

# SPECIAL PERMIT APPLICATION

**32 Union Street, Newburyport, MA**

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

**SUBMITTED TO: Bonnie Sontag, Chairman of the Planning Board**

**JANUARY 28, 2018**



***DESIGNING WITHIN CONTEXT: 32 UNION STREET, NEWBURYPORT, MA***



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<sup>1</sup> Section VI.F. of the Zoning Ordinance allows for a 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 where the established frontyard setback of the two abutting lots are averaged and less than the required frontyard setback.



# 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 using a Special Permit for a private driveway or “*court*” design. The existing frontage on Beacon Ave. would provide access to Lot 1 using a *court* while the frontage along Union Street would provide access to Lot 2. The *court*, which will be owned and maintained exclusively by Lot 1 is proposed to be 4,570 SF and Lot 1 is proposed to be 10,472 SF. Lot 2 is proposed to be 12,708 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 subdivision design is consistent with the scale, density, and overall character of the surrounding lots, uses, and structures. Moreover, it is supported by a wide variety of on- and off-site improvements requested by the surrounding property owners. Due to the special conditions and circumstances that affect this lot - its unusual shape, extensive lot size, and access on two separate public streets - we believe the findings criteria for the special permit can be met and the requested waiver for the turn-around area on the *court* can be granted without any adverse impact on the abutting properties or the zoning ordinance. In fact, our analysis presented in this narrative makes a clear case that approval of a special permit for a court plan without the waiver, while fully meeting the performance standards of the Ordinance, would result in the loss of several of the public benefits desired by the surrounding neighborhood. As such, we believe that approval of the special permit for this property will facilitate a better fit, higher-value, and better-quality outcome for the property and the surrounding neighborhood.





Figure 1 –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 special permit for a court-designed subdivision that provides 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 on the neighborhood character as well as direct 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.<sup>2</sup> The third section discusses a typical *as-of-right* redevelopment option as well as examining the benefits of the special permit court-designed subdivision plan; both with and without a waiver for the turn-around easement area. This section also includes an assessment of how the preferred subdivision plan represents the highest level of benefit to the city, the direct abutters, and the surrounding neighborhood. The final section addresses the findings required under the special permit as well as a summary of how granting the special permit will not be detrimental to the neighborhood, the R2 Zoning District, or the Zoning Ordinance as a whole. In fact, we would argue that issuance of the special permit is consistent with the recently adopted Master Plan and good land use practices for infill development within densely developed neighborhoods. Finally, a draft list of suggested stipulations is proposed. Such stipulations are intended to support commitments to the abutting property owners and assurance to the city that all proposed design elements presented with this application are honored and fully implemented during the construction phase of the project.

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<sup>2</sup> Understanding 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 design components were integrated into the preferred subdivision plan. As a result, a relatively low-profile and traditional, arts and craft house design was chosen to be consistent and proportional with both the size of the lots and the character of the surrounding structures.



## Section One – Existing Conditions



Figure 2 – The Existing Conditions at the Property (Looking Northeast from 32 Union Street)



Figure 3 – Aerial view of the Property in Context with the Neighborhood, MEC Parcel and Perkins Park

Figure 3 shows the shape and frontage of the property along Beacon Ave. and Union Street. Historically, Figure 4 shows the prior use of the property by the Newburyport Gas & Electric Company which operated a Manufactured Gas Plant (MGP) in the early 20<sup>th</sup> century. Figure 4 also shows the land use





pattern of the surrounding neighborhood in the 1950s. At that time, the industrial use was being decommissioned and it likely had an adverse impact on the value of the surrounding properties. Figure 4 shows the location and dimensions of the former buildings associated with the Newburyport Gas & Electric Company. Although no industrial production was performed on the property, the primary storage tanks were located on 32 Union Street.

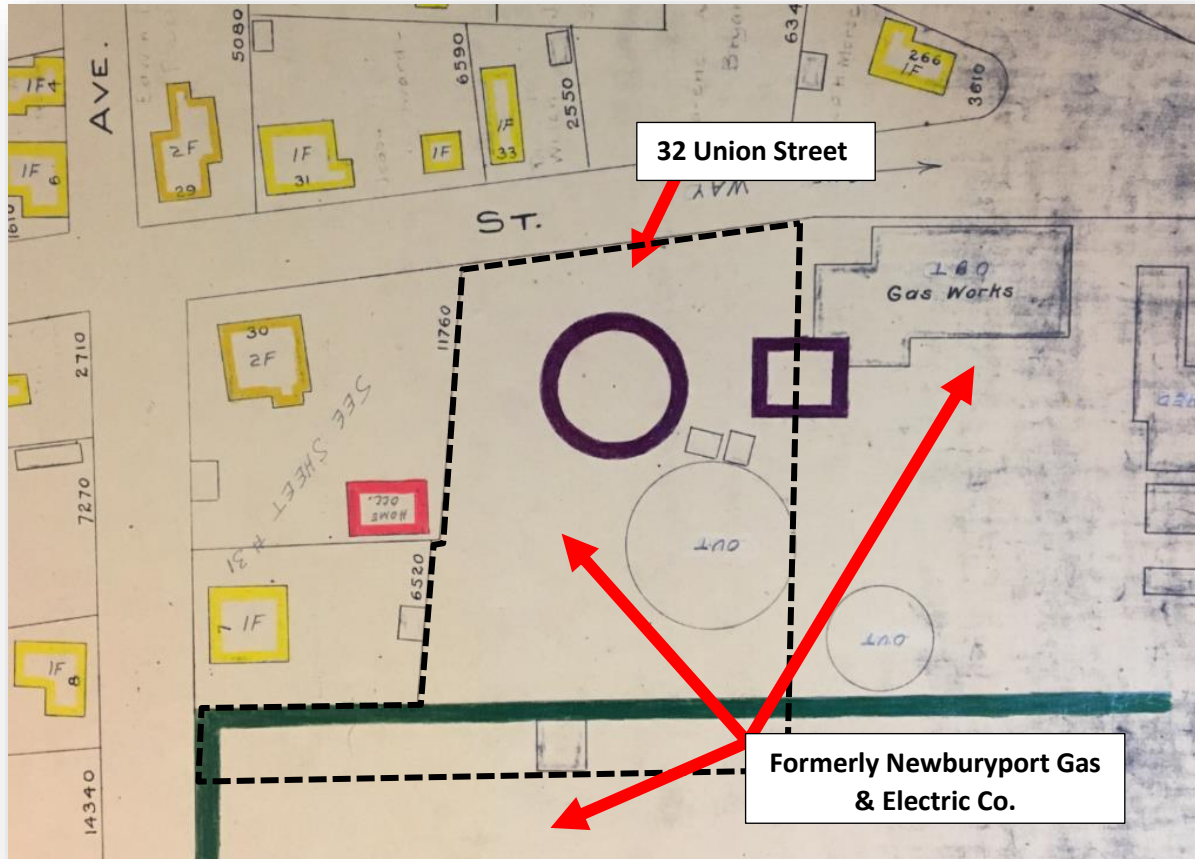


Figure 4 – Former Land Use Pattern showing the former Newburyport Gas & Electric Company (c. 1950s)

As part of a larger site assessment and remediation project for the former MGP, in September 2004, GEI Consultants – Licensed Site Professionals - were 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 MGP, 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.<sup>3</sup>

## **Compliance with the Zoning Ordinance**

### **Existing Land Use**

The current use of the Property is an undeveloped vacant parcel. The Property has an existing paved driveway from Beacon Ave. along the Perkin Park Playground. A chain-link fence is currently located along the perimeter of the property abutting Beacon Ave. and Perkins Park and an open, split-rail fence is located along the MEC parcel to the southeast. No fencing is present along Union Street.

*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 vehicular access to the storage tanks of the former MGP site (see Figure 6). The Property is conforming to all the dimensional requirements of the Zoning Ordinance for a single family use. Additionally, the property is large enough to subdivide using a court-design subdivision off of Beacon Ave.

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<sup>3</sup> Despite the property presenting as a NSR for residential purposes no basements are proposed within the subdivision and a vapor barrier system will be located under the slab as a preventative measure.



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

<b>Dimensional Controls: R-2 Zoning District</b>	<b>R-2 Zoning: Single-Family Use</b>	<b>32 Union Street: Vacant</b>
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 its former industrial use as part of the MGP, the Property is considerably larger than the surrounding residential properties. In contrast, nearly all of the residential properties within the surrounding context do not meet the minimum frontage, area, or frontyard setback requirements and most also have at least one non-conforming sideyard setback. Notably, 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 adoption of the current frontage and larger lot area requirements.

### Streetscape & 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 forced the sidewalks on both sides to hug the curb line with no street trees or a turf belt. 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 only to the entrance of 30 Union Street and on the north side of the street. 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 – View across the Property of the 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.

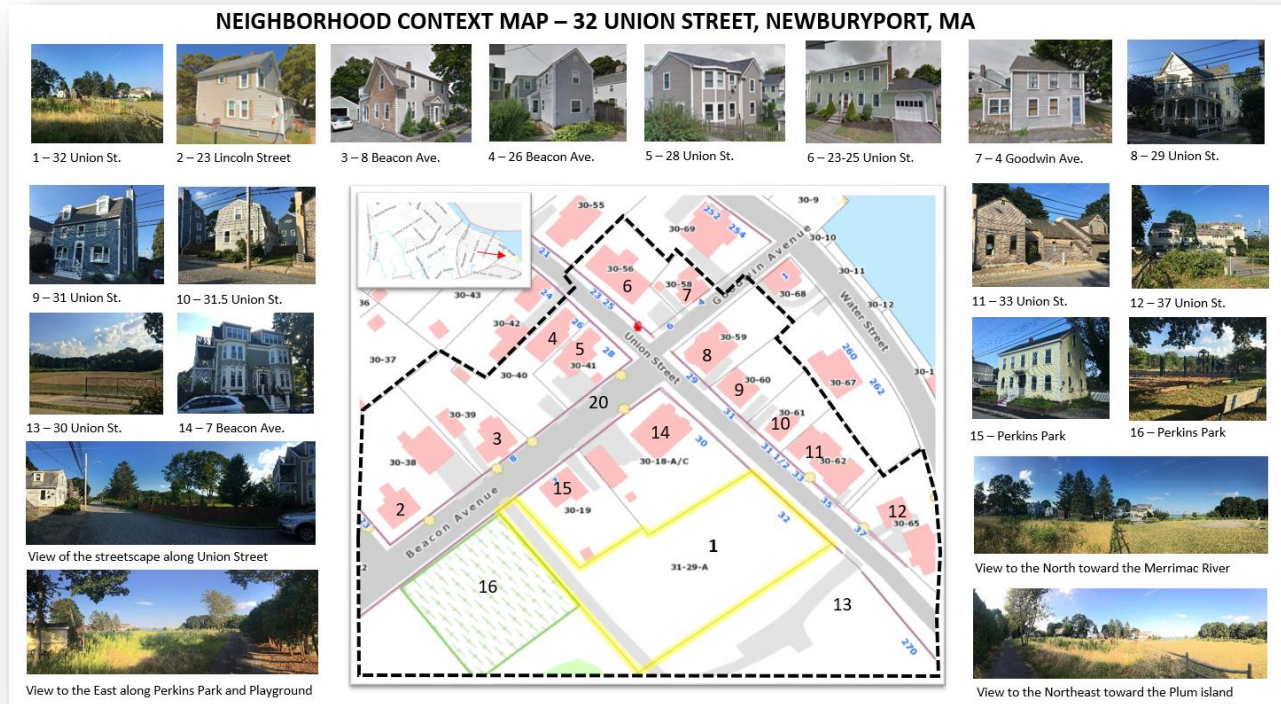


Figure 10 – Surrounding Neighborhood Context for the Property.

### 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 pitched roofs, double-hung windows, and a wood-sided appearance.

Due to increases in the lot area and frontage requirements in the 1970s 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 its densely-developed neighborhoods originally laid out in the eighteenth and early nineteenth centuries.

### Synoptic Survey Information

In order to better understand the defining characteristics of the buildings, structures, and other 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. 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 was collected and evaluated. Site elements such as fences, street trees, sidewalks, driveways, and parking were also tabulated to understand the general character site design within 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 a more recent contemporary-style structure. With no predominant architectural style, Figure 12 illustrates the wide variety of architectural styles within the surrounding neighborhood. Unlike most South End neighborhoods this may have been related by proximity to the former industrial use of the Property (which included most of Perkins Park). Once the industrial use was discontinued, considerable infill housing developed along Beacon Ave. in the 1950s and 60s.

