



CITY OF NEWBURYPORT
 PLANNING BOARD
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SITE PLAN APPROVAL

DECISION DATE: 3/21/2018
APPLICATION DATE: 12/18/2017
FILE NO: 2018-SPR-01
APPLICANT: Hope Community Church a/k/a The First Baptist Church
MAILING ADDRESS: 11 Hale Street, Newburyport, MA 01950
PROPERTY ADDRESS: 11 Hale Street
MAP/PARCEL(S): 83-3
BOOK/PAGE: 14537-423
ZONING DISTRICT: I1
BRIEF DESCRIPTION: major site plan review for parking lot expansion
NOTICE: Notices were published on January 23, 2018 and January 30, 2018 in the Newburyport Daily News.
PUBLIC HEARING: A public hearing was held on the above application on 2/7/2018 at Newburyport City Hall and continued to 2/21/18, 3/21/18.
DECISION: After the close of the public hearing, upon a motion made by member Joe Lamb and seconded by Anne Gardner, the Planning Board voted to approve the Site Plan.
 The motion having received a majority vote of all the members of the Planning Board, in accordance with Section XV-I of the Newburyport Zoning Ordinance, the application for Site Plan review was therefore **approved**.
RECORD OF VOTE: The following members of the Planning Board voted as follows with respect to the petition for Site Plan approval subject to the agreed-upon terms and conditions stated below:

Bonnie Sontag	<u>Yes</u>	Don Walters	<u>Not Voting</u>	Tania Hartford	<u>Absent</u>
James Brugger	<u>Absent</u>	Andrew Shapiro	<u>No</u>	Leah McGavern	<u>Yes</u>
MJ Verde	<u>Yes</u>	Joe Lamb	<u>Yes</u>	Anne Gardner	<u>Yes</u>

PROCEDURAL HISTORY

1. Application for Site Plan review pursuant to Section XV of the City of Newburyport's Zoning Ordinance was made by the above-referenced owner and filed with the Planning Board on 12/18/2017. The Board deemed the application complete on 1/17/2018.
2. A public hearing on the Site Plan application was held on 2/7/2018.
3. This site plan application is approved subject to the following plans, drawings, and documents:
 - Plan Set titled, 'Parking Improvements for the Hope Community Church of Newburyport', prepared by Atlantic Engineering and Survey Consultants Inc., 97 Tenney Street, Suite 5, Georgetown, MA 01833, dated December 14, 2017 and revised to March 14, 2018, unless otherwise noted, containing the following sheets
 - Title Sheet, Sheet 1 of 15
 - Existing Conditions, Sheet 2 of 15
 - Site Preparation, Sheet 3 of 15
 - Site Improvements, Sheet 4 of 15
 - Site Layout, Sheet 5 of 15
 - Grading & Drainage Plan, Sheet 6 of 15
 - Existing Access Aisle Profile, Sheet 7 of 15
 - Proposed Access Aisle Profile, Sheet 8 of 15
 - Drainage Profile, Sheet 9 of 15
 - Landscape Plan, Sheet 10 of 15
 - Details, Sheets 11, 12, and 13 of 15
 - Site Management Notes, Sheet 14 of 15
 - As-built Sewer Conditions, Sheet 15 of 15, prepared by Port Engineering Associates, Inc., 1 Harris Street, Newburyport, MA 01950, dated May 29, 2001.
 - Photometric Study - Run 4, prepared by Spec-lines, 4 Railroad Avenue, Suite 208, Wakefield, MA 01880, dated December 15, 2017.
 - Lighting Details: Arieta Architectural LED Area Luminaires, AR13, AR18 by Leoteck.
 - Hydrologic Report, prepared by Atlantic Engineering & Survey Consultants, Inc., 97 Tenney Street, Georgetown, MA 01833, dated December 14, 2017 and revised to February 3, 2018.
4. The plans and submission material were reviewed by the Planning Board, in addition to the following peer reviews:
 - Peer Review Comments from Christiansen & Sergi, Inc., 160 Summer Street, Haverhill, MA 01830, dated January 25, 2018, February 15, 2018, and March 20, 2018.
 - City of Newburyport Comments: Molly Ettenborough, Recycling and Energy Manager, dated December 29, 2017; and Crispin Miller, Tree Commission, dated January 2, 2018.

