

**City of Newburyport
Planning Board
April 17, 2024**

The meeting was called to order at 7:02 PM.

1. Roll Call

Planning Board Attendance: Alden Clark, Bob Koup, and Rick Taintor

Planning Board – Remote: Brian Balcom and Charlie Palmisano

Absent: Jen Bluestein, Beth DeLisle, Jamie Pennington and Heather Rogers

Planning Director Andy Port and note taker Caitlyn Marshall were also present.

2. General Business

a) Approval of Minutes

- ***4/3/2024***

Alden Clark made a motion to approve the minutes with amendments from the April 3, 2024 meeting. Bob Koup seconded the motion. All members voted in favor.

b) Discussion

- ***MBTA Communities Rezoning Project***

Director Port stated the MBTA Communities rezoning project focuses on total unit capacity. There is discussion on where to zone in areas of the city outside of 40R district. He stated ZAG is meeting tomorrow afternoon. He would like to hone in on an option that would be best for Newburyport. He then referenced a PDF that is available on the City's website. He showed a table with 40R and new MBTA sub district options A – J, with unit capacity options as well. There are two Enpro site options. He stated he is meeting with the state next week. If they include Hines Way they need 355 more units to meet the 1,292 required units.

Rick Taintor asked Director Port, what is incorrect about the state's data for the Hines Way parcel?

Director Port stated that Hines Way is shown as a street but is really just a driveway and should be included in the overall parcel. He stated the real problem is it is overlaid with open space layer. They are labeling it as not eligible for use. He then went over maps of the potential districts.

Rick Taintor stated they need to cut out the cemetery.

Director Port stated that was correct. Storey Ave. and Low Street are also off the table.

Bob Koup asked if there was a reason why Timberline and The Elks were not considered.

Director Port stated the state would require the entire Timberline to be included. Also, not everyone was comfortable with going back into the business park. The state may not accept separation.

Bob Koup stated that using Timberline is similar to using Parker Street properties.

Director Port stated folks were not interested in using that parcel. They would run the model without those lots.

Rick Taintor stated the parcel to the right of the Timberline property has a lot of wetland constraints. They are focusing on properties that had frontage on Low Street, rather than going deep into the business park. If they use Parker Street they get 40R benefits. The Enpro site would not get 40R benefits.

Director Port stated expanding 40R District would be more beneficial to the city. They would have business and housing in close proximity. The option keeps coming back to Parker Street.

Bob Koup stated he understands the benefits of Parker Street with the affordable housing point of view. But do you want to concentrate four or five story buildings in one area rather than distributing them? From a planning point of view there is a lot happening, with residential mixed with industrial uses.

Director Port stated he understood where Bob Koup was coming from. It's not apparent that there is another district that is as good or viable as Parker Street. It's not unreasonable to use Parker Street. He stated it does not raise a flag for him.

Charlie Palmasano stated he agrees with Bob Koup about corridor to Newburyport along the Rail Trail. He suggested mixed use between train station and downtown. It could have a nice presence along that route. There is also a school down the street.

Director Port stated he would take more suggestions about parcels they would like included. The Enpro site does not meet what they need by itself.

Bob Koup suggested using the Enpro site and then include multiple parcels along the South side of Parker Street, but stopping short of the corner.

Alden Clark stated he liked the option as well. He suggested putting together options D, H, and J. He also suggested including Hines Way with 40R District.

Option D should be at 40 units per acre. This would not interfere with the industrial park.

Rick Taintor clarified that Alden Clark was suggesting option D at 40 units per acre. He then asked if they could just do 30 units per acre and Hines Way. He stated if they did 40 units per acre they would not need Hines Way. He is concerned about density.

Alden Clark stated he is concerned about the affordable housing component.

Director Port stated they could model zoning comparable to the 40R district. They could talk about zoning parameters the same way as starting a new district. This would open up the discussions for other areas of zoning.

Charlie Palmisano suggested if they look at options A and B they wouldn't have to delve into new zoning language.

Director Port stated that was correct.

Rick Taintor clarified that zoning wouldn't affect safe harbor status.

Director Port stated it wouldn't make a difference until someone builds something.

Rick Taintor stated there were multiple lots in option D. He understands the concern about subsidized housing inventory, but doesn't want it to drive planning.

Director Port stated subsidized housing inventory was secondary to other considerations. It adds to rationale of why you may chose one option over another.

Rick Taintor stated if they do zoning, they may not have an impact for 5 years on subsidized housing.

Director Port stated it would be a few years before anyone builds.

Charlie Palmisano asked if there were different timelines for this that they should be looking at.

Rick Taintor stated they could solve a lot of this issue by changing the underlying zoning from 12% to 25% affordable housing.

Director Port stated the issue is not everyone is agreeing on the goal.

Rick Taintor stated they need to get to consensus on goals.

Director Port asked if there is there is something the board thinks should be added to criteria.