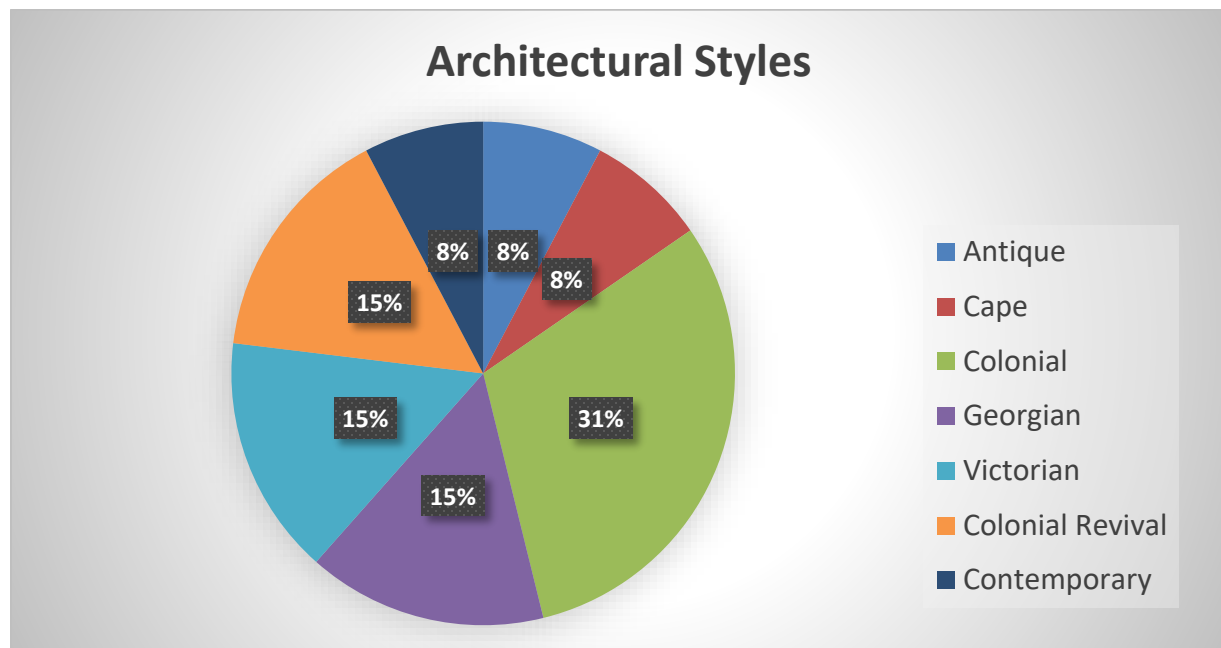


Figure 11 – Architectural Styles in the Surrounding Neighborhood.



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

Figures 12 show typical 1 1/2 story houses in the neighborhood. Figure 13 shows 2 story structures and Figure 14 shows typical 2 1/2 story structures while Figure 15 shows some of the larger 2 1/2 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.<sup>4</sup> The Property as well as the abutting Perkins Park and the MEC land are shown as vacant.

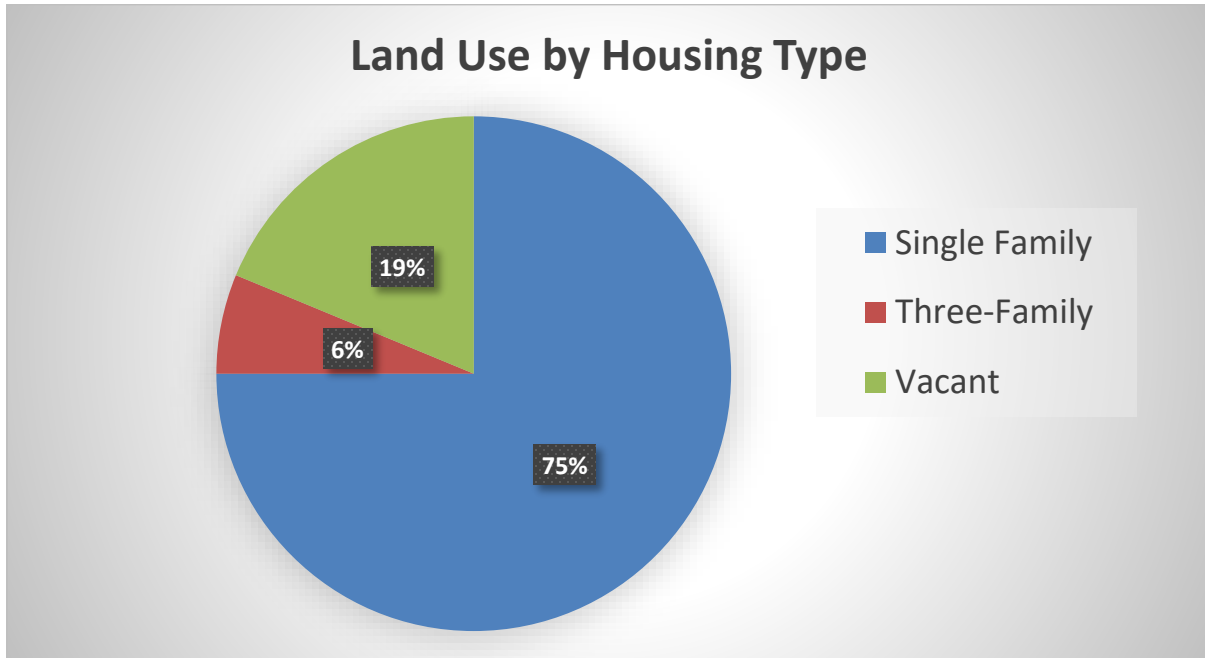


Figure 16 – Neighborhood Land Use (Housing Type)

## Dimensional Characteristics

Figure 17 shows the land use pattern of the surrounding neighborhood and illustrates the relatively uniform frontyard setback of the principal structures along the street edge. This so-called “build-to” line shows most principal structures along the south side of Beacon Ave. are located within 12 feet from the edge of the right-of-way.<sup>5</sup> Along the west side of Union Street the established frontyard setback is 5 feet.

<sup>4</sup> 7 Beacon was previously a two-family use.

<sup>5</sup> Section VI.G allows any new principal structures on this side of Beacon Ave. to use this established frontyard setback versus the 25 feet required under the Ordinance. The established frontyard setback was adopted by the City to encourage new infill buildings to be located along the street edge and prevent the gap-tooth effect.



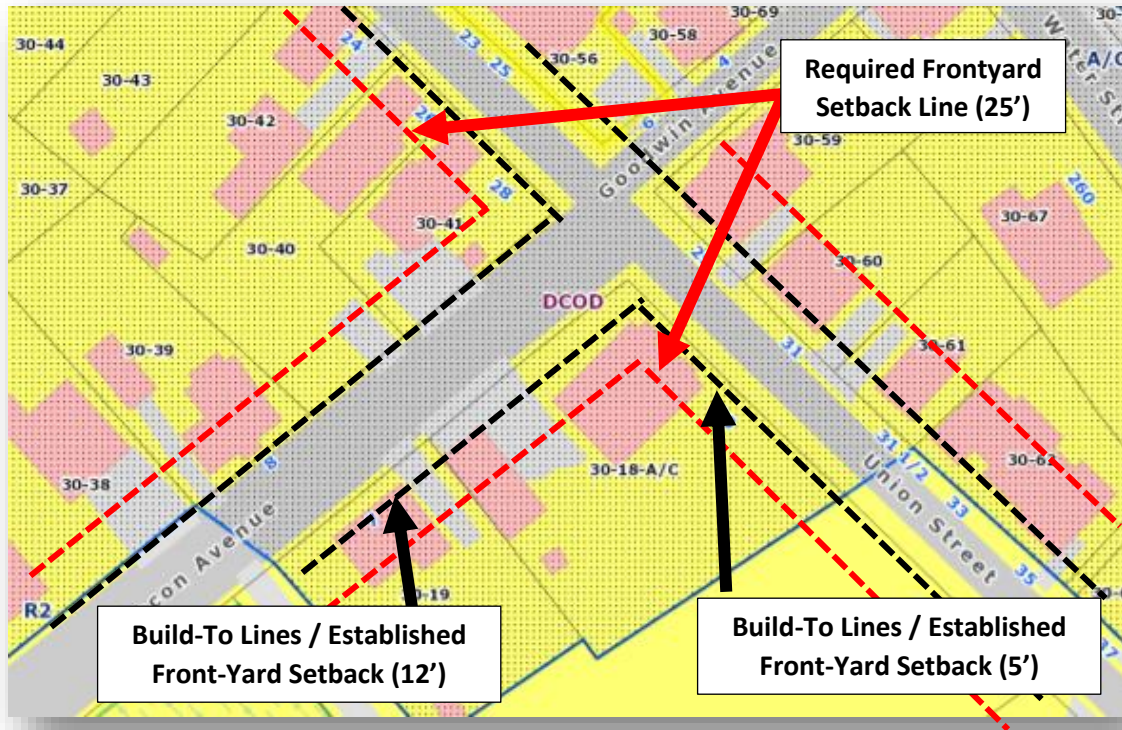


Figure 17 – Neighborhood Context showing Build-To Lines on Beacon Ave. and Union Street

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

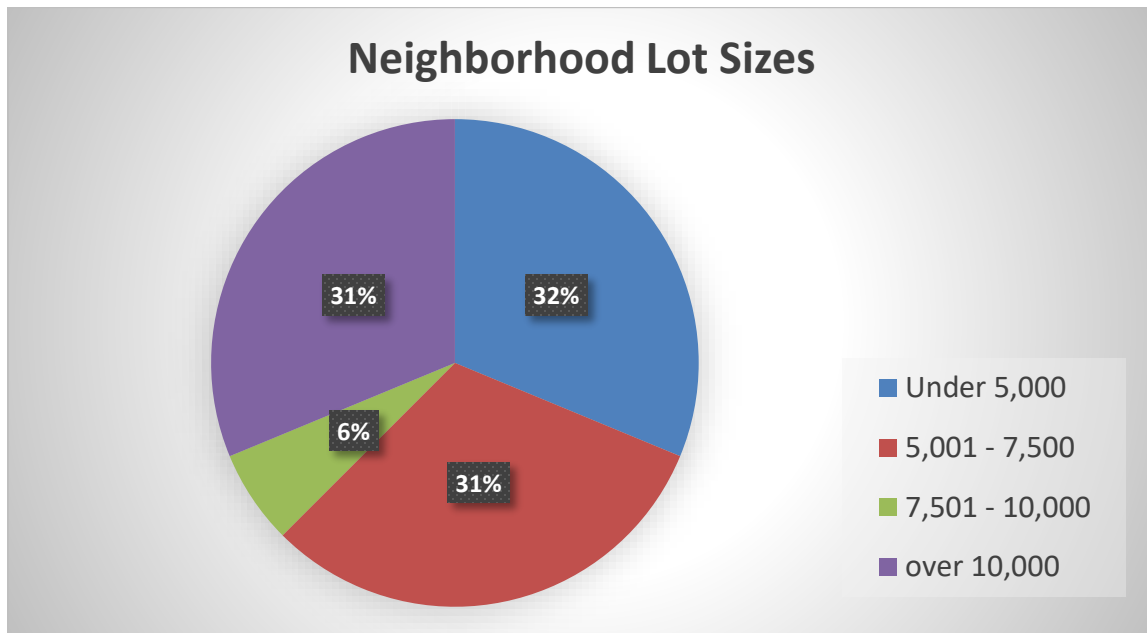


Figure 18 – Neighborhood Lot Sizes (Large parcels includes only vacant parcels)



The average lot size in the surrounding neighborhood is 6,092 SF whereas the zoning requires 10,000 SF in the R2 District. 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 two-thirds have more than 3,000 SF of gross living area and have footprints of more than 1,000 SF. The average building volume in gross floor area within the surrounding neighborhood is 3,718 SF. The average footprint is 1,417 SF.

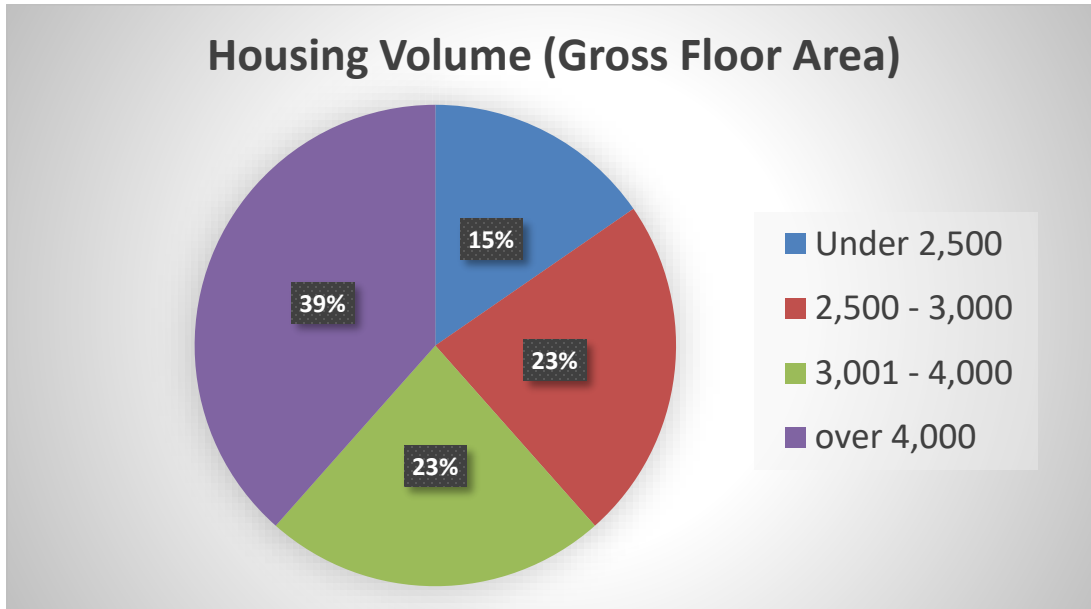


Figure 19 – Neighborhood Building Volumes (GFA)

