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**MINUTES of the ZONING BOARD OF APPEALS MEETING
THURSDAY, September 25, 2025**

(Posted in accordance with the provisions of MGL Ch. 39, Sec. 23A, as amended)

City Hall – 7:00 p.m.

62 Friend St.

Amesbury, MA 01913

Attendance: Sharon McDermot (Chair), Donna Collins, David Haraske, Charles Bassler, John Rogers

Absent:

Also in attendance: Community Development Coordinator Becky Frey

Call to Order

Chair Sharon McDermot called the meeting to order at 7:04 pm.

Roll Call/Attendance

Chair Sharon McDermot took roll call. Everyone was in attendance.

Minutes – 9-11-25

Donnal Collins motioned to accept the minutes for 9-11-25. Seconded by Charles Basler. The motion passed unanimously.

Topics for Discussion:

Continued Public Hearings:

1. 276, 278, 280 Main Street – Housing Support – Comprehensive Permit

Chair Sharon McDermot commented that they have a draft decision and asked Attorney Carolyn Murray to review the changes to the draft decision from the last meeting.

Carolyn Murray commented that they were last here 2 weeks ago and one of the take aways from that meeting was that the Board wanted to see the revised plans with respect to the August memo from OCED and DRC. The Board's packets have the revised engineering and architecture plans. They have

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been reviewed by staff and deemed to be compliant with OCED/DRC memo from 8-5-25. There were several versions that were sent back and forth with respect to the decision itself. It has been revised to reflect the waiver approvals from the last meeting. The findings of fact in section 3 paragraph 5 related to the hydrant waterflow test. At the last meeting it was stated that DPW had reviewed the results. They confirmed that DPW was in agreement with the language in the decision about that. The next significant change were in the conditions in paragraph 40 and 41. At the last meeting there was a lot of discussion about preserving the mature trees and concern about clear cutting everything but the mature trees. These conditions were tweaked to make sure there will be construction protections and erosion control for the 4-5 Norway maples identified on the plans. Paragraph 41 was revised to require a rumble strip at the construction site exit to help keep Main St. clean. The condition also allows the Building Inspector to determine if the applicant needs to sweep more areas if there is further roadway impact. The next significant change comes in paragraph 54 which is relative to the stormwater operations and management, and ensures they are bound to utilize it. The next change is in paragraph 69. The fencing that was proposed by OCED in conjunction with DRC required a wooden perimeter fence. The plans have been revised to show a 5-foot fence around the perimeter. Paragraph 76 addresses the preservation of the Norway maples and also requires they coordinate with the Building Inspector prior to construction to coordinate tree trimming of any mature trees. This condition is guarding against clearcutting and would give some oversight to the extent of the trimming. They are also required to put temporary fencing up during construction to protect tree trunks as much as possible. The next and last change is paragraph 82. The original application included some original changes to the Bartlett building itself. The applicant has withdrawn those changes with the exception of the removal of the fire escapes. Any future alterations or extensions of the existing structures would require review by the Zoning Compliance Officer.

Dave Haraske commented that multiple abutters made it clear that they would like to see the 5-foot fence at 6 feet in height and requested to include that stipulation as part of the approval. There should be another stipulation that the perimeter fence should be one foot from the property lines to mitigate snow that piles up there. The plan itself shows it on the line would, so that condition should be implemented.

Chair Sharon McDermot agreed they should incorporate it into the decision. Carolyn Murray confirmed they could.

Chair Sharon McDermot did not hear any other comments or concerns from the other ZBA members. Chair Sharon McDermot requested a motion to approve the draft decision last revised 9-24-25 for the Comprehensive Permit Application for 276-278-280 Main St. with the added stipulations that the perimeter fence should be 6 foot high and one foot from the property line.



Nick Cracknell commented that the second suggested stipulation is shown on the plans on the second page.

Donna Collins motioned to approve the draft decision dated 9-24-25 for the Comprehensive Permit Application for 276-278-280 Main St. with the added stipulations that the perimeter fence should be 6 foot high and one foot from the property line. Seconded by Dave Haraske.

Chair Sharon McDermot took a roll call vote:

Donna Collins: Yes

Dave Haraske: Yes

Charles Basler: Yes

Sharon McDermot: Yes

The motion passed 4-0.

Carolyn Murray noted the appeal period is 20 days from filing with the Clerk.

New Public Hearings:

2. 15 Third Street – Variance/Special Permit

Yann Oliveira commented that he was the owner of Pro Warrior Construction and represented the applicant. They are known for helping military veterans with home construction. The applicant is a military veteran, and his wife grew up in the house. It is a small house now. They want to have a home that can accommodate their growing family. The housing market is a little crazy, so they are working with what they have.

Chair Sharon McDermot asked if the ZBA members had any questions. The ZBA members did not have any questions.

Chair Sharon McDermot opened the public hearing.

Walter Casey of Pearl St. spoke in favor of the application and commented that his daughter purchased the house in 2011. She and her husband are in Alabama and hoping to return in the spring. This is in the R20 zone, and it is already non-conforming. The addition will not impact any existing parking spaces. They want to stay in the neighborhood and that's the big thing for them.

Charles Basler motioned to close the public hearing for 15 Third St. Seconded by Donna Collins.

Chair Sharon McDermot took a roll call vote:

Donna Collins: Yes

Dave Haraske: Yes

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Charles Basler: Yes

John Rogers: Yes

Sharon McDermot: Yes

The motion passed 5-0.

Sharon McDermot questioned if any ZBA member had any concerns on the addition. No one had any concerns.

Sharon McDermot reviewed the summary of the findings. This is a variance. The substantial hardship is the shape of the lot and topography because they are on the hill. The main hardship is the topography. This will not impact parking. The features do not generally effect the district. It does not cause substantial detriment to the public good. It does not derogate from the intent of the bylaw.

Donna Collins motioned to given the findings and hardship criteria approve the variance request for 15 Third Street as presented. Seconded by Charles Basler. Motion passed 5-0.

Chair Sharon McDermot took a roll call vote:

Donna Collins: Yes

Dave Haraske: Yes

Charles Basler: Yes

John Rogers: Yes

Sharon McDermot: Yes

The motion passed 5-0.

Adjourn

Dave Haraske motioned to adjourn the meeting at 7:26 pm. Seconded by John Rogers.

Chair Sharon McDermot took a roll call vote:

Donna Collins: Yes

David Haraske: Yes

Charles Basler: Yes

John Rogers: Yes

Sharon McDermot: Yes

The motion passed 5-0