



Memorandum

To: Pascal Rettig
Planning Board Chair
City of Amesbury
62 Friend St.
Amesbury, MA 02913

Date: December 4th, 2025

Project #: 201049.00

From: Nathan A. Poretta, PE
Frank Dipietro, PE

Re: Proposed 2-3 Family, Multi-Family Residential Development
Clarks Road, Amesbury, Massachusetts
Site/Civil Peer Review

Overview

On behalf of the City of Amesbury, VHB conducted an independent peer review of the site civil and stormwater management design prepared by The Morin-Cameron Group, Inc. for the proposed 27.5 and 29 Clarks Road Residential Development, located within the East End Smart Growth Overlay District (EESGOD) in Amesbury, Massachusetts. The project seeks approval for a multi-family residential development with associated site improvements including parking, utilities, grading, and stormwater management facilities.

The purpose of this peer review is to provide the Amesbury Planning Board with an objective technical evaluation of the project's compliance with applicable municipal regulations, state stormwater standards, and standard engineering practice. The review focuses on the adequacy and consistency of the proposed site and stormwater design to ensure protection of public safety, property, and environmental resources during both construction and long-term operation.

Proposed Project

The project proposes the construction of a 152-unit multi-family residential development at 27.5 and 29 Clarks Road within the East End Smart Growth Overlay District (EESGOD) in Amesbury, Massachusetts. The development consists of three residential buildings with associated driveways, parking areas, utilities, grading, landscaping, and stormwater management systems.

A singular vehicular access is provided by an access driveway on Clarks Road, with internal circulation and parking designed to serve residents and emergency vehicles. Stormwater runoff from roof and paved areas is proposed to be managed through a combination of infiltration systems, bioretention areas, and subsurface drainage infrastructure.

The findings of our review are presented in the following sections. VHB's comments and recommendations are identified and numbered throughout the document.

Scope of Review

The following documents and topics were reviewed by VHB on behalf of the Amesbury Planning Board, including but not limited to:

- › Drainage Report prepared by The Morin-Cameron Group, Inc., dated October 20, 2025
- › Site Development Plans prepared by The Morin-Cameron Group, Inc., dated September 29, 2025
- › Development Narrative prepared by The Morin-Cameron Group, Inc., dated September 26, 2025
- › Site Photometrics with Cut Sheets, dated October 30, 2025

- › City of Amesbury Stormwater Management Ordinance (Chapter 398) and related Stormwater Management & Erosion Control Regulations
- › Amesbury Subdivision Rules and Regulations (June 29, 2020, Revised January 7, 2025)
- › Amesbury Zoning Ordinance and Map (Adopted April 12, 1971 with Revisions Through April 30, 2025)
- › Amendment - Zoning Ordinance 2023-01: East End Smart Growth Overlay District
- › Amesbury Wetland Regulations (June 20, 2012)
- › Massachusetts Stormwater Management Standards and Massachusetts Stormwater Handbook
- › Adequacy of proposed stormwater management systems, including sizing, pretreatment, infiltration, and outlet structures
- › Grading and drainage design, including pre- and post-development hydrology, stormwater routing, and peak-flow mitigation
- › Erosion and sedimentation controls for construction-phase compliance
- › Long-term operation and maintenance of stormwater infrastructure
- › Utility layout
- › Conformance with applicable municipal design standards for site layout, access, and infrastructure
- › General Engineering Practice
- › Waivers Requested and Proposed Conditions of Approval dated November 14, 2025
- › Responses to comments from Planning Board, Public, Office of Community and Economic Development (OCED), Fire Department and Conservation Agent dated November 14, 2025
- › L1.1 Landscape Materials Plan and L1.2 Representative Plant List dated November 14, 2025

Missing Materials

VHB has reviewed the submitted documents and identified several items that are either missing or incomplete to a degree that prevents full technical review. Some of these items are not technical in nature but are included for the Planning Board's awareness as part of its overall project review. The list below reflects the materials identified to date, however, additional items may be required as further information is submitted or as the design is refined, including but not limited to the following:

- › Erosion and Sedimentation Control Plan, (See Stormwater Management and Wetlands Compliance section below)
- › Hydraulic Calculations for Storm Drain Pipes and Outlets, (See Stormwater Management and Wetlands Compliance section below)
- › Retaining Wall Details, (See Conformance with the Zoning Ordinance section below)
- › Landscape Plan Calculations, (See Conformance with the Zoning Ordinance section below)
- › Shadow Analysis, (See Conformance with the Zoning Ordinance section below)
- › Confirmation of Lot Consolidation (ANR Plan) (See Subdivision of Land and Site Plan Special Permit Regulations section below)
- › Groundwater Mounding Analysis (See Stormwater Management and Wetlands Compliance section below)

- › Affordable Housing Compliance Materials, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Open Space Ownership & Maintenance Entity Formation Copies, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Deeds, easements, agreements and other legal documents, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › "Location, quantity and unit size" of units accessible to the disabled, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Utility capacity confirmation (Planned Infrastructure & CIP), Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Soils Report (See Conformance with the Zoning Ordinance section below)
- › General Environmental Impact (See Conformance with the Zoning Ordinance section below)
- › Building with Elevations (See Conformance with the Zoning Ordinance section below)
- › Indoor Garage Layout Plan (See Conformance with the Zoning Ordinance section below)

See appropriate comments in detailed sections below.

Conformance with the Zoning Ordinance

This review was conducted on behalf of the Amesbury Planning Board to identify areas where the proposed project may not fully comply with the Amesbury Zoning Ordinance (2025), including the provisions of the East End Smart Growth Overlay District (EESGOD), as well as related subdivision and site design standards.

While VHB has noted select instances where additional clarification or justification may be warranted, not all potential deviations may be captured in this review. The Planning Board, acting as the permit-granting authority under the Smart Growth framework, may consider these observations in formulating its findings and may grant waivers or conditions as it deems appropriate.

Section VIII: OFF-STREET PARKING AND LOADING REGULATIONS

1. G.18 All parking areas shall provide handicapped parking spaces and access ramps, as required by the Americans with Disabilities Act (ADA as amended.)

VHB Comment: The submitted plans do not clearly demonstrate that each building is served by ADA-compliant accessible parking spaces. Under 521 CMR 23.2 (Massachusetts Architectural Access Board), accessible parking spaces must be provided in each parking area and must be located on the shortest accessible route to an accessible building entrance. Similarly, the 2010 ADA Standards (Section 208.3.1) require that accessible spaces be dispersed and positioned to serve each accessible entrance rather than grouped in a single location. Particularly, it does not appear that Buildings A or B have any accessible parking spaces, although these may not be required for these use types. Also, there should not be any parking across the drive aisle if there is closer parking available building side.

Because building entrances are not shown on the current plans, it is not possible to verify whether accessible spaces are properly assigned, located, or connected by compliant routes.

VHB recommends that the Planning Board requests the Applicant clarify the following:

- **The number and location of accessible parking spaces serving each building or parking area.**
- **The location of accessible building entrances, and confirmation that each accessible space is situated on the shortest accessible route to those entrances.**
- **Confirmation that accessible routes meet the requirements of 521 CMR and the 2010 ADA Standards, including slopes, landings, and connection to sidewalks/walkways.**

This information is needed to confirm compliance with applicable accessibility requirements.

2. G.18 All parking areas shall provide handicapped parking spaces and access ramps, as required by the Americans with Disabilities Act (ADA as amended.)

VHB Comment: While the plans do not identify EV parking spaces, public comments indicate that EV charging stations may be proposed as part of the project. If EV spaces are included, it is not clear whether any will be ADA-accessible, as required under the 2010 ADA Standards for Accessible Design and U.S. Access Board guidance. A minimum of 5% of ADA spaces are required to contain EV chargers as per the guidance developed by the DCAMM Office of Planning, Statewide Accessibility Initiative.

Accessible EV charging spaces must meet requirements for stall dimensions, access aisles, signage, and location on the shortest accessible route to an accessible entrance. Without clear identification of EV spaces on the plans, VHB cannot verify whether accessible EV charging accommodations are being provided.

VHB recommends that the Planning Board requests that the Applicant clarify whether EV charging spaces are proposed, and if so, confirm that the design includes the required number of ADA-accessible EV spaces consistent with federal accessibility standards.

