

1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – February 10, 2025, at 7:00 PM

3. Acting Chairman Keith Ratner called the February 10, 2025, Planning Board meeting to order at 7:00 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. Keith Ratner initiated roll call –
7. Keith Ratner – YES
8. Joel Nice – YES
9. Michael Jewell – YES
10. Tracey Chalifour - YES
11. David Frick – YES
12. Pascal Rettig - YES
13. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)

14. Minutes – 11-25-2025

15. Tracey Chalifour motioned to approve the minutes for 11-25-25. Seconded by Michael Jewell.
16. Keith Ratner initiated roll call –
17. Keith Ratner – YES
18. Joel Nice – YES
19. Michael Jewell – YES
20. Tracey Chalifour - YES
21. David Frick – YES
22. Pascal Rettig - YES
23. Motion passed 6-0

24. Sign – 34 Market St. - Gallagher

25. Nipun Jain commented that the DRC recommended the sign be approved as presented.
26. David Frick motioned to approve the sign application for 34 Market St. as presented.
Seconded by Michael Jewell.
27. Keith Ratner initiated roll call –
28. Keith Ratner – YES
29. Joel Nice – YES

- 30. Michael Jewell – YES
- 31. Tracey Chalifour - YES
- 32. David Frick – YES
- 33. Pascal Rettig - YES
- 34. Motion passed 6-0

35. Sign – 100 Macy St. – Bright Bridge

- 36. Nipun Jain commented that this package was reviewed by DRC. It had to be revised to include the free-standing sign. The DRC made a positive recommendation for the package as revised.
- 37. David Frick motioned to approve the sign at 100 Macy St. as amended. Seconded by Michael Jewell.
- 38. Keith Ratner initiated roll call –
- 39. Keith Ratner – YES
- 40. Joel Nice – YES
- 41. Michael Jewell – YES
- 42. Tracey Chalifour - YES
- 43. David Frick – YES
- 44. Pascal Rettig - YES
- 45. Motion passed 6-0

- 46. Keith Ratner requested a motion to take Meadowbrook out of order.
- 47. Michael Jewell motioned to take the application for Meadowbrook out of order. Seconded by Pascal Rettig.
- 48. Keith Ratner initiated roll call –
- 49. Keith Ratner – YES
- 50. Joel Nice – YES
- 51. Michael Jewell – YES
- 52. Tracey Chalifour - YES
- 53. David Frick – YES
- 54. Pascal Rettig - YES
- 55. Motion passed 6-0

56. New Hearings – Meadowbrook

- 57. Nipun Jain read the legal notice into the record.
- 58. Michael Jewell motioned to continue the public hearing for Meadowbrook to the March 10, 2025, Planning Board Meeting. Seconded by David Frick.
- 59. Keith Ratner initiated roll call –
- 60. Keith Ratner – YES
- 61. Joel Nice – YES
- 62. Michael Jewell – YES
- 63. Tracey Chalifour - YES
- 64. David Frick – YES
- 65. Pascal Rettig - YES

66. Motion passed 6-0

67. Preapplication – 201 Elm St.

68. Bill Nolan represented the application and commented that they were planning to file a historic preservation special permit application for 201 Elm St. This project will be done in conjunction with the Historical Commission and the Design Review Committee. They have been working with OCED as well. The existing site is broken into 2 parcels. There is a house on one lot and a vacant lot on the other. This is in the R8 district, and they are proposing to have 4 units on an almost 37,000 sf lot. The existing early American Colonial house was built in 1731 and is still standing. The project will rehab this building as is. They will remove the back position of the house that is determined inadequate for rehab. The Historical Commission approved this plan. They will do an appropriate saltbox addition to the back. The proposed site plan consists of the existing home, a proposed two-family barn structure in the center, and the last building will be a cape style single family house. The goal would be to have the single family remain on an independent lot. They will be looking to change lot lines. The new barn structure will be 15 feet off the property line. The single-family home will be 8 feet off at its closest point. They are including a 2-car garage for each unit. There will also be 2 guest parking spaces per unit. The edge of the right of way is a distance from the property line. The structures will be set back from the edge of pavement which will allow for more landscaping and screening opportunities. The architecture will complement the existing historic home. It is a complex lot because of the hill, but it is very large. They will still have 70% open space on the lot. The project will provide some diverse housing. They will have a landscaping plan and street trees. They were removed to show the buildings in context.

