



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN R. REARDON

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Ed Cameron, City Council President  
City of Newburyport  
60 Pleasant St.  
Newburyport, MA 01950

February 20, 2024

Dear Councilor Cameron,

I would like to take this opportunity to provide the Council with documentation related to timeline, presentations and information that has been provided to date regarding the property at 59 Low Street. This project has a long history, and much information has been provided through numerous public meetings and working sessions. In order to make all this information easily accessible, it has been compiled into a single document. I have attempted to keep the information succinct and refer to the City website and/or previous meeting minutes and presentations where additional detail, if desired, can be found.

**Timeline**

January 13, 2022: Budget and Finance meeting to review ORDR300\_11\_08\_2021 to purchase 57 Low St. from free cash amended to assign temporary use. ([minutes linked](#))

January 31, 2022: City Council unanimous approval to purchase 57 Low St. for \$220K as amended ([minutes linked](#))

February 11, 2022: Deed recorded. ([deed](#) and [plan of land](#) linked)

February 14, 2022: Property re-numbered from 57 to 59 to avoid confusion with the Armory. Post office, MAGIS and NextGen911 notified.

February, 2022: Project manager identified (MSP Turner), internal meeting with NYS, Planning, DPS and Mayor's office, concept review of site plan with Engineer and MSP ongoing.

March, 2022: Wetlands Scientist Hughes hired to flag wetlands, test pits dug by DPS, site meeting with Conservation Administrator.

March 15, 2022: Conservation Commission meeting to update members about the project and discuss process of RDA. ([minutes linked](#))

March 28, 2022: City Council presentation ([presentation linked](#)) of 'proof plan' showing that components of a new youth center, gym, parking and outdoor space could fit on the site, within the parameters of the current zoning and wetland restrictions. Discussion around need to re-flag wetlands since prior flagging was done in 2019, and is only viable for 3 years. Next steps identified: RDA with Con Com, hire an architect for Schematic Design, revise site plan as additional info becomes available with goal of 2 design options, request zoning change to

include community center use, prepare phased plan with associated costs, simultaneous review of Parks Facility location and Brown School.

March 30, 2022: General Government meeting to determine whether funds from the sale of the Kelley School could be used to pay for design for NYS at 59 Low St. remained in Committee ([minutes linked](#))

March-April, 2022: Requested proposals for Schematic Design and Cost Estimation. Per MGL, because scope below \$50K, three Architects were solicited for quotes: EGA (\$30K) ([proposal linked](#)), StudioMLA (\$32,850) and Douglas Architects (\$45K). Scope included review of historical info from the project site, including reports on environmental contaminants ([linked](#)) and review of program needs of the Department; conceptual design for the renovation of the existing structure at 59 Low St; addition of a modular gym and possible administrative space (max 1000 sf); cost estimation of the above; and a conceptual design alternative scenario that utilizes the gym/locker room/bathroom space at the Brown School both with and without associated administrative space, including associated costs.

April 6, 2022: Joint meeting between Planning Board and City Council to discuss zoning at the Business Park ([minutes linked](#)). Planning Board recommend to the City Council the adoption of the ordinance as amended (ODNC00105\_02\_2022): Amend the Newburyport Zoning Ordinance to address the permitted location of, and requirements for, various uses (especially within the I-1 & I-B Districts), and their associated parking requirements, titles, and descriptions, including but not limited to community center, boat sales/service/storage/rental, marine equipment sales, marine repair services, marine manufacturing, shipbuilding and repair, canvas and canvas products, seafood handling/distribution, marine retail, boat storage, marina and related. Planning & Development Committee voted to recommend to the City Council adoption of the ordinance as amended.