Section XI.Q: SMART GROWTH OVERLAY DISTRICT

5. Permitted Uses

1. 5.2.1 A Project within the Two or Three Family Sub-district (2-3 FAM) may include:
(Waiver Requested)
2. 5.2.2 A Project within the Multi-family Sub-districts (MF-1 and MF-2) may include:
(Waiver Requested)

6. Housing and Housing Affordability

3. 6.3.2 Evidence that the Project complies with the cost and eligibility requirements of Section 6.4

VHB Comment: See Proposed Conditions of Approval section below.

4. 6.3.2 (second bullet numbered 6.3.2) Project plans that demonstrate compliance with the requirements of this Section 6.3 and Section 6.5;

VHB Comment: See Proposed Conditions of Approval section below.

5. 6.3.3 A form of Affordable Housing Restriction that satisfies the requirements of Section 6.6

VHB Comment: See Proposed Conditions of Approval section below.

6. 6.3.4 Floor Plans that shall include details including, but not limited to, location, quantity and unit size related to units provided within the development that are accessible to the disabled.

VHB Comment: See Proposed Conditions of Approval section below.

7. 6.6 Each Project shall be subject to an Affordable Housing Restriction which is recorded with the appropriate registry of deeds or district registry of the Land Court and which contains the following:

VHB Comment: See Proposed Conditions of Approval section below.

7. Dimensional and Density Requirements

8. 7.2.1 to build two three family buildings each 10' from the front property line, where 20' is required.

(Waiver Requested)

10. Design and Development Standards

9. 10.3.h. Signs. The location, dimensions, height, and characteristics of proposed signs;

VHB Comment: See Proposed Conditions of Approval section below.

10. 10.4.b Soils – a report on the potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development and the mitigation efforts proposed. To this end, high intensity soil mapping, i.e., test borings and analysis, may be required;

VHB Comment: A soils report is missing from the submission, as is required by the zoning bylaws. This report is critical to describe the potential for erosion and sedimentation associated with the operation and maintenance of the proposed development.

This item is particularly relevant given the proposed grading along the southern portion of the site, where portions of the building and a stormwater surface basin are located on or adjacent to steep slopes. A geotechnical evaluation regarding construction methods and long term stability of these areas is required. This is discussed in more detail in VHB's comment regarding §10.5.e.2.b. Without the required soils/erosion analysis, VHB cannot evaluate whether the proposed design adequately addresses erosion risks, slope stability, or long-term maintenance considerations.

VHB recommends that the Planning Board requests the Applicant provide the required soils report prepared by a geotechnical consultant, including an assessment of erosion and sedimentation risks and the associated mitigation measures, consistent with the EESGOD submission requirements. This

documentation will assist the Planning Board in reviewing the project's compliance with §10.5.e.2.b and evaluating the adequacy of proposed protection measures for development on or near steep slopes.

11. 10.4.c General environmental impact – a report on the relationship of the proposed development to the major botanical, zoological, geological, and hydrological resources on the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods. At the discretion of the Planning Board, an EIS required through the MEPA process which addresses the Planning Board's concerns may be substituted in lieu of this report;

VHB Comment: The EESGOD submission requirements call for a general environmental impact report describing the relationship of the proposed development to the major botanical, zoological, geological, and hydrological resources on the site, as well as the project's compatibility with adjacent land uses and surrounding neighborhoods. This report may be submitted to the Conservation Commission as part of the NOI filing or substituted with a MEPA Environmental Impact Statement (EIS) at the discretion of the Planning Board; however, no such report or substitute documentation was included in the current submission as required.

Given the presence of on-site wetland resource areas, steep slopes, public-access open space, and adjacent residential uses, this information is necessary for the Board to understand the project's broader environmental context and its potential impacts on surrounding natural and built environments.

VHB recommends that the Planning Board requests the Applicant submit the required environmental impact report or, if applicable, confirm whether this report will be submitted as part of the NOI filing or a MEPA filing will be provided to the Board for their review. This documentation will assist the Planning Board in evaluating the project's environmental compatibility and compliance with the EESGOD submission standards. This requirement could be included as a condition of approval by the Board.

12. 10.4.e Architectural Plans – elevations, roof plans and other drawings and documentation, architectural elevations of all sides of all new buildings and of those sides of existing buildings which are proposed to be altered in any way. The elevations shall be prepared by a registered architect who shall sign the plan and place his/her seal upon it. The drawings shall be prepared at a minimum scale of 1/8" = 1' and shall show the following:

VHB Comment: The architectural drawings included in the submission appear to be schematic design renderings rather than formal architectural elevations. EESGOD requirements call for fully dimensioned elevations of all building facades, prepared, signed, and sealed by a registered architect at a minimum scale of 1/8" = 1'-0". The submitted materials do not include an architect's seal, do not show building heights or key dimensions, gross floor areas, garage plans and do not provide the level of detail needed to evaluate conformance with the EESGOD architectural standards or building-height requirements.

VHB recommends that the Planning Board requests the Applicant provide preliminary architectural drawings that portray architectural elevations prepared, signed, and sealed by a registered architect, including building heights, rooflines, gross floor areas, garage plans and other required dimensional information, so the Planning Board can fully assess compliance with the ordinance and that they meet the Amesbury's Design Guidelines, adopted March 1999.

13. 10.4.e.4 Size, location, colors, and copy of signs affixed to or hanging from the building;

VHB Comment: See Proposed Conditions of Approval section below.

14. 10.4.f. Deeds, easements, agreements and other legal documents – Draft of deeds, easements, agreements and other legal documents, including the following where applicable:

VHB Comment: See Proposed Conditions of Approval section below.

15. 10.5.a.2.b and 10.5.a.2.c

b. A plan to minimize traffic and safety impacts through such means as physical design and layout concepts, promoting use of public transportation, or other appropriate means; and,

c. An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.

VHB Comment: This comment relates to safe internal circulation as intended by EESGOD Sections 10.5.b and 10.5.c. The first six parking spaces near the site entrance appear to be located directly within the main driveway throat. Parking within the driveway can create conflicts with entering and exiting vehicles, reduce sight lines, and limit available width for two-way circulation, particularly during peak hours or when vehicles are maneuvering into or out of these stalls.

VHB recommends that the Planning Board requests that the Applicant confirm that adequate driveway width, maneuvering space, and sight distance are maintained with these spaces in place. If necessary, the Applicant may wish to evaluate alternative layouts or operational measures to ensure safe and efficient access at the site entrance.

16. 10.5.a.4.b If the property directly abuts a pedestrian walkway or bikeway right-of-way, a paved access route to the bikeway shall be provided; and,

VHB Comment: The plans show a stairway connection from the amenity area between Buildings B and C to the proposed public-access trail. While the Applicant does provide an accessible connection from the development to Clark Road, no ADA-accessible interior route is provided from the amenity space to the public trail.

See general comment regarding ADA in general comments section below.

17. 10.5.b.1 To allow 1.33 parking spaces per unit where 1.75 spaces are required.

(Waiver Requested)

18. 10.5.b.4.d To allow for 16 compact spaces of 8.5' width by 18' length.

(Waiver Requested)

19. 10.5.b.4.e. Design all off-street parking and loading spaces, access ways, and maneuvering area so as to provide for adequate drainage, snow removal, maneuverability and curb cuts; and,

VHB Comment: This comment relates to maneuverability requirements under the Zoning Ordinance which requires loading spaces and access ways to be designed to provide adequate maneuverability and avoid conflict with site circulation. The plans show a single 40-foot loading space, but it is not clear whether this area is intended to serve all loading, delivery, and move-in/move-out functions for the development. Routine

services such as Amazon/UPS deliveries, typically using rolling carts that require ramp access, as well as residential moving vehicles, may require more functional loading accommodations than a single 40-foot space can provide. It is also unclear how deliveries or moving operations for Building C would be managed from this location.

Without confirmation that the proposed loading space is adequate, there is a risk that delivery or service vehicles may stage within drive aisles, which could affect two-way circulation, emergency access, or resident access.

VHB recommends that the Planning Board requests that the Applicant clarify the intended use of the 40-foot loading space and provide supporting information demonstrating that it can adequately serve anticipated operational needs.

In addition, VHB requests clarification on whether the cul-de-sac turnaround near the site entrance is intended to function as a drop-off or pick-up area, and if so, how short-term stopping will be managed to avoid disrupting circulation. Based upon the submitted truck turning templates, it appears that the emergency vehicles need the entire width of the cul-de-sac for their maneuverability. Therefore, VHB recommends that the Planning Board requests that the Applicant provide signage to prohibit the use of short-term parking in this area.