69. Michael Jewell commented that it looks like a good improvement on the property.

70. Tracey Chalifour agreed, and questioned what was between the original house and the barn. Bill Nolan responded that it's just the hill and there will be landscaping. Nipun Jain added that they will probably have a retaining wall in that area.

71. Bill Nolan commented that they were planning to put in a retaining wall and creating some level backyard space. The single-family home area is the tightest part of the site and will have the biggest retaining wall on site. It will be around 8 feet.

72. Tracey Chalifour clarified that there would be 8 parking spaces for the barn and 4 inside the garage and questioned if the existing house would have 4 spaces off Elm St. Bill Nolan responded that there was an existing curb cut on Elm St. They were originally considering 5 units on the site and keep the original house a 2 family. However, they reduced it to a single family. The Elm St. area will be overflow parking.

73. Michael Jewell commented that the slope on the site will make storm water management a challenge. Bill Nolan confirmed they would need to include a storm water management plan.

74. Pascal Rettig commented that the top right single family home looks like it will be very tight with the abutter. An 8-foot retaining wall will likely block car headlights in windows. It would be good to see where that abutting house is and how it interacts with the new structure. The applicants should be communicating with the abutter on Monroe St. Bill Nolan noted that was a good suggestion. They are applying for a special permit and did use

the zoning regulations with 15-foot side setbacks. There is 30 feet of space between the house and barn. They will look at the abutter on Monroe St. There is a parking lot adjacent to the site and it is up hill. There should not be a large impact.

75. Nipun Jain commented that it would be helpful to put the proposed site plan layout on the existing site layout to show how the site will change.
76. Joel Nice commented that he liked the look of the project and that they were preserving the existing house. He agreed with the proposed demolition. The historical elements on the second building look nice. There is no affordable unit component because it is just 4 units. The big concern will be drainage. The storm water management will be critical.
77. David Frick commented that he was also concerned about potential impact to the abutting property. It would be good to see it in context. Bill Nolan agreed, but noted there was a 15-foot difference in height. David Frick commented that the front of the barn looks like mostly parking and asphalt. They should consider adding landscaping. Bill Nolan responded that there will be some street trees there and plants to the left and right of it. They are intending to put field stone on the bottom level and there will be clapboard above that. David Frick questioned if it made sense to create 3 lots instead of 2 lots. Nipun Jain commented that their site management plan will dictate how they will manage it.
78. Nipun Jain commented that they had touched upon landscaping in the preliminary assessment. The way the grading works along Monroe St. and can provide a lot of screening to parking and driveway access. The owners have a landscaping business, so they will likely include nice additions.
79. Keith Ratner questioned when the house was last lived in. Bill Nolan responded 8 months ago. Keith Ratner questioned if they were open to creating 3 lots instead of 2 lots. Bill Nolan confirmed they were. The logistics will dictate what makes more sense.
80. Keith Ratner commented that the shared driveway had a lot of pavement and questioned if they had thoughts on how to break it up. Bill Nolan responded that 70% of the lot is open space. Permeable pavers and surfaces have pros and cons. They can be an issue with plowing. They are waiting to see feedback from the civil engineers on that.
81. Nipun Jain commented that they should consider a way to break up or add texture in that area. Bill Nolan confirmed they would look at it.
82. Nipun Jain commented that the next steps would be to file the application and work with the Design Review Committee and Historical Commission.

