

## Dianne Boisvert

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**From:** Katelyn E. Sullivan  
**Sent:** October 29, 2021 11:30 AM  
**To:** Dianne Boisvert  
**Subject:** FW: MINCO Nbpt Crossing project - staff report to PB - site, landscaping and pedestrian/bicyclist circulation  
**Attachments:** 1. MINCO Nbpt Crossing - CCRT - images 2021.pdf

Please see below and attached. Can you please post this from Geordie?

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**From:** Geordie Vining <GVining@CityofNewburyport.com>  
**Sent:** Friday, October 29, 2021 11:25 AM  
**To:** Katelyn E. Sullivan <KESullivan@CityofNewburyport.com>; Andrew Port <APort@CityofNewburyport.com>; Jennifer Blanchet <JBlanchet@CityofNewburyport.com>  
**Cc:** Michael Hennessey <MHennessey@CityofNewburyport.com>; Lise Reid <LReid@CityofNewburyport.com>  
**Subject:** MINCO Nbpt Crossing project - staff report to PB - site, landscaping and pedestrian/bicyclist circulation

Staff report to the Planning Board re. review of the Smart Growth District (SGD) Plan Approval Application for 166-168 Route 1 (MINCO) Newburyport Crossing project:

Comments on site, landscaping and pedestrian/bicyclist circulation:

The MINCO Newburyport Crossing project shares a boundary of approximately 1,000 linear feet with the Clipper City Rail Trail corridor and will have a significant impact on this public space which is used and enjoyed by thousands of people. It is important that the “green screen” gets fully replaced, enhanced, and maintained by the project, and that the pedestrian and bicyclist circulation and connections between the trail and the project are enhanced.

This section of the Rail Trail is characterized by broad 50+ foot open corridor which is buffered from the nearby Route 1 highway by a relatively thick green band of trees and vegetation. However, most of the trees in this vicinity are on the applicant’s private property. The applicant has characterized the goal for the project’s grading and landscaping as integrating the public corridor and the private property, which we generally support. The applicant is requesting a significant waiver of the maximum building footprint from the Planning Board among other waivers, is depending upon the edge of the public corridor for re-grading and drainage, and the immediate availability of the adjacent Clipper City Rail Trail will be a substantial amenity for the anticipated residents of the Newburyport Crossing multi-family housing. Based upon a review of the preliminary plans submitted and discussion with the applicant, we recommend that the Planning Board require the applicant to:

- A) *More actively protect and preserve the valuable existing stand of oak trees along the northern approximately 150’ of the property that screen Route 1 from the trail by modifying some of the proposed work at the northern end of the site, as well as explore protecting several individual established potential “specimen” trees south of this area;*
- B) *Improve the multiuse pathway route for the public through Newburyport Crossing between the Rail Trail and the existing signalized crossing of Route 1 at Hill Street; and*
- C) *Adopt and maintain the landscaping of the Rail Trail corridor in this vicinity on both the public and private side of the boundary, particularly the gateway areas along the Rail Trail that help integrate the public corridor with the Newburyport Crossing project, in order to keep the area neat and landscaped and free of invasive plants (such as the bittersweet infestation) in the future.*

### Protect/preserve existing valuable trees:

At the northern end of the site there is a substantial stand of healthy multi-aged oak trees for approximately 200' along the applicant's property that provides a significant screen of the nearby Route 1 highway for the public using the Rail Trail. The plans submitted reference protection of this area, but need to be refined and improved in order to more actively preserve these trees. The largest existing "hub" oak tree is approximately 24" DBH and estimated to be 80-100 years old, and is serving as a central hub for the underground mycorrhizal networks supporting all of the trees in the area. This hub tree has been growing here since the Great Depression through wars and pandemics and multiple generations of Newburyporters. It has many decades left if we take pains to protect it. There is also a large 20" DBH oak nearby that is not identified on the plans, as well as numerous other oaks of all sizes. The applicant needs to work the Planning Office to fine tune the details of an acceptable layout that will conservatively provide the most protection to avoid compromising the hub tree and other oaks and allow them to thrive while permitting the development to proceed:

