPERIENCE AND QUALIFICATIONS

Rick Taintor has 40 years of planning and community development experience, including 18 years as a municipal planner and 22 years as a consultant to municipalities and state and federal agencies.

As a consultant, Rick has focused on comprehensive and strategic planning, corridor management, and land use regulation. He has directed a wide variety of community and regional planning projects, including:

- *comprehensive and master plans* for Acton, Berlin, Douglas, Newburyport, Pittsfield, Wellfleet and Westford, MA; Cranston, RI; and Windham and Portsmouth, NH
- *comprehensive zoning revisions* for Berlin and Wareham, MA, and Portsmouth, NH
- *commercial area zoning updates* for Revere, Framingham, Marion, and Carver, MA
- *commercial corridor studies* for Marshfield, MA, and Wells, ME
- *open space and recreation plans* for Wellesley, Berlin, Framingham and Dedham, MA
- *development review services* (impact analysis, zoning regulations, development agreements, and site plan review) for major commercial and mixed-use developments in Berlin, MA, and Merrimack and Durham, NH
- *regional economic development strategies* in the New Jersey Pinelands and Washington County, Rhode Island
- *scenic corridor management plans* in Maine, Rhode Island, New Jersey and Nevada
- *statewide scenic byway programs* in Rhode Island and Nevada
- *community planning guidebook and program assessment* for the Federal Highway Administration's National Scenic Byways Program

Rick was the Planning Director for Portsmouth, NH from 2009 to 2017, and for Framingham, MA from 1983 to 1988.

Rick's experience in municipal government also includes serving as a member and chair of the Holliston, MA, Zoning Board of Appeals, and as a member and vice-chair of the Newburyport, MA, Redevelopment Authority.

PROFESSIONAL EXPERIENCE

2017 – present **Community Planning Consultant**

Senior consultant providing community planning and zoning services to municipal clients. Current projects include:

- City of Portsmouth, New Hampshire: Drafting land use regulatory updates, including zoning ordinance, site plan review regulations, and Planning Board rules and regulations. Topics include use and dimensional standards, accessory dwelling units, multifamily dwellings, signs, off-street parking, highway noise mitigation, wetlands protection, and floodplains.
- Town of Durham, New Hampshire: Managing the Planning Board development review process (site plan review and conditional use permits) for a mixed-use (residential/retail/office) development adjacent to the town center.
- Town of Lamoine, Maine: Comprehensive Plan update.
- Town of Berlin, Massachusetts: Master Plan update.

2009 – 2017

Planning Director City of Portsmouth, New Hampshire

Director of planning for the City of Portsmouth (pop 21,000). Responsible for managing the Planning Department; assessing proposals for land use and development; determining compliance with local land use regulations and applicable state and federal laws; long range planning and leadership; and recommending policies, standards and criteria to the Planning Board and City Manager.

- Administered a nine-person department providing a wide range of planning and development services.
- Managed the City's land use, transportation and environmental planning activities.
- Assisted residents, property owners and permit applicants with land use and development issues.
- Provided staff support to the Planning Board.
- Provided support to ad hoc committees appointed by the City Council, such as the Transportation Policy Committee and Housing Committee.

- Oversaw staff support to the Zoning Board of Adjustment, Historic District Commission and Conservation Commission.
- City representative on the Board of the Rockingham Planning Commission; member of Executive Committee and Legislative Policy Committee.
- Responsible for updating the Master Plan and land use regulations.
- Supervised planning projects including the Downtown Form-Based Zoning, Bicycle and Pedestrian Plan, and Coastal Resilience Initiative.

2000 – 2009

President

Taintor & Associates, Inc., Newburyport, Massachusetts

1992 – 2000

Partner

Whiteman & Taintor / The LandUse Collaborative

Hopkinton/Ashland, Massachusetts & Boulder, Colorado

Principal in consulting firm providing community and regional planning, policy and development review services. Prepared comprehensive and strategic plans, growth management plans, open space and recreation plans, economic development studies, housing and population studies, land use regulations, scenic byway program design and corridor plans, and policy studies and reports.

Representative projects:

Comprehensive and Strategic Planning

- Managed the preparation of more than 10 comprehensive plans for communities in New England (including two prepared under the Cape Cod Commission Act and one under Rhode Island's Comprehensive Planning Act) and contributed to several additional comprehensive plans.
- Prepared build-out studies for a 5-mile commercial corridor in a suburban community and for a 1,300-acre section of a growing town along I-495, to estimate potential development and recommend growth management strategies.
- Prepared strategic plans for commercial districts, including a regional retail center, a suburban commercial area, and several downtown/village areas.

Land Use Regulations

- Prepared comprehensive zoning revisions for communities in Massachusetts and New Hampshire.

- Prepared innovative land use regulations to promote mixed-use and transit-oriented development and redevelopment.
- Provided consulting assistance to eight Rhode Island communities under the South County Watersheds Technical Planning Assistance Project, including preparation of handbooks and model ordinances on farmland protection and transfer of development rights
- Prepared model regulations and specific proposals for three Rhode Island communities under the Eight-Town Affordable Housing Project.

Economic Development

- Provided economic development planning assistance to the New Jersey Pinelands Commission and seven rural communities under the Pinelands Rural Economic Development Pilot Program.
- Prepared economic development strategies for rural communities in Massachusetts and New Hampshire, including recommended actions to support small-scale businesses and tourism.
- Prepared an economic development feasibility study for eight Rhode Island communities under the South County Sustainable Economy Project.

Scenic Highway Planning and Management

- Assisted in the design of statewide scenic byways programs in Nevada, Rhode Island and Vermont under the National Scenic Byways Program.
- Prepared a corridor management plan and successful state and national scenic byways nominations for the Pyramid Lake Paiute Indian Tribe in Nevada.
- Prepared corridor management plans for several designated scenic roads in Rhode Island.
- Prepared a corridor management plan for the Rangeley Lakes (Maine) Scenic Byway, in support of the route's successful nomination for National Scenic Byway designation.
- Prepared a corridor management plan for the Pine Barrens Byway, a 130-mile scenic byway in southern New Jersey. The byway planning process included 16 municipalities, 5 counties, and the New Jersey Pinelands Commission.
- Co-authored *Byway Beginnings: A Community Guide to Inventorying and Assessing Intrinsic Qualities Along Potential Scenic Byways*, published by the Federal Highway Administration.

- Managed the preparation of a report to the Federal Highway Administration on the National Scenic Byways Program, reviewing the status of the program after its first 15 years and identifying opportunities to enhance the program through administrative policies and regulatory and statutory changes.

Development Review

- Assisted the Berlin, MA, Planning Board in negotiations for rezonings and development agreements for several major commercial developments. Coordinated development impact reviews and site plan reviews.
- Assisted the Merrimack, NH, Planning Board to develop regulations and permitting procedures for a regional outlet shopping center. Provided oversight for the permitting process.

1988 – 1992

Senior Planner

IEP, Inc., Northborough, Massachusetts

Project Manager for various municipal planning projects including master plans and growth management plans, affordable housing plans, compliance review, and zoning bylaw preparation.

- Prepared a land use plan for a major commercial center located on the boundary of Framingham and Natick, MA, including recommended zoning regulations that were adopted by both local governments.
- Prepared a town center plan for a rural community, addressing economic development, aesthetics, historic preservation, and traffic and pedestrian circulation and safety.
- Managed the preparation of comprehensive plans for urban and suburban communities, including coordination of subconsultants and in-house staff, public participation and client relations.
- Assisted communities to assess the potential traffic impacts of major proposed industrial and residential developments.

1983 – 1988

Planning Director

Town of Framingham, Framingham, Massachusetts

Responsible for planning and community development activities for a community with a population of 65,000, reporting to the Town's Board of Selectmen and Executive Administrator.

- Administered a ten-person department providing a wide range of planning and development services.

- Managed the Town's Community Development Program, including a housing rehabilitation program providing assistance for property renovations to lower-income homeowners and owners of apartments with lower-income tenants.
- Planned, established and managed the Town's first public bus service.
- Developed a successful proposal for establishment and funding of a community land trust to help preserve affordable housing.
- Planned and coordinated the development of an access road to an underutilized and blighted industrial area.
- Planned and managed the construction of the Town's first public parking garage, coordinating the funding and design processes and working with consultants, local businesspersons, Town officials, and state agencies.

1980 – 1983

**Community Development Coordinator
Town of Framingham, Framingham, Massachusetts**

Assistant to the Planning Director. Responsible for design and management of several housing rehabilitation programs; coordination of projects and programs funded under the federal Community Development Block Grant Program; and general planning functions.

1977 – 1980

**Project Planner (1977 - 1978)
Senior Project Planner (1978 - 1980)
Town of Framingham, Framingham, Massachusetts**

Responsible for data collection and analysis; preparation of plans and reports, funding applications, and contracts; monitoring program performance; and working with citizens and public officials on issues and activities relating to planning and community development.

EDUCATION

1969 – 1973

Harvard University Cambridge, Massachusetts
Harvard College: B.A. magna cum laude in History, June 1973.

1973 – 1974

Harvard University Cambridge, Massachusetts
Graduate School of Design: City and Regional Planning Program, 1973-74.

1975 – 1977

University of Maine Orono, Maine
Graduate School: M.S. in Agricultural & Resource Economics, December 1977.
Areas of concentration: Resource Economics and City and Regional Planning.

PLANNING AWARDS

- Golden Triangle Study, Framingham & Natick, MA
 - Outstanding Comprehensive Planning Project, 1991*
 - American Planning Association, New England Chapter

- Acton Master Plan, Acton, MA
 - Outstanding Comprehensive Planning Project, 1992*
 - American Planning Association, New England Chapter

- Cranston Comprehensive Plan, Cranston, RI
 - Outstanding Comprehensive Planning Project, 1994*
 - American Planning Association, Southern New England Chapter

- Little River Transit Village Feasibility Study, Newburyport & Newbury, MA
 - Outstanding Comprehensive Planning Project, 2006*
 - American Planning Association, Massachusetts Chapter
 - and
 - Governor's Smart Growth Innovation Award, 2006*

- Jeffrey H. Taylor Lifetime Achievement Award, 2017*
 - New Hampshire Planners Association

PROFESSIONAL SERVICE AND AFFILIATIONS

- Member, American Institute of Certified Planners

- Member, American Planning Association

Rick Taintor, AICP
Representative Consulting Projects

Municipal Comprehensive & Master Plans

- Acton, MA – Master Plan (1991) and Master Plan Update (1998)
- Berlin, MA – Master Plan (1997), Master Plan Update (2019 – in progress)
- Concord, MA – Comprehensive Long-Range Plan (2004)
- Cranston, RI – Comprehensive Plan (1992)
- Douglas, MA – Master Plan (1998)
- Framingham, MA – Master Plan Existing Conditions Report (2008)
- Lamoine, ME – Comprehensive Plan Assistance (2017-2019)
- Newburyport, MA – Master Plan (2001)
- Pittsfield, MA – Master Plan (1993)
- Portsmouth, NH – Master Plan (2005)
- Somerset, MA – Master Plan (2007)
- Wellesley, MA – Comprehensive Plan (1994)
- Wellfleet, MA – Local Comprehensive Plan (1995)
- Westford, MA – Master Plan (1995)
- Windham, NH – Master Plan (2004)

Comprehensive/Master Plan Visioning & Goals

- Keene, NH – Community Visioning Process (2008)
- Lynnfield, MA – Master Plan Goals and Policies (1998)
- Medfield, MA – Master Plan Goals and Policies Statement (1997)

Downtown, Town Center, & Commercial District Plans

- Acton, MA – Kelley's Corner Specific Area Plan (1995)
- Ashland, MA – Route 126 Corridor Management Study (1992)
- Carver, MA – Design Guidelines (1997)
- Cranston, RI – Cranston Street Revitalization Strategy (1998)
- Franklin, NH – Vision 2000: Downtown Revitalization Strategy (2000)
- Mansfield, MA – Great Woods Area Land Use Study (1994)
- Marlborough, MA – Marlborough West Area Land Use Study (1990)
- Marshfield, MA – Route 139 Build-Out Study (1993)
- Rochester, NH – Route 11 Corridor Strategy (1998)
- Somerset, MA – Town Center Zoning and Design Guidelines (2006)
- Worcester, MA – Quinsigamond Village Revitalization Strategy (2002)

Economic Development Analysis and Planning

- Dover, NH – Economic Base Study (1998)
- Elko, NV – Economic Analysis and Tourism Marketing Strategy (1998)
- Hopkinton, NH – Tax Base Diversification Strategy (1998)
- New Jersey Pinelands Commission – Rural Economic Development Pilot Program (1999)
- Sheffield, MA – Ecotourism and Economic Development Feasibility Study (1995)
- South County, RI – Sustainable Economy Project (2003)

Zoning and Land Use Regulation

- Acton, MA – Comprehensive Zoning Amendments (1990)
- Berlin, MA – Regional Shopping Center Overlay District (1993)
- Berlin, MA – Zoning Bylaw Recodification and Amendments (1997)
- Berlin, MA – Community and Highway Shopping Center Overlay Districts (2004)
- Carver, MA – Business Zoning Districts and Regulations (1997)
- Exeter, Narragansett & West Greenwich, RI – Affordable Housing Plan Implementation Project (2007)
- Framingham-Natick, MA – Golden Triangle Planning Project (1990)
- Lexington, MA – Zoning Revisions (2004)
- Marion, MA – Business Land Use Study (1996)
- Newburyport, MA – Strategic Land Use Plan (2004)
- North Kingstown, RI – Wickford Village Zoning (2002)
- Portsmouth, NH – Downtown Overlay District (2004)
- Portsmouth, NH – Comprehensive Land Use Regulations Revisions (2009)
- Portsmouth, NH – Land Use Regulatory Revisions (2017-2019)
- Revere, MA – Business Zoning Districts and Regulations (1995)
- Springfield, MA – Zoning Ordinance Revision Project (2007)
- Wareham, MA – Zoning and Subdivision Regulations (2004)