83. Continued Hearings – 80 Haverhill Road

84. Nipun Jain provided a synopsis of where the project stands. The Board has been supportive of project. Stantec provided comments that show the project substantially complies with stormwater management standards. There were a few updates and waivers requested, and the Board has received those. From a technical standpoint the project has met the requirements and can move forward with conditions of approval. The applicant has updated proposed architectural drawings to incorporate the Board and DRC recommendations. They also received information from the applicant on the affordable unit. There will be one unit required to be affordable. The abutter raised some concerns and the applicant has reached out to that abutter to address the concerns.

85. Lisa Mead represented the applicant and confirmed they updated the plans to meet the technical specs and made changes requested by the Board and DRC. The affordable unit will be unit 1. It will be 1,235 sf and have 2 bedrooms and an office. They did receive a letter from the abutter 1/23/25 and provided a response on 1/27/25. They have not received a response from the abutter. They believe they have met the requirements for a historic special permit and have addressed all issues. They are happy to answer any questions and ask that the Board make a decision tonight.
86. Tracey questioned what the updates to the waiver requests were. Lisa Mead responded that it related to the slope in the drainage system at the rear of the property, and for the minimum pipe velocity. They will still function it just doesn't quite meet the pitch that is required.
87. Nipun Jain commented that they discussed that with Stantec, and the consultant did not have a technical issue with it. They needed the waiver because it's a requirement. This waiver has been granted in other situations and Stantec supports the waiver.
88. David Frick commented that he did not see response back to the abutter and questioned what they responded with. Lisa Mead responded that they agreed to make a number of landscaping changes. The abutter didn't want parking along Haverhill Rd. or the front yard. There will not be parking in either of those locations. The abutter requested a reduction in density, but the applicant will not do that. Nipun Jain commented that they will be putting in additional screening to accommodate the abutter. The applicant has shown that on the proposed landscape plan and they are willing to add more if that is what abutter would like. Lisa Mead commented that the condo documents and an operations and maintenance plan will prohibit parking in the front yard.
89. David Frick questioned if the decision could include something about the future owners and noise. Lisa Mead responded that it would have been nice to have conversations with the abutter over the past two weeks, but they did not come back to us. They did include in the condo documents that owners will need to acknowledge they understand there is a commercial property next door. Nipun Jain commented that the Planning Board cannot unduly restrict future homeowners' complaints. They cannot take that ability away. They can only require homeowners abide by condo rules and regulations created and approved at the time of approval of the project.
90. Keith Ratner opened public comment.
91. David Grant from Dalton and Finegold represented the abutter Ted Triandafloou III who owns Atlantic Fence. They are generally in support of the project. They had submitted the letter and some of the responses were non-starters. They wanted to address the concerns here. The proposed project intensity of the use is too much for the parcel. It is zoned R40 which is the second least intensive use in the city. This proposal is for 8 units with 20 bedrooms. It is too intense of a use. They have requested the applicant consider a reduction in size. The ordinance allows for waivers to be granted. The barn should not be more than 67% the size of the primary structure. The waivers shall not result in overburdening of the site. This proposed use would result in overburdening. The snow storage is too close to the lot line and the existing fence. The landscape plan shows 7 arborvitaes. There should be a green screen installed by the applicant. They are concerned that future owners will spend a fair amount of money on the units and will complain about the commercial use next door. They

are also asking that the applicant consider not putting in balconies for the units to reduce complaints. They requested no parking in the front. Attorney Mead agreed to many of the raised issues. Their biggest concerns were the intensity of use, and they are opposed to reducing the proposal.