- Correct the labeling of the hub tree to 24" (not 10") on all of the plans and illustrate its much more significant canopy and root zone on all the plans, not just the landscape plan;
- Locate and include on the plans the nearby 20" DBH oak about 35 feet north near the location of the proposed headwall; locate more of the other oaks in vicinity to provide a clear picture of the grove;
- Review and fine-tune the location of the proposed drainage manhole several feet north, along with the connecting drain lines, away from the hub oak;
- Review and adjust the alignment and length of the overflow 18" stormwater drainage pipe to the headwall at the 30' contour away from the 20" oak tree;
- Review and shift the location of the proposed commercial tenant sign approximately 50' south to remove it from the existing slope and group of smaller screening trees;
- Review and delete perhaps two of the proposed parking spaces on the northern end of the north lot in order to avoid grading and construction impacts in the root zone and near the trunk of the hub 24" oak tree as well as avoid removal of other existing trees; there appears to be space to shift the subsurface detention modules east, if necessary, without losing capacity;
- Revise pruning notes on the Landscape Plan, as pruning should only be done of dead branches except for on the parking lot side if necessary;
- Shift the proposed two new evergreen trees and three shrubs on the Landscape Plan to the other side of the CCRT corridor, or elsewhere on the site; the proposed trees on the Landscape Plan would conflict with the branches and canopy of the hub oak tree, block views of it for trail users, and interfere with small oaks currently growing in that vicinity;
- Consider providing a Development Restriction (DR) or Conservation Restriction that runs with the land for the preservation of this undeveloped space to prevent future grading, clearing, installation of signs, etc.;
- Please see the attached illustrative images.

In addition, there are several large individual "specimen" trees such as a mature red maple and others to the south of the oak grove that could potentially be protected without significantly impacting the development proposal. The applicant should identify them and analyze the alternatives regarding protection (e.g., tree wells) and demonstrate why it is not feasible to save them. There are also several trees within the CCRT corridor near the boundary that do not appear to be identified on the plans and should be protected. The living willow "pavilion" at the northern end of the Alchemical Garden also needs to be identified in the plans. (Please see the attached images.)

The Landscape Plans appropriately call out the protection of shrubs like staghorn sumac, which has beautiful fall color, located in the public corridor near the boundary line whose root zones will be vulnerable to compaction and disruption from the adjacent construction, as well as the addition of new trees and shrubs in the landscaping "holes" on the other side of the trail. The need for and location of the five proposed stone check dams in the public corridor need to be reviewed with the Planning Office.

### Improve the public pathway connection between the Rail Trail and the signalized crossing of Route 1 at Hill Street:

- Route and alignment: The project has the potential to significantly improve, formalize and make accessible pedestrian and bicyclist connections to the Rail Trail corridor. The project will rebuild the existing interim spur pathway connection to Haley's for pedestrians and bicyclists and extend it through the project to Route 1 near the existing signalized crossing of Route 1, which we fully support. However, the recently submitted plans dated 10.27.21 continue to not go quite far enough to make the connection with the Route 1 intersection, and they negatively reconfigure the alignment of the originally proposed more straightforward route along the property line with Ashby Cross/Bradford Holdings that was shown on the preliminary plans dated 10.04.21. The current plans would send pedestrians and bicyclists out of their way to and along Route 1 by an additional 100 feet and require two crossings of vehicular driveways and drive aisles. This is less safe, and many pathway users would likely cut the corner and follow the shorter and more direct desire line through the reconfigured parking area. The shared use pathway must not feel like a secondary mode of transportation or an "after-thought" that is squeezed in around the primary elements. The applicant should revise the alignment of this main pathway, and should reduce the proposed 8 parking spaces in this fan shaped area to approximately 5 angled parking spaces, which will allow ample space to provide an 8' wide shared use pathway plus approximately 3' of buffer space on each side, both the parking side as well as the fenced property line side so pathway users are not pressed against a fence. (If no buffer space is provided on the parking lot side, the applicant should provide a timber guardrail in order to prevent vehicles from encroaching on the pathway due to the front overhang of vehicles.) The project is providing significantly more parking spaces than required and can afford to delete a handful in order to significantly improve the pedestrian/bicyclist circulation. The existing utility pole UP7 that is physically in the way in this vicinity should be relocated as necessary to the landscaped area. The location of the proposed SB and SA light poles should also be modified accordingly to work around the pathway alignment.
- MassDOT Route 1 r.o.w.: In addition, the pathway connection must be extended east off-site approximately 40' along the MassDOT public right-of-way so that it seamlessly connects with the existing stub of concrete sidewalk and wheelchair ramp associated with the existing signalized crossing of Route 1 at Hill Street. The route will not be handicapped accessible or fully functional without this extension, and would be a significant missed opportunity if this gap is not filled by the project. This area, as well as the buffer zone and some of the project's other pedestrian/bicyclist pathways along Route 1 are within the MassDOT public right-of-way and need approval by the state agency. The applicant must seek approval early in the planning process from MassDOT, in good faith and in coordination with Planning Office staff, in order to fully integrate these elements into the project plan. In addition, at least one utility pole UP10 appears to physically encroach on the already narrow pathway proposed along Route 1, and will need relocation.
- Fencing and signage: The existing old chainlink fence along the property line should be replaced with a new higher quality fence in this area along both the short segment of Route 1 and down along the Ashby Cross/Bradford Holdings property line, where it is almost entirely covered with invasives, but is not currently addressed on the plans. In addition, a directional sign, subject to review and approval by the Planning Office, should be installed on the applicant's property near Route 1 to indicate and invite access to the Clipper City Rail Trail.
- Connection to Trail: At the other end, it is appropriate that the spur pathway connection with the main Rail Trail is 8' wide and that it is re-built directly up to the main Rail Trail on the public corridor. The existing pathway was always considered interim, and is too narrow and does not have thick enough pavement. (The 1 Boston Way project included "off-site" construction of a wide pathway along Parker Street, which complements the project.) It is fine to use concrete for the spur pathways. The Landscape Plan currently shows the most detail for this connection, although the material of the circular area with the benches needs to be clarified (unit pavers), and it should be harmonized with the other plans such as C2.2 Site Preparation and Demolition. Please see the attached illustrations.
- Connection to Café: The applicant is also proposing building an additional 8' spur pathway connection to the west between the Rail Trail and Newburyport Crossing to the destination of a new commercial retail café space, which we fully support. The Newburyport Smart Growth District objectives include "*encouraging sustainable*

