

PLANNING BOARD DECISION

Property Ownership: **Ronald A. Francoeur**
87 South Hampton Road
Amesbury MA 01913

Applicant: **Ronald A. Francoeur**
87 South Hampton Road
Amesbury MA 01913

Application Type: **DEFINITIVE SUBDIVISION (Modification) and
SITE PLAN REVIEW**

Project: **87 South Hampton Road, Amesbury, MA**

Date: **November 25th, 2024**

A. GENERAL

The Planning Board of Amesbury (the "Board") received applications for (1) Site Plan Review, and (2) Definitive Subdivision for property located at 87 South Hampton Road in Amesbury MA. The Applicant is requesting the Board to modify its decision dated 10/22/2018 to modify Lots 6 and 7 as shown on the Definitive Subdivision Plan prepared by Engineering Land Services, LLC entitled "Modification Plan (Definitive Cluster Residential Development) (Plan Book 408, Plan 02) Amesbury, Massachusetts, Owner: Ronald Francoeur, 2 Woodman Road, Amesbury, MA, Lots 1, 2, 3, 4, 5, 6 and 7 (Open Space), Date: 20-Feb-2018, Scale: 1" = 50'" said plans being recorded in the Essex South District Registry of Deeds in Plan Book 477, Plan 12;

The Applicant has submitted modification plans prepared by Millenium Engineering, Inc and entitled "Plan of Land in Amesbury, MA, Showing Amended Modification at 87 South Hampton Road & 0 Woodman Road, Date: August 3, 2023, Modified November 18, 2024, Scale: 1" = 50'" (shown in Exhibit A).

The public hearing was closed on 11/25/2024 and a decision was rendered on 11/25/2024. This is the Final Action of the Board ("Decision") on the application for Definitive Subdivision and Site Plan Review.

B. FINDINGS:

1. **Proposed Modification:** The Board finds that the proposed change to the lots is consistent with the purpose and intent of the cluster residential development and the original subdivision plan approval dated 10/22/2018, provided the open space and agricultural uses are permanently protected as further outlined in a "Conservation Restriction and Management Plan (Exhibit #B)."

C. APPROVAL OF THE SITE PLAN AND DEFINITIVE SUBDIVISION APPLICATIONS AND CONDITIONS THERETO

After public hearing, upon notice in accordance with the statute (General Laws, Chapter 40A, section 11) and the Amesbury Zoning Ordinance, and after full consideration of the evidence presented, and upon the findings made by the Board as set forth herein, applications for Modification of Definitive Subdivision and Site Plan Review for 87 South Hampton Road in Amesbury, MA are hereby approved for the premises described in the application upon the conditions that follow:

1. PERPETUAL CONDITIONS

1. **Open Space - Lot 9:** The Open Space Lot (shown as “Lot 9”) shall remain, in perpetuity, in its natural, vegetative state with no provisions for site alteration, subdivision, or future development, except as otherwise provided herein or in the Decision or as may be hereafter approved by a two-thirds vote of the Board.
2. **Conservation Restriction (Lot 9):** The Applicant shall record a permanent conservation restriction on Lot 9 (the “Open Space Lot”) at the Essex South Registry of Deeds.
3. **Agricultural Campus:** The barn and other agricultural campus buildings located on the Open Space Lot shall not be substantially changed in visual character, shall only be used for agricultural and equestrian purposes, and any additions or minor changes shall not detract from the historical character of these buildings without the Board’s prior approval.
4. **Allowed Residential Uses:** As shown on the subdivision plan, at the owners’ discretion, the proposed single-family structure, as designed and shown in Exhibit B, may be constructed where shown on the Open Space Lot and the existing accessory dwelling unit located within the barn structure on the Open Space Lot may be maintained as an Accessory Dwelling Unit.
5. **Open Space Lot – Maintenance:** The Open Space Lot shall be subject to a prohibition on the removal of trees, land clearing, and site grading provided, however, the Open Space Lot may be altered, cleared, graded and trees removed for management purposes and

maintenance purposes, for allowed agricultural, equestrian, or passive recreational purposes and to maintain the open pastures.

