

**City of Newburyport  
Planning Board  
December 20, 2023**

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

**1. Roll Call**

Planning Board Attendance: Brian Balcom, Jen Bluestein, Alden Clark, Bob Koup, Jamie Pennington and Rick Taintor

Absent: Beth DeLisle, Charlie Palmisano and Heather Rogers

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

**2. Approval Not Required**

***a) 151 Merrimac Street (ANR-23-4)***

Everett Chandler of Winter GEC, LLC addressed the board. He spoke about two properties with overlapping property descriptions. This has been the case for many generations. The home is from the late 1600s. Owners have come and gone and not done anything about the property overlap. The owners of 5 Olive Street and 151 Merrimac Street came to an understanding that a boundary line was going to be resolved. He stated that, 151 Merrimac Street is going to be sold and 7 Olive Street will own the overlap.

Rick Taintor stated he was curious about the far left hand dotted line. Will we have the same situation over there?

Everett Chandler stated they potentially could because it is another overlap.

Rick Taintor stated that looking at the building at 151 Merrimac Street the hatching doesn't go all the way around.

Everett Chandler stated that is not 151 Merrimac Street.

Alden Clark made a motion to endorse the ANR plan for 151 Merrimac Street. Bob Koup seconded the motion. All members voted in favor.

**3. Public Hearings**

- a) Kim Turner, City of Newburyport  
388 High Street a/k/a Merrimac Street/Lower Atkinson Common  
Application completeness vote  
Request for waivers***

*Site Plan Review (SPR-23-2)*  
*Continued from 12/6/2023*

Kim Turner, Manager of Special Projects in the Mayor's office, addressed the board. She began by reviewing waiver requests. There are five waivers she was seeking; storm water report, traffic study, surfacing ground water report, environment and community impact, and existing conditions plan for the entire site.

Director Port stated that the Planning staff had no issues with the waivers. There will be a discussion reviewing the plan, which has been modified since the previous presentation.

Alden Clark made a motion to grant the requested waivers to submittal requirements for the Lower Atkinson Common Site Plan Review application found in Section XV-E as requested by the applicant. Bob Koup seconded the motion. All members voted in favor.

Alden Clark made a motion to determine the application for Site Plan Review for Lower Atkinson Common as complete, including waiver of the aforementioned submittal requirements. Jen Bluestein seconded the motion. All members voted in favor.

Kim Turner stated they received feedback from the community from the site walk in late August. They paused and re-worked the plan to bring in feedback from the community. Diane Gagnon, Assistant Engineer from the city of Newburyport Engineering Department, was present with Kim Turner. Kim Turner then gave an overview of the site and how it is used. Lower Atkinson is a heavily used park. It is the home of the Pioneer Baseball League teams and is also used by the community. The Community Action School utilizes the playground. There are three baseball diamonds, a basketball court, playground, and a clubhouse. There are thirty-three angled parking spaces accessed directly from Merrimac Street. Cars currently need to back out on to the street, creating safety issues. There are also twenty-two parking spaces located in a gravel lot.

She then reviewed the 2020 master plan, which included a universally accessible playground. Additional goals included resolving drainage issues, removal of diagonal on-street parking and increasing overall off-street parking capacity. The Parks Commission also wanted to make the park more useable by adding sidewalks, increasing bike racks, and improving shade. A longer-range goal, which is not on the table at this time, is to renovate the basketball court and make it a multipurpose court.

The current plan, which has been updated from the plan reviewed in August, includes new off-street parking adjacent to Merrimac Street with one-way vehicular circulation. A bus drop off is included along Merrimac Street. No trees will be removed for this bus drop off. The existing gravel parking lot will double in size to

provide parking spaces for forty-eight cars. The plan will address drainage issues by providing fifteen times more storm water holding capacity. The plan will include relocating an isolated wetland. The overall parking capacity will increase from fifty-five spaces to seventy-two spaces, and will include drop-off space for seven cars. New concrete sidewalks will be provided along Merrimac Street.

There was public concern about the number of trees being removed. The previous plan included removal of twenty-two trees from the area of the expanded gravel lot. The current plan proposes removal of only sixteen trees. There will be two other trees removed from the front of the park, one is in severe decline and the other is an ash tree that is compromised. Existing Arborvitae East of the clubhouse will be removed and replaced. New trees will maintain a buffer between the park and the road. Five Arborvitaes will be added between the park and the closest neighbor. A large number of plants will also be added in the new wetland area.