5. Throughout its deliberations the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS

Section XV-G states that the Planning Board, in making a final determination regarding Site Plan approval, shall require that the Site Plan promote the objectives of community character; traffic, parking, and public access; health; public services and utilities; land use planning; and open space and environmental protection as more fully set forth in Section XV-G subsections a-f and development and performance standards as set forth in Section XV-H. In accordance with these sections, the Board makes the following findings:

General: The project consists of the construction of a new, 99-space parking lot, approximately 40,000 sq. ft. of new impervious surface, drainage and stormwater management, reconfigured ingress and egress, new lighting, and new sidewalks. The additional spaces will supplement the current parking spaces to accommodate the greater need at the church.

Community Character: The property is located in the industrial park and is consistent with other parking lots in the area. The project is appropriate with regard to the size of the building and in relation to the area in which the property is located. The expansion of the lot will not have a great impact on the surrounding roads and other infrastructure because the church building is not fully utilized more than one day a week.

Traffic, Parking and Public Access: The project is designed to maximize the convenience and safety of vehicular movement within the site. The use of the property will remain unchanged and therefore no additional traffic to and from the property is expected. The new configuration will increase traffic safety by providing a separate means of ingress to and egress from the property, thus allowing for a safer flow of traffic to and from Hale Street.

Health: The project will have no negative effect on public health or safety. The project will not involve any substantial noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features. The lighting has been appropriately designed to facilitate the safe use of the property with minimal glare and spill-over onto abutting lots.

Public Services and Utilities: There will be no increase to water or sewer usage. The appropriate stormwater system has been designed to accommodate the additional impervious surface. There will be no negative impacts on public services or utilities.

Land Use Planning: This project is located in an industrial zone where large parking areas are common.

Open Space and Environmental Protection: The project has been designed so as to address flood storage through the drainage systems that will be installed on site; the project will meet the City's stormwater standards. Additionally, the project features wetland restoration that will likely result in an increase in wetland resources. The landscape design features native and drought-tolerant species and avoids invasive plant species.

WAIVERS

The Board reviewed and granted the following waivers as requested in the applicant's submission given that the scope of this project is limited; there are no new uses, no new structures and no impacts on the surrounding roadways:

- Section XV-E.a(4): Landscape Architect
- Section XV-E.b(3): Environmental and Community Impact Analysis, and
- Section XV-E.b(4): Traffic Impact Report.
- Section XV-E.b(5): Architectural Style.

CONDITIONS

In view of the foregoing Findings, the Planning Board hereby decides to grant Site Plan approval in accordance with Section XV-L and the terms and conditions stated below, all as agreed to by the applicant.

1. The applicant shall file this Site Plan approval decision with the Southern Essex County Registry of Deeds (or Land Court if registered land) and a copy of the decision stamped with the recording information (Book/Page or Land Court document number) shall be included with the application for a Building Permit. The final site/construction plans shall also make reference to the decision date and conditions of approval.
2. Prior to the granting of a Building Permit, the applicant shall submit the written certification of a registered Architect or Civil Engineer to the Building Commissioner that the project will be constructed in accordance with the approved plans and conditions.
3. Prior to any construction, the applicant shall provide the Office of Planning & Development with one (1) copy of the entire approved plan set in both CAD and .pdf formats. All digital mapping data must be delivered in the Massachusetts State Plane Coordinate system with a horizontal datum of NAD83, units of U.S. survey feet and a vertical datum of NAVD 88.
4. No building permit shall be issued unless all public utilities have been reviewed and approved by the respective utility departments and that the proposed utilities will be installed in accordance with plans submitted with the application. All utility work shall be done in compliance with regulations and instructions issued by the Department of Public Services, including (but not limited to) the installation of curbing, pavement, sidewalks, pavement markings, and other infrastructure.
5. Prior to the issuance of a building permit, Project Review Fees shall be paid in full subject to MGL c44 Sec. 53G.
6. All design and construction of all water utilities must meet Federal, State and local standards and the latest version of Newburyport Water Works Construction Guidelines and Construction Policies. Contractors are prohibited from operating or connecting to any part of the existing water system without written authorization and field oversight by the Department of Public Services Water Division.
7. All design and construction of all sewer utilities must meet Federal, State and Local standards and the latest version of Newburyport Sewer Department Construction Guidelines and Construction Policies. Contractors are prohibited from operating or connecting to any part of the existing sewer system without written authorization and field oversight by the Department of Public Services Sewer Division.