92. Lisa Mead commented that the proposed barn is slightly bigger than the barn that was there before. It is not a large increase. They worked with staff and the Board to come up with the design and use of the site. They are bringing back the historic home and barn. The applicant is happy to put screening in the back of the patio for the barn units. The applicant is not going to put 8-foot arborvitae the whole length of the property line. They will not remove the decks. They are happy to have a note in the master deed relative to buyers knowing that there is a commercial property next door. They cannot stop them from complaining especially if the business ever changes.
93. Tracey Chalifour questioned how they captured the landscaping condition. Nipun Jain responded that the hand sketch shows the additional landscaping, and they could condition it in the decision.
94. Pascal Rettig commented that the proposed plan does not feel too intense for the site. These are all 3-bedroom units, which Amesbury absolutely needs. The traffic will only increase by a few extra trips in and out per day. It is hard to see how reducing the development by 2 units will make a massive difference in the use there. Pascal Rettig agreed with the applicant that the barn units are fine.
95. Ted Triandaflou III owner of Atlantic Coast Fence commented that he was a business owner but also a registered architect. The barn has been enlarged from the existing barn. There are setback issues with the side, back, and front setbacks. The snow storage on the property shows that it will be at the back of the property. The visitor spot is 3 feet away from the fence line. Mr. Triandaflou commented that he was worried about snow plowing into the fence line. They had a problem with the other commercial abutter and snow storage on the fence line. Arborvitae could be installed there to buffer the plowing. If they reduce the units from 8 to 6, then they can get asphalt away from the fence line. The abutting homes are single story. This is too much on too small of a lot.
96. Lisa Mead commented that they wholly disagree with that analysis and the effect of it. They have had conversations in previous meetings on the impact to the barn. They are getting a waiver for it, but it also starts at a lower grade. It is a cohesive reasonable plan that doesn't overburden the site.
97. David Frick commented that the site plans dated 12-3-24 shows snow storage at the very rear of the property and that's where the abutter's fence is located. David Frick questioned if that location could be moved. Lisa Mead responded that the area is not being actively used. It is in the back but not on the side where the active area of his business is.
98. David Frick commented that he shared the abutters concern about fence and would support putting in arborvitae. Lisa Mead confirmed they would put some arborvitae back there.
99. Nipun Jain commented that the applicants have diligently worked for a year now to address any and all questions raised at the Design Review Committee, Technical Review Committee, the Board, staff and engineering. The applicant has listened to questions and comments raised and incorporated them into site plan. It is always challenging dealing with historic preservation. The primary purpose in this special permit section is to preserve cultural

assets. They have to preserve the structure and history. There is a delicate balance in creating that preservation and making it economically viable. The Horace Man school went from an institutional building to a residence. The church on Main St. is not a multi-family building. They have not resulted in any traffic issues. The apprehension about the scale and increased density is understandable, but the city has past project examples that show a good balance.

100. Joel Nice agreed and noted it was a good project.
101. David Frick agreed and commented that the scale of this project should not change.
102. Pascal Rettig motioned to ask staff to draft a decision for 80 Haverhill Road. Seconded by David Frick.
103. Tracey Chalifour commented that the decision draft should include the arborvitae screening condition.
104. Keith Ratner initiated roll call –
105. Keith Ratner – YES
106. Joel Nice – YES
107. Michael Jewell – YES
108. Tracey Chalifour - YES
109. David Frick – YES
110. Pascal Rettig - YES
111. Motion passed 6-0

112. Tracey Chalifour motioned to continue the public hearing to February 24, 2025. Seconded Michael Jewell.
113. Keith Ratner initiated roll call –
114. Keith Ratner – YES
115. Joel Nice – YES
116. Michael Jewell – YES
117. Tracey Chalifour - YES
118. David Frick – YES
119. Pascal Rettig - YES
120. Motion passed 6-0

121. Tracey Chalifour motioned to retroactively make Keith Ratner acting chair. Seconded by Michael Jewell.
122. Keith Ratner initiated roll call –
123. Keith Ratner – YES
124. Joel Nice – YES
125. Michael Jewell – YES
126. Tracey Chalifour - YES
127. David Frick – YES
128. Pascal Rettig - YES
129. Motion passed 6-0

