

1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – March 23, 2026, at 7:03 PM

3. Chairman Pascal Rettig called the March 23, 2026, Planning Board meeting to order at 7:03 PM.
4. *To submit a public comment ahead of time email Becky Frey at freyr@amesburyma.gov. To speak live at the meeting fill out a public comment form and turn it into Becky Frey. 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. Pascal Rettig initiated roll call –
7. Keith Ratner – YES
8. Joel Nice – YES
9. Tracey Chalifour – YES
10. Tom Salemi - YES
11. David Frick – YES
12. Pascal Rettig – YES
13. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)
14. **Minutes – 12-22-26**
15. David Frick motioned to approve the minutes from the 12-22-26 Planning Board Meeting as presented. Seconded by Keith Ratner.
16. Pascal Rettig initiated roll call vote–
17. Keith Ratner – YES
18. Joel Nice – YES
19. Tracey Chalifour – Abstain
20. Tom Salemi - YES
21. David Frick – YES
22. Pascal Rettig – YES
23. Motion passed 5-0
24. **Minutes – 1-12-26; 1-29-26**
25. These minutes were tabled to a future meeting.
26. **Preapplication – 2-6 Meadowbrook Landing Drive**

27. Paige Libbey commented that they have provided a conceptual plan. The property is on Meadowbrook Road and is bordered by the Merrimac town line and Lake Attitash. There is no frontage on Birchmeadow Road. The site is mostly wooded with significant topographic changes. It is in the R80 zone. There are several isolated wetland pockets in addition to Meadowbrook Pond. There is an existing gravel road out to Birchmeadow Road. The conceptual yield plan shows 47 lots. They are not proposing any density bonus. There would be a 2,500 linear foot road added from Meadowbrook Road. The total road length would be 3,300 feet. The road follows the existing path of the gravel road with slight adjustments. The proposed lots are between 10,000 and 15,000 square feet. The minimum lot size is 10,000 square feet. The proposal includes connecting the subdivision to water and sewer. The utility connection will follow the gravel trail and tie in on Birchmeadow Road. The development is being kept on the northwestern side of the property in the area that has been previously disturbed. Eighty-two percent of the lot will remain as open space. Several special permits are required. The WRPD-Zone B encompasses the majority of the property. The existing road coming into the property goes through Zone A. The housing lots will be outside of that zone. The only other impact is a small section of the gravel trail needed to install the sewer line. The sewer line is proposed within the gravel trail because it is previously disturbed. A second special permit is required for the wetland buffer impacts from lawn areas behind the lots. Structures will not be within the buffers. A special permit is also required for the cluster subdivision. The subdivision has been condensed into this area and includes a list of requested waivers. The main goal is to reduce the development footprint, and these waivers help achieve that. A letter of support was received from the Fire Chief regarding extending the road and requesting the waiver. He was amenable to that as long as there was an adequate turnaround at the end. The minimum road width is 24 feet. Sidewalks are required on both sides of the road, but they are requesting a sidewalk on only one side. Technically, a secondary access would be required, but only one access is being proposed. The minimum width of open land is 50 feet, and a waiver is requested for some lots. It should be noted that several meetings have been held with staff from OCED, DPW, and the Fire Department to develop the most feasible plan.
28. Tom Salemi questioned who would own the open space. Paige Libbey responded that the goal is for the road to be public and for the open space to also be public. Tom Salemi noted that certain materials cannot be used for lawn care, etc. Nipun Jain responded that those restrictions would be based on the conceptual plan. The applicant has arrived at this proposal based on feedback.
29. Nipun Jain commented that most people are familiar with the property. The last proposal was for a solar array. The site is approximately 153 acres. One section contains the previously disturbed gravel area. Vegetation there is sparse and not original growth. There are environmental resources in that area with associated buffers, but the majority of the site contains mature growth. Those mature areas are among the most desirable portions of the site and should be protected. The site is also within the WRPD. At least one-third of the site is protected by various WRPD zones. The site was first evaluated based on environmental and WRPD constraints. Access cannot be provided from Birchmeadow Road. The original yield plan covered the entire site, which was not desirable. Road length was excessive, and impacts on ecological resources were undesirable. OCED suggested a cluster

residential approach to create a more compact development. The applicant returned with a proposal extending to the middle of the property. The pros and cons of that 56-lot concept were reviewed. The primary issue was encroachment into the mature forest growth. Where the cul-de-sac ended, there was a pinch point between wetlands that served as a natural stopping point. The 56-lot proposal extended beyond that pinch point. The goal was to further reduce the limit of work and ecological impacts. The applicant explored ways to reduce road length, ecological impacts, and the overall limit of work. The northern portion of the site is at least 400 feet from the buffer. This plan shows a lot located directly at the 400-foot mark. These are the types of details that need closer review to determine how the lots should be arranged. The applicant has not yet filed an ANRAD, which may also impact the layout. The open space is the primary resource on the site that benefits the city because it is located within the WRPD. Any reduction in the limit of work and protection of ecological resources is beneficial. Regarding the waiver for the 50-foot strip of open space, there are situations where such a waiver is necessary and appropriate. The 50-foot strip abuts Merrimac farmland, thereby connecting open space resources.

