

1. Amesbury Planning Board Meeting Minutes
2. Virtual Meeting – March 25, 2024, at 7:00 PM
3. Chairman Pascal Rettig called the March 25, 2024, Planning Board meeting to order at 7:02 PM. He read: Pursuant to Governor Baker’s March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the extension of the Governor’s order until March 31, 2025, Order imposing strict limitations on the number of people that may gather in one place, this Meeting of the Planning Board on March 11, 2024, is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order.
4. *To submit a public comment, or dial in please email Becky Frey at [freyr@amesburyma.gov](mailto:freyr@amesburyma.gov). There will be a public comment portion of each public hearing discussed tonight.*
5. *The Chairman notes that tonight’s Planning Board meeting is being recorded by Amesbury Public Access Television; this legal step has been taken but does not act as the official record. The written meeting minutes by the Recording Secretary is the official record.*
6. *If you would like to dial in to speak you can email Nipun at [Nipun@amesburyma.gov](mailto:Nipun@amesburyma.gov)*
7. Pascal Rettig initiated roll call –
8. Keith Ratner – YES
9. Joel Nice – YES
10. Lorri Krebs- Absent
11. Michael Jewell – YES
12. Tracey Chalifour - YES
13. David Frick – YES
14. Pascal Rettig - YES
15. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)

**16. Minutes – 2-26-24**

17. David Frick motioned to approve the minutes as presented. Seconded by Michael Jewell.
18. Pascal Rettig initiated a roll call vote -
19. Keith Ratner – YES
20. Joel Nice – YES
21. Lorri Krebs- Absent
22. Michael Jewell – YES
23. Tracey Chalifour - Abstain
24. David Frick – YES

- 25. Pascal Rettig - YES
- 26. Motion passed 5-0-1

**27. Presentation – 265, 277, 281, 287, 2871/2 Elm St. (MBTA Multi-Family Project)**

- 28. Pascal Rettig commented that the two continued public hearings were only on the agenda to close the public hearings. Nipun Jain confirmed that was correct and noted they could take them out of order to close those.
- 29. Keith Ratner motioned to take the continued public hearings for 2 Merrimac St. and 13 Merrimac St. out of order. Seconded by Michael Jewell.
- 30. Pascal Rettig initiated a roll call vote -
- 31. Keith Ratner – YES
- 32. Joel Nice – YES
- 33. Lorri Krebs- Absent
- 34. Michael Jewell – YES
- 35. Tracey Chalifour - YES
- 36. David Frick – YES
- 37. Pascal Rettig - YES
- 38. Motion passed 6-0

- 39. Pascal Rettig noted that the Board had already accepted the withdrawal letter, so they just need to close the public hearings.
- 40. David Frick motioned to close the public hearing for 2 Merrimac St. Seconded by Keith Ratner.
- 41. Pascal Rettig initiated a roll call vote -
- 42. Keith Ratner – YES
- 43. Joel Nice – YES
- 44. Lorri Krebs- Absent
- 45. Michael Jewell – YES
- 46. Tracey Chalifour – YES
- 47. David Frick – YES
- 48. Pascal Rettig - YES
- 49. Motion passed 6-0

- 50. Keith Ratner motioned to close the public hearing on 13 Merrimac St. Seconded by Micheal Jewell.
- 51. Pascal Rettig initiated a roll call vote -
- 52. Keith Ratner – YES
- 53. Joel Nice – YES
- 54. Lorri Krebs- Absent
- 55. Michael Jewell – YES
- 56. Tracey Chalifour - YES
- 57. David Frick – YES
- 58. Pascal Rettig - YES
- 59. Motion passed 6-0