20. 10.5.b.4.e. Design all off-street parking and loading spaces, access ways, and maneuvering area so as to provide for adequate drainage, snow removal, maneuverability and curb cuts; and,

VHB Comment: The proposed dumpster enclosure is located along a primary internal drive aisle that serves as the main access to the rear portion of the site. Based on its location, servicing the dumpster (trash/recycling collection) would require a truck to stop within this internal drive, temporarily blocking traffic and potentially limiting access to the back half of the site.

VHB recommends that the Planning Board requests that the Applicant clarify how trash and recycling vehicles will access and service the dumpster without interrupting circulation within this primary drive aisle. If the current location is intended to remain, the Applicant should confirm that service operations can occur safely and without restricting resident access, emergency access, or overall site circulation.

21. 10.5.c.1 A landscaped buffer strip at least twenty (20) feet wide, continuous except for approved driveways, shall be established adjacent to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, and shade trees having a minimum 3" caliper, planted at least every 50 feet along the road frontage. At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present an obstruction to sight lines.

(Waiver Requested)

22. 10.5.c.2 Retaining Walls. Retaining walls shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls shall be terraced and landscaped. Retaining walls facing residential districts shall be natural stone finish and vertical cast in place concrete shall not be permitted.

(Waiver Requested)

23. 10.5.c.3 Fences, Decorative Walls and Hedges. Fences, low decorative walls and hedges define walkways, give pedestrian scale to the street and maintain the historic character of the City. The materials and design shall reflect the period and the ornateness of the building they delineate. The use of low decorative fences to delineate spaces is strongly encouraged and the use of any type of chain link or stockade fence is prohibited.

(Waiver Requested)

24. 10.5.c.6 Parking Areas. Parking areas containing over 20 parking spaces shall have at least one shade tree per eight (8) parking spaces, such trees to be a minimum of 2 ½ inches in diameter and located either in the parking area or within ten (10) feet of it. At least five (5)% of the interior of any parking area over 20 spaces shall be maintained with landscaping, including trees, in plots of at least nine (9) feet in width when located within a parking bay. Trees shall be so located to provide visual relief from sun and wind interruption within the parking area, and to assure safe patterns of internal circulation. Further, no more than twenty (20) spaces shall be provided in a row without separation by a landscaped area containing at least one (1) shade tree. In the case of double rows, this separation shall mean twenty (20) spaces on each side of the bay areas. Smaller parking lots shall use landscaping and terracing to break up large areas of pavement and to enhance a residential flavor and appearance; trees and shrubs shall be used to the maximum extent feasible.

VHB Comment: Section 10.5.c.6 requires interior parking lot landscaping, including one shade tree per eight spaces, landscaped islands, and a minimum of five percent of the parking area maintained as interior landscaped area. The Applicant has submitted a landscape plan that appears to meet the intent of these standards; however, the required calculation demonstrating compliance with the five percent interior landscaping requirement has not been provided.

VHB recommends that the Planning Board requests that the Applicant submit the interior landscape percentage calculation for documentation and to confirm compliance with Section 10.5.c.6.

25. 10.5.d.4 Resident's Association In order to ensure that any proposed common open space and common facilities within the development will be properly maintained, each project development shall have a Resident's Association or similar responsible entity, which shall be in the form of a corporation, non-profit organization, or trust, established in accordance with appropriate state law by a suitable legal instrument or instruments recorded at the Essex Registry of Deeds or Registry District of the Land Court. As part of the Plan Approval, the applicant shall supply to the PAA copies of such proposed instrument.

VHB Comment: Section 10.5.d.4 of the Amesbury Zoning Ordinance requires each project to establish a property management entity to ensure proper long-term maintenance of common open space and common facilities.

VHB recommends that the Planning Board requests that the Applicant provide contact information for this entity should be provided to the Planning Board and appropriate City agencies.

The long term responsibilities of the property management should be documented and provided to the Planning Board. Should the management entity change, updated contact information should be provided to the City.

Because the project includes privately owned and maintained features, such as stormwater BMPs, internal roads, sidewalks, lighting, open spaces, and other shared infrastructure, clarity on ownership

and maintenance responsibilities is necessary to confirm compliance with §10.5.d.4 and to ensure these systems are properly operated over time.

See Proposed Conditions of Approval section below.

26. 10.5.e.1.c Any portions of new buildings within 200 feet of existing residential buildings three (3) stories or less, shall not exceed three (3) stories. See Style Guide.

(Waiver Requested)

27. 10.5.e.2.b Except for recreational access, disturbance of steep slopes (over 25%) and the placement of buildings in areas that require extensive alteration of steep slopes and mature vegetation through road, utilities or building construction shall be avoided;

(Waiver Requested)

28. 10.e.13 Energy Efficiency:

- a. All buildings shall reflect environmentally responsible design and construction practices as governed by the Energy Star Program; and,
- b. Buildings are also strongly encouraged to be certifiable by the U.S. Green Building Council LEED Rating System.

VHB Comment: Section 10.13 requires that buildings reflect environmentally responsible design and construction practices consistent with the Energy Star Program and encourages LEED-certifiable design. The submission does not include information regarding Energy Star compliance or whether the project intends to pursue LEED-certifiable design.

VHB recommends the Planning Board requests the Applicant clarify how the project will meet the requirements of Section 10.13 for the Planning Board's information.

29. 10.5.j. **Lighting.** All Plans shall comply with the following requirements:

1. Parking lot pole lighting shall not exceed a height of 18 feet;
2. Lighting along the driveways, pedestrian walkways and sidewalks shall not exceed 12 feet in height; and,
3. The pole heights should determine the overall spacing of the poles and fixtures shall be of the cutoff luminaries type. Lamp type should be metal halide to provide a natural uniform quality of light. Parking and pedestrian light fixtures should be compatible with the building lighting to provide for a contiguous appearance of the project.

4. All other provisions of Section XI.C.8.i.

Per XI.C.8.i.2 Compliant and designed to provide the minimum illumination recommended by the IESNA in the most current edition of the Illuminating Engineering Society of North America (IESNA) Lighting Handbook.

VHB Comment: Section 10.5.j limits parking lot lighting poles to 18 feet and driveway, walkway, and sidewalk poles to 12 feet. Although the photometric plan identifies fixtures, the site plans do not show lighting pole locations, heights, or foundation details, so compliance with these standards cannot be confirmed.

VHB recommends that the Planning Board requests that the Applicant confirm pole locations and heights, clarify whether building-mounted fixtures are included, and provide updated photometric information as needed to demonstrate compliance with Section 10.5.j and XI.C.8.i. The Planning Board may also wish to consider whether lighting is appropriate along the proposed boardwalk and the path to the dog park given potential early-morning and evening use.

30. 10.5.m. **Utilities.** All Plans shall comply with the following requirements:

1. Electric, telephone, cable TV and other such utilities shall be underground from existing roadway utilities; and,
2. The applicant must demonstrate that the proposed development is consistent with the City's Planned Infrastructure Report and Capital Improvement Plan and that it will not overburden public sewer, water, and other service systems. If sewerage is to be treated on site, the applicant shall submit plans and specifications for said treatment system and shall demonstrate that the system will not negatively impact adjacent properties or aquifer recharge areas.

VHB Comment: §10.5.m.1 requires all electric, telephone, cable TV, and similar utilities serving the project to be placed underground from existing roadway utilities. The plans indicate that the existing overhead service to 31 Clarks Road will be reconnected in kind as an overhead line; this occurs outside the project parcel and is a replacement of an existing abutter service. However, the plans do not identify the existing or proposed utility service configuration for 27 Clarks Road, leaving uncertainty regarding whether that connection will remain overhead, require relocation, or be placed underground to comply with §10.5.m.

Additionally, §10.5.m.2 requires the Applicant to demonstrate that the development will not overburden municipal water, sewer, or other public utilities and that it is consistent with the City's Planned Infrastructure Report and Capital Improvement Plan. No documentation or DPW correspondence demonstrating such coordination has been provided.

VHB recommends that the Planning Board requests that the Applicant should clarify how utility service to 27 Clarks Road will be maintained or modified, including whether the service is overhead or underground and how continuity will be protected during construction. In addition, the Applicant should submit written confirmation from DPW demonstrating that the project's water, sewer, and utility demands do not exceed available municipal capacity and that the proposed improvements are consistent with the City's Planned Infrastructure Report and Capital Improvement Plan, as required under §10.5.m.2.

See Proposed Conditions of Approval section below.