30. Joel Nice clarified that there are currently four to five existing parcels. He asked whether the intent was to combine them. Paige Libbey confirmed that they would be combined. There would be a separate parcel designated as open space. It would be available for passive recreation. Joel Nice asked whether the homes would have individual owners. Paige Libbey confirmed that they would be single-family homes. Joel Nice expressed concern about the length of the road and suggested that it might make sense to include a cul-de-sac approximately halfway down. He noted that yards abutting wetlands should be enclosed with split-rail fencing. Paige Libbey stated that fencing details have not been finalized but typically split-rail fencing or placards are used to demarcate protected areas. Joel Nice noted that the existing road passes through Zone A while the proposed road does not. If upgrades are needed to the existing road, those improvements would need to be completed. Joel Nice expressed support for connecting to the sewer and liked the cluster design and concentration of development on one side of the property. He asked whether the road would be paved. Paige Libbey confirmed it would. Joel Nice then asked whether there was still a connection agreement with National Grid. Paige Libbey responded that she did not know.
31. David Frick commented that the solar project had been a major concern. The 40B development proposal, which included a private sewer system, had also been a concern. He was pleased that a sewer connection was now proposed along Birchmeadow Road. David Frick asked whether the applicant would install it according to DPW specifications. Paige Libbey confirmed that DPW had provided its regulations. David Frick asked whether there would be a pump station. Paige Libbey stated that the system would either operate by gravity or include a small pump station if necessary. David Frick asked whether water service would also be provided through the connection. Paige Libbey confirmed that it would. David Frick noted that routing the line away from the woods was preferable. He stated that concentrating development in the disturbed area and preserving the remainder as open space was ideal. He added that the property owners had been trying to develop the land for years and that this seemed like a good use of the property.

32. Keith Ratner commented that he agreed the long road was a concern but was unsure how it could be shortened while still protecting the site. If the Fire Department was comfortable with the proposal, he was inclined to support it. He appreciated the effort to preserve open space. He noted that it would be helpful to better understand the long-term plan for that open space. Keith Ratner asked whether affordable units would be required. Nipun Jain responded that there is no affordable housing requirement for a single-family home subdivision.
33. Nipun Jain commented that the water and sewer connections crossing the site provide an opportunity to better understand and improve the existing trail network. Using the existing trail for utility installation creates an opportunity to make the trails more accessible. Trails will be field-located, and a more refined trail layout with spurs will be developed. It is important to avoid impacts to the water resource aquifer, so utility connections are supported as a means of protecting those resources. The proposal avoids impacts associated with septic systems. Nipun Jain agreed with the Board's concerns regarding the road length. While it cannot be reduced by half, there are opportunities to shorten it somewhat, move it farther from resource areas, and incorporate common driveways. Multifamily housing is permitted as an option, so there may be opportunities to include a small number of multifamily units to further condense development. Nipun Jain acknowledged the need for waivers and stated that the design effort is focused on moving farther away from resource areas and wetland pinch points. Keith Ratner commented on the other waivers noting that the less impact we have the better. Putting a sidewalk on one side makes sense. He was in favor of protecting wetlands and connecting utilities as long as there is capacity.
34. Joel Nice questioned if there was an opportunity for a second cul-de-sac in the corner. Paige Libbey responded that there is quite a bit of topography there, which would make it difficult.
35. Tracey Chalifour questioned if inclusionary zoning applied here. Nipun Jain responded that the zoning and subdivision regulations do not require affordability with this type of development. Tracey Chalifour noted the road was 2 feet narrower than required and there was a proposed sidewalk along one side and questioned if street parking would be allowed. Paige Libbey commented that was something they would need to talk about. All of the houses will have driveways. In the event of additional visitors, they will need to discuss that with TRC. Tracey Chalifour commented she did not see snow storage on the plan. Nipun Jain commented that the lots are 10,000 sf. They have ample places to put snow. The road has 40 feet of right of way. There is room for snow storage on the side of the road like in other public streets. Several cluster developments have 40 feet of right of way and have snow storage available. Tracey Chalifour commented that it would be helpful to see that delineated. Tracey Chalifour questioned if the intent was to turn the open space over to the city. Paige Libbey confirmed that was correct. Tracey Chalifour questioned how people would access the open space. Paige Libbey responded there would be an easement at the end of the road for utility and pedestrian access. They are looking at potential access on Birchmeadow Road. They need to look at parking. Nipun Jain commented that if it's a public way, then the public will have access to the end of the cul-de-sac and agree there

should be visitor parking. It is in the city's interest to get the open space and resource protection.