60. Pascal Rettig commented that there were a couple parts to the presentation. The first will be an initial overview of the MBTA zoning requirements. Then the next part of the presentation will be about a specific project. The Board can ask questions after each part.
61. Nick Cracknell and Nipun Jain were present to do the presentation on the MBTA zoning.
62. Nick Cracknell commented that their intent was to get the Board more familiar with the MBTA zoning. They are excited to work on this and do something unprecedented in Essex County. They are working on an MBTA overlay district and talking with a developer about building 2 new neighborhoods that are not high volume in density per individual building. This presentation tonight is to provide a high-level discussion. RKG conducted an initial compliance assessment for the City. The MBTA zoning requirements service area captures 177 towns and cities. It was passed in 2020 and Amesbury is categorized as an adjacent community. This zoning is distinctively different from a 40R district. There are no mandatory requirements that accompany a 40R district. The MBTA zoning deadline for last year was to complete an initial compliance report. That has been completed and the Merrimack River District study was part of it. The deadline for the end of this calendar year is to have the zoning in place. The key drivers for the MBTA Act are to address the housing crisis. Historically, Amesbury got a lot of high density development because it was the late to adopt zoning in the '60s- '70s. Then Amesbury spent the last 50 years focusing on the exact opposite of that by permitting single family houses. The City has adaptively reused the historic mills by building residential units in the Upper Millyard. The Planning Board have recently permitted projects like the methodist church and Horace Mann. Amesbury has not produced a lot of missing middle housing. The development they are talking about tonight fits into what the Planning Board has been doing for the past 5-10 years. Amesbury's 40A zoning act has not been amended in a comprehensive manner since 1975. Most provisions created barriers against multifamily housing in Amesbury. Amesbury has adopted a 40R district in the Amesbury Gateway Village and they got incentive and bonus payments for Amesbury Heights. The affordable unit requirements impact the quality of a development. The 40R development has a higher quality than a 40B. A 3A example are the row houses in Newburyport, which has 9 units with 1 affordable unit. The 3A zoning addresses the missing middle housing. There are also consequences for noncompliance with this new zoning. Those consequences include State fines, loss of eligibility for State grants, and invalidation of zoning that is inconsistent with State mandates. The overarching design goals include walkability, multimodal transportation, mixed use, good design, mixed income, historic preservation, and placemaking amenities. This presentation is focused on the golden triangle, but they have also looked at some other underutilized areas in the City. This zoning has to be as of right zoning, which means no special permits would be required. The gross density would be 15 units per acre and the City's obligation based on its number of households is to show the potential for 789 as of right units in the MBTA and 40R zoning. The thought is that this volume can be achieved in the golden triangle, East End Smart Growth District, and the Amesbury Gateway Village 40R district. They will need to rerun the compliance model to see. Tonight's presentation is primarily focused on the golden triangle. They are also working on an amendment to the 40R in the Gateway Village.