6. **Residential Uses and Open Space Lot:** The existing residential use of the Accessory Dwelling Unit and the proposed single-family structure shall be allowed (as shown in Exhibit B). The remainder of the Open Space Lot shall be managed, maintained, owned, and used by the owner for agricultural, equestrian, or passive recreational use only. Unless approved under the provisions provided for in paragraph 9, both the existing Accessory Dwelling Unit and the proposed single-family structure shall not be separated in ownership from the Open Space Lot (shown as "Lot 9" on Exhibit A).
7. **Septic Easement:** As shown on the subdivision plan, the owner of the Open Space Lot shall provide an easement to Lot 9 for exclusive or shared use of the existing septic system to service Lot 8.
8. **Open Space Lot – Uses:** The Open Space Lot may be used for growing and harvesting of hay and other crops, as pastures for horses and other similar animals and for riding horses. Paddocks may be constructed and maintained on the Open Space Lot for use in conjunction with the equestrian use on the Open Space Lot.
9. **Permanent Structures:** No permanent structures other than those which currently exist, and the proposed single-family structure shall be located on the Open Space Lot without the prior approval of the Board, provided, however, open wood or metal rail or wire fencing shall not be considered a "permanent structure" for the purpose of this document.
10. **Open Space Lot – Agricultural Uses:** Notwithstanding anything to the contrary contained herein, all agricultural fields and other open field areas on the Open Space Lot shall be mowed annually and may be turned as needed and other land disturbance activities necessary to maintain the agricultural/pasture use of the fields are allowed.
11. **Subdivision Approval – 10/22/2018:** The conditions of Approval of the Board's Decision dated 10/22/2018 shall be included by reference and shall apply unless otherwise changed by this Decision.

12. **Changes in Project Density or Design** - No further subdivision of the property or increase in density shall be allowed without further review and approval by the Board. Any change to the site plan or any of these conditions of approval, including, but not limited to, the building footprint and driveway locations, landscaping plans, architectural design criteria and the approved building construction materials, site improvements and finished grades or to any recorded legal documents shall only be allowed after review and approval by the Board. Substantive revisions to the Final Plans, such as changes to the building design or any of its exterior façade details, addition of dwelling units, relocation of more than one property line, relocation of the access driveway, parking areas or other substantive changes from the Final Plans shall not be permitted without further review and written approval of the Board.

EXHIBITS

PROJECT DOCUMENTS

Exhibit #A

Modification plans prepared by Millenium Engineering, Inc and being entitled "Plan of Land in Amesbury, MA, Showing Amended Modification at 87 South Hampton Road & 0 Woodman Road, Date: August 3, 2023, Modified November 18, 2024, Scale: 1"=50'; and

Exhibit #B

Permanent Open Space – Conservation Restriction and Management Plan

FOR REGISTRY USE ONLY

SEE SHEET 2

SEE SHEET 2



LOCUS MAP

OWNER OF RECORD

STANLEY FARM, LLC
100 SOUTH HAMPTON ROAD
AMESBURY, MA 01921

PLAN REFERENCES

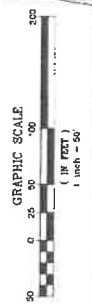
1. 100 SOUTH HAMPTON ROAD
2. 100 SOUTH HAMPTON ROAD
3. 100 SOUTH HAMPTON ROAD

