

City of Newburyport Zoning Board of Appeals
Application for a VARIANCE

Petitioner: John Gorman, Gorman Homes, LLC

Mailing Address: 3 Archelaus HI, West Newbury, 01985

Phone: 617 633 9914 Email: gormanhomes@gmail.com

Property Address: 32 Union Street

Assessor's Map and Lot(s): 31/21A Zoning District: R2

Book and Page(s): 35300/0509 Years owned land: 1

Owner(s) Name: John Gorman aka 32 Union LLC

Mailing Address (if different): _____

The petitioner is requesting a Variance from section(s):

Use Regulations (V)

Parking (VII)

PIOD (XXI)
 ___ FAR
 ___ 2 ½ stories
 ___ Footprint expansion

Dimensional Controls (VI)

___ Lot Area ___ Front Yard
 ___ Open Space ___ Side Yard
 ___ Lot Coverage ___ Rear Yard
 ___ Height Lot Width
 Frontage

Other: _____

Request:

Requesting dimensional variances for lot width and a frontage of 30 feet on Lot 1 where the Zoning Ordinance requires 90 feet in the R2 District. Please see attached narrative.

	Existing	Proposed
Ground Floor Square Feet	NA	Lot 1= 2,432 SF, Lot 2= 2,702 SF
Number of Floors	NA	Lot 1 = 2.5, Lot 2 = 2
Total Square Feet	NA	Lot 1= 4,538 SF, Lot 2= 3,219 SF
Use	Vacant	Lot 1 = SFR, Lot 2 = SFR

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	Existing Dimensional Controls	Proposed Dimensional Controls	Required Dimensional Controls
Lot Area	27,750 SF	L1=14,741, L2=13,007	10,000 SF
Frontage	110 FT	Lot 1 = 30, Lot 2=110	90 FT
Height	NA	Lot 1= 29.5, Lot 2= 26.5	35 FT
Lot Coverage (%)	NA	Lot 1= 15%, Lot 2=20%	25%
Open Space (%)	100	Lot 1= 60%, Lot 2=66%	40%
Front Setback	NA	Lot 1=113, Lot 2=24.7	25 FT
Side A Setback	NA	Lot 1 = 30, Lot 2 = 11	10 FT
Side B Setback	NA	Lot 1 = 28, Lot 2 = 13	10 FT
Rear Setback	NA	Lot 1 = 10.2, Lot 2= 30	25 FT
Parking Spaces	NA	Lot 1 = 4, Lot 2 = 4	Lot 1 = 2, Lot 2 = 2
FAR*	NA	NA	NA

*FAR is only applicable in the Plum Island Overlay District (PIOD).

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. Every application for a Variance shall be made on this form, which is the official form of the ZBA. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publishing, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal of this application as incomplete.

Petitioner's and Owner's signature(s):

OFFICE OF THE BUILDING COMMISSIONER/ZONING CODE ENFORCEMENT OFFICER

ZONING DENIAL

City APR#: 59

Name: GORMAN Homes LLC

Address: 32 Union St. (Lot 1)

Zoning District: R-II

Request: Split Existing Lot to create (2) with Lot 1

Requiring Frontage / with Relief. Lot 2 would be an ANR from Planning Board

ZONING BOARD

Dimensional Variance

Dimensional Controls (VI)

- Lot Area
- Lot Frontage
- Lot Coverage
- Open Space
- Height
- Lot Width
- Front Yard
- Side Yard
- Rear Yard

PIOD (XXI)

- FAR
- 2 1/2 stories

Parking (VII)

Use Variance

Not permitted use (V)

Sign Variance

Signs (VIII)

- Type
- Lighting
- Size
- Location

Special Permit

- Special Permit for Use (V.D) Use #:
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Demolition Control Overlay District (XXVIII)
- Wind Energy Conversion Facilities (XXVI)

Special Permit for Non-Conformities

- Extension or Alteration (IX.B.2)
 - Parking
 - Upward Extension
 - Open Space
 - Height
 - Lot Area
- Over 500 s.f. increase (IX.B.3.c)
- Plum Island Overlay District (XXI-G-3)
 - FAR
 - Footprint Expansion
- Rear Yard
- Lot Coverage
- Side Yard
- Lot Frontage
- Front Yard
- Height Increase
- # of bedrooms

PLANNING BOARD

Special Permit

- One residential structure per lot (VI.C)
- Floodplain (XIII)
- Open Space Residential Development (XIV)
- Water Resource Protection District (XIX)
- Federal Street Overlay District (XXII)
- Courts and Lanes (XXIII)
- Waterfront West Overlay District (XXIV)
- Towle Complex Redev. Overlay District (XXV)
- Downtown Overlay District (XXVII)

Site Plan Review (XV)

Major Minor

Smart Growth District (XXIX)

Plan Approval

HISTORICAL COMMISSION

- Demo. Delay
- Advisory Review

CONSERVATION COMMISSION

CITY COUNCIL

GACM (X.H.9)

8/21/17
Date


Building Commissioner/Zoning Code Enforcement Officer

VARIANCE APPLICATION

32 Union Street, Newburyport, MA

SUBMITTED BY: John Gorman, Gorman Homes, LLC, West Newbury, MA

SUBMITTED TO: Ed Ramsdell, Chairman of the Zoning Board of Appeals

October 20, 2017



DESIGNING WITHIN CONTEXT: 32 UNION STREET, NEWBURYPORT, MA



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PROJECT NARRATIVE

Introduction

Located at 32 Union Street, the subject property of this application (the "Property") is owned by John Gorman from Gorman Homes, LLC. The Property is a through lot with frontage on both Beacon Ave. and Union Street. The Property was historically used as part of the Newburyport Gas & Electric Company and later the Massachusetts Electric Company. As shown in Figures 1 and 2, the Property is currently a vacant property with no improvements. According to a recent survey of the property, the lot has 27,750 SF in land area with 110 feet of frontage on Union Street and 30 feet of frontage on Beacon Ave.

This application seeks to subdivide the Property into two separate single family house lots. The existing frontage on Beacon Ave. would provide access to Lot 1 while the frontage along Union would provide access to Lot 2. Lot 1 is proposed to be 15,259 SF and Lot 2, 12,489 SF. The single family houses on each lot will conform to all dimensional requirements for the R2 Zoning District.

As presented in this narrative, we believe that the proposed project design is consistent with the scale, density, and overall character of the surrounding lots, uses, and structures. Due to the special conditions and circumstances that affect this lot – its unusual shape, soil conditions, and extensive lot area with access on two separate city streets - we believe the hardship criteria can be met and the dimensional variance can be granted without any adverse impacts on the abutting properties or the zoning ordinance. In contrast to a conventional, as-of-right development of the lot (with a large centrally located single-family house) we believe that approval of the dimensional variance for this property will facilitate a higher-value, better-quality outcome for the property and the surrounding neighborhood.



Figure 1 – The Existing Conditions at the Property (32 Union Street)



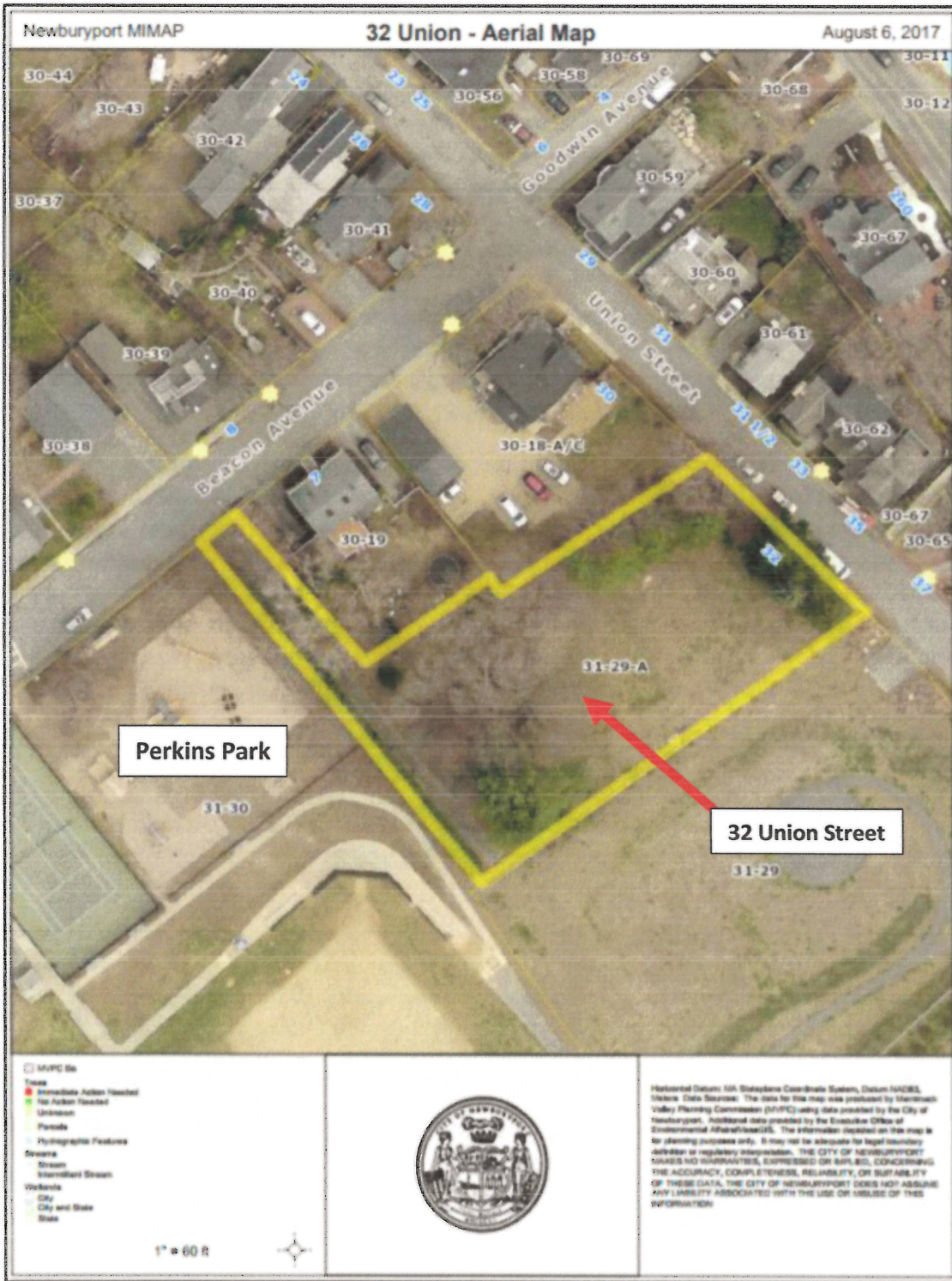


Figure 2 –Map showing the Property along Beacon Ave. and Union Street



Background

This project narrative seeks to provide the background information needed to support granting the dimensional variance for frontage for Lot 1. In an effort to make the building and site design be more consistent with the density, scale, and design character of the surrounding neighborhood properties we have incorporated a wide variety of survey data and input from the abutting property owners.

The first section of this narrative describes the existing conditions on 32 Union Street (the “Property”). The second section describes the surrounding neighborhood context along Union Street and Beacon Ave.¹ The third section discusses a typical *as-of-right* redevelopment option as well as a special permit court plan and the preferred building and site plan proposed under this variance application. This section includes an assessment of how the preferred building and site plan represents the highest level of benefit to the city, the direct abutters and the surrounding neighborhood. The final section also addresses the hardship criteria and findings as well as a summary of how granting the dimensional variance will not be detrimental to the neighborhood, the R2 Zoning District, or the Zoning Ordinance as a whole. Finally, a draft list of suggested stipulations that reflect the design elements of the project and any commitments made to the surrounding property owners.

Section One – Existing Conditions



Figure 3 – Aerial image of Showing the Property, MEC Parcel, and Perkins Park

¹ The surrounding neighborhood context was a key component to the proposed building and site design. In particular, the scale, density and general character of the lots and structures were carefully assessed and key components were integrated into the preferred site plan. As a result, the relatively low-profile, arts and craft house design was chosen to be consistent and proportional with both the size of the lot and the surrounding structures.



Figure 4 shows the historical use of the property by the Newburyport Gas & Electric Company. It also shows the land use pattern of the surrounding neighborhood in the 1960s. At that time, the industrial use had an adverse impact on the surrounding properties. Figure 4 also shows the location and dimensions of the former buildings associated with the Newburyport Gas & Electric Company. The storage tanks were located on 32 Union Street.

