

Newburyport Waterfront Trust
March 18, 2013
Police Station Conference Room
Minutes

1. Call to Order

A meeting of the Newburyport Waterfront Trust was called to order by Chair Doug Locy at 7:00 p.m. Mr. Locy introduced new Trustee Si Morrill and read the mission statement.

2. Roll Call

In attendance were members Doug Locy, Catherine Russell, Joe Brown, Josiah Morrill and Scott Sutherland.

3. Minutes

Joe Brown moved to approve the minutes of the January 7 and January 17 meetings as submitted. Scott Sutherland seconded the motion. The motion was unanimously approved.

4. Park Use Applications

Fuel Training Group

The Fuel Training Group submitted an application to renew its use of the picnic tables at the end of the boardwalk for warm up and cool down sessions between April and November. Catherine Russell stated her reasons for objecting to the application as submitted. She said she supports the occasional use of the park by for-profit groups, which has been successful with Roots to Wings Yoga, Rasamaya Yoga and Great Bay Tai Chi. She said allowing the use of the Park by a for-profit group for seven hours per week would set a precedent. She also said FUEL uses the park at a greater frequency than is stated on the application and the group has been observed conducting private and semi-private sessions. She recommended that the group be allowed to use the stage, not the walkways, for one session per week at an early hour between April and the time at which the lawn is seeded. The representatives of FUEL said that they have been respectful of pedestrians and have been conscientious about following the Trust's rules. Joe Brown said he thinks the use of the park by the group seven times per week for 32 weeks is too much. The park is to be used for passive recreation. He said he has seen 18-20 people blocking the end of the boardwalk during the warm-up period, which extends for 15 minutes rather than the five minutes stated on the application. He added that \$250 in compensation does not comply with the Trust's use policy.

Scott Sutherland moved to accept the FUEL application as written for the month of April in order to give the group the opportunity to set its program for that month and to give the Park Committee the chance to meet with the group and prepare recommendations on the application for discussion at the April meeting. Joe Brown seconded the motion. The motion was unanimously approved.

Pan Mass Challenge Event

Lola Pelletier said Team Paul and Eve would be participating in the Pan-Mass Challenge in August to raise money for the Jimmy Fund. The team would like to host a spinathon on June 1 from 9:00 a.m. to 3:00 p.m. in order to gain exposure and contributions.

Twenty-six bikes and a tent would be placed on the stage or in front of it for the event, which the team is proposing be an annual one. All of the proceeds would be donated to the Jimmy Fund. Catherine Russell said that while the event is a worthy one, she would not want to commit to it being allowed annually. Joe Brown said that tents are prohibited due to conflicts between stakes and the irrigation system, but might be permitted if coordinated with Charlie Nichols.

Scott Sutherland moved to approve the application, the \$300 fee and the use of the tent provided it is installed with the guidance of Charlie Nichols. Si Morrill seconded the motion. The motion was unanimously approved.

5. Discussion on Bradford Pear Trees

Bob Uhlig of the Parks Commission said he has concerns about the Bradford pear trees located along Merrimac Street in front of the Firehouse, as the species is weak wooded. Joe Brown said the Trustees should discuss the expenditure of Trust funds on property not owned by the Trust at the next meeting. He also said some trees in the park must be replaced and he would like advice on appropriate species that might be planted.

Scott Sutherland recommended that the Park Committee work with Mr. Uhlig to develop proposals that would be discussed at a future meeting.

6. Election of Officers

Doug Locy said in his opinion the Trustees should set term limits and the co-chair position should be changed to chair and vice chair.

Scott Sutherland nominated Doug Locy as the chair. Joe Brown seconded the motion. The motion was unanimously approved.

Doug Locy nominated Catherine Russell as the vice chair, Scott Sutherland as secretary and Joe Brown as treasurer. Si Morrill seconded the motion. The motion was unanimously approved.

Doug Locy pointed out that under the bylaws the vice chair is responsible for coordinating the sculpture park, the Firehouse lease and the parking agreement.

7. Committee Appointments

Joe Brown and Scott Sutherland were appointed to the Waterfront Committee. Si Morrill and Catherine Russell were appointed to the Park Committee.

8. Riverside Park Parking Agreement

Scott Sutherland updated the parking agreement with the City. Joe Brown made suggestions on how the signage might be modified. He would like the “keep right” sign at the entrance of the park to be replaced with yellow arrows indicating traffic enters on

the right and exits on the left, as had been originally planned. In addition one “pay at kiosk” sign is different from the others in the park and should be removed. Signage might also be needed to avoid confusion about parking near the Black Cow. Doug Locy will speak with Richard Jones about the signage issues. Scott Sutherland moved to approve the parking agreement with the City according to Exhibit A. Doug Locy seconded the motion. The motion was unanimously approved.

9. Brown’s Wharf Parking Agreement

Joe Brown said the agreement that existed prior to the City’s involvement with parking indicated the spaces were to be used by patrons of Brown’s Wharf during business hours and would be available to others after hours. He said is not familiar with form of the agreement now being presented and he is willing to research the matter. He also said the Trustees voted at the September 13, 2010 meeting that the agreement for \$450 per space for the period between June 1, 2010 to December 1, 2010 was to be the last agreement for Brown’s Wharf parking. He said other parties were interested in leasing spaces and the primary purpose of the parking is to provide access to the park and waterfront. Scott Sutherland said he shares the concerned about allocating parking spaces to businesses.

Doug Locy moved to approve the parking permit as written. Scott Sutherland seconded the motion for discussion. Joe Brown said he would not vote for any dedicated spaces. Si Morrill said the Trust should not be in the position of offering parking to one business at the exclusion of others. Doug Locy said an objective of the Trust has long been to return Riverside Park to a park. No Trustee voted in favor of the motion and it did not pass.

Joe Brown moved that the use of the parking spaces be terminated as of April 1 and the related signage be removed. Scott Sutherland seconded the motion. The motion was unanimously approved.

10. Annual Report to the Mayor

Doug Locy said he incorporated comments from the Trustees into the draft report to the Mayor. Joe Brown said he had suggested a change to the section on the sources of revenue that was not made. He submitted a revision of the first paragraph in this section. Doug Locy said he agreed the paragraph could be strengthened but he was not in favor of accepting Mr. Brown’s revision. The discussion was tabled until the April 1 meeting.

11. Meeting Time Extension

Doug Locy moved that the remainder of the agenda items, with exception of the discussion on the plans for the Merrimac Ale House, be deferred to the April meeting and to extend the meeting for no more than one half hour. Scott Sutherland seconded at the motion. The motion was unanimously approved.

12. Merrimac Ale House

Joe Leone distributed copies of the plan for the Merrimac Ale House that was submitted to the ZBA, along with a cost estimate for the portion of the project this is planned for Trust property. In the revised plan the redesign of the parking area and creation of a walkway would increase the number of parking spaces by two. The Trustees discussed

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the configuration of the parking spaces and the island. Mr. Leone said Chapter 91 requirements would be satisfied by the walkway of the west side of the property and the walkway on the Trust land is a public benefit. Andy Port said the restaurant would enliven this corner of the street. Scott Sutherland said he thinks the changes would improve the park. Mr. Leone requested that the Trust provide a letter of agreement in principle. Doug Locy will draft the letter for discussion at the April meeting.

13. Adjournment

Scott Sutherland moved to adjourn the meeting at 9:40 p.m. Si Morrill seconded the motion. The motion was unanimously approved.