10 Chase Street, West Newbury, MA 01985 978-994-4550 philchristiansen.pe@gmail.com

Bonnie Sontag, Chairperson Board Members Newburyport Planning Board 60 Pleasant Street Newburyport MA 01950

Re: Newburyport Crossing at Parker Street 166 and 168 Newburyport Turnpike Review of Plans and application

Dear Ms. Sontag:

Attached is my review of the information submitted for the above project. Enclosed is a Plan Review and a review as per the requirements of Section XXIX-H.

You will note in my comments that work is not only proposed on the subject parcels but also within the Right of Way of Route 1, within the Rail Trail and on property owned by Bradford Real Estate Holdings LLC for 28 Parker Street. Approval from the owners or individuals responsible for those properties must be obtained before the project can be built.

The applicant requested that a waiver be issued for submittal at a later date of the

- Drainage report
- Stormwater Management Report
- Drainage Calculations
- Proposed Operation Maintenance plan

My final report cannot be submitted until that information is submitted and I have reviewed it.

Very truly yours

Philip Christiansen P.E.

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Newburyport Crossing at Parker Street

166 and 168 Newburyport Turnpike

Plan Review

Concept Design (Cover Sheet)

• Minco Development Corporation is listed as the owner. This is in conflict with other documents submitted by the applicant as well as the Assessor's Records.

Zoning & Program (Sheet A1.13)

- Should add Handicapped parking requirements
- Live/work units should be listed
- Is additional parking envisioned for the Live/Work units?

Existing Conditions Plan (Sheet C2.1)

• The northern limit of the property needs to be shown on the plan.

Site Preparation and Demolition Plan (Sheet 2.2)

- The construction fence is proposed within the rail trail.
- Mulch sock is proposed within the rail trail
- Demolition of the entrances and exits will require work within Route 1
- Removal of Vertical Granite curb will require work within route 1
- A portion of the southern end of the site drains onto Route 1. Sedimentation control should be specified there.

Site Plan Sheet C3.1

- The owners listed are different from the owner listed on Cover Sheet
- A detail of the 30" screening wall proposed along Route 1 is not included in the plan set.
- There isn't detail contained in the plan set that shows a "Ret. Wall Under Pavement" as specified for the assigned tenant parking area at the north end of the property.
- The proposed building footprint contained in the Dimensional & Density Table is 28,535 SF while the waiver requested from Section XXIX-F4 is for 32,000 SF.
- A waiver is requested to use a bituminous cape cod berm or no berm at all in certain areas. The limit for the areas for which the bituminous Cape Cod berm or no berm at all should be specified on the plan
- A waiver is requested for a sidewalk width of 4 feet at the southeast corner of the building. There is 18 feet between the property line and the building. Why can't two 6 inch wide curbs a 12 foot wide roadway and a 5 foot wide sidewalk fit in that area? The

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note says 527 CMR 18.2.3.4.1.1 specifies a minimum one way Boulevard Lane of 10 feet. Is an 11 foot wide access road which would allow for a 5 foot wide sidewalk acceptable to the Fire Department?

- <u>Parking Lot Landscaping Calculations</u> Item 4 Minimum required Landscape Island Width is 9 feet. Landscaped island between 16 space parking area and 4 space area off Parker Street is less than 9 feet.
- <u>Parking Lot Landscaping Calculations</u> Item 5 Maximum Parking Spaces without Landscape Island: 10. There are 15 spaces in the northerly assigned tenant parking lot without a landscape island and 16 spaces in the lot off Parker Street without a landscape island.
- The number of Handicap spaces should be included in the parking calculations
- The location of the ramp to the below building parking does not seem to conform to <u>8 Site Design Standards.e Driveways and Off street Parking.iv</u> *Ramping must be incorporated within the building envelope or below grade but shall not be located on the building's primary pedestrian-oriented facade.*
- Guardrails or fences are not proposed on top of walls
- The 35 ft outside radius of the turnaround appears to be too small for fire equipment. Turning movement for fire apparatus should be shown in the turn around area.

