



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
DONNA D. HOLADAY, MAYOR

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June 8<sup>th</sup>, 2015

**William E. Reyelt, Principal Planner  
Smart Growth Programs  
Commonwealth of Massachusetts  
Department of Housing & Community Development  
100 Cambridge Street, Suite 300  
Boston, MA 02114**

**Re: Newburyport 40R Smart Growth District  
Application for Preliminary Determination of Eligibility**

Dear Mr. Reyelt:

On behalf of the City of Newburyport I am pleased to submit the enclosed Application for Preliminary Determination of Eligibility from the Department of Housing and Community Development (DHCD) for the adoption of a new Smart Growth District pursuant to M.G.L. Chapter 40R (Smart Growth Zoning and Housing Production) and in accordance with 760 CMR 59 (Smart Growth Zoning Overlay District). The enclosed binder contains all materials required by DHCD in the review of applications for eligibility.

**Consistency with State Policies & Priorities**

We are confident that you will find the proposed 40R District to be consistent with the Department's and Commonwealth's stated goals regarding sustainable development patterns, transit oriented development and the production of much-needed affordable housing. This 40R District is consistent with established state priorities for targeted growth and development.

Downtown Newburyport (just one mile from the proposed District) is a State and Regionally Designated "Priority Development Area." The designated 40R District is located within a Regionally Designated "Priority Development Area."

Indeed the proposed 40R District will further the Commonwealth's "Sustainable Development Principles" including:

- Concentrate Development and Mix Uses (*with this rezoning, new infill within the City will be targeted around the Newburyport MBTA Commuter Rail Station, thereby reducing the pressures associated with inappropriate development and infill elsewhere in the City*)
- Make Efficient Decisions (*through clear and predictable permitting processes*)
- Protect Land and Ecosystems/Conserve Natural Resources (*concentrate new development as infill and redevelopment of previously developed sites*)
- Expand Housing Opportunities (*by requiring at least 20% of new units to be affordable – our Ordinance requires 25% for all projects over 10 units in size*)
- Provide Transportation Choice (*by locating new residential and mixed use development near transit stations, bike trails and similar non-vehicular transportation modes*)
- Increase Job and Business Opportunities (*by providing housing and mixed-use which will support the adjacent Newburyport Business & Industry Park*)

### **Affordable Housing Production**

In 2013 the Newburyport City Council and Planning Board adopted Newburyport's Housing Production Plan (included with this submission) as a guidance document for implementation of affordable housing initiatives in future years. Adoption of the proposed 40R Smart Growth District is one of the primary recommendations of the plan, and is expected to be the single largest contribution to the City's Subsidized Housing Inventory (SHI). Our Office of Planning & Development estimates that a full buildout of the proposed District would result in approximately 540 new units. With the City's proposed 25% affordability requirement this would result in an additional 135 new units of affordable housing qualifying for the City's Subsidized Housing Inventory (SHI).

## **Anticipated Buildout & Infrastructure Capacity**

The Newburyport Office of Planning & Development has estimated the proposed 40R District located around the MBTA Commuter Rail Station and Route 1 Traffic Circle would result in approximately 540 new rental apartments or condos ("Future Zoned Units") at full buildout, assuming all parcels of land within the District are developed in accordance with the proposed zoning. Included with our application is a letter from the Newburyport Department of Public Services (DPS) certifying, pursuant to 760 CMR 59.03(1)(i), that the "impacts of the build-out of Future Zoned Units within the District will not overburden Infrastructure ... as it exists or may be practicably upgraded to provide adequate accommodation of the demands of the District's existing and future residents and uses."

Although the Water Treatment Plant (WTP) and Wastewater Treatment Plant (WWTP) both have adequate capacity to service additional growth and development within the proposed 40R District, a new Graf Road Sewer Pump Station will be needed to accommodate the increased flows generated by residents (measured by bedrooms) at full buildout. The Pump Station is near full capacity at this time and design for a new Station is getting underway now. Currently we have enough capacity within the Pump Station to service wastewater flows from the initial "One Boston Way" 40R development proposed by MINCO Corporation on MBTA land. This project, proposed adjacent to the Newburyport MBTA Commuter Rail Station is depicted in a conceptual rendering on the cover of our application.

The existing Pump Station will allow the initial "One Boston Way" project (approximately 80 units) to proceed within the first year of 40R adoption and be occupied as soon as construction is complete. If any additional projects are submitted for permitting during the next two years we will impose a requirement that no connections can be made to the City's sewer system until such time as the Graf Road Sewer Pump Station replacement is complete. We anticipate that design for the new Station will take approximately 12 months and that construction will take another 12 months. With this schedule we anticipate that construction of the new Graf Road Sewer Pump Station will be complete and online within two and a half (2.5) years of the adoption of Newburyport's 40R District.

As full permitting and construction work related to additional 40R developments are expected to take 1-2 years to complete, we believe the additional connections will be available by the time such projects are ready to be occupied (requiring a connection to the City's sewer collection system).

Please accept this letter and the enclosed letter from DPS as a commitment to complete the Graf Road Sewer Pump Station replacement as a "Planned Infrastructure Upgrade" as required by 760 CMR 59.03(1)(i), pending the appropriation of construction funding by the Newburyport City Council once design is complete. As such we respectfully request that DHCD grant the City a Letter of Conditional Approval for compliance with 760 CMR 59.03(1)(i) and pursuant to 760 CMR 59.05(4). It is our understanding that this Letter of Conditional Approval will be superseded by a Letter of Approval (and associated Zoning Incentive Payment) upon completion of the above-referenced infrastructure improvements.

### **Additional Tax Revenues**

A financial analysis provided by the Newburyport Finance Director and Office of Planning & Development indicates that even at full buildout the proposed 40R District will result in a net increase in revenues to the City, even taking into account the potential for new school age children from the District's new housing units. A copy of this financial analysis is included with our submission. In addition, the proposed zoning, permitting processes and upgrades to the City's Graf Road Sewer Pump Station (required regardless of the 40R District) will support new private investment and regional interest in the City of Newburyport for decades to come.

### **Conclusion**

Thank you again for your support and review of Newburyport's proposed Smart Growth District. We appreciate your timely review of the enclosed submission so that we may move forward with the final adoption process. If you have any further questions or require additional information, please contact our Director of Planning & Development, Andrew R. Port, at (978) 465-4400 or via email at [aport@cityofnewburyport.com](mailto:aport@cityofnewburyport.com).

Sincerely,



Donna D. Holaday  
**MAYOR, CITY OF NEWBURYPORT**

CC: Newburyport City Council  
Newburyport Planning Board  
Newburyport Affordable Housing Trust