April 20, 2022: General Government meeting to determine whether funds from the sale of the Kelley School could be used to pay for design for NYS at 59 Low St. remained in Committee ([minutes linked](#))

April 28, 2022: Budget & Finance meeting to determine whether funds from the sale of the Kelley School could be used to pay for design for NYS at 59 Low St. Recommended amendment to source funds from free cash. ([minutes linked](#))

May 2, 2022: General Government meeting to determine whether funds from the sale of the Kelley School could be used to pay for design for NYS at 59 Low St. Recommended approval to the full council. ([minutes linked](#))

May 3, 2022: Conservation Commission opening of hearing to discuss RDA, site walk scheduled. ([minutes linked](#))

May 9, 2022: Site walk with the Conservation Commission at 59 Low St. City Council meeting: Motion to divide ODNC00105\_02\_14\_2022 to table the amendment to the ordinance that would include Community Center as an approved use within the I-B District approved. Approval of TRAN00124\_04\_11\_2022 RRFA Sale of Municipal Buildings \$30K to NYS Center Schematic Design. Approval of ORDR00319\_02\_14\_2022 Kelley School Funds Order with amendment to reduce the amount of the funds from \$695,500 to \$595,500 and to add \$100,000 to a Brown School Stabilization Fund ([minutes linked](#))

May 17, 2022: Conservation Commission approval of the RDA for 59 Low St. This action set the wetland line for 3 years and allows a Notice of Intent (NOI) to follow based on the approved wetland line. ([minutes linked](#)) ([RDA linked](#))  
Kickoff meeting with EGA to begin Schematic Design of 59 Low St.

June 28, 2022: Architects and MSP met with Recycling and Energy Manager Ettenborough and Planning Director Port to discuss how City's Net Zero Ordinance impacts the design of 59 Low St. Discussed options for energy efficiency. Determined that geothermal is not an effective solution, but rather to focus on possibilities for solar and/or heat pumps within the system.

June-October, 2022: Schematic Design and Cost Estimation phase.

November 1, 2022: City Council presentation of the Schematic Design: 3 options with associated cost estimates, programming needs, and budget impacts were presented. Option A estimate is \$8,072,153, Option B estimate is \$5,746,851 and Option C estimate is \$2,999,764 or \$4,749,764 with a phased-in gym. ([presentation linked](#))

November 14, 2022: Planning & Development meeting to review COMM00444\_11\_01\_2022 Net Zero Energy Goals for NYS ([minutes linked](#))

January 12, 2023: Budget & Finance meeting to discuss ORDR00388\_11\_01\_2022 NYS Facility Bond Order and COMM00443\_11\_01\_2022 59 Low St FAQ remained in committee. Director Egmont presented NYS needs and numbers, including an overview of services provided, an historical registration numbers, and program needs. ([presentation linked](#)) ([minutes linked](#))

January 30, 2023: City Council meeting motion to refer TRAN00148\_01\_30\_2023 RRFA Sale of Municipal Buildings \$200,000 to NYS Center Design Services (with EGA Design Proposal) to Budget and Finance and COTW. The allocation of funds allowed the City to submit a formal RFQ for Design Services. ([minutes linked](#))

February 2, 2023: Budget & Finance meeting to discuss ORDR00388\_11\_01\_2022 NYS Facility Bond Order and COMM00443\_11\_01\_2022 59 Low St FAQ remained in committee. MSP Turner presented site suitability of 59 Low St, including what criteria were used to select the site for NYS, what other sites were considered, history of environmental cleanups and current A1 rating from DEP, wetland boundary, FEMA flood zone proximity, drainage patterns and approach to stormwater management, parking and traffic. Also discussed TRAN00148\_01\_30\_2023 RRFA Sale of Municipal Buildings \$200,000 to NYS Center Design Services. Recommended to full Council with amendment: the design shall assume a total budget of \$2,000,000. A complete project shall constitute a property that can be accessed safely by users and includes safe crossing across Low St. The Council shall receive a copy of the plans and updated cost estimate as available but no less than at 50% and 75% design. ([minutes linked](#)) ([presentation linked](#))

February 13, 2023: City Council approved, with amendment stricken, TRAN00148\_01\_30\_2023 RRFA Sale of Municipal Buildings \$200,000 to NYS Center Design Services (with EGA Design Proposal) which allowed the City to post an RFQ for design work to advance the Schematic Design through Design Development, Construction Documents, Bidding Assistance and Construction Administration. ([minutes linked](#))

February 16, 2023: Budget & Finance meeting to discuss ORDR00388\_11\_2022 NYS Facility Bond Order and COMM00443\_11\_01\_2022 59 Low St FAQ. Recommend to receive and file