Grading and Drainage Plan (Sheet C3.2)

- Spot grades should be set around the entire building. The mean grade around the building should be specified on the drawing as per the Building Height definition contained in the Zoning bylaw: *the mean grade elevation (average grade around the perimeter of the building)*.
- It appears the proposed 31 and 32 contours are missing from the westerly side of the building.
- The pipe culvert type and inverts under the southwesterly walk connecting to the rail trail are not specified.
- At each of the connections to the Rial Trail a note is provided that reads *Grades to Meet MAAB Walkway Requirements*. The grades required should be placed on the plan.
- It is not clear where the roof drains connect to the storm drainage.
- The proposed 18" HDPE pipe and inlet headwall to be installed under the drive from Parker Street is on land of separate ownership
- Are floor drains and MDC traps proposed in the underground garage and to where do they drain?

Utility Plan (SheetC3.3)

- Thrust blocks should be shown at all bends and tees and at hydrants
- Provide bottom and top of pipe elevations at all crossover locations of water, sewer and drains.

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- The Electrical Transformer is shown over a gas line
- The overhead Electrical appear to be connected to the proposed building. New services are to be underground.

Construction Details (Sheets C4.1 - C4.4)

- Need a detail of landscape walls
- Need a detail of parking lot over wall
- Need a detail of fence and or barrier in wall
- Need a detail for vehicular unit pavers
- Need a bollard detail
- Need a detail for solid waste enclosure

Landscape Plan (Sheet L1.01)

• Improvements are shown within the Route 1 Right of Way that are not shown on the Site Plan. The plans should conform.

Concept Floor Plan Underground Parking (Sheet A2.10)

- Need to add handicap parking
- Are floor drains proposed?
- Are MDC traps proposed for floor drains?

Concept Floor Plans (A2.11 – A2.15)

• Where are downspouts proposed?

Building Elevations - West & East (Sheet A3.00)

• Mean ground elevation and roof elevation should be added to the plans.

Perspective view (Sheet 5.01-5.02)

• Landscape walls are not shown

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Newburyport Crossing at Parker Street

166 and 168 Newburyport Turnpike

Review of Applicable Sections of Section XXIX - Smart Growth District

Section XXIX-H – Permitting procedure and criteria for approval

1.d. Required Submittals

All applications must include the following:

i. Completed application form.

The form contained in the submittal circulated for review did not contain a stamp by the City Clerk.

On page 1 of 2 **Turnpike Redevelopment LLC** is listed as owners and petitioners of the property at 166 Turnpike Street. Yet on page 2of 2 **Turnpike Redevelopment LLC, Andover** is listed as the petitioner and **Real Property Management, Inc**, is listed as the Owner. On page 1 of 2 **Haley's Redevelopment, LLC** is listed as the petitioner and owner. On page 2 of 2 **Haleys Redevelopment, LLC, Andover Real** is listed as the petitioner, and the owner is listed as **Property Management, Inc. Manager.** In neither case is an individual responsible for either the ownership or petitioning listed nor has an individual signed.

On the submitted plans on cover sheet entitled Concept Design the owner is listed as **Minco Development Corporation**. On sheet C2.1and C3.1 the Owners are listed as **Turnpike Redevelopment LLC** and **Haley's Redevelopment LLC**.

The request for Submission Waiver dated October 6, 2021, to Bonnie Sontag and the Board is signed by Louis Minicucci Jr. as both President and Manager of Andover Real Property Management Inc. for Turnpike Redevelopment LLC and Haley's Redevelopment LLC.

The submittal letter was signed by **Three Boston Way, LLC Andover Real Property Management, Inc. Manager Louis Minicucci, Jr.**

The owners, petitioners, and individual responsible should be clarified.

.ii. Application and advertisement fees, such fees to be established by the PAA, based upon the associated administrative costs. Such fees and any subsequent increases shall not take effect until approved by DHCD and filed with the city clerk. The three checks totaling \$6400 were listed as submitted in the October 6,2021 to the Planning Board by Louis Minicucci Jr.