31. 10.5.o Shadows. Between 9:00 a.m. and 3:00 p.m. (EST) from February 21st to October 21st, no building shall cast a shadow on any residential structure in existence at the time of Preliminary Plan submission.

(Waiver Requested)

Subdivision of Land and Site Plan Special Permit Regulations

VHB has reviewed the proposed development for consistency with the City of Amesbury's Subdivision Rules and Regulations (as amended January 7, 2025). This review focused on the design and layout of the proposed site

improvements, specifically roadways, grading, utilities, drainage systems, pedestrian accommodations, and overall site circulation, to assess conformance with the technical and performance objectives of these regulations.

VHB's comments are intended to assist the Amesbury Planning Board, acting as the permit-granting authority under the East End Smart Growth Overlay District, in determining whether the proposed development meets the intent and engineering standards of the City's subdivision and site design requirements.

Section 2 DEFINITIONS

1. 2.02 The project site appears to have originally consisted of multiple lots, which are now shown as a single consolidated parcel on the current plans. It is unclear whether these lots have already been legally merged.

Under M.G.L. c. 41 §81P (Approval Not Required plans) and the Amesbury Subdivision Rules and Regulations (Article II – Definitions, incorporating the Subdivision Control Law), the consolidation of multiple lots into a single buildable parcel typically requires submission and Planning Board endorsement of an ANR plan prior to recording. The submitted materials do not indicate whether such a plan has been filed, endorsed, or recorded.

VHB recommends that the Planning Board requests that the applicant clarify whether the lots have been formally consolidated.

If the existing lots have not been consolidated, then the project does not meet the setback requirements in the zoning regulations.

If so, the endorsed ANR plan or recording information should be provided. If consolidation has not yet occurred, the Applicant should confirm whether an ANR plan will be filed with the Planning Board consistent with M.G.L. c. 41 §81P. This could be a condition of approval.

Section 7 DESIGN STANDARDS

1. 7.10.B.1 Use Low Impact Development (LID) site planning and design strategies unless infeasible;

Subdivision Regulations §7.10(B)(1) require that Low Impact Development (LID) site planning and design strategies be incorporated into a project unless they are demonstrated to be infeasible. The current stormwater design relies primarily on conventional BMPs, including subsurface infiltration systems and limited bioretention, but the submission does not include any narrative or alternatives analysis describing whether LID options were evaluated elsewhere on the site. It is unclear whether opportunities for distributed LID, such as rain gardens within the cul-de-sac or parking islands, permeable pavement for patio or walkway areas, or vegetated filter strips receiving sheet flow, were analyzed during design. Without documentation of this evaluation, VHB cannot confirm that the project satisfies the regulatory requirement to utilize LID practices to the maximum extent practicable.

VHB recommends that the Planning Board requests that the applicant should provide a written evaluation of LID feasibility that explains where LID practices were considered on the site, whether they are practicable in locations such as landscaped islands, pedestrian areas, the cul-de-sac, or patio spaces, and, if not feasible, the specific engineering basis for excluding them. This analysis should include explanations related to soils, groundwater, utilities, grading, or maintenance constraints as applicable. If feasible LID opportunities exist, the design should be revised to incorporate those practices to comply with §7.10(B).

Stormwater Management and Wetlands Compliance

VHB has reviewed the proposed stormwater management system and its interaction with jurisdictional wetland resource areas for conformance with applicable state and local regulations. This review encompassed the Drainage Report prepared by MCG dated October 20, 2025, the Site Development Plans dated September 29, 2025, the Development Narrative, and relevant sections of the Amesbury Zoning Ordinance, including stormwater and wetlands related provisions within the East End Smart Growth Overlay District.

The review was conducted for compliance with the following regulatory frameworks:

- The Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and 310 CMR 10.00
- Amesbury Wetland Regulations (adopted June 20, 2012)
- The Massachusetts Stormwater Management Standards and Stormwater Handbook
- City of Amesbury Stormwater Management Ordinance (Chapter 398)

Wetlands Comments

1. Section 21.6 of the Amesbury Wetland Regulations prohibits the placement of fill in any Resource Area or buffer zone in a manner that alters surface-water flow and may adversely affect wetland values. The regulations also specify that the installation of a bridge or similar structure covering a Resource Area is considered fill. The current plans show a proposed boardwalk constructed within a jurisdictional wetland, which constitutes regulated activity under Section 21.6(4).

VHB notes that an ANRAD has been approved for the site confirming the boundaries of the wetland resource areas; however, no Notice of Intent (NOI) has been submitted for the proposed work within the Resource Area and the associated buffer zone. Until an NOI is filed and reviewed by the Conservation Commission, compliance with Section 21.6 cannot be evaluated, and the acceptability of the proposed boardwalk construction within the wetland cannot be determined.

VHB notes that a complete NOI will be filed for all work located within the Resource Area and the 100-foot buffer zone so that the Conservation Commission may evaluate whether the proposed boardwalk complies with Section 21.6 and the performance standards of the Massachusetts Wetlands Protection Act.

Stormwater Comments

1. According to the Massachusetts Stormwater Handbook, Volume 2, Chapter 2 (Infiltration Practices), a minimum of one soil boring or test pit is required for every 5,000 square feet of infiltration basin area, with a minimum of three test pits per infiltration basin. The current submission shows fewer than three test pits associated with each infiltration basin, which does not meet the Handbook's recommended minimum for field verification of soil and groundwater conditions.

Reduced subsurface testing increases the risk of encountering unsuitable soil characteristics or higher groundwater elevations during construction, which could require redesign of the infiltration systems.

VHB recommends that the Planning Board requests that the applicant complete at least one additional confirmatory test pit for each infiltration basin prior to construction, as a condition of approval. While VHB acknowledges that the full testing density may be conservative for a project of this scale, a minimum level of confirmatory testing would reduce uncertainty and help verify that the infiltration systems are feasible as designed. The Applicant should acknowledge that if additional testing reveals soil or groundwater conditions inconsistent with the design assumptions, redesign and re-review of the stormwater system may be necessary.

2. The soil test pit logs identify the Estimated Seasonal High Water Table (E.S.H.W.T.) as “observed,” but the basis for this determination is not explained. It is unclear whether “observed” refers to direct observation of groundwater, observation of soil mottles/redoximorphic features, or an estimated elevation interpreted from soil conditions. This distinction is important, as the test pits were conducted in September, during potential drought conditions and outside the April–May period when seasonal high groundwater is typically observed in the field.

Under the Massachusetts Stormwater Handbook (Vol. 2, Ch. 2 and Vol. 3, Ch. 1), E.S.H.W.T. must be documented through observable field indicators (groundwater, mottling/redox features) or, if indicators are inconclusive, through an accepted estimation method (e.g., Frimpter) supported by soil evidence. MassDEP also requires maintaining a minimum of two feet of separation between the bottom of infiltration practices and the E.S.H.W.T.

VHB recommends that the Planning Board requests that the Applicant clarify how the E.S.H.W.T. elevations were determined, specifically, whether field indicators were present in the test pits, whether mottling was observed, and whether any estimation methodology was used.

VHB was informed by the applicant that the term “observed” was intended to indicate that mottling was observed in the test pits; however, VHB recommends that the Applicant provide documentation or supplemental notes confirming the field indicators used to establish the E.S.H.W.T. for each location.

3. The proposed infiltration basins appear to have limited vertical separation to the Estimated Seasonal High Groundwater (ESHGW) based on the test pit information provided. Basin 1P has a bottom invert elevation of 50.9 feet compared to an ESHGW of 48.8 feet (TP-3). Basin 2P has an invert of 48.3 feet, with nearby ESHGW elevations of 45.6 feet (TP-6) and 46.1 feet (TP-7). Basin 3P has an invert elevation of 32.0 feet, while TP-8 identifies ESHGW at 29.8 feet. In each case, vertical separation to groundwater is limited. Under the Massachusetts Stormwater Handbook (Vol. 2, Ch. 2), infiltration practices must always maintain a minimum of 2 feet of vertical separation to ESHGW. Where less than 4 feet of separation is provided and an infiltration system also serves to attenuate runoff from the 10-year or greater 24-hour storm, the Handbook requires a groundwater mounding analysis (Vol. 3, Ch. 1) to demonstrate that:

Mounded groundwater will not rise into the bottom of the system, No groundwater breakout will occur to adjacent wetlands or surface waters, and Full dewatering of the system will occur within 72 hours.