- while costs and funding needs are reviewed further during the design process. Finance Director Manning presented known and potential funding sources, bonding capacity, and potential impact of the project on budget and taxes. ([minutes linked](#)) ([presentation linked](#))
- February 27, 2023: City Council meeting motion to receive and file COMM443\_11\_01 59 Low St FAQ and ORDR00388\_11\_2022 NYS Facility Bond Order approved ([minutes linked](#))
- March 2, 2023: RFQ for Architectural services including Design Development, Cost Estimation, Construction Documentation, Bidding and Construction Administration posted and advertised in compliance with MGL. ([RFQ linked](#))
- March 7, 2023: Pre-bid walk-through of site for bidding Architects.
- March 22, 2023: Bids due for RFQ.
- March 24, 2023: Design Selection Board (DSB) comprised of MSP Turner, NYS Director Egmont, Associate Director of Youth Programs Gordon, Recreation and Enrichment Director Pauline, Assistant Engineer Federico, Zoning Enforcement Officer Blanchet, and COS Levine met to review the qualifications of the applicants and narrowed the number of candidates to 3: EGA, StudioMLA and SHED.
- March 31, 2023: Fee proposals were requested from the 3 finalists.
- April 12, 2023: DSB met to review the fee proposals and selected EGA (\$200,000) for having both the lowest bid and high qualifications ([proposal linked](#)).
- April 13, 2023: Notice of Award submitted.
- May 1, 2023: Contract signed.
- May-December, 2023: Design Development phase. Ongoing meetings with Architectural team. Individual meetings with Recycling and Energy Manager Ettenborough, Building Inspector Earls, Energy Advisory Committee members, IT Director Pope, DPS Director Amaral, MassSave, and Design Review Committee comprised of NYS Director Egmont, Zoning Enforcement Officer Blanchet, COS Levine, Associate Director of Youth Programs Gordon, Recreation and Enrichment Director Pauline, Facilities Manager Bartlett, NCOD Chair Farrell, parent and resident MacDonald, Assistant Engineer Gagnon, ADA Coordinator Morel, parent and contractor Lively to seek input and adjust the design based on feedback obtained.
- October 3, 2023: Community Services initial meeting to discuss ORDR00497 Administrative order for the Establishment of a Recreation and Youth Services Department ([minutes linked](#))
- October 11, 2023: Public hearing to discuss ORDR00497 Administrative order for the Establishment of a Recreation and Youth Services Department ([presentation linked](#))
- October 24, 2023: Community Services meeting to discuss ORDR00497 Administrative order for the Establishment of a Recreation and Youth Services Department. Recommended approval to the full Council. ([minutes linked](#))
- October 30, 2023: City Council meeting to approve ORDR00497 Administrative order for the Establishment of a Recreation and Youth Services Department. Unanimous approval. ([minutes linked](#))
- January 18, 2024: Community presentation to present the Design Development set, answer questions about the design and seek input to adjust the design based on feedback obtained. ([presentation linked](#)) ([3D walkthrough linked](#))

January 29, 2024: City Council meeting to discuss COMM00528\_01\_29\_2024 Design & Cost Estimates Youth & Recreation Center. CC votes to receive and file with a request to resubmit as an order ([minutes linked](#))

February 12, 2024: City Council meeting to discuss ORDR00537\_02\_12\_2024 Youth and Recreation Center Design Approval referred to Community Services and COTW ([minutes linked](#))

### **Additional Information**

#### Site

In November 2021, a Site Selection Committee (SSC) was assembled to review various sites around the City where Youth Services might be located. The Committee identified 12 sites including the Brown School, Colby Farm Lane, Fulton Pit, Cushing Park, Bresnahan, etc. and identified a series of criteria by which the sites would be scored. These criteria included space indoors and out, parking, potential for growth, centralized location, cost, zoning concerns, environmental impact, etc. After a full review, the SSC identified four top choices: Cushing Park, the former Enpro site, Fulton Pit and 59 Low Street. The SSC ranked 59 Low Street among the highest because it would constitute a renovation project vs a new construction project, equating to a lower cost, and it was centrally located immediately across the street from the Nock-Molin Schools. However, the space was currently being used by the former Parks Department, who would need to find an alternative location for operations. ([report linked](#))

