

February 10, 2020

Julia Godtfredsen
Conservation Administrator
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

Re: Bradley Fuller Park, Phase Two - Notice of Intent – Waiver Request

Dear Ms. Godtfredsen;

On behalf of the City of Newburyport, please accept this letter as a formal request for a variance to the Newburyport Wetland Protection Ordinance pursuant to Section 6.5-30. The specific request for a waiver is specific to work within the 25' wetland buffer zone. The intent of this application is to present a thoughtful, safe and ecologically based development plan for the improvements to the existing public park.

Description of Proposed Project:

Specifically, the entry from Low Street has been reconfigured to be slightly wider and better align with the proposed parking area. New walkways have been included to provide improved access for users of the park as they arrive from Low Street and gain access to the balance of the property. Within the site, a total of forty-one (41) new parking spaces, a new drop-off area and turnaround have also been proposed. The surface of the propose parking is predominantly gravel while the entry and handicapped parking spaces have been improved with bituminous concrete pavement. The site walkways and handicapped curbcuts have been proposed as poured-in-place concrete with vertical granite curbing. Crosswalks have been included at the main entry off Low Street and again within the site to provide access to the existing bathroom and storage building.

The City acknowledges that 41 parking spaces will be insufficient for larger activities and major events. This project anticipates that the existing parking at the Nock Molin Middle School would be available for this site in those conditions. Part of our proposed work includes new sidewalks, crosswalks and handicapped curb cuts that will make that access from Nock Molin more accessible and safer for pedestrian as they arrive at the site.

Description of Alternatives:

The following are a summary of alternatives reviewed.

1. **No Construction / No improvements:** This alternative would leave the site as it currently exists. The issues of the current site layout create an awkward and undersized arrival for both vehicles and pedestrians.

- a. The existing condition merges both vehicles and pedestrians into an undersized and awkward entry drive with an approximate width of sixteen (16') feet.
 - b. The existing site is not compliant with ADA and MAAB requirements for handicapped access. There is no existing accessible route from the parking area and no handicapped viewing area.
 - c. The existing condition does not define parking and access beyond the paved entry resulting in vehicles parking randomly within the confines of the site. This creates many occasions when vehicles and activity are significantly closer to the wetland than would be allowed on the proposed plans.
 - d. For the above reasons we do not consider this a viable alternative.
2. **Expand the parking further north, into the existing athletic fields.** This alternative would expand the parking and access further into the site, removing athletic fields that are currently used by both the school and user groups in favor of new and improved parking areas.
 - a. This alternative would create significantly more impervious area and reduce the recreation opportunities on site. One of the City's most important goals in this effort is maximize the opportunity for outdoor recreation.
 - b. This alternative would also expand the construction impact on adjacent residential properties. The duration of construction and the costs associated with the project would both be expected to increase.
 - c. For the above reasons we do not consider this a viable alternative.
3. **Reduce the scale of the project to eliminate parking in the 25' wetland buffer zone.** This alternative would remove ten parking spaces on the left side of the entry drive and narrow the drop-off and turn-around from 24' to 20' in width.
 - a. The area containing 10 spaces on the left side of the entry drive is currently disturbed and is used as part of the existing access drive and parking area.
 - b. We consider the drop-off and turn-around within the site a vital part of eliminating the dangers associated with the existing drop-off condition that occurs along Low Street presently. By bringing that function into the site we have minimized congestion on Low Street and allow for drivers that enters the site and find the lot full to turn-around and exit without having to initiate a three-point turn in the middle of a parking areas.
 - c. For the above reasons we do not consider this a viable alternative.

Mitigation Measures:

The mitigating measures include the following:

1. Infiltration basins, trenches and area drains allowing for immediate infiltration of stormwater through the project limits.
2. Rain garden infiltration and plantings, as shown.

3. The above measures provide a significant improvement over existing conditions and offer a benefit to the wetland resource areas found on site.

Overriding Public Interest: The safety of both pedestrians and vehicles entering the site and circulating between the 400m track, athletic fields, on-site parking and Nock Molin Middle School provide a significant overriding public interest. By re-aligning the site entry, increasing the driveway width from 16' to 24', providing sidewalks, crosswalks and handicapped curb cuts, the proposed improvements will make this active public park a safer environment for both kids and adults.

Given the above conditions, I would offer that there is evidence that an overriding public interest is associated with the project which justifies modifying the performance standards in the Newburyport Wetland Protection Ordinance.

We appreciate your time and consideration with regard to this matter and we look forward to working with you throughout the approval process. Please feel free to contact my office with any further questions or concerns.

Sincerely,
Huntress Associates, Inc.



Christian C. Huntress, RLA MA #1178
Landscape Architect

CC: Lise Reid, City of Newburyport
DEP – Northeast Regional Office