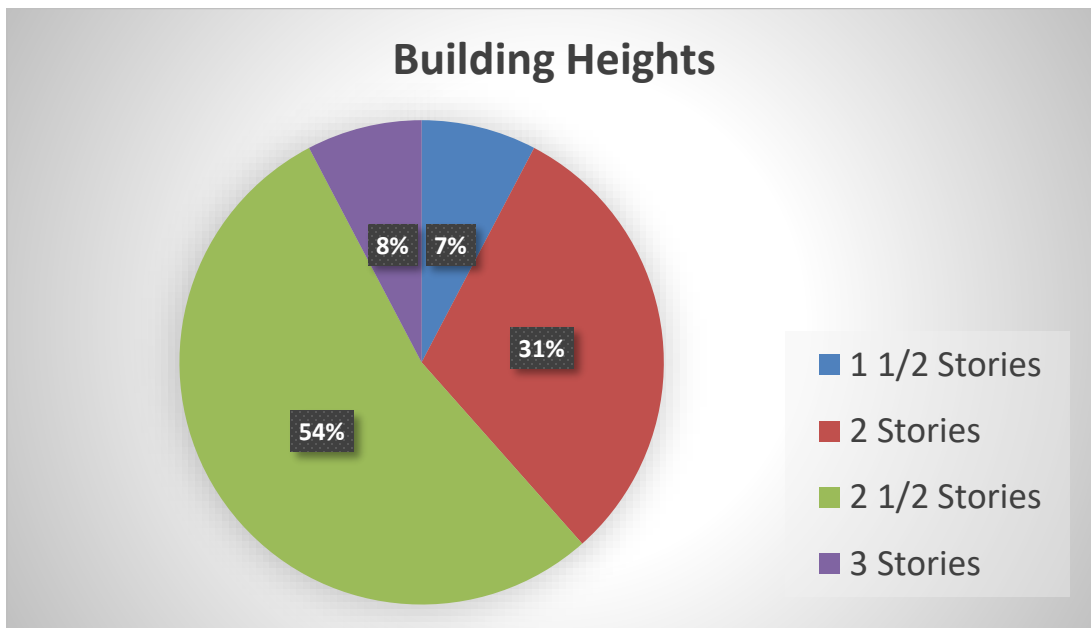


Figure 20 – Neighborhood Building Heights (Number of Stories)



Figure 20 shows that nearly two-thirds of the lots within the surround neighborhood have building heights of 2 ½ stories with pitched roofs and an average ridge height of approximately 29 feet. Compared to older 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 surrounding neighborhood.

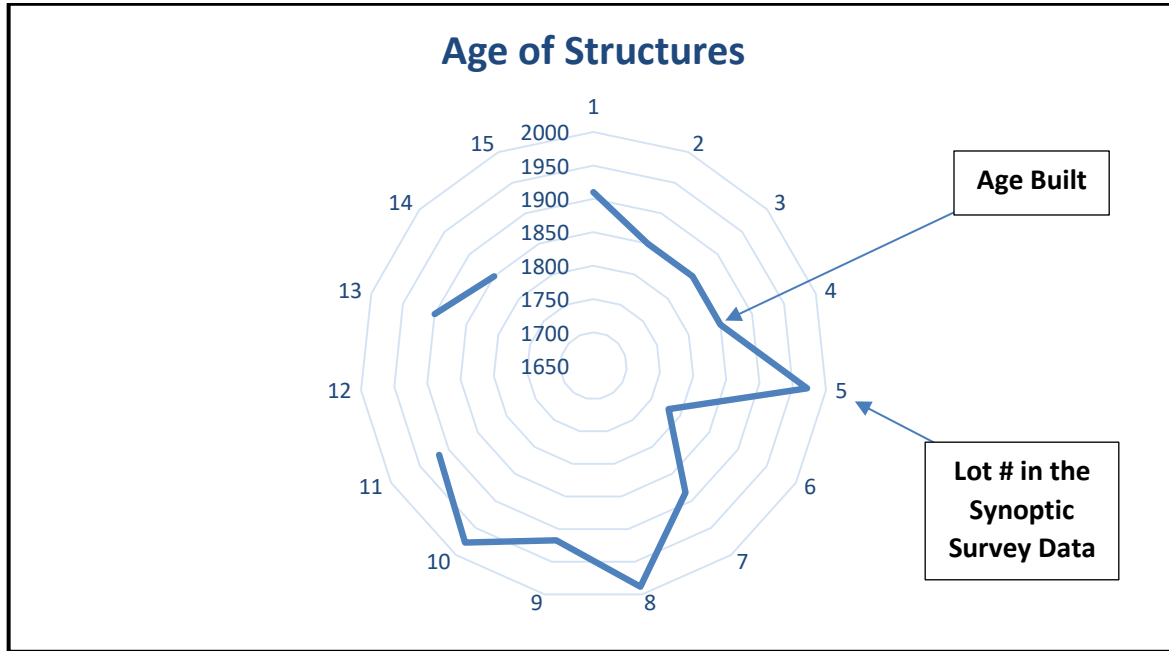


Figure 21 – Historical Significance / Age of Houses in the Surrounding Neighborhood

### 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 the character-defining elements in this neighborhood. The following summarizes some of the character-defining features of the surrounding structures and properties.

Figure 22 shows that nearly two-thirds 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.



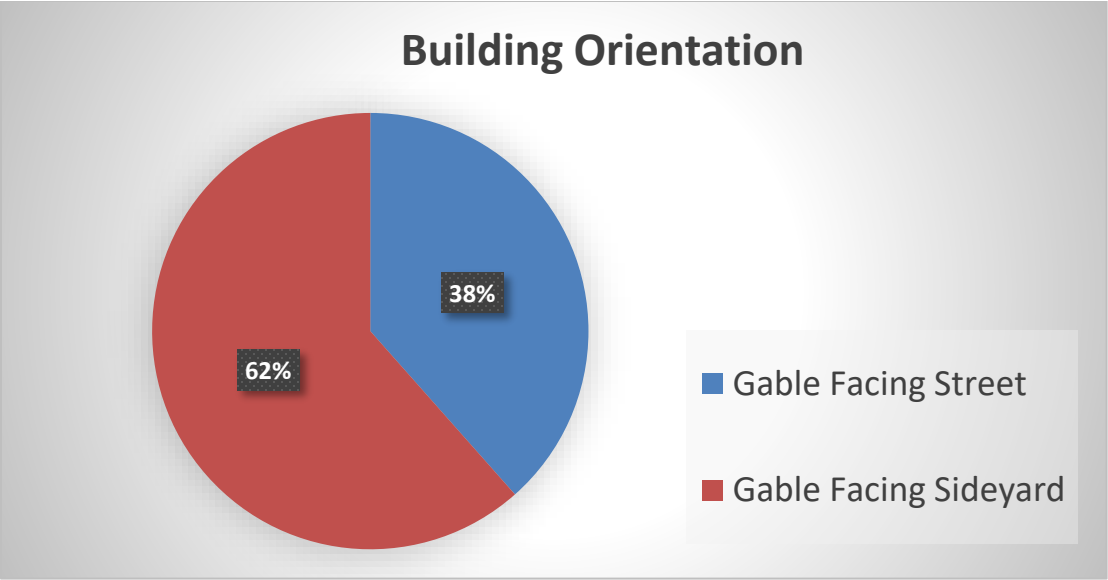


Figure 22 – Neighborhood Building Orientation to the Street

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 more prominent, character-defining feature of the neighborhood. Note that nearly all the roofs are surfaced with asphalt shingles.

Figure 23 shows the wide array of garage styles while Figure 24 shows the open space associated with Perkins Park; a character-defining property in this neighborhood.



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



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

Figures 25 shows typical wood fencing and walls along the front property line while Figure 26 shows other edge treatments such as walls and shallow garden beds within the frontyard setback.





Figure 25 – Neighborhood Fencing



Figure 26 – Neighborhood Walls

Accordingly to the survey data, nearly 75% of the structures in the neighborhood have brick chimneys and most have roof or wall projections such as dormers, bays, porticos, or roof decks. When well-proportioned with the principal structure, these projections add rhythm and interest to the structure and they 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 single- or two-car garage. Note that 30 Union Street has a three-car garage. Moreover, most lots without garages have sufficient off-street parking areas to support at least two vehicles.

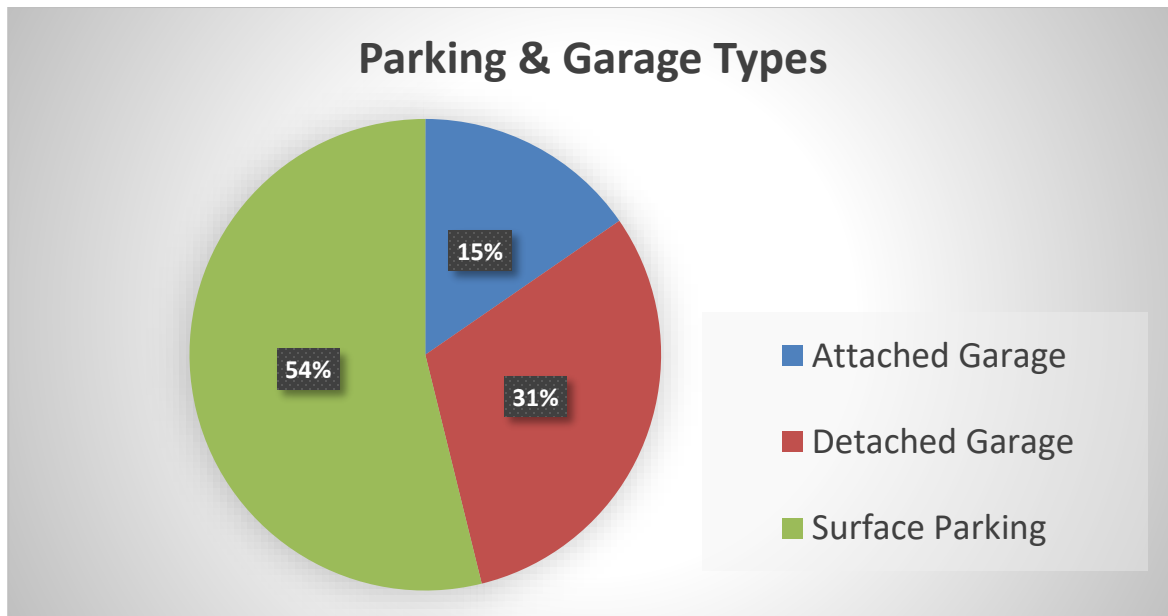


Figure 27 – Neighborhood Parking and Garage Types



## Section Three – Neighborhood Design Goals and Objectives, & Court / Special Permit Development Options

### Neighborhood Goals and Objectives

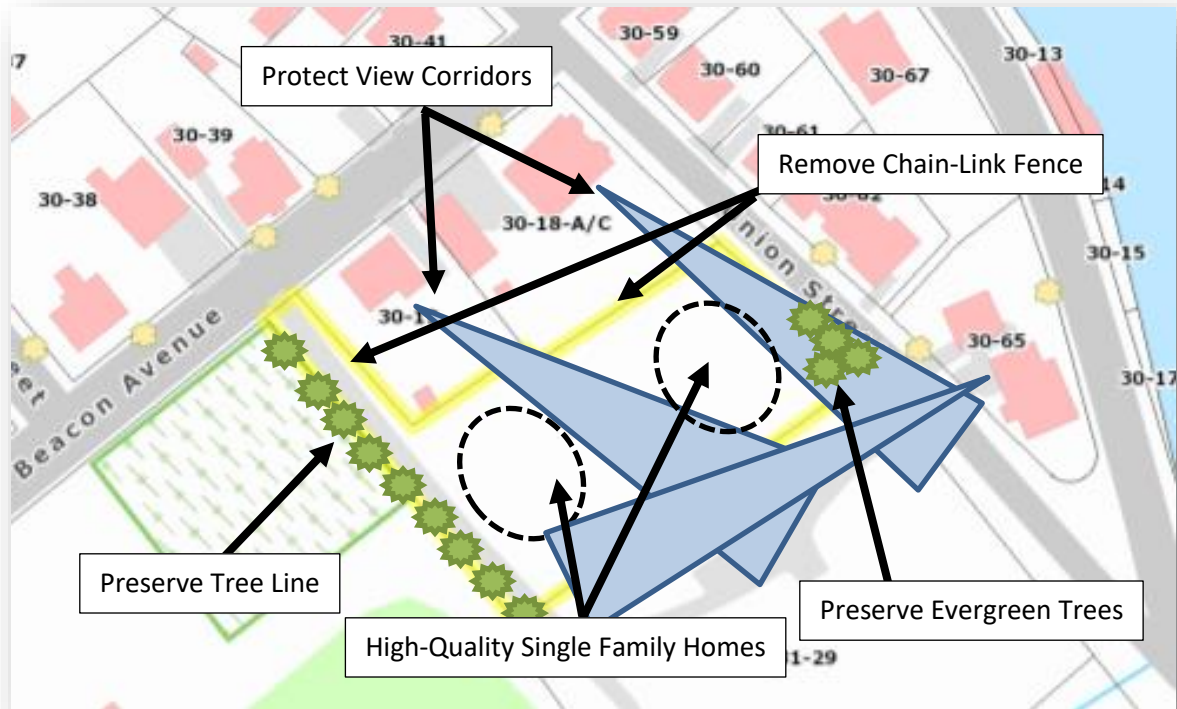


Figure 28 – Neighborhood Design Goals & Objectives

As part of our design process we evaluated three main redevelopment options after reviewing the neighborhood goals and objectives for development on the Property.<sup>6</sup> As shown in Figure 28, most of the goals are mutual while others, like the full protection of the view corridors, are challenging to mitigate without adversely impacting others. Importantly, Figure 28 shows where the two houses would be best located to best meet 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 result in a large single-family structure likely being located toward the middle of the Property.<sup>7</sup> Access would either be from

<sup>6</sup> These goals and objectives come from review of the material submitted and presented to the Planning Board by neighbors and Attorney Roelofs as well as subsequent conversations with Mr. Roelofs and all the direct abutters.