130. **Continued Hearings – Bill 2024-096**

131. Nipun Jain commented most people are aware of this ongoing discussion. The Bill 2024-096 was filed last July to amend the zoning regulations and expand the overlay map for the REDD. They are working on addressing the comments made in public meetings. At the last meeting on January 13, 2025, staff presented a draft with additional amendments from the original amendments for the Board's consideration. Staff has not been ignoring comments, they have been working with legal counsel to review everything in earnest. The Board has a letter that explains the genesis for the 2 options. The breath of the Senate Bill 2967 is pretty amazing. The goal is to set up standards and if once adopted by communities, they would be able to oppose protections in the dover amendment. There is an understanding that there is a desire to encourage green energy, but it also acknowledges constraints and that not every site is appropriate. The second point looked at the overall community and 8% of the total land area. Case law builds on how much is adequate in community. Staff looked at case law and reasonable area in the community. Attorney Fogel suggested taking solar out of the WRPD. Staff considered that comment in context. Everyone has known for a while, but it has been strengthened by the DPW affirming that this is a critical resource for Amesbury and surrounding communities. This regional resource needs to be protected. Those three major reasons are why they have 2 options. Option 1 is the option staff has been working on where outside the renewable energy district is allowed by special permit. Option 2 allows to propose facilities outside the REDD but outlines that it is prohibited in WRPD. Both options have their pros and cons. Tonight, they want to make sure the Board understands the umbrella of what they are proposing and weigh the pros and cons. The City's attorney Alex Weisheit from KP Law is here to answer any questions in legal.
132. Pascal Rettig requested that Attorney Alex Weisheit review the pros and cons for the 2 options and give an assessment of risk to the city.
133. Alex Weisheit from KP Law commented that the question before the Board is largely a policy determination the distinction between the two options is one requires a special permit everywhere in the city outside of the REDD and the other would prohibit solar facilities within the WRPD. It is encouraging and helpful to see the spatial analysis. A significant portion of the city outside the REDD and WRPD could still be available for these types of projects. Courts look at how much a bylaw allows. Right now, it only allows as of right in 8% of the city. Given current case law, in my opinion, it would be difficult to rely on the ordinance as it exists and deny the project. The court reviewing it as it exists now could view it as overly restricted. Option 1 or 2 both propose to significantly expand the area going forward. A court reviewing either of these would look favorably on that. They would look at how much of the city is available and it would be more than 50%.
134. David Frick commented that he liked the fact that it would be more defensible by increasing the acreage. It sounds as though it is KP Law's opinion that option 1 is more defensible than option 2. Alex Weisheit responded that option 2 can be tailored in a way to also be more defensible. They could add specific concerns about why projects like this would have health impacts and adverse impacts to ground water. Staff is working to cite studies that support that. The more studies that can be cited the stronger the case.
135. David Frick commented that he was not aware of Senate Bill 2967 until recently and questioned if it was put together to acknowledge that not every site is appropriate for this use. Alex Weisheit responded that it was part of the intent of the statute. It opened the

door for DOER to put together guidance and they are getting guidance from planners. The State is looking at input from municipalities.