.iii. Development narrative including a description of the proposed Project, including all uses, breakdown of square footage for each use, number of housing units, number of bedrooms per unit, square footage per unit type and a zoning summary. Any application shall show the full proposed buildout of a project (both residential and non-residential uses) and whether the project will be phased or not The information was submitted as required in the document entitled

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Development Summary, 166-168 Route 1 Newburyport, Newburyport Crossing at Parker Street, Smart Growth Application, October 6,2021

iv. Certified list of abutters. A Certified list of Abutters was not included in the information circulated for review

v. building floor plans — all levels including basement and roof. Submitted as required

vi. Building elevations — all sides including courtyards and interior lot elevations. (Scale shall not exceed 1/4 inch equals one foot nor less than 1/8 inch equals one foot.) Submitted as required

vii. Three dimensional (3D) massing perspective sketches or perspective renderings illustrating the proposed building(s) and other key elements of the development proposal within its neighborhood context. Submitted as required

viii. Stormwater management plan and report with drainage calculations and proposed operation and maintenance (O&M) plan Waiver requested October 6, 2021, in letter to the Planning Board by Louis Minicucci Jr.

.ix. Existing conditions plan: existing site plan, including all existing structures, parking, driveways, trees, topography, utilities and easements, prepared by a licensed surveyor, Plan submitted as required.

x. Project plans: Plans of the proposed project at a minimum scale of one inch equals 40 feet and a maximum scale of one inch equals 20 feet. The plans shall contain:

a. Date of plan with all revisions noted and dated. Title of development; north arrow; scale; map and lot number; name and address of record owner; name and address of person preparing the plan. Information contained in the plan as required

b. The names of all owners of record of adjacent properties, and the address, map and lot number of the properties and all buildings. Addresses of adjacent property owners and building not on plan. Adjacent building is shown on the cover sheet.

c. Zoning district boundaries and flood zone boundaries shall be shown as they affect the property, including delineation of required setback lines. The zoning district line is shown and the Zoning as it applies to the property is listed on the existing conditions plan and is defined as Industrial I-1B and Smart Growth Overlay District, Subdistrict "A". Compliance with the District is shown in a Table on Sheet C1.0, Site Plan. Flood Zone not listed.

d. Boundaries of the property and lines of existing street, lots, easements and areas dedicated to public use, including rights-of-way. Information provided

e. A locus map with lot and address identifications in relation to adjacent streets and rights-ofway showing the location of the property with reference to surrounding area, including the building footprints of adjacent buildings, if any. An overall view of the area is provided in sheets A1.1 through A1.12. However adjacent lots and addresses are not indicated on the plan.

f. A table indicating all calculations necessary to determine conformance to the requirements of this section and applicable design standards. A table is provided on Sheet A1.13

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g. Square footage of property to the nearest 10 square feet. Information provided

h. Proposed site plan, indicating project boundaries, building footprints, onsite and remote parking areas (where applicable), and topography. The required information is provided.

I. Location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways. The information listed is provided.

j. Location and dimensions of utilities, gas, telephone, electrical, communications, water, drainage, sewer and other waste disposal Information provided

k. Location, type and dimensions of landscaping and screening. Information provided

1. Proposed exterior lighting plan with photometric information. Information provided. Pictures of units not provided.

m. Location of existing rock outcroppings, high points, vistas, ponds, depressions, wetlands and buffer zones, major trees (twelve-inch caliper and over) and any other significant existing features. Information provided

n. Two-foot contours where slopes are less than 15% and five-foot contours when 15% or more. Existing contours shall be indicated by dashed line. Proposed contours shall be indicated by solid line. Existing and proposed contours provided.

All site plans shall be prepared by an architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped. Existing Conditions, Site Plan, and Landscape plans and Lighting plan all stamped and signed.. Architectural plans are not stamped or signed.

xi. Evidence that the Project complies with the affordable housing requirements of section XXIX-G; On October 26, 2021, in a letter to Bonnie Sontag from Louis Minicucci Jr. requested that the affordable Fair Housing Marketing Plan be submitted at a later date.

xii. A form of affordable Housing Restriction that satisfies the requirements of section XXIX-G(5). A <u>Model of Affordable Housing Restriction Based on Approved and Executed AHR for</u> <u>One Boston Place</u> was submitted

xiii. Peer review fee in accordance with the fee schedule adopted by the PAA. The fee was submitted

e. Waivers. The PAA may waive any of the above submittal requirements if it determines that the applicable materials will not aid the PAA in its deliberations. Any such waiver of submission requirements must be requested by the applicant and subsequently approved in writing by the PAA prior to submission of a formal application under this section. A list of waivers was submitted by letter to Bonnie Sontag and the Planning Board on October 6, 2021

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Section XXIX-I

7.Architecture.

a. Massing, scale, height, proportions, orientation and organization.