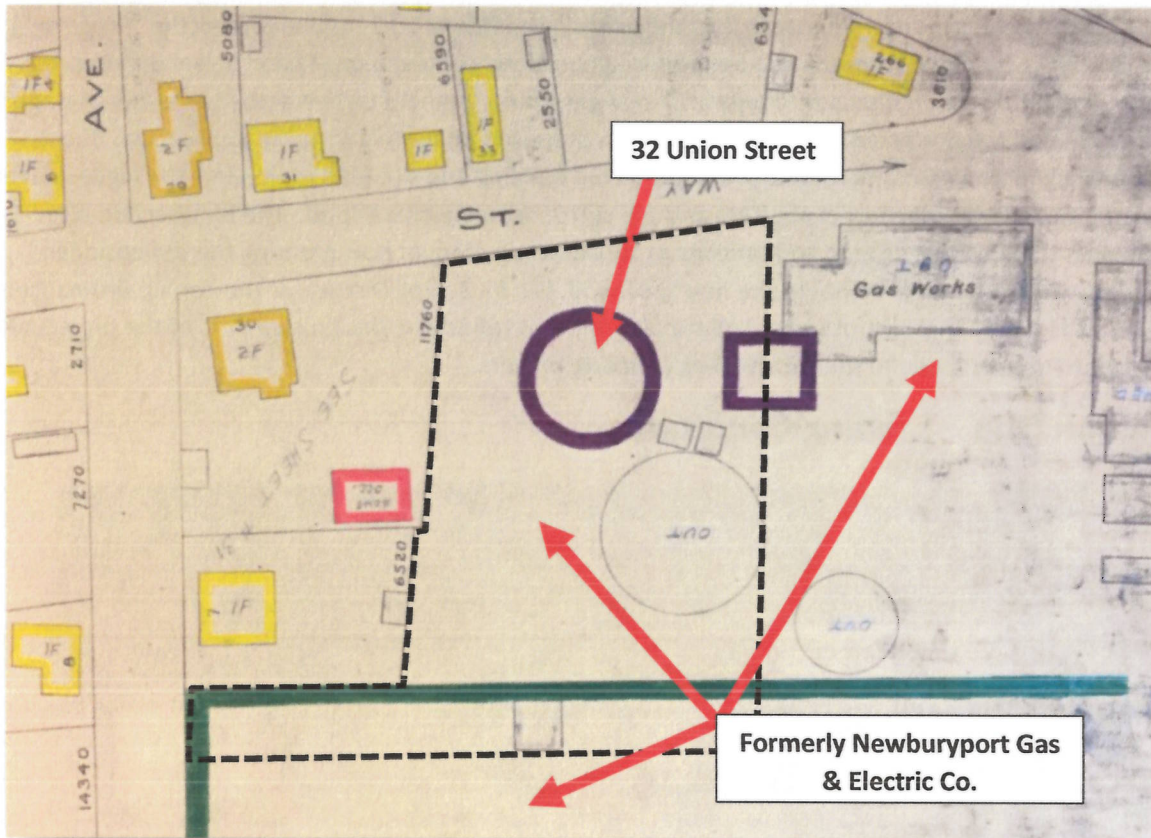


Figure 4 – Former Land Use Pattern showing the former Newburyport Gas & Electric Company (c. 1950s)

In September 2004, GEI Consultants – Licensed Site Professionals - was retained by National Grid on behalf of the Massachusetts Electric Company to undertake an environmental site assessment of the Property (see Exhibit 13). Associated with the former manufactured gas plant, the contamination identified on the Property was limited to polycyclic aromatic hydrocarbons (PAHs) and metals in shallow soil, and cyanide in groundwater. The report states that contaminant concentrations greater than Method 1 S-1 standards were limited to soil at depths from the ground surface to a depth of approximately 2 feet in a relatively small portion of the Property.

As part of the remediation, the contaminated soil was excavated as part of Phase IV activities in April and May 2011. Analytical results for soil samples collected after excavation was completed were below the Method 1 S-1 standards. The Method 1 S-1 standards are the Massachusetts Contingency Plan (MCP) thresholds for unrestricted uses of a property, including residential use. A Method 1 Human



Health Risk Characterization was conducted for the 32 Union Street portion of the Site. The Risk Characterization concluded that a condition of No Significant Risk (NSR) exists for future residents, utility workers, construction workers, and all other potential receptors based on potential exposure to soil and groundwater. An Activity and Use Limitation (AUL) is not required to maintain a condition of NSR.

Compliance with the Zoning Ordinance

Existing Land Use

The existing use of the Property is an undeveloped vacant parcel. The Property has an existing paved driveway from Beacon Ave. The perimeter of the Property has chain-link fencing along the abutting properties on Beacon Ave. and Perkins Park and a split rail fence along the MEC parcel to the southeast.



Figure 5 – Existing Conditions on the Property Showing the Southeastern Property Line

Existing Dimensional Controls & Non-Conformities

Table 1 shows the Property is 27,750 SF in area with 113 feet of frontage along Union Street. Additionally, the Property has 30 feet of frontage along Beacon Avenue that provided access to the former Manufactured Gas Plant (MGP) site (see Figure 6). The Property is conforming to all the dimensional requirements of the Zoning Ordinance for a single family use.

Table 1 –Existing Conditions on the Property and Dimensional Requirements of the Zoning Ordinance.

Dimensional Controls: R-2 Zoning District	R-2 Zoning: Single-Family Use	32 Union Street: Vacant
Minimum Lot Size	10,000 SF	27,750 +/- SF
Minimum Frontage	90 Feet	113 Feet
Minimum Front Yard Setback	25 Feet	NA
Minimum Side Yard Setback	10 Feet	NA
Minimum Rear yard Setback	25 Feet	NA
Maximum Lot Coverage	25%	0 %
Minimum Open Space	40%	100 %
Maximum Height	35 Feet	NA
Minimum Lot Width	67.5 Feet	113 Feet





Figure 6 – Existing Conditions on the Property Showing the Access Driveway from Beacon Ave.

As shown in Figure 7, due to the former industrial use, the Property is considerably larger than the surrounding residential properties. Most residential properties within the surrounding context do not meet the minimum frontage, area, or frontyard setback requirements and most also have non-conforming sideyard setbacks. This is largely due to the fact that most structures were built prior to the adoption of zoning and many newer structures were built prior to the adopted of the current frontage and lot area requirements.

Streetscape & Infrastructure

The streetscape and associated infrastructure Beacon Ave. is characterized as a two-way street with 26 feet of pavement within a 40 foot right-of-way. As shown on Figure 8, the narrow right-of-way the street forced the sidewalks on both sides to hug the curb line with no street trees or turf belt. Beacon Ave. is a two-way street. Union Street is a one-way street within a right-of-way width of just 30 feet and a pavement width of 18 feet with a sidewalk on the north side. Both streets have sufficient space to support on-street parking.





Figure 7 – Neighborhood Context for 32 Union Street (MIMAP)



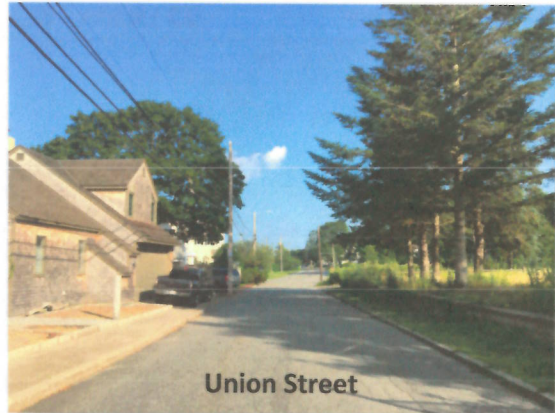


Figure 8 – Existing Streetscape at the Property along Beacon Ave. and Union Street



Figure 9 – Streetscape along Lower Union Street.



Section Two - Neighborhood Context

The surrounding neighborhood context of the Property is generally defined by the 16 lots and structures shown in Figure 10.

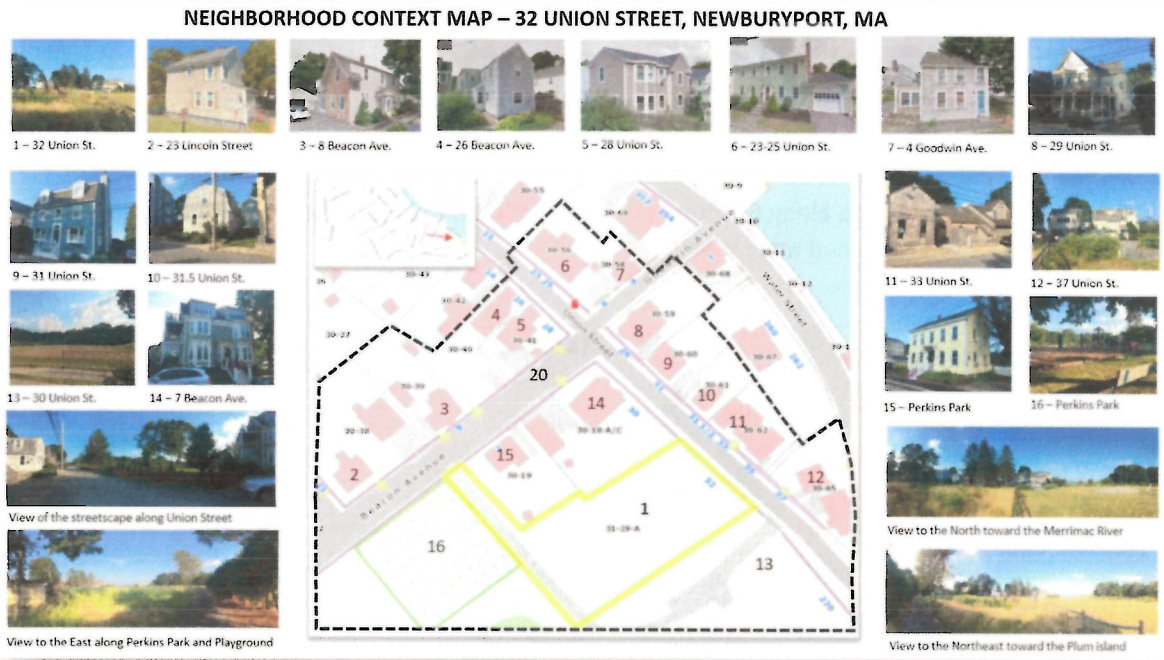


Figure 10 – Surrounding Neighborhood Context for the Property.

Neighborhood Context

Most of the single family homes along Beacon Ave. and Union Street are relatively modest in size with an average gross floor area of 3,674 SF +/- with an average gross living area of 1,967 SF +/- . Lots average 6,072 SF with an average street frontage of 80 feet. Structures range from 1 ½ stories to 2 ½ stories in height and all have a wood-sided appearance.

Due to the zoning changes in the 1970s, which increased the lot area and frontage requirements, all of the single family house lots in the surrounding neighborhood are non-conforming for lot area and 75% have non-conforming frontage. However, such non-conformities are quite typical in the South End due to the historic land use pattern of the densely-developed neighborhoods originally laid out in the late eighteenth and early nineteenth century.

Synoptic Survey Information

In order to better understand the defining characteristics of the buildings, structures, and the site elements within the surrounding neighborhood we surveyed each of the 16 lots shown on Figure 10.



Exhibit 11 shows a summary of the survey map and data sheet. Data includes over twenty-five (25) building and site elements such as the size, style, age, and condition of the structures as well as a variety of architectural details like projections, roof forms, siding, and trim materials. Site elements such as fences, street trees, sidewalks, driveways, and parking were also tabulated to understand the general character of the neighborhood.

As shown in Figure 11, the architectural styles of the structures in the surrounding neighborhood range from antique colonial and cape-cod designs to Georgian, Victorian, and at least one contemporary-style structure. With no predominant style in the surrounding context, Figure 12 illustrates the wide variety of architectural styles within the surrounding neighborhood. This may have been more related by proximity to the former industrial use of the Property (including Perkins Park) as well as the more recent infill housing that developed along Beacon Ave. in the 1950s and 60s as the electrical generation plant was gradually decommissioned after WWII.

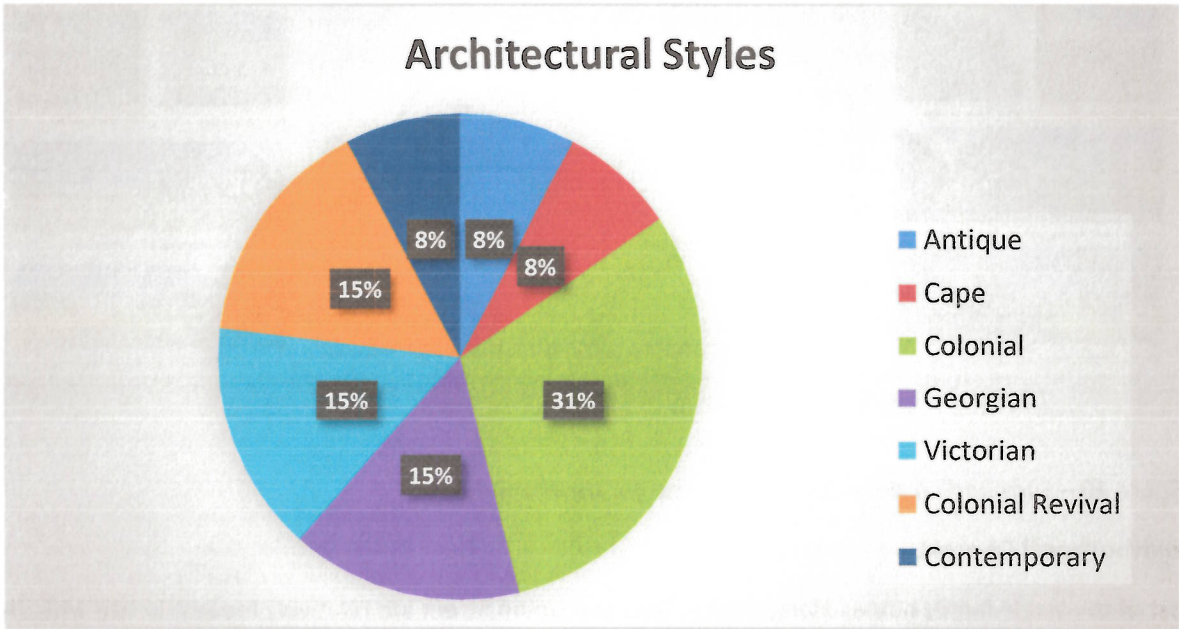


Figure 11 – Architectural Styles in the Surrounding Neighborhood.