*mixed use development*”, and, while small, this commercial space has the potential to be an important public benefit. The existing Haley’s Ice Cream Shop has gone through multiple owners in recent years and unfortunately has seemed to decline as a desirable destination for families in recent years, and establishing a new café space could provide a valuable new destination for users of the Rail Trail. The applicant should install a sign on the other side of the trail, subject to approval by the Planning Office and Parks Department, indicating the presence of the café/commercial destination for trail users.

- **Connection to Trail at Parker Street:** Finally, the applicant also proposes a short connecting pathway near Parker Street between the proposed new parking stalls and the main trail/trailhead. The pathway needs to be widened appropriately and the intersection with the main trail defined. The RRFB pedestrian-activated signal recently installed by MINCO for the 1 Boston Way project appears to physically conflict with the proposed alignment of this pathway. In addition, the applicant should install signage regarding the 24 proposed parking spaces north of Parker Street, subject to review and approval by the Planning Office, that clearly indicates that it is “shared parking” open to the public although potentially limited to short-term use (e.g., 4 hours vs. all-day parking), daytime hours (vs. overnight parking), etc.

Adopt and maintain landscaped areas in both public corridor as well as private:

The project has the potential to improve the appearance and experience of this 1,000-foot portion of the Rail Trail corridor for thousands of people. The City’s resources and capacity to maintain the landscaping along this portion of the Rail Trail corridor have always been limited. With the arrival of hundreds of new residents in the Newburyport Crossing multi-family housing and other Smart Growth District buildings in this vicinity, it is anticipated that there will be increased scrutiny of and requests for more maintenance of this area. The private project will significantly benefit from construction, occupation and use of a portion of the public corridor through re-grading the edge for drainage of much of the new paved areas. The public space of the Clipper City Rail Trail corridor will be a significant amenity for the residents of Newburyport Crossing. The applicant is requesting significant waivers regarding the extent of the footprint. Therefore, the Planning Board should require the applicant to adopt and regularly maintain the full integrated boundary area of the Rail Trail’s public corridor in addition to the private property side of the boundary, in order to keep the integrated area neat, mowed, landscaped and free of invasive plants such as the bittersweet infestation. Similarly, the applicant needs to actively mow and maintain any green buffer areas located within the Route 1 MassDOT right-of-way, and address weeds in the median of the Route 1 signalized crossing.