136. Keith Ratner questioned if they made substantive changes to the zoning amendment now, would they need to readvertise the amendment. The project has already been filed. If they readvertise the zoning amendment would the project be grandfathered into old regulations.
137. Nipun Jain commented that the city has received an application for a large-scale solar facility. As it stands right now, they will have to continue their review under the regulations in place until as such time City Council takes final action. That is when the zoning would come into being. There are vested rights a project could have if they filed an application. The vested rights only happen once a building permit has been granted. Since a building permit has not been granted, there are no vested rights on that project. The impact this change would have would be on a legal notice about the zoning amendment. However, they are expanding the area made available for solar facilities rather than further restricting it. It is a change from the original intent, but it benefits more than restricts. This amendment may not rise to the level of doing a new notification. Alex Weisheit agreed with this assessment. The two amendments before you are within the scope of the initial bill and are reasonable. Mr. Jain was also correct on the vesting of rights; they are only grandfathered when they obtain a building permit.
138. Nipun Jain added that either option still includes a majority of the amendments presented on 1-13-25, which include further enhancements to the performance standards in general.
139. Keith Ratner clarified that the Planning Board will make a recommendation to City Council; they are not the deciding board.
140. Michale Jewell motioned to endorse option 2 in the memo received on February 7, 2025, and send it back to staff to refine and develop that and bring back recommendations no later than March 10, 2025.
141. Nipun Jain indicated the memo would be refined to come back with specific findings and criteria built into zoning amendments for solar facilities allowed by special permit and findings for where they would be prohibited. The intent would be to provide the amendments to the Board after discussing them with legal counsel.
142. Keith Ratner opened public comment.
143. Attorney Barry Fogel represented Lake Attitash Association and credited Nick Cracknell and Nipun Jain and KP Law for their excellent work and noted that he supported the direction this was going in. There isn't anything in need of protection more than public water supply and the resources that surround it. Attorney Fogel assumed that they have approval or indication that City Council will allow this to take place further through the planning process. Nipun Jain commented that the hearing at City Council was continued to the second meeting in March. The subcommittees will be reviewing recommendations from the Planning Board, then it will go to City Council.
144. Attorney Barry Fogel commented that he did not see anyone from Syncarpha here tonight. He was worried they would try to get the zoning approved by City Council before the Planning Board made their recommendation.

145. Nipun Jain commented that they were not ready to make a recommendation without doing the work on zoning amendments. The City Council is bound by the date certain that they continued the zoning amendment to, which is March 25, 2025. They cannot ask them to pick it up sooner. Council is aware of the process, and they will try their best to get through the subcommittees and work with Council.
146. Earl Doliber of 26 Oak Circe thanked the Board for listening to the public's concerns. Let's put an end to this.
147. Bruce Whitten of 12 Lake Shore Drive commented that he has been a homeowner for 46 years. The average homeowner has seen the lake in all kinds of conditions, and it has been so polluted you could not swim in it. They have seen it come back from the brink of destruction. The idea of having this northwest hillside corner of Lake Attitash clear cut is beyond comprehension. It would create 65 acres of field of glass and concrete. That is 49 football fields. It would be a devastating impact to the runoff and visual aesthetics. Mr. Whitten was encouraged by hearing the comments from the Planning Board.
148. Linda Perrot of 45 Birchmeadow Road commented that there was a growing link between cyanobacteria and ALS. Institutions are doing research on the link. Water with a high nutrient level and warm temperatures can cause algae blooms. ALS effects the brain and spinal cord. Our community does not want to be exposed to dangerous toxins and the city should take that into consideration when making a decision. There is a movie called Toxic Puzzle that talks more about this.
149. Faye Doliber of 26 Oak Circle submitted written comment via a letter attached to the end of these minutes.
150. Rachel Matos of Lake Attitash Rd. submitted written comment. I wish to again express my staunch opposition to allowing an industrial sized solar development in the watershed of Lake Attitash. There is absolutely no foolproof way to mitigate risks to water quality. The very sight of this on the horizon will damage the quality of life and mental well-being of all who reside in the area. Degradation of the water will cause us physical harm. Why are we entertaining the idea of allowing a private business interest to threaten one of our most precious, vital and irreplaceable resources? This is worth fighting against and I would implore the planning board, city council and all with the power to do so to say NO to this proposal and work aggressively to acquire the land in question for conservation.
151. Denise Guida of 57 West Shore Rd. Merrimac, MA submitted written comment. We are unable to attend this evenings Planning Board but want to register our opposition to granting Syncarpha a permit to build the proposed Solar Farm. Our opposition is based on the concern that the clear cutting of trees and subsequent increase of run off of nutrients into the lake will increase the Cyanobacteria blooms. This will in turn increase the toxins in the lake as a result of the blooms. The lake will become dangerous to the health of the residents. This toxicity cannot be mitigated after the fact by proposed mitigation interventions. A review of recent studies done on lakes with significant algae blooms points to significant health concerns. Build the solar farm in a more appropriate setting that does not affect the health and safety of residents.
152. Cindy Roberts Submitted written comment via a letter attached to the end of these minutes.