Figure 12 – Typical 1 1/2 Story Structures in the Surrounding Neighborhood



Figures 12 show typical 1 ½ story houses in the neighborhood. Figure 13 shows 2 story structures and Figure 14 shows typical 2 ½ story structures while Figure 15 shows some of the larger 2 ½ story structures. All of the structures have a wood-sided appearance with pitched roofs and most have a brick chimney(s) and double-hung, divided-light windows.



Figure 13 – Typical 2 Story Structures in the Surrounding Neighborhood



Figure 14 – Typical 2 ½ Story Structures in the Surrounding Neighborhood



Figure 15 – Larger 2 ½ Structures in the Surrounding Neighborhood



Land Use

As shown in Figure 16, 95% of the structures in the surrounding neighborhood are single-family uses with only one three-family structure located directly abutting the Property. The Property as well as the abutting Perkins Park and the MEC land are shown as vacant.

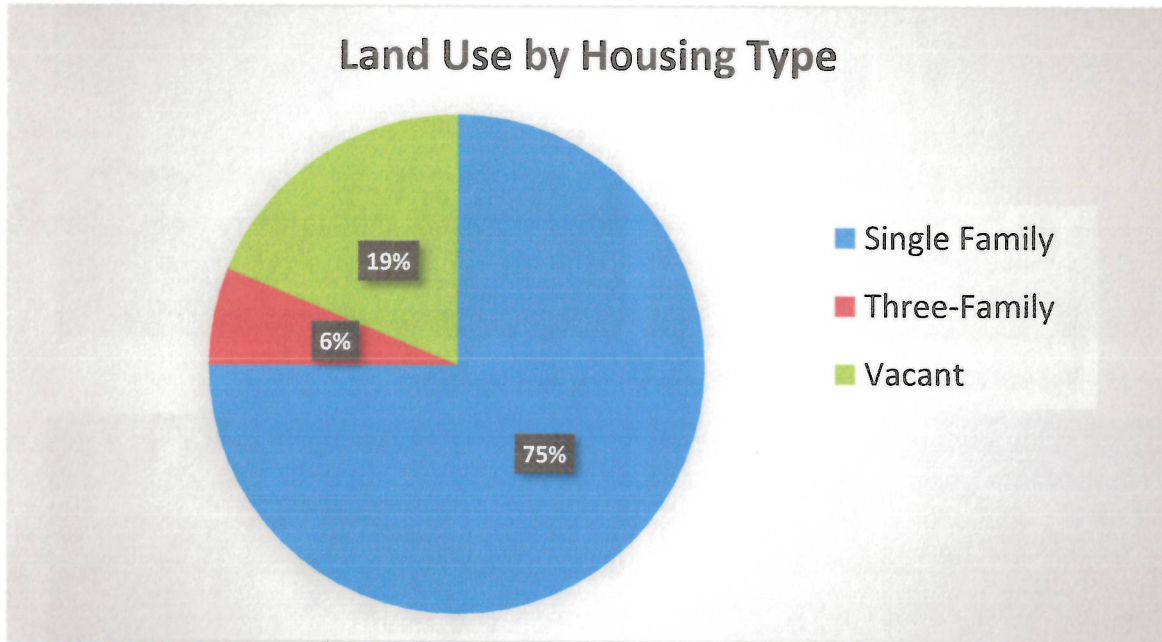


Figure 16 – Neighborhood Land Use (Housing Type)

Dimensional Characteristics

Figure 17 shows the land use pattern of the surrounding neighborhood and illustrates the relatively uniform setback of the principal structures along the street edge. This so-called “build-to” line shows most houses along the south side of Beacon Ave. are located within 5 feet from the edge of the right-of-way. Along Union Street the established frontyard setback is 8 feet. Notably, this established frontyard setback was adopted by the City to encourage new infill buildings to be located along the street edge. This zoning amendment was critical to avoid the gap-tooth effect as the required front yard setback in the R-2 is 25 feet.



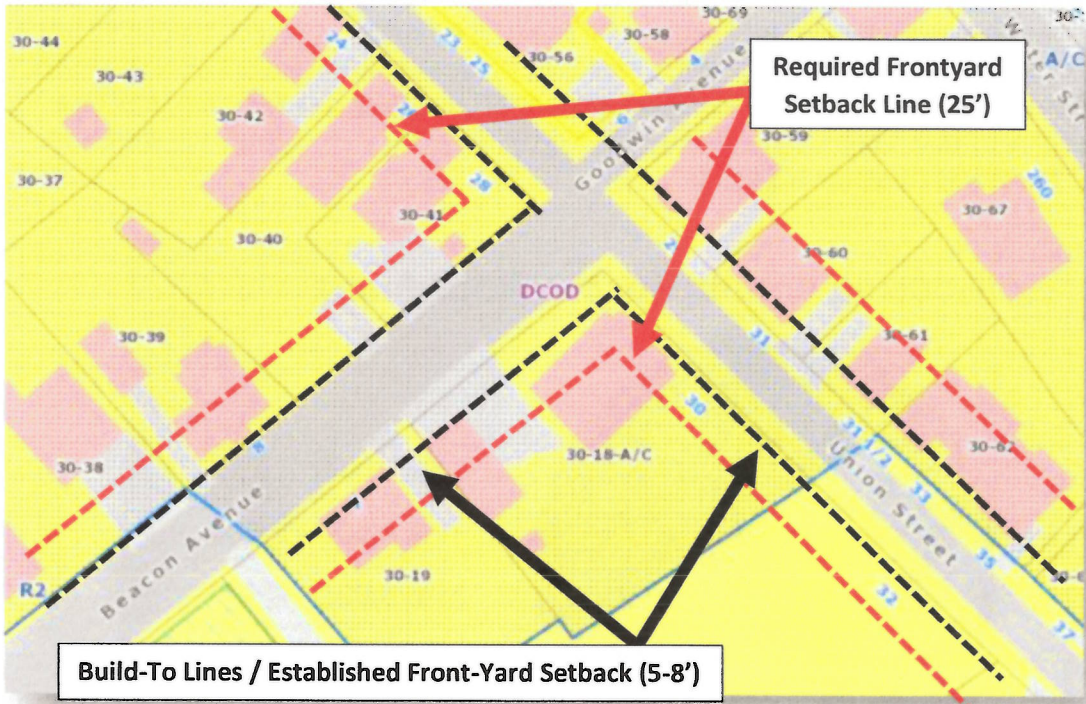


Figure 17 – Neighborhood Context showing Build-To Lines on Beacon Ave. and Union Street

Figure 18 shows that over two-thirds (67%) of the lots in the surrounding context are undersized with non-conforming lot areas. Consistent with most lots in the R-2 District, all (100%) of the single-family properties within the surrounding neighborhood have non-conforming lot areas.

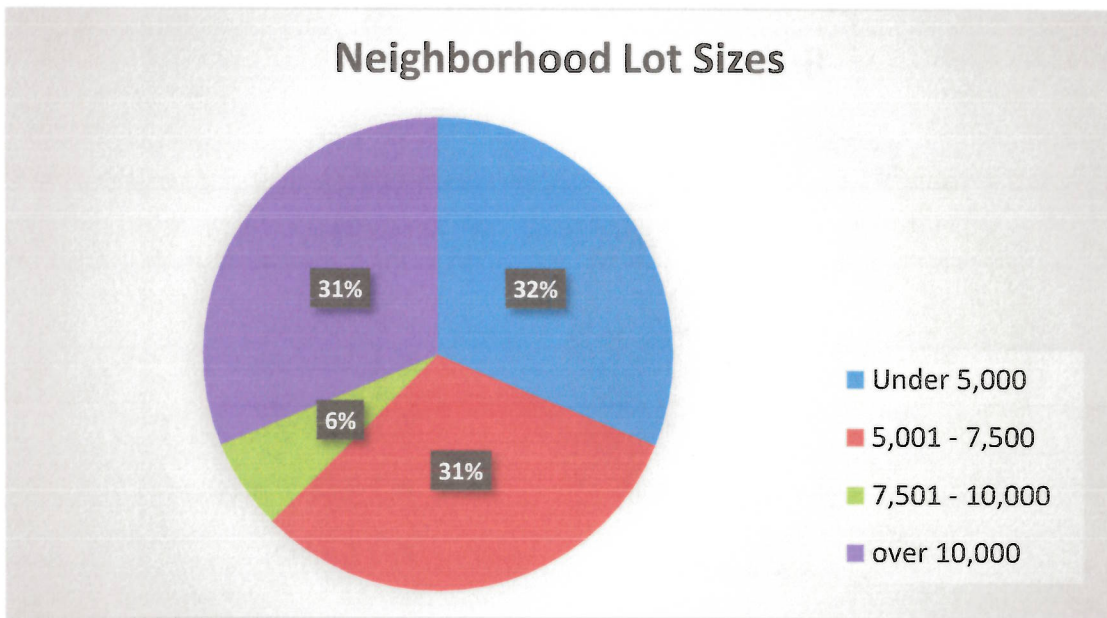


Figure 18 – Neighborhood Lot Sizes (Large parcels includes vacant parcels)



The average lot size is 6,092 SF whereas the zoning requires 10,000 SF. Similarly, 75% of the single family houses are non-conforming for frontage with an average frontage of 80 feet whereas 90 feet is required under the Zoning Ordinance. When examining the size of the existing principal structures, Figure 19 shows that nearly 65% have more than 3,000 SF of gross living area and nearly 60% have footprints of more than 1,000 SF. The average building volume in the surrounding neighborhood is 3,765 SF. The average footprint is 1,050 SF.

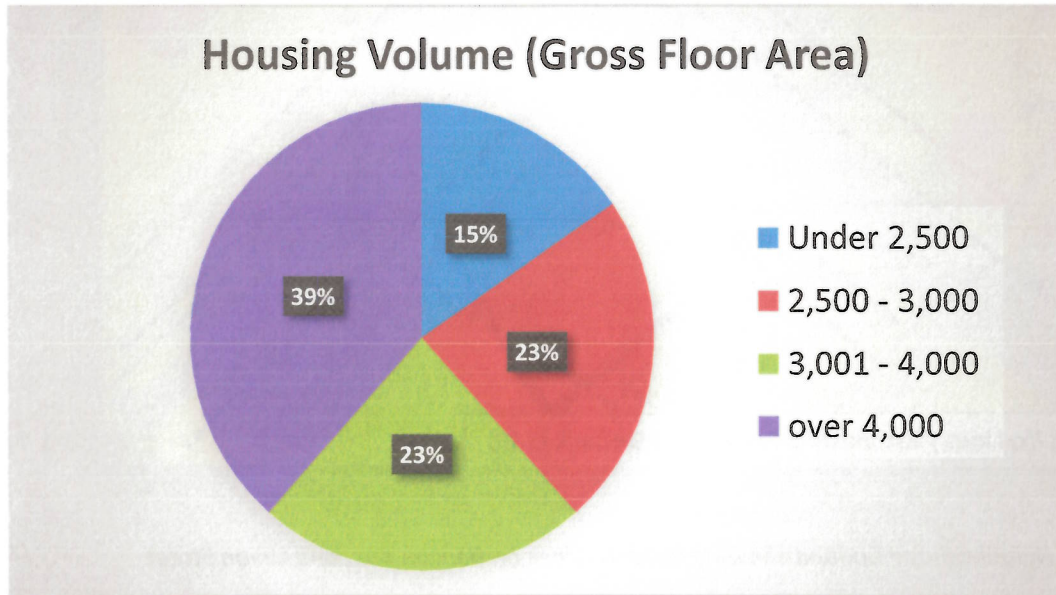


Figure 19 – Neighborhood Building Volumes (GFA)

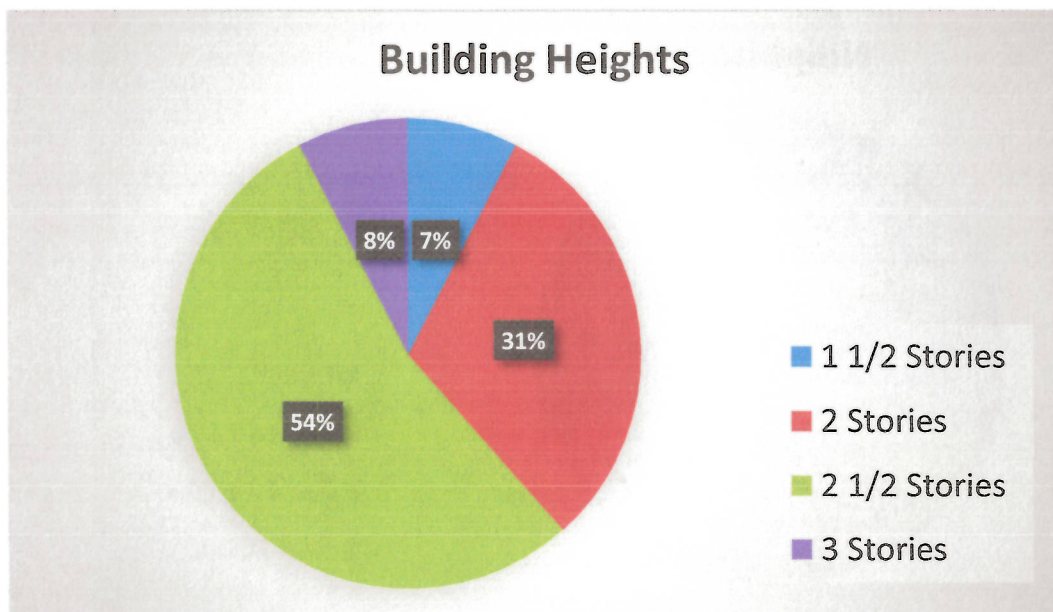


Figure 20 – Neighborhood Building Heights (Number of Stories)



Figure 20 shows that 63% of the lots within the surround neighborhood have building heights of 2 ½ stories or more and an average ridge height of approximately 29 feet. Compared to most neighborhoods in the South End, the ratio of building coverage, volume, and building height to the lot area is fairly typical.