Articles a. ii, iii, and iv of this section do not apply to this project.

As proposed the project complies with the remainder of this section

b. Exterior style, articulation and appearance.

As proposed the project complies with the requirements of this section. However, the noise level cannot be evaluated because the roof top mounted equipment is not yet proposed, and the energy efficiency information is not provided.

8. Site design standards.

a. Placement, alignment, width and condition of sidewalks

i. New sidewalks shall be consistent with existing sidewalk materials and dimensions. Widened sidewalks devoted to outdoor uses are encouraged. There aren't any existing sidewalks on site. Sidewalks are proposed to provide access to the proposed building and to the Rail Trail. The Illustrative Plan L1.02 shows the sidewalk connecting to the crosswalk sidewalk leading to Hill Street. The Site Plan and the Existing Conditions Plan do not show such a connection. A portion of the sidewalk at the front of the building will be within the right of way of Route 1.

ii. Amenities that increase the comfort of pedestrian movement along sidewalks such as lighting, projecting canopies, benches and street trees are encouraged. The Concept Landscape Plan shows vegetative plantings around the sidewalk and the sidewalk leads to two access points to the Rail Trail.

iii. Usable public and semi-public common spaces adjoining sidewalks that create activated pedestrian areas for dining or similar social activities are encouraged, especially those in the vicinity of public uses such as the commuter rail station. The proposed sidewalks leads from the Rail Trail to a proposed retail space at the Northwesterly end of the proposed building. Connection to the Rail Trail provides access to commuter rail service.

iv. Each project shall provide lighted pedestrian access to and through the site. Continuous sidewalks shall be provided along the frontage of a site adjacent to any public or private way except where adequate public walkways already exist. Pedestrian access shall be provided to link buildings with public and semi-public spaces, parking areas, recreation facilities, and sidewalks on adjacent properties. A lighting plan was provided. Sidewalks are proposed across the frontage as well as providing access to the Rail Trail.

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v. Where the proposed development abuts streets or public ways that lack sidewalks, or where sidewalks abutting the proposed development are cracked, broken, uneven or do not meet applicable standards (including the Americans with Disabilities Act, the rules and regulations of the Massachusetts Architectural Access Board, and standards issued by the Newburyport Department of Public Services), applicants may be required to install, improve or relocate these connecting sidewalks (within 250 feet of the project) as a condition of plan approval. The developer is proposing to install sidewalks where there presently aren't any. As Shown on the Illustrative Plan but not on the engineering Site Plan the sidewalk will connect to the existing ADA ramp at the crosswalk that leads to Hill Street. Three ADA access ramps are proposed on site and shown on the Site Plan.

vi. All elements of the pedestrian network, including parking areas and sidewalks, shall be accessible to the physically disabled in accordance with the Americans with Disabilities Act and the rules and regulations of the Massachusetts Architectural Access Board. See previous comment

vii. Where provided, sidewalks shall connect proposed buildings with parking intended to serve the proposed uses. The Plan conforms

viii. Sidewalks shall be a minimum width of five (5) feet. Except at the northeasterly corner of the building all sidewalks as proposed are 5 feet.

b. Location of building and garage entrances.

i. New curb cuts should be avoided where access from existing streets or driveways is feasible. Further, the PAA may require the reduction, replacement or relocation of existing curb cuts. There are presently two entrance and two exits combined on the two parcels that provide access to Route 1. There will be a total of two entrance and two exit curb cuts for the proposed project however in different locations than at present. A new entrance will be created on the property that is 166 Turnpike approximately 30 feet north of the present entrance and will service the assigned tenant 17 space lot at the northerly end of the property. The exit for that lot will be a new curb cut approximately 130 feet center to center from the entrance. The entrance to the access drive and the southerly parking area will be located approximately 40 feet south of the present exit from 166 Turnpike and the exit will be approximately 25 feet north of the present exit.

ii. Building entrances shall provide direct access to sidewalks or paths to emphasize pedestrian ingress and egress as opposed to accommodating vehicles. The proposed plan complies

iii. Access drives shall maintain sight lines for pedestrians and motor vehicles. Adequacy of vehicular sight distance shall be reviewed and determined in accordance with accepted AASHTO (American Association of State Highway and Transportation Officials) methodology based on posted or observed speeds on adjacent roadways. The safety of the entrances to the site from Route 1 should be evaluated by a traffic engineer.