Regional Planning

- Blackstone Valley Corridor Commission – Blackstone Valley Institute (2001-2003)
- Cape Cod Commission – Outer Cape and Monomoy Capacity Analysis Projects (1996, 1998)
- Grow Smart Rhode Island and Washington County (RI) Regional Planning Council – Washington County Sustainable Economy Project (2003)
- New Jersey Pinelands Commission – Pinelands Rural Economic Development Pilot Program (1999)
- Rhode Island Rural Lands Coalition – South County Watersheds Technical Planning Assistance Project (2001)

Scenic Byway Planning and Programs

- Federal Highway Administration, National Scenic Byways Program – *Byway Beginnings: Understanding, Inventorying, and Evaluating a Byway's Intrinsic Qualities* (1999) (<http://www.nsbfoundation.com/index.php/training/byway-beginnings>)
- Federal Highway Administration – *Assessing and Sustaining the Quality of the America's Byways Collection* (2008)
- Nevada State Scenic Byways Program (1993)
- New Jersey Pinelands Commission – Pine Barrens Byway Corridor Management Plan (2008)
- Pyramid Lake Paiute Tribe, NV – Pyramid Lake Scenic Byway Corridor Management Plan (1996)
- Rangeley Lakes, ME – Rangeley Lakes Scenic Byway Corridor Management Plan (2000)
- Rhode Island State Scenic Byways Program (1996)
- Vermont Byways Program (1995)

Major Development Review Services

- Berlin, MA – Solomon Pond Mall (1993)
- Berlin, MA – Highland Commons Shopping Center (2004)
- Merrimack, NH – Merrimack Outlet Village (2008)
- Durham, NH – Mill Plaza Expansion (2018-2019 – in progress)

Growth Management Planning

- Yellow Springs, OH – Growth Management Planning Study (1992)
- Mendon, MA – Growth Management Strategy (1996)
- Easton, MA – Growth Management Study (1999)
- Norfolk, MA – Growth Management Project (2003)

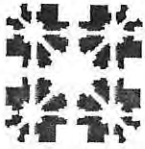
Note: Projects were completed under the following firm names:

1988-1992 – IEP, Inc. / Fugro-McClelland (East), Inc.

1993-2001 – Whiteman & Taintor

2001-2009 – Taintor & Associates, Inc.

2017-2019 – Rick Taintor, AICP



L & M PROPERTIES, INC.

Property Management
Real Estate Development
General Contracting

pm

January 14, 2019

Councilor Larry Giunta
Ward 5
Newburyport, MA

RE: Newport Condominiums
96 Residential Units
Low and Storey Ave

Dear Larry,

On behalf of the Board of Trustees of Newport Condominium Trust, this letter acknowledges that they are in support of the proposed zoning change from business to residential.

If you have any questions or need more input please let me know.

Very truly yours,

Will Mattos, Managing Agent
Newport Condominium Trust

CC: Trustees



p.d

CITY OF NEWBURYPORT
 OFFICE OF PLANNING AND DEVELOPMENT
 60 PLEASANT STREET • P.O. BOX 550
 NEWBURYPORT, MA 01950
 (978) 465-4400 • (978) 465-4452 (FAX)

**TO: City Council
 Planning & Development (P&D) Committee**

FROM: Andrew R. Port, Director of Planning & Development

**CC: Donna D. Holaday, Mayor
 Matthew Coogan, Chief of Staff
 Zoning Advisory Committee
 Planning Board**

DATE: March 5, 2019

**RE: Comprehensive Update to the Newburyport Zoning Ordinance
 Council Presentation/Update Scheduled for March 11, 2019**

Please accept this memorandum as a formal request to provide a brief 10-15 minute update to the City Council (*tentatively scheduled for Monday, March 11, 2019*) regarding our efforts to update the entire Newburyport Zoning Ordinance (NZO), a voluminous legal document dictating how land and structures throughout the City may be used. While this effort has been underway for several years now, in coordination with our consultant (*Community Opportunities Group*), it is an extensive and complex process requiring a significant amount of time and resources to accomplish. As many of you know, deliberations over changes to even small sections of our Zoning Ordinance can take months (*or longer*) to complete. Cross-references throughout the NZO make this an iterative process that is exponentially more difficult with an entire ordinance to draft and review, with input from multiple "stakeholders."

The primary purposes of our presentation at the March 11, 2019 meeting are to:

- A. provide the Council with an overview of our process and progress to date, as well as "next steps" and the timeline for project completion;
- B. announce the initiation of our broader public outreach (*via the website, meetings with each Ward, and meetings with key stakeholder groups*); and
- C. request Council input on forthcoming draft new chapters for the NZO, developed by COG in consultation with the Office of Planning & Development and Zoning Advisory Committee (ZAC).

After our update to the Council we will post a new project page on the City website with draft documents, related reports, and information on how to further participate and comment (*e.g. public meeting dates, online surveys, etc.*)

Thank you in advance for your time and assistance with the completion of this important project during the coming months.

CITY CLERK'S OFFICE
NEWBURYPORT, MA

2019 MAR 19 PM 1:02

City Council
60 Pleasant St.
Newburyport, MA 01950

03/19/2019

Re: Bixby International Corporation
1 Preble Road.
Newburyport, MA 01950

Dear Richard Jones,

Please accept this letter from The Sign Center contracted through Bixby International Corporation asking permission for a signage proposal as shown in the attached plans. We are seeking permission from the City Council to build and install a monument at 3 Perkins way, Newburyport, MA. 01950 on City property.

Specs of the sign are as follows: Freestanding sign aluminum bleed body, aluminum pole cover. Measuring 61" h x 50" w (W/pole cover 79" h). The method of support will be aluminum post. Total proposed signage area is 21SF, (W/ pole cover it is 27SF). Estimated cost of the sign is \$9,250. Located in zone district I1B.

This project has been reviewed by the The City of Newburyport Zoning Dept who suggested/ signed off on the new sign location and pointed The Sign Center towards the DPS for sign off as well. The sign serves to provide clear and legible directional guidance for clients of neighboring businesses, shipping and receiving to the tenants and general traffic in the location.


Granting the proposed signage to the Bixby International Corporation will not injure the rights of others nor will it contribute to a diminution of the surrounding property values and would do no further damage to the integrity of the vicinity.

Bigelow has been contacted and is agreeable to the plan. The sign serves to provide clear and legible directional guidance for clients of neighboring businesses, shipping and receiving to the tenants and general traffic in the location.

In conclusion granting this request will do substantial justice because it will enable the property owners to maintain brand standards while being respectful to their neighbors.

We appreciate your willingness to hear this request and hope that you will grant permission for this location.

Sincerely,
Alisha Brown


978-228-2808



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers
Applicant Information **Please Print Legibly**

Name (Business/Organization/Individual): Insignia, Inc dba: The Sign Center

Address: 40 Orchard Street

City/State/Zip: Haverhill, MA 01835 Phone #: 978-372-3721

Are you an employer? Check the appropriate box:

- | | |
|---|---|
| <p>1. <input checked="" type="checkbox"/> I am an employer with <u>35</u> employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]</p> <p>3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.] †</p> | <p>4. <input type="checkbox"/> I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡</p> <p>5. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]</p> |
|---|---|

Type of project (required):

6. New construction
7. Remodeling
8. Demolition
9. Building addition
10. Electrical repairs or additions
11. Plumbing repairs or additions
12. Roof repairs
13. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attach an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: Liberty Mutual

Policy # or Self-ins. Lic. #: XWO59092103 Expiration Date: 12/12/2019

Job Site Address: 1 Preble Rd. City/State/Zip: Newburyport, MA. 01950

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date). Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: 12/2/18

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector
 6. Other _____

Contact Person: _____ Phone #: _____

Client#: 107152

THESICEN

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 12/07/2018

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 any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: Starkweather & Shepley (WWW) Insurance Corp. of MA, PO Box 549, Providence, RI 02901-0549. CONTACT NAME: Lauren Luke, PHONE: 781 320-9660, FAX: 401-431-9635, E-MAIL: lluke@starshep.com. INSURER(S) AFFORDING COVERAGE: INSURER A: Liberty Mutual Ins Co, NAIC #: 23043.

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

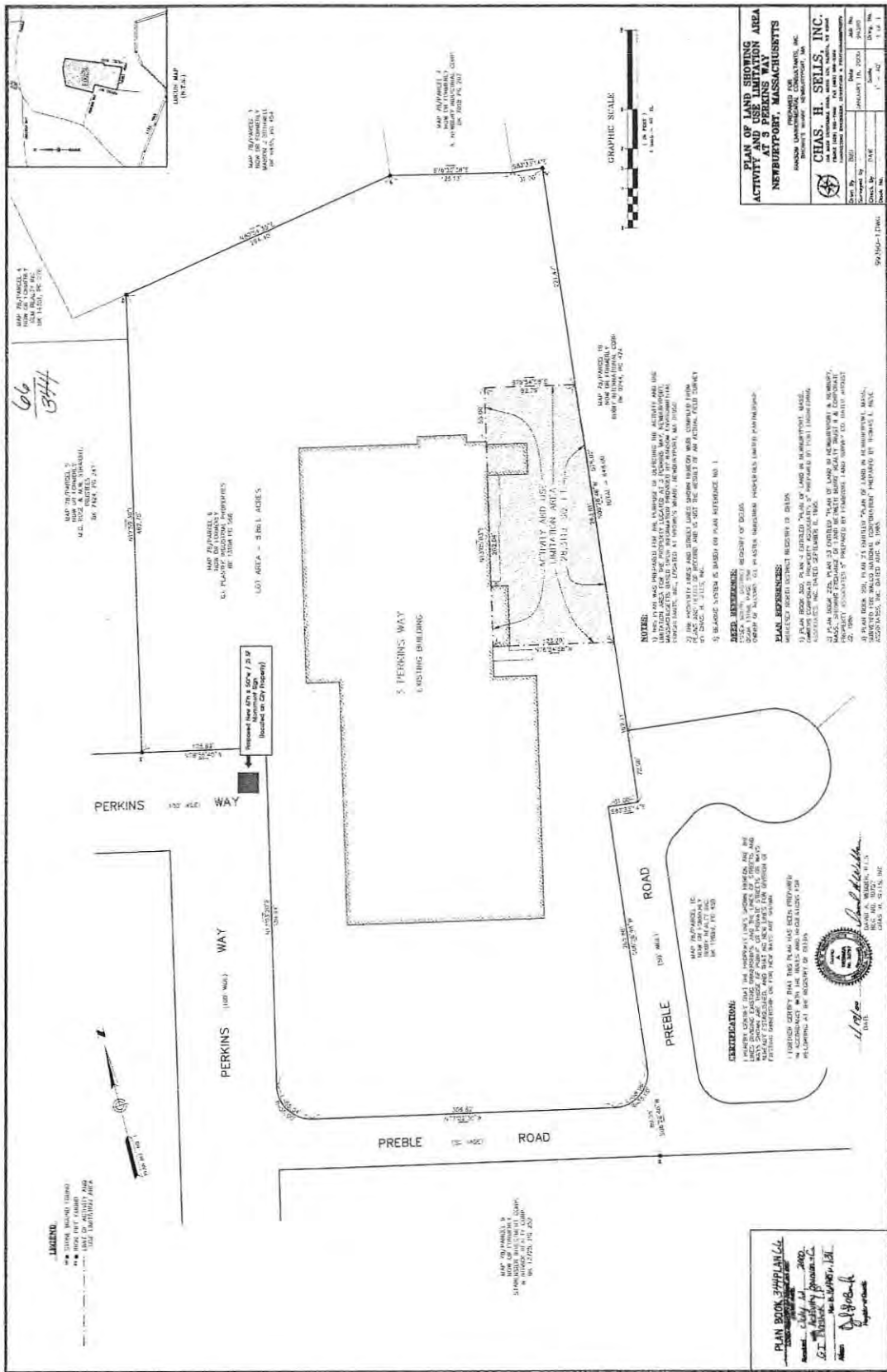
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE 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.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSR, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include Commercial General Liability, Automobile Liability, Umbrella Liability, and Workers Compensation and Employers' Liability.

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

CERTIFICATE HOLDER: proof of coverage. CANCELLATION: 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: [Signature]

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LEGEND

- LOT BOUNDARY
- BUILDING FOOTPRINT
- EXISTING DRIVE
- PROPOSED DRIVE
- PROPOSED SIGN
- PROPOSED SIGN

PLAN BOOK 331 PLAN 44
 CHAS. H. SPILLS, INC.
 200
 51 THURLOW STREET, NEWBURYPORT, MASS. 01950
 DATE: 3/18/19

CERTIFICATION

I, CHAS. H. SPILLS, INC., hereby certify that this plan has been prepared in accordance with the rules and regulations of the State of Massachusetts, and that the same are true and correct as shown on the attached drawings and specifications. I further certify that this plan has been prepared in accordance with the rules and regulations of the State of Massachusetts, and that the same are true and correct as shown on the attached drawings and specifications.