To assess the historical significance of the structures within the surrounding neighborhood we examined the age of the existing structures using the City’s tax records. Figure 21 shows that all but 4 of the 16 structures in the surrounding neighborhood were built before the mid-twentieth century. Notably, the Welch Residence on Goodwin Ave. is estimated to be an antique colonial c. 1780; probably the oldest house in the immediate neighborhood.

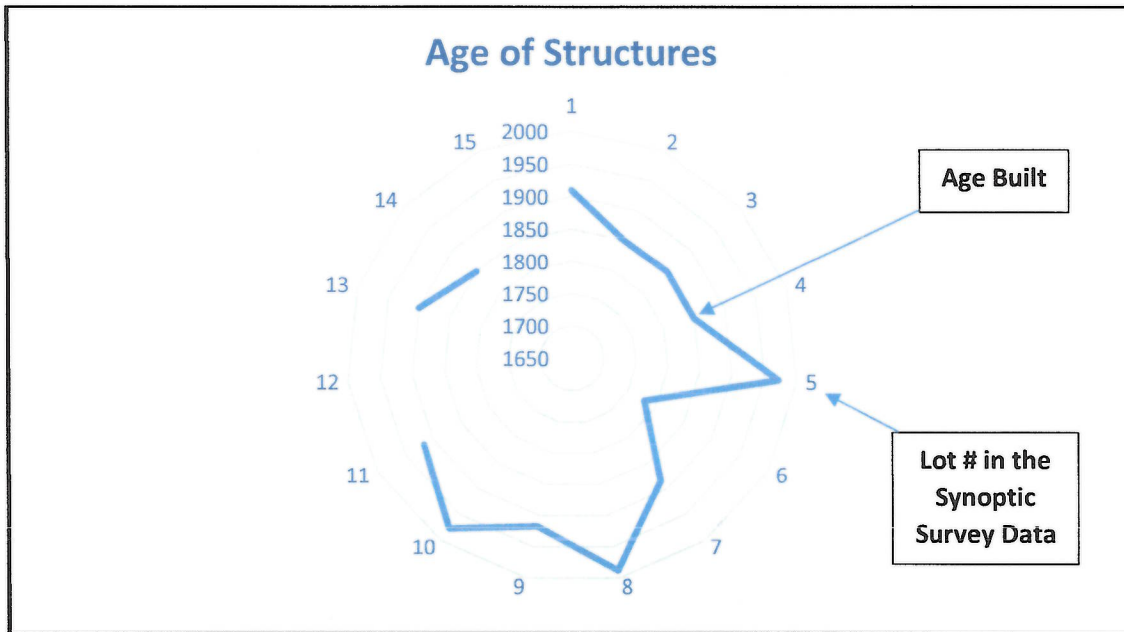


Figure 21 – Historical Significance / Age of Houses in the Surrounding Neighborhood

Character Defining Elements

Factors such as building orientation, roof forms, yard types, building projections, window patterns, and other architectural design details like chimneys, foundations, porches, steps, and stairs are all important to survey in order to understand and identify any unique character-defining elements in this neighborhood. The following summarizes some of the character-defining features of the surrounding structures.

Figure 22 shows that nearly 2/3rds of all structures in the neighborhood have a pitched gable roof that faces the side yard with the long edge of the roof facing the street. A side facing gable roof is usually representative to lots with wider frontages.



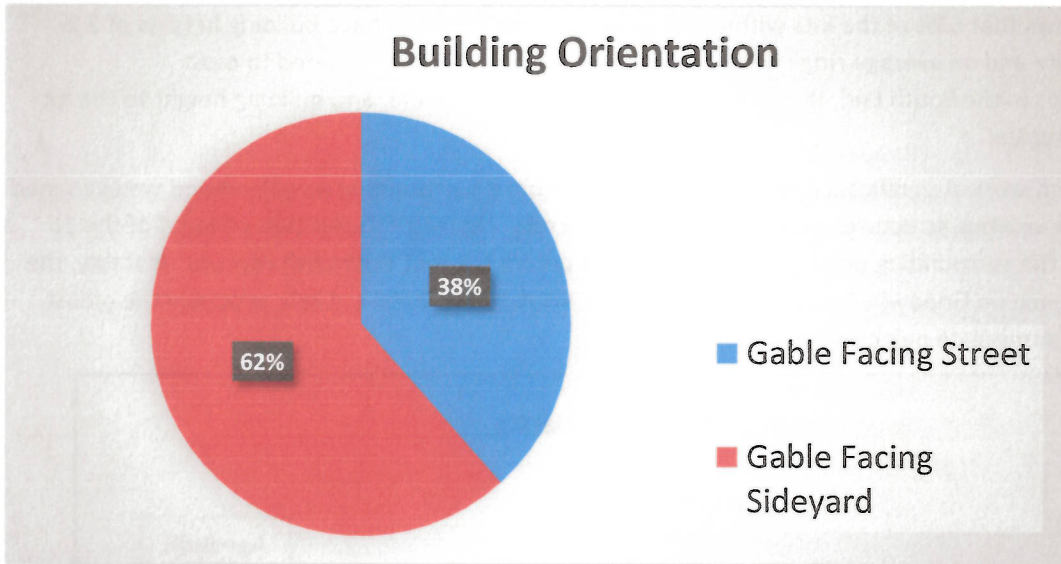


Figure 22 – Neighborhood Building Orientation to the Street

Given the relatively low height of many of the structures with a side facing gable it creates a streetscape pattern where the roof surfaces are a prominent, character-defining feature of the neighborhood. Note that nearly all the roof surfaces are asphalt shingles. Figure 23 shows the wide array of garage styles while Figure 24 shows the open space associated with Perkins Park. Figures 25 & 26 show typical fencing and walls along the front property line.



Figure 23 – Two- and Three-Car Attached and Detached Garages



Figure 24 – Perkins Park Playground, Ballfield, and MEC Park





Figure 25 – Neighborhood Fencing



Figure 26 – Neighborhood Walls

Accordingly to the survey data, nearly 75% of the structures in the neighborhood have chimneys and most have projections such as dormers, bays, porticos, or roof decks. These projections add rhythm and interest to the structure and they also help to break up the massing of the structure; especially where the sloping roof surface faces the street. Figure 27 shows that nearly 50% of the lots in the neighborhood have either a detached or attached garage. Moreover, most lots without garages have sufficient off-street parking areas to support at least two vehicles.

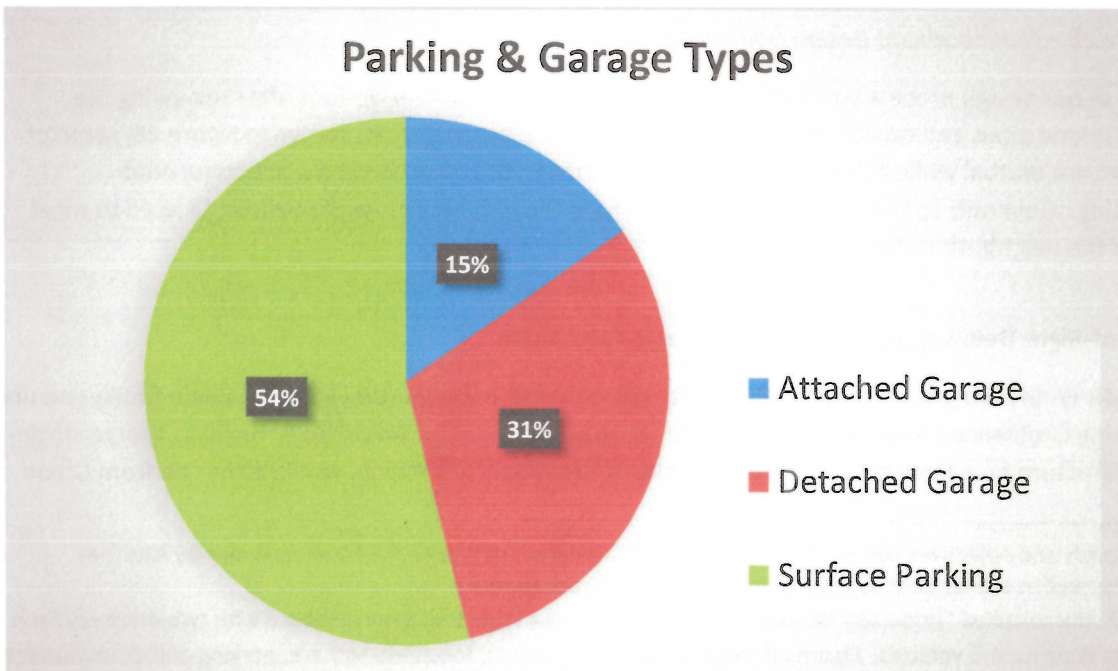


Figure 27 – Neighborhood Parking and Garage Types



Section Three – Neighborhood Design Goals and Objectives, & As-of Right, Special Permit, and Preferred Development Options

Neighborhood Goals and Objectives

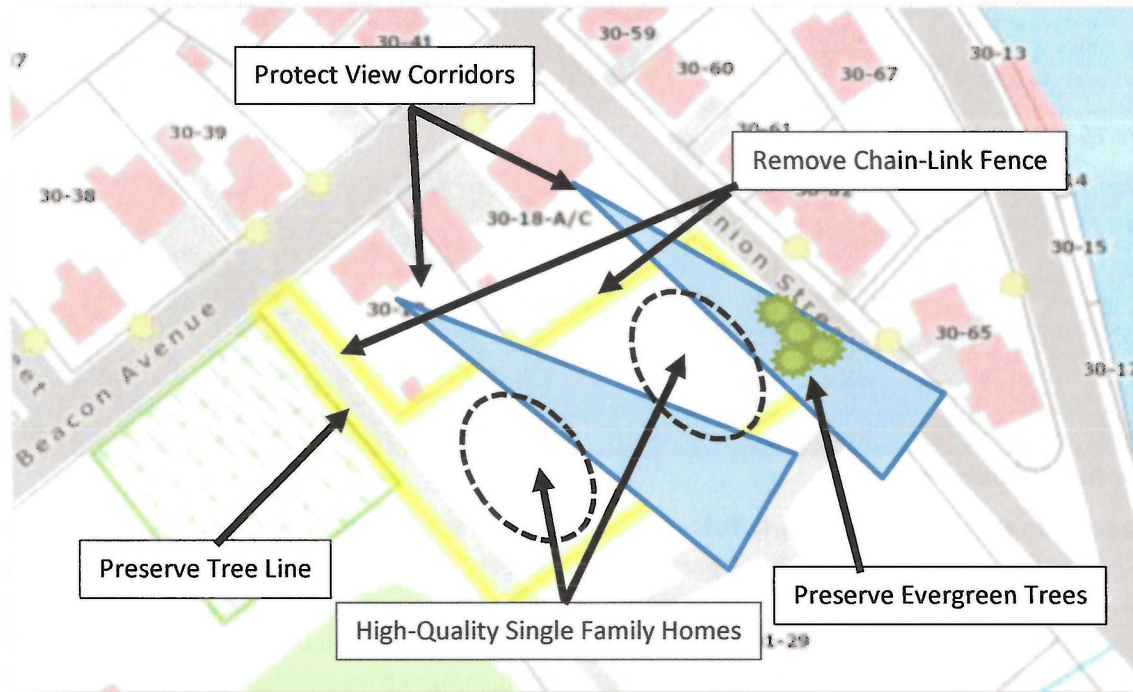


Figure 28 – Neighborhood Design Goals & Objectives

As part of our design process we evaluated three main redevelopment options after reviewing the neighborhood goals and objectives for development on the Property.² As shown in Figure 28, some of the goals are mutual while others, like the full protection of the view corridors, are somewhat competing. Generally speaking Figure 28 shows where the two houses would be best located to meet most of the neighborhood goals and objectives.

1. As-of-Right Development Plan – Large Single-Family Use

At 27,748 +/- SF, the property fully conforms to the dimensional requirements for a single-family use under the Zoning Ordinance. A so-called “as-of-right” development option would likely result in a large single-family structure being located toward the middle of the Property.³ Access would either be from Union

² These goals and objectives come from review of the material submitted to the Planning Board by Attorney Roelofs as well as subsequent conversations with all the direct abutters.

³ In 2015, the so-called “Anderson Residence” was designed as a large single family house with two driveways and garage parking for 4-5 vehicles. Figure 28 shows how the placement, footprint, setback, parking and driveways are inconsistent with the surrounding neighborhood.