63. Keith Ratner questioned if the existing units in the current 40R would count. Nick Cracknell responded that any existing units like Amesbury Heights would not count because they are already on the ground. Any new units that would be permitted in the East End Smart Growth District or the Gateway Village would count. The City has to amend the zoning in the existing 40R to allow more units to make it economically viable for development.
64. Keith Ratner commented that 40B's have to have 10% affordable units in their development, but this zoning addresses 10% of the housing stock. Nick Cracknell responded that the State Housing Inventory requires that you can't deny a 40B application if you are below 10% affordable units in the housing stock. Based on the last census we are currently at 8.5%. The MBTA Act is not really focused on affordable housing. A lower number of affordable unit requirements provides more opportunity for more amenities, nicer finishes, and profit. A higher number of affordable unit requirements results in something more like Amesbury Heights. They don't want to over ask for affordable units because it will impact the quality and care of the project.
65. Tracey Chalifour commented that the City was already working on making an amendment to the overlay district that Amesbury Heights is in for the adjacent farmland. Nipun Jain confirmed that was correct. They did an informal discussion for this last year and the Board was favorable toward that drafted amendment. They will be bringing this to City Council and the Planning Board later this year. Tracey Chalifour questioned how many potential units that would have. Nick Cracknell commented that the Planning Board discussed last year it could be around 150 units. Amesbury Heights has 248. The parcel abuts Amesbury Heights. They could potentially expand the overlay to include the trucking area because it's an underutilized space. It probably makes sense to extend to the Irving station. It may make sense to do a 40R in the Lower Millyard instead of MBTA zoning to have more control over our own destiny. A 40R provides incentive payments and has affordable unit requirements.
66. Lorri Krebs arrived at the meeting at 7:48 pm.
67. Jeremy Lake and Douglas Kallfelz with Union Studio was joined by developer Bob Dale, John Smolak and John Brennan to make a presentation. Jeremy Lake commented that the golden triangle is about 60 acres, and 25 acres are developable. Interstates 495 and 95 are the boundaries. It only touches Elm St. in one location and that is where the project entrance would be. The wetlands have been mapped to define the developable area. The southern section is 13 acres and the northern 12.5 acres. They would be able to connect the two areas. This development's design goals align with the City's goals of a walkable multimodal development with high-quality buildings and site design. It addresses the missing middle. The development would accommodate different income levels and community types. The overall vision will have a northern neighborhood with 274 units and a southern neighborhood with 91 units. There will also be planned open space and trails. The southern neighborhood will be primarily townhouses, duplexes, and some single family. The northern neighborhood will have stacked units in with 6 or 12 units. There will also be a pair of corridor buildings with 30 units each in the northern neighborhood. There will be similar footprints in both neighborhoods. These are just conceptual schemes right now, and details are still being worked out. The townhouses will front on greenspace and will have shared parking lanes with rear access drive lanes. The trash will also be on the back side,

which will allow for greenspaces and nice streetscapes on the front. The entrance to the development would have a park area and a welcoming entryway. The intent is to draw the residents out and walk in the community. The northern neighborhood would have an amenity program in a joined area with a club house. There would also be management offices, a shared party room, and possibly fitness rooms. There could be a small community pool and pool house and possibly some other active recreation. These are the details that are still being worked out. The northern neighborhood would have a higher density. It would have larger density buildings in the back corners and provide a range of housing options. The entire development would have design guidelines that would be appropriate for Amesbury. There will be a northern green that would be a gathering point for the entire neighborhood. It would also have amenity spaces. There would be a main boulevard with residential streets stemming off it. The parking lanes would provide access to parking. There will be street trees along the sidewalks with the mailboxes. There will be guest parking on the street. They will try to capture a lot of key details in a pattern book with design guidelines.

68. Bob Dale commented that they have been in discussion with the City about this development for just over 2 years now. Mr. Dale commented that he has been doing large scale housing developments in the northeast for over 25 years. His most recent developments have been in NY and CT. All of the developments have been similar in scale, and they've all been in suburban communities. In almost every case the community has had to rewrite the zoning because it did not exist. This is a new type of housing. They have a good history of working together with public officials and the local community. In many cases there was vocal opposition to the initial plan, but once it was complete it has been well received in every case by all parties. They spend a great deal of effort in planning and overdeliver in execution.
69. Nipun Jain commented that the zoning amendment will go to City Council in April. There will be more public hearings on the zoning amendment as it moves through the review process. The zoning map will change, and the overlay district map will be included. It will include dimensional and density regulations. There will be subdistricts for different building types and density. The permit used in this MBTA zoning will be the site plan review process. Site plan allows for the public to provide comments, and for review of the accessways and building design. The design standards in the amendment will capture various elements and different building types that could be contemplated in that area. There aren't any minimum affordability requirements in the MBTA District, but as stated earlier they will be including up to 10% that could be deed restricted. The vision plan includes 2 neighborhoods. The overlay map includes them as two distinct subdistricts. The plan being presented here came out of various planning exercises in the Merrimack River District. The consultant's report produced scenarios for the golden triangle. The vision statements and plan produced has helped to further refine the findings and recommendations. The area encompasses 5 parcels in Amesbury, and it will be subdivided into 2 subdistricts that are about equal in size. Each subdistrict will have different dimensions and density regulations. The lot areas are small to allow flexibility. The setbacks are similar to traditional neighborhoods to keep the structures close to the street edge and engage public and private spaces. The maximum dwelling units will depend on the sub district. The average of