36. Joel Nice questioned if Meadowbrook Road was public. Nipun Jain responded that it was not presently public.
37. Pascal Rettig commented that he mostly agreed with what everyone else has said. He was concerned about the 2,000 plus linear feet of road and long sewer line needed for the project. This is at the very edge of town off a country road and will be effectively a private cul-de-sac. It seems the city is moving away from taking on these types of maintenance burdens. They may be better off keeping the entire thing private and treating it as a private road. Alternatively, if it will be public then it should be more inviting to the public to enter the property. The open space has to be permanently protected under a Conservation Restriction. Public or private it should still be protected. They should make sure the cost to the city is assessed and balanced. Overall, this is a good solution to a long time problem.
38. Tom Salemi echoed Pascal's concern about maintenance. It would be good to understand what that connection looks like and guard against major long term maintenance issues.
39. Nipun Jain noted they have not made any commitments. OCED has conveyed they would need to meet certain standards to have the road be accepted. All of that is still in discussion. Even if it is built to city standards the road still needs to go through the City Council street acceptance process. Pascal Rettig commented it was important for the developer to have some understanding. Nipun Jain commented they have been talking to greenbelt and other organizations to take care of the trails. They are looking at all options to reduce the limit of work and roadway and protect open space and resources.
40. Pascal Rettig commented they should send this to the Open Space Committee to get their feedback. The Board agreed.
41. David Frick appreciated the thought on the burden concern. From a developer's standpoint, they would say they are contributing tax revenue to the city and contributing to the overall budget.
42. Pascal Rettig stated that if the city owns it, then it should be part of the city, and the city should benefit.
43. Nipun Jain commented that long-range planning takes that into account. They want to make sure the infrastructure is not solely for one development. That is always a key factor in determining how much development should happen. There would be a benefit to putting it on Kimball Road. They are working with DPW on those assessments. The developer is still evaluating all of those things.
44. Tom Salemi requested more details about the line installation and the public benefits associated with it, as well as the long-term maintenance and viability of the infrastructure.
45. David Frick asked whether the sewer comes past Meadowbrook. Paige Libbey replied that it does not come all the way. The route is shorter to the Kimball Road station, but the pump station is much smaller and cannot accommodate the capacity.
46. Pascal Rettig opened public comment.
47. Angela Bik, of 81 Lake Attitash Road, spoke on behalf of the Lake Attitash Association. She said this was exciting news and that she was looking forward to hearing more about it. She appreciated that they are protecting the open space. David Frick thanked the Lake Attitash Association for its participation in the last proposal.

48. Kathy Richards, of 21 Birchmeadow Road, said this is very exciting. In the 40 years she has lived there, she has always been told that something would be going in there. One concern she raised was access from Birchmeadow Road to the open property. Birchmeadow Road is approximately 1.5 lanes wide, and that section is essentially only one lane wide. Providing access to public open space on that side is a concern. There are no sidewalks. The rest of the proposal sounds very promising.

49. Continued Public Hearings – 9 and 9 #RR Oakland Street

50. Keith Ratner motioned to continue the application for 9 and 9#RR Oakland Street to the April 13, 2026, Planning Board Meeting. Seconded by Joel Nice.

51. Pascal Rettig initiated roll call vote–

52. Keith Ratner – YES

53. Joel Nice – YES

54. Tracey Chalifour – YES

55. Tom Salemi - YES

56. David Frick – YES

57. Pascal Rettig – YES

58. Motion passed 6-0

59. Continued Public Hearings – 5 and 13 School Street

60. Keith Ratner motioned to continue the application for 5 and 13 School Street to the April 13, 2026, Planning Board Meeting. Seconded by Joel Nice.

61. Pascal Rettig initiated roll call vote–

62. Keith Ratner – YES

63. Joel Nice – YES

64. Tracey Chalifour – YES

65. Tom Salemi - YES

66. David Frick – YES

67. Pascal Rettig – YES

68. Motion passed 6-0

69. Continued Public Hearings – 14 Maple Street

70. Nipun Jain commented that he did not have a draft decision for this yet. The applicant requested to continue.

71. Keith Ratner motioned to continue the application for 14 Maple Street to the April 13, 2026, Planning Board Meeting. Seconded by Joel Nice.