Street or Beacon Ave. (or both). Figure 28 illustrates this as-of-right scenario. As shown, this approach would likely result in a significant adverse impact to the view of Plum Island and the Merrimack River from the abutting structure on Beacon Ave. Additionally, this approach offers no formal opportunity for protecting the existing evergreen trees along Union Ave. and Perkins Park as well as insuring that an appropriate fence replaces the existing 6 foot chain-link fence located along two-sides of the Property. In summary, this approach provides no opportunity to develop neighborhood-supported improvements as well as the need to evaluate and calibrate the footprint, placement, volume, mass, height, or the architectural style and quality of the proposed structure so its adds value, character and quality to the surrounding neighborhood.

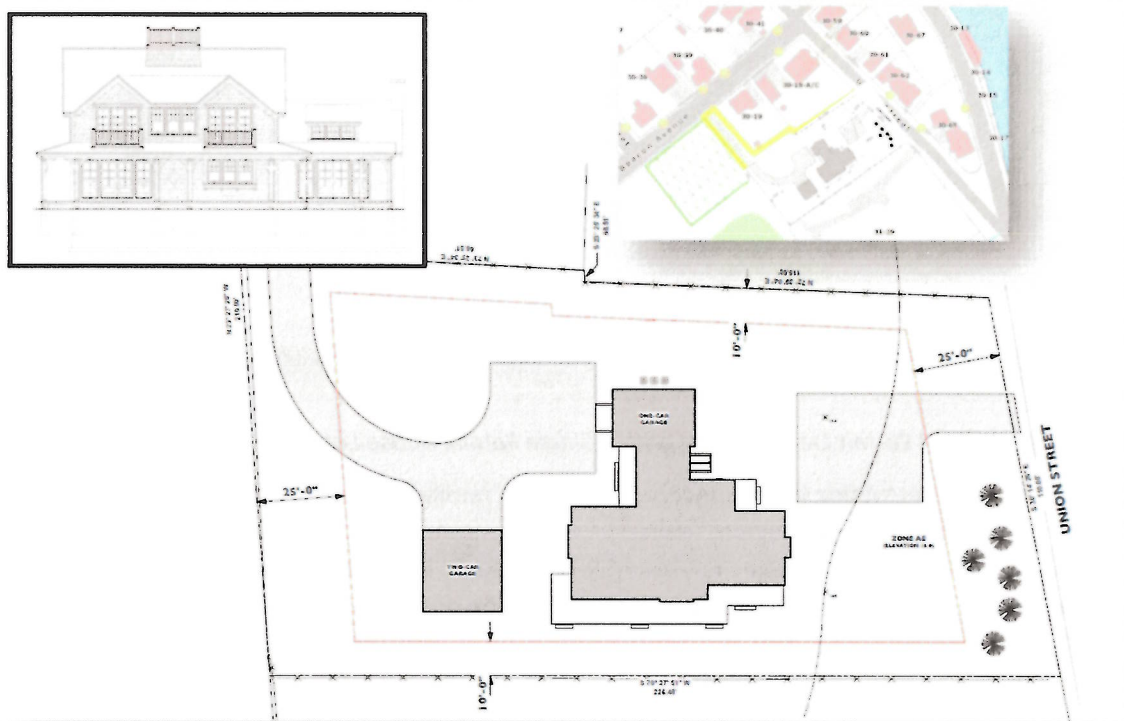


Figure 28 – As-of-Right, Large Single Family House Development Plan

2. Special Permit Court Development – Two Single Family House Lots

A Special Permit development option would require the applicant to design a single or two-lot subdivision using a cul-de-sac or t-type turnaround area with a dedicated right-of-way. Figure 29 shows a proposed Special Permit Development Plan.⁴

⁴ Note that the proposed building footprints would require some minimal adjustments to adhere to the setbacks required. In particular, the garage on Lot 1 would need to either be detached or shifted back, this could be achieved by shifting the proposed house on Lot 2 toward Union Street as the established frontyard setback is 5-6 feet from Union Street.





Figure 29 – Special Permit Development with 2 Single Family House Lots on a Private Driveway (Court)

This approach, while providing for two independent single family house lots, would result in added pavement on the Property and provides limited capacity to formally incorporate neighborhood goals into the final building and site design. For example, Lot 2 could be subdivided under an ANR Plan which would significantly reduce the opportunities for preservation of the existing evergreen trees along Union Street. An ANR plan for Lot 2 would also not offer any opportunities to formally address any sightlines, impacts to privacy, or views to the Merrimack River from 30 Union Street. Given the setback requirements for the proposed court right of way, the existing view corridor between 7 Beacon Ave. and 30 Union Street would also be significantly diminished. In summary, although the two lot special permit development plan provides the owner with two single family house lots, it does not fully achieve the goals of the neighborhood.

3. Preferred Development Plan – Two Traditional Single-Family House Lots

In contrast to the as-of-right or special permit development plans, Figure 30 shows a building and site plan that provides for two single family house lots accessed with individual private driveways. Lot 1 is proposed to be 14,741 SF, have frontage on Beacon Ave. and would include a proposed 2 ½ story, single family structure with a three car garage.⁵ The single family structure is proposed to have a footprint of

⁵ Note that both structures will not have basements due to a high groundwater table so it's anticipated that one garage bay will be used for storage.



2,432 SF and be 29 ½ feet in height.⁶ The existing paved driveway will be replaced with stone and edged with granite cobblestones. The existing chain-link fencing will be replaced with black metal along Perkins Park and wood along the Beacon Ave. abutters.

Lot 2 is shown as 13,007 SF with a two-story, single family house lot with frontage on Union Street (see Figure 31). The single family structure is proposed to have a footprint of 2,702 SF and be 26 ½ feet in height. The proposed new driveway will be located at the northwest corner of the lot and have a stone surface and edged with granite cobblestones. The existing chain-link fencing will be replaced with wood along 30 Union Street and a decorative wood fence will be installed along the front property line. The existing evergreen trees will be preserved and protected during construction.



Figure 30 – Preferred Development Plan showing Two Single Family Houses.

⁶ In addition to the lack of basements, although the proposed footprints are larger than the average footprint than the surrounding neighborhood structures the lots are nearly twice as large as the average lot size (6,072 SF).





Figure 31 - Proposed Two-Story, Single Family House along Beacon Ave. (Lot 2)

Proposed Development Plan in Context

Figure 32 shows the preferred buildings and site plan in context with the other existing structures and lots in the surrounding neighborhood.



Figure 32 – Preferred Building and Site Plan in Context Showing the Protected View Corridor



Although a dimensional variance is required for Lot 1, the proposed building and site improvements for the entire Property are consistent in design with the typical building placement, height, volume, and massing of the existing structures in the surrounding neighborhood. Moreover, Figure 33 shows the two single family structures from Flat Iron Point. Importantly, the image shows the positive impact of the view easement between the two structures as well as the preservation of the existing evergreen trees along Union Street.



Figure 33 – Preferred Development in Context with the Surrounding Neighborhood



Figure 34 – Side Elevation of the Proposed Single Family House Beacon Ave. (Lot 1)





Figure 35 – Rear Elevation of the Proposed Single Family House on Beacon Ave. (Lot 1)



Figure 36 –Side and Front Elevations of the Proposed Single Family House on Union Street (Lot 2)



The preferred development plan also proposes streetscape improvements to Union Street where a brick sidewalk will be installed along 33-35 Union Street in order to complete brick sidewalk between Flat Iron Point and Beacon Ave. (see Figure 37). The Plan also would replace the existing chain-link fence along Perkins Park and the abutting properties along Beacon Ave. with a wood fence.



Figure 37 – Streetscape Improvements and Replacement of Chain-Link Fencing

Figure 38 shows the proposed cobblestone apron and gravel driveways for both driveways.



Figure 38 – Proposed Granite Cobblestone Driveway Apron for both Driveways.



In summary, the preferred development plan achieves the highest level of adherence to the neighborhood goals as follows:

1. Both structures shall be deed restricted to single family use only;
2. Both structures shall use high-quality materials such as Marvin Ultimate double-hung windows (or equal), clear cedar siding, composite slate roofing, solid wood doors, granite steps and landings, brick veneered chimneys, wood shutters with pintels and dogs and azek trim;
3. Brick walkways shall be used from the driveway to the front entryways;
4. Subject to approval from the Department of Public Works, a granite cobblestone apron (at least 5 feet in width) shall be used to delineate the driveway from Beacon Ave. and Union Streets as shown in Figure 25.
5. Subject to approval from the Department of Public Works, approximately 80 feet of existing concrete sidewalk along 33-35 Union Street shall be replaced with brick;
6. The proposed structure on Lot 2 shall have a front yard setback of 25 feet from Union Street.
7. The chain-link fencing will be replaced with black metal along Perkins Park and red cedar along the property line of 7 Beacon Ave. and 30 Union Street;
8. A permanent view easement is proposed for the 60 foot +/- gap between the two proposed single family structures. Except for a single, 100 SF accessory structure, no permanent structures over 36 inches in height shall be located within the easement area on each lot. Additionally, no fences or landscaped material shall be permitted to be over 60 inches in this area; and,
9. The five existing evergreen trees located along Union Street shall be preserved and protected during construction through the installation of a hurricane fence along the dripline prior to the commencement of construction; and
10. Landscaping shall be added along the face of the existing concrete wall along the frontage of Lot 2.

Section Four – Hardship Criteria, and Findings

Approval of this site plan and subdivision requires one dimensional variance for frontage. Table 2 shows the variance needed for frontage to support the single family structure located on Lot 1. No dimensional variances are required for the proposed single family structure proposed for Lot 2.⁷ Given the property could be subdivided with a special permit by installing a court, the requested variance is relatively minor in nature and the preferred plan is more consistent with the surrounding structures and lots. Moreover, the proposed stipulations included in the preferred development plan are more consistent with the goals and objectives of the abutters and surrounding neighborhood.

⁷ Section VI.G. of the Zoning Ordinance allows for the frontyard setback to be reduced to the established frontyard setback on the street. In this case, the abutters prefer the proposed house to be located at least 24 feet from Union Street in order to preserve views to the Merrimack River as well as to preserve the existing evergreen trees along Union Street.

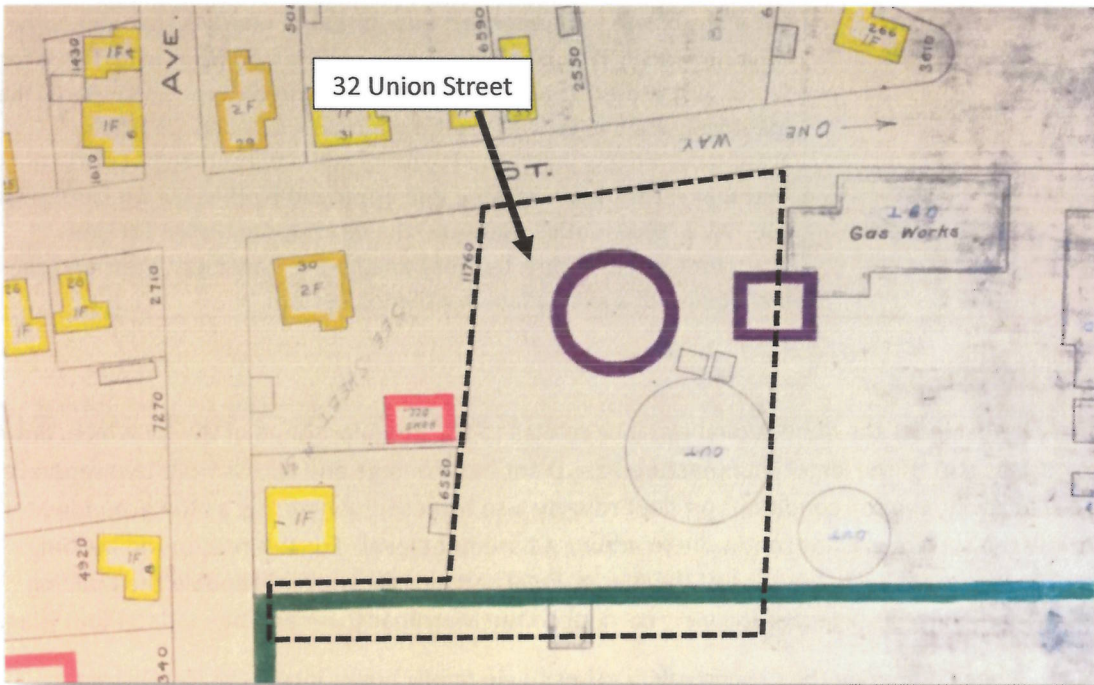


Table 2 – Zoning Analysis for the Preferred Development Plan⁸

ADDRESS – ASSESSORS MAP 31 LOT 29–A ZONING DISTRICT R–2 SINGLE FAMILY				
	REQUIRED	EXISTING	PROP. LOT 1	PROP. LOT 2
LOT AREA:	10,000 SF	27,750 SF	14,741 SF	13,007 SF
LOT FRONTAGE:	90 FT	110 FT	30.00 FT	110.00 FT
FRONT SETBACK:	25 FT	**	113.2 FT	24.7 FT
SIDE SETBACK:	10 FT	**	30.0 FT	11.1 FT
REAR SETBACK:	25 FT	**	10.2 FT	30.0 FT
LOT COVERAGE:	25%	0%	15.0%	20.3%
OPEN SPACE:	40%	100%	60.5%	66.5%

Dimensional Variances & Hardship

When we consider the irregular shape and soil conditions of this lot the requested dimensional variance for frontage can be supported without derivation or harm to the spirit or intent of the Zoning Ordinance. The shape, soils and prior use of the Property as an MGP site is unique compared to other properties within the surrounding neighborhood. Figure 39 shows the Property within the former MGP site.



