



CITY OF NEWBURYPORT
PLANNING BOARD
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400
WWW.CITYOFNEWBURYPORT.COM

**RECORD OF PROCEEDINGS AND
SITE PLAN REVIEW DECISION**

APPLICANT: Beth Israel Lahey Health, Anna Jaques Hospital
25 Highland Avenue
Newburyport, MA 01950

PROPERTY OWNER: Beth Israel Lahey Health, Anna Jaques Hospital

FILE NO.: 2020-SPR-01

PROPERTY ADDRESS: **25 Highland Avenue**

DECISION DATE: 02/05/20

MAP/PARCEL(S): 39-44

BOOK/PAGE: 01649-0547

ZONING DISTRICT: GACM

PROCEDURAL HISTORY:

An application for Site Plan Review pursuant to Section Major of the City of Newburyport's Zoning Ordinance was made by the above-referenced owner and filed with the Planning Board on 01/07/20 for the following request: *construction of addition on the rear of the structure to allow expansion of the operating rooms along with interior renovations to the structure. The project will include relocation of some facilities exterior to the structure as well.*

Notice of the public hearing was published on 01/21/20 and 01/28/20 in the Newburyport Daily News. A public meeting on the application was held at Newburyport City Hall on 02/05/20.

Upon a motion to approve, made by Rick Taintor and seconded by Anne Gardner, the Planning Board voted as follows:

Bonnie Sontag, Chair	<u>Yes</u>	Don Walters	<u>Absent</u>	Leah McGavern	<u>Yes</u>
James Brugger	<u>Yes</u>	Anne Gardner	<u>Yes</u>	MJ Verde	<u>Yes</u>
Tania Hartford	<u>Yes</u>	Rick Taintor	<u>Yes</u>	Elisabeth DeLisle	<u>Yes</u>

Having received the necessary two-thirds super majority vote of the Planning Board, in accordance with M.G.L. Chapter 40A Section 9, as amended, the petition was therefore **APPROVED**.

PLANS AND DOCUMENTS:

This Site Plan Review application was accompanied and augmented by the following plans, drawings, documents, and submittals, which are hereby incorporated into this decision:

- “Site Development Plans for OR Building Expansion, Anna Jaques Hospital, 25 Highland Avenue, Newburyport, MA 01950. Sheets included in this plan set are according to the following list of sheet numbers, title, original date, and most recent revised date:

Sheet No.	Sheet Title	Original Date	Revised Date
V-101	Existing Conditions Plan	11/25/19	2/5/20
C-001	Abbreviations & Notes	11/25/19	1/8/20
C-002	Abbreviations & Notes	11/25/19	1/8/20
C-101	Site Preparation and Demolition Plan	11/25/19	2/5/20
C-102	Layout & Material Plan	11/25/19	1/8/20
C-103	Grading & Drainage Plan	11/25/19	1/8/20
C-501	Details	11/25/19	1/8/20
C-502	Details	11/25/19	1/8/20
C-503	Details	-	1/8/20
L-101	Landscape Plan	11/25/19	1/8/20
L-201	Landscape Details	11/25/19	1/8/20

- “Beth Israel Lahey Health, Anna Jaques Hospital, OR Building Expansion, 25 Highland Avenue, Newburyport, MA 01950 prepared by JACA Architects. Sheets included in this plan set are according to the following list of sheet numbers, title, original date, and most recent revised date:

Sheet No.	Sheet Title	Original Date
A1	Ground Floor Plan	1/3/20
A2	First Floor Plan	1/3/20
A3	Second Floor Plan	1/3/20
A4	Building Elevations	1/3/20
A5	Signage Elevations	1/3/20
A6	Building Sections	1/3/20
A7	Exterior Views	1/3/20

- A “Drainage Report” for Anna Jaques Hospital prepared by Allen and Major Associates., dated January 8, 2020.
- The above plans and submission materials were reviewed by the Planning Board, and a peer review of engineering and Stormwater design was conducted by Christiansen & Sergi, Inc., on behalf of the Planning Board. Additional comments were received from various City Departments on the draft plans which were subsequently revised to address outstanding issues satisfactorily. A full copy of this documentation is on file with the Newburyport Office of Planning & Development, 60 Pleasant Street, Newburyport, MA 01950.
- 3D Color Renderings of the proposed Project (building, site and landscaping) are on file with the Newburyport Planning Board and the Office of Planning & Development.
- 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, as made at the public hearing.