NOTES

- THIS PLAN WAS PREPARED FOR THE PURPOSE OF OBTAINING THE NECESSARY PERMITS FOR THE CONSTRUCTION OF THE PROPOSED DRIVE AND SIGN LOCATIONS ON THE ABOVE DESCRIBED PROPERTY.
- THE PROPOSED DRIVE AND SIGN LOCATIONS ARE SHOWN ON THIS PLAN IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF MASSACHUSETTS.
- THE PROPOSED DRIVE AND SIGN LOCATIONS ARE SHOWN ON THIS PLAN IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF MASSACHUSETTS.
- THE PROPOSED DRIVE AND SIGN LOCATIONS ARE SHOWN ON THIS PLAN IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF MASSACHUSETTS.

DEED REFERENCES

- DEED BOOK 301, PAGE 25, SHERMAN & SHERMAN, INC., NEWBURYPORT, MASS., DATED JAN. 9, 1985.
- DEED BOOK 301, PAGE 25, SHERMAN & SHERMAN, INC., NEWBURYPORT, MASS., DATED JAN. 9, 1985.
- DEED BOOK 301, PAGE 25, SHERMAN & SHERMAN, INC., NEWBURYPORT, MASS., DATED JAN. 9, 1985.

PLAN OF LAND SHOWING ACTIVITY AND USE LIMITATION AREA
 NEWBURYPORT, MASSACHUSETTS
 PREPARED FOR
 CHAS. H. SPILLS, INC.
 200 THURLOW STREET, NEWBURYPORT, MASS. 01950
 DATE: 3/18/19



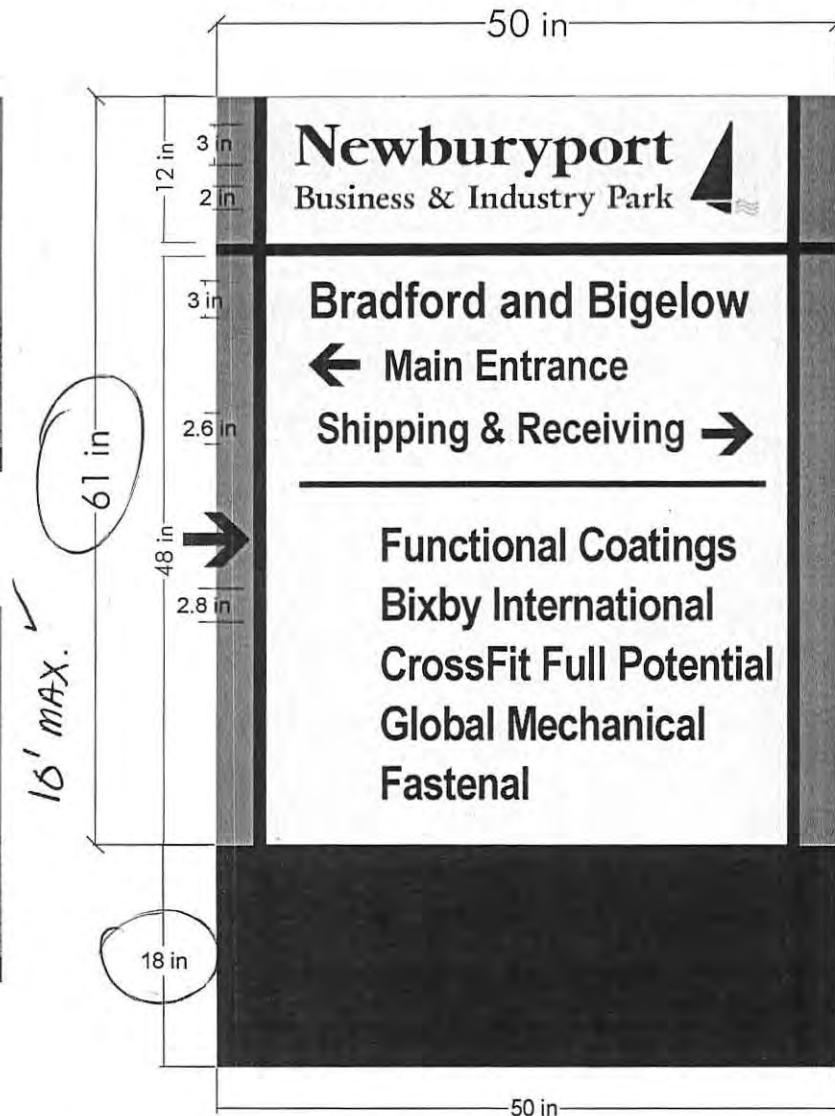
Existing

All existing directional signs to be removed/replaced by 1 proposed monument sign.



Proposed

Proposed New Monument



✓ < 10'

Top of sign = 79" above grade

- ✓ 21 Sq Ft without Pole Cover
- ✓ 27 Sq Ft with Pole Cover

	Burnt Red: 2081-10 Burnt Peanut Red Vinyl Match: Reflective Red
	PMS 541C Vinyl Match: Reflective Blue
	PMS 5265C Reflective White w/ Cabolt Blue Foli
	Matthews Grayint 07273
	Matthews Neutra Grey 03076

Aluminum pole cover painted cement gray

the sign center
get noticed.

Newburyport Business Park

Newburyport MA

Sales Associate Jay Kahn

date 4/4/18

designed by K Hansen

file name Perkins Way Directional.plt

details New S/F Wayfinding Sign

61" x 50" x 12" extruded aluminum bleed body sign to match the industrial park signage, painted 3c and 3m high performance vinyl copy, aluminum posts w/aluminum pole cover (18"h x 50"w x 12"d) direct burial

© COPYRIGHT © 2018
THE SIGN CENTER
TRADEMARKS AND LOGOS ARE
DUPLICATION PROHIBITED

reba
p+D
CT/JE

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

January 28, 2019

That the City Council approves a minor amendment to the scope of work previously associated with FY'19 CPA funds awarded to the Newburyport Affordable Housing Trust (NAHT) in relation to the Brown School. Accordingly, the original scope of work is modified and expanded to include the use of up to \$30,000 – from the original \$100,000 appropriation – to engage consultants to assist with a housing feasibility study specific to the Brown School property in advance of future disposition of said property by the Mayor and City Council.

Further, that the Council removes the one-year time constraint originally imposed on use of said CPA funds to allow adequate time for, among other things: (a) coordination between the NAHT, designated consultant, Mayor, Council, and other City and State officials related to prerequisite relocation of the Newburyport Youth Services (NYS) department; (b) preparation of a new Request for Proposals (RFP) for adaptive reuse of the Brown School; (c) review and selection of a developer or non-profit affordable housing partner; and (d) establishment of detailed agreements regarding the commitment of CPA and NAHT funds towards any affordable housing developed, and subsidized for affordability, at the former Brown School.

All other terms of the original appropriation and award for this project remain unchanged.

Councillor Charles F. Tontar

Councillor Jared J. Eigerman

Newburyport Community Preservation Committee

Recommendation for Minor Amendment to FY19 CPA Grant Appropriation Awarded to the Newburyport Affordable Housing Trust

Background

The Newburyport Community Preservation Committee (CPC) previously recommended, and the City Council previously approved an award of \$150,000 in FY'19 CPA funds to the Newburyport Affordable Housing Trust (NAHT) for the project entitled "Supporting the Development & Preservation of Affordable Housing," which included the following purposes:

1. \$100,000 for the Brown School (*funding for a financial contribution to the redevelopment of the Brown School to encourage more affordable housing units*); and
2. \$50,000 for the small grants program

The project scope for #1 above originally included the following activities related to disposition of the former Brown School building:

- A. to assist [*an affordable housing*] developer with carrying costs of the current structure during the permitting process;
- B. to supply a local match of funds, which is required with state funding programs, and/or
- C. to incentivize affordability, i.e. provide funds to the developer to include more affordable units than the minimum number required and/or offer units at deeper affordability than the traditional 80% of Area Median Income (AMI).

In addition, the Council placed the following time condition on use of these funds:

"In the event that the \$100,000 grant for affordable housing at the Brown School is not utilized within twelve (12) months of this award [i.e. August 30, 2018], the Affordable Housing Trust shall remand these funds to the CPA Community Housing Reserve Fund for future appropriation;"

Update / Recommendation

On Tuesday, January 22, 2019, the CPC met with the Chair of the NAHT to discuss their request for a minor modification to the scope of work originally approved for the Brown School project. The Committee unanimously agreed to recommend that the Council approve a minor amendment to that scope of work as follows:

That the original scope of work should be modified and expanded to include the use of up to \$30,000 from the original \$100,000 appropriation to engage a consultant to assist with a housing feasibility study specific to the Brown School property in advance of disposition of said property. The findings of such studies will inform City leaders in determining the financial feasibility of various housing scenarios, which may include:

- I. 100% affordable units
- II. Various mixes of affordable and market rate units
- III. Funding sources for affordable housing development
- IV. Including potential sources if the development is not 100% affordable
- V. Offering affordable units with deeper affordability, i.e. < 80% AMI.

In addition, in light of the extended and uncertain timeline for relocation of the Newburyport Youth Services (NYS) program, preparation of a Request for Proposals (RFP), and Council disposition of the Brown School building, the Committee

ORDR086_01_28_19
LATE FILE

recommends that the original 1-year time condition be eliminated. It is likely that the subject funds will be needed over a two (or more) year period since the NAHT and their consultant will need to adapt to longer unknown timelines.

Respectfully submitted by:

Community Preservation Committee
Michael Dissette, Chair

psD

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

JANUARY 29, 2018

A ZONING ORDINANCE REGARDING THE TABLE OF USE REGULATIONS

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

THAT existing Section V-D. – TABLE OF USE REGULATIONS be amended as follows, with deletions *double stricken-through and italicized*, and additions *double-underlined and italicized*:

*[The remainder of this page is left blank, intentionally.
The Table appears in landscape orientation, on the following page.]*

Councillor Jared J. Eigerman

V-D - Table of use regulations.

1. RESIDENTIAL																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
One-family	101	P	P	P	P	P	P	NP	NP	P	NP	NP	NP	NP	SP <u>NP</u>	NP
Two-family	102	NP	SP	SP	NP	SP	SP	NP	NP	SP	NP	NP	NP	NP	SP	NP
Multifamily	103	NP	NP	NP	NP	NP	SP	SP	SP	SP	NP	NP	SP	NP	SP	SP
Over 20 units(a)	104	NP	NP	NP	NP	NP	SP	SP	SP	SP	NP	NP	NP	NP	SP	SP(e)
Hotel/inn	105	NP	NP	NP	NP	NP	NP	SP	SP	SP	NP	NP	NP	NP	NP	SP
Lodging house	106	NP	NP	NP	NP	NP	SP	SP	SP	SP	NP	NP	NP	NP	NP	NP
Rehabilitation residence	107	NP	NP	NP	NP	NP	SP	SP	SP	SP	NP	NP	NP	NP	NP	NP
Congregate elderly housing	108	NP	SP	SP	NP	SP <u>NP</u>	SP	NP	NP	SP	NP	NP	NP	NP	NP	SP(e) <u>NP</u>
In-law apartment	109	NP <u>SP</u>	SP	SP	SP	SP	SP	NP	NP	SP	NP	NP	NP	NP	NP	NP
Bed and breakfast	110	NP	NP	NP	NP	NP	SP	SP	P	P	NP	NP	NP	NP	SP	SP

Jared Elgerman 1/21/2016 1:49 PM

Comment [1]: Inappropriate per WMD purposes

Jared Elgerman 1/21/2016 2:50 PM

Comment [2]: Could be "P" with mandatory design review

Jared Elgerman 1/21/2016 2:51 PM

Comment [3]: Could be "P" with mandatory design review

Jared Elgerman 1/21/2016 2:51 PM

Comment [4]: Could be "P" with mandatory design review

Jared Elgerman 1/21/2016 1:59 PM

Comment [5]: Inappropriate per R-2 purposes

Jared Elgerman 1/21/2016 1:59 PM

Comment [6]: Inappropriate per WMU purposes

Jared Elgerman 1/21/2016 2:12 PM

Comment [7]: May be appropriate with impacts mitigation per CON purposes

[The remainder of this page is left blank intentionally. Institutional/Government/Medical uses are listed beginning on the following page.]

2. INSTITUTIONAL/ GOVERNMENT/ MEDICAL																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Church	201	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>
Schools (public)	202	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>
Fire station	203	P	NP	NP	P	P	P	P	P	P	P	P	P	P	NP <u>P</u>	NP <u>P</u>
Police station	204	P	NP	NP	P	P	P	P	P	P	P	P	P	P	NP <u>P</u>	NP <u>P</u>
City hall	205	P	NP	NP	P	P	P	P	P	P	P	P	P	P	NP	NP
U.S. post office	206	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Municipal public works	207	P	NP	NP	P	P	P	P	P	P	P	P	P	P	NP	NP
Hospital	208	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	NP
Nursing home	209	NP	NP	NP	NP	SP <u>NP</u>	SP	NP	NP	SP	NP	NP	NP	SP	NP	NP
Veterinary hospital	210	NP	NP	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	SP <u>NP</u>	SP <u>NP</u>
Public parking	211	SP	NP	NP	NP <u>SP</u>	P	P	P	P	P	P	P	P	SP	NP <u>SP</u>	P

Jared Eigerman 1/21/2018 1:28 PM
Comment [8]: Currently blank, and so deemed "NP"

Jared Eigerman 1/21/2018 1:30 PM
Comment [9]: Currently blank, and so deemed "NP"

Jared Eigerman 1/21/2018 1:51 PM
Comment [10]: Inappropriate per R-2 purposes, e.g. Port Healthcare Ctr. on Hale St.

Jared Eigerman 1/21/2018 1:51 PM
Comment [11]: Inappropriate per WMD/WMU purposes

Jared Eigerman 1/21/2018 1:51 PM
Comment [12]: May be appropriate with impacts mitigation

Jared Eigerman 1/21/2018 1:53 PM
Comment [13]: May be appropriate per WMD purposes (Central Waterfront)

[The remainder of this page is left blank intentionally. Institutional/Government/Medical uses continue on the following page.]