⁸ Section VI.F. of the Zoning Ordinance allows for reduction in the rear yard setback to 10 feet where the property abuts a public park or open space. Section VI.G. allows for a reduced frontyard setback.



Figure 39 – Former Land Use as the Newburyport Gas & Electric Company.

All other single family lots are non-conforming for lot area and 75% have non-conforming frontage. All have non-conforming frontyard setbacks and many have non-conforming side and rear yard setbacks, open space, and coverage.

As part of the hardship criteria and findings needed for approval of the variances, Table 3 illustrates how two factors, when considered together, differentiate this lot from all other lots within the surrounding neighborhood and other lots within the R2 Zoning District.

Table 3 – Two Factors Effecting Hardship

	Review Factor	Special Conditions on 32 Union Street
1	Lot Shape	This lot is significantly different in shape and configuration from nearly all other lots in the R2 Zoning District. The lot has frontage on two separate streets and enough area to support a two-lot subdivision using a court design. The lot shape was created prior to the adoption of the most recent dimensional regulations for the R2 in the 1960s.
2	Lot Soils	Test pits have been performed on the property in order to identify the groundwater elevation as the city requires the basement slab to be elevated above the water table. The test pit data for the site indicated a ground water depth of 4 feet. According to the City’s Zoning Ordinance any basement level would need to be located above this level. This would translate to an exposed foundation of nearly 5 feet above the existing grade. This would need to be addressed by at least three feet of fill to raise the existing grade around the foundation. Secondly, being previously used as part of the Newburyport Gas and Electric’s manufactured gas plant, the Property had environmental contamination that was recently remediated and approved by the DEP for residential use. As a conservative measure, the development plan for both structures will include a barrier beneath the basement slabs and the installation of a subsurface ventilation system.

Substantial Hardship

The primary hardship for the dimensional variance relates to the irregular shape of the lot which, due to its former use as part of the larger manufactured gas plant has frontage and access from two separate streets. Secondly, the soil conditions on the Property also represent a hardship as the groundwater height below the surface are not conducive to adding a basement level. For this reason the building footprints are larger. As such, granting of the dimensional variance for Lot 1 will enable the building footprint and height to block less of the view corridor to the Merrimac River and beyond to Plum Island.

In summary, when comparing the Property with other single family house lots in the R-2 District, especially within the North End, this lot is nearly twice as large and it has nearly two times the average frontage. The two factors listed in Table 3 represent the unique features or circumstances of the lot that cause a financial hardship to the property owner to reasonably use and maintain the property as a single family or as a two lot subdivision. Denial of this application would likely result in a special permit plan being approved by the Planning Board. Notably, the special permit plan would have a significantly



smaller view easement area or the evergreen trees along Union Street would need to be removed to slide the house on Lot 2 up to the established frontyard setback. Similarly, the as-of-right option would fully block the view corridor and still result in two driveways into the site.

Findings

We believe that the proposed project meets the following findings required for approval of the Variances.

1. The proposed use (single-family #101) is an allowed use under the Table of Use Regulations.
2. The requested use is essential or desirable as a new, well-designed, single family structure would be located on the two lots with stipulations for quality assurance and streetscape improvements.
3. The proposed use will not create undue traffic congestion or impair pedestrian safety. The requested use will not impair the city infrastructure or services. Sidewalk replacement along Union Street will enhance pedestrian safety, circulation, and beautify the street.
4. The building and site design of the proposed project will improve the quality, character, and market value of the surrounding neighborhood.
5. The proposed use will not cause an excess of the use within the surrounding neighborhood as the current housing types within the neighborhood are single- or two-family uses and the proposed lots are more than twice the average lot size.
6. The proposed use is in harmony with the purpose and intent of the Zoning Ordinance in that the proposed density, building volume and design is consistent with the surrounding neighborhood.
7. The proposed use will not cause any environmental hazard or nuisance.

Preliminary Stipulations for Consideration

In consideration of our request for dimensional relief from the Zoning Ordinance we are proposing the following stipulations as part of this application. In anticipation of further neighborhood input, we will update and submit a revised list of draft stipulations at the Public Hearing. The draft stipulations are as follows:

Prior to Issuance of Building Permit:

1. A restrictive covenant shall be recorded at the Registry of Deeds that restricts the use of the principal structures on Lot 1 and Lot 2 to a single-family use.
2. The final construction drawings associated with a Building Permit for the proposed single-family structures on Lot 1 and Lot 2 shall conform to the rendering and elevations and details, including but not limited to the following:
 1. A cedar or composite slate shingle shall be used;
 2. The door surround, gable & shed dormers shall be dimensioned as shown on the renderings, elevations & details;
 3. A half-round, top-hung metal or copper gutter and downspout shall be used;
 4. Cedar siding shall be used with no more than 6 inches of exposure;
 5. The new construction windows shall be a field-painted, high-quality, Marvin Ultimate Series (or equal), SDL (including the use of a spacer bar), double-hung, 6/1, wood- or aluminum clad window with a half-screen;
 6. Solid wood exterior doors and shutters shall be used;
 7. Authentic exterior trim details or Azek shall be used;
 8. Each house shall have a chimney which shall be veneered in half-depth, natural brick or stone;



9. Granite steps and landings shall be used;
 10. Any mechanical units shall be located behind the structure and screened from public view
 11. A brick-shelf shall be used for any exposed foundations greater than 18 inches; and
 12. The existing evergreen trees within the frontyard setback of Lot 2 shall be protected and preserved during construction with a hurricane fence located along the drip line.
3. A view easement shall be recorded at the registry of deeds that permanently protects the 60 foot +/- view corridor to the Merrimac River between the two houses. Except for fences or vegetation less than 5 feet in height from grade, in ground pools, and/or accessory structures less than 100 SF in size and 10 feet in height, no trees or permanent structures shall be permitted within the view easement area; and,
 4. A detailed Construction Management Plan (CMP) shall be submitted to the Planning Department and a copy shall be posted on the property. The plan shall be used to coordinate contractors and provide a primary point-of-contact, address on- and off-street parking management for all general and site-related contractors, any sidewalk closures, construction sequencing, and ensure the hours of operations for construction adhere to all applicable city ordinances. All dumpsters shall be located on-site during construction. The CMP shall be presented at a pre-construction meeting which shall be scheduled by the developer. The Planning Department and all direct abutters shall be provided written notification at least 72 hours in advance of the pre-construction meeting.

Prior to Issuance of an Occupancy Permit:

1. The on-site improvements shall include, but not be limited to, the following:
 - a. A wood privacy fence shall be placed along the side and rear property lines between Lot 1 and Lot 2 and the rear lines of all abutting properties, and a decorative wood or metal fence, no taller than 42 inches in height, shall be located along the frontage and sideyard of both lots; and
 - b. The front walkways to the entryways within the front yard shall be constructed of full-depth brick.
2. The off-site improvements shall include, but not be limited to, the following:
 - a. Subject to approval from the Department of Public Works, 100 feet +/- of the existing concrete sidewalk shall be replaced with a full-depth brick sidewalk in front of 31.5 and 33 Union Street;
 - b. A granite cobblestone apron (at least 5 feet in width) shall be used to delineate both the existing and proposed driveways from Beacon Ave. and Union Streets; and
3. Any alterations to the architectural style, materials, footprint, height, or projections on the proposed structures on either Lot shall require subsequent approval by the Zoning Board of Appeals.

Summary

The primary purpose of the Zoning Ordinance is to protect the property values and surrounding community character as well as support new development that is consistent with the goals, objectives, and strategies listed in the Master Plan. We believe that the proposed project meets or exceeds these purposes. Approval of the project would be consistent with the quality and character of infill development encouraged in the City's Master Plan. This project would also meet multiple public goals and strategies such as supporting new housing while also proposing a building and site design that respects the surrounding neighborhood character through sensitive design and a variety of streetscape improvements.

In closing, when cumulatively evaluating the special conditions and unique characteristics of this Property it is evident that this lot can be differentiated from all other properties within the surrounding neighborhood. As a result, approval of the dimensional variance would not equate a special privilege to the applicant or be inconsistent with what would be considered for other similar properties within the R-2



Zoning District or other recent approvals for similar projects.⁹ As such, we believe the facts relied upon in this application support approval from the Board and would suggest that the relief sought will be desirable and beneficial to the neighborhood and general public without substantial detriment to the public good.

We look forward to presenting our application at the Public Hearing.

Respectfully,



John Gorman,
Gorman Homes, LLC
West Newbury, MA

Cc: Scott Brown, AIA Architect
Chris York, P.E. Millennium Engineering
Rob Leanna, Painted Buildings, LLC

⁹ This project is consistent with the recent approvals within the R2 District for 386 High Street, 4 Elmira Ave., 18 Ashland Street and 4 Ferry Road.



EXHIBITS



EXHIBIT 1 – ASSESSOR’S CARD

32 UNION ST

Location 32 UNION ST **Mblu** 31/ 29/A / /
Owner 32 UNION LLC **Assessment** \$366,000
PID 1784 **Building Count** 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$366,000	\$366,000

Owner of Record

Owner 32 UNION LLC **Sale Price** \$550,250
Co-Owner C/O JOHN GORMAN **Certificate**
Address 3 ARCHELAUS HILL RD **Book & Page** 35300/0509
 WEST NEWBURY, MA 01985 **Sale Date** 09/28/2016
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
32 UNION LLC	\$550,250		35300/0509	00	09/28/2016
ANDERSON BRYCE C JR	\$625,000		33687/0175	1U	11/21/2014
HASELTINE GEORGE TRS	\$451,000		33681/0072	00	11/19/2014
MASSACHUSETTS ELECTRIC COMPANY	\$247,500		19662/0307	00	11/22/2002
MOLIN HELEN S	\$1		10627/0371	1A	11/15/1990

Building Information

Building 1 : Section 1

Year Built:
Living Area: 0

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Stories:	
Occupancy	



Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	

Building Photo



(<http://images.vgsi.com/photos/newburyportMAphotos//default.j>)

Building Layout

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1300
 Description RES ACLNDV
 Zone R2

Land Line Valuation

Size (Acres) 0.64
 Depth 0
 Assessed Value \$366,000

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2016	\$0	\$345,300	\$345,300



EXHIBIT 2 – EXISTING CONDITIONS MAP (MIMAP)

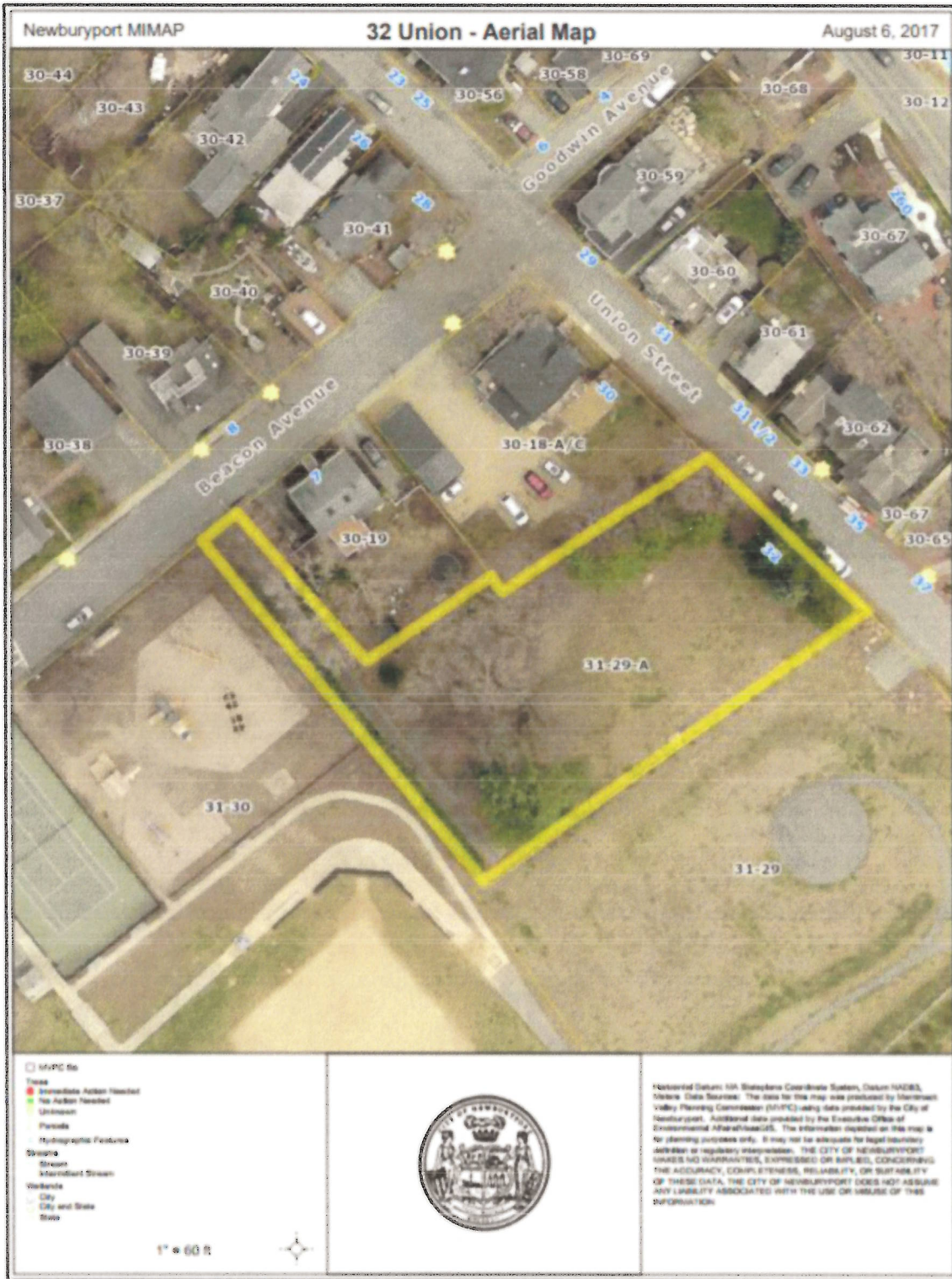


EXHIBIT 3 – EXISTING CONDITONS PLAN (MILLENIU ENGINEERING)