72. Pascal Rettig initiated roll call vote–

73. Keith Ratner – YES

74. Joel Nice – YES

75. Tracey Chalifour – YES

76. Tom Salemi - YES

77. David Frick – YES

78. Pascal Rettig – YES

79. Motion passed 6-0

80. Continued Public Hearings – 29 Lake Attitash Road

81. Nipun Jain commented that the applicant requested that no discussion take place because there is nothing new. There is one administrative item that needs to be addressed the Board needs to establish a peer review.

82. David Frick motioned to confirm and authorize staff to engage Stantec for peer review for 29 Lake Attitash Road. Seconded by Tom Salemi.

83. Pascal Rettig initiated roll call vote–

84. Keith Ratner – YES

85. Joel Nice – YES

86. Tracey Chalifour – YES

87. Tom Salemi - YES

88. David Frick – YES

89. Pascal Rettig – YES

90. Motion passed 6-0

91. Keith Ratner motioned to continue the application for 29 Lake Attitash Road to the April 27, 2026, Planning Board Meeting. Seconded by Joel Nice.

92. Pascal Rettig initiated roll call vote–

93. Keith Ratner – YES

94. Joel Nice – YES

95. Tracey Chalifour – YES

96. Tom Salemi - YES

97. David Frick – YES

98. Pascal Rettig – YES

99. Motion passed 6-0

100. New Public Hearings – 19 Prospect Street

101. Nipun Jain read the legal notice into the record.

102. Aileen Graf, architect, was present with Steve Sawyer, Engineer, and the developers.

Aileen Graf commented they have had various meetings with DRC, Historical Commission, and TRC. They have received feedback from all the different committees and feel they have incorporated the suggestions. There is an existing two-family dwelling sitting on a large lot with a lot of frontage. The existing historic structure is from 1870 and is in dire need of attention. The proposal is to restore the existing dwelling and replace an existing addition. They would also like to propose a new structure with three smaller units. There will be a free-standing three-car garage with the new building and a free-standing single-car garage for the existing building.

103. Steve Sawyer commented that they will remove the small portion on the left from the existing structure. The land slopes back toward the property. They will demolish the existing sheds. The front is an all-gravel area and will be cleaned up with driveways and new structures. The existing driveway will be improved for two tandem spaces and a patio area at the end of it. There will also be trash and recycling there for that unit. A retaining wall will go in the back. There will be a new driveway for the other unit with a patio and single-car

garage. A couple of retaining walls will help stabilize the topography. They are providing a dry well and capturing runoff. A dry well will be installed in the new driveway as well, with roof drains connected to it. There is a small overflow that can drain to the rear grass area. Trash and recycling are outlined for both units. Two new street trees and sidewalk replacement are proposed from property line to property line. Driveway aprons will have tip-downs. On the left side is the new three-family unit. Access to that runs down, and the grade falls away to a level parking court in the rear. There will be a three-car garage and tandem parking behind that. There is a spot in the driveway to allow for turnaround and vehicle shuffling. Trash and recycling will be located between the garage and parking area for the three-unit building. It will be screened by the single-car garage. There will be a patio for the shared use of the three-family building. All water will drain to the low area, where there will be a larger chamber system. It holds a large quantity of water to handle runoff from the paved area. There is a crushed stone area between a wall at the rear and the parking area leading down to the grass area. A wall is required to make the grading work at the lower parking area as well. A small separate drainage system drains directly out to the back. There are four street trees, and four perimeter trees proposed.

104. Aileen Graf commented that the property is shown on the Sanborn maps as early as 1885. The existing home has asphalt roof shingles. She is hoping they can reuse some of the siding underneath. Elements have been altered over the years, such as the side porch and windows. They would like to preserve the doors. Abutting properties are all similar to the era. They are proposing to bring back high-end windows, specifically two-over-two Pella windows. They will bring back clapboard siding and mahogany decking with wood railings and posts. The proposed addition will be a two-story structure. It will provide a second means of egress and outdoor space for the second-floor unit. There will be a walkout lower level. The existing home will have a two-bedroom upper unit and a three-bedroom unit. The new building will have a one-bedroom, two-bedroom, and three-bedroom unit. The proposed structure is intended to infill the open area and present another building in keeping with the scale and style appropriate to the neighborhood. It will appear to be a single-family structure from the street, compact in footprint but containing multiple units. They are proposing similar windows and a traditional front entry with granite steps. They are trying to pay attention to the scale of the structure. On the right is a one-story space similar to the historic structure. Hardy board siding, some shutters, and architectural roof shingles are proposed. The free-standing garage, the three-car garage in particular, will mostly be hidden by the elevations. The same is true of the one-car garage. The buildings are intended to be in keeping with the size, scale, and massing of nearby structures. The landscape plan shows the plantings and lawn space. Larger trees are proposed, as well as some shrub screening. They will maintain existing trees along the property line to the best of their ability. Since they are near a shallow wall, the trees should not be impacted. Mechanical equipment will be located in the back of the building.
105. Keith Ratner commented that he is looking forward to an improvement in that area. It looks like some of the comments have been addressed. Waste management has been covered and screened. He asked whether there would be a fence between the new structure and the building next to it. Aileen Graf responded that there would be no fence, but there would be buffer plantings to create separation. Keith Ratner stated that he had