ZONING DISTRICT

100 SOUTH HAMPTON ROAD
100 SOUTH HAMPTON ROAD
100 SOUTH HAMPTON ROAD

LEGEND

- 1. 100 SOUTH HAMPTON ROAD
- 2. 100 SOUTH HAMPTON ROAD
- 3. 100 SOUTH HAMPTON ROAD
- 4. 100 SOUTH HAMPTON ROAD

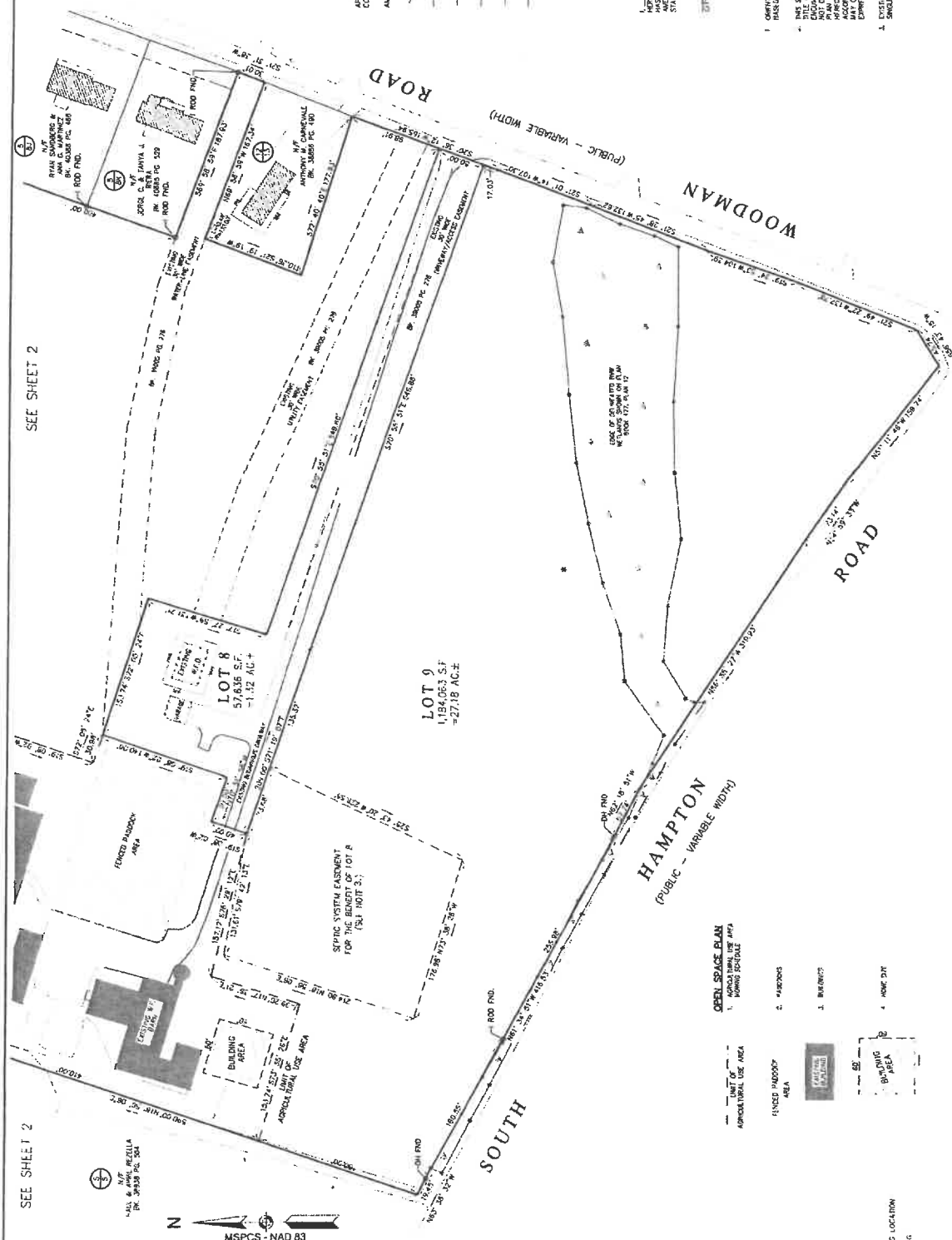


PROVIDED FOR
RONALD FRANCOEUR
100 SOUTH HAMPTON ROAD
AMESBURY, MA 01921

NO.	DATE	DESCRIPTION	BY	P.D.B.
1	11/18/24	CREATION OF LOT 8 & LOT 9		

MEI
MILLENNIUM ENGINEERING, INC.
ENGINEERING AND LAND SURVEYING
85 CLM ST. SAUSSEY, MA 01921 (978) 483-8880
11 HAMPTON RD. EXETER, NH 03833 (603) 776-4536
SCALE: 1"=50'
DATE: AUG. 3, 2021
CADD BY: M.J.S.
PROJECT: M224153