153. Tracey Chalifour motioned to extend the meeting to 10 pm. Seconded by Michael Jewell.
154. Keith Ratner initiated roll call –
155. Keith Ratner – YES
156. Joel Nice – YES
157. Michael Jewell – YES
158. Tracey Chalifour - YES
159. David Frick – YES
160. Pascal Rettig - YES
161. Motion passed 6-0
- 162.
163. David Frick motioned to endorse option 2 in the memo received on February 7, 2025, and send it back to staff to refine and develop that and bring back recommendations no later than March 10, 2025 Planning Board meeting. Seconded by Michael Jewell.
164. Pascal Rettig initiated roll call –
165. Keith Ratner – YES
166. Joel Nice – YES
167. Michael Jewell – YES
168. Tracey Chalifour - YES
169. David Frick – YES
170. Pascal Rettig - YES
171. Motion passed 6-0
172. **Continued Hearings – 31 Newton Road**
173. Tracey Chalifour motioned to continue the public hearing for 31 Newton Road to the March 10, 2025, Planning Board Meeting. Seconded by Michael Jewell.
174. Keith Ratner initiated roll call –
175. Keith Ratner – YES
176. Joel Nice – YES
177. Michael Jewell – YES
178. Tracey Chalifour - YES
179. David Frick – YES
180. Pascal Rettig - YES
181. Motion passed 6-0
182. **New Hearings – 233 Lions Mouth Road**
183. Nipun Jain read the legal notice into the record.
184. Nipun Jain summarized the application. There is an existing single-family residence as well as an existing barn/garage. The proposal is a relatively modest structure. It meets the various requirements for setbacks and dimensions allowed in the ordinance. There are not any other site improvements being proposed. There are some septic tank details provided on the sheet and that will be reviewed and approved by the Board of Health. Staff recommends approving project.
185. Keith Ratner opened public comment. There was not any public comment.

186. Nipun Jain commented that this was the second ADU application the Board has received. The Board can approve it tonight or ask staff to bring a draft decision to the next meeting. It would be a simple decision. Staff recommends adding a condition that only one ADU is allowed on this property, and there are no other residential structures allowed other than the primary structure. That should be a standard condition to ADU decisions.
187. Tracey Chalifour questioned when the new state regulations went into effect. Nipun Jain responded that it went into effect on February 8, 2025. They did not run into any conflicts with this application, so they are proceeding as normal.
188. Pascal Rettig motioned to approve the application for the ADU at 233 Lions Mouth Rd. with the condition outlined by Nipun Jain above. Seconded by Michael Jewell.
189. Keith Ratner initiated roll call –
190. Keith Ratner – YES
191. Joel Nice – YES
192. Michael Jewell – YES
193. Tracey Chalifour - YES
194. David Frick – YES
195. Pascal Rettig - YES
196. Motion passed 6-0
197. Tracey Chalifour motioned to close the public hearing for 233 Lions Mouth Rd. Seconded by Michael Jewell.
198. Keith Ratner initiated roll call –
199. Keith Ratner – YES
200. Joel Nice – YES
201. Michael Jewell – YES
202. Tracey Chalifour - YES
203. David Frick – YES
204. Pascal Rettig - YES
205. Motion passed 6-0
206. **Administrative – Stantec Invoices**
207. Nipun Jain read the invoice summary into the record.
1. A Stantec Invoice for 2 Merrimac St. in the amount of \$2,083.50.
 2. A Stantec Invoice for 14 S Hunt Rd. in the amount of \$3,244.85.
208. Tracey Chalifour motioned to pay the Stantec Invoices outlined above. Seconded by David Frick.
209. Keith Ratner initiated roll call –
210. Keith Ratner – YES
211. Joel Nice – YES
212. Michael Jewell – YES
213. Tracey Chalifour - YES
214. David Frick – YES
215. Pascal Rettig - YES
216. Motion passed 6-0