2. INSTITUTIONAL/ GOVERNMENT/ MEDICAL (cont'd)																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Library/ museum	212	NP	P	P	NP	SP	SP	P	P	SP	NP	NP	SP	NP	P	P
Private education	213	P	P <u>SP</u>	P <u>SP</u>	P <u>SP</u>	P <u>SP</u>	P <u>SP</u>	P	P	P	P	P	P	P	P	P
Private education residence	214	P	P <u>SP</u>	P <u>SP</u>	P <u>SP</u>	P <u>SP</u>	P <u>SP</u>	P	P	P	P	P	P	P	P	P
Medical office building	215	NP	NP	NP	NP	NP	NPSP <u>Plng.</u> <u>Bd.</u>	NPSP <u>Plng.</u> <u>Bd.</u>	NPSP <u>Plng.</u> <u>Bd.</u>	NPSP <u>Plng.</u> <u>Bd.</u>	SP Plng. Bd.	SP Plng. Bd.	SP Plng. Bd.	SP	NP	NP
Community center	216	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	NP	WRP	WRP
Medical marijuana treatment center	217	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP(h)	SP(h)	NP	NP	NP	NP

Jared Eigerman 1/21/2018 1:49 PM
Comment [14]: May be appropriate with impacts mitigation

Jared Eigerman 1/21/2018 1:41 PM
Comment [15]: May be appropriate with impacts mitigation

Jared Eigerman 1/21/2018 1:54 PM
Comment [16]: May be appropriate with impacts mitigation

Jared Eigerman 1/21/2018 1:39 PM
Comment [17]: Could be "P" with mandatory design review

Jared Eigerman 1/21/2018 1:46 PM
Comment [18]: Appropriate per WMD/WMU purposes

[The remainder of this page is left blank intentionally. Agricultural/Open Space uses are listed beginning on the following page.]

3. AGRICULTURAL/ OPEN SPACE																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Agricultural (See List of uses)	301	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	302	P	P	P	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	303	P	P	P	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	304	P	P	P	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Country club	305	P	NP	NP	SP	NP	NP	NP	NP	NP	SP NP	SP NP	SP NP	NP	SP NP	SP NP
Park/playground	306	P	P	P	P	P	P	P	P	P	NP	NP	SP	NP	SP	SP

Jared Elgorman 1/21/2018 1:54 PM
Comment [19]: Inappropriate per I district purposes

Jared Elgorman 1/21/2018 1:54 PM
Comment [20]: Inappropriate per WMD/WMU purposes

4. BUSINESS																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Shopping centers	401 (c)	NP	NP	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	SP NP	NP
Specialty shopping center	402	NP	NP	NP	NP	NP	NP	SP	P	P	NP	NP	NP	NP	SP	SP (e)
Retail trade	403	NP	NP	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	SP	P(b)
Retail services	404	NP	NP	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	SP	P(b)
Mixed use	405	NP	NP	NP	NP	NP	NP SP	NP SP	SP	SP	NP	NP	SP NP	NP	SP	P

Jared Elgorman 1/21/2018 1:53 PM
Comment [21]: Inappropriate per WMD purposes

Jared Elgorman 1/21/2018 1:43 PM
Comment [22]: May be appropriate Downtown

Jared Elgorman 1/21/2018 1:43 PM
Comment [23]: Inappropriate per I district purposes

4. BUSINESS (cont'd)																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Health/recreation	406	NP	NP	NP	NP	NP	SP NP	P	P	P	NP SP	NP SP	NP SP	NP	NP	SP(e)
Entertainment/clubs	407	NP	NP	NP	NP	NP	NP	P	SP	NP	NP	NP	NP	NP	P(b)	P(b)
Nursery school/day care	408	P	SP	SP	P	P	P	P	P	P	P	P	P	P	P	P
Motor vehicle sales	409	NP	NP	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	NP	NP
Motor vehicle repair	410	NP	NP	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	NP	NP
Service station	411	NP	NP	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP	NP	NP	NP
Radio/T.V. studio	412	NP	NP	NP	NP	NP	NP	P	P	SP	SP	SP	SP	NP	NP	NP
Private parking	413	NP	NP	NP	NP	NP	SP	P	P	SP	P	P	P	SP P	NP P	P
Parking structure	413B	NP	NP	NP	NP	NP	NP	SP	SP	SP	SP	SP	SP	SP	SP(f)	SP(e)
Retail/service kiosk automated teller machine	414	NP	NP	NP	NP	NP	NP	P	NP	NP	SP	SP	NP	NP	NP	SP(e)
Funeral home	415	NP	NP SP	NP SP	NP	SP	NP SP	P SP	SP	SP	NP	NP	NP	NP	NP	NP

[The remainder of this page is left blank intentionally. Business Uses continue on the following page.]

Jared Eigerman 1/21/2018 1:56 PM

Comment [24]: Inappropriate per R-3 purposes

Jared Eigerman 1/21/2018 1:57 PM

Comment [25]: May be appropriate with impacts mitigation per I district purposes, e.g. Fuel on Graf Rd. (I-1), Metrorock at 40 Parker St. (I-1B), Mersen (I-2)

Jared Eigerman 1/21/2018 1:58 PM

Comment [26]: Private parking lots are subject to mandatory site plan review.

Jared Eigerman 1/21/2018 1:58 PM

Comment [27]: Currently blank, and so deemed "NP"

Jared Eigerman 1/21/2018 1:58 PM

Comment [28]: Currently blank, and so deemed "NP"

Jared Eigerman 1/21/2018 1:58 PM

Comment [29]: Currently blank, and so deemed "NP"

Jared Eigerman 1/21/2018 1:58 PM

Comment [30]: May be appropriate with impacts mitigation per HSR purposes, e.g. Twomey, LeBlanc & Conte at 193 High St.

Jared Eigerman 1/21/2018 1:58 PM

Comment [31]: May be appropriate with impacts mitigation per R-3 purposes

Jared Eigerman 1/21/2018 1:58 PM

Comment [32]: May be appropriate with impacts mitigation per B-1 purposes (Storey Avenue)

4. BUSINESS (cont'd)																	
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU	
Professional/social service	416	NP	NP	NP	NP	NP	NP	P	P	P	SP Pg. Bd.	SP Pg. Bd.	SP Pg. Bd.	NP <u>SP</u>	P(b)	P(b)	
Home occupation	417A	SP	P	P	P	P	P	P	P	P	NP	NP	NP	P	P	P	
Home occupation	417B	SP	SP	SP	SP	SP	SP	SP	SP	SP	NP	NP	NP	SP	SP	SP	
Wholesale	418	NP	NP	NP	NP	NP	NP	P <u>NP</u>	NP	NP	P	P	P	NP	NP	NP	
Bus, rapid transit/	419	NP	NP	NP	NP	NP	NP	P	P	NP	P	P	P	NP	P(b)	P(b)	
Theater assembly	420	NP	NP	NP	NP	NP	NP	P <u>SP</u>	P <u>SP</u>	NP	NP	NP	SP	NP	NP	SP	
Meeting space	421	NP	NP	NP	NP	NP	NP	PSP	PSP	P <u>NP</u>	P <u>SP</u>	NP	P	NP <u>SP</u>	NP	SP	
Neighborhood bakeries/delis	422	NP	NP	NP	NP	NP <u>SP</u>	NP <u>SP</u>	P	P	P	NP	NP	NP	NP	NP	P	
Personal wireless communications service	423	See section XX.															

[The remainder of this page is left blank intentionally. Food Service uses are listed beginning on the following page.]

Jared Eigerman 1/21/2018 2:02 PM
Comment [33]: See concurrent Zoning Map Amendment re upper Green St. corridor, e.g. Connolly & Connolly at 47-49 Green St.

Jared Eigerman 1/21/2018 2:02 PM
Comment [34]: Should be "P" with mandatory design review

Jared Eigerman 1/21/2018 2:02 PM
Comment [35]: Inappropriate per B-1 purposes (Storey Avenue)

Jared Eigerman 1/21/2018 2:02 PM
Comment [36]: May be appropriate with impacts mitigation per B-1 and B-2 purposes

Jared Eigerman 1/21/2018 2:02 PM
Comment [37]: Inappropriate per R-3 purposes

Jared Eigerman 1/21/2018 2:04 PM
Comment [38]: May be appropriate with impacts mitigation per I-1 purposes

Jared Eigerman 1/21/2018 2:04 PM
Comment [39]: May be appropriate with impacts mitigation per M purposes

Jared Eigerman 1/21/2018 2:04 PM
Comment [40]: May be appropriate with impacts mitigation per R-2 and R-3 purposes, e.g. Natural Grocer and Fowle's Market, both on High Street

5. FOOD SERVICE																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Restaurant	501	NP	NP	NP	NP	NP	NP	SPP	P	SP	NP	NP	SP	NP	P(b)	P(b)
Fast food/carry out	502	NP	NP	NP	NP	NPSP	NPSP	SP	P	SP	NP	NP	NP	NP	NP	SP(e)
Outdoor cafe	503	NP	NP	NP	NP	NP	NP	SPP	SPP	SP	NP	NP	NP	NP	NP	P
Drive through	504	NP	NP	NP	NP	NP	NP	SP	SPNP	NP	NP	NP	NP	NP	NP	NP

6. INDUSTRIAL/ INFRASTRUCTURE																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Manufacturing	601	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	NP	NP
Light manufacturing	602	NP	NP	NP	NP	NP	NP	NP	SP NP	NP	P	P	P	NP	NP	NP
Crafts manufacturing	603	NP	NP	NP	NP	NP	NP	SP	P	P	P	P	P	NP	P(b)	P(b)
Accessory retail industry	604	NP	NP	NP	NP	NP	NP	NP	NP	R NP	P	SP E	P	NP	NP	NP
Printing/publishing	605	NP	NP	NP	NP	NP	NP	P	SP	SP	P	P	P	NP	NP	NP
Research/development	606	NP	NP	NP	NP	NP	NP	SP	SP	NP	P	P	P	NP	NP	NP
Industrial services	607	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP	SP	NP

Jared Eganman 1/21/2018 1:01 PM
Comment [41]: See concurrent Zoning Map Amendment re upper Green St. corridor, e.g. Mr. India at 140 India Street

Jared Eganman 1/21/2018 1:04 PM
Comment [42]: Appropriate per B-1 purposes (Storey Avenue)

Jared Eganman 1/21/2018 1:09 PM
Comment [43]: May be appropriate with impacts mitigation per R-2 and R-3 purposes

Jared Eganman 1/21/2018 1:09 PM
Comment [44]: Appropriate per B-1 and B-2 purposes

Jared Eganman 1/21/2018 1:09 PM
Comment [45]: Inappropriate per B-2 purposes

Jared Eganman 1/21/2018 2:10 PM
Comment [46]: Inappropriate per B-2 purposes

[The remainder of this page is left blank intentionally. Industrial/Infrastructure uses continue on the following page.]

6. INDUSTRIAL/ INFRASTRUCTURE (cont'd)																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Laundry/dry cleaning plant	608	NP	NP	NP	NP	NP	NP	P	P	NP	P	P	P	NP	NP	NP
Fluid storage	609	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	SP	NP	NP	NP	NP
Dumps/sanitary fills	610	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	NP	NP	NP	NP
Heliport	611	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	SP	NP	NP	NP	NP
Corporate headquarters	612	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	SP(e)
Open storage	613	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	SP	SP	NP	SP	NP
Transformer/ pumping station	614	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NP <u>SP</u>	SP	SP
Construction trailer	615	P	NP	NP	P	P	P	P	P	P	P	P	P	P	P	P
Wind Energy Conversion Facility	616	NP <u>SP</u>	NP	NP	NP	NP	NP	NP	NP	NP	SP(g)	SP(g)	NP	NP	NP	NP
Wind Monitoring or Meteorological Tower	617	NP <u>SP</u>	NP	NP	NP	NP	NP	NP	NP	NP	P(g)	P(g)	NP	NP	NP	NP

Comment [47]: May be appropriate with impacts mitigation per M purposes

Comment [48]: May be appropriate with impacts mitigation per CON purposes

[The remainder of this page is left blank intentionally. Marine uses are listed beginning on the following page.]

7. MARINE																
USE	NUM	CON	HSR-A	HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
Boat sales/ service storage/rental	701	NP	NP	NP	NP	NP	NP	NP	<u>NP</u> <u>SP</u>	NP	NP	NP	NP	NP	P	P
Marine transport	702	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Marine equipment sales	703	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	<u>NP</u> <u>SP</u>	NP	NP	NP	NP	NP	P	P
Marine repair services	704	NP	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	NP	NP	NP	NP	NP	P	P
Marine manufacturing	705	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP
Shipbuilding/repair	706	NP	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	NP	NP	NP	NP	NP	P	P
Canvas and canvas products	707	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	<u>NP</u> <u>SP</u>	NP	NP	NP	NP	NP	P	P
Seafood handling/ distribution	708	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP <u>P</u>	NP <u>P</u>	NP <u>P</u>	NP	P	SP
Marine retail	709	NP	NP	NP	NP	NP	NP	NP	<u>NP</u> <u>SP</u>	SP	NP	NP	NP	NP	P	P
Commercial fishing	710	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Indoor rack boat storage	711	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Marina and related	712	NP	NP	NP	NP	NP	NP	NP <u>SP</u>	NP	NP	P	P	P	SP	P	P
Municipal Harbormaster Facility	713	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P

Jared Elgeman 1/21/2016 2:12 PM
Comment [49]: May be appropriate with impacts mitigation per B-2 purposes

Jared Elgeman 1/21/2016 2:13 PM
Comment [50]: May be appropriate with impacts mitigation per B-1 and B-2 purposes

Jared Elgeman 1/21/2016 2:17 PM
Comment [51]: May be appropriate with impacts mitigation per B-2 purposes

Jared Elgeman 1/21/2016 2:18 PM
Comment [52]: May be appropriate with impacts mitigation per B-2 purposes

Jared Elgeman 1/21/2016 2:47 PM
Comment [53]: May be appropriate with impacts mitigation per B-1 and B-2 purposes

Jared Elgeman 1/21/2016 2:47 PM
Comment [54]: Appropriate per I district purposes

Jared Elgeman 1/21/2016 2:48 PM
Comment [55]: May be appropriate per B-2 purposes

Jared Elgeman 1/21/2016 2:48 PM
Comment [56]: Inappropriate per B-1 purposes

[The remainder of this page is left blank intentionally. Notes to the Table appear on the following page.]