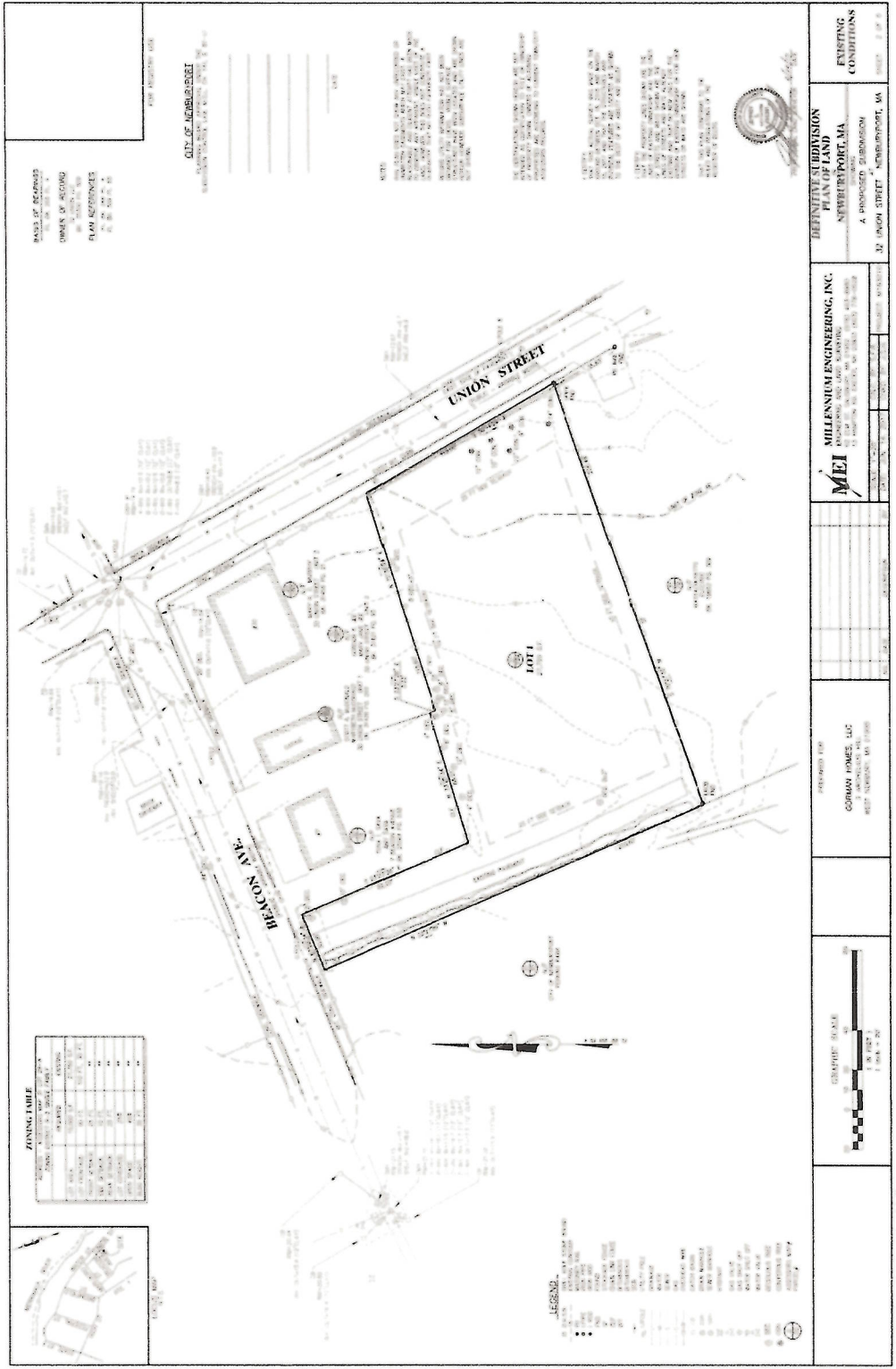
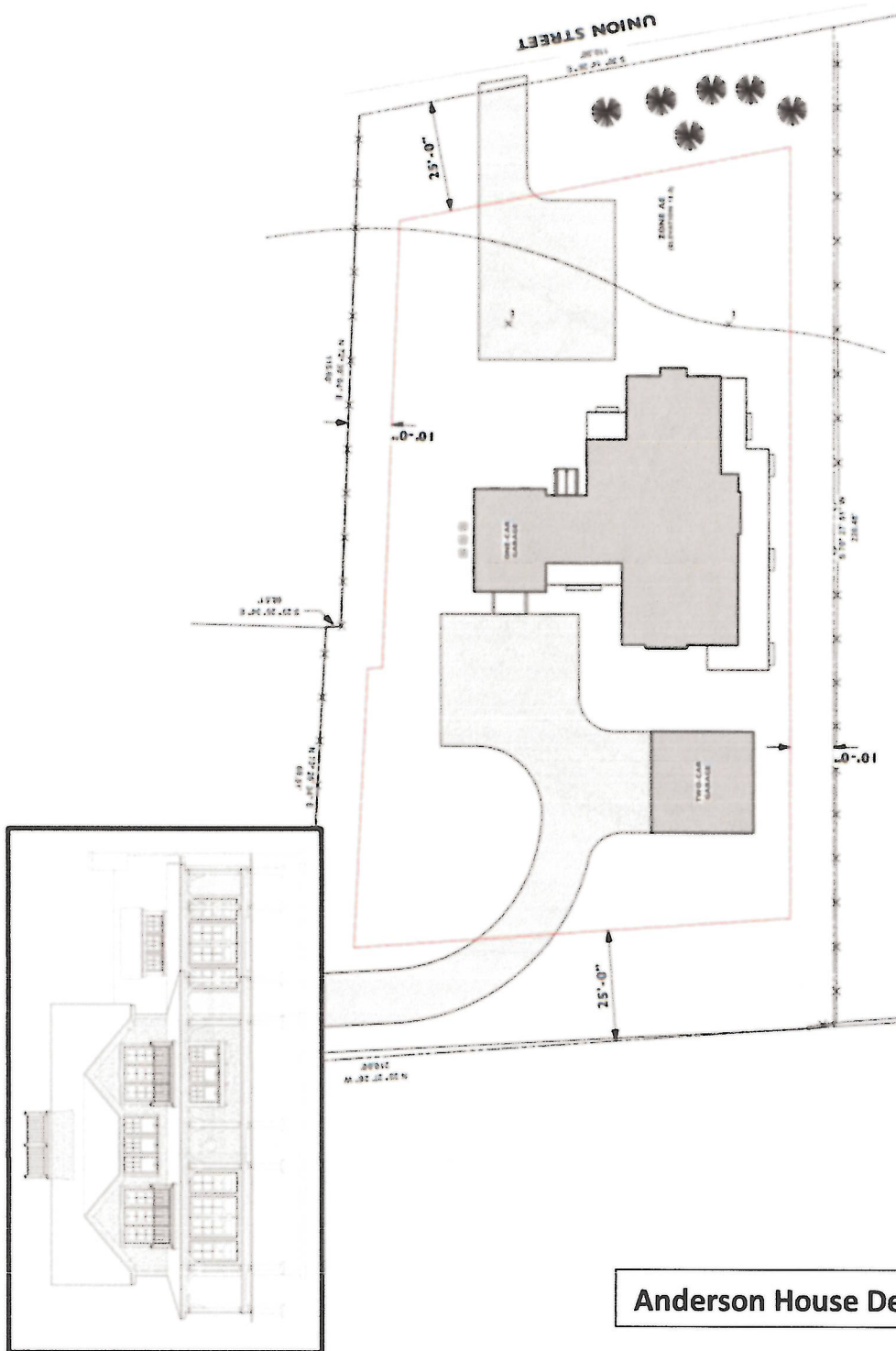


EXHIBIT 4 – AS-OF-RIGHT SINGLE FAMILY HOUSE PLAN (BROWN PLAN)



Anderson House Design (2016)



EXHIBIT 7 – PROPOSED SUBDIVISION PLAN SHOWING BUILDINGS & DRIVEWAYS (MILLENNIUM ENGINEERING)

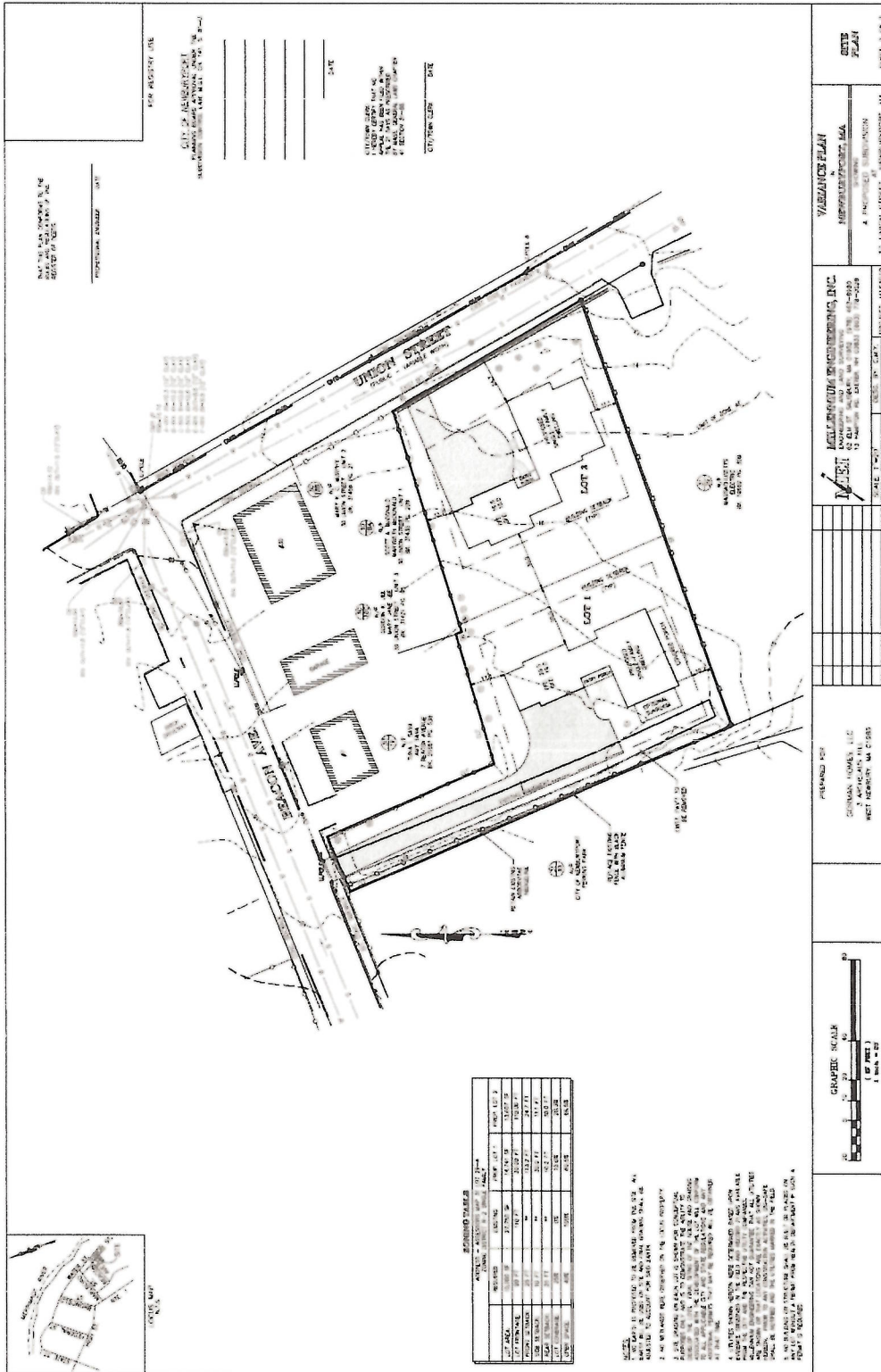


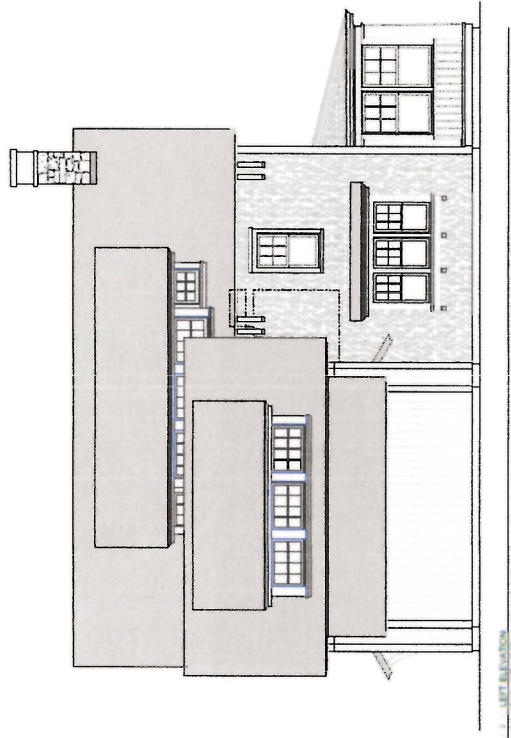
EXHIBIT 8 – PROPOSED STREETScape RENDERING (VIEW FROM UNION STREET)