PLAN OF LAND
IN
AMESBURY, MA
AMENDED MODIFICATION
PLAN
87 SOUTH HAMPTON ROAD
AT
WOODMAN ROAD
SHEET 1 OF 2



APPROVAL UNDER THE SUBDIVISION
CONTROL LAW REQUIRED

AMENDMENT PLANNING BOARD

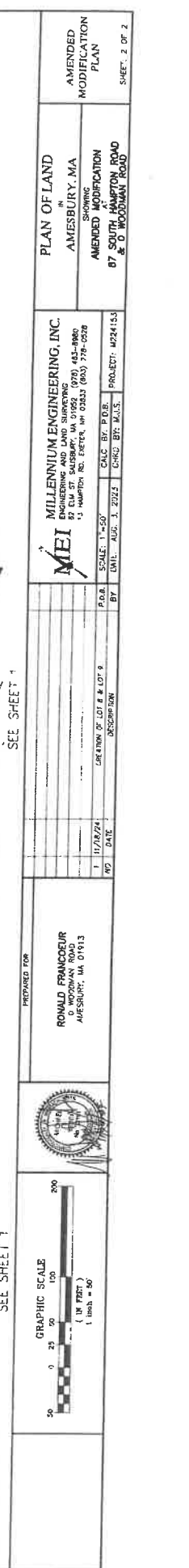
DATE

NOTES
1. THIS SURVEY IS NOT A REPRESENTATION OF THE CITY'S OFFICE
HOLDING CERTAIN THAT AS OF THE DATE, NO APPLICANT
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**Permanent Open Space
Conservation Restriction and Management Plan**

WHEREAS, Starlight Farm LLC, a limited liability company duly organized under the laws of the Commonwealth of Massachusetts with a principal place of business at 77 South Hampton Road, Amesbury, Massachusetts 01913 (the “undersigned”), is the owner of a certain parcels of land located on Woodman Road and South Hampton Road in Amesbury, Essex County, Massachusetts (the “Premises”) and more particularly described in a quitclaim deed recorded at the Essex South District Registry of Deeds at Book 42181, Page 440; and

WHEREAS, by decision dated October 22, 2018, and recorded in the Essex South District Registry of Deeds at Book 37178, Page 545 the Amesbury Planning Board (the “Board”) approved a Definitive Subdivision Plan prepared by Engineering Land Services, LLC entitled “Modification Plan (Definitive Cluster Residential Development) (Plan Book 408, Plan 02) Amesbury, Massachusetts, Owner: Ronald Francoeur, 2 Woodman Road, Amesbury, MA, Lots 1, 2, 3, 4, 5, 6 and 7 (Open Space), Date: 20-Feb-2018, Scale: 1" = 50'” said plans being recorded in the Essex South District Registry of Deeds in Plan Book 477, Plan 12;

WHEREAS, by Decision dated _____ (the “Decision”) the Board has approved a modification of the 2018 Plans, said modification plans being prepared by Millenium Engineering, Inc and being entitled “Plan of Land in Amesbury, MA, Showing Amended Modification at 87 South Hampton Road & 0 Woodman Road, Date: August 3, 2023, Modified November 18, 2024, Scale: 1”=50'” (shown in Exhibit 1); and

WHEREAS in its Decision, the Planning Board required the Applicant to record a permanent conservation restriction on Lot 8 (the “Open Space Lot”).

NOW THEREFORE, THIS AGREEMENT WITNESSETH, that in consideration of the Amesbury Planning Board’s approval of the Definitive Subdivision Plan and Cluster Residential

Site Plan Modification and of one dollar in hand paid, receipt and sufficiency of which is hereby acknowledged, the undersigned covenants and agrees with the City of Amesbury that the Open Space Lot shall be subject to the following permanent restrictions on its use:

