

November 17<sup>th</sup>, 2021

**From:**

Sharif I. Zeid, Chair Budget and Finance

**To:**

Council President Jared J. Eigerman  
Councillor Heather L. Shand  
Councillor Christine E. Wallace  
Councillor James J. McCauley  
Councillor Byron J. Lane  
Councillor Afroz K. Khan  
Councillor Charles F. Tontar  
Councillor Bruce L. Vogel  
Councillor Joseph H. Devlin  
Councillor Barry N. Connell

Mayor Donna D. Holaday  
Director of Newburyport Youth Services Andrea Egmont  
Director of the Department of Public Services Anthony J. Furnari  
Director of the Parks Department Lise Reid  
Superintendent of the Newburyport Public Schools Sean Gallagher

Planning Director Andrew R. Port  
Conservation Administrator Julia Godtfredsen  
City Engineer Jon-Eric White  
City Solicitor Jonathan D. Eichman

All,

We are considering the 57 Low Street property anew. In the interest of transparency and process, I am writing to you in regards to this and to inform you of an upcoming meeting and other information. This letter is not intended as or for deliberation. It is informational only.

In 2019 a feasibility study was funded for a potential use by Newburyport Youth Services at 57 Low St. You can view the transfer that funded the feasibility study here:

[https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/agendas/city\\_council\\_packet\\_04\\_08\\_2019\\_final\\_part1version2.pdf#page=16](https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/agendas/city_council_packet_04_08_2019_final_part1version2.pdf#page=16)

(See page 16 of the PDF)

Here you can see a memo relative to the history leading up to that study:

[https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/agendas/city\\_council\\_packet\\_08-19-2019\\_final\\_part1.pdf#page=28](https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/agendas/city_council_packet_08-19-2019_final_part1.pdf#page=28)

(See page 28 of the PDF)

In September 2019, DCAMM filed a Project Notification Form (PNF) with the Massachusetts Historical Commission describing a project to transfer 2.17 acres to Newburyport for use by the Youth Services Department. A link to this could not be found to provide but I can email you the document on demand.

In January 2020, DCAMM held a public hearing at City Hall regarding the proposed land transaction. As part of the transfer, DCAMM has asked the city to sign an agreement regarding MEPA compliance. The proposed MEPA Agreement can be seen here:

[https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/uploads/mepa\\_agreement\\_-\\_newburyport\\_armory\\_garage\\_building.pdf](https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/uploads/mepa_agreement_-_newburyport_armory_garage_building.pdf)

In March 2020, the Council heard and approved TRAN069\_03\_09\_2020 when Emergency management was moved out of 57 Low St. That transfer order can be seen here:

[https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/agendas/03-09-2020\\_council\\_packet\\_-\\_part\\_1\\_-\\_final.pdf#page=11](https://www.cityofnewburyport.com/sites/g/files/vyhliif7106/f/agendas/03-09-2020_council_packet_-_part_1_-_final.pdf#page=11)

(See page 11 of the PDF)

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In November of 2020, the results of the NYS/57 Low St. feasibility study were presented. You can view the feasibility study result here:

<https://www.cityofnewburyport.com/planning-development/newburyport-youth-services-nys-feasibility-study>

In the previous iteration of this conversation on 57 Low St., information had been provided to the Council. That information, or at least the bulk of it, can be found here:

<https://www.cityofnewburyport.com/planning-development/pages/57-low-street-property>.

There were also a number of meetings that were held relevant to this issue:

January 21, 2021 – Committee Meeting - <https://www.cityofnewburyport.com/city-council/events/292091>

January 28, 2021 – Committee Meeting - <https://www.cityofnewburyport.com/city-council/events/292376>

February 4<sup>th</sup>, 2021 – Committee Meeting - <https://www.cityofnewburyport.com/city-council/events/292736>

February 11<sup>th</sup>, 2021 – Committee Meeting - <https://www.cityofnewburyport.com/city-council/events/292961>

February 22<sup>nd</sup>, 2021 – City Council Meeting - <https://www.cityofnewburyport.com/city-council/events/291716>

February 25<sup>th</sup>, 2021 – City Council Meeting/Vote - <https://www.cityofnewburyport.com/city-council/events/293316>

I also include the two proposals that were taken up at that time:

ORDR\_214: [https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/events/city\\_council\\_packet\\_02-25-2021\\_0.pdf#page=4](https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/events/city_council_packet_02-25-2021_0.pdf#page=4)  
(See page 4 of the PDF, rejected 5-6)

ORDR\_229: [https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/events/city\\_council\\_packet\\_pt.2\\_02\\_22\\_2021.pdf#page=4](https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/events/city_council_packet_pt.2_02_22_2021.pdf#page=4)  
(See page 4 of the PDF, received and filed 11-0)