NOTES:

- (a) Multifamily developments twenty (20) units or over require a special permit from the board of appeals and the planning board.
- (b) For the WMD and WMU certain restrictions may apply to specific uses, please refer to section XVIII for further explanation.
- (c) Shopping centers in existence prior to September 14, 1992, may be altered, extended or enlarged as of right on a lot which was in shopping center use as of April 1, 1996, provided that the sum of all such alterations, extensions and enlargements does not exceed twenty (20) percent of the gross floor area of the relevant shopping center's structures in existence as of September 14, 1992, and provided further that at the time of application for the building permit for such alteration, extension or enlargement: (a) such alteration, extension or enlargement would comply with the dimensional and parking standards of this ordinance in effect at the time of submission of the building permit application for such alteration, extension or enlargement; (b) truck deliveries to loading facilities within one hundred (100) feet of any lot in residential use shall not be made prior to 7:00 a.m., Monday through Saturday, or prior to 9:00 a.m. on Sunday, nor after 9:00 p.m. on any day; and (c) no private road or way through residentially zoned land may be used for vehicular access to a shopping center, except in cases of emergency by emergency vehicles and personnel or for maintenance of utilities in such private way or road.
- (d) Vehicular and pedestrian access through a residential zoning district to and from a general acute medical district (M) is permitted by special permit, including site plan review, by the planning board.
- (e) Subject to WWOD-SP; please refer to section XXIV for further explanation.
- (f) A parking structure is permitted only when it is at least fifty (50) percent underground and accessory to other principal uses.
- (g) Subject to special permit regulations; please refer to section XXVI for further information. Site plan review is not required for wind energy conversion facilities.
- (h) See section V-G entitled "Medical Marijuana Treatment Centers" for additional requirements and restrictions.

Councillor Jared J. Eigerman

ORDR024_04_09_18

Handwritten notes:
P#0 - COTOS
52/LG
FINANCE BV/LG
roll call
(15/15)

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

Order Relative to a Special Act to
Dissolve Newburyport Redevelopment Authority (NRA)

That the City Council of the City of Newburyport hereby authorizes the Mayor, on behalf of the City, to submit a Home Rule Petition to the General Court of the Commonwealth of Massachusetts to enact a Special Act for the City of Newburyport in the manner described below, and for the purposes of dissolving the Newburyport Redevelopment Authority (NRA), provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court, and to further authorize the Mayor to act on behalf of the City relative to any inquiries and/or changes made by the General Court concerning the proposed Special Act, and to approve amendments which shall be within the scope of the general public objectives of the petition.

Councillor Sharif I. Zeid, Ward 1

Councillor Larry G. Giunta, Ward 5

Councillor Gregory D. Earls, At-Large

Councillor Joseph H. Devlin, At-Large

A SPECIAL ACT TO DISSOLVE THE NEWBURYPORT REDEVELOPMENT
AUTHORITY

Whereas, the City Council of the City of Newburyport voted on February 1, 1960, to create a redevelopment authority, as contemplated by Massachusetts General Laws (MGL) Chapter 121B, now known as the Newburyport Redevelopment Authority (NRA), for the purposes of accomplishing urban renewal objectives, such as the removal of substandard buildings and blight, providing land for public uses, ensuring adequate public amenities and infrastructure, removing impediments to land acquisition and disposition for redevelopment, promoting economic development, and ensuring the preservation and integration of architectural and urban character in historic downtown Newburyport, and

Whereas, the originally cited purposes for establishing the NRA, including redevelopment, economic revitalization, and removal of blight has since been substantially realized in downtown Newburyport, and maintained without continued assistance from the NRA by way of local regulation, historic preservation, economic development and tourism, and

Whereas, the Urban Renewal Plan of said NRA, entitled "Newburyport Central Business Urban Renewal Project" (Mass R-80), dated April 26, 1965, as amended, expired effective 2005, approximately 13 years ago, and is no longer a valid or legal basis for NRA activities under MGL Chapter 121B, Section 48, or otherwise, and

Whereas, the real property acquired by said NRA, by purchase and by eminent domain for public purposes, pursuant to said Massachusetts General Laws (MGL) Chapter 121B and said expired Urban Renewal Plan, was intended to be redeveloped for the purposes of accomplishing urban renewal objectives such as the removal of substandard buildings and blight, providing land for public uses, ensuring adequate public amenities and infrastructure, removing impediments to land acquisition and disposition for redevelopment, promoting economic development, and ensuring the preservation and integration of architectural and urban character in historic downtown Newburyport, and

Whereas, pursuant to MGL Chapter 121B, Section 16, the real estate and tangible personal property of the NRA shall be deemed to be public property used for essential public and governmental purposes, and shall be exempt from taxation and from betterments and special assessments, and

Whereas, the City Council has made substantial multi-year, good-faith effort to negotiate a reasonable settlement of disputes related to future use of the NRA's properties, most recently

page settlement framework, approved unanimously by the City Council on May 30th, 2017 (May 2017 Order), and

Whereas, the NRA voted on March 14, 2018, to transfer its real property to third-parties, including to a nonpublic institution, without authorization under any urban renewal plan, or any other project which the NRA is authorized to undertake under MGL Chapter 121B, nor in compliance with the uniform procurement act established pursuant to MGL Chapter 30B, the state finance provisions established pursuant to MGL Chapter 29, nor consistently with the May 2017 Order, and

Whereas, under that certain confirmatory declaration of trust dated January 28, 1991, as revised (Trust Declaration), the Newburyport Waterfront Trust already controls significant real property located adjacent to the real property currently controlled by the NRA, and

Whereas, the purpose of the Newburyport Waterfront Trust is to hold, manage, maintain, conserve and utilize its real property for use and enjoyment by the public in perpetuity, with free access of the public to and from such real property as "public trust lands," forever, and

The trustees of the Newburyport Waterfront Trust are appointed by the Mayor with the approval of the City Council, and

Whereas, consistent with the May 2017 Order and all applicable law, the Mayor and the City intend to transfer virtually all of the personal and real property rights that it obtains from the NRA to the Newburyport Waterfront Trust, consistent with the May 2017 Order and immediately upon the satisfaction of certain conditions precedent specified in the May 2017 Order, including amendments to the Trust Declaration.

Whereas the Mayor and the City Council of the City of Newburyport, representing the citizens of this community have petitioned the General Court relative to the same,

Now therefore, be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Newburyport Redevelopment Authority Dissolved.

Notwithstanding the provisions of Massachusetts General Laws (MGL) Chapter 121B, Section 4 and any general or special law, state agency regulations or guidelines to the contrary, the Newburyport Redevelopment Authority (NRA), established on February 1, 1960, by vote of the Newburyport City Council pursuant to said Chapter 121B, Section 4 is hereby dissolved, and no approval from the

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chapter, the Clerk of the City of Newburyport shall provide a copy of this chapter to the State Secretary and said Newburyport Redevelopment Authority shall be dissolved forthwith.

Notwithstanding the provisions of Massachusetts General Laws (MGL) Chapter 155, Section 51, the Newburyport Redevelopment Authority (NRA) shall be dissolved immediately and shall not be continued as a body corporate after the effective date of this chapter.

SECTION 2. Ownership Interests.

Notwithstanding any general or special law, state agency regulations or guidelines to the contrary, the entirety, without exception, of all personal and real property interests held by the Newburyport Redevelopment Authority (NRA) are hereby transferred and conveyed to, and shall be vested in, the City of Newburyport to be held solely for the same public uses as exist at the time of transfer, and until such time as the Mayor, a two-thirds, super-majority of the City Council, and the trustees of the Newburyport Waterfront Trust, agree to the terms of the transfer and conveyance to the Newburyport Waterfront Trust of virtually all of the personal and real property rights acquired from the NRA, consistent with the terms and conditions out in the May 2017 Order.

The City may execute and deliver a certificate in a form suitable for recording referencing the passage of this chapter along with a copy of said Chapter, and the Register of Deeds for Essex County shall accept the same for recording and make a marginal reference thereto upon the record of all applicable deeds for real property heretofore owned by the NRA, as provided in summary format by the City of Newburyport. The Land Court shall also accept said certificate and a copy of this Chapter for the purposes of issuing a Certificate of Title to the City of Newburyport for any registered land heretofore owned by the Newburyport Redevelopment Authority (NRA).

SECTION 3. Elimination of NRA Powers.

Notwithstanding any general or special law, state agency regulations or guidelines to the contrary, after the effective transfer and conveyance to the City of the entirety of all of NRA's personal and real property interests, as required by this chapter, all remaining powers and authorities held by the Newburyport Redevelopment Authority (NRA), without exception, and including, without

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If any provision of this Chapter conflicts with any provisions of any general or special law, state agency regulations or guidelines, the provisions of this Chapter shall govern.

If at any point after the passage of this chapter, the City of Newburyport determines that a new redevelopment authority shall be necessary in the City for any reason, it may vote to organize a new redevelopment authority in accordance with Massachusetts General Laws (MGL) Chapter 121B, Section 4.

SECTION 5. Records of the Newburyport Redevelopment Authority.

All members of the Newburyport Redevelopment Authority immediately prior to the effective date of this chapter shall immediately transfer all files, legal and financial records or other materials belonging to the Newburyport Redevelopment Authority to the City of Newburyport, acting through its Office of Planning and Development. Such files, records and materials shall include any such items held by consultants or legal counsel to the NRA, without reservation.

SECTION 6. Effective Date.

This Chapter shall take effect upon its passage by the General Court.

CITY OF NEWBURYPORT



IN CITY COUNCIL

Proposed amendment
submitted at COTW April 4, 2019

ORDERED:

Ordered:

AN ORDER RELATIVE TO A SPECIAL ACT TO DISSOLVE NEWBURYPORT REDEVELOPMENT AUTHORITY AND TRANSFER ITS LANDS TO THE CITY OF NEWBURYPORT FOR PERMANENT DEDICATION FOR PARK AND CONSERVATION PURPOSES, WITH PUBLIC PARKING NOT EXCLUDED, UNDER ARTICLE 97 OF THE MASSACHUSETTS CONSTITUTION

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

That the City Council of the City of Newburyport (City) hereby authorizes the Mayor, on behalf of the City: (a) to submit a Home Rule Petition to the General Court of the Commonwealth of Massachusetts to enact a Special Act for the City in the form attached hereto, and in the manner described below, for the purposes of dissolving the Newburyport Redevelopment Authority and transferring all its monies, and personal and real property to the City, with such lands, including, without limitation tidelands, whether flowed or filled, to be permanently dedicated for park and conservation uses, with public parking not excluded, under Article 97 of the Massachusetts Constitution, provided that the General Court may make clerical or editorial changes of form only to the bill; (b) to act on behalf of the City relative to any inquiries made by the General Court concerning the proposed Special Act; and (c) to approve amendments to such Special Act which shall be within the scope of the general public objectives of the Home Rule Petition.