Diane Gagnon stated the major goal was to increase safety for residents, pedestrians, bikers, and drivers. They have designed Merrimac Street as a safety zone - 20mph. No parking will be permitted on Merrimac Street between Plummer Street and Moulton Street. A new sidewalk will be included in this area. There is already a sidewalk on the North side. Following discussion with residents and the Community Action School, the safety zone will extend up Plummer Street to Christopher Street.

Kim Turner then reviewed a study of required parking capacity done when baseball was in session. There are five hundred sixty two kids registered for the Pioneer League. Cars were counted every thirty minutes. The proposed plan can accommodate the required number of cars except between 4:30pm – 5:00pm (a shortfall of 4 cars) and between 5:00pm – 5:30pm (a shortfall of 22 cars).

Dianne Gagnon then went over how the project will improve the storm water quantity and quality. She stated they wanted to have the flow replicate what it does today. There is two hundred square feet of wetlands today. They will increase that size to three thousand feet with new storm water wetland. She then went over where different catch basins and swales would be located.

Kim Turner stated there has been a public hearing with the Conservation Commission. They kept it open but don't have further comments or questions. The environmental impact would be improving the eco-system with a new relocated storm water wetland. They would be removing invasive species and planting new vegetation. This would include native plants that are conducive to this wetland area. The park as a whole will have eighteen trees removed and thirty-six replanted. She then went over changes from previous plan.

Alden Clark asked about the size of trees to be planted?

Kim Turner stated 12 new trees would be about two to two and a half-inch caliper.

Alden Clark asked about the trees by the gravel lot

Kim Turner stated the three large oaks midway down Founders Field are existing. They will move gravel to protect them. By the storm water wetland there are five river birch at the end of the cluster that they are saving. There are red maples across from the future basketball court.

Alden Clark asked about the existing chain link fence around the field.

Kim Turner stated there will be low fencing around the playground.

Alden Clark asked about the expanded gravel lot and if the parking spaces would be marked.

Kim Turner stated they would most likely stripe every year.

Jamie Pennington asked about the budget for signage.

Diane Gagnon stated the proposed plan would include signs on Merrimac Street stating it is a safety zone. There would be "No Parking" signs along Merrimac Street and signage for the drop off zone.

Director Port stated he is a member of the Traffic Safety Advisory Committee and there has been a discussion for a lot of years about signage in the area of the park.

Jamie Pennington asked if the shoulder along Merrimac Street would still be five feet.

Diane Gagnon stated yes. They kept the roadway as is, two travel lanes and a five-foot shoulder.

Rick Taintor asked if people would park on Moulton and Plummer Street if they needed to rather than parking on Merrimac Street.

Diane Gagnon stated that was correct.

Brian Balcom brought up the traffic flow. What treatment will you have? Stop sign?

Diane Gagnon stated there is currently no stop sign planned. They could put a stop bar if they need it.

Rick Taintor raised the issue about the center crosswalk. They no longer have cars parking on the other side of Merrimac Street. Do we need center crosswalk?

Diane Gagnon stated they have gone back and forth about that issue. She stated they do want most people to go to the park side before they get to Plummer or Moulton Street. They do need a safe lane to get across the street and it does slow people down. We don't need it but we don't need to take it away.

Rick Taintor asked if the sidewalks are all concrete.

Diane Gagnon stated yes for most. Behind the gravel lot is asphalt.

Rick Taintor asked about curbing.

Diane Gagnon stated there would be a flush curb at handicap parking spots and to provide access for emergency vehicles.

Rick Taintor asked if the central part of the paved lot would have a vertical curb.

Diane Gagnon stated yes.

Rick Taintor stated there is a two-foot grass strip between the parking spots and sidewalk. There are concerns from abutters about headlights going into homes. Did you consider a wall or fence?

Diane Gagnon stated they did not. If they need to they will look into it.

Rick Taintor asked if the "micro pool" on the wetland plan is the same as the sediment forebay referred to in the presentation?

Diane Gagnon stated the storm water goes into the sediment forebay first and goes from there into the wetland. The micro pool is a second sediment filter.

Public Comment opened.