Thank you for your consideration.      -- Geordie

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## Oak Trees Screening Clipper City Rail Trail From Route 1 Highway



**“Hub” 24-inch Oak**



**20" and 24" DBH Oaks Adjacent to Horse Sculpture on CCRT**



**Oak Grove Screening the CCRT (Looking South)**





**Proposed Location of Commercial Tenant Sign – Needs Relocation**



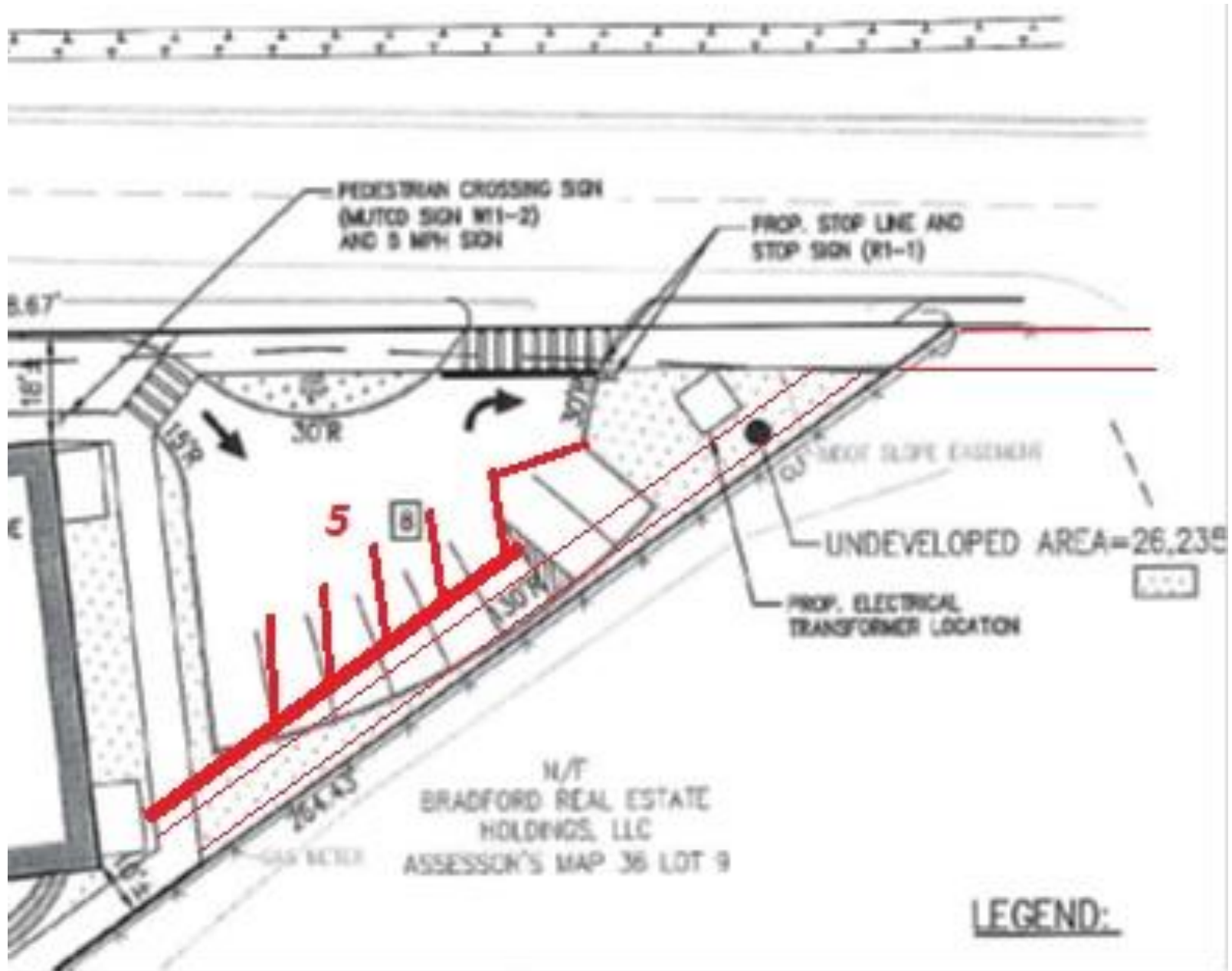
**Potential Large Double-Stem “Specimen” Tree 10’ from Property Line**



**Potential Large Double-Stem “Specimen” Red Maple Tree 6’ from Property Line**



**Juniper and Pine Trees in CCRT Corridor Need Identification on Plans and Protection**



Revise and Enhance Straightforward Alignment of Shared Use Pathway Connection



**Shared Use Pathway Connection Between CCRT and Haley's**



**Connection to Route 1 Signalized Crossing at Hill Street**



**Route 1 Signalized Crossing at Hill Street**





**Existing CLF Fence Needs Replacement**



**RRFB at Parker Street vs. Alignment of Pathway Connection to New Parking Area**