1. The Open Space Lot (shown as "Lot 9" on Exhibit 1) shall remain, in perpetuity, in its natural, vegetative state with no provisions for site alteration, subdivision, or future development, except as otherwise provided herein or in the Decision or as may be hereafter approved by a two-thirds vote of the Planning Board (the "Board").
2. The barn and other agricultural campus buildings located on the Open Space Lot shall not be substantially changed in visual character, shall only be used for agricultural and equestrian purposes, and any additions or minor changes shall not detract from the historical character of these buildings without the Board's prior approval.
3. As shown on the subdivision plan, at the owners' discretion, the proposed single-family structure, as designed and shown in Exhibit 2, may be constructed where shown on the Open Space Lot and the existing accessory dwelling unit located within the barn structure on the Open Space Lot may be maintained as an Accessory Dwelling Unit.
4. The Open Space Lot shall be subject to a prohibition on the removal of trees, land clearing, and site grading provided, however, the Open Space Lot may be altered, cleared, graded and trees removed for management purposes and maintenance purposes, for allowed agricultural, equestrian, or passive recreational purposes and to maintain the open pastures.
5. The existing residential use of the Accessory Dwelling Unit and the proposed single-family structure shall be allowed (as shown in Exhibit 2). The remainder of the Open Space Lot shall be managed, maintained, owned, and used by the owner for agricultural, equestrian, or passive recreational use only. Unless approved under the provisions provided for in paragraph 9, both the existing Accessory Dwelling Unit and the proposed single-family structure shall not be separated in ownership from the Open Space Lot (shown as "Lot 9" on Exhibit 1).
6. As shown on the subdivision plan, the owner of the Open Space Lot shall provide an easement to Lot 9 for exclusive or shared use of the existing septic system to service Lot 9.
7. The Open Space Lot may be used for growing and harvesting of hay and other crops, as pastures for horses and other similar animals and for riding horses. Paddocks may be constructed and maintained on the Open Space Lot for use in conjunction with the equestrian use on the Open Space Lot.
6. No permanent structures other than those which currently exist, and the proposed single-family structure shall be located on the Open Space Lot without the prior approval of the Board, provided, however, open wood or metal rail or wire fencing shall not be considered a "permanent structure" for the purpose of this document.
7. Notwithstanding anything to the contrary contained herein, all agricultural fields and other open field areas on the Open Space Lot shall be mowed annually and may be turned as needed

and other land disturbance activities necessary to maintain the agricultural/pasture use of the fields are allowed.

8. Ownership of the Open Space Lot is to be private, and such private ownership status is to remain in perpetuity unless amended as allowed in the following paragraph.

9. These Restrictions to the Open Space Lot may be amended by the undersigned, or by any subsequent owner(s) of the Open Space Lot, without the consent of any other lot owner in the subdivision, by an instrument in writing referencing this document and recorded in the Essex South District Registry of Deeds provided the Amesbury Planning Board, by a two-thirds vote, approves of such amendment.

Executed as a sealed instrument this _____ day of _____, 2024.