not seen the list of waivers. Nipun Jain commented that some dimensional waivers are needed. Keith Ratner stated that he would like to see that list.

106. David Frick commented and asked whether these units would be rentals or for-sale units. Aileen Graf responded that they would be condominiums. David Frick asked whether there would be two separate lots. Aileen Graf confirmed that was correct. David Frick asked whether the concrete walls in the back would be cast in place. Steve Sawyer responded that they would be Techno-Bloc walls. David Frick supported the project and said he was happy with the improvement. He noted that this is what Historic Special Permit is all about.
107. Joel Nice commented that he liked the stormwater design and said they did a good job capturing water. He asked for clarification regarding the sidewalk or landscape strip, noting that it was labeled as a sidewalk on the civil plan. Steve Sawyer responded that it was an old label and not actually a sidewalk in the middle of the site. Joel Nice commented that the project looks great.
108. Tom Salemi commented that he lives close by and is excited about the project. He was glad that the drainage issues had been addressed. He asked about the fencing along the trees. Aileen Graf responded that there would be no change to the fencing but that additional plantings would be added. She noted that it is chain-link fencing. Tom Salemi asked where the lot line is located. Steve responded that the red line follows the garage, then extends along the back of the three-car garage and over. Tom Salemi asked whether the large backyard area belongs to the new structure. Steve Sawyer responded that it does. Tom Salemi asked whether the roof drainage would be tied into the dry wells. Steve Sawyer responded that the roof lines would connect to PVC pipe and tie into the dry wells.
109. Tracey Chalifour commented that she did not have much else to add. Procedurally, she noted that the memo from staff delineates recommendations and asked how those recommendations would be addressed. Pascal Rettig noted that Keith Ratner had mentioned a couple. Pascal Rettig then asked how large the fire pit area was. Aileen Graf responded that it is about 8–10 feet. Pascal Rettig wondered whether it would be worth making changes to the chain-link fence at the back, since people would be sitting at a higher elevation. He suggested perhaps adding more buffering with bushes to provide a better visual screen. He also stated that he was still looking for specifics on finishing materials for railings, decks, and stairs. He asked whether any lighting had been specified other than what is attached to the houses. Aileen Graf responded that there would be no exterior lamp posts and that all lighting would be attached to the house. She added that it would be dark-sky compliant and focused on entry areas. Pascal Rettig asked about the clearance in front of the garage and whether the minimum clearance for the first parking space is 18 feet. He also asked about the retaining wall and whether there would be an edge treatment on top. Steve Sawyer responded that there would be a small coping on top and that a guard could be added if necessary. There is also curbing at the edge. Pascal Rettig asked for specifics on the patio paver material and whether there would be any protection for the patio from cars backing up. Steve Sawyer responded that there would be no curb. He noted that during the winter the patio could also be used as an area for snow storage. It will be at grade but constructed with a different material. Nipun Jain questioned if the driveway would be common ownership and the patio exclusive use. Steve Sawyer responded it would be common ownership and common area.