The site currently has an A1 rating from the Department of Environmental Protection (DEP) meaning the soil remediation that has occurred at the site has brought it back to 'background levels' that are consistent with sites immediately adjacent to 59 Low St, including the Nock-Molin Schools. The permitted activities that have occurred at the site include removal of an underground tank in 1986, soil remediation around the tank, and installation of a new tank. That second tank was then removed in 1995 and a second round of remediation occurred. In 1992, crushed stone containing PAH's was installed for use as parking at 59 Low Street. Between 1995-1998 a third round of remediation of the combined contaminants occurred. The DEP then designated the site with an A1 rating. ([report linked](#))

The wetlands at 59 Low Street were re-flagged in spring 2022 because the prior flags were 3 years old and were no longer valid for permitting. New flagging by Wetlands Scientist Hughes was completed based on soil samples and presence of vegetation using a scientific method. A Request for Determination of Applicability (RDA) was filed with the Conservation Commission, and a Negative RDA was issued, approving the wetland boundaries as delineated, after a site walk and public meeting. This Determination is valid for three years, during which time any project proposed on the site may utilize the approved delineation. ([RDA linked](#))

In October 2021, as part of a Phase II ESA conducted by Credere Associates, LLC, eight soil borings were drilled during the environmental assessment on the easterly end of the site between the building and Low St. These borings were drilled to refusal on bedrock which ranged from 10-14.5' below ground surface. One boring was terminated at 15' below surface and consisted of no refusal. Samples were consistently wet around 5' below surface and consisted of sand with bands of clay and some silt and fine gravel. ([presentation linked](#)) To supplement these findings, the City dug two test pits in March of 2022: one approximately 10' off the west side of the existing building and the other to the south of the property just beyond the paved area. Soils were consistent with the prior report: a clay layer was uncovered approximately 2' below surface. Therefore, due to the presence of clay soil and groundwater elevation, a surface treatment detention pond was recommended for stormwater management to treat

the water before discharge into wetlands. Runoff was modeled using HydroCAD software to determine an appropriate size for said detention pond which is shown on the Schematic and Design Development site plans.

The FEMA 100-year flood zone plus 6' SLR does not come near to this site. The nearest floodplain is at a stream along Parker street at flood elevation 10, 88NAVD. The elevation of the 59 Low Street lot is typically above 20, meaning there is no floodplain risk. There is currently no existing stormwater management on this site. Stormwater management is included with the current site design, which will mitigate any localized stormwater based flooding which generally would occur behind the existing fence away from the building.

#### Traffic and Pedestrian Safety

The current site plan shows 23 parking spaces, which satisfies the current zoning of 1 space per 500 sf of GFA. Two of the 23 spaces are designated as handicapped accessible, in close proximity and accessible to the front door, with a designated loading area.

Since most attendees of the Recreation Center are children, a decision was made during the Schematic Design phase to accommodate two curb cuts at the property, with a one-way vehicular circulation pattern that would allow parents to drop off children and exit back onto Low St. Morning programs are currently limited to 12 families, and would be easily accommodated by the 23 parking spaces. After school programs primarily consist of children walking or biking to the facility (no parking needed for these attendees), and parent pickup, which would be staggered, would be accommodated by the driveway loop. After hours events, if drawing more than 23 vehicles, could utilize shared parking with the Nock-Molin School parking lot across the street.

The current cost estimate for sidewalk and safe pedestrian crossing at 59 Low St is \$243,000. This includes design and construction of an accessible sidewalk to access the facility from the Nock-Molin School across the street, as well as some drainage work. The sidewalk would run across the frontage of 59 Low St to the front door of the facility. The estimate also includes installation of an overhead mast arm mounted Rapid Flashing Beacon (RFB) at a designated crosswalk across Low Street between the facility and the Nock-Molin School.

#### Energy Efficiency and Net Zero

In late 2021, the City of Newburyport adopted ODNC 00111\_05\_09\_2022 to define its Net Zero Energy Goals as they relate to Municipal Facility Design. While the Ordinance does not explicitly require new or renovated facilities to meet an absolute net zero threshold on usage, it does require that any gap in on-site generation be pulled from the electric grid. It also requires generation of a report quantifying the gap between on-site generation and usage. The report must be submitted and reviewed by the Mayor and Council in relation to funding for, and construction of, the project. The ordinance also requires that the City's municipal facilities consume the minimum amount of energy and results in minimal emissions of greenhouse gasses associated with such energy usage.