FINDINGS:

In order to grant Site Plan approval, the Board must first determine that the applicant's project meets specific criteria, as provided in Section XV-G of the NZO. These criteria and the Board's project specific findings for each are enumerated here:

General

The applicant seeks to construct an addition on the rear of the existing structure to allow for the expansion of operating rooms along with interior renovations to the structure.

Community Character

The facility is located in the General and Acute Care Medical District and as per the NZO, the purpose of this district is to provide for a general and acute care hospital, medical-dental professional building and associated and related uses. This new addition project is by nature appropriate for the neighborhood.

Traffic, Parking, and Public Access

Parking and public access remain unchanged. Traffic patterns, site access and circulation within the site are all shown on the plans. This project is not anticipated to increase traffic.

Health

The project will have no negative effect on the public health or safety. This project will not involve any substantial noise, vibration, gas, fumes, odor, dust or other objectionable features.

Public Services and Utilities

The project will not increase demand as patient volume will stay the same.

Land Use Planning

The project is consistent with the land use planning and goals of the Newburyport Master Plan. The applicant is the largest employer in the city and the proposed expansion will contribute to our diverse economic base.

Open Space and Environmental Protection

The effect on open space will be minimal. No significant environmental impacts are anticipated from the redevelopment of the property.

WAIVERS:

The Board reviewed and granted the following waivers as requested in the applicant's submission:

Traffic: The applicant has requested a waiver from submission of a Traffic Report. Traffic patterns, site access and circulation within the site are all shown on the plans. This project is not anticipated to increase traffic.

STANDARD CONDITIONS:

In view of the foregoing findings, the Planning Board hereby grants a Site Plan Review approval pursuant to Section Major subject to the terms and conditions stated below:

1. Recording of Decision and Approved Plans: The applicant shall file this 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 any related Building Permits. To ensure compliance with this decision, site/construction plans issued to any contractors shall make clear reference to this written decision and conditions of approval contained herein.
2. Permit Lapse: This permit is valid for two years from the date of approval. The approval shall no longer be valid if a substantial use has not commenced except for good cause or, in the case of a permit for construction, if construction has not commenced except for good cause, within this period. Excluded from any lapse period is the time required to pursue or await the determination of any appeal taken pursuant to MGL, Chapter 40A, Section 17.
3. Provision of Construction Documents: The applicant shall provide documentation to the Building Commissioner and Zoning Administrator with the application for any related Building Permits illustrating that the proposed work has been reviewed and approved by the Water, Sewer, and Engineering Divisions of the City's Department of Public Services (DPS).
4. Curb Cuts: Any new driveway curb cuts that have egress to the public right of way must be approved by the Director of Public Services or Designee in advance of construction.
5. Fire Department Review and Approval: The applicant, owner, successors, or assigns shall be responsible for designing the utilities to meet City standards and ensuring compliance with fire codes prior to commencing work under this approval. The applicant shall provide documentation to the Building Commissioner and Zoning Administrator with the application for any related Building Permits illustrating that the proposed work has been reviewed and approved by the Newburyport Fire Department (NFD).
6. Stormwater Management Permit: If the project involves more than 10,000 square feet of land disturbance, the applicant, owner, his successors or assigns, 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 prior to beginning any site work, including tree clearing and/or regrading.
7. Modifications to Approved Plans: The applicant, property owner, and their successors or assigns, shall adhere to the above referenced and 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 Planning Board and Office of Planning and Development (OPD) of the proposed modifications in writing and obtain approval from the Planning Board (or OPD as specified herein) for such modifications prior to making any changes in the field. The OPD shall determine whether such modifications are minor or major (material) in nature. The Planning Board shall schedule a public hearing for review and approval of any changes deemed major or material in nature to the permit originally issued. Any major or material alterations or changes to the above referenced plans shall require prior approval by the Planning Board. Minor changes may be approved in writing by the OPD without further review by the Planning Board. The determination as to whether an alteration or change in plans is material and therefore subject to Planning Board review shall be made at the discretion of the OPD.