these two districts will total to 15 dwellings per acre, which is what's required in the MBTA zoning. There will be some additional density and dimensional controls to allow the creation of different building types. The site plan review will look at the street layout, utilities, amenities, landscaping, and lighting. There will be a design standards book that will incorporate building design elements, a neighborhood vision, streetscapes, and traffic calming designs. The maximum affordability allowed is 10%, if they want to go above that it is a very high bar to achieve requiring a feasibility study. There are no specific guidelines provided by the State to come up with the study.

70. David Frick commented that they were so fortunate to have a project like this come to Amesbury. There will be questions about traffic, and they will need to figure that out, but the Board is here to work on that.
71. Keith Ratner commented that it was good presentation and there was a lot to discuss in the future. It would be cool to see this in Amesbury and there is a good group working on it.
72. Michael Jewell commented that it looked like a good project, and questioned if there would be sidewalks and bike lanes on both sides of the street. Jeremy Lake responded that there would be sidewalks on both sides of the street. They have not had a lot of discussion about bike lanes. The thought is that the sidewalks and street would have shared transportation. The intent would be to have a bike friendly environment but not necessarily dedicated lanes.
73. Nick Cracknell commented that they will work to have a formal connection to the riverwalk project into Amesbury. Nipun Jain added that there would be more opportunities to have trails connecting to other neighborhoods as well. Michael Jewell questioned if the road would be wide enough to have parking and bikers ride safely. Jeremy Lake responded that was the goal. They will also be incorporating traffic calming measures. Michael Jewell questioned if the homes would have basements. Jeremy Lake responded that they have not gotten that specific yet. Bob Dale added that some housing types would most likely have them. Michael Jewell questioned if they would try to get a traffic signal out there. Bob Dale responded that they were aware that this area will need to be studied. Traffic lights are controlled by the State, so it would not be their call. They would certainly welcome it.
74. Joel Nice commented that he was part of Merrimack River District Committee as the Planning Board liaison. This project is along the lines of what was discussed. There are a variety of densities. Joel Nice questioned if they considered putting the lower density neighborhood further back. Jeremy Lake in early discussions they drew it the other way. However, the houses along Elm St. are lower density, so it would be jarring to go from that to the highest density.
75. Pascal Retting questioned if there would be a future mixed-use area in the front carved out area. It is nice the larger buildings are in the back, so when people come in it will look like a typical neighborhood until deeper in the development. It may be useful to have some high density in the front if they were going to put in a mixed-use development. Jeremy Lake responded that area was technically not part of their property. That is part of the reason it is dashed out. They are suggesting it would be a good sympathetic abutting use. Nick Cracknell agreed. It would be useful for the new neighborhood to have walking access to some limited commercial establishments on that side of Elm St. There is a historic structure

in front of property on a half-acre. The animal hospital is abutting as well. There is a potential for a secondary access to the project with a shared driveway through the Animal Hospital. It would be a good idea to account for this in the code.