As such, the following elements are included in the design of this project in order to reduce energy usage and reduce greenhouse gas emissions:

- Triple pane windows;
- Fixed windows to reduce air infiltration;
- Minimal exterior openings to reduce air infiltration;

- Spray foam insulation throughout to minimize air infiltration through walls and roof;
- Additional exterior insulation to exterior walls and roof at new addition and gym;
- Under slab insulation at new addition and gym;
- No natural gas;
- All electric mechanical systems including high efficiency electric heat pumps;
- Heat recovery ventilation system to recapture heat from ventilation air;
- Occupancy sensors on lighting;
- Heat pump domestic hot water heater;
- Insulated domestic water piping;
- Variable frequency drives on motors to reduce energy consumption;
- Building prepped for future installation of solar panels; and
- All LED lighting.

The City is currently working with MassSave, through its Commercial New Construction & Major Renovation Program, to take advantage of both technical assistance and financial incentives through its Path 3: High Performance Buildings category. The City has received technical assistance review of our Design Development documents in order to help identify energy and electrification opportunities, create an energy savings report and customize incentives. Their suggestions have been incorporated into the design. Custom incentives may include partial reimbursements on electricity usage as well as funding for heat pumps. Incentives will be pre-approved during the 100% Construction Documentation phase, when the City will be able to apply for commitment.

#### Program Needs

Newburyport Recreation and Youth Services currently provides recreation and enrichment programs for children and families; hosts community events; provides Youth Center memberships, programs, trips and clubs for middle school and high school students; and provides supports for positive youth development, social work and substance abuse prevention through community and regional partnerships. In order to provide these services, the Department requires space for children and families to congregate as well as for their administrative staff to operate. Since the closing of the Brown School in 2021, the Department has utilized multiple satellite spaces to continue to function, which has created adverse impacts on the services the Department has been able to provide.

During 2022, the Department accommodated 5,137 activity registrations, 207 membership registrations and ran 531 activities. These registrations were overwhelmingly from residents of Newburyport, which make up just under 90% of users. There are currently 145 active memberships to the Youth Center. In 2022, the Department generated \$655,750 in revenue from registration and activity fees.

During a typical day, the Department has a need for classroom space, gym space, and administrative office space. The needs are spread across morning hours (play groups, early literacy, art and music classes, open gym, movement, etc.) for toddlers; afternoon hours (clubs, Youth Council, enrichment classes, pickup sports, club sports, private rentals, etc.) for middle and high schoolers; and evening hours (certificate courses, community meetings, NBBA/NGBA rentals, men's basketball, parent speaker series, community events, etc.) for students and adults, during all times of the year.

#### Design

This project includes renovation of the existing former Emergency Management building at 59 Low Street, plus the addition of a 1-story lobby/toilet/reception area and modular gym. The total square

footage of the new facility is 11,166 sf broken into 5,920 sf existing building, 1,181 sf lobby addition, and 4,065 sf modular gym. In addition, the project will utilize existing attic space to create 1,440 sf of storage and mechanicals which will be accessed from a stairway near the administrative offices.

The structure will be fully sprinkled and contain a fire alarm system. There are 5 women’s toilets (1 ADA) and 4 men’s toilets (1 ADA and 1 urinal), plus one gender-neutral, family restroom with a changing station. There are sinks located in the restrooms, Early Ed space as well as the Art Room, which has separate sinks for food prep and art activities. The Art Room also contains a range and countertop space. There is a water bottle refill station in the Lobby. There are 5 offices to accommodate all staff, with flexibility to utilize the Quiet Study as a cross-over conference room. Storage will be provided at the Gym, Early Ed, Art Room and Teen Hangout, with additional storage available in the attic. In addition, there will be cubbies for student use in the corridor to the Teen Hangout and within the Early Ed space. The Teen Hangout will also contain a pull-down screen for presentations and movies, as well as a game area and ample, movable seating. All areas are fully accessible with appropriate fixtures and highly flexible to accommodate a variety of programs and uses. The occupancy of the facility is 532, including 252 within the gym.