<sup>7</sup> 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. The placement, footprint, setback, parking and driveways are inconsistent with many of the neighborhood goals.



Union Street or Beacon Ave. (or both as the Anderson Plan shows). Figure 29 illustrates this so-called 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 at 7 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 fencing replaces the existing 6 foot chain-link fence located along two-sides of the Property. Mitigating headlight glare and providing adequate landscape edge treatments are also not guaranteed under this type of approval to respect the neighborhood goals for the property. Moreover, this type of approval also provides no formal opportunity to develop neighborhood-supported improvements such as driveway or sidewalk improvements or ensure the proposed structure is complementary and adds value to the architectural style and character of the surrounding neighborhood.

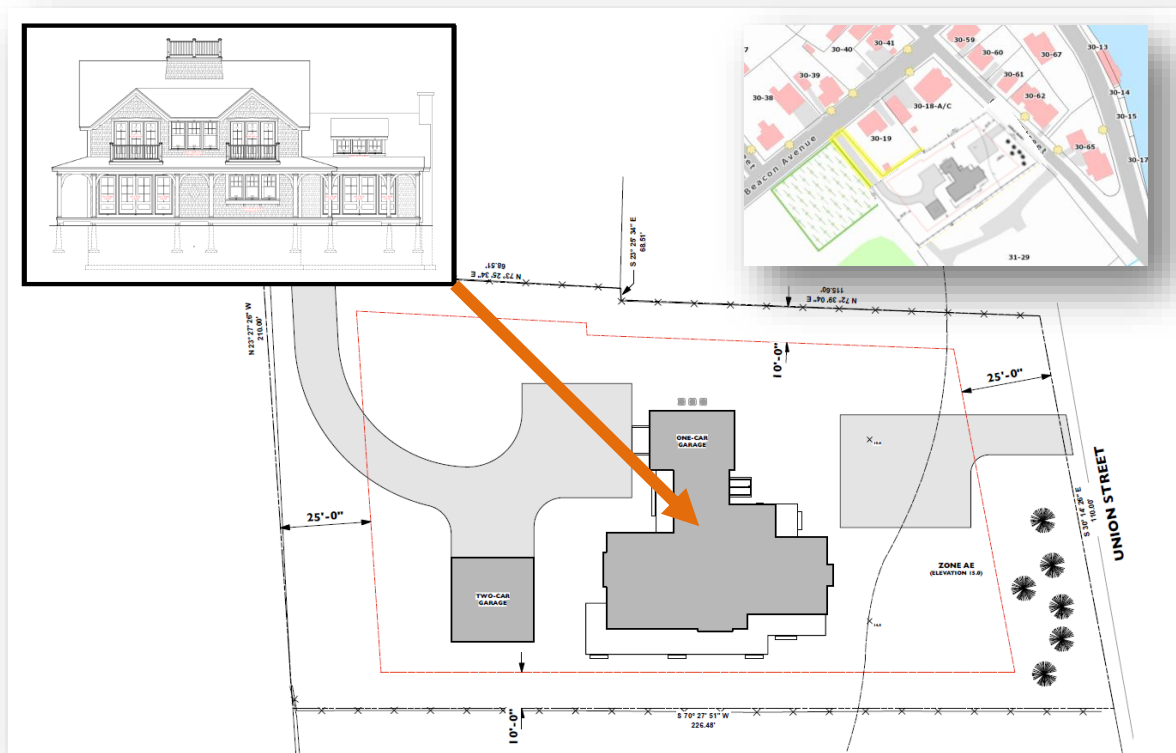


Figure 29 – As-of-Right, Large Single Family House Development Plan (the “Anderson Plan”)

## 2. Special Permit Court Development – Two Single Family House Lots with No Waivers

Under Section XXIII of the Zoning Ordinance, a special permit could be approved for a subdivision with a court design with access from Beacon Ave. Such design would allow up to two lots to access and use the court for frontage within a dedicated right-of-way at least 30 feet wide. Importantly, in order to prevent the backing of large vehicles into the public way, the court would be required to provide either a cul-de-sac or t-type/ hammerhead turnaround area for an emergency vehicle. The court would also have a dedicated right-of-way and be owned and maintained by both lot owners as a shared driveway.





Although a court cannot be dedicated as a public way is can provide frontage. Figure 30 shows a fully compliant special permit – court development plan including the required turnaround area.<sup>8</sup>



Figure 30 – As-of-Right Court Subdivision Plan with 2 Lots on a Court without a Turn-Around Waiver

This approach, while providing for two, independent single family house lots, would result in added pavement on the Property and would adversely impact many of the neighborhood goals. Figure 31 shows how the view corridors are significantly reduced and, due to the lot shape changed associated with the turn-around area, the evergreen trees along Union Street likely need to be removed. Given the setback requirements for the proposed *court* right of way, the existing view corridor between 7 Beacon Ave. and 30 Union Street would be diminished to less than 50 feet in width.<sup>9</sup> In summary, although a fully compliant two-lot, special permit development plan would provide the owner with two single family house lots, it does not fully achieve the goals of the neighborhood.

<sup>8</sup> See Exhibit 8 for a larger version of this plan.

<sup>9</sup> It is notable to acknowledge that Lot 2 could be subdivided under a one-lot ANR Plan. Clearly suboptimal, this approach would significantly reduce the opportunities for preservation of the existing evergreen trees along Union Street as well as protect the existing view corridors to Plum Island and the Atlantic Ocean.



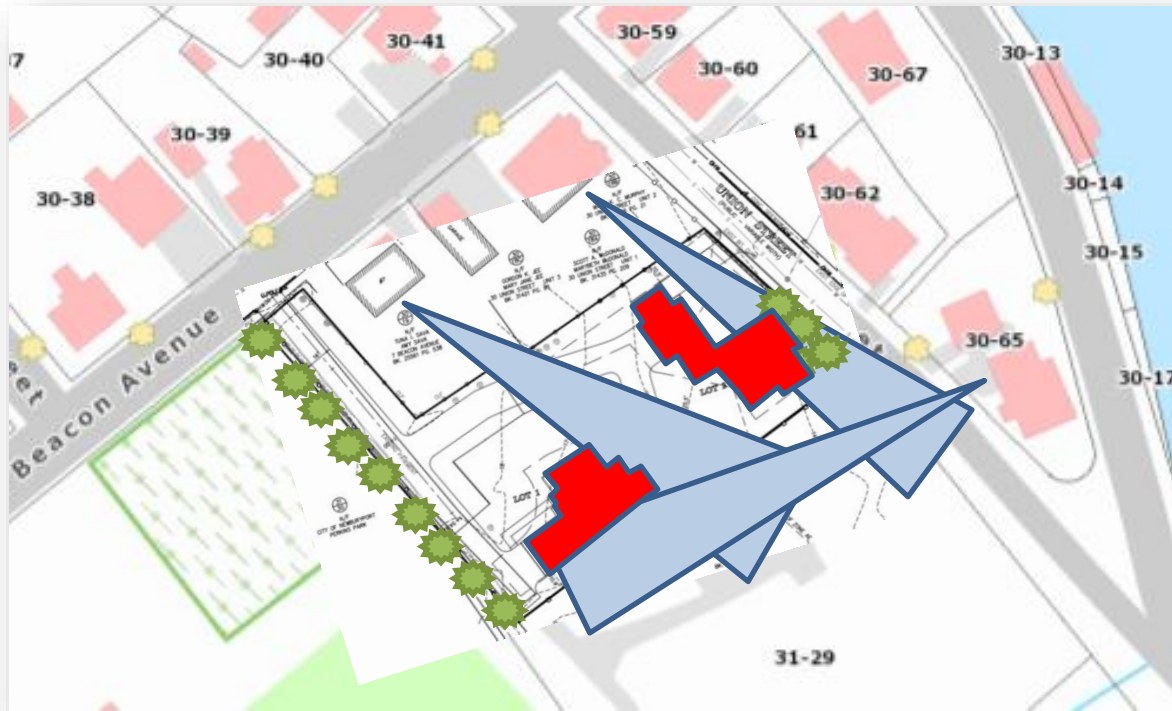


Figure 31 – Conflicts to the Neighborhood Goals of a Court Subdivision Plant with a Turn-Around Area

### 3. Proposed Court Subdivision Plan – Two Single-Family House Lots on a Court with Minor Waiver

In contrast to the fully compliant court subdivision plan shown above, Figure 32 shows a modified building and subdivision plan that provides for two single family house lots accessed with individual private driveways. Lot 1 is proposed to be 10,472 SF and have frontage on a 4,570 SF court off of Beacon Ave. Lot 1 would support a 2 ½ story, traditionally-designed, single family structure with a three-car garage.<sup>10</sup> The single family structure is proposed to have a footprint of 2,432 SF and be 28.2 feet in height.<sup>11</sup> The existing asphalt driveway will be replaced with a chip-seal, stone surface.<sup>12</sup> The existing chain-link fencing will be replaced with black metal along Perkins Park and the abutting property line to 7 Beacon Ave. and a six (6) foot wood fence is proposed along the Beacon Ave. property line (see Exhibit 12).

<sup>10</sup> Note that both structures will not have basements due to relatively high groundwater table so it's anticipated that one garage bay will be used primarily for storage.

<sup>11</sup> This is the height measured under the definition used for zoning purposes. The zoning measurement is between the average grade around the structure to the mid-point of a sloped roof. In contrast, the height of the roof ridge on Lot 1, measured from the finished grade to the ridge, is proposed to be nearly 34.9 feet.

<sup>12</sup> Chip-seal is a pavement surface treatment that combines one or more layer(s) of asphalt with one or more layer(s) of fine aggregate or stone on the surface course. Chip-seals are typically used on rural roads or driveways carrying lower traffic volumes.





Figure 32 – Proposed Court Subdivision Plan showing Two Lots with a Turn-Around Waiver.

The proposed court subdivision plan includes a minor waiver to permit the required emergency vehicle turn-around area to be included within an easement area on Lot 1. Importantly, this has no impact on the ability for emergency vehicles to turn-around within the site. As such, this waiver would not only avoid many of the setback issues associated with the fully compliant plan shown in Figure 29 but it's also appropriate given the proposed court will exclusively be used, owned, and maintained by the owner of Lot 1 whereas Lot 2 will exclusively use Union Street for access. Notably, the proposed court also provides Lot 1 the 90 feet of frontage as required under the R2 Zoning District.

On the proposed court subdivision plan Lot 2 is shown as 12,708 SF with a two-story, single family house lot with frontage on Union Street (see rendering in Figure 33). The single family structure is proposed to have a footprint of 2,702 SF and be 24.5 feet in height.<sup>13</sup> The proposed new driveway will be located at the northwest corner of the lot and have a stone, chip-seal surface and be edged with granite. The existing chain-link fencing along 30 Union Street will be replaced with a wood panel fence and a decorative wood fence will be installed along the front property line (both as shown in Exhibit 12). The

<sup>13</sup> Note that the height of the roof ridge, measured from the finished grade to the ridge, is proposed to be 30 feet.



existing five (5) evergreen trees will be preserved and protected during construction and shall remain after construction.



*Figure 33 - Proposed Two-Story, Single Family House along Union Street (Lot 2)*

**Proposed Development Plan in Context**

Figure 34 shows the buildings in context from Flat Iron Point with the other existing structures and lots in the surrounding neighborhood.



*Figure 34 – Proposed Subdivision Plan Showing the Protected View Corridors from Flat Iron Point*



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. Figure 35 shows the proposed subdivision plan in context with the surrounding properties. Note that the proposed houses are consistent with the footprint and massing associated with the opposing houses on Union Street.



*Figure 35 – Proposed Subdivision Plan in Context with the Surrounding Neighborhood*

In order to evaluate the impact of the proposed subdivision plan on the neighborhood goals, Figure 36 shows how the proposed houses have been strategically located to minimize view impacts to the abutting properties. Additionally, all of the existing evergreen trees along Union Street are protected and preserved. This plan also reduces the traffic impacts to Beacon Ave. by separating the access driveways and providing frontage and access to Lot 2 off of Union Street. Although the court right of way does not formally include the turn-around area an easement area will be provided on Lot 1. Within the easement area no parking will be permitted. The ownership and maintenance of the court will reside exclusively with Lot 1.





Figure 36 – Proposed Subdivision Plan Showing Consistency with the Neighborhood Goals

Important to strengthening the architectural fabric of the immediate neighborhood and take advantage of the sweeping views to Plum Island and the Atlantic Ocean, Figures 37-40 show an Arts and Craft style house design that employs traditional materials such as wood siding, SDL, double-hung windows, solid wood doors, period lighting, stone or brick chimneys and exposed foundations, granite steps, and brick walkways.



Figure 37 – Rear Elevation (looking south) of the Proposed Single Family House on Lot 1 off Beacon Ave.





Figure 38 – Side Elevation (looking east) of the Proposed Single Family House on Lot 1 off Beacon Ave.