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c. Vehicular access

i. All curb cuts should be limited to the minimum width necessary for safe entering and exiting and shall not exceed 24 feet in width except where mandated by Mass DOT. Due to the alignment of the drives with respect to Route 1 the entrances and exit curb cuts exceed 24 feet. The curb cuts will need the approval of MA DOT.

ii. The developer shall make improvements on the adjacent public way for vehicular turning movements in or out of the site necessary to ensure public safety. A deceleration lane may be needed at the northerly entrance.

iii. Vertical granite curbing shall be used at driveway entrances as they connect to a public way. Cementitious concrete curbing may be substituted for granite curbing in all internal roads, driveways, parking areas and private ways. The use of bituminous asphalt curbing is prohibited. Vertical granite curb is specified on the site plan and a detail is contained on sheet C4.1. However, a bituminous concrete detail is also contained on that sheet.

iv. The location of motor vehicle entrances should provide for the convenience and safety of motor vehicle, bicycle and pedestrian movement within the site. All proposed entrances should be designed to afford pedestrians, bicyclists and motorists exiting to public ways with safe sight distance. Sight distance schematics and calculations should be provided by the applicant to verify safety.

d. Pedestrian and bicycle circulation, amenities and connections.

i. Sidewalks shall be constructed of brick, stone, pre-cast pavers or (subject to PAA approval of a materials sample prior to installation) cast-in place textured concrete. The plan show concrete

ii. Pedestrian traffic areas shall be clearly distinguished from motor vehicle and bicycle traffic areas through the use of paving materials, landscaping buffers, or other means. Sidewalks are proposed concrete. Driveways are asphalt and vehicular pavers are proposed.

iii. Safe and convenient pedestrian and bicycle linkages shall be provided to abutting properties and adjacent public rights-of-way. Linkage to the Rail Trail is provided.

iv. Pedestrian access shall be provided to link buildings with outdoor spaces, parking areas, and sidewalks on adjacent properties wherever practical. Access provided

v. Site planning shall include consideration of future access to bike paths, parks, playgrounds, residential neighborhoods, other businesses, and transportation facilities. As proposed the project provides for access to the Rail Trail, public transportation and the surrounding neighborhoods and businesses

vi. Pedestrian paths through parking areas shall be clearly defined by curbing, material changes, textures, striping or a continuous 4-season landscape area at a minimum of 3 feet wide on at least one side of the path. Pedestrian paths are not indicated in the parking area that leads to Parker Street, or the parking area at the northeast end of the building

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vii. Where necessary for public safety, site design shall include bollards or vertical curbing to prevent access to pedestrian areas by motorized vehicles. Bollards are proposed on the cul-de-sac. The vertical granite curbing is provided around asphalt driveways and separates pedestrian sidewalks from drives.

e. Driveways and off-street parking.

i. Driveway openings shall maintain the continuity of sidewalks and pedestrian spaces. Curb cuts shall be located away from the primary commercial streets whenever feasible, preferably on side streets and alleys. Access from route 1 does not interrupt the continuity of existing sidewalks. The access from Parker Street modifies an existing access

ii. Parking lots shall not be located in front of buildings or facing the public right-of-way. Parking areas shall be located behind buildings unless deemed infeasible by the PAA. Parking areas are visible from the streets

iii. Parking lots behind buildings shall be connected and aggregated across property lines wherever feasible to maximize the efficiency of the paved space and minimize the number of curb cuts and driveways. The three proposed surface parking areas are not connected

iv. Below grade parking is encouraged, especially where existing changes in grade make ongrade access feasible while allowing economical structuring of buildings above. Ramping must be incorporated within the building envelope or below grade but shall not be located on the building's primary pedestrian-oriented facade. Below grade parking is provided. As shown on sheet A1.00 and C1.00 the ramp is located on the building's primary pedestrian-oriented facade.