Councillor Jared J. Eigerman, Ward 2

**A SPECIAL ACT TO DISSOLVE NEWBURYPORT REDEVELOPMENT AUTHORITY
AND TRANSFER ITS LANDS TO THE CITY OF NEWBURYPORT FOR
PERMANENT DEDICATION FOR PARK AND CONSERVATION PURPOSES, WITH
PUBLIC PARKING NOT EXCLUDED, UNDER ARTICLE 97 OF THE
MASSACHUSETTS CONSTITUTION**

WHEREAS, the City Council of the City of Newburyport voted on February 1, 1960, to create a redevelopment authority, as contemplated by Massachusetts General Laws (MGL) Chapter 121B, now known as the "Newburyport Redevelopment Authority," for the purposes of accomplishing urban renewal objectives, such as the removal of substandard buildings and blight, providing land for public uses, ensuring adequate public amenities and infrastructure, removing impediments to land acquisition and disposition for redevelopment, promoting economic development, and ensuring the preservation and integration of architectural and urban character in historic downtown Newburyport, and

WHEREAS, the originally cited purposes for establishing the Newburyport Redevelopment Authority, have since been substantially realized in downtown Newburyport, and maintained without continued assistance from said authority, and

WHEREAS, the Urban Renewal Plan of said Newburyport Redevelopment Authority, entitled "Newburyport Central Business Urban Renewal Project" (Mass R-80), dated April 26, 1965, as amended, expired on or about July 21, 2005, approximately fourteen years ago, and is no longer a valid basis for Newburyport Redevelopment Authority activities under MGL Chapter 121B, Section 48, or otherwise, and

WHEREAS, the Newburyport Redevelopment Authority has for many years failed to keep an accurate account of all its activities, receipts, and expenditures in connection with the planning and execution of urban renewal projects, as required under MGL Chapter 121B, Section 52, and

WHEREAS, the Newburyport Redevelopment Authority has for many years failed annually in the month of January to make a report of such activities, receipts, and expenditures to the Department of Housing Community Development, the state auditor, and the Mayor, as required under MGL Chapter 121B, Section 52, and

WHEREAS, the real property acquired by said Newburyport Redevelopment Authority, by purchase and by eminent domain for public purposes, pursuant to said MGL Chapter 121B and said expired Urban Renewal Plan, was intended to be redeveloped for the purposes of accomplishing urban renewal objectives such as the removal of substandard buildings and blight, providing land for public uses, ensuring adequate public amenities and infrastructure, removing impediments to land acquisition and disposition for redevelopment, promoting economic development, and ensuring the preservation and integrity of architectural and urban character in historic downtown Newburyport, and

WHEREAS, pursuant to MGL Chapter 121B, Section 16, the real estate and tangible personal property of the Newburyport Redevelopment Authority shall be deemed to be public property used for essential public and governmental purposes, and shall be exempt from taxation and from betterments and special assessments, and

WHEREAS, under that certain confirmatory declaration of trust dated January 28, 1991, as revised (Trust Declaration), the Newburyport Waterfront Trust already controls significant real property located adjacent to the lands currently owned by the Newburyport Redevelopment Authority, and

WHEREAS, that pursuant to that certain *Stipulation* in Land Court Case No. 39539, dated March 31, 1980, and recorded in Essex South District Registry of Deeds Book 6695, Page 428, such property controlled by the Waterfront Trust has been dedicated as a public park forever, provided that public parking is not an excluded use in said park, to be known as “Riverside Park,” and

WHEREAS, the purpose of the Newburyport Waterfront Trust is to hold, manage, maintain, conserve and utilize its real property for use and enjoyment by the public in perpetuity, with free access of the public to and from such real property as “public trust lands,” forever, and

WHEREAS, the trustees of the Newburyport Waterfront Trust are appointed by the Mayor of the City of Newburyport with the approval of the City Council of the City of Newburyport, and

WHEREAS, the City of Newburyport has made substantial multi-year, good-faith efforts to negotiate a reasonable settlement of disputes related to future use of the lands still owned by the Newburyport Redevelopment Authority, including through nearly two years of public hearings and multilateral negotiations through an *ad-hoc* committee of the City Council of the City of Newburyport, which resulted in a two-page settlement framework, approved unanimously by said City Council on May 30th, 2017 (May 2017 City Council Order), and

WHEREAS, despite the direct participation of the Newburyport Redevelopment Authority in negotiations with the City of Newburyport and other interested parties, including through the *ad hoc* committee of the City Council of said City, the Newburyport Redevelopment Authority has taken actions regarding disposition of its public lands during 2018 and 2019 that contradict the plans of the inhabitants of the City of Newburyport for such public lands, as expressed through the May 2017 City Council Order, including by transferring for nominal consideration a portion of such lands to a private, third party, rather than to the City of Newburyport, as planned under the May 2017 City Council Order, or to the Newburyport Waterfront Trust, and

WHEREAS, as evidenced by the May 2017 City Council Order as well as the petition regarding these matters submitted to the General Court by the Mayor and the City Council of the City of Newburyport during April 2019, it is the clear and unequivocal intent of said City upon taking ownership of the lands now owned by the Newburyport Redevelopment Authority, including, without limitation tidelands, whether flowed or filled, to dedicate such lands permanently to park and conservation purposes, provided that public parking is not an excluded use, under Article 97 of the Massachusetts Constitution;

WHEREAS, as evidenced by the May 2017 City Council Order as well as the petition regarding these matters submitted to the General Court by the Mayor and the City Council of the City of Newburyport in April 2019, it is further the clear and unequivocal intent of said City acceptance of the lands now owned by the Newburyport Redevelopment Authority, including, without limitation tidelands, whether flowed or filled, to facilitate the actual use of such lands permanently for park and conservation uses, provided that public parking is not an excluded use, under Article 97 of the

Massachusetts Constitution by subsequently transferring such lands to the Newburyport Waterfront Trust on the conditions specified in the May 2017 City Council Order; and

WHEREAS, the Mayor and the City Council of the City of Newburyport, representing the citizens of that community have petitioned the General Court relative to these matters;

NOW, THEREFORE, BE IT ENACTED by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Newburyport Redevelopment Authority Dissolved.

Notwithstanding the provisions of Massachusetts General Laws (MGL) Chapter 121B, Section 4, and any general or special law, state agency regulations or guidelines to the contrary, the Newburyport Redevelopment Authority, established on February 1, 1960, by vote of the Newburyport City Council pursuant to said Chapter 121B, Section 4 is hereby dissolved, and no approval from the Department of Housing and Community Development (DHCD) or any other state agency shall be necessary to effect the same, except that upon passage of this chapter, the Clerk of the City of Newburyport shall provide a copy of this chapter to the State Secretary and said Newburyport Redevelopment Authority shall be dissolved forthwith.

Notwithstanding the provisions of Massachusetts General Laws (MGL) Chapter 155, Section 51, the Newburyport Redevelopment Authority shall be dissolved immediately and shall not be continued as a body corporate after the effective date of this chapter.

SECTION 2. Ownership Interests.

Notwithstanding any general or special law, state agency regulations or guidelines to the contrary, the entirety, without exception, of all monies, and personal and real property interests whatsoever held by the Newburyport Redevelopment Authority are hereby transferred and conveyed to, and shall be vested in, the City of Newburyport, with all lands whatsoever, including, without limitation tidelands, whether flowed or filled, to be held permanently for the purposes of park and conservation uses, provided that public parking shall not be an excluded use, under Article 97 of the Massachusetts Constitution.

The City may execute and deliver a certificate in a form suitable for recording referencing the passage of this chapter along with a copy of said Chapter, and the Register of Deeds for Essex County shall accept the same for recording and make a marginal reference thereto upon the record of all applicable deeds for real property heretofore owned by the Newburyport Redevelopment Authority, as provided in summary format by the City of Newburyport. The Land Court shall also accept said certificate and a copy of this Chapter for the purposes of issuing a Certificate of Title to the City of Newburyport for any registered land heretofore owned by the Newburyport Redevelopment Authority.

SECTION 3. Elimination of Newburyport Redevelopment Authority Powers.

Notwithstanding any general or special law, state agency regulations or guidelines to the contrary, after the effective transfer and conveyance to the City of the entirety of all of the monies, and personal and real property interests of the Newburyport Redevelopment Authority, as required by this chapter, all remaining powers and authorities held by the Newburyport Redevelopment Authority, without exception, and including, without limitation, the power of eminent domain, are hereby dissolved.

SECTION 4. Relation to Existing Statutes and Regulations.

If any provision of this Chapter conflicts with any provisions of any general or special law, state agency regulations or guidelines, the provisions of this Chapter shall govern.

If at any point after the passage of this chapter, the City of Newburyport determines that a new redevelopment authority shall be necessary in the City for any reason, it may vote to organize a new redevelopment authority in accordance with Massachusetts General Laws (MGL) Chapter 121B, Section 4.

SECTION 5. Records of the Newburyport Redevelopment Authority.

All members of the Newburyport Redevelopment Authority immediately prior to the effective date of this Chapter shall immediately transfer all files, legal and financial records or other materials belonging to the Newburyport Redevelopment Authority to the City of Newburyport, acting through its Office of Planning and Development. Such files, records and materials shall include any such items held by consultants or legal counsel to the Newburyport Redevelopment Authority, without reservation.

SECTION 6. *Stipulation* in Land Court Case No. 39539, dated March 31, 1980, and recorded in Essex South District Registry of Deeds Book 6695, Page 428.

For the avoidance of all doubt, the General Court affirms that the City of Newburyport shall be, for all purposes, the successor of interest to the Newburyport Redevelopment Authority under that certain *Stipulation* in Land Court Case No. 39539, dated March 31, 1980, and recorded in Essex South District Registry of Deeds Book 6695, Page 428, including, without limitation, as to all outstanding obligations thereunder.

SECTION 7. Effective Date.

This Chapter shall take effect upon its passage by the General Court.

Committee Items-Public Safety

April 8, 2019

ORDR031_04_30_18 No Parking Titcomb from Pleasant to Merrimac

ORDR032_04_30_18 No Parking Merrimac St from Titcomb St Running Westerly

COMM126_03_11_19 Go Purple for Alzheimer's - 6/15/2019

ODNC009_03_12_18 Floating Homes, Houseboats , and Related Marinas

COMM087_09_24_18 Ltr re: Coffin Street

COMM124_03_11_19 2019 Chamber of Commerce Events

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 30, 2018

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Titcomb St.

Restriction: No parking on the westerly side of Titcomb Street from Pleasant Street to Merrimac Street
Said restriction shall expire on May 1, 2019.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Jared J. Eigerman

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

April 30, 2018

THAT the City Council of the City of Newburyport hereby orders, pursuant to Code Section 13-166, that no person shall park any vehicle on the following streets or portions thereof as follows:

Street: Merrimac St.

Restriction: No parking on the southerly side from Titcomb Street running in a westerly direction for a distance of 180 feet.
Said restriction shall expire on May 1, 2019.

Furthermore, the City Clerk shall add this restriction to the public list available in the Clerk's office. This list shall be updated and posted on the City of Newburyport website.

Councillor Jared J. Eigerman

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application)

NAME OF EVENT: The Longest Day - Go Purple for Alzheimer's

Date: June 15, 2019 Time: from _____ to _____

Rain Date: _____ Time: from _____ to _____

2. Location: Market Square Bullnose

3. Description of Property: _____ Public _____ Private _____

4. Name of Organizer: Charlene Bemis City Sponsored Event: Yes _____ No _____

Contact Person

Address: _____ Telephone: (617) 393-2023

E-Mail: cbemis@alz.org Cell Phone: _____

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: _____

6. MA Tax Number: _____

7. Is the Event Being Advertised? _____ Where? _____

8. What Age Group is the Event Targeted to? _____

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 _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

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 _____

February 19, 2019

CITY CLERK'S OFFICE
NEWBURYPORT, MA

To: Newburyport City Council:

2019 FEB 25 AM 11: 21

Newburyport has been very responsive to our efforts on behalf of the Alzheimer's Association in the past. This year as part of The Longest Day campaign we would like to hold a Go Purple awareness gathering at the Market Square Bullnose.

What : The Longest Day - Go Purple For Alzheimer's

When: Sat. June 15, 2019

Where: Market Square Bullnose

For: Alzheimer's Association MA/NH Chapter
309 Waverly Oaks Road, 3rd Floor
Waltham, MA 02452

Contact: Charlene Bemis
Development Director, Special Events & The Longest Day
Voice: 617.393.2023 Email: cbemis@alz.org

June is Alzheimer's and Brain Awareness Month. The Longest Day is an opportunity for participants from across the world come together to fight Alzheimer's through an activity of their choice.

A preliminary outline of the event pending your approval would include:

Small pop up tent with tables for Association provided materials as well as fundraising and donation opportunities.

Banners, signs and decorations promoting Alzheimer's awareness and Alzheimer's Association resources.

Thank You

Dale Granger-Eckert
89 Lime Street
Newburyport, Ma 01950
Cell: 617-650-9558
Email: dalesx2@comcast.net

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 12, 2018

AN ORDINANCE TO AMEND CHAPTER V – BUILDINGS AND BUILDING REGULATIONS; ADD ARTICLE XI – FLOATING HOMES, HOUSEBOATS, AND RELATED MARINAS**ARTICLE XI. - Floating Homes, Houseboats, and related Marinas****Sec. 5-320. - Definitions.**

For the purpose of this article, the words and phrases herein defined shall be construed in accordance with the definition set forth unless it is apparent from the context that a different meaning is intended.

FLOATING HOME — A watercraft building structure, without a hull identification number, designed primarily to be occupied as living quarters and not meant for navigation.

HOUSEBOAT — A vessel, with a hull identification number, with a hull design that meets U.S. Coast Guard standards for flotation, safety equipment, fuel, electrical power, ventilation and an on-board sewer system. They are capable of being used for water transportation, and if they are used for residential purposes, they have to be able to travel under their own power and must have a method for steering and propulsion, as well as deck fittings, navigational and nautical equipment, including all appropriate navigational lighting, and the required marine hardware. Without these features, they are categorized as house barges.

HOUSE BARGE – House barges are vessels that are designed to be navigable; that is, they are meant to move around, but not under their own power. They are meant to house people, but they are also meant to be towed. If they become permanently moored or anchored, they may have to comply with regulations that govern floating homes.

HOUSEBOAT OR FLOATING HOME MARINA — Any area within any waters of the City where one or more sites or locations are sold, rented or offered for rent for the location of floating homes, Houseboats, House Barges which are to be used for living quarters either permanently or on a temporary basis.

PERMANENT SEWER — A sewer connected to the sewer system of the City of Newburyport or to a private sewage disposal system approved by the Department of Public Services, DEP including other city departments or relative state of Massachusetts agencies.

Sec. 5-321. - Docking and mooring of houseboats and floating homes restricted to licensed slips.

No person shall dock a Houseboat, Floating Home or House Barge in the waters of the City except at a pier, slip or dock for which a valid current marina license has been issued. No Floating Home or House Barge shall be moored in the city of Newburyport.

