

## Planning Board Admin

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**From:** Susan Mitchell <suemitchell3@yahoo.com>  
**Sent:** Saturday, January 23, 2021 10:43 AM  
**To:** Planning Board  
**Subject:** sunset club

RECEIVED

JAN 23 2021

Newbury Planning Board

Writing to oppose Sunset Club development/restaurant on the island....there is so much traffic there it is impossible to walk and bike safely near the center as it is....look at traffic Bob Lobster has created....imagine that at the crossroad of Old Point , Sunset Drive and the center...also established eateries are plentiful on the island and have struggled during covid so no need for another traffic hazard and noise maker...Keep the island as simple as possible... Enough is enough. Susan Mitchell 9 Coltin dr newburyport. I was raised in Newbury , attended all schools there and am a daily walker on the island.

## Planning Board Admin

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**From:** stephen mangion <stephenmangion@comcast.net>  
**Sent:** Monday, February 01, 2021 3:36 PM  
**To:** Planning Board  
**Cc:** steve mangion  
**Subject:** Restaurant at PI Blvd and Old Pt

RECEIVED

FEB 01 2021

Newbury Planning Board

I have a few comments and questions.  
I write to oppose the project.

. I am concerned about traffic/people impacts - I believe a traffic study is warranted and should be required. That includes bicycle traffic. The Island is an Area of Critical Environmental Concern. As such, projects should be sensitive to environmental impacts resulting from 'people' use of the resource.

. *Parking:*

In general parking for commercial purposes is not allowed, per the Building Commissioner, for new areas on the Island. The proposed project seems to be increasing parking, in this case for the commercial use of the property. How many parking spaces are required for this commercial use and are they sufficient?

Are new spots being created?

Will currently residential use (housing) be converted to 'commercial' space for parking or whatever? I oppose such a conversion.

Note that increased **bicycle traffic** is anticipated. Where and how many bike racks will be provided.

Will the parking/bike rack be limited to restaurant use only? This question applies to any bicycle spots that will be provided.

Will the parking during non-business hours be limited to the number of spaces currently allowed? How many spaces are currently permitted for parking - is during beach season. How will this (smaller?) number be enforced during beach season. Same Q for bicycle racks. An increase in parking spots during non-business hours should need a proposed plan and an approval. (I would oppose any increase.)

. *Mobil kitchen:* When and to where would such a structure be moved? If it is meant to stay in place in the off-season, was this identified for the ZBA, I since it effectively becomes a permanent structure?

But assuming it is moved in the offseason: too where and when.

Likewise - when and where would outdoor seating and ancillary 'stuff' go to, especially during the off-season/times of flooding?

. *Odors:*

Abutters to the seafood establishment on PI Blvd have noted odor issues from the cooking operations. What measures will ensure that this is not a problem at the proposed site?

. *Alcohol*

Will outdoor drinking be allowed? It should not.

. *Master Plan*

It is currently being updated, but in any event: the Master Plan is not a definitive document, it is at most aspirational and NOT binding.

. *Water-sewer use.* Provide the actual document from Newburyport's Dept of Public Service. It is 'well known' that capacity of then Water and Sewer infrastructure is a concern.

Reserving the ability to submit more comments,  
Steve Mangion  
21 14th street  
Newbury, MA

## Planning Board Admin

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**From:** stephen mangion <stephenmangion@comcast.net>  
**Sent:** Wednesday, March 03, 2021 8:56 AM  
**To:** Planning Board  
**Cc:** steve mangion  
**Subject:** Plum Island restaurant - comments

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MAR 03 2021

our Planning Board

Hi

For the upcoming Planning Board meeting:

I have some additional comments about the proposed restaurant at the intersection of Old Point Road (OPR) and Plum Island Blvd (PIB).

. Outdoor bathroom: Porta potties should not be allowed at a NEW, emphasize new, restaurant. Mobile restrooms are available and can be supplied with running water or water off of a tank that could be refilled as necessary. These would be much more sanitary; more attractive; and they can be locked up and not become an attractive nuisance.