Starlight Farm LLC

by _____
Ronald A. Francoeur, Manager

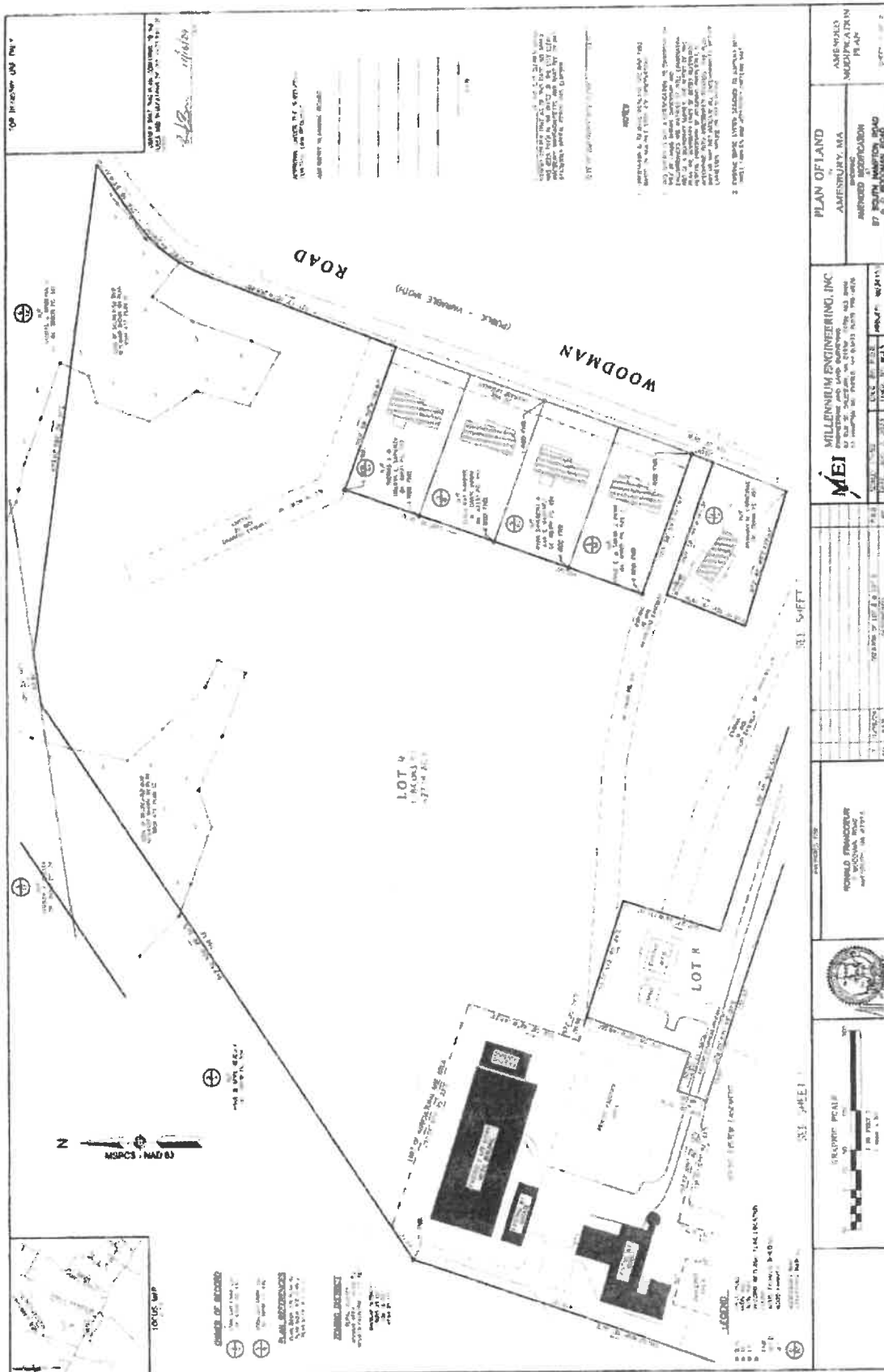
THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

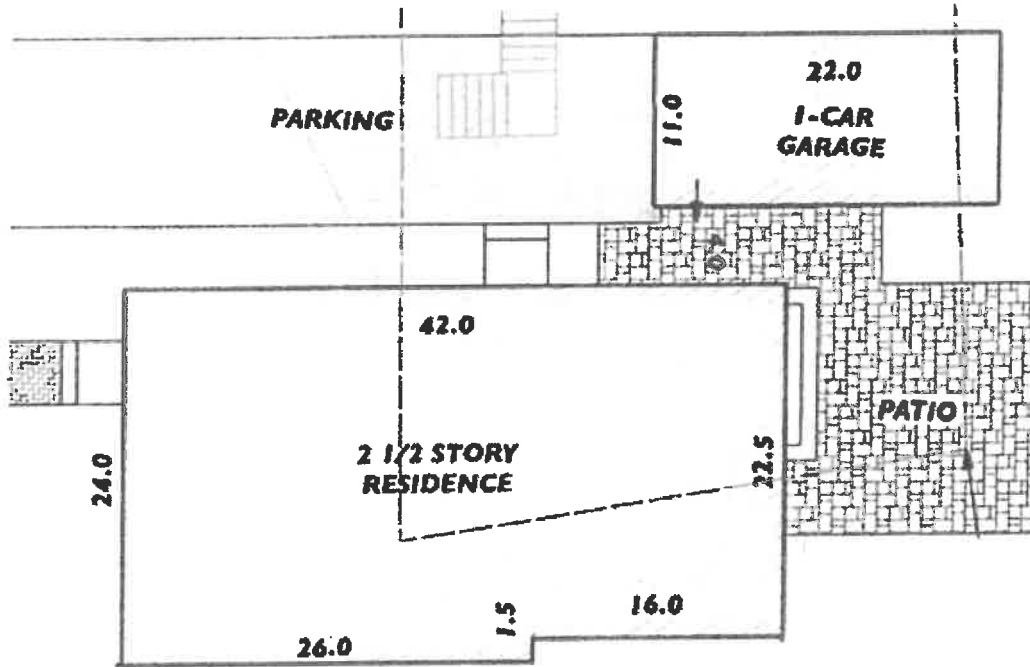
On this _____ day of _____, 2024, before me, the undersigned notary public, personally appeared Ronald Francoeur, Manager as aforesaid, proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires _____