110. Keith Ratner commented that the access to the backyard is by walking down the slope. Is any walkway needed? Steve Sawyer suggested a pea stone surface and a 10% grade. Pascal Rettig noted a path next to the garage. Nipun Jain addressed concerns that pea stone on a slope will tend to roll down into the yard. Options include installing bluestone steppingstones or adjusting the grade slightly to create one step to help reduce the slope. Steve Sawyer confirmed they would look into it. Nipun Jain noted that this is something they should consider. It is not clear if the driveway joins 29 Prospect. There was discussion about the slope of that driveway as it relates to the proposed grades. Steve Sawyer stated that they are matching the existing grade and working to keep water runoff on their property. Nipun Jain said there should be another sheet showing exactly where the lots are located. A lot plan is needed to show the lot without structures. Since the garage is right on the lot line, they should discuss whether maintenance easements may be needed.
111. Tracy Chalifour questioned if the existing trees in the backyard would be retained with a retaining wall. Can the existing trees be accessed, or is the area too dense? Aileen Graf responded that it is too dense. Nipun Jain said he had not really reviewed the landscape plan. This could be made a condition of approval. The landscaping should be based on what works in the backyard, with locations and tree types of trees identified.
112. Tom Salemi commented that he would prefer to not to have any fixtures in the backyard. He would like to keep it more open with no additional features and minimize the initial impact on abutters with the new residents. Pascal Rettig noted that all condo owners would have to agree to that.
113. Pascal Rettig questioned what the next steps should be.
114. Nipun Jain stated that the applicant had done a good job addressing comments from the DRC and TRC. There is not much that needs to go back to the TRC. The utility system concerns have been addressed. The project is going before the Historical Commission on April 2, 2026. There are only minor comments remaining, mostly clarifications and additions. Once those edits have been made, the project can move forward. Pascal Rettig asked whether a peer review would be required. Nipun Jain responded that the applicant has provided more information than is usually seen for a project of this scale. He feels relatively certain about what is being proposed and will work with the applicant on the grades to ensure any outstanding issues are addressed.
115. Pascal Rettig opened public comment. There was no public comment.
116. David Frick questioned if staff could draft the decision. Nipun Jain responded that it would not be a heavy lift to come back with recommendations and that he would work through the comments.
117. David Frick motioned to ask staff to draft decision for the next meeting and continue the application for 19 Prospect Street to the April 13, 2026 Planning Board Meeting. Seconded by Joel Nice.
118. Keith continue to April 13, 2026. Seconded by Joel Nice.
119. Pascal Rettig initiated roll call vote—
120. Keith Ratner – YES
121. Joel Nice – YES
122. Tracey Chalifour – YES
123. Tom Salemi - YES

- 124. David Frick – YES
- 125. Pascal Rettig – YES
- 126. Motion passed 6-0

127. **Administrative –80 Haverhill Road Modification Request**

- 128. Nipun Jain commented that this was a historic preservation special permit. The existing house is being restored and renovated, and the rear structure will replace the existing barn with 4 units. The applicant requested a minor modification to increase the unit count from 4 to 7 without changing the building footprint. They will be making changes to the interior units in order to accommodate the additional units. They will adjust some window openings on the structure and propose two shed dormers on either side. The changes are appropriate based on what is shown in the drawings. There are a few minor changes to the deck of the house. They are requesting to reduce some of the area in the connector where trash and recycling were going to be enclosed. Trash will be relocated to one spot at the end of the driveway, possibly in a dumpster. There is no significant change to the approved site plan. Staff believes the project still works and meets the performance standards of the site plan and historic requirements.
- 129. Pascal Rettig commented that the big issue was parking. They have 17 spaces for 11 units. Nipun Jain noted that there are 2 spaces each for 4 units with tandem parking and garages. There are also garage spaces for the rear structure and outdoor parking as well. The modification complies with the requirement of 1.5 parking spaces per unit for all units in the building.
- 130. Tracey Chalifour asked if there would be any guest spots. Pascal Rettig replied that there would be one.
- 131. David Frick said the building previously had 4 units, which the Board had no problem with. Now the building has 7 units and only one spot per unit. Pascal Rettig responded that there are 4 spaces inside and 5 outside. Pascal said the important thing is that the unit tenants be told they only have one parking space; otherwise, there will not be enough parking. There will not be a guest spot and not enough parking overall.
- 132. Tracey Chalifour commented that this seems contradictory to opportunities for families. Pascal Rettig noted that the front building has two units. Aileen stated there are seven two-bedroom units. Nipun clarified that all of the units in the barn are two-bedroom units. He added that nowhere in the code is parking based on bedroom count. Pascal stated that the project meets the code requirement for parking. Nipun Jain confirmed that is correct and that parking compliance is the basis for evaluating whether the project complies.
- 133. David Frick said he does not doubt it is a minor modification but remembered being concerned about tight parking. Nipun Jain replied that the parking layout is not changing.
- 134. David Frick commented that he understood the front building's 4 units have 2 parking spots each. Seven people could have 10 cars. Mark Mecins, one of the owners, stated that the code requires 1.5 parking spaces per unit, and the site provides that amount. Pascal Rettig asked whether the units in the back would be advertised as having one parking spot. Mark Mecins said that would be determined on-site. He added that he is not 100% sure people will have two cars, and that most projects average about 1.1 cars per unit, which

minimizes parking issues. David Frick noted that if the front building's 4 units retain their parking, that leaves 8 spots for the 7 units in the back. Mark Mecins replied that this is one lot and they will work it out through the condo association. David Frick responded that there would then only be a maximum of one visitor spot. Mark Mecins acknowledged that it is not optimal, but in reality people on-site make it work. Pascal Rettig noted that people cannot park on Route 110 and that neighboring businesses will not want overflow parking. Mark Mecins said that when the project was designed, they looked at the square footage and parking count and met the code requirements. If the layout does not prove optimal, they can implement parking management, which is something they deal with regularly.