Councillor Christine Wallace thanked everyone for the presentation. She stated the main goal is getting parking off the street and in park. She stated she has worked on this for years. She spoke about making sure Merrimac Street is a safe zone. It is critical that improvements to the safety zone happen. She stated they truly want to slow down cars. Getting to the park needs to be safe. Sidewalks are critical to put in. Pedestrian push button lights should also be put in. It is hard to cross the street, not only during games. She stated she does not support the gravel lot expansion. The master plan showed more parking in the front. The gravel lot will be a lot of work and maintenance. She stated she does not support waivers for not providing more additional storm water information. It drains to the Merrimack River. She then stated that with regards to traffic studies, it will change if you put in a pickle ball court. There will be traffic in and out of there throughout the day. She highly recommends that they look at a full build out scenario.

John and Genevieve Bleiler thanked the city for responding to neighbors' concerns about the trees on site. They had a question on impervious area of angled parking where the drainage goes. Are there catch basins in there? Are we losing a crosswalk on Merrimac Street?

Diane Gagnon stated there would be a crosswalk at the entrance. The existing crosswalk at the gravel lot entrance will be eliminated. One is also being put in on the opposite side of Plummer Street. There will be catch basins in paved parking lot.

Ben Harman of 298 High Street stated he agreed with Councillor Wallace that this is a good step towards addressing concerns. A lot of people come from out of town, which will impact the number of pedestrians. Removing parking from the street is a good start and compromise.

Public Comment closed.

Alden Clark made a motion to approve waivers from the requirements in Section XV-H.d.4 to provide 1 tree per 10 parking spaces and to maintain at least 5 percent of the area of the parking area as landscaping, including trees, in landscape islands with no more than 20 parking spaces between each island. Bob Koup seconded the motion. All members voted in favor.

Alden Clark made a motion to approve the Site Plan Review Application for Lower Atkinson Common. Jen Bluestein seconded the motion. All members voted in favor.

#### **4. General Business**

##### ***a) Request for minor modification – 166 Route 1 (2021-SGD-01)***

Director Port stated the property is in the 40R Smart Growth district. It is known as the old Haley's site. It will be replaced with housing and mixed use on first floor of the building. MassDOT wanted to control the area of public access along Rt.1; therefore a minor adjustment needs to be made to the lot area of the project. There will be a reduction in square footage to satisfy MassDOT. The frontage strip will be transferred to them. The grass would have extra support underneath it for emergency vehicles.

Rick Taintor had a question about the left hand side of the yellow stripe. Is that what we approved? The sidewalk ending and right turn into parking area?

Director Port stated yes.

Rick Taintor stated that MassDOT wanted a sidewalk the full length of it.

Director Port stated they were advocating for future connection.

Alden Clark made a motion to consider the request minor and approve the minor modification to 166 Route 1. Bob Koup seconded the motion. All members voted in favor.

***b) Approval of minutes***

- ***11/15/2023***
- ***12/6/2023***

Alden Clark made a motion to approve both the minutes from the November 15, 2023 and December 6, 2023 meetings. Bob Koup seconded the motion. All members voted in favor.

***c) Discussion***

- ***Storey Avenue Rezoning***

Director Port stated there would not be more discussion tonight. He suggested the board look at the 40R Smart Growth district for what they like and dislike. They are thinking something similar for the Storey Avenue area. He will be looking for feedback.

- ***MBTA Communities***

Director Port stated they would be building off the 40R Smart Growth district. He stated they could satisfy requirements with Storey Ave rezoning.

- ***Business Park***

Director Port stated there has been no progress on consultant selection. There will need to be map changes and use allowance changes.

Rick Taintor told the board if there were places they were aware of that they like, strip malls to mixed use, that they see as a model for Storey Avenue to please share that.

Director Port stated examples and visuals would be great.

***d) Election of Officers***

Rick Taintor stated that Bob Koup would not like to continue as Vice Chair. There will be nominations for Chair, Vice Chair, and secretary.

Alden Clark stated he would be fine to continue as secretary. He nominated Rick Taintor for Chair. Jamie Pennington seconded the nomination. All members voted in favor.

Rick Taintor stated they would circle back at the next meeting on Vice Chair.

Bob Koup nominated Alden Clark for secretary. Jamie Pennington seconded the nomination. All members voted in favor.

*e) Other updates from the Chair or Planning Director*

Director Port stated there would be no meeting on January 3, 2024.

**5. Adjournment**

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

**Motion Approved.**

Meeting adjourned at 8:29 PM

Respectfully submitted – Caitlyn Marshall