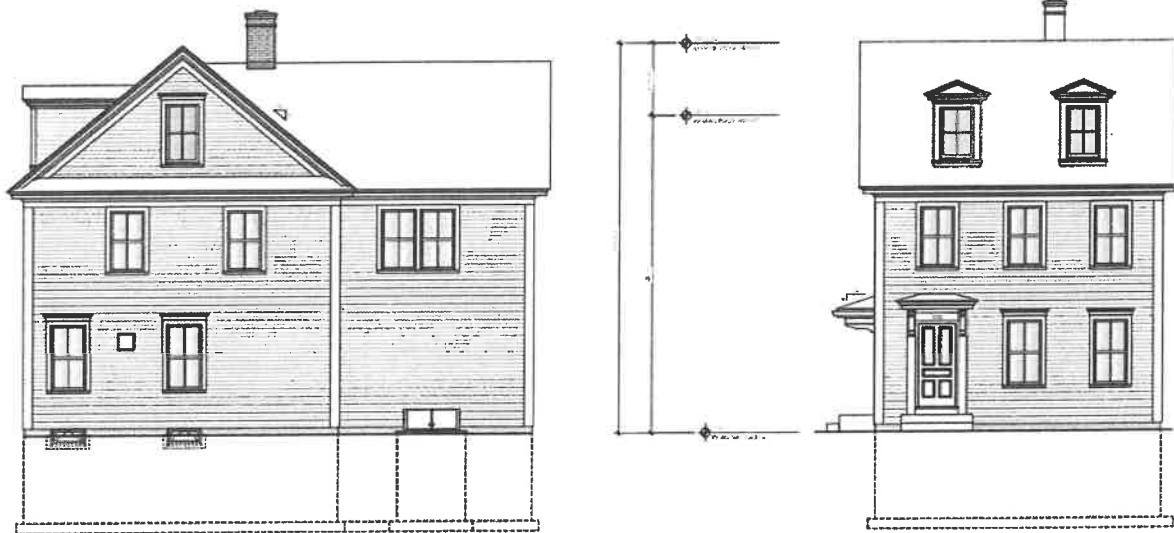
**EXHIBIT 1 – PLAN OF LAND (2 SHEETS) - AMENDED MODIFICATION
AT 87 SOUTH HAMPTON ROAD & 0 WOODMAN ROAD.**



**EXHIBIT 2 – APPROVED BUILDING DESIGN FOR THE PROPOSED
SINGLE-FAMILY HOUSE AND OPTIONAL GARAGE ON LOT 9 AT 87
SOUTH HAMPTON ROAD & 0 WOODMAN ROAD**



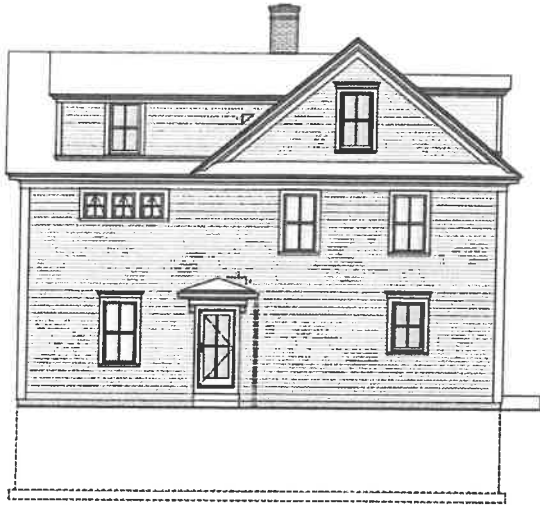
Building Footprint for the Proposed Single-Family Residence