v. Parking areas shall be screened from view on public and private rights-of-way by wrought iron fencing, berms, plantings and/or low stone, brick and masonry walls. Chain link fencing is not acceptable for screening purposes. Plantings are proposed around parking areas. Fieldstone walls are proposed along Route 1 at the northerly end of the property. The wall construction detail is not contained in the plan details. The parking lot at the southern end of the building is not screened from the adjoining neighbor.

vi. All parking areas and driveways must be designed to maximize pedestrian and vehicular safety. No driveways are to be located within 50' of an intersection unless required by the Massachusetts Department of Transportation (MassDOT). Driveways are not proposed within 50 feet of an intersection

vii. Wherever feasible, off-street parking lots shall be set back a minimum of 10 feet from applicable property lines along public rights-of-way in order to provide a landscaped buffer. All above ground parking areas are closer than 10 feet to the property lines.

viii. Parking layouts shall minimize glare from car headlights through the use of visual screening such as plantings and/or low stone, brick and masonry walls. Screening not provided on southerly parking lot facing Bradford Real Estate Holdings or along parking lot that connects to

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Parker Street. A grass and scrub planting is suggested but the height, number and spacing of shrubs is not specified.

ix. All surface parking lots should be designed and constructed with industry standard low impact development (LID) techniques and best management practices (BMPs) to the extent feasible. Plans do not include adequate detail to determine if LID techniques are proposed and the drainage and hydrologic analysis have not been submitted so the use of BMPs cannot be evaluated.

f. Public and semi-public common space.

i. Design and location. The overall site design shall include common public and/or semipublic common space which shall be accessible and visible from the building. The plans and any necessary supporting documents submitted with an application for plan approval shall show the size and location of any proposed public or semi-public common space, including plazas, courtyards, parks, gardens and similar site amenities. The commercial space on the westerly side of the first floor and the area in front of it provides a semipublic common space. The sidewalk connecting from the Hill Street crosswalk to the Rail Trail provides for public use.

ii. The PAA may require as a condition of plan approval a commitment to adequate long term maintenance of all public or semi-public common space constructed as part of the project, whether such space is located on or off the project site. No Comment

iii. Wherever feasible, all public or semi-public common space shall have direct access to the pedestrian network, including the Clipper City Rail Trail, if applicable. Rail Trail access is provided

g. Landscaping. H. i through xvi

A Conceptual Design Landscape Plan is included in the submittal and appears to meet the criteria specified with the exceptions that the regulations require 3.5 inch diameter trees, and 2.5-3 inch trees are proposed and there are surface parking areas with greater than 10 spaces without a landscape island.

h. Fencing, screening and buffering in relation to adjacent properties. Items I through iv. A dumpster is proposed within an enclosure. No other fencing is shown on the plan. Landscape walls are proposed along Route 1 but details are not provided.

i. Exterior lighting items i through ii. a, b and c, ii through xii. A lighting plan, L1.01 was submitted. The types of fixtures were listed but graphics of the fixtures were not provided.

j. Utilities and service areas. Items i through iv. Location of proposed electric telephone and cable not shown on Utility Plan.

k. Protection of public safety

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i. Site design shall include adequate water supply for distribution and fire protection. Water supply location shown on the plans

Vehicular circulation shall meet the access needs of emergency and public safety vehicles. The adequacy of the foregoing public safety measures will be based on the reasonable requirements of the Newburyport Police Department and Fire Department, in their respective fields. Comments provided by City Departments

ii. All pedestrian paths and entry areas shall be lighted and entry areas to buildings should provide protection from adverse weather through the use of porches, awnings or entryways. Lighting intensity is shown on Lighting Plan L1.01

1. Water and sewer infrastructure standards.

i. Each project shall be designed in accordance with the department of public services (DPS) regulations and standards with regard to water and sewer infrastructure. Comments provided by City Departments

m. Drainage and stormwater management. Items i through viii. Drainage structures are shown on the plans. The supporting information of drainage calculations, hydrology and stormwater management systems was not submitted. A waiver was requested.

9.Signs.

a. Exterior signs in general. Information not submitted. A waiver was requested