135. Tracey Chalifour motioned to extend the meeting to 10:00 p.m. Seconded by Keith Ratner. Pascal Rettig initiated roll call vote—
136. Keith Ratner – YES
137. Joel Nice – YES
138. Tracey Chalifour – NO
139. Tom Salemi - YES
140. David Frick – YES
141. Pascal Rettig – YES
142. Motion passed 5-1
143. Tracey Chalifour asked if these would be condominiums. Mark Mecins confirmed that was correct. Tracey Chalifour said she does not feel this is a minor modification because it adds three units. Tom Salemi asked whether the conversation would be different if 7 units had originally been proposed. He asked why the project is going to 7 units? Nipun Jain replied that it relates to the economics of the project. He noted that it had been discussed previously that the units were larger than necessary. There was also discussion that larger units might generate demand for two cars. The applicant has done some market research and believes the smaller units will be more marketable and create less demand for parking. There may also be an opportunity to create one or two additional parking spaces. Staff has not had an opportunity to discuss that with the applicant because the assessment showed the project met the parking requirement. Tom Salemi said he is not entirely comfortable going to 7 units and would like to find a solution.
144. Pascal Rettig said it is easier because the units will be condominiums. One parking space could be deeded to each owner. Nipun Jain noted that other projects do not require assigned parking and instead use floating parking arrangements. The applicant could come back with an arrangement involving the other property owners if a problem arises. As long as the project meets the code, the Board should recognize that compliance.
145. Tracey Chalifour said it is not fair for the Planning Board to consider approving a project where they know there will be a parking problem. It would be helpful to see calculations comparing the current unit configuration to the new unit configuration. Nipun Jain responded that all of that information is available on the portal. Tracey emphasized the increase from 4 to 7 units. Nipun Jain asked which performance standard the Board was trying to address. If the perspective is that this is a major modification, he asked which performance standard is implicated. Joel Nice noted that a unit is being added on the fourth floor. Nipun Jain replied that it was always finished space.

146. David Frick motioned to determine this request was a minor modification and to approve the minor modification. Seconded by Joel Nice.
147. Keith Ratner questioned if the increase in units increased the number of affordable units. Nipun Jain responded that it does not increase from the one affordable unit that is already included.
148. Pascal Rettig initiated roll call vote—
149. Keith Ratner – YES
150. Joel Nice – YES
151. Tracey Chalifour – NO
152. Tom Salemi - YES
153. David Frick – YES
154. Pascal Rettig – YES
155. Motion passed 5-1

156. Admin – ZBA Referral 27 Kimball Road

157. Pascal Rettig commented that they were all aware this 40B was submitted. This does not go in front of the Planning Board. That being said, it would be good for the Board to provide comments and feedback. Everyone should individually send comments to staff this week, and the comments can be forwarded on. One thing worth mentioning is that there is a similar development in Lancaster, MA. Nipun Jain noted it is a similar product. Pascal Rettig mentioned there are discrepancies between the renderings and the final product. The Board should look at the MCO Cottage Rentals.
158. Nipun Jain commented this was a 95-unit rental project aiming to create a single-family-style living environment. Units will be one-, two-, and three-bedroom units. It is a denser product than what exists in the neighborhood. The neighborhood is concerned about traffic and environmental impacts.
159. Becky Frey commented that the Board can access documents on the ZBA page and review the TRC meeting materials.
160. Nipun Jain commented that if the Board is generally in support of comments being sent to the state, staff can confer and forward those comments.
161. David Frick commented that the presentation looked really nice in the renderings. Are they really putting in curbs, sidewalks, and other improvements? David Frick commented that the ZBA should hold them to the renderings. If it is not built the way it is rendered, that is a concern.
162. Nipun Jain commented that the site is in the WRPD. There are steep grade changes on the site that will require fill, and there are concerns from the neighborhood about drainage. The existing conditions create challenges. David Frick asked whether this will go to peer review. Nipun Jain confirmed it would. It may be a great development, but it is a more urban-style development. They could build four Acadia developments and have more open space, which may be more appropriate from a resource protection perspective. If this were coming before the Board, what are your concerns from a zoning point of view? If it was subject to local regulations, they would not be able to propose that many units. The proposal includes quality construction materials and ample opportunities for residents to access open space. However, what appears to be open space in the renderings is not

actually that large. Some aspects need to be addressed in those areas. They have too much parking, which creates too much impervious area. If they are trying to create a community, what can they do to make it better?

