



**MILLENNIUM ENGINEERING,
INC.**

Land Surveyors and Civil Engineers

August 12, 2026

BY HAND

Pascal Rettig, Chair
Planning Board
City of Amesbury
1 Market Street
Amesbury, Massachusetts 01913

Nipun Jain, Planning Director
Community & Economic Development
City of Amesbury
1 Market Street
Amesbury, Massachusetts 01913

RE: Application for RH-MFOD Site Plan Approval
Premises: 265 R, 277 R, 281, 287, 287 R, 287.5 Elm Street, Amesbury, MA
(Assessors Map 68, Lots 12, 13, 15, 20, and Map 80 Lots 3, 4)
Applicant: Dale Development, LLC
Requested Waivers from Section XI.V MBTA Communities Multi-Family Overlay
District

Dear Chair Rettig, Other Planning Board Members, and Mr. Jain:

On behalf of the Applicant, Dale Development, LLC, the Applicant with respect to the above-described Premises and RH-MFOD Site Plan Approval, the following is a request for waivers under Section XI.V of the Amesbury Zoning Ordinance (the "RH-MFOD") in connection with an application for site plan approval for the Premises as described above.

The waivers are requested in connection with the Application for Site Plan Review under the RH-MFOD, including all supporting documentation filed therewith including a set of plans, consisting of 72 sheets, entitled "Proposed Definitive Subdivision and Site Plan Review Plans, Rocky Hill MBTA Community at Elm Street in Amesbury, Massachusetts," dated August, 2025 (Rev. June 29, 2026), prepared for Dale Development, LLC by Millenium Engineering, Inc. (the "Plan"), submitted to the Planning Board.

The Plan and materials filed in connection with the proposed redevelopment of the Premises (the "Project") complies with the applicable provisions of the RH-MFOD except for the proposed adjustments mentioned below. Pursuant to 11.3 (Waivers), and upon the request of the Applicant, the Planning Board may waive dimensional and other requirements of Sections XI.V.6 through XI.V.10, in the interests of design flexibility and overall Project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MFOD, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section XI.V, and such waiver is consistent with

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the purposes of Section XI.V.1. and would not otherwise be in contravention of the Governing Laws.

The requested waivers described below relate either to administrative matters, an alternative timing designed to align a task with the time when a task is more appropriately completed later in the process, adjustments necessitated to conform to requirements to the design standards described in the “Residential Pattern Book, The Golden Triangle, Amesbury, MA”, dated April 30th, 2024 (the “Pattern Book”), adjustments made to minimize impacts to wetlands and related resource areas and open space, or are otherwise requested to allow the Project to achieve the density, affordability, mix of uses, design, and/or physical character allowable under Section XI.V.

Accordingly, the Applicant hereby requests that the Board waive the requirement of strict compliance with the following provisions of the RH-MFOD:

Ordinance Section	Requirement	Waiver/Comments/Rationale
VIII.G.16	Parallel parking dimension of 9’x 20’	Provide 8’x 23’ space. Provides better maneuverability for backing and parking. This dimension is most common for on street parking.
XI.V.6.0 Dimensional and Density Requirements -- 6.1 Table of Dimensional Requirements for RH-MFOD.	Maximum Front Yard Setback of 10 Feet in Northern and Southern Multifamily Neighborhood Subdistricts	Waived for Building Nos. 1-57 and 77-81 in the Southern Multi-Family Neighborhood Subdistrict, and for all buildings in the Northern Multi-Family Neighborhood Subdistrict, all as depicted on the Plans in order to comply with spirit and intent of the Pattern Book design guidelines and to minimize impacts to wetlands resource and buffer areas.
XI.V. 9.0 DESIGN/ DEVELOPMENT STANDARDS		
9.3 Materials for Review (this section incorporates Sections XI.Q.10.3. (Materials for Review) and XI.Q.10.4 (Additional Materials for Review) of Section XI.Q: Smart Growth Zoning District)	XI.Q.10.4.f. Deeds, easements, agreements, including: 1. Deeds of land to be conveyed to the City for streets or other public purposes; 2. Deeds of easement and right-of-way; 3. Covenants and any other agreements affecting the use of the site; 4. Articles of incorporation and by-laws of a landowner's association; and, 5. Agreements between the applicant and the City	Waved as to timing only. Documentation to be submitted prior to issuance of certificate of occupancy for first residential unit, except subparagraph 5 where a Development Agreement, dated May 24, 2026 has been executed and is being implemented by the Applicant and Mayor, unless otherwise approved under the Site Plan Decision.