76. Nipun Jain commented that this is a balancing act between a viable economic project and a land use perspective. A commercial component would need to be along the Elm St. corridor to be successful. The parcel along Elm St. appears to be prime for mixed use, however, a mixed use in 3A zoning would be more complicated. It is easier to accomplish this by keeping this solely residential and keep the mixed use adjacent and separate. Pascal Rettig commented that the project as presented is gorgeous and the design fits the character of Amesbury. It will be good to see the pattern book.
77. Lorri Krebs questioned if there was public transportation adjacent to the development. Nick Cracknell responded that the public transportation within a half mile is only a requirement for MBTA communities with rapid transit or a commuter rail station. Amesbury is an adjacent community, so it is not held to that standard. The bus route system on Elm St. is the public transportation access.
78. Tracey Chalifour commented that she is on the Coastal Trail Coalition and encouraged the exploration of trail connections. This is a great opportunity for that.
79. Nick Cracknell agreed and noted that they would try to connect through the 40R district to make connections as well. There is a perennial stream running down that area and there may be an opportunity for a pedestrian bridge over the stream to eventually to get to the Ghost Trail.
80. Pascal Rettig opened it up to comments from members of the public.
81. Sally Nutt of 335 Main St. commented that she was part of Merrimack River District study and this all seems to be respectful what came out of that. Ms. Nutt questioned if there was a requirement around the percentage of residents in the development using the MBTA. Ms. Nutt also questioned if there was any kind of infrastructure improvements from the State to mitigate the impact on the existing community. Ms. Nutt questioned if there were any State requirements on energy with this zoning.
82. Nick Cracknell responded that there were no requirements in the zoning that would require the residents to utilize MBTA services. They are hoping to expand ridership as a secondary goal. The burden of making infrastructure improvements is on the project. Providing and approving State subsidy and grant programs could help with those costs. There are no higher energy standards in the MBTA zoning.
83. Pascal Rettig questioned if there was a timeline on the zoning change and the project itself.
84. Nipun Jain commented that they planned to file the zoning in early April. It would be referred to the Planning Board from City Council. The application would be made by the developer once the zoning is adopted. They will be sending this to the State as well for a preliminary review of the requirements around the same time as the City Council filing. The hope is that the State gets back to us, and we can move forward without any changes by the end of July. Once that process is complete at that time an application should be able to move forward. They also have the option for a preapplication if everything is moving in the right direction and they want to start the process and get initial feedback.
85. Michael Jewell questioned if all communities were putting together a plan for this year for the State to approve by December 31, 2024. Nipun Jain responded that requirement is that

the communities adopt zoning by the end of the year, so the State has to approve it as well. Nick Cracknell added that it was a rolling schedule, so everything won't pile into the end of the year. It would not be surprising if the State extends its review period, but the communities are required to submit before the end of the year. Amesbury's goal is to have it submitted well before the end of the year.

86. Nick Cracknell thanked the development team and the Planning Board for participating in this discussion and supporting their effort to move forward.

**87. Continued Public Hearing – 2 Merrimac St.**

88. This was addressed at the beginning of the meeting.

**89. Continued Public Hearing – 13 Merrimac St.**

90. This was addressed at the beginning of the meeting.

**91. Administrative – 14 S Hunt Rd.**

92. Nipun Jain noted that there was nothing to address at this time.

**93. Administrative – Disposition Committee Appointment**

94. Nipun Jain commented that they needed to appoint a Planning Board member to be a representative on this committee. David Frick's name is in for City Council appointment, but it was important to have the Board's support on that.

95. Keith Ratner motioned to nominate David Frick to serve as the Planning Board Representative on the Disposition Committee. Seconded by Michael Jewell.

96. Pascal Rettig initiated a roll call vote -

97. Keith Ratner – YES

98. Joel Nice – YES

99. Lorri Krebs- YES

100. Michael Jewell – YES

101. Tracey Chalifour - YES

102. David Frick – YES

103. Pascal Rettig - YES

104. Motion passed 7-0

**105. Administrative – Covenants and Bonds**

106. There were no other covenants or bonds to be addressed.

**107. Administrative – Contracts, Bills, and Invoices**

108. There were no contracts, bills, or invoices to be addressed.

**109. Adjournment**

110. Michael Jewell motioned to adjourn at 9:17 pm. Seconded by Tracey Chalifour.

111. Pascal Rettig initiated a roll call vote -

112. Keith Ratner – YES

113. Joel Nice – YES



- 114. Lorri Krebs- YES
- 115. Michael Jewell – YES
- 116. Tracey Chalifour - YES
- 117. David Frick – YES
- 118. Pascal Rettig - YES
- 119. Motion passed 7-0