Sec. 5-322. - Use and occupancy of Floating Homes

No person shall use or occupy or permit the use or occupancy of a floating home for living quarters either permanently or on a temporary basis on the waters of the City except in a houseboat or floating home marina operated pursuant to a permit issued by the City and such houseboat meets the following requirements:

- A. The Floating Home marina has received a Watersheet approval and completed all applicable permitting processes.
- B. The floating home is designed and constructed so that it meets the requirements of the State Building Code, City of Newburyport Building Code, and has successfully passed all inspections associated with such governance, including specialized codes thereof, except insofar as the provisions thereof are not responsibly applicable.
- C. The floating home is designed and maintained so there is a single opening above the waterline for waste and sewage removal and such opening is tightly connected to a permanent sewer.

Sec. 5-323. - Houseboat or Floating Home marina operation permit.

No person shall operate a Houseboat, Floating Home or House Barge marina and rent or hold out for rent any site or space for the location of a Houseboat, Floating Home or House Barge to be used or occupied for living quarters either permanently or on a temporary basis without complying with state fire codes and having a current permit for such marina from the City.

Sec. 5-324. - Application for houseboat or Floating Home marina permit; standards.

- A. Any person desiring to operate a houseboat marina shall have a valid Chapter 91 license covering this intended use issued by the Massachusetts Department of Environmental Protection. File a Watersheet application for a permit to do so with the City. Such application must be accompanied by a plan showing the location within the marina of the proposed Floating Home(s).
- B. Additional Requirements:

1. The applicant owns or has a lease of the land over which the marina is proposed to be operated.
2. Each individual space intended for a Floating home must be provided with a permanent sewer connection.

Sec. 5-325. - Houseboat and Floating Home marina permit revocation.

Any permit for a houseboat marina may be revoked by the City after written notice to the operator of such marina and an opportunity to be heard before the City. Such written notice shall be mailed to the operator of the marina at the address shown on the permit and shall state the date and time the City will consider the proposed revocation. The grounds for revocation shall be:

- A. The houseboat or floating home marina no longer meets the conditions under which the permit was granted.
- B. The houseboat or floating home marina has become a source of pollution of the waters of the Town.
- C. The facilities of the marina or the floating homes and houseboats located therein have fallen into a state of disrepair.
- D. Individual floating homes or houseboats are permitted or maintained within the marina which do not meet the requirements for floating homes or houseboats established by this article.
- E. Floating homes must be inspected annually by the Building Commissioner, Deputy Fire Chief and City Electrical inspector before occupancy.

Sec. 5-326. - Annual Floating Home Permit.

Floating home permits are required for all floating homes located in the city. Please note the information below to ensure proper registration with the Harbormaster:

- A. Floating homes must properly display permits as required or be subject to fines.
- B. Floating homes will not be issued stickers if forms are incomplete (Fill out Entire form to avoid delays)
- C. Floating home permits are \$200 per unit.
- D. Floating home permits issued after June 30 will be charged a \$25.00 late fee.

Sec. 5-327. - Administration.

The Board of Health, the Department of Public Services, the Building Commissioner and the Harbormaster shall assist in the administration and enforcement of this article, each within its or their appropriate jurisdiction.

Sec. 5-328. - Registration and Documentation

Any Vessel, Boat, Houseboat or House Barge located within the waters of the City of Newburyport, whether at a private residence, marina or mooring must have a valid Registration or USCG Documentation and active Insurance.

Councillor Charles F. Tontar

Sept 17, 2018

Dear Councilors,

I writing to ask your assistance in solving an issue I have. Due the past decisions of various boards Coffin Street has become a street that dead ends with no way of turning around without using my property. Coffin Street is an accepted city street from Jefferson St to Merrimac St.

My property has been damaged by cars attempting to turn around. Most recently a section of fence was taken out at the top of my driveway. No one claimed responsibility. I can understand why folks mistake my driveway as a continuation of the city street as I was required to make it 30ft wide where the area that is supposed to be the city turnaround is 20 ft wide and appears to be part of 13 Coffin's St driveway. (See Figures 1 & 2 Photos of area)

Some in the neighborhood have questioned Coffin St being a city street. Deeds dating back to the 1800's and the first assessors map in 1926, show Coffin Street as a thru street from Jefferson St to Merrimac Street. (See Fig. 3 First Assessor's Map)

In the 1970's one resident started piling debris in the street preventing the use of the now referred to as "unfinished section" that led to Jefferson St. making it impossible to get through. (See Fig 4 Photo)

January 1996 the Planning & Development Committee put forth a list of streets that had not been previously accepted. Coffin St from Merrimac to Jefferson St was on that list. This was supposed to have resolved the question of Coffin St being a city street. Interestingly, after having prevented the completion of the street, Mr. Fraser, 29 Jefferson St, then used the street acceptance to divide 29 Jefferson St into a 3-lot ANR subdivision in Aug 1999. The planning board passed the plan on the fact that the clerk verified Coffin St was an accepted city street. (See Fig 5 1996 Subdivision Plan of 29 Jefferson St).

Over the year's letters were sent out by the Building Inspector with regards to encroachments, but never enforced. Encroachment on the street grew. (See figure 6 photos)

Mayor Clancy (2005) wrote in a letter to residents: "Our DPW vehicles had significant problems this past winter in turning around with their plows. In addition, public safety apparatus will be better equipped to move in and out of the street more quickly." Below is what the turnaround looked like at that time. (See figure 7 Slot prior to 13 Coffin St Construction)

In Oct 2013 Kellop Development purchased 13 Coffin St. (Bk 32863 pg 258). The developer appeared before the Aug 2013 Planning Bd mtg. The chair told him that the issue of whether the unfinished section of Coffin St was public or private needed to be resolved. Their attorney was given 3 months to accomplish that. A building permit was denied by the Building Inspector because the lot needed 90 ft of street frontage. Dec 2014 the developer appealed to the ZBA. The ZBA approved a plan that used the turnaround (40ft deep) for their frontage requirement and 20 ft wide— not the 30 + feet depicted on the Aug 1999 subdivision plan (shown above). Below is the plan the ZBA approved. (Figure 8 Plans for 13 Coffin St).

This is why I am asking for your help. The use of the turnaround area is often impeded since 13 Coffin St only has enough parking for their 2 vehicles. Over the last few winters it is also evident the area is not deep enough to handle the snow from the street. Since the slot is only as deep as their driveway there is no place for the DPS to put the snow. Vehicles are often parked in the slot during snow storms making it impossible for the DPW to use the area. Even when the slot is used vehicles back into my property so they can make the 90 degree turn down Coffin St. The street was originally 33 ft wide, but now is about 25 ft adding to the difficulty in being able to turn around. The portion of Coffin St that connected to Jefferson St is used by abutters as their own property (lawn- plantings, etc.).

I would greatly appreciate your help in resolving this issue of encroachments and the dead ending of Coffin St. causing my property to be used as if it were city property. Thank you in advance for your help.

Thanks

Jane Snow, 9 Coffin St

Lot is cleared

House is completed- turn around basically becomes part of their driveway. Granite curbing placed across front of slot adding to the difficulty for plowing and cutting off access to the rest of the unfinished portion of street.

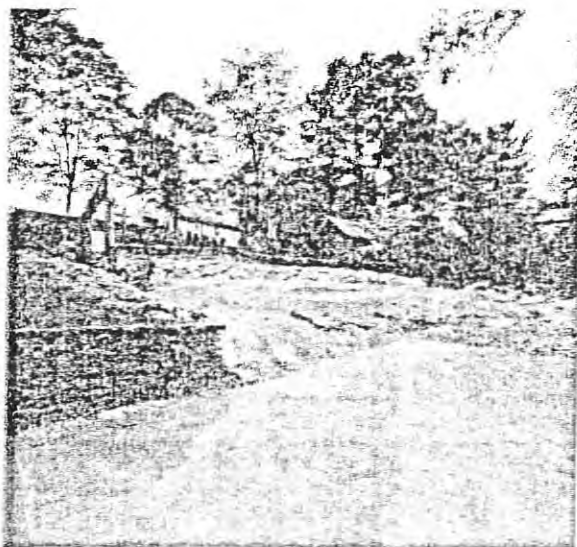


Figure 1



My driveway is a 90 degree left turn, slot is to the Right. Fire hydrant is on corner of section that goes Thru to Jefferson St

Figure 2



Arrow shows my property line. Sign on right states Private Property – NO Turning Fire hydrant is located on corner of section that Turns toward Jefferson St.

Figure 3



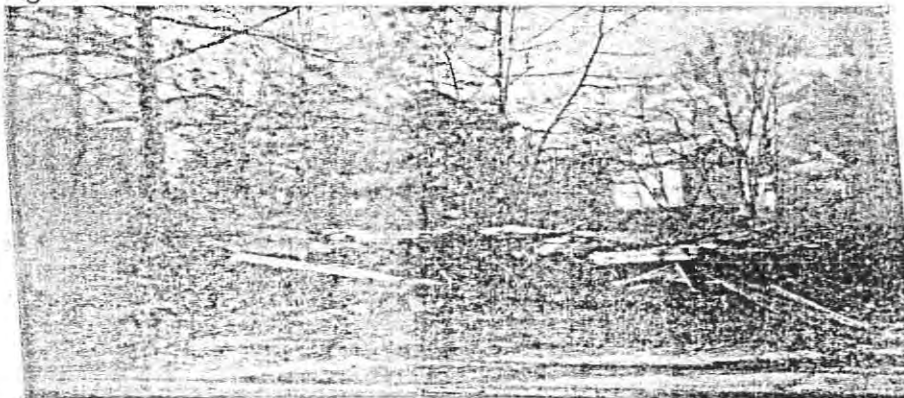
The deeds also show, the following properties rely on the now unfinished portion of Coffin St for their frontage:

- 8 Coffin St (Bk 15349 Pg. 479)
- 13 Coffin St (Bk 32863 Pg. 258)
- 27.5 Coffin St (Bk 13166 Pg. 304)
- 29 Coffin St -1999 3 lots subdivision plan Bk 7 Pg 337

337

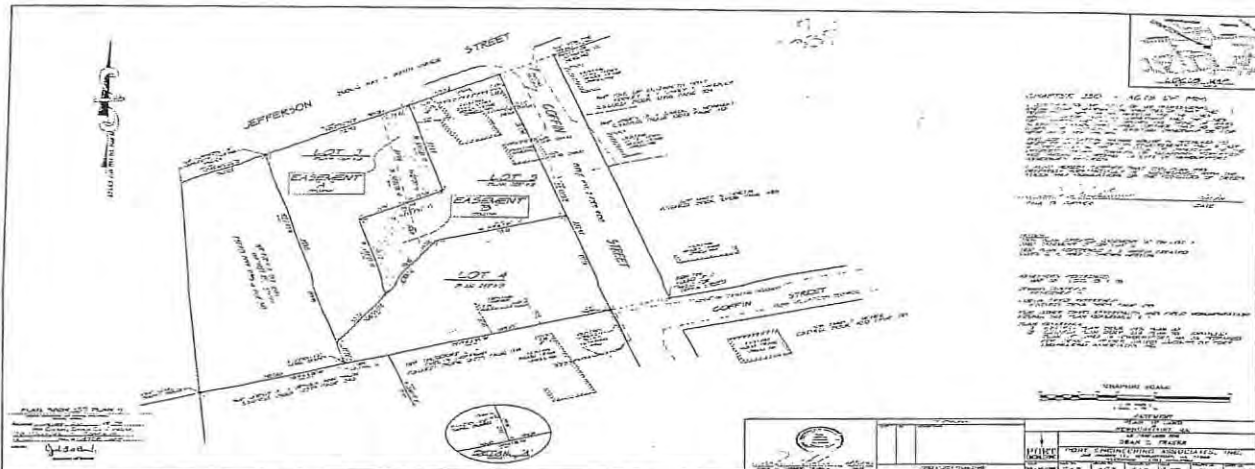
The first assessor's map hangs on the wall as you go in Assessor's office. Above just shows Coffin St

Figure 4



Debris piled so section between Coffin St and Jefferson St can't be used.

Figure 5

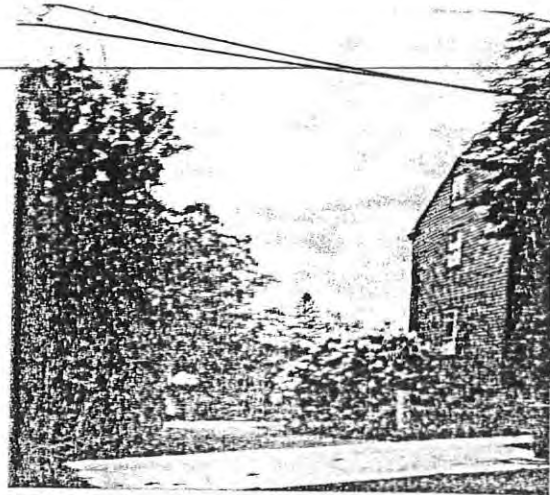


1999 Subdivision plan Bk 7 Pg 337. The minutes reflect that the acceptance of the plan did not require the construction of frontage for 13 Coffin St at that time.