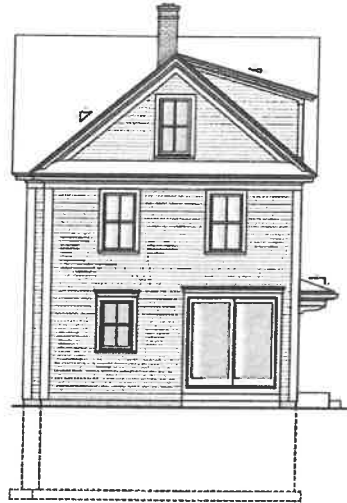
2 SOUTHEAST (RIGHT SIDE) ELEVATION
SCALE 1/4" = 1'-0"

1 SOUTHWEST (FRONT) ELEVATION
SCALE 1/4" = 1'-0"

Front and Right-Side Building Elevations for the Proposed Single-Family Residence

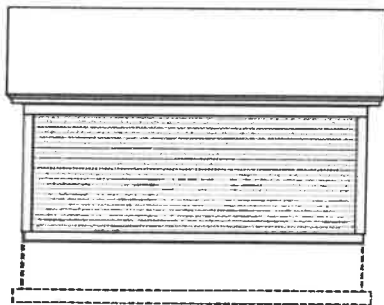


2 NORTHWEST (LEFT SIDE) ELEVATION
Scale: 1/4" = 1'-0"

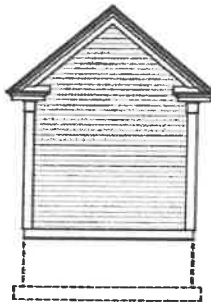


1 NORTHEAST (REAR) ELEVATION
Scale: 1/4" = 1'-0"

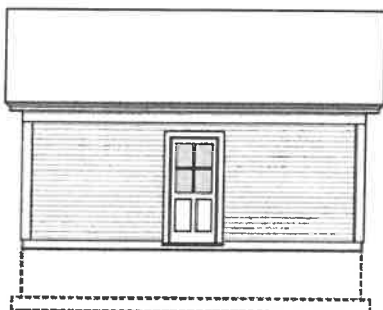
Left-Side and Rear Building Elevations for the Proposed Single-Family Residence



LEFT SIDE ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION



FRONT ELEVATION



1 GARAGE ELEVATIONS
Scale: 1/4" = 1'-0"



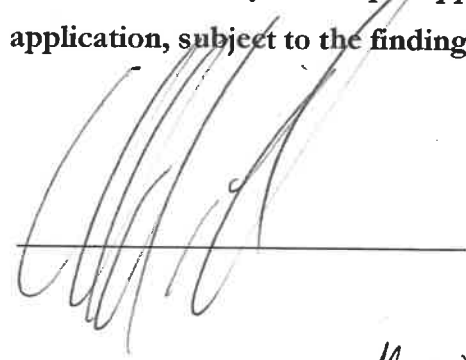
Optional Garage Elevations for the Proposed Single-Family Residence

TO:

Ronald A. Francoeur
87 South Hampton Road
Amesbury, MA 01913

PLANNING BOARD VOTE:

On 11/25/2024, the Amesbury Planning Board voted 4-0 in favor of the approval of the modification to the Definitive Subdivision and Site Plan Review for 87 South Hampton Road in Amesbury MA as per approved plans and supporting information included in the application, subject to the findings, waivers and conditions stated in this Decision.



Filed with the City Clerk on May 23, 2025

Jess Munn
City Clerk
Assistant

A Building Permit is required for any construction or remodeling. It is your responsibility to file this Special Permit Decision with the Registry of Deeds and to record the plans after endorsement; forms may be obtained from the City Clerk's Office.

Any appeal shall be made pursuant to Mass. General Laws, Section 17, Chapter 40A, and shall be filed within twenty (20) days after the date of filing of such notice in the City Clerk's Office.