The program spaces within the building consist of the following:

- Enclosed Entry Vestibule:..... 129 sf
- Lobby including snack area:..... 551 sf
- Reception/Concession desk:..... 72 sf
- Toilets including family/staff toilet:..... 599 sf
- Early Ed space:..... 688 sf
- Corridors and Stair to upper storage/mechanicals:..... 598 sf
- Offices:..... 487 sf
- Multi-purpose Room:..... 272 sf
- Art Room:..... 835 sf
- Quiet Study:..... 399 sf
- Teen Hangout:..... 1,702 sf
- Gym:..... 4,065 sf

The outdoor area will include a separate, fully fenced-in play space for the Early Ed users along the north of the property, with access from the Early Ed space. It will also include a half-sport court and patio, as well as an open lawn area.

Budget

Several design decisions were made with an eye to reducing costs for this project. These include the following:

- Maximizing the use of the existing building, including adding a partial second level for storage and mechanical systems;
- Minimizing modifications to the existing exterior façade and re-using as many existing window locations and door openings as possible;
- Minimizing trenching of the existing slab: this is why public toilets were installed in a new addition;
- Re-using existing CMU walls in the building to minimize demolition costs;
- Minimizing the footprint of new additions;
- Minimizing corridors to maximize available space;



- Designing spaces so they are flexible and can be used for multiple purposes;
- Using simple, geometric forms and gypsum wall board with paint;
- Installing electrical service and domestic hot water at the front of the building to minimize service piping and wiring; and
- Using modular construction for the gym to minimize on-site construction costs: this is a highly efficient system for spaces with large spans such as a gym.

Per their contract, EGA subcontracted PM&C cost estimators to provide pricing for their Design Development Set. The estimates came in at \$6.9M, which the Architects felt was conservatively high. EGA then asked for a second opinion from a contractor who had experience with these types of projects, in order to provide their client (the City) with additional information. The second estimate came in at \$6.2M. This was not issued as an IFB, meaning the project will still require a formal IFB once Construction Documents are completed. Design Development sets are a mid-set of a design, meaning there are still refinements that are made before the Construction Document phase begins.

The project's primary funding would come from a General Fund borrowing authorized by M.G.L. c. 44, §7(1), repaid annually with interest over a term not exceeding 30 years. Estimated annual debt service on a \$6.0 million bond would be \$345,000 per year based on a AAA rating and 4.0% interest rate. Debt service would be funded within the existing levy limit and incorporated into the annual budget for the City following the issuance of bonds and/or notes. Additionally, there is a remaining balance of \$393,500 from the 2016 sale of the former Kelley School, available for appropriation to the project, along with \$25,000 earmarked in the FY2024 state budget for furnishings and equipment at the proposed facility. Other potential funding sources include grants, private donations, facility fees, funds from the American Rescue Plan, adoption of new or increased local option taxes, and funds received from opioid settlement agreements.

Carrying Costs and Maintenance:

Based on the usage per square foot at the Senior/Community Center (\$1.68/sf per year for 15.5K sf), the proposed Rec Facility (+/-11K sf) would cost approximately \$18K/year for heating, cooling and electricity. The building size and parking area of this new project are roughly equivalent to the portions of the Brown School that were utilized for NYS. As such, it is reasonable to assume the current manpower at DPS could handle this new project under their current staffing capacities.

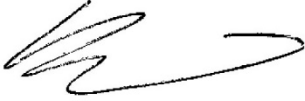
Moving Parks Division to Perry Way

The Parks Division will move to Perry Way, where an office space for the Parks Manager, a staff breakroom and locker room, and a heated workshop already exists. A new exterior work storage area will need to be constructed to protect existing parks equipment that is currently housed at 59 Low Street. The costs to create the additional storage space will be as follows:

1. 2 40' storage containers with easy access doors:	\$25,000
2. 1-40' standard storage container	\$ 9,000
3. Storage container roof	\$50,000
4. Electrical hookups	\$ 8,500
5. Site work	\$ 4,500
6. 10% contingency	\$ 9,700
TOTAL	\$ 106,700

We look forward to continuing this conversation with the Council and the Community at the next Community Services meeting on March 4. In the meantime, please do not hesitate to contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kim Turner', with a stylized, cursive script.

Kim Turner, Manager of Special Projects