

**City of Newburyport  
Zoning Board of Appeals  
November 28, 2017  
Council Chambers**

The meeting was called to order at 7:15 P.M.  
A quorum was present.

**1. Roll Call**

**In Attendance:**

Ed Ramsdell (Chair)  
Robert Ciampitti (Vice-Chair)  
Renee Bourdeau  
Maureen Pomeroy  
Christopher Zaremba (Associate Member)

**Absent:**

Richard Goulet (Secretary)

**2. Business Meeting**

**a) Approval of Minutes**

**Minutes of the 11/14/17 meeting**

Ms. Bourdeau made a motion to approve the minutes and Ms. Pomeroy seconded the motion.

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell – approve  
Robert Ciampitti – approve  
Richard Goulet – absent  
Renee Bourdeau – approve  
Maureen Pomeroy – approve  
Christopher Zaremba – approve

**b) Request for Minor Modification – 2 Storey Avenue (2014-079 and 2014-080)**

Craig Douglas, architect, represented the applicant. At the last meeting the Board had a few issues with the request;

1. Landscape/Plantings: Planting beds were not specific and grass areas were to be artificial turf and gravel. The applicants have taken artificial turf out completely and replaced with grass. Plantings were shown on new plans/renderings with lower maintenance species identified. The applicants propose to remove planting beds and concrete sidewalks around the building with pavers for both aesthetics and drainage.
2. Area lights in the parking lot; the applicants propose two warm area lights with slightly angled heads atop 20' poles. A photo metrics study was presented, showing the average lumens on the property at 2.81 lumens. The applicants noted that 2.4 lumens is considered medium and 3.6

lumens is considered high. The light would decrease as it moves toward the neighborhood. The intention is pedestrian safety without washing out the neighborhood.

3. Gate; The applicants propose a gate on the backside of building the building, which is an alley. This would be approximately 7' high to match the height of the neighbor's fence and would provide security.
4. Awnings; A change from canvas to metal awnings was previously proposed, but they now intend to keep the canvas as were approved.

Chair Ramsdell questioned the 20' height for the lighting. Mr. Douglas explained that the lights are that high to angle steeply down and not cause glare or excess light toward neighbors.

Ms. Bourdeau asked if there were parking lot lights previously. Mr. Douglas explained that there were flood lights off the building that directed toward Harnch's way and neighbors.

*Linda Lambert, 58 Merrimac Street*

Ms. Lambert noted her support for the changes and commented on the new building being much nicer.

*Stephanie Niketic, 93 High Street*

Ms. Niketic was concerned with concerned abutters at a previous meeting not being present tonight.

Chair Ramsdell commented that it seemed their big concern was sound and light directed at neighbors.

Mr. Zaremba asked what the fencing materials would be used. The fence would be painted, non-corrosive metal.

Mr. Ciampitti commended the applicant, but wanted to hear more about the light posts and height, as it is an intensive commercial zone. Mr. Douglas noted that the poles would black and would not stand out. They could be lower, but to reach the edge of the property, there would be more potential glare off the property.

Mr. Ramsdell noted the older lights had much more glare.

Ms. Bourdeau clarified the lights parking lot lights would be off at night. The owners replied that lights would go out around 11pm when employees have left.

**Motion to approve minor modifications for 2 Storey Avenue made by Mr. Ciampitti, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell – approve

Robert Ciampitti – approve

Richard Goulet – absent

Renee Bourdeau – approve

Maureen Pomeroy – approve

Christopher Zaremba – approve

**3. Public Hearings**

**2017      054****Address: 92R Merrimac Street****Dimensional Variance***Construct a multi-family building requiring variances for lot area, open space, height, and front- and rear-yard setbacks*

This hearing was continued from the 11/14/17 meeting.

Scott Cameron, Morin-Cameron Group, 66 Elm Street Danvers presented on behalf of MINCO Corporation.