8. Site Lighting: All lighting fixtures, including but not limited to, signage, building, parking lot, site, decorative, and security, shall feature cut off fixtures so that the lights are pointed downward reducing light pollution and glare onto abutting properties.
9. Hours of Construction: The developer shall take reasonable care not to disturb surrounding properties and property owners during construction. Construction work shall be limited to the hours between 7 a.m. and 5 p.m. Monday through Friday and 8 a.m. and 4 p.m. on Saturday.
10. Permit Compliance Contact Form: No site work or construction related to this permit shall begin until a Permit Compliance Contact Form is completed and submitted to the Office of Planning and Development.
11. Trees and Sidewalks: The applicant shall be responsible for compliance with the applicable provisions of Sections II-B.46a, X-H.6.Q, and X-H.7.B.10 of the Newburyport Zoning Ordinance. If the cost of the project exceeds more than 50% of the physical value of the entire property, the applicant shall obtain the written approval from the Newburyport Tree Warden and Department of Public Services with respect to plans and specifications for (1) the reconstruction, repair, and/or replacement, where appropriate, of all city-owned sidewalks actually adjoining the project Property, in accordance with Sections 12-54 and 12-55 of the Newburyport Code of Ordinances; and (2) the planting, preservation, and/or replacement, where appropriate, of street trees along all public rights-of-ways actually adjoining the project Property, in accordance with article VI of chapter 12 of the Newburyport Code of Ordinances. Said improvements shall be completed prior to project closeout and final signoff from the Zoning Administrator for related building permits.
12. Submission of As-Built Plans: One hard copy and one .pdf copy of foundation as-built plan shall be provided to the Office of Planning and Development and Building Department upon foundation completion. One hard copy and one .pdf copy of as-built site plan stamped by a professional engineer shall be submitted to the Office of Planning and Development at the completion of the construction. Certification shall be provided to the Office of Planning and Development that the as-built plans match approved plans.
13. Digital Plans: 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.
14. Project Review Fees: Per Section 4 of the Planning Board's Regulations Governing Fees and Fee Schedules, Project Review Fees shall be paid in full prior to the start of work.
15. Construction Review: The proposed construction will require regular inspection by the Planning Board's consultant engineer as well as the Department of Public Services (DPS). Such inspections are necessary to ensure that the proposed project is constructed in accordance with the approved plans, to summarize and estimate the cost of remaining work, and to immediately address any issues that may arise during the construction of the project. The cost of such review and inspections shall be borne by the applicant. To cover the cost of these services the applicant shall replenish and maintain a Project Review Fee of _____. Such funds shall be held by the Planning Board in an escrow account. Whenever notified that the funds in said escrow account have depleted to less than twenty-five (25) percent of the initial Project Review Fee, the applicant shall immediately thereupon deposit sufficient funds to return the account to the initial balance. The balance of said peer review account shall be replenished to the initial Project Review Fee prior to any construction on site. Upon completion of the project, any

remaining funds shall be returned to the applicant.

16. Construction Schedule: No site work or construction related to this permit shall begin until an estimated Construction Schedule is completed and submitted to the Office of Planning and Development.

CONCLUSION AND DECISION:

For all of the reasons stated herein, the petition for Site Plan Review is therefore **APPROVED**.

APPEALS:

Appeals shall be made within twenty (20) days after the date of filing of this decision in the Office of the City Clerk directly to a court of competent jurisdiction in accordance with the provision of M.G.L. Chapter 40A Section 17.

SIGNATURE OF THE BOARD:

Bonnie Sontag, Chair

Date

CITY CLERK CERTIFICATION:

I, _____, City Clerk of the City of Newburyport, hereby certify pursuant to M.G.L. Chapter 40A Section 17, that the Site Plan Review decision for the property known as 25 Highland Avenue was filed in the Office of the City Clerk on _____.
Twenty (20) days have elapsed since the decision was filed and no appeal has been filed.

City Clerk

Date



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NOTICE OF DECISION

You are hereby notified of the decision of the Planning Board on the application filed by Beth Israel Lahey Health, Anna Jaques Hospital for property located at **25 Highland Avenue**. The Board held a public hearing on the above referenced application on 02/05/20 and voted to APPROVE the Site Plan Review for the following request: *construction of addition on the rear of the structure to allow expansion of the operating rooms along with interior renovations to the structure. The project will include relocation of some facilities exterior to the structure as well.*

APPEALS

Appeals of this decision shall be made pursuant to M.G.L. Chapter 40A Section 17 and filed with the Superior or District Court and the Office of the City Clerk within twenty (20) days after the filing of the above with the Office of the City Clerk. Copies of this decision and detailed records of proceedings of the Planning Board presented at the public hearing, which is being incorporated herein by reference and considered a part hereof, are on file with the Office of the City Clerk and the Office of Planning and Development.