217. Adjournment

218. Tracey Chalifour motioned to adjourn the meeting at 9:53 pm. Seconded by Michael Jewell.

219. Keith Ratner initiated roll call vote –

220. Keith Ratner – YES

221. Joel Nice – YES

222. Michael Jewell – YES

223. Tracey Chalifour - YES

224. David Frick – YES

225. Pascal Rettig - YES

226. Motion passed 6-0

February 10, 2025

TO: Amesbury MA Planning Board Meeting

RE: Bill 2024-096-

Zoning Amendment to expand the Renewable Energy Development Overlay District

Good evening,

My name is Faye Doliber

26 Oak Circle

Amesbury, MA

Tonight, I wish to voice my honest and sincere support regarding the Planning Board's recommendations to the City Council regarding the zoning amendments to bill 2024-096.

As a Registered Nurse, my professional responsibilities have been dedicated to the continued health, welfare and safety of those under my charge. Throughout the past 50 years my career has afforded me many interesting & challenging opportunities – the start-up of the American Red Cross Blood Program in Maine; the build-out of several specialty units- ICU, Emergency Room, Operating & Recovery Rooms, and Physician Practice Offices in Massachusetts. I am sure each of you seated on the Planning Board would acknowledge that the success of such projects requires extreme compliance with a huge myriad of local, state and federal laws. Placing such a huge project in action without knowledge of the prevailing regulations creates opportunities for failures at all levels of the project, increases costs, reduces the intended benefit of the project and places the health, welfare and safety of those intended to be served by the project at risk.

Without the recommendations put forward by this Planning Board regarding Bill 2024-096, I am opposed to the passing of the original Bill 2024-096 (as originally written) by the Amesbury City Council. It is my opinion that Bill 2024-096 (as originally written) is not in the best interest of the City of Amesbury. It is my opinion that the original bill lacks both foresight and respect for one of the City's valuable resources. The original Bill 2024-096 for rezoning opens the proposed property development that disregards the current laws, state and federal, both of which have been implemented to protect the watershed and drinking water sources; therefore, placing the Amesbury residents' health, welfare and safety at risk.

Thank you to the entire Planning Board for their dedication to the protection of our drinking water source and surrounding watershed.

Sincerely,

Faye Doliber, MBA, RN

Please enter my comments below in the public record. Unfortunately, I am out of town this week and can't speak in person on the Solar Farm project.

As a past board member of the Lake Attitash Association and past member of the Amesbury Lakes and Waterways Commission, I'd like to share my concern for clear cutting 65 acres uphill from Meadowbrook Pond and Lake Attitash. Although I share in the fear of the significant risk to the water quality of Lake Attitash and water quality of our drinking water, I also believe that the city should be made aware of some of the other downhill impacts.

The development of this property also may negatively impact the city's ability to control the volume of water to the water treatment plant and subsequently to our downtown.

Any runoff to Lake Attitash may negatively impact the ability to move water from Lake Attitash to Meadowbrook at the Birches Dam because of sediment build-up at the dam.

Any runoff at Meadowbrook may contribute to a catastrophic failure of the Archbrook culvert. This outdated and undersized water control structure has been on the Amesbury capital improvement budget since at least 2011. Increased sediment may cause the failure of the structure, ending in significant flooding, collapsing Kimball Road and impacting the city's ability to control water volume vital to the city's drinking water supply and control of the volume downstream to the city center.

Although monitoring the solar farm from construction through decommissioning is surely being considered in the development plans, my concern is when the damage is done to the water quality, water control structures and homeowners' properties who will be financially responsible to pay restitution to the city and property owners after the solar farm developer is gone?

Thanks for your consideration.

Cindy Roberts

5 5th Street

Amesbury, MA

978-609-5512