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	regarding public improvements or other matters.	
9.4 Development and Performance Standards. incorporating Section XI.Q.10.5., to the extent applicable)		
	-XI.Q.10.5.(a).4. Public Streets & Sidewalks – requires all roadways, driveways, trails and sidewalks to be constructed in conformance with the design and construction standards of Section 7 & 8 of the Amesbury Subdivision Rules and Regulations.	Waived to the extent Subdivision waivers were requested as a part of the Applicant’s Definitive Subdivision Application, and incorporates by reference, the subdivision waiver letter, dated July 27, 2026, separately filed with the Board by Millenium Engineering, Inc.
	-XI.Q.10.5.(b). Parking – requires 1.5 spaces/res. unit minimum, and 1.75 spaces/residential unit/maximum, along with other requirements there	Waived for Southern Multi-Family Neighborhood Subdistrict to allow 203 Parking Spaces for 83 Ownership Units, (or 2.4 Parking Spaces/Unit), including: • 154 Garaged Parking Spaces • 3 Driveway Lane Parking Spaces • 24 Secondary Road Parking Spaces • 22 Primary Boulevard Parking Spaces Number of parking spaces, size, location, and other provisions to be governed by the Pattern Book and shown on the Plan.
	- XI.Q.10.5.(f). Stormwater Management, Wetlands and Riverfront Areas. – provides certain performance standards for wetland resource areas.	Waiver of standards as stormwater shall be in compliance with a Stormwater Permit, and work in wetland resource areas shall be in accordance with a Wetlands Order of Conditions issued by the Amesbury Conservation Commission.
10.0 AFFORDABLE HOUSING REQUIREMENTS		
10.1 General Requirements		
	10.3 Submit the following info with Site Plan Review Application: 10.3.1. Affirmative Fair Housing Marketing Plan;	Documentation required under Section 10.3 to be provided separately for the North Neighborhood (ownership units) and South Neighborhood (rental units), prior to the issuance of the first certificate of occupancy for a residential unit for each respective Neighborhood, consistent

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	10.3.2. Marketing, Selection. Local Preference Plan under Section XI.Q.6.6.4; 10.3.3. Compliance with Sections XI.Q.6.6.3 and XI.Q.6.6.5; 10.3.4. Form of Affordable Housing Restriction complying with Section XI.Q.6.6.6; and, 10.3.5. Plans and details for units accessible to disabled.	with current affordable housing practice, and in accordance with the EOHLC's requirements for LIP Local Action Units as conditioned in this Decision.
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Requests for Findings and Decisions

The Applicant respectfully requests the Board to find that with the requested waivers, the Project will be consistent with the overall purpose and objectives of the MFOD, and that such waivers will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section XI.V, such waivers are consistent with the purposes of Section XI.V.I. and would not otherwise be in contravention of the Governing Laws.

Please feel free to contact my office with any further questions or concerns.

Sincerely,
Millenium Engineering, Inc.

Stephen Sawyer

Stephen Sawyer, P.E.

cc: Jennifer Smith, City Clerk, City of Amesbury
Ann McKay, Chairperson, Board of Health, c/o Deb Ketchen, Health Inspector, Department of Health, City of Amesbury
Bob Dale, Dale Development, LLC
John Smolak, Esq.
Distribution List