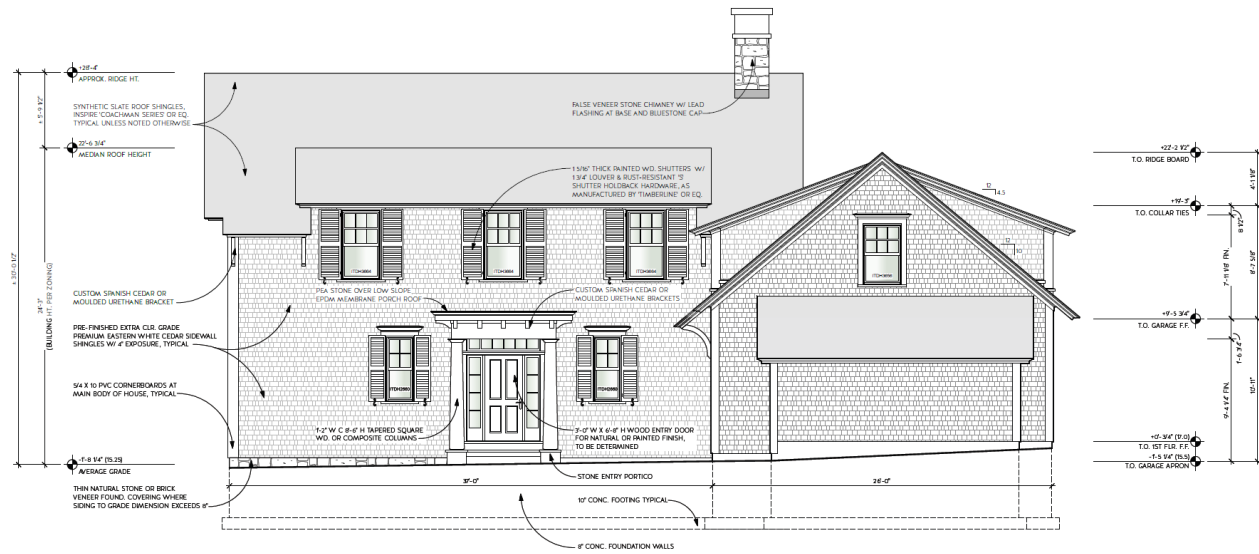


Figure 39 – Side Elevation (looking south) of the Proposed Single Family House on Lot 2 off Union Street



Figure 40 – Front Elevation (looking west) of the Proposed Single Family House on Lot 2 off Union Street



## Section Four – Special Conditions, Findings, Public Benefits, & Stipulations

Approval of the proposed subdivision plan requires a special permit with a minor waiver to allow the required turn-around area within an easement area on Lot 1. Table 2 shows that both proposed lots on the subdivision plan meet the dimensional requirements of the R2 Zoning District. Note that Section VI.G. of the Zoning Ordinance supports using the established frontyard setback of 12 feet and Section VI.F. permits the rearyard setback to be reduced to a minimum of 10 feet.

Table 2 – Zoning Analysis for the Proposed Subdivision Plan<sup>14</sup>

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	11,935 SF	11,245 SF
LOT FRONTAGE:	90 FT	110 FT	90.00 FT	110.00 FT
FRONT SETBACK:	25 FT	**	12.0 FT	25.8 FT
SIDE SETBACK:	10 FT	**	14.6 FT	10.5 FT
REAR SETBACK:	25 FT	**	38.9 FT	25.5 FT
LOT COVERAGE:	25%	0%	19.4%	20.3%
OPEN SPACE:	40%	100%	72.2%	69.3%

### Special Conditions and Uniqueness of the Lot

When we consider the irregular shape and soil conditions of this lot the requested special permit for the court subdivision plan can be supported without any derivation or harm to the spirit or intent of the Zoning Ordinance. The unique shape, size, multiple access points, and prior use of the Property as an MGP site is unique compared to other properties within the surrounding neighborhood.

### Purposes of the Zoning Ordinance

The proposed subdivision plan is consistent with the following purposes of the Zoning Ordinance:

1. Promote the health, safety, convenience and general welfare of the inhabitants of the City of Newburyport through thoughtful land use planning and design that both respects and supports the existing neighborhood quality and character.
2. To conserve the value of property, with due consideration for the character of the zones and their peculiar suitability for particular uses by proposing a high-quality house design.
3. To lessen congestion in the streets by providing access from two different streets.
4. To secure safety from fire, flood, panic, and other dangers by meeting the intent of the design requirements of a court.

<sup>14</sup> Section VI.F. of the Zoning Ordinance allows for a 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 where the established frontyard setback of the two abutting lots are averaged and less than the required frontyard setback.





5. To provide adequate light and air by meeting all the required dimensional controls of the R2 Zoning District.
6. To prevent overcrowding of land and to avoid undue concentration of population by regulating the height, number of stories and size of buildings and other structures, the percentage of the area of the lot that may be occupied, the size of the yards, courts, and other open spaces by meeting and exceeding all dimensional requirements in the R2 Zoning District.
7. To control the density of population by regulating the location and use of buildings, structures and land for trade, industry, residence or other purposes; and the height, size and location of these uses within the limits of the City of Newburyport by meeting the use regulations and exceeding all dimensional requirements in the R2 Zoning District.

### **Special Permit Findings**

The proposed subdivision plan meets the following findings required for approval of a Special Permit:

1. The proposed use (single-family #101) is an allowed use under the Table of Use Regulations and a Court servicing up to two lots is permitted under Section XXIII.
2. The requested use is essential or desirable as two well-designed, single family structures with the proposed public benefits would be located on the property with stipulations for construction management and quality assurance.
3. The proposed single family use and the proposed court will not create undue traffic congestion or impair pedestrian safety. Additionally, the proposed landscape plan includes screening for headlight glare to the abutting properties.
4. The requested use will not impair the city infrastructure or services. In fact, the proposed sidewalk replacement along Union Street and Beacon Ave. will enhance pedestrian safety, circulation, and improve the quality of the neighborhood streetscape and associated property values.
5. The spirit and intent of the design standards of a court have been met.
6. The building and site design of the proposed project will improve the integrity, quality, character, and market value of the surrounding neighborhood and not be detrimental to the health and safety of the public.
7. The proposed use will not cause an excess of the use within the surrounding neighborhood as the current housing types within the neighborhood are predominantly single-family uses and the proposed lots are more than twice the average lot size and fully comply with the dimensional requirements of the R2 Zoning District.
8. 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.
9. The proposed use will not cause any environmental hazard or nuisance.



## Public Benefits

In accordance with the neighborhood goals the proposed subdivision plan proposes significant streetscape improvements and on- and off-site improvements. Shown on Figure 41, the twelve main public benefits are as follows:

1. Brick Sidewalk along 33-35 Union Street.
2. Brick Sidewalk and Granite Aprons along Union Street.
3. Brick Sidewalk and Granite Aprons along Beacon Ave.
4. Arborvitae Hedge Protection along Perkins Park Playground
5. Landscape Hedge and Fence along the MEC Park
6. Wood Fence along Beacon Ave.
7. Shade Tree Protection along Beacon Ave.
8. Evergreen Tree Protection along Union Street
9. 58+/- Foot View Easement for 7 Beacon Ave.
10. 25 Foot View Easement for 30 Union Street
11. Landscape Screen for 33 Union Street
12. Chip-Seal Stone Driveways



Figure 41 – Public Benefits shown on the Proposed Subdivision Plan



## Preliminary Stipulations for Consideration

Consistent with the Special Permit Conditions outlined in Section X-H, we have employed a collaborative approach to the final building and site design. As such, we have discussed a wide array of on- and off-site improvements and public benefits with the abutting property owners. In order to provide clarity and assurance of our commitments we propose the following stipulations as part of this application:

### Prior to Issuance of Building Permit:

1. The special permit (with exhibits) shall be recorded at the Registry of Deeds against the existing parcel prior to the two lots being created, and a note reference to the special permit on the Definitive Subdivision Plan shall be used in connection with creating the two lots and the deeds for both lots shall reference the recorded special permit – binding and running with both lots.
2. A restrictive covenant shall be recorded at the Registry of Deeds to the benefit of the City and directly abutting property owners that (1) restricts the use of the principal structures on Lot 1 and Lot 2 to a single-family use, (2) requires preservation (during and after construction) of the existing five evergreen trees along Union Street and, to the extent feasible, the hedges along Perkins Playground, and (3) prohibits any future upward extension of the garage structures.
3. The final construction drawings associated with a Building Permit(s) for the proposed single-family structures on Lot 1 and Lot 2 shall conform to the elevations labelled “*Proposed Elevations*”, for ‘Proposed New Residence: Lot No.1’, prepared by Scott Brown, AIA, dated 12-6-17 and the proposed setbacks and footprints shown on the “*Definitive Subdivision Plan of Land*” showing ‘proposed subdivision at 32 Union Street, Newburyport, MA’, prepared for Gorman Home, LLC by Millennium Engineering, Inc., dated 1-3-18. The Registered Design Professional for the project shall certify such conformance with a written affidavit that shall be submitted to the Planning Department;
4. All five (5) of the existing evergreen trees shown located directly along the Union Street frontage of Lot 2 shall be preserved and they shall be protected during construction with a hurricane fence located along the drip line. Such fencing shall be installed prior to commencement of the pre-construction meeting;
5. A view easement to the benefit of 7 Beacon Ave. shall be recorded at the Registry of Deeds that permanently protects the 58 foot +/- view corridor on both lots from #7 Beacon Ave., between the two proposed houses, southerly to Plum Island. Such easement area shall be shown on the recorded Definitive Subdivision Plan and, except for (1) fences or vegetation less than 5 feet in height from grade, (2) in-ground pools, (3) accessory structures less than 100 SF in size and 10 feet in height, or (4) a single shade or evergreen tree planted within 15 feet of the proposed single family house on Lot 2 (as shown on the revised Landscape Plan dated 1-3-18 and subject to approval of the easement holder), no other trees or permanent structures shall be permitted within the recorded view easement area;
6. A detailed Construction Management Plan (CMP) shall be submitted to the Planning Department and a copy shall be posted on the property during construction. The plan shall be used to coordinate contractors and provide a primary point-of-contact, manage on- and off-street parking for the general- and sub-contractors, any sidewalk closures, construction sequencing, and ensure the hours of operations for construction adhere to all applicable city ordinances. All dumpsters and portable toilets shall be located on-site during construction and be located toward the southeastern corner of the Lot 1. The CMP shall be provided to the abutting property owners and the Planning Department



at least ten (10) business days prior to the pre-construction meeting. The meeting shall be scheduled by the Planning Department and all direct abutters shall be provided written notification of the meeting at least ten (10) business days in advance of the pre-construction meeting; and

7. If feasible, the CMP shall require construction of Lots 1 and 2 simultaneously so as to constrict the overall construction time period and associated neighborhood disturbance.

**Prior to Issuance of an Occupancy Permit:**

1. The on-site improvements shall be completed as follows:
  - a. Both proposed lots shall be landscaped in accordance with the submitted landscape plan titled “*Landscape Concept - Planting Plan*”, sheets 4 to 7, prepared by Howard Snyder, ALA, dated 1-3-18. The registered Landscape Architect shall, prior to issuance of an occupancy permit, certify with a written affidavit that the landscaping has been installed in adherence to the approved landscape plan. Note that a surety bond or other performance guarantee shall be provided to the City for instances where the landscaping is incomplete due to weather conditions at the time of occupancy.
2. The off-site improvements shall be completed as follows:
  - a. As shown on the landscape plan, subject to approval from the Department of Public Works, 100 feet +/- of the existing concrete sidewalk in front of 31.5 and 33 Union Street and 250 feet +/- of the existing grass, concrete, & asphalt sidewalk in front of 30 Union Street & 7 Beacon Ave. shall be replaced with a full-depth brick; and
  - 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.
3. Any alterations to the landscaping or the architectural style, materials, footprint, height, or projections on the proposed structures on either lot shall require subsequent approval by the Planning Board and written notice of a public hearing shall be provided to the abutters under MGL 40A, §11.

**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 subdivision plan meets or exceeds these purposes. Approval of the project would be consistent with the quality and character of the type 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 collaboration and a sensitive design approach as evidenced through a host of public benefits.