Rick Taintor asked about the economic feasibility analysis.

Director Port stated it is not completed yet. He then asked what they are comfortable with for unit capacity that can be added to analysis.

Rick Taintor clarified if they expand the 40R District they would be able to keep 25% affordable housing.

Director Port stated that is the conclusion they are operating under right now. He is hoping to confirm that next week. He stated they don't need to do an economic feasibility analysis for that area. Changing one parameter can affect another.

Rick Taintor asked if they have a timeline on the economic feasibility analysis.

Director Port stated they are working on it now. If we do an EFA for the Enpro site, is that 20 units per acre or 30? We need to be clear about it. We need to be clear about that for percentage of affordability in that area outside 40R.

Rick Taintor stated he prefers 30 units per acre, rather than 40 units per acre for option D. He stated he is not excited about including Hines Way, but it is a paper exercise.

Director Port asked if they were all in agreement with including Hines Way.

Rick Taintor stated it is a way to reduce density on Parker Street.

Director Port clarified, including options D, H and J.

Charlie Palmisano asked if they have to work on revising zoning for Hines Way as well.

Director Port stated no, that would be like doing the Parker Street area. It would be a minor adjustment and expansion of the 40R District. He stated options I and J would not be.

Rick Taintor stated Storey Ave. would be way too difficult to do in the short time available to us.

Charlie Palmisano stated they really have to think through Storey Ave.

Brain Balcom stated he agreed that the Storey Ave. site has a lot of variables.

Charlie Palmisano asked about the New England development site. Is that an overlay district? Any plans for that?

Director Port stated Waterfront West could be utilized. That is a sensitive area and the community would have a lot of discussion about it. It does not seem logical. Can be done, but can we realistically adopt zoning for that area?

Brian Balcom asked about a notice to parcel owners and how would that work.

Rick Taintor stated that if the MBTA zoning is done as a 40R District, it's an overlay and doesn't take away rights of the underlying industrial zoning. The overlay zoning only comes into affect if they want to do multifamily housing. It would be expanding their rights. On Parker Street it is easy to notify those three parcel owners.

Director Port stated he has reached out to property owners in Parker Street section. It is important to make sure people living in any new multifamily development know they are next to a business park that's already there.

Brian Balcom stated it adds value to the landowner. He stated he has seen how it affects tenant relationships. He suggested at one of the hearings they get specifically invited.

Alden Clark asked if the fourth lot on Parker Street side is mostly wetlands.

Director Port stated yes. Wetlands affect unit count.

Bob Koup stated he liked scenario D, H and J. He also likes lower density.

Director Port stated the preference is D, H and J at 30 units per acre and add to base 40R District.

Charlie Palmisano asked if they could see Enpro site version two.

Rick Taintor stated an advantage to that site is it is easy walking to CVS, downtown and the train station. They would have to come up with new zoning for it.

Charlie Palmisano stated he likes the proposed plan especially if it is feasible and won't be rejected by MBTA Communities.

Director Port stated they need to clarify parameters. Director Port stated if they go this route, there is more that comes with it and they have a viable timeline.

Charlie Palmisano suggested they give options to City Council.

Brian Balcom stated the timeline is created by an outside entity. Other communities are struggling with this because they don't have the flexibility that we have.

Director Port stated they need to allow time for parameters to happen.

Bob Koup stated it is the right solution from a planning standpoint. If it comes with more work, but we think its worth it because it is the right solution in the end, we need to stand behind it. He stated he would be hesitant to give out options.

Director Port stated he would convey to ZAG what they think those parameters should be so that staff can draft zoning and do the economic feasibility analysis.

Alden Clark suggested they start with saying to model with subdistrict B of the 40R District.

Director Port stated yes, that would be very straightforward.

Rick Taintor suggested keeping it as simple as possible, like a 40R subdistrict B. He stated they need to make a recommendation to City Council Planning and Development Committee.

Charlie Palmisano asked if they are allowed to have special meetings.

Rick Taintor stated yes.

Director Port suggested a joint meeting.

Rick Taintor stated they need to refine what they have been talking about to give a recommendation.

Director Port stated for the Enpro site, make it underlying zoning.

Rick Taintor stated the easiest would be an overlay district.

Director Port stated that is correct.

Rick Taintor stated it would be easiest to explain what they are doing in one section of the zoning ordinance.

Rick Taintor stated they could give their suggestion by May 7th. He stated he could try drafting a recommendation and come up with proposed standards for Enpro district so they could talk about it on the May 1st meeting.

Director Port stated ZAG meets every week.

c) Other updates from the Chair or Planning Director

No other updates from the Chair or Planning Director.

5. Adjournment

Alden Clark made a motion to adjourn. Bob Koup seconded the motion. All members voted in favor.

Motion Approved.

Meeting adjourned at 8:19 PM

Respectfully submitted – Caitlyn Marshall