

## Dianne Boisvert

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**Subject:** FW: 177 State Street  
**Attachments:** Solution Statement reduced size (2).pdf  
**Importance:** High

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**From:** Jonathan Carey  
**Sent:** Thursday, October 15, 2020 10:26 AM  
**To:** Katelyn E. Sullivan  
**Cc:** David Shaw  
**Subject:** RE: 177 State Street

Katelyn,

I do have concerns with this project as it is hazmat mitigation site (the Old Circle Finishing location as well as a gas station prior to that), as such I have concerns regarding the disturbances of soils in that zone in regards to VOCs and permeation risks to the public water supply with the connection to the proposed building. I had passed these concerns along to the Water Board and TJ Melville of Millenium regarding the fact that I wanted DEP guidance and involvement. The Temporary Solution Statement he provided did not satisfy my concerns, and in fact indicated the need for conditions or a permanent solution should the site be used for future construction. I have included the report he provided me, specifically you can cite the following sections of the report regarding VOC concerns and need for conditions and permanent solution: pg. 2, Paragraph 3, pg. 5 paragraph 4&5, and page 9 paragraph 3. The report delineates the need for a future regulatory submission for future occupancy. I have attached the report for yours and the Boards review.

Regards,

Jon

**Jonathan U. Carey**  
*Water Distribution Superintendent*  
**City of Newburyport**  
**Department of Public Services**  
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**From:** Katelyn E. Sullivan  
**Sent:** Thursday, October 15, 2020 9:24 AM  
**To:** David Shaw; Jonathan Carey  
**Subject:** FW: 177 State Street  
**Importance:** High

Hi David and Jonathan-

Do you have any concerns with this project? I need to advise the Planning Board as they are getting readying to have the public hearing next week.

Katelyn

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**From:** Jon-Eric White  
**Sent:** Wednesday, September 30, 2020 1:09 PM  
**To:** Katelyn E. Sullivan; David Shaw; Jonathan Carey  
**Cc:** TJ Melvin  
**Subject:** RE: 177 State Street

Hi Katelyn,

Not sure how to phrase this, but I approve of the construction of the small paved area in our city as shown. I have no issues or comments and they do not need to pull a Stormwater Management Permit with our city. That paved area is designed to drain away from our city and into Newbury, so we have no say on that. The Applicant will come to DPS Water and Sewer only because our city provides water and sewer to this portion of Newbury. I will defer water and sewer issues to our W and S managers, Jon and Dave, copied herein in case you haven't contacted them yet.

From my perspective, the Newbury ConCom will have jurisdiction over the site because it's within their wetland resource areas and they will need to comply with the Wetlands Protection Act, which requires compliance with the DEP Stormwater Policy since those two got linked years ago.

As a friendly gesture for the Applicant, the attached graphic shows what the Business Park will likely look like when you add sea level rise (SLR) to the current FEMA flood maps. The Applicant should consider putting the first floor elevation 6' or more above current FEMA flood elevation. These maps are based on our own internal review of international, national, and local flood model predictions for years up to 2100. The logic is that any new building built today will still be standing in year 2100 so it should be built so the first floor is higher than the future FEMA flood elevation (i.e. FEMA + SLR). It's all modeling and guesswork as to what those elevations will be. But anything higher than FEMA would be a wise thing to do. This area is tidally impacted.

If you have any questions, please ask. Thanks.  
Jon-Eric

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**From:** Katelyn E. Sullivan  
**Sent:** Wednesday, September 30, 2020 9:21 AM  
**To:** Jon-Eric White  
**Cc:** TJ Melvin  
**Subject:** 177 State Street

Hi Jon-Eric-

I am connecting you with TJ Melvin at Millennium Engineering, Inc. We have a new minor site plan review application. There is a mixed use building going up in the town of Newbury and four of the parking spots for the new building are in Newburyport. The only review required under the NZO is that of minor site plan review based on the fewer than 10 parking spaces associated with a new Use. The parking is accessory to the primary Use that lies within the town of Newbury. Can you please take a look at the site plan and connect with TJ if needed. Please see the below link to the site plan and to the materials that were submitted to us and Newbury. I also assume that we will want this project to go to Phil to review.

[https://www.cityofnewburyport.com/sites/g/files/vyhlf3521/f/mai/files/177\\_state\\_street\\_complete\\_draft\\_set.pdf](https://www.cityofnewburyport.com/sites/g/files/vyhlf3521/f/mai/files/177_state_street_complete_draft_set.pdf)

<https://www.cityofnewburyport.com/planning-board/agenda-items/177-state-street>

Katelyn

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