In closing, when cumulatively evaluating the special conditions and unique characteristics of this property it is evident that approval of the special permit with the requested waiver for the turn-around easement will be desirable and beneficial to the neighborhood and general public without any 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



# 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/NewburyportMAPphotos//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	

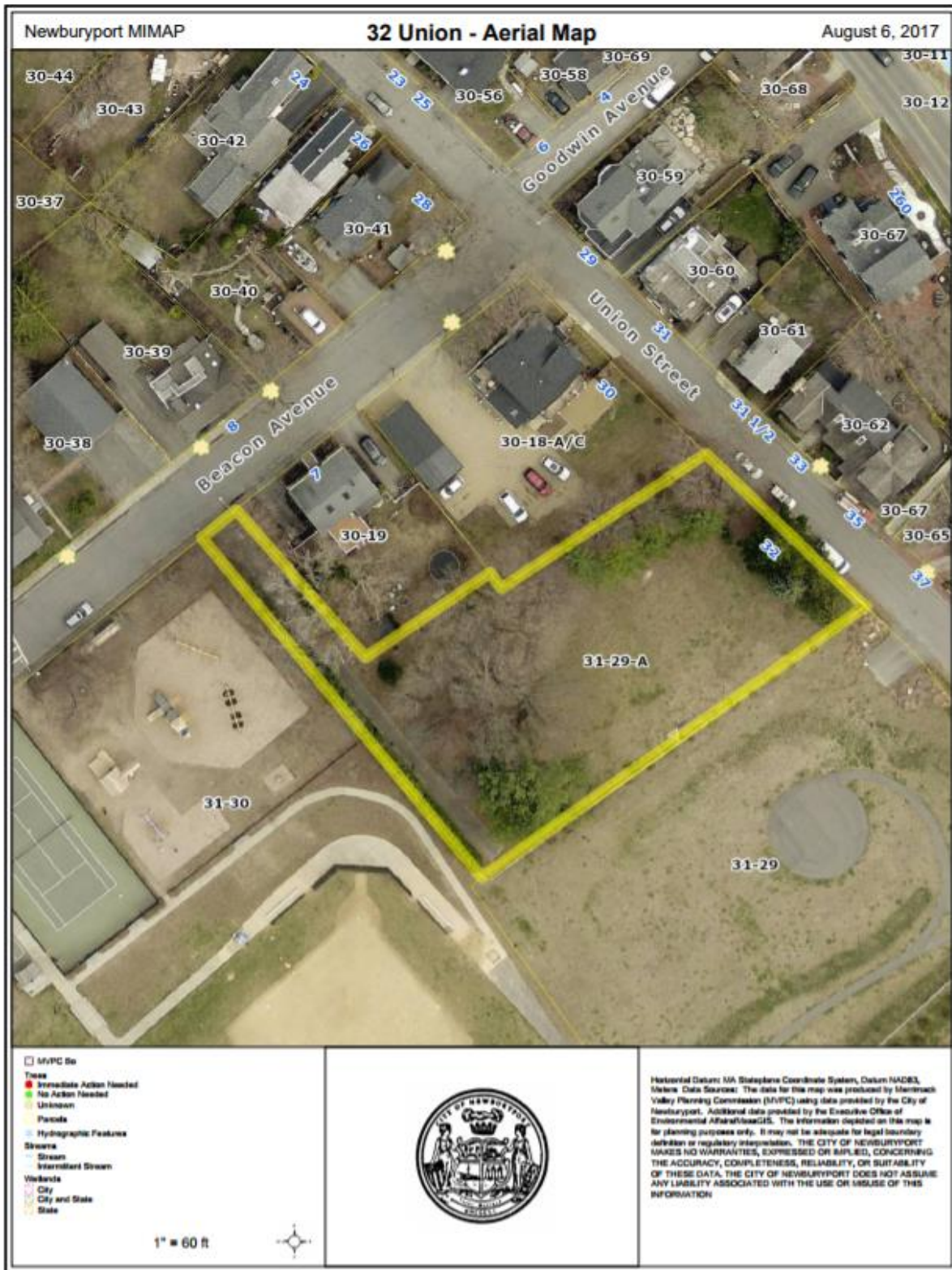
**Valuation History**

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





EXHIBIT 2 – EXISTING CONDITIONS MAP (MIMAP)





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

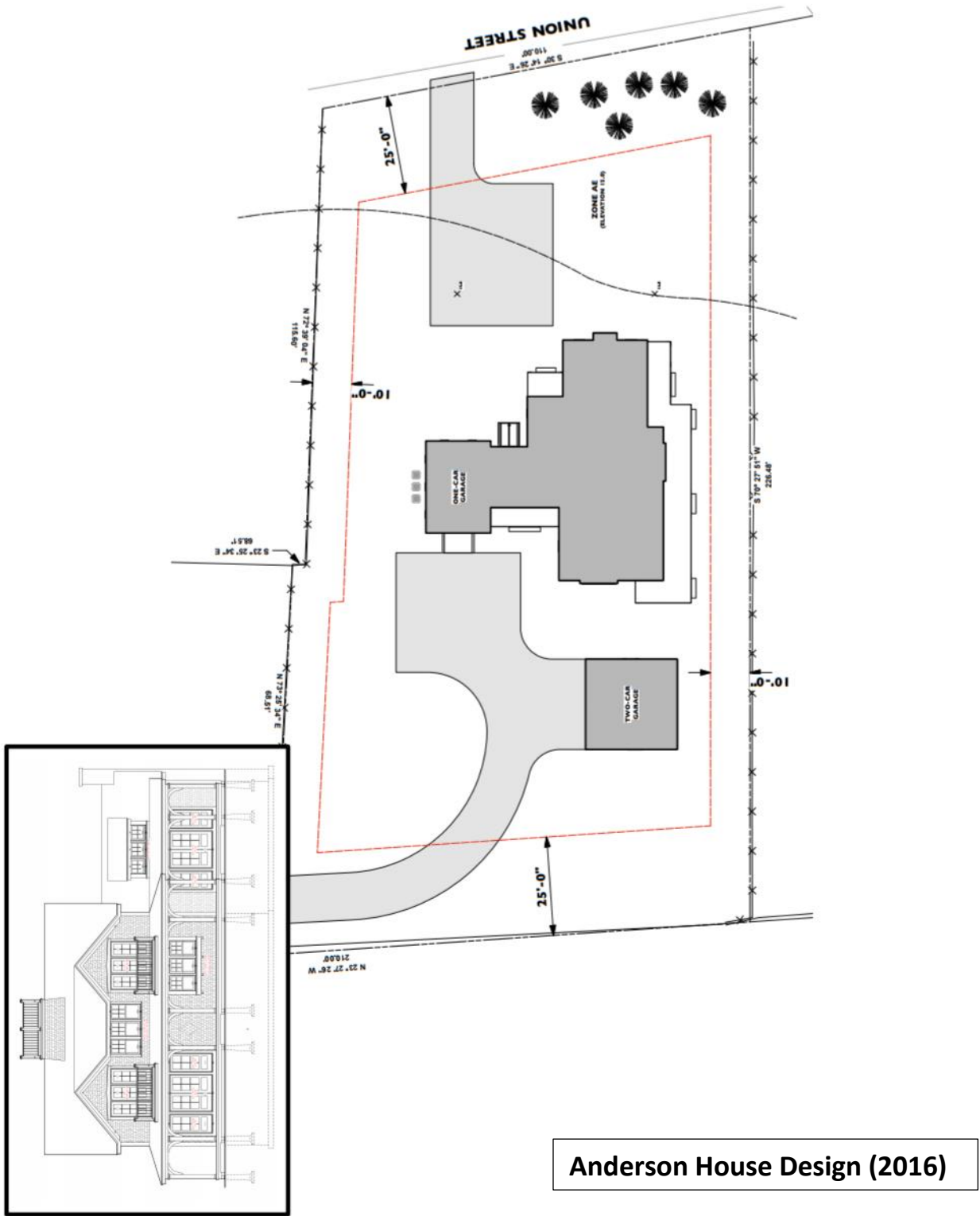
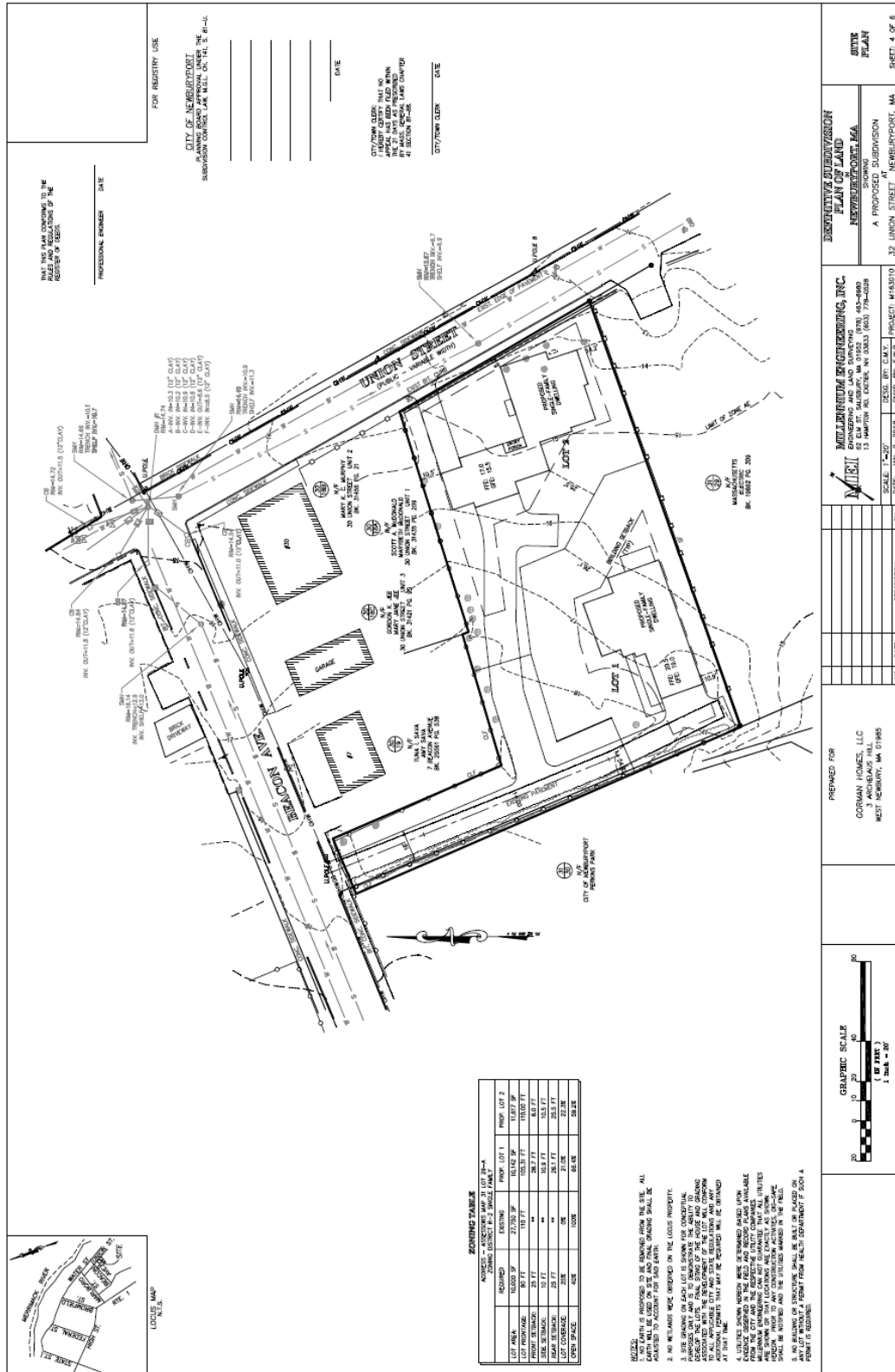




EXHIBIT 6 – PROPOSED COURT SUBDIVISION PLAN WITH A WAIVER (SHOWING HOUSE LOCATIONS)