163. Tom Salemi commented they have gone through this before, and it is the same exact thing. What good will it do? Nipun Jain commented that we tried to influence the state, which did take extra time. It did have an impact on the record. The applicant is more likely to take comments more seriously. It will be discussed as part of peer review. Density can come into play. Tom Salemi asked if that project was proposed in a different place, in a more reasonable location, would there be anything to prevent it? Nipun Jain said he had no objection to the concept or design, just the context.

164. Tracey Chalifour clarified that they should send individual memos.

165. David Frick commented that they talked about how they do not have to comply with local stormwater standards but are saying they will. Are they really? Nipun Jain said that would be evaluated through peer review.

166. Pascal Rettig noted there is no usable open space. Nipun Jain said that if you do not have a car, you have nothing to do. If you are trying to attract families with children, how will you serve them on site?

167. **Admin – 201 Elm Street**

168. Keith Ratner motioned to establish the covenant for 201 Elm St. Seconded by Tracey Chalifour.

169. Pascal Rettig initiated roll call vote–

170. Keith Ratner – YES

171. Joel Nice – YES

172. Tracey Chalifour – YES

173. Tom Salemi - YES

174. David Frick – YES

175. Pascal Rettig – YES

176. Motion passed 6-0

177. Keith Ratner motioned to establish the erosion control bond in the amount of \$7,125.00 for 201 Elm St. Seconded by Tracey Chalifour.

178. Pascal Rettig initiated roll call vote–

179. Keith Ratner – YES

180. Joel Nice – YES

181. Tracey Chalifour – YES

182. Tom Salemi - YES

183. David Frick – YES

184. Pascal Rettig – YES

185. Motion passed 6-0

186. **Admin – 102 Kimball Road**

187. Nipun Jain commented that they have received a request for 102 Kimball road to endorse the subdivision plans and establish a covenant. They have no objection with the subdivision plans endorsement. The covenant that was provided by the future buyer has

led to some legal questions. Staff is requesting that the Board endorse plans and request legal counsel to review covenant provided by the applicant to make sure it addresses the condition of approval.

188. David Frick motioned to endorse the subdivision plans for 102 Kimball Road and request legal review the proposed covenant. Seconded by Keith Ratner.

189. Pascal Rettig initiated roll call vote—

190. Keith Ratner – YES

191. Joel Nice – YES

192. Tracey Chalifour – YES

193. Tom Salemi - YES

194. David Frick – YES

195. Pascal Rettig – YES

196. Motion passed 6-0

197. **Admin - 26 Friend Street**

198. Keith Ratner motioned to establish the erosion control bond in the amount of \$611.00 for 26 Friend Street. Seconded by Joel Nice.

199. Pascal Rettig initiated roll call vote—

200. Keith Ratner – YES

201. Joel Nice – YES

202. Tracey Chalifour – YES

203. Tom Salemi - YES

204. David Frick – YES

205. Pascal Rettig – YES

206. Motion passed 6-0

207. Tracey Chalifour motioned to extend the meeting to 10:05 pm. Seconded by Tom Pascal
Rettig initiated roll call vote –

208. Keith Ratner – YES

209. Joel Nice – YES

210. Tracey Chalifour – YES

211. Tom Salemi - YES

212. David Frick – YES

213. Pascal Rettig – YES

214. Motion passed 6-0

215.

216. **Admin – 36 Haverhill Road Bond Release**

217. Nipun Jain commented that the project has been complete for a while. If it's the pleasure of the Board, they can do a site visit to confirm everything is still as it was intended to be and if anything need to be fixed they can bring it to the developer's attention. To release the full bond, they need to confirm with the Conservation Commission that the superseding CoC has been issued.

218. David Frick motioned to release \$60,000 of the bond. Seconded by Keith Ratner.

- 219. Pascal Rettig initiated roll call vote–
- 220. Keith Ratner – YES
- 221. Joel Nice – YES
- 222. Tracey Chalifour – YES
- 223. Tom Salemi - YES
- 224. David Frick – YES
- 225. Pascal Rettig – YES
- 226. Motion passed 6-0

227. **Adjournment**

- 228. Tracey Chalifour motioned to adjourn at 10:02 pm. Seconded by Tom Salemi.
- 229. Pascal Rettig initiated roll call vote –
- 230. Keith Ratner – YES
- 231. Joel Nice – YES
- 232. Tracey Chalifour – YES
- 233. Tom Salemi - YES
- 234. David Frick – YES
- 235. Pascal Rettig – YES
- 236. Motion passed 6-0