Figure 6

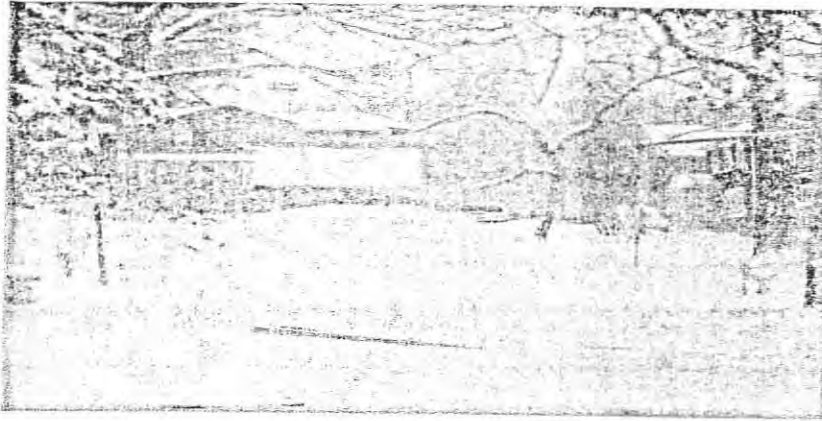


View from Jefferson St side



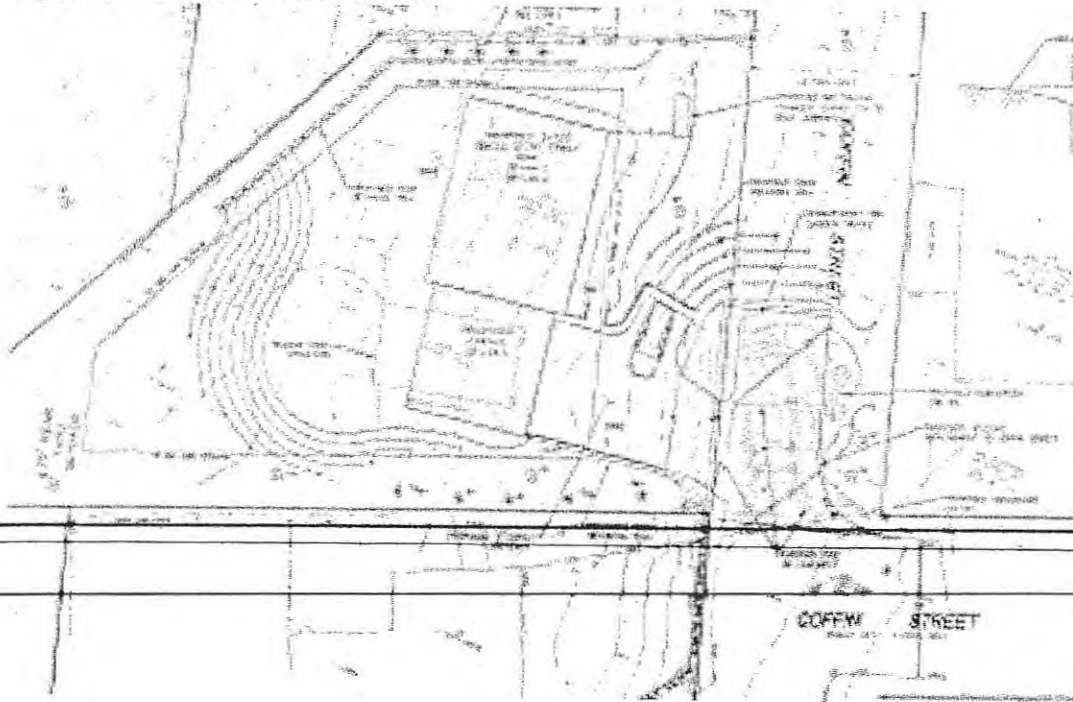
Current view from Jefferson St side

Figure 7



Slot before 13 Coffin St was built. The entire area for used to put snow.

Figure 8- Plans for 13 Coffin Street





38R Merrimac Street, Newburyport, MA 01950

O: 978-462-6680 F: 978-465-4145

www.newburyportchamber.orginfo@newburyportchamber.org

Wednesday, February 13, 2019

Newburyport City Council
60 Pleasant Street
Newburyport, MA 01950

Dear Council President Connell and Members of the Newburyport City Council:

The Greater Newburyport Chamber of Commerce & Industry (GNCCI) kindly requests the use of downtown streets for the following GNCCI sponsored events:

- Spring Invitation Night: Friday, May 10, 2019
- Spring into Newburyport: Sunday, May 26, 2019
- Cruisin' the 50s Car Show: Thursday, August 15, 2019 (Rain date August 22, 2019)
- Fall into Newburyport: Sundays October 6, 13, 20 and 27
- Downtown Trick or Treat: Friday, October 25, 2019
- Witches' Night Out: Friday, October 18, 2019
- Invitation Nights: Fridays, December 6, 13, and 20, 2019

The Greater Newburyport Chamber makes every effort, in conjunction with Mayor Donna Holaday, city departments, and our members, to promote the City of Newburyport and Greater Newburyport area as a unique destination for its shopping, dining, arts & culture, and natural resources. The GNCCI, through the following events, seeks to help promote the City of Newburyport by attracting visitors to the area, increasing foot traffic, and encouraging return visits.

Spring Invitation Night: The Friday evening prior to Mother's Day, similar to the first three Fridays in December, downtown merchants stay open late and offer merchant hospitality as well as shopping specials. Shoppers will walk along the downtown shops, restaurants, and cafes on Friday, May 10, 2019 from 6:00PM – 9:00PM. This is an event that draws both locals and visitors and markets dining and shopping in the City of Newburyport. Invitation Night events help to support the local economy and encourage return visits to Newburyport.

Spring into Newburyport: Previously known as the Newburyport Spring Festival which was held traditionally on the Sunday and Monday of Memorial Day Weekend, this "Spring into Newburyport" event is being re-branded. We seek permission to hold this event on only Sunday,

May 26, 2019 from 12:00PM – 6:00PM. We ask for permission to utilize the Bullnose, Inn Street, parking spaces along the western half of State Street from Market Square to Pleasant Street, and parking spaces along the southern half of Pleasant Street from State to Green Street. We ask permission for live music to be played in the Bullnose as well as the placement of booths. Parking spaces as listed above will be for Chamber members, non-profits, and crafters to have booths. This event is marketed to locals and residents within a 30-minute drive time. “Spring into Newburyport” showcases the retailers and restaurants offered in the City of Newburyport, kicks off the Summer season, and encourages return visits.

Cruisin’ the 50s Car Show: This 8th annual car show draws car enthusiasts from the area and region to downtown Newburyport. Visitors and locals enjoy the display of antique cars and this event has become a busy night for the city’s numerous restaurants. We seek permission to hold this event on Thursday, August 15, 2019 with a rain date of Thursday, August 22, 2019. Similarly to previous years, we request permission to close State, Pleasant, and Inn Streets from 2:00PM – 9:00PM as well as Patrick Tracy Square and the State Street Lot. Cars will arrive at approximately 3:00PM. In regards to State Street, we request closure from Market Square to the intersection of State and Harris Streets. For Pleasant Street, we request permission to close from State to Green Streets. We also ask that Harris Street be restricted to residents only in order to prevent an abundance of vehicles bypassing downtown via Green to Harris Street which becomes a safety issue as vehicles turn from Harris to State Street where a number of pedestrians are enjoying the event. We also request utilization of the Bullnose for live music. This event is free and open to the public, and it encourages both locals and visitors to spend a weeknight evening in downtown Newburyport.

Fall into Newburyport: Formerly known as the Fall Harvest Festival and held annually, this event is also being re-branded. Rather than occurring both Sunday and Monday of Columbus Day weekend as done previously, we instead request permission to hold this event from 12:00PM – 6:00PM on the four Sundays in October 2019: October 6, 13, 20, and 27. This event will feature booths for Chamber members, non-profits, and crafters. We seek permission to utilize the Bullnose for live music as well as the placement of booths. We also request the use of Inn Street, parking spaces along the western half of State Street from Market Square to Pleasant Street, and parking spaces along the southern half of Pleasant Street from State to Green Street. These areas will be for booths as well. Similarly to “Spring into Newburyport,” this Fall event showcases the retailers and restaurants offered in the City of Newburyport, promotes the City, and encourages repeat business.

Witches’ Night Out: A favorite of the Chamber’s retail committee, this annual adult-friendly event mimics an Invitation night but with a Halloween theme. The goal of this event is to stimulate downtown foot traffic and encourage spending in the City of Newburyport on Friday, October 18, 2019 from 6:00PM – 9:00PM. Attendees walk along the downtown shops, restaurants, and cafes and are encouraged to dress in Halloween attire. This event is free and open to the public.

Downtown Trick or Treat: This event was also created by the Chamber’s retail committee and is targeted towards the City’s youngest residents. On the Friday before Halloween, October 25, 2019, young children in costume accompanied by an adult are encouraged to visit downtown

Newburyport and the Tannery from 4:00PM – 5:00PM. Chamber members provide treats to children in costume. This event is free and open to the public.

Invitation Nights and Holiday Décor: Invitation Nights are traditionally held the first three Fridays of December. This year's dates are Friday, December 6, 13, and 20, 2019. Downtown merchants stay open late and offer merchant hospitality as well as shopping specials. Shoppers will walk along the downtown shops, restaurants, and cafes from 6:00PM – 9:00PM. This is an event that draws both locals and visitors and also markets dining and shopping in the City of Newburyport. Invitation Nights help promote the City, support the local economy, and encourage return visits to Newburyport. Additionally, as completed for the last several decades, we will work closely with the Department of Public Services to erect a Christmas tree in the Bullnose and decorate the lampposts for the holidays.

For downtown events, we work closely with the City, Newburyport Police & Fire Departments, Department of Public Services, and Health Department to ensure a safe time for all locals and visitors. We thoroughly enjoy showcasing the City of Newburyport and stimulating economic development throughout the entire Greater Newburyport area. There is potential for additional events in 2019, but we will surely present and seek permission before the council in the event that an additional opportunity presents itself. Thank you for your consideration and partnering with us to help promote the City of Newburyport.

Sincerely,



Elisabeth Harley

Membership Development

Greater Newburyport Chamber of Commerce & Industry

NEWBURYPORT SPECIAL EVENT APPLICATION

Tel.

Fax.

(For Parades, Road Races and Walkathons Only - Please complete page 3 of this application)

NAME OF EVENT: _____

Date: _____ Time: from _____ to _____

Rain Date: _____ Time: from _____ to _____

2. Location: _____

3. Description of Property: _____ Public _____ Private _____

4. Name of Organizer: _____ City Sponsored Event: Yes _____ No _____

Contact Person

Address: _____ Telephone: _____

E-Mail: _____ Cell Phone: _____

Day of Event Contact & Phone: _____

5. Number of Attendees Expected: _____

6. MA Tax Number: _____

7. Is the Event Being Advertised? _____ Where? _____

8. What Age Group is the Event Targeted to? _____

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 _____ Beverages _____ Alcohol _____ Goods _____ Total # of Vendors _____

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? _____
- 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: _____

FOR PARADE, ROAD RACE AND WALKATHON EVENTS ONLY

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: _____


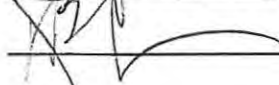
• Locations of Viewing Stations: _____

• 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.

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: <i>Fee for Special Events: \$45/hr/DPS employee for trash handling/staging etc. may apply</i>	_____	
	<input type="checkbox"/> Yes: \$_____ due on _____	<input type="checkbox"/> No Fee for Special Events applies	
	Other requirements/instructions per DPS _____		
___	10. Recreation 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.

Limitations

- (a) *"Procedure"* All road racing, walkathon, bicycle, or swimming events shall, through that event's organizer, board of directors, charity foundation or designee apply for authorization to hold the event through the Office of the City Clerk. The City Clerk upon review of the completed form will place the application on the regular City Council agenda. 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 event will name one person responsible on the application and shall provide contact information to include name, address and telephone number.
- (b) *"Exemptions"* Each event organizer or organization shall comply with this ordinance and no exemptions will be permitted.
- (c) *"Course map"*, All applications shall be accompanied by a course map showing the event route, water stops, refreshment stops, and so-called "porta-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 Harbormasters Departments prior to submission to the City Clerk.
- (d) *"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 be used for public address announcements or music before 9:00 AM. This shall be deemed a requirement for all permitted events regardless of type or location.

- (e) *"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 ten (10) days in advance that neighborhood roads will be closed if no alternate route is available to those residents.
- (f) *"Insurance"* All events shall have an insurance policy or rider in effect for the event naming the "City of Newburyport" as an insured. The policy shall be no less than two million dollars (\$2,000,000.00).
- (g) *"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.
- (h) *"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 oversee the safety and security of the event. All special duty assignments will be paid by the event organizers.
- (i) *"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.

13-101 Enforcement

- (a) *"Regulations"* Consistent with this ordinance, the city shall promulgate regulations to enforce and otherwise implement the provisions of this ordinance upon passage by the City Council. Any event previously approved by City Council shall be deemed permitted.
- (b) *"Warning"* In the circumstance that this ordinance 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.
- (c) *"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 Subsection 1-17 of Chapter 1 of the Code or Ordinances of the City of Newburyport in the amounts set herein in 13-101(d)
- (d) *"Violation"* The non-criminal violation shall be \$100.00 for the first offense and \$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.

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: _____

02/25/2019



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/21/2018

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 Eastern Insurance Group LLC 233 West Central St Natick MA 01760	CONTACT NAME: Alex Campbell	
	PHONE (A/C. No. Ext): 978-225-6361 FAX (A/C. No.): E-MAIL ADDRESS: acampbell@easterninsurance.com	
INSURED Greater Newburyport Chamber of Commerce Inc 38 R Merrimac Street Newburyport MA 01950	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Philadelphia Insurance Company	
	INSURER B: NorGuard	31470
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 18 GL, WC 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			PHPK1861216	8/5/2018	8/5/2019	EACH OCCURRENCE \$ 1,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/>	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTIONS						\$
B	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	GRWC980485	4/23/2018	4/23/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
			E.L. EACH ACCIDENT \$ 100,000				
			E.L. DISEASE - EA EMPLOYEE \$ 100,000				
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Newburyport is recognized as Additional Insured for General Liability.

CITY OF NEWBURYPORT 60 Pleasant Street Newburyport, MA 01950	CANCELLATION 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 John Koegel/SCAMPB

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