Given the limited separation observed at Basins 1P, 2P, and 3P, and the fact that these systems appear to provide both recharge and peak-rate attenuation, a groundwater mounding analysis is required to confirm compliance with Standard 3.

VHB recommends that the Planning Board requests that the Applicant provide a mounding analysis using an accepted analytical method and confirm that post-construction mounded conditions maintain the required separation and drawdown performance. The Applicant should also update the Standard 3 (Recharge) section of the MassDEP Stormwater Checklist to reflect the need for groundwater mounding evaluation and to document compliance once the analysis is completed.

VHB was informed by the applicants engineer that the system was not believed to require a groundwater mounding analysis. Under MassDEP guidance, a mounding analysis is required when BOTH of the following are true:

- **The vertical separation from the bottom of the infiltration (exfiltration) BMP to seasonal high groundwater is less than 4 feet (but at least 2 feet), AND**
- **The recharge system is proposed to attenuate the peak discharge from a 10-year or larger 24-hour storm.**

Because the proposed infiltration systems provide less than 4 feet of separation and are used to attenuate the 10-year storm, VHB maintains its original comment and recommends that the Board require the Applicant to submit groundwater mounding analyses for each infiltration BMP.

4. The Applicant proposes Contech Stormceptor hydrodynamic separators as pretreatment to the infiltration basins. This use is consistent with the Massachusetts Stormwater Handbook (Vol. 2, Ch. 2), which identifies hydrodynamic separators as acceptable pretreatment devices when properly sized and maintained. The Applicant has provided manufacturer sizing documentation and an O&M plan for the proposed units.

However, the drainage report cites TSS removal efficiencies of 91–99% for the Stormceptor devices. Under the Massachusetts Stormwater Handbook (Vol. 2, Ch. 4), any TSS removal rate credited to a proprietary system must be supported by independent verification (e.g., NJCAT, TARP/STEP, or studies referenced in the UMass Stormwater Technologies Clearinghouse). No independent verification has been submitted for the specific Stormceptor models proposed.

Absent independently validated performance data, MassDEP guidance limits the allowable TSS removal credit for hydrodynamic separators to 80%.

VHB recommends that the Planning Board requests that the Applicant either:

- **provide independent third-party verification supporting a TSS removal rate above 80% for the specific Stormceptor models, or**
 - **revise the treatment calculations to reflect an 80% TSS removal credit and confirm that the full treatment train continues to meet the requirements of Standard 4**
5. A couple of catch basins are located at the corners of parking areas. While MassDEP does not prohibit corner inlets, the Stormwater Handbook emphasizes that catch basin siting should support effective maintenance and minimize clogging. Parking-lot corners commonly accumulate snow and debris, which can lead to blocked grates, increased sediment loading, and reduced pretreatment effectiveness unless adequately protected and frequently maintained.

VHB recommends that the Planning Board requests that the Applicant evaluate whether these corner inlets are appropriate long-term locations or whether shifting them slightly out of the corners would reduce maintenance burdens.

6. The stormwater submission does not include hydraulic sizing calculations for the site storm drain pipes or for the pipe outlets and associated riprap aprons/level spreaders. Under MassDEP Stormwater Standard 2, and the design requirements in the Massachusetts Stormwater Handbook (Vol. 2, Ch. 1 and Ch. 2), stormwater conveyance systems must be sized using hydrologic and hydraulic calculations to demonstrate adequate capacity for the 2-, 10-, and 100-year design storms and to confirm that outlet protection is properly designed to prevent erosion. Without these calculations, VHB cannot verify whether the proposed storm drain system complies with these requirements.

VHB recommends that the Planning Board requests that the Applicant provide full hydraulic sizing calculations for all storm drain pipes, as well as design calculations for pipe outlets, riprap aprons, and any proposed level spreaders. This information is necessary to confirm compliance with Stormwater Standard 2 and the applicable design guidance in Vol. 2 of the Stormwater Handbook, and to verify that the conveyance system and outlet protection measures are appropriately sized.

7. Based on the submitted plans and groundwater information, portions of the proposed garage appear to be located below the seasonal high groundwater table. The drainage report and plan set do not describe how underslab drainage, foundation drains, waterproofing, or groundwater control will be managed for the below-grade structure.

VHB recommends that the Planning Board requests that the Applicant clarify the proposed approach for managing groundwater around and beneath the garage, including whether perimeter or underslab foundation drains are proposed, how such drains will discharge, and how long-term pumping or dewatering requirements (if any) will be addressed. This information is needed to evaluate potential interactions with the stormwater system and ensure that the design complies with applicable stormwater and wastewater regulations.

8. Based on the current utility layout, the inlet pipes to DMH-4 appear to conflict and may not be constructible as shown. The available structure diameter does not appear sufficient to accommodate the proposed pipe sizes, entry angles, and required wall clearances in accordance with standard manhole construction practices.

VHB recommends that the Planning Board requests that the Applicant review the configuration of DMH-4 and confirm that the manhole size, pipe orientations, and invert elevations can be constructed without conflict. A larger structure or alternative pipe layout may be necessary to resolve these issues.

9. Several "landscape areas" adjacent to paved surfaces appear to receive runoff based on the proposed grading, but no catch basins or other drainage structures are shown within these areas. Without clear drainage pathways or inlets, there is a potential for localized ponding, icing, or uncontrolled flow in these landscape zones, particularly during larger storm events.

VHB recommends that the Planning Board requests that the Applicant review the grading and drainage patterns within these landscaped areas and confirm whether additional drainage structures or minor regrading are needed to provide positive drainage to the stormwater system. Any revisions should demonstrate that runoff from these areas is managed in a manner consistent with MassDEP

Stormwater Standard 2 (conveyance and peak flow control) and does not result in standing water or nuisance conditions.

10. Several infiltration systems are located near the structured parking garage, but the submission does not include an evaluation of potential hydrostatic pressure or groundwater mounding effects on the garage foundation and below-grade walls. Without this analysis, VHB cannot confirm that the garage has been designed to withstand additional hydraulic loading from the proposed recharge systems.

VHB recommends that the Planning Board requests that the applicant provide a hydrostatic pressure and mounding evaluation prepared by the structural and/or geotechnical engineer of record demonstrating that the nearby infiltration systems will not impose adverse hydraulic loads on the garage and that appropriate waterproofing or structural measures are incorporated as needed.

11. The infiltration systems are located beneath or adjacent to drive aisles, parking areas, or other load-bearing surfaces. The submission does not include documentation confirming that the systems have been evaluated for structural loading, including moving trucks or other vehicular loads. Without this information, VHB cannot confirm that the proposed systems are rated for the anticipated loading conditions or that they meet standard engineering and manufacturer requirements.

VHB recommends that the Planning Board requests that the applicant provide documentation demonstrating that the infiltration systems have been evaluated and designed for all applicable structural loads, including vehicular traffic. This analysis should confirm compliance with manufacturer specifications and standard engineering practice for load-bearing installations.

12. The grading at the garage entrance creates a low point in an area served by four catch basins near the ramp. In a surcharge or failure condition, such as blockage, reduced capacity, or system backwater, this configuration would cause runoff to accumulate at the low point with limited overland relief, increasing the risk that stormwater could enter and flood the garage. No alternative high capacity overflow route or revised low-point strategy is shown to demonstrate how this risk is mitigated.

VHB recommends that the Planning Board requests that the applicant reevaluate the grading and inlet layout in the vicinity of the garage ramp, including the location of the low point and the four catch basins. This evaluation should consider shifting the low point away from the garage entrance, reconfiguring the inlets, and/or providing a defined overland relief path so that, under surcharge or failure conditions, ponded water is directed away from the garage opening rather than into it.

General Engineering & Plan Comments

This section includes comments on site-related design and plan completeness that are not specifically covered under zoning, stormwater, or wetlands compliance. VHB has reviewed the overall site layout, grading, access, and plan organization for general conformance with sound engineering practices and the City's expectations for site plan submittals. Comments in this section are intended to improve plan clarity, safety, and coordination between site elements.

1. Although the East End Smart Growth Overlay District does not regulate accessibility design details, any project approved under the EESGOD must comply with the requirements of 521 CMR and the 2010 ADA Standards

prior to issuance of a building permit. Based on the current site plans, several proposed pedestrian routes and amenity access points do not appear to meet accessible route criteria; however, the Applicant has not provided sufficient information to confirm full compliance.