In March of 2021, we received the FY22-26 Capital Improvement Plan Submission (COMM314\_03\_29\_2021) wherein this property was noted. You can see that here in the description and justification:

[https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/uploads/fy2022-2026\\_capital\\_improvement\\_program\\_proposed\\_3-29-2021.pdf#page=58](https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/uploads/fy2022-2026_capital_improvement_program_proposed_3-29-2021.pdf#page=58)

(See page 58 of the PDF)

During these deliberations and votes, there appear to be 3 primary issues that were identified:

- 1) Property and Building Conditions (e.g., contamination of the land, suitability of building for occupancy/use)
- 2) Use of the property
- 3) Wetlands

We have received 3 new pieces of information:

1) “Limited Phase II Environmental Site Assessment” for Low St. completed by Credere Associates. This was completed in October of 2021 and is available here:

<https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/uploads/limited-phase-ii-esa-armory-garage-final-10-22-2021.pdf>.

2) “Phase II Environmental Site Assessment” for the Brown School. This was completed in October 2021 and is available here:

<https://www.cityofnewburyport.com/sites/g/files/vyhli7106/f/uploads/phase-ii-esa-brown-school-10-29-2021-final.pdf>.

3) Newburyport Youth Services responded to questions posed during the 112 Parker St. discussion and provided a spreadsheet showing some of the work relative to their site selection effort. I can email you those documents, on demand as no link is available.

Pivoting to current affairs: on Monday November 8<sup>th</sup>, 2021, three orders relative to this issue were referred to the Committee on Budget and Finance and Committee of the Whole by the City Council. They are as follows:

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Order 300: [https://www.cityofnewburyport.com/sites/g/files/vyhlif7106/f/events/city\\_council\\_packet\\_11\\_08\\_2021\\_4.pdf#page=24](https://www.cityofnewburyport.com/sites/g/files/vyhlif7106/f/events/city_council_packet_11_08_2021_4.pdf#page=24)  
(See page 24 of the PDF)

Order 301: [https://www.cityofnewburyport.com/sites/g/files/vyhlif7106/f/events/city\\_council\\_packet\\_11\\_08\\_2021\\_4.pdf#page=27](https://www.cityofnewburyport.com/sites/g/files/vyhlif7106/f/events/city_council_packet_11_08_2021_4.pdf#page=27)  
(See page 27 of the PDF)

Order 309: [https://www.cityofnewburyport.com/sites/g/files/vyhlif7106/f/events/city\\_council\\_packet\\_11\\_08\\_2021\\_4.pdf#page=85](https://www.cityofnewburyport.com/sites/g/files/vyhlif7106/f/events/city_council_packet_11_08_2021_4.pdf#page=85)  
(See page 85 of the PDF)

**I will docket these 3 matters for Thursday December 2<sup>nd</sup>, 2021 at 6:00pm for discussion.** This is a standing meeting of the Committee on Budget and Finance. As these matters were also referred to Committee of the Whole, all Councillors may participate freely. At that meeting, I plan to utilize the following agenda:

- 1) Opening and Roll Call
- 2) Public Comment (name, address, 2 minutes per speaker)
- 3) Address the new information - Site/Building Condition
  - a. A representative from Credere has been invited and will speak to both reports. I have asked that Credere be aware of the 3 proposals and asked that they address the impact of their findings in that context.
  - b. Q&A and discussion about the new Credere reports referenced/linked above.
- 4) Address the Use of the Land. I will ask each Department Head invited above to answer the following 5 questions. If the Mayor would like additional departments to respond/attend, that can be accommodated. Here are the questions:
  - a. Can your department make use of 57 Low St? If so, in what way? Short-term? Long-Term (see below)? Please describe the use and operations that you would expect to conduct on the property.
  - b. In order to make use of the 57 Low St, what do you estimate the needs would be, if any, to modify the land or building to fit the use suggested in *a*, above. This would include things like fit-out, parking modifications, demolition of the building, etc.
  - c. Based on the above two questions, how soon do you think you could put Low St. to use?
  - d. Can you provide an approximate estimate as to ongoing costs to operate the property for the use proposed above (e.g., utilities, maintenance, etc.)?
  - e. Expanding on *a*, can you provide any details for a longer-term vision you might have for use of the property if it differs from *a* above?
- 5) Address wetlands
  - a. Discuss in the context of the above information
  - b. Q&A
- 6) Discussion/deliberation

I hope that this email provides you useful information as well as an indication of the process to come. If you wish to have any additional invitees (aside from those addressed in this letter or Credere), if you have any informational requests, or if you wish to provide a list of questions ahead of time, please feel free to reach out to me and I will do what I can to facilitate your request.

Respectfully,



Sharif I. Zeid