**EXHIBIT 7 – PROPOSED COURT SUBDIVISION PLAN WITH A WAIVER (SHOWING ZONING SQUARE)**

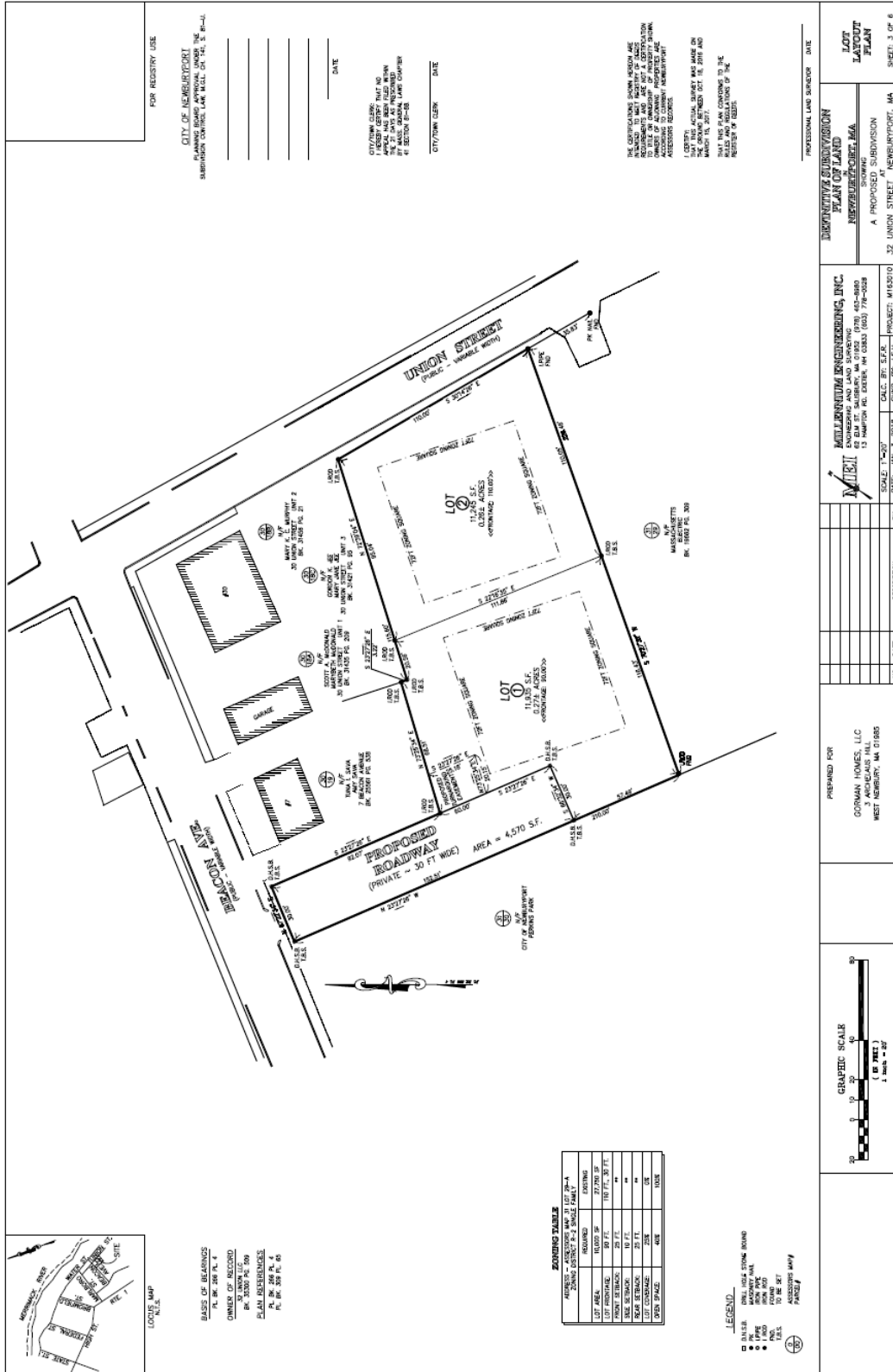
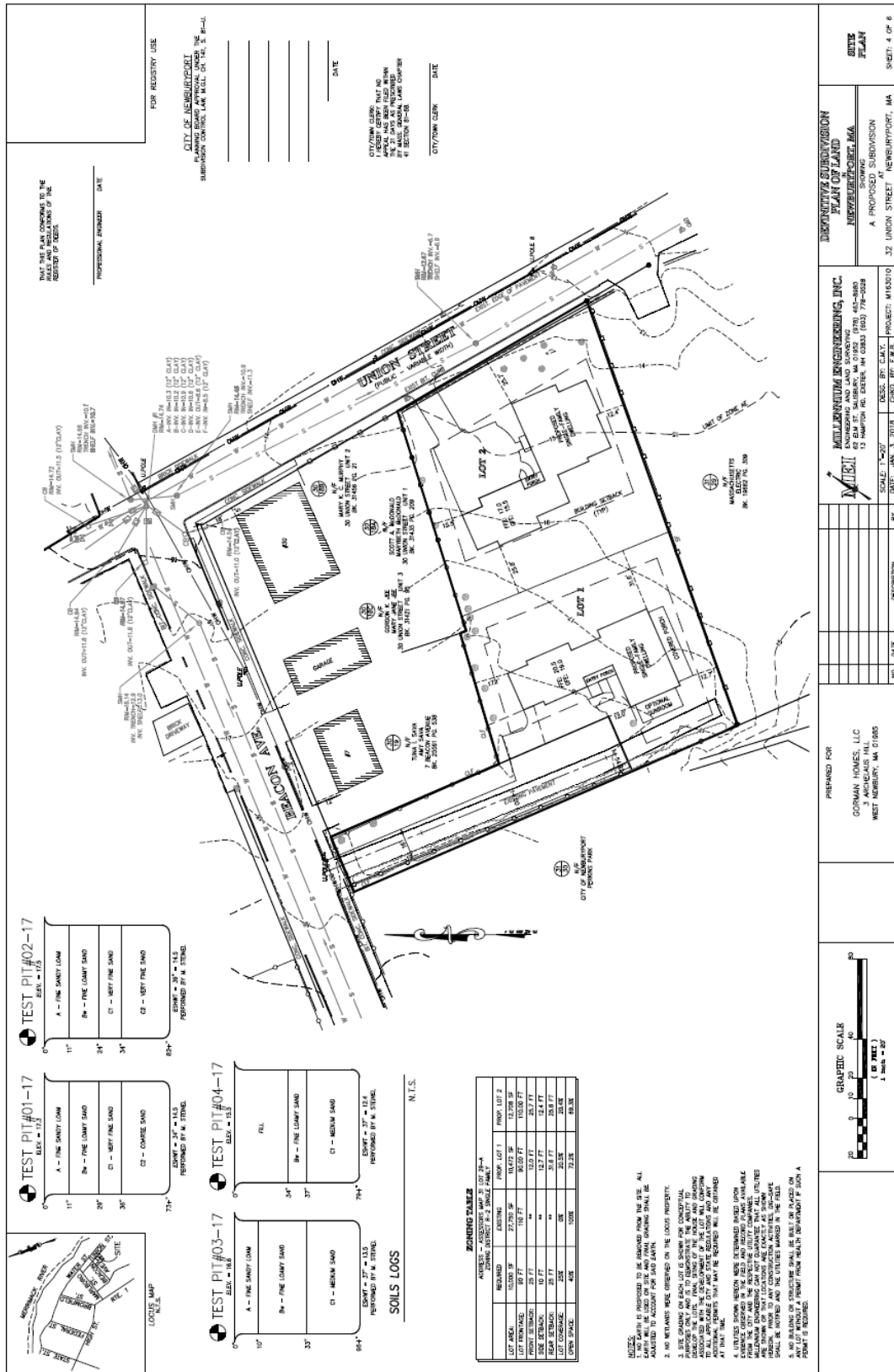


EXHIBIT 8 – PROPOSED COURT SUBDIVISION PLAN WITH A WAIVER (SHOWING HOUSE LOCATIONS)



**EXHIBIT 9 – PROPOSED STREETScape RENDERING (VIEW FROM UNION STREET)**

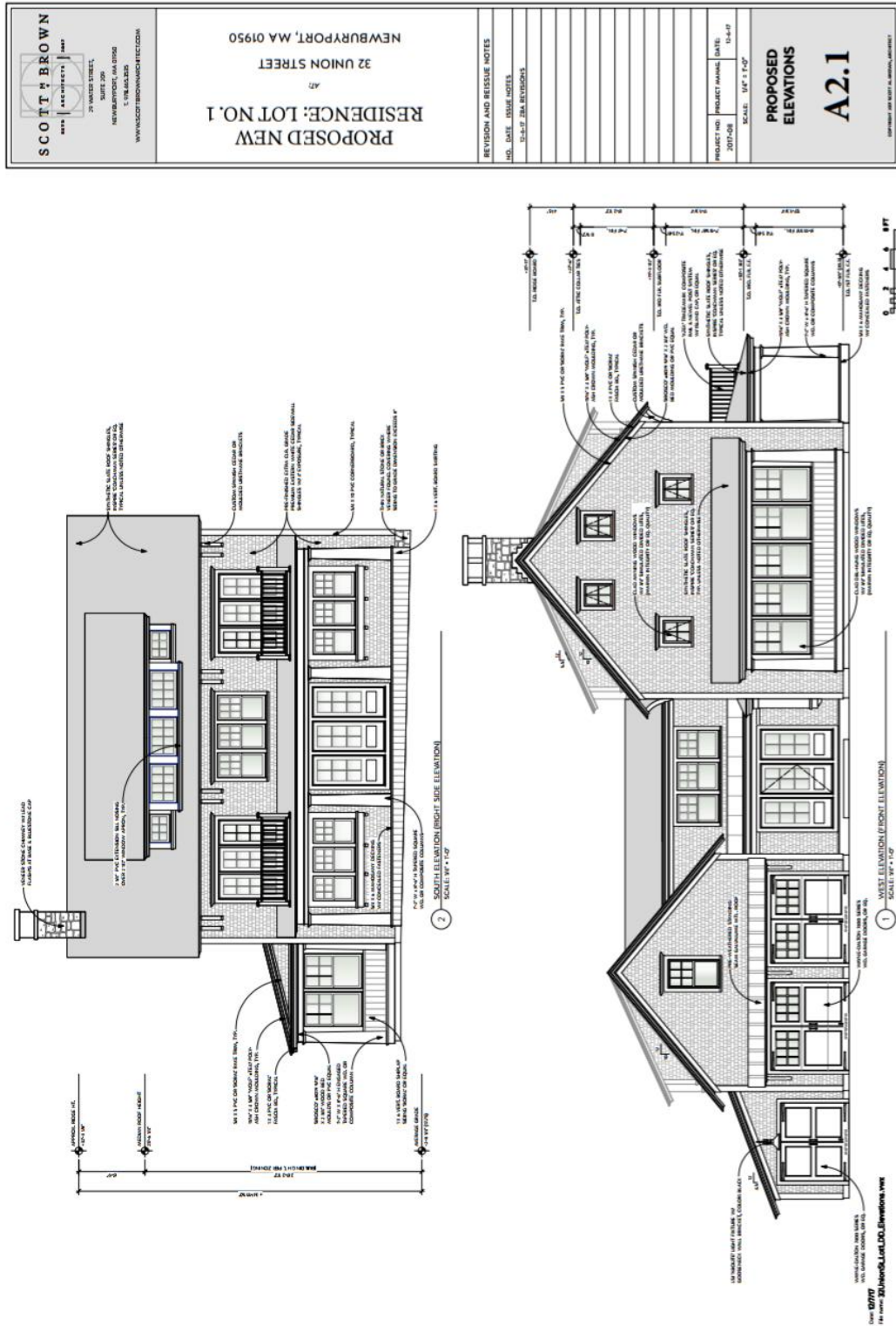




EXHIBIT 10 – PROPOSED SITE PLAN SHOWING TWO SINGLE FAMILY HOUSE LOTS



EXHIBIT 11 – PROPOSED ELEVATIONS OF THE SINGLE FAMILY HOUSE ON LOT 1 – BEACON AVE.



**SCOTT BROWN ARCHITECTS**  
 20 WINDY STREET, SUITE 200, NEWBURYPORT, MA 01950  
 WWW.SCOTTBROWNARCHITECT.COM

**PROPOSED NEW RESIDENCE, LOT NO. 1**  
 32 UNION STREET  
 NEWBURYPORT, MA 01950

REVISION AND REISSUE NOTES

NO.	DATE	ISSUE NOTES
01	01-25-17	JBA REVISIONS

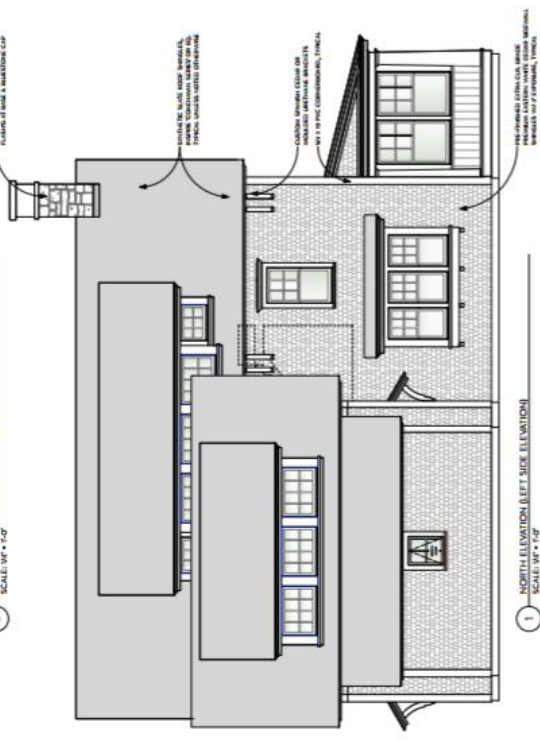
PROJECT NO: 2017-08 PROJECT PHASE: DATE: 11-24-17  
 SCALE: 1/4" = 1'-0"