VHB recommends that the Planning Board requests that the Applicant submit updated plans prior to the submittal for a building permit to demonstrate compliance with 521 CMR and ADA Standards for all required accessible routes. Any changes to grading, pathways, or circulation required to achieve compliance should be resubmitted to the Planning Board for acknowledgment, as these revisions may alter approved site design elements. This could be a condition of approval.

2. Two of the parking spaces near the north corner of the site, adjacent to Building A, are shown with a 10-foot width rather than the standard 9-foot width used elsewhere on the site.

VHB recommends that the Planning Board requests that the Applicant confirm whether these wider spaces are intentional (e.g., for operational or maneuvering purposes) or if it should be revised for consistency with the site's parking layout.

3. Under NFPA-1, as adopted and amended by Massachusetts in 527 CMR 1.00, fire-apparatus access roads must reach within 150 feet of all exterior portions of a non-sprinklered building and within 250 feet of a fully sprinklered building. These distances are measured along an approved fire-apparatus route. The current submittal does not indicate whether the proposed building will be fully sprinklered, nor does it provide measured hose-reach distances demonstrating compliance.

NFPA-1 §18.2.3.1.4 allows the Authority Having Jurisdiction (AHJ) to accept alternative means of fire protection when full fire-apparatus access cannot be achieved due to topography, site constraints, or similar conditions, including options such as additional hydrants, cisterns, or full sprinkler protection. It is VHB's understanding that the Amesbury Fire Department has preliminarily indicated acceptance of this site configuration; however, no written confirmation was provided in the submission package.

VHB recommends that the Planning Board requests that the Applicant provide the following information to document compliance with 527 CMR 1.00 / NFPA-1:

- **Confirmation of whether the building will be fully sprinklered under NFPA 13;**
- **Measured hose-reach distances from the fire-access road to all exterior walls; and**
- **Written confirmation from the Amesbury Fire Chief, as the AHJ, verifying that the proposed access layout is acceptable under NFPA-1 §18.2.3.1.4 and that any required alternative fire-protection measures have been reviewed and approved.**

This could be a condition of approval that this letter and plans are provided.

4. The Amesbury City Staff has indicated a preference for a median at the site entrance/drive aisle to support emergency operations. The current plans do not provide enough detail to evaluate how such a median would be configured or whether it can be accommodated within the proposed layout.

A second means of access and egress to the site is not provided for the site and a median could potentially provide that for the project. VHB recommends that the Planning Board requests that the Applicant work with the City, in particular the fire department, to provide additional information

illustrating how a median could be incorporated, or consider viable alternative fire-access routes, such as a reinforced travel path north of Building A, that could satisfy the Fire Department's operational requirements.

5. We have reviewed the Fire Departments comment that the Fire Department requires this area along travel lanes for ladder-truck operations, and that tree species within the designated fire-access corridor must have a maximum canopy height of 15 feet at maturity to accommodate ladder swing and access when the ladder truck is positioned within the adjacent travel lane.

VHB recommends that the Planning Board request a final landscape plan that meets the Fire Department's requirement, this could be a condition of approval.

6. The plans identify a public-access trail behind Building C consisting of multiple switchbacks to the boardwalk. Based on the grading information provided, portions of this trail appear to approach slopes of approximately 25 percent, which significantly exceeds the maximum 5 percent running slope permitted for an accessible route under 521 CMR 20.00 and the 2010 ADA Standards. This also is steep for a walking path in general.

In addition to this switchback trail, another access path is shown along the property line that provides access to the play areas, dog run, and boardwalk. Grading information indicates that this access path also does not meet accessible route slope limits and therefore does not provide an accessible connection to these on-site amenities.

Because the submission identifies these routes as publicly accessible or intended to serve programmatic elements of the development, they must either comply with accessible route requirements or be supported by a documented exemption applicable to outdoor developed areas. No accessibility classification, exemption justification, or supporting documentation was included in the submission. As a result, VHB cannot confirm whether either pathway is intended to be accessible or whether the Applicant is proposing them as non-accessible recreational trails

See general comment regarding ADA in general comments section above.

7. The grading design behind Building C presents several functional and maintainability concerns. Steep 2:1 side slopes are proposed in multiple locations, creating challenges for long-term stability, maintenance access, and safe use of adjacent program areas. Seating nodes and amenity spaces are shown within this zone; however, the grading does not appear to provide level, usable surfaces or stable transitions between the seating areas and surrounding slopes. Additionally, the proposed slopes direct runoff toward steep embankments without intermediate grading features, terracing, or structures to control flow, which may lead to erosive conditions, difficulty establishing vegetation, and reduced performance of the adjacent stormwater basin. The design does not indicate how maintenance vehicles will access the basin, which is located behind Building C and surrounded by steep slopes; access for sediment removal, rehabilitation, or emergency repair is not clearly accommodated. Given the combination of steep grading, programmatic use, and stormwater infrastructure, the current layout may not provide a practical or durable long-term condition.

VHB recommends that the Planning Board requests that the applicant re-evaluate the grading strategy behind Building C to ensure that runoff is managed effectively, amenity areas are constructible and stable, and long-term maintainability is achievable. Consideration should be given to introducing retaining walls or other structural elements to reduce reliance on extensive 2:1 slopes and to create

more functional benches or terraces for seating and circulation. Also, the applicant should consider using native vegetative planting for these slopes to ensure long term stability. The design should also identify a clear and practical access route for maintenance vehicles to reach the stormwater basin, including adequate slope, width, and stabilization measures. Revised grading plans or additional design details may be necessary for the Planning Board to fully assess the feasibility and long-term performance of this area. Also, see comment above regarding geotechnical study / soils report.

8. The plans identify snow storage areas within landscaped zones, including tree planting beds and along the property-line screening buffer. These locations appear infeasible for long-term snow storage, as repeated plowing and snow loading would damage plantings, compromise screening, and potentially reduce the effectiveness of required buffer areas. Several of the designated storage areas also lack sufficient space or grading to safely contain plowed snow without encroaching into vegetation or adjacent private property.

VHB recommends that the Planning Board requests that the applicant reassess the snow storage layout and identify practical, durable areas that can accommodate snow loads without damaging plantings or diminishing required screening. Revised plans should clearly delineate viable snow storage locations that do not conflict with landscaping or buffer requirements.

9. Several parking spaces directly abut the sidewalk, which will reduce the effective pedestrian clear width due to standard vehicular overhang. Although the sidewalk is shown as approximately 5 feet wide, the functional width will be diminished where vehicles encroach into the pedestrian path, creating potential accessibility and safety concerns.

VHB recommends that the Planning Board requests that the Applicant increase the sidewalk width, or otherwise provide measures to preserve the full pedestrian clear path, in all locations where vehicular overhang would reduce the effective sidewalk width.

10. The project will disturb more than one acre of land and will therefore require coverage under the EPA NPDES Construction General Permit (CGP), including preparation of a Stormwater Pollution Prevention Plan (SWPPP). These documents were not included in the submission, and no indication was provided regarding the Applicant's schedule for obtaining permit coverage prior to construction.

VHB recommends that the Planning Board requests that the Applicant should provide the Planning Board with a copy of the completed NPDES Notice of Intent (NOI) and the fully developed SWPPP prior to the start of construction. This can be included as a condition of approval to ensure compliance with federal permitting requirements.

11. The plans reference several outdoor program elements—including perimeter and screening fencing, outdoor recreation areas, patio spaces, and the dog park—but do not provide construction details, material specifications, enclosure designs, surfacing types, or dimensional information for these features. Without these details, VHB cannot verify that the proposed amenities are feasible, safely designed, or consistent with the layout and intent shown on the plans. These elements also affect grading, accessibility, maintenance requirements, and long-term site functionality, and therefore require sufficient detail for the Planning Board's review.

VHB recommends that the Planning Board requests that the Applicant should provide detailed plans and specifications for all fencing, outdoor recreation areas, patio spaces, and the dog park, including

materials, heights, surfacing, access points, and any associated site features. These details should be submitted to the Planning Board for review to confirm that the proposed amenities can be safely constructed, properly maintained, and integrated into the overall site design.

Waiver Review Statement

The Applicant has requested waivers from certain sections of the following local regulatory provisions as part of the application:

- **Amesbury Zoning Ordinance, (Adopted April 12, 1971 with Revisions Through April 30, 2025)**
- **Amendment - Zoning Ordinance 2023-01: East End Smart Growth Overlay District**

VHB has reviewed the submitted waiver requests as part of our independent peer review. This memorandum addresses only those waivers and areas of non-compliance that involve technical considerations related to site layout, stormwater management, grading, utilities, or environmental performance. Items that may not comply with local regulations but do not involve technical engineering reviews (including the submission waivers), have also been reviewed but are not commented on in this letter.