. Traffic. The restaurant can lead to additional backups on PIB as patrons try to enter the parking area. Similar backups on OPR may occur as patrons exit. This intersection is already problematic at times and the condition is likely to worsen with not only the cars, but with the pedestrian traffic going to the restaurant.

I think a traffic assessment is appropriate for a commercial restaurant of this capacity

Or: Perhaps it could be a smaller facility.

. Parking: It should be clear that parking will be for the restaurant patrons only and should not be available when the restaurant is not open.

. Alcohol: It should not be served to outdoor patrons. I imagine that patrons inside the restaurant could be allowed to BYOB or be served, but this privilege should be prohibited for outdoor patrons.

BTW - where would the 'inside' bar, if any, be located?

. Gas Fire Pits: If allowed, how will the gas be connected to the fire pits? I believe the plans should be approved by the Fire Chief. In addition, the ConCom should approve any subsurface gas connections.

. Lighting: I understand that lighting will be downward directed and minimal. Nonetheless I request that the Planning Board assess whether there will be a 'light island' that will inevitably light up the surroundings. On Plum Island, the downward directing street lights have a remarkably large 'light-footprint.'

. 21E assessment for the garage.

I understand this may have been done already.

A 21E assessment was done for the former underground storage tanks. Has one been conducted for the garage area? In my experience, buildings where chemicals were used often have subsurface issues.

. Harmonized Plans. In my experience, though I do not know if it is the case with this project: Are the plans the same? This project has already undergone review from the ZBA and ConCom. I ask if the plans now before the Planning Board are the same as those reviewed and approved by the other Town bodies.

They should be. If not they need to be resubmitted for approval.

Thank you  
Steve Mangion  
21 14th street  
978 462 7564

## Planning Board Admin

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**From:** Susan Mitchell <suemitchell3@yahoo.com>  
**Sent:** Tuesday, March 16, 2021 8:07 AM  
**To:** Planning Board  
**Subject:** sunset grill

I was pleased to see a traffic study being implemented before approval of this restaurant. It is understandable that some planning board members want the restaurant constructed to improve the "eyesore" of the owners burnt gas station. Of course the owners could have demolished it as they are planning to do if they get the approval and cleaned up the corner...but it is to their advantage to hold this cleanup hostage until they get approval of their plan. It is hopeful the traffic study will be held on a warm weekend and not a below zero wind chilled spring day. It was concerning some board members stated they wanted "no roadblocks for this project". It will be a huge roadblock for people trying to appreciate nature and get down to the island by bike or by automobile as traffic will back up on the only access. Again I remind you of the traffic at Bob Lobster. It also came to my attention that initially this establishment was going to be open from 11 to 8 and now they are going to open 9 to 12...so already creating more noise and traffic than they initially proposed...never mind what this "brunch service" will do to current struggling restaurant owners who have hung in there during Covid. Please do not approve this project!

RECEIVED

MAR 16 2021

Hourly Planning Board

## Planning Board Admin

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**From:** stephen mangion <stephenmangion@comcast.net>  
**Sent:** Sunday, April 25, 2021 8:06 PM  
**To:** Planning Board  
**Cc:** steve mangion  
**Subject:** Restaurant and toilets

RECEIVED  
APR 25 2020  
Newbury Planning Board

Martha and the Planning Board (PB):

Martha please share with the PB before the next Thursday(?) meeting. I will also share with the Selectboard.  
Thanks.

I plan to also submit comments, using the comment option, on the draft decision document, but here are my comments in a traditional manner.

Please allow me to emphasize that if the proposal were for an INDOOR facility, many of my concerns would be ameliorated.

Overall Comment: The specific location has been zoned business; however it is proximate to residential area. Any proposed business use should be compatible and not detrimental to the abutting residential neighborhood. It is, at best, also premature to vote to allow this project as it is presently submitted. For the reasons given below, additional information and new 'findings/orders of conditions' should be requested before a PB vote is given.

### **Parking:**

. The draft document limits parking for restaurant-only purposes: Limiting parking to restaurant-only business is a good condition and should be retained. Do not allow the parcel to become a parking lot when the restaurant is not open for restaurant business.

### **Noise and Sounds:**

. The location abuts a residential area.