EXHIBIT 9 – PROPOSED SITE PLAN SHOWING TWO SINGLE FAMILY HOUSE LOTS



SCOTT M BROWN ARCHITECTS LLC 1000 STATE STREET SUITE 100 NEWBURYPORT, MA 01950 TEL: 978.534.1100 WWW.SCOTTMORROWARCHITECTS.COM	XYZ RESIDENCE STREET MA	REVISION AND REISSUE NOTES NO. DATE DESCRIPTION		PROJECT NO. PROJECT PHASE DATE 1000 1000 1000
		SCALE: AS SHOWN		EXTERIOR ELEVATIONS <h1>A2.1</h1>

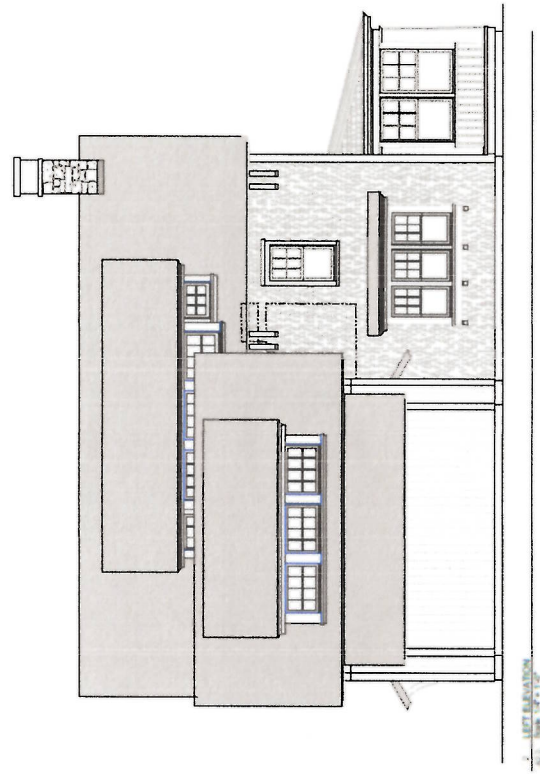


10
 2000x51 Lot 50 Elevations 2000



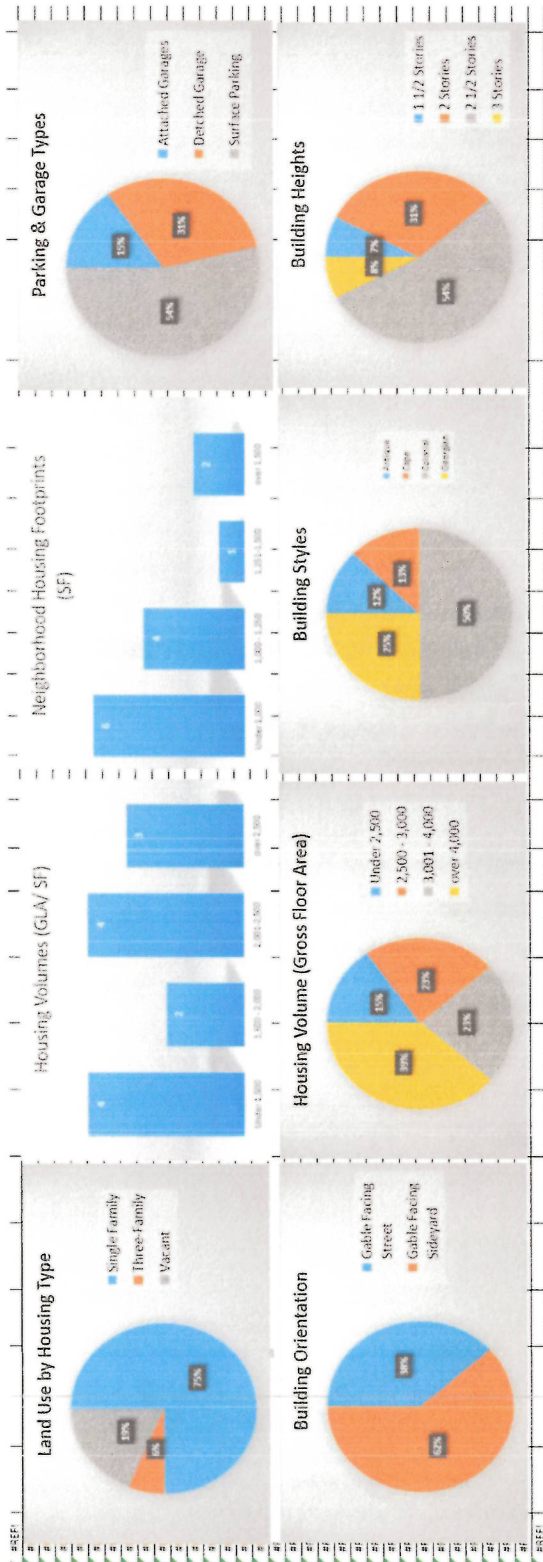


3/27/20
 32UnionSt_Lin SD Elevations_2.rvt



SCOTT M BROWN ARCHITECTS INC. 100 STATE STREET NEWBURYPORT, MA 01950 TEL: 978.535.1100 WWW.SMBARCHITECTS.COM	XYZ RESIDENCE STREET MA	REVISION AND ISSUE NOTES	
		NO.	DATE
		PROJECT NO.	PROJECT NAME
		DATE	SCALE
		SCALE: AS TITLED	
		EXTERIOR ELEVATIONS	
		<h1>A2.1</h1>	

EXHIBIT 12 – SYNOPTIC SURVEY INFORMATION



Parcel #	Map	Lot Area	Year Built	Footprint	GLA	GFA	Vacant	1.5	2	2.5	3	3.5	4	G-ST	G-SY	MASSINGFORM	STYLE	ALTERATIONS	HISTORICAL SIGNIFICANCE	GARAGE	Hours	Year
1	Union Street	27,750	0	0	0	0	1									VAC						Wood Deck / Wall
2	Union Street	1,850	1901	750	1,850	2,812	1									GAB						Wood Deck / Wall
3	Lincoln Ave	6,210	1950	659	1,456	2,653	1									GAB						Wood Deck / Wall
4	Lincoln Ave	3,528	1950	381	1,728	3,700	1									GAB						Wood Deck / Wall
5	Lincoln Street	4,980	1974	1,222	2,444	5,560	1									GAB						Wood Deck / Wall
6	Lincoln Street	14,300	1980	463	325	4,720	1									GAB						Wood Deck / Wall
7	Broadway Ave	3,460	1960	1,758	2,604	3,834	1									GAB						Wood Deck / Wall
8	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
9	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
10	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
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34	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
35	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
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38	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
39	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
40	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
41	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
42	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
43	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
44	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
45	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
46	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
47	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
48	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
49	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
50	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
51	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
52	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
53	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
54	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
55	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
56	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
57	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
58	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
59	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
60	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
61	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
62	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
63	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
64	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
65	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
66	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
67	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
68	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
69	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
70	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
71	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
72	Lincoln Street	3,150	1974	686	972	1,938	1									GAB						Wood Deck / Wall
73	Lincoln Street	3,150	1974	68																		

EXHIBIT 13 – RAO – ENVIRONMENTAL SITE ASSESSMENT AND CLOSE-OUT



Geotechnical
Environmental
Water Resources
Ecological

MassDEP RTN 3-18057, Tier III Permit No. W000036

**Class A-2 Response Action Outcome
Partial Statement**

32 Union Street Portion of Former MGP Site
Newburyport, Massachusetts

Submitted to:
Massachusetts Electric Company d/b/a National Grid
40 Sylvan Road
Waltham, MA 02451-1120

Submitted by:
GEI Consultants, Inc.
400 Unicorn Park Drive
Woburn, MA 01801
781-721-4000

September 14, 2012

Project 98398-0




James H. Ash, P.E., LSP
Vice President



Executive Summary

GEI Consultants, Inc. prepared this Class A-2 Response Action Outcome Partial (RAO-P) Statement on behalf of Massachusetts Electric Company d/b/a National Grid (MEC), for a portion of the former manufactured gas plant (MGP) site (the Site) located on Beacon Avenue and Union Street in Newburyport, Massachusetts (Figure 1). The Site, as defined by the Massachusetts Contingency Plan (MCP), consists of the 32 Union Street property, Perkins Park, the 270 Water Street property, groundwater downgradient of 270 Water Street, and sediment in a stream channel in the Merrimack River (Figure 2). The Release Tracking Number (RTN) for the Site is 3-18057. This Class A-2 RAO-P Statement applies to the 32 Union Street portion of the Site. A final site-wide Class A-3 RAO Statement will be submitted for the Site in the fall of 2012.

The contamination identified at 32 Union Street was limited to polycyclic aromatic hydrocarbons (PAHs) and metals in shallow soil, and cyanide in groundwater. Contaminant concentrations greater than Method 1 S-1 standards were limited to soil at depths from the ground surface to a depth of approximately 2 feet in a relatively small portion of the 32 Union Street property. This soil was excavated as part of Phase IV activities in April and May 2011. Analytical results for soil samples collected after excavation was completed were below the Method 1 S-1 standards. The Method 1 S-1 standards are the MCP thresholds for unrestricted uses of a property, including residential use.

A Method 1 Human Health Risk Characterization was conducted for the 32 Union Street portion of the Site. The Risk Characterization concluded that a condition of No Significant Risk exists for future residents, utility workers, construction workers, and all other potential receptors based on potential exposure to soil and groundwater.

A Class A-2 RAO-P is appropriate for the 32 Union Street portion of the Site based on the following:

- A condition of No Significant Risk (NSR) currently exists.
- Remedial actions were conducted and a Permanent Solution has been achieved.
- An Activity and Use Limitation (AUL) is not required to maintain a condition of NSR.





A PROPOSAL TO CONSTRUCT TWO TRADITIONALLY-DESIGNED, SINGLE FAMILY HOUSES AT 32 UNION STREET, NEWBURYPORT, MA

Gorman Homes, LLC
West Newbury, MA

Who We Are

About Us

John Gorman is the principal developer at Gorman Homes, LLC based in West Newbury, MA. John has over 25 years of construction-related experience in the greater Boston area. His projects include a range of single- and multi-family developments. Recently, John has designed and developed residential developments in Amesbury and Salisbury. Gorman Homes is committed to successful integration of the surrounding neighborhood context into the project design and providing tangible public benefits to larger neighborhood.

Please feel free to contact us. We look forward to your input and comment.

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617-633-9914

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978-270-4789



Recent Projects by Keystone Planning & Design

Oakland Street, Newburyport, MA



Proposed Home - 32 Union St., Newburyport, MA

Project Proposal

To subdivide the existing lot to support two, well-scaled, single family houses that reflect the quality and character of the surrounding neighborhood. Both lots fully comply with all the dimensional requirements of the Zoning Ordinance except for the frontage on the Beacon Ave. lot. The project also seeks to permanently preserve the primary views to the Merrimack River and Plum Island.



Project Goals and Public Benefits:

- To carefully design and place two single-family houses that will add value and be consistent with the quality and character of the surrounding neighborhood.
- To preserve existing trees along the perimeter of the property.
- To deed restrict the use of the two lots to only allow for single family uses.
- To provide a permanent easement on the primary view corridor to the Merrimack River and Plum Island.
- To make improvements to the edge to Perkins Park and the adjacent sidewalk on Union Street.



Proposed Site Plan Showing Two Single-Family Homes

The Importance of Collaboration in the Project Design



"The design team's approach of working proactively

with the Historic Preservation Trust to contextually design a new single family house and carefully restore the Plummer-Dyer House (c.1795) at 386 High Street was both refreshing and helpful in making the project design a success for Newburyport"

Linda Smiley, Historic Commission Chair (former)



View from Flat Iron Point of the proposed arts and crafts style single-family houses at 32 Union Street.

The Importance of Respecting the Neighborhood Context

The project has been designed to reflect and build on the quality and character of the surrounding structures and spaces. In particular, the proposed site and building plan considered the following:

- Building placement and orientation along the street edge;
- Building heights, scale and volume;
- Building materials including using a brick chimney, composite slate shingles, cedar siding, well-proportioned dormers and entryways, granite steps, and an exposed brick foundation;
- Driveways, parking and garage design and placement; and
- Site details like fencing, brick walkways and landscaping