The Planning Board should refer to the Applicant's Waiver Request document, which is within their Project Narrative, to fully understand the scope of all requested relief. For waivers of a non-technical nature or those involving policy discretion (including the submission waivers), VHB understands the Board will make its own determinations or refer to the appropriate permitting authorities.

Section XI.Q: SMART GROWTH OVERLAY DISTRICT

5. Permitted Uses

1. 5.2.1 A Project within the Two or Three Family Sub-district (2-3 FAM) may include:
 - a) Two-Three family residential use(s);
 - b) Parking accessory to any of the above permitted uses; and
 - c) Accessory uses customarily incidental to any of the above permitted uses.

MCG Comment: 5.1.1.c to allow amenities related to both the 2-3 Family buildings and the Multi-Family building to be located in the 2-3 Family zone.

The 2-3 Family zone was incorporated into the EESGOD district specifically to encourage the type of residential-scale streetscape this project is providing. The amenity building continues this residential scale while serving all residents of the development.

VHB Comment: This waiver relates to the placement of shared project amenities within the 2-3 Family subdistrict. VHB notes that the location of the 2-3 family buildings impacts the parking lot layout and could eliminate the need for parking within the driveway throat as noted in our comments above.

VHB defers to the Planning Board on this waiver pending further information.

2. 5.2.2 A Project within the Multi-family Sub-districts (MF-1 and MF-2) may include:
 - a) Multi-family residential use(s) [with no more than forty-eight (48) units per building], provided that the minimum allowable as-of-right density requirements for residential use specified in Section 7.1 shall apply;

b) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g. parking garages); and

c) Accessory uses customarily incidental to any of the above permitted uses.

MCG Comment: 5.2.2.a To build one building containing 146 units, where “no more than forty-eight (48) units per building” are allowed, “provided that the minimum allowable as-of-right density requirements for residential use specified in Section 7.1 shall apply”.

(Note: The applicable section for the EESGOD is 7.2.2, not 7.1)

The stated intent of the project from the beginning has always been to concentrate the allowable development on the approximately 4 acres of upland, leaving the remainder of the site as conservation land. That goal is incompatible with a limitation of 48 units per building.

VHB Comment: VHB defers to the Planning Board on this request, as it is a policy and zoning determination. No technical engineering concerns associated with this waiver were identified based on the submitted plans and calculations.

7. Dimensional and Density Requirements

3. 7.2.1 to build two three family buildings each 10' from the front property line, where 20' is required.

MCG Comment: Moving the buildings closer to Clarks Road, suggested by OCED, allows for a more historically appropriate streetscape and better screening for the multifamily building and parking.

VHB Comment: VHB notes that by reducing the setback, it could impact site lines and driveway length which could reduce pedestrian safety.

10. Design and Development Standards

4. 10.5.b.1 To allow 1.33 parking spaces per unit where 1.75 spaces are required.

MCG Comment: With approximately 65% of the units planned to be studios or one bedroom, the applicant's experience with similarly located projects of similar unit breakdown, and the Institute of Traffic Engineers 6th edition parking generation manual, which suggests .88 spaces per bedroom, which would suggest 194 spaces needed, the applicant believes our 203 spaces proposed are more than adequate for the needs of residents and guests.

Section 10.5.b.1 notes the minimum and maximum parking “Unless otherwise approved by the PAA”.

Section 10.5.b.3 Reduction in Parking Requirements notes the PAA may consider “d. Age or other occupancy restrictions that are likely to result in a lower level of auto usage.” and “f. Such other factors as may be considered by the PAA”.

VHB Comment: Section 10.5.b.1 establishes a minimum parking requirement of 1.75 spaces per dwelling unit unless otherwise approved by the Planning Board. The Applicant proposes a reduced ratio of 1.33 spaces per unit (203 spaces total) and notes that approximately 65% of units are studios or one-bedroom units. The

Applicant also cites the ITE Parking Generation Manual (6th Edition), which suggests an average parking demand of approximately 0.88 spaces per bedroom, equating to an estimated demand of roughly 194 spaces for this project.

Section 10.5.b.3 allows the Planning Board to approve a lower parking supply if the Applicant demonstrates that the reduced number of spaces will not result in congestion, safety issues, or adverse operational impacts, and the section also allows the Board to consider factors such as occupancy characteristics and other relevant circumstances.

From a technical perspective, the plans do not clearly indicate whether dedicated visitor parking is included within the proposed 203 spaces. For a development of this scale and mix of unit types, visitor demand, particularly during evenings and weekends, should be explicitly accounted for. Without identified visitor spaces, reduced parking may lead to overflow parking within internal drive aisles, conflicts with emergency vehicle access, or potential spillover onto Clarks Road.

VHB recommends that the Board requests clarification on whether visitor parking is included in the total parking supply, and if so, where those spaces are located. If visitor parking is not designated, the Applicant should explain how visitor demand, including overnight parking, will be accommodated consistent with the operational and safety criteria outlined in Section 10.5.b.3.

Final acceptance of the reduced parking ratio remains at the discretion of the Planning Board.

5. 10.5.b.4.d To allow for 16 compact spaces of 8.5' width by 18' length.

MCG Comment: Eight indoor and eight outdoor spaces which are 6" smaller than standard are a small encouragement of more fuel efficient vehicles and allow for retention of at least one parking space more than if all spaces were standard size.

VHB Comment: The Applicant proposes 16 compact parking spaces, which do not meet the standard 9' × 18' stall dimension required under Section 10.5.b.4.d. While this section allows the Planning Board to approve alternative parking configurations at its discretion, the functional benefit of introducing a limited number of compact spaces appears minimal. The net width reduction of 0.5 feet per stall results in only a modest overall space savings and may yield, at most, one additional parking space. In addition, given that vehicle sizes have generally increased in recent years, incorporating a small subset of narrower stalls may create inconsistency in parking usability across the site.

VHB recommends that the Planning Board consider whether the limited dimensional benefit achieved by these compact spaces justifies their inclusion, or whether maintaining uniform standard stall dimensions may better serve long-term functionality for residents and visitors. If the Board determines that the compact stalls are acceptable under the alternative configuration provisions, then a formal waiver may not be required; however, the Applicant should confirm the necessity and rationale for the proposed compact spaces to assist the Board's decision-making.

At this time, VHB has not received or reviewed the proposed indoor parking layout.

6. 10.5.c.1 A landscaped buffer strip at least twenty (20) feet wide, continuous except for approved driveways, shall be established adjacent to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, and shade trees having a minimum 3" caliper,

planted at least every 50 feet along the road frontage. At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present an obstruction to sight lines.

MCG Comment: Landscape Buffers to provide a 10' buffer strip along Clarks Road where 20' is required. Moving the buildings closer to Clarks Road, suggested by OCED, allows for a more historically appropriate streetscape and better screening for the multifamily building and parking. The project will comply with the remaining provisions of 10.5.c.1.

VHB Comment: The Applicant requests a reduction of the required landscape buffer along Clarks Road from 20 feet to 10 feet. While this waiver is primarily a zoning/design matter, VHB notes that the plans appear to show a retaining wall within the reduced buffer, although the wall is not labeled or detailed in the current plan set. The presence of a wall in a constrained frontage area may affect final grading transitions, landscaping, and maintenance access.

VHB recommends the Planning Board requests the Applicant clearly label and detail the retaining wall within the frontage buffer and confirm that the reduced width can accommodate required grading and planting without creating operational or maintenance issues. VHB notes that by reducing the setback, it could impact site lines and driveway length which could reduce pedestrian safety. VHB defers to the Planning Board regarding the appropriateness of the buffer reduction as a zoning waiver.

7. 10.5.c.2 Retaining Walls. Retaining walls shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls shall be terraced and landscaped. Retaining walls facing residential districts shall be natural stone finish and vertical cast in place concrete shall not be permitted.

MCG Comment: At the ramp to access the garage parking, a retaining wall of approximately 11' will be necessary. This wall will be finished in decorative brick or stone veneer and fenced at the top for safety.

VHB Comment: Section 10.5.c.2 limits retaining wall height to 6 feet unless walls are terraced and landscaped, and requires natural stone finishes for walls facing residential districts. The Applicant notes that an approximately 11-foot retaining wall is required at the garage access ramp and proposes to finish the wall with decorative brick or stone veneer and add fencing for safety.