. Sounds/ noise will reach residential areas - Last Saturday afternoon's April 24th music at the Beach Coma could be heard on my neighborhood. This will not always be desirable. Later night should not be on the table.

Do we have information on the decibel level of downward directing speakers used for piped in music. Can the Planning Bd assign conditions on any live music and how sound will be controlled and managed?

On a summers evening, when the diurnal wind is blowing off-shore, the sounds of outdoor dining and music will permeate the residential area. This, the music, is not desirable

Selectboard Chair JR Colby commented, during a Selectboard meeting, that the sounds of outdoor alcohol consumption and boisterous behavior in Newburyport could be heard at his farm-stand on Scotland Road.

### **Toilets:**

. Has the Board of health signed off on porta-potties. Provide the letter...., including a cleaning schedule

. On the latest plan: Is there adequate access to the toilets for regular maintenance - it is not obvious to me how a maintenance truck will get to the toilets.

. Neither do I see a sink with running water. I think it is there, but where?

. Should there be a cleaning schedule?

. I instead ask for: recommend instead a *mobile/temporary* bathroom instead of porta-potties. In addition to being more visually pleasing and sanitary, the facility could be moved, much like the kitchen, during a storm. A mobile bathroom would be easier to 'close-up' during nights and the off season and would not become an attractive nuisance.

. If porta potties are approved, how and when will they be moved in response to a storm? If the mobile kitchen needs to be moved, so too will any bathroom facility.

. No matter what facilities are provided, they should be removed when any allowed SEASONAL outdoor dining ceases.

. The porta potties will NOT be a desirable visual statement.

### **Operational Hours**

- . Hours of operation: I understand that this could be a Selectboard decision. Or is it limited to the Selectboard only? Section 11b of the PB procedures and project approval would seem to give the PB some authority, because of residential/neighborhood considerations. Hence: Hours of Operation for the open air seating should end no later than 10 PM. And if an alcohol license is permitted, last call should be 9:30 PM.
- . The PB should carefully consider if serving alcohol outdoors and late into the night is compatible and not detrimental to the residential neighborhood.

### **. Traffic**

Traffic concerns at the intersection of N BLV-Old Point Rd- Sunset Drive have been voiced by other commenters and myself. They have not been responded on a site-specific basis.

- . Increased traffic, (an increase of traffic) will be detrimental to the residential quality of life on the Island as residents exit and re-enter their place of residence.

. As previously mentioned, a site-specific traffic study is needed and has not been conducted. The applicant has referenced a traffic manual. It, a generic manual study, is not adequate given the specific conditions of this location: Heavy traffic is associated with the Wildlife Refuge, beach goings to PI Center, the Plum Island Grill, The Cottage, people going to the Newburyport end of N Blvd.

Traffic already backs up to the Old Pt Rd intersection because of the stoppage to access the PI Center and the Parking Lot. On Saturday, this was the case - in April!

- . A MVPC study was not done in a heavy traffic period. I recall that comment being made at a Master Plan committee meeting.

In summary: it is premature to approve the application. It is, in my opinion, 140+ *outdoor* seating with an alcohol license is not beneficial to the PI community. If an indoor proposal were on the table, I would likely be supportive.

Finally:

I will also try to integrate these comments into the draft decision document that has been provided to the public pursuant to the last PB meeting on this application.

Steve Mangion  
21 14th Street

cc to some bc'd people

## Planning Board Admin

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**From:** stephen mangion <stephenmangion@comcast.net>  
**Sent:** Monday, April 26, 2021 3:40 PM  
**To:** Planning Board  
**Subject:** Can't remember how to make comment in the document

Martha, I will keep on trying, but so far no luck making comments. I have done it before, but not today.

*I am in support of a project, but with more conditions*  
Am trying to enter

- . project abuts residential area-it needs to harmonize with a residential area
  - . project includes bathrooms and sink. My recommend if for roll away unit, not porta-potties
  - . parking is for restaurant (when it is open) and not for beach parking
  - . music and sound will carry. Limit hours: 10 closing
  - . If a PB issue:
    - limit operation hours to 10:00 PM
    - outdoor alcohol, if a license is attained, last call at 9:30 for inside service; 8:30/9:00 for outdoor
  - . Need a traffic study this year, and revisit hours of operation for 2022 business license.
  - . Need to add as part of the project on page 2
- BATHROOMS - porta potties are not attractive, even a running water sink is provided; roll away unit recommended

RECEIVED  
APR 26 2020  
Newbury Planning Board

What I sent to Selectboard:  
Please share with the Selectboard.