**PROPOSED ELEVATIONS**  
**A2.2**

EXHIBIT 2017-08-001 - ARCHITECTURE



2 EAST ELEVATION (REAR SIDE ELEVATION)  
 SCALE 1/4" = 1'-0"



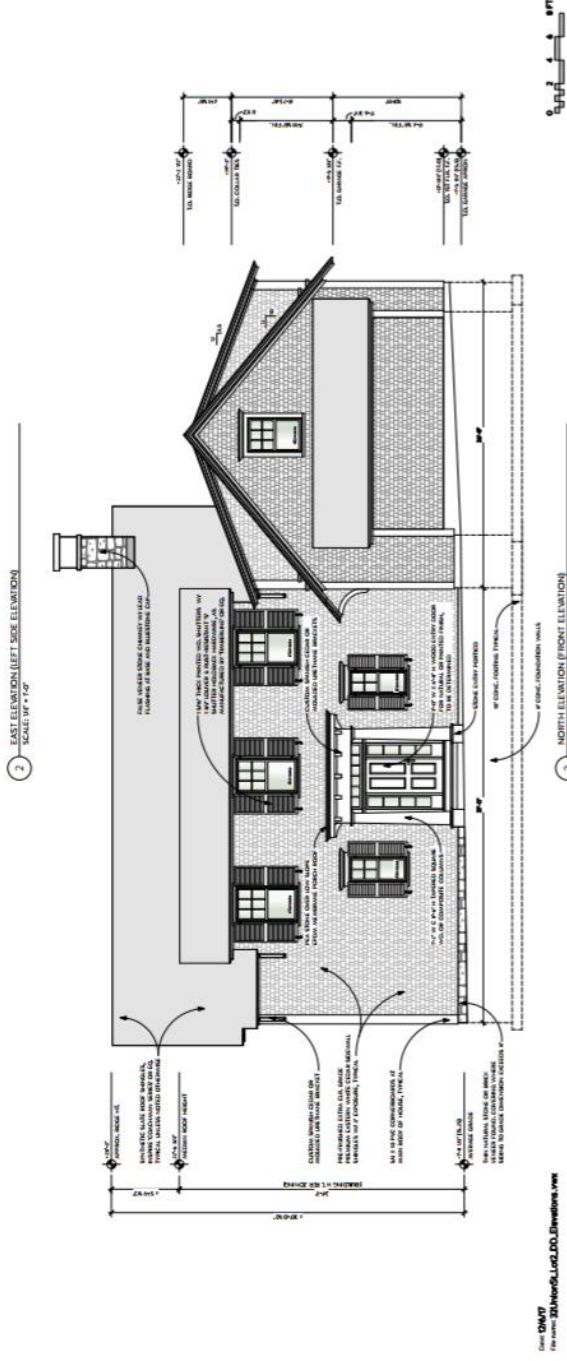
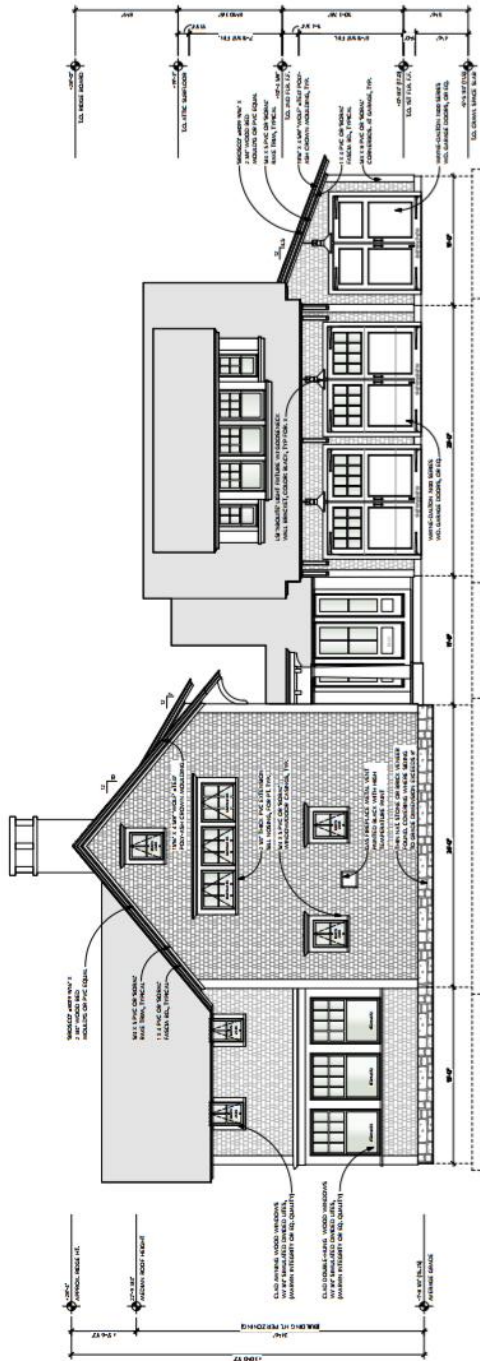
1 NORTH ELEVATION & LEFT SIDE ELEVATION  
 SCALE 1/4" = 1'-0"


Scale: 1/4" = 1'-0"  
 File name: 32 Union St Lot 00 Elevations.vwt



EXHIBIT 12 – PROPOSED ELEVATIONS OF SINGLE FAMILY HOUSE ON LOT 2 (UNION STREET)

<p>SCOTT BROWN ARCHITECT 70 NORTH STREET NEWBURYPORT, MA 01950 T. 978.353.3328 WWW.SCOTTBROWNARCHITECT.COM</p>	<p>PROPOSED NEW RESIDENCE: LOT NO. 2</p> <p>32 UNION STREET NEWBURYPORT, MA 01950</p>	<p>REVISION AND RESUBMIT NOTES</p> <p>NO. DATE ISSUE NOTES</p> <p>13-2-17 JEM REVISIONS</p>	<p>PROJECT NO. PROJECT NAME DATE: 13-2-17</p> <p>202-038</p>	<p>SCALE: 1/8" = 1'-0"</p> <p>PROPOSED ELEVATIONS</p> <p>A2.1</p>
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 <b>SCOTT M BROWN</b> ARCHITECTS 75 WAKES STREET, SUITE 207 NEWBURYPORT, MA 01950 T. 978.532.8123 WWW.SCOTTBROWNARCHITECTS.COM	<b>PROPOSED NEW          RESIDENCE: LOT NO. 2</b> 32 UNION STREET AS NEWBURYPORT, MA 01950	<b>REVISION AND REISSUE NOTES</b>	
		NO. DATE ISSUE NOTES 12-2-17 JEM REVISIONS	PROJECT NO. DATE: 2017-08 12-4-17 SCALE: 1/4" = 1'-0"
<b>PROPOSED ELEVATIONS</b> <h1>A2.2</h1>		<small>CONTRACT NO. 161717-16, 161717-17, 161717-18</small>	



Drawn: DMV7  
 File name: 32UnionSt\_Land\_DD\_Elevations.rvt



EXHIBIT 13 – PROPOSED LANDSCAPE PLAN WITH PLANTING AND HARDSCAPE DETAILS





Aluminum Picket Fence - Perimeter Fence



Cedar Fence - Perimeter Fence



Cedar Fence - Between Lot 1 and Lot 2



Chip Seal Driveway



Gravel Driveway



Clay Brick Sidewalk


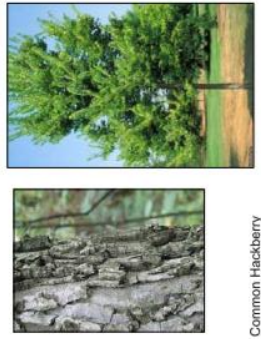





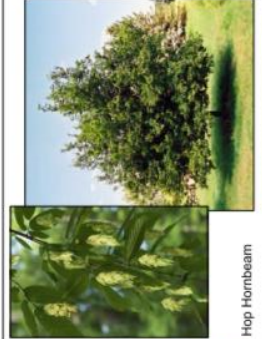




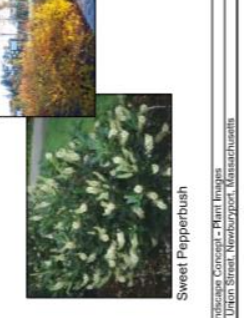




Granite Cobblestone Driveway Apron

Scale: 1/8" = 1'-0"  
Date: 1/3/2017  
Sheet 7 of 7  
Project: 32 Union Street, Newburyport, Massachusetts





 <p>Shagbark Hickory</p>	 <p>Common Hackberry</p>	 <p>Pin Oak</p>	 <p>Hop Hornbeam</p>
 <p>Downy Serviceberry</p>	 <p>American Smoketree</p>	 <p>American Plum</p>	 <p>New Jersey Tea</p>
 <p>Indigo Bush</p>	 <p>Black Chokeberry</p>	 <p>American Beauty Bush</p>	 <p>Beach Rose</p>
 <p>Sweet Pepperbush</p>	 <p>Dwarf Fothergilla</p>	 <p>Privet</p>	





Shrubs

Mapleleaf Viburnum



Wild Columbine



New England Aster



Purple Coneflower



Lupine



Black-eyed Susan



Kinnikick



Threadleaf coreopsis



Bunchberry



Common Juniper



Shubby cinquefoil



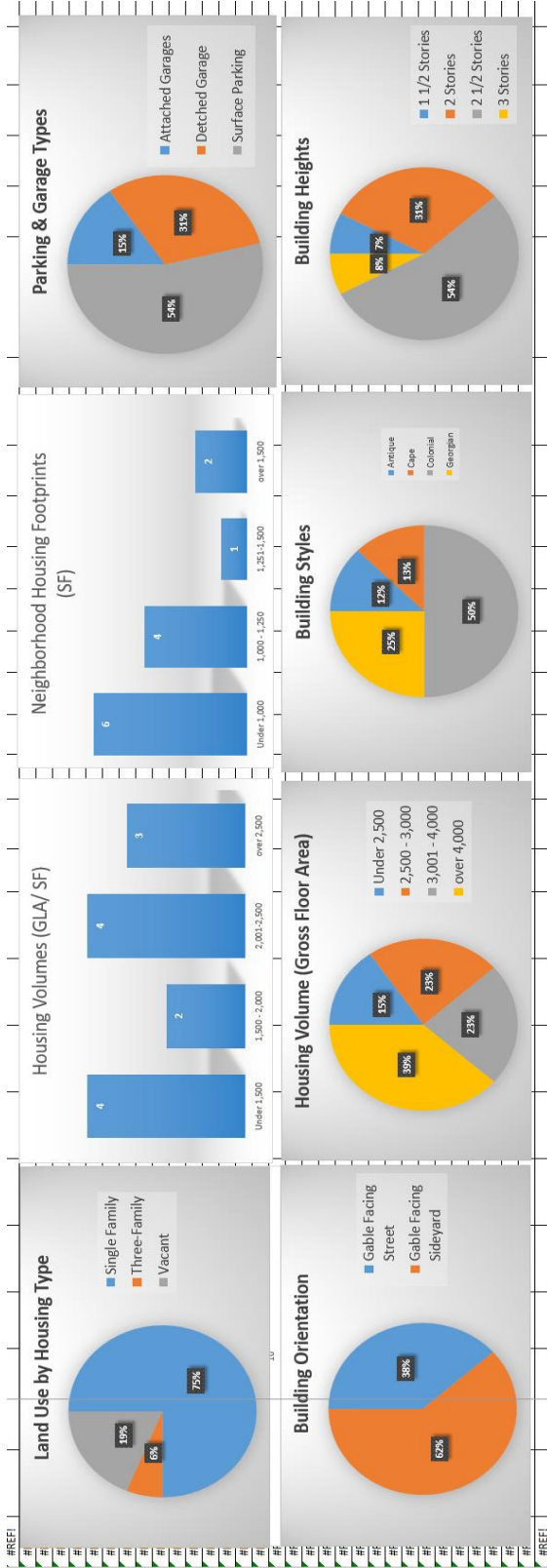
Low Bush Blueberry

Landscaping Consultant - Matt Kravos  
32 Union Street, Newburyport, Massachusetts

Sheet 6 of 7  
January 3, 2017



EXHIBIT 14 – SYNOPTIC SURVEY INFORMATION



#	REF1	Lot Area	Year Built	Footprint	GLA	GFA	Vacant	1.5	1.8	2	2.5	3	3.5	4	G-ST	G-SY	MASSINGFORM	Roof Type:	STYLE	ALTERATIONS	HISTORICAL SIGNIFICANCE	GARAGE	OFF-STREET PARKING (Spaces)	DORMERS (Number)	House	Yard
#	REF1	#	#	#	#	#	#	#	#	#	#	#	#	#	#	#	#	General (G), Mansard (M), Flat (F), Gable (GA), Gambrel (GB)	Antique (A), Georgian (G), Colonial (CO), Federal (F), Federal Revival (FR), Mansard (M), Ranch (R), Modern (MD)	CON	Non-Com	Det	#	#	None (NF), Fence (FP), Stone Wall (SW), Concrete Wall (CW), Brick Wall (BW), Deck (D)	
1	REF1	27,750	1901	730	0	0	0	1	1	1	1	1	1	1	1	1	VAC	CO							None (NF)	
2	REF1	12,800	1891	1,530	0	0	0	1	1	1	1	1	1	1	1	1	GAB	CO							None (NF)	
3	REF1	6,290	1901	2,120	0	0	0	1	1	1	1	1	1	1	1	1	GAB	CO							None (NF)	
4	REF1	3,396	1850	1,738	0	0	0	1	1	1	1	1	1	1	1	1	GAB	CO							None (NF)	
5	REF1	4,510	1972	2,444	0	0	0	1	1	1	1	1	1	1	1	1	GAB	DR							None (NF)	
6	REF1	1,430	1926	1,053	0	0	0	1	1	1	1	1	1	1	1	1	GAB	VA							None (NF)	
7	REF1	3,460	1888	1,736	0	0	0	1	1	1	1	1	1	1	1	1	GAM	G							None (NF)	
8	REF1	3,034	1917	486	972	1,558	0	1	1	1	1	1	1	1	1	1	GAM	G							None (NF)	
9	REF1	4,325	1977	2,437	0	0	0	1	1	1	1	1	1	1	1	1	GAB	CT							None (NF)	
10	REF1	4,773	1911	1,811	0	0	0	1	1	1	1	1	1	1	1	1	VAC	DR							None (NF)	
11	REF1	1,786	1900	1,249	0	0	0	1	1	1	1	1	1	1	1	1	GAB	VIC							None (NF)	
12	REF1	6,520	1950	758	1,536	3,410	0	1	1	1	1	1	1	1	1	1	GAB	CO							None (NF)	
13	REF1	6,072	1950	2,183	3,765	3	1	0	4	7	1	0	0	5	8	8	VAC	CO							None (NF)	
14	REF1	1,950	1950	1,000	6	Under 2.5	1	1	1	1	1	1	1	1	1	1	GAB	GA			Attached Gal	2			None (NF)	
15	REF1	1,950	1950	1,000	6	Under 2.5	1	1	1	1	1	1	1	1	1	1	GAB	GA			Attached Gal	2			None (NF)	
16	REF1	2,000	1950	1,000	6	Under 2.5	1	1	1	1	1	1	1	1	1	1	GAB	GA			Attached Gal	2			None (NF)	
17	REF1	2,000	1950	1,000	6	Under 2.5	1	1	1	1	1	1	1	1	1	1	GAB	GA			Attached Gal	2			None (NF)	
18	REF1	2,000	1950	1,000	6	Under 2.5	1	1	1	1	1	1	1	1	1	1	GAB	GA			Attached Gal	2			None (NF)	





Geotechnical  
Environmental  
Water Resources  
Ecological

MassDEP RTN 3-18037; Tier 1B Permit No. W0008386

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

32 Union Street Portion of Former MGP Site  
Newburyport, Massachusetts

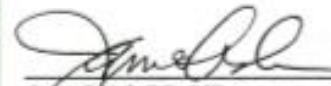
**Submitted to:**  
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September 14, 2012

Project 98398-0



  
James B. 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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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.