Based on the submitted plans, it is not clear whether this is the only retaining wall proposed on the site, nor are wall heights, materials, terracing, or landscape treatments consistently labeled. Without detailed retaining wall drawings, cross-sections, or elevations, VHB cannot confirm compliance with the dimensional or design requirements of Section 10.5.c.2 to determine how these walls interact with other engineering aspects of the project, such as drainage runoff.

VHB recommends that as a condition of the waiver, complete retaining wall details, including height, materials, configuration, terracing (if applicable), drainage, safety fencing, and any associated landscaping be provided, so that the Planning Board can evaluate compliance with Section 10.5.c.2.

Structural design and stability of the proposed retaining walls should be prepared, signed, and sealed by a licensed structural engineer and will require review and approval by the Building Department as part of the building permit process.

Determination as to whether the proposed wall height, finish, and associated waiver are acceptable remains at the discretion of the Planning Board.

8. 10.5.c.3 Fences, Decorative Walls and Hedges. Fences, low decorative walls and hedges define walkways, give pedestrian scale to the street and maintain the historic character of the City. The materials and design shall reflect the period and the ornateness of the building they delineate. The use of low decorative fences to delineate spaces is strongly encouraged and the use of any type of chain link or stockade fence is prohibited.

MCG Comment: 10.5.c.3 to allow for stockade fences and chain link fence. Stockade fencing is proposed as a visual buffer to adjacent properties. Black chain link fencing is proposed around dog run and play areas, chosen for its limited visual impact, allowing for better views of surrounding nature.

VHB Comment: Section 10.5.c.3 prohibits stockade and chain link fencing within the district. The Applicant proposes stockade fencing along property boundaries for screening and black chain link fencing around the dog run and play areas. The plans do not clearly label all fencing locations, heights, or materials, so VHB cannot confirm where each fence type is proposed.

VHB recommends that the Planning Board requests that the Applicant clearly identify all fencing types and locations on the plans so the Planning Board can evaluate the requested waiver. The acceptability of stockade and chain link fencing under Section 10.5.c.3 is a zoning determination for the Board.

9. 10.5.e.1.c Any portions of new buildings within 200 feet of existing residential buildings three (3) stories or less, shall not exceed three (3) stories. See Style Guide.

MCG Comment: 10.5.e.1.c To permit a four story building approximately 90' from an abutting building 3 stories or less. This is due to the signed ordinance failing to capture the change approved by the planning board from 150' to 75'. (scrivener's error – The below highlighted language should read seventy-five (75) feet.)

"c. Any portions of new buildings within 200 feet of existing residential buildings three (3) stories or less, shall not exceed three (3) stories. The PAA may waive the two hundred (200) feet to no less than one hundred and fifty (150) feet provided a landscape buffer is provided along the closest property line(s) consisting of a combination of solid wooden fencing at least 6 feet high and a 20 foot wide vegetative buffer consisting of evergreen trees no less than 4" in caliper and other evergreen flowering shrubs as approved by the PAA. See Style Guide."

VHB Comment: VHB has no comment.

10. 10.5.e.2.b Except for recreational access, disturbance of steep slopes (over 25%) and the placement of buildings in areas that require extensive alteration of steep slopes and mature vegetation through road, utilities or building construction shall be avoided;

MCG Comment: 10.5.e.2.b To disturb slopes over 25%

While the building has been oriented to follow the contour of the slope in order to reduce impact to the sloped area, in order to concentrate development out of the wetland and conserved area, some slope exceeding 25% is expected to be impacted.

The language in the zoning is "shall be avoided".

VHB Comment: The zoning standard states that disturbance of slopes greater than 25% “shall be avoided.” Portions of the site, particularly along the southern edge where the building footprint and stormwater systems are proposed, contain existing steep slopes. Based on the submitted plans and existing topography, some disturbance in these areas appears unavoidable for the project to be constructed as designed. From a technical standpoint, work in steeper areas will require appropriate grading transitions, stabilization measures, and erosion controls to ensure long-term slope stability and proper stormwater function.

VHB has not reviewed any geotechnical analysis for the proposed slope work or retaining wall design as part of this submittal.

VHB recommends that the Planning Board requests that the applicant confirm that appropriate slope stabilization and retaining wall measures will be provided based on geotechnical recommendations. The waiver itself is a zoning determination for the Planning Board.

11. 10.5.o Shadows. Between 9:00 a.m. and 3:00 p.m. (EST) from February 21st to October 21st, no building shall cast a shadow on any residential structure in existence at the time of Preliminary Plan submission.

MCG Comment: 10.5.o To construct a building which “cast(s) a shadow on any residential structure in existence at the time of Preliminary Plan Submission between 9am and 3pm from February 21 to October 21.”

Applicant anticipates that a small portion of a shed located at 31 Clarks Road, in an area currently shadowed by a large evergreen tree, may be impacted. No other shadow impacts as defined in this section are anticipated.

VHB Comment: Section 10.5.o prohibits new buildings from casting shadows between 9:00 a.m. and 3:00 p.m., February 21 to October 21, on any residential structure existing at the time of Preliminary Plan submission. The Applicant states that a portion of a shed at 31 Clarks Road may receive additional shading during this period. The shed is not shown on the submitted plans, and no shadow diagrams or modeling were provided. Without a plan depiction of the structure or a shadow study, VHB cannot verify the extent of any shading or confirm whether any residential structures, as intended by the regulation, would be affected. Sheds and similar accessory structures are generally not treated as “residential structures” under common zoning practice; however, the applicability of §10.5.o to this case is ultimately a Planning Board interpretation.

VHB recommends that the Planning Board requests that the applicant provide a shadow study and plan depiction of the shed at 31 Clarks Road to allow verification of the potential shading impact described in the waiver request. The Planning Board should determine whether §10.5.o applies to accessory structures such as sheds and whether the Applicant’s waiver request is justified based on the study results and the regulation’s intent.

Applicant’s Proposed Conditions of Approval

Planning Board, please note: The Applicant has requested that the following items be incorporated as conditions of approval in lieu of submitting the required materials with the application. The Board should determine whether deferring these materials to post-approval is acceptable within the context of the EESGOD and applicable City regulations.

MCG Statement: In keeping with the goal of streamlined permitting under the East End Smart Growth Overlay District, Applicant respectfully request that the Planning Board approve the proposed project with the following conditions.

1. 6.3.2, 6.3.4 Related to project plans, and "location, quantity and unit size" of units accessible to the disabled
As exact unit sizes and which units will be designated as affordable, and which will be built as accessible, are under development, the applicant proposes to provide the required information in coordination with city staff and the Massachusetts Executive Office of Housing and Livable Communities as a condition of approval.
2. 6.3.3 and 6.6 Affordable Housing Restriction
While some information required in section 6.6 has been submitted and applicant will comply with all provisions of these two sections, at this time applicant proposes to submit for approval the remaining documentation required therein to both the city and the Massachusetts Executive Office of Housing and Livable Communities as a condition of approval.
3. 10.3.h and 10.4.e.4 related to site and building signage
Applicant proposes to locate and design signage and coordinate with city staff as a condition of approval. Alternatively, the condition could require Applicant return to the Board for approval of signage as a minor modification.
4. 10.4.f related to deeds and easements
Applicant proposes to negotiate and finalize the necessary deed(s) and easement(s) with the City related to the open space and access to it with city staff as a condition of approval.
5. 10.5.d.4 related to copies of formation of approved entity to maintain open space
Applicant is willing to maintain the trail on the open space parcel for a period of five years and proposes to finalize the details of such maintenance with city staff as a condition of approval.
6. 10.5.m.2 Related to demonstrating project is consistent with the City's Planned Infrastructure Report and Capital Improvement Plan
Applicant proposes to work with the DPW and other city staff to update the information necessary to demonstrate this compliance, and requests the Board include such demonstration, as approved by city staff, as a condition of approval.

VHB Comment: The Applicant's requests related to Sections 6.3, 6.6, 10.3.h, 10.4.e.4, and 10.4.f, involve affordable-housing documentation, accessibility information, signage design, deed and easement coordination, open-space maintenance entities, and infrastructure-planning confirmations. VHB has commented on 10.5.d.4 and 10.5.m.2 in the applicable section for the zoning review above. These are administrative and zoning compliance items that are outside the scope of VHB's civil and stormwater peer review.

VHB notes only that the corresponding materials were not included in the submission. Whether these items may be addressed as conditions of approval is a procedural determination for the Planning Board.