Good Morning:  
I have shared a slightly different version of my comments with the Planning Board. I believe the enclosed are relevant to the Selectboard's decision-making.

**I specifically ask that the Selectboard limit outdoor alcohol service to no later than 9PM and that outdoor seating stop no later than 10 PM.**  
**Depending on the results of a traffic study, the business license could be adjusted in 2022.**

Overall Concern: The specific location has been zoned business; however it is in a largely residential area. A proposed business use should be compatible and not detrimental to the abutting residential neighborhood. Hours of operation, noise/sound, outdoor alcohol and traffic are factors that could/should figure into the Boards' decision. I support the use of the property as a restaurant.  
Below I offer my reasons for my opinion:

### Noise and Sounds:

- . The location abuts a residential area.
  - . Sounds/ noise will reach residential areas - Last Saturday afternoon's April 24th music at the Beach Coma could be heard on my neighborhood. This will not always be desirable. Later night should not be on the table.
- If the Board may assign conditions on any live music and music speakers, I suggest quiet hours start at 7PM for live music and 9 PM for piped in music.
- On a summers evening, when the diurnal wind is blowing off-shore, the sounds of outdoor dining and music will permeate the residential area. Thus, late night music, say after 7PM is not desirable.
- [Selectboard Chair JR Colby commented, during a Selectboard meeting, that the sounds of outdoor alcohol consumption and boisterous behavior in Newburyport could be heard at his farm-stand on Scotland Road.]



**Operational Hours**

- . Hours of Operation for the open air seating should end no later than 10 PM. And if an alcohol license is permitted, last call for inside service should be 9:30 PM or 30 minutes before closing.
- . The Selectboard should carefully consider if serving alcohol outdoors and late into the night is compatible and not detrimental to the residential neighborhood. In summer, sunset is generally no later than 8:30, and that may be a reasonable time-frame to stop this service.

**Alcohol**

- . Serving inside the building is certainly desirable. However, the 140 outside seating capacity must be considered. I suggest that alcohol service stop at an earlier time, 8:30 PM for outside service, 30 minutes before closing inside.

**Traffic**

- . Increased traffic, (an increase of traffic) will be detrimental to the residential quality of life on the Island as residents exit and re-enter their place of residence.
- . A site-specific traffic study is needed and has not been conducted. The applicant has referenced a traffic manual. It is a generic manual document, and is not adequate given the specific conditions of this location: Heavy traffic is associated with the Wildlife Refuge, beach goings to PI Center, the Plum Island Grill, The Cottage, people going to the Newburyport end of N Blvd. Traffic already backs up to the Old Pt Rd intersection because of the stoppage to access the PI Center and the Parking Lot. On Saturday, this was the case - in April!
- . A MVPC study was not done in a heavy traffic period. I recall that comment being made at a Master Plan committee meeting.
- . Depending on the result of a study, the conditions of the business license could be adjusted for the 2022 season.

Thank you,

Steve Mangion  
21 14th Street

## Planning Board Admin

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**From:** stephen mangion <stephenmangion@comcast.net>  
**Sent:** Wednesday, April 28, 2021 12:33 PM  
**To:** Planning Board  
**Cc:** steve mangion  
**Subject:** Comments on Playground - sound consideration

RECEIVED  
APR 28 2021  
Newbury Planning --

Martha

I am trying to provide an annotated document. I will see how it goes, but I want to make sure this gets to the PB.

Sorry for lateness.....

Also, as of the AM. the Selectboard is not meeting on Thursday.....

Playground:

A playground will/could cause an increase in decibels in the residential area. Recommend not allowing a playground. Or if allowed, limit the hours to say 7PM, much like music, if any should be limited to 7.

Steve Mangion