8. One hard copy and one .pdf copy of as-built plans stamped by a professional engineer showing new construction, renovation, or expansion shall be submitted to the Office of Planning and Development at the completion of the project. Said plans shall contain a certification, made by a registered architect or civil engineer, that what was constructed is consistent with approved plans and conditions set forth by the Planning Board as part of this Site Plan approval.
9. Any proposed material change to the use, size, configuration, footprint or height of the existing or proposed buildings shall require an amendment of this permit, this approval having been based on a review of the buildings and site design as presented to the board on the above referenced drawings.
10. This Site Plan approval is valid for two years from the date from filing with the City Clerk.

Special Conditions

11. Modifications to Approved Plans: The applicant, property owner, and their successors or assigns, shall adhere to the approved plans which are incorporated herein by reference. Should the applicant and/or property owner determine that a plan(s) needs to be modified, they shall notify the Board of the proposed modifications in writing and obtain approval from the Planning Board for such modifications prior to making any changes 'in the field'. The Board shall then determine whether such modifications are minor or major in nature and shall subsequently schedule a public meeting or hearing, respectively, to review the proposed changes.
12. Signage Details: Prior to the issuance of a Building Permit for the proposed parking lot, the applicant shall provide design and/or specifications for proposed signage, other than typical safety and circulation signage, to the Planning Board for review and approval at a regular meeting without the need to advertise for a public hearing.
13. Stormwater Permit: Prior to commencing any site work and/or applying for a Building Permit the applicant shall obtain a Stormwater Management Permit under the City of Newburyport Stormwater Management Ordinance (Code of Ordinances, Chapter XVII) from the Department of Public Services since the project involves more than 10,000 square feet of land disturbance.
14. Site Lighting: All lighting fixtures in the parking area shall be turned off upon the conclusion of the last activity on the property. The parking lot lights shall not be left on overnight.

DATE OF FILING OF DECISION

Filed with the Newburyport City Clerk on 3/29/18.

SIGNATURE OF THE BOARD



Bonnie Sontag, Chair, Newburyport Planning Board

3/29/18
Date

NOTICE OF APPELLATE RIGHTS

As per Section XV-J of the Newburyport Zoning Ordinance, appeals shall be made directly to a court of competent jurisdiction in accordance with the provision of M.G.L. Chapter 40A Section 17.

CITY CLERK CERTIFICATION OF APPEAL PERIOD EXPIRATION

I, _____, City Clerk of the City of Newburyport, hereby certify pursuant to M.G.L. Chapter 40A Section 17, that the Site Plan approval decision for the property known as 11 Hale Street was filed in the Office of the City Clerk on 3/29/18.

Pursuant to M.G.L. Chapter 40A Section 11, this decision was also filed in the Office of Planning and Development on and twenty days have elapsed after the decision was filed and NO APPEAL has been filed. Appeals shall be made pursuant to M.G.L. Chapter 40A Section 17 and made within twenty (20) days after the date of filing of this decision in the Office of the City Clerk.

Newburyport City Clerk

Date