The applicants initially presented architectural plans and had some discussion with the Board. Since that time, they applicants have been meeting with the Planning Board on site plan review. They will be before Planning Board again next week. They have also had meetings with City staff and outside entities on allocation and use of open space on this project. Plans for the open space are not yet set in stone, but were presented to the Board, showing the space at the edge of the property presenting to the rail trail and would function as a safe harbor to rest and seek shade/shelter. Part of the proposed structure would extend over the open space for shade. Essex Heritage may also be interested in placing an informational kiosk here. Mr. Cameron noted that the applicants have eliminated the need for a height variance, but taking the building down a few feet. The applicants have also been looking at the difference between Waterfront West Overlay District (WWOD) versus Waterfront Mixed Use (WMU) and which is appropriate to apply to the proposed project. The applicants note that five points of relief would be sought for WWOD compare to eight points of relief for the WMU.

Chair Ramsdell explained that until Planning Board finishes and provides comments to ZBA, it is not worth going into too much this evening as things could change. He noted that variances have become quite difficult to attain in the City and the requests need to be well founded.

Ms. Pomeroy commented that the application is not complete, and they Board could not focus on things out of context and without comments from the Planning Board.

*Linda Lambert, 58 Merrimac Street*

*Ms. Lambert was against the project. Her concerns included; setting a precedent for development on the waterfront, density, height, and open space. She commented that we should not change zoning to fit the project; they should change the project to fit the zoning.*

**Motion to continue application 2017-054 to 01/23/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– approve

Robert Ciampitti – approve

Richard Goulet – absent

Renee Bourdeau – approve

Maureen Pomeroy – approve

Christopher Zaremba – non-voting

**2017      066****Address: 10 Ashland Street****Special Permit for Non-conformities**

*Modify pre-existing non-conforming structure for a two-family*

**2017      067**

**Address: 10 Ashland Street**

**Special Permit**

*Allow a two-family use (#102)*

The applicant requested a continuance.

**Motion to continue applications 2017-066 and 2017-067 to 12/12/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– approve

Robert Ciampitti – approve

Richard Goulet – absent

Renee Bourdeau – approve

Maureen Pomeroy – approve

Christopher Zaremba – approve

**2017      082**

**Address: 14-16 Charles Street**

**Special Permit for Non-conformities**

*Construction of an addition in excess of 500 s.f. to a two-family home on a lot with pre-existing non-conforming lot frontage and area*

The applicant requested a continuance.

**Motion to continue application 2017-082 to 12/12/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– approve

Robert Ciampitti – approve

Richard Goulet – absent

Renee Bourdeau – approve

Maureen Pomeroy – approve

Christopher Zaremba – approve

**2017      084**

**Address: 34-36 Hancock Street**

**Special Permit for Non-conformities**

*Modify pre-existing non-conforming use by changing the lot size and dimensions*

The applicant requested a continuance.

**Motion to continue application 2017-084 to 12/12/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– approve  
Robert Ciampitti – approve  
Richard Goulet – approve  
Renee Bourdeau – approve  
Maureen Pomeroy – approve  
Christopher Zaremba – approve

**2017      085**

**Address: 12 Purchase Street**

**Special Permit for Non-conformities**

*Construct an addition resulting in an extension of a pre-existing non-conforming side setback*

The applicant was not present. The Board decided to continue the hearing.

**Motion to continue application 2017-085 to 01/09/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– approve  
Robert Ciampitti – approve  
Richard Goulet – absent  
Renee Bourdeau – approve  
Maureen Pomeroy – approve  
Christopher Zaremba – approve

**2017      088**

**Address: 32 Union Street**

**Dimensional Variance**

*Split lot requiring variances for frontage and lot width*

The applicant requested a continuance.

**Motion to continue application 2017-088 to 12/12/17 made by Ms. Bourdeau, seconded by Ms. Pomeroy.**

The motion passed unanimously.

**Votes Cast:**

Ed Ramsdell– approve  
Robert Ciampitti – approve  
Richard Goulet – absent  
Renee Bourdeau – approve  
Maureen Pomeroy – approve  
Christopher Zaremba – approve

**The meeting adjourned at 8:01pm**

**Respectfully submitted, Katie Mahan - Note Taker**