

RECEIVED

By City Clerk at 12:40 pm, Apr 14, 2026

1. Amesbury Planning Board Meeting Minutes
2. In Person Meeting – January 29, 2026, at 7:03 PM
3. Chairman Pascal Rettig called the January 29, 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. Michael Jewell – YES
10. Tracey Chalifour – YES
11. Tom Salemi - YES
12. David Frick – YES
13. Pascal Rettig – YES
14. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)
15. **New Public Hearings – 14 Maple Street**
16. Pascal Rettig read the legal ad into the record.
17. Scott Brown commented that he represented Mark Wojcicki, who was the developer for this project. Scott Brown noted they were there tonight for a Site Plan Review and Historic Preservation Special Permit. They came for a pre-application on December 22, 2026, and went to the Historical Commission on January 8, 2026. It was well received, and the Historical Commission voted the project eligible for the Special Permit. The property is a large lot, and the existing house was built in 1880. There is a garage in the rear of the lot. The plan is to subdivide the lot and rehab and renovate the existing home. The new lot size on the left side, where they are putting a new single-family home, is about 7,000 sf, and the lot with the existing home is 6,000 sf. Both houses will have single-car garages in the back left corner. They are renovating the existing house entirely within the existing footprint. They uploaded some new material this weekend. There is now a landscaping plan outlining new plantings and where walkways and driveway treatments will go. Both driveways will have an apron to separate them from the sidewalk. Both houses will have two front entrances. One entrance will be deemphasized, and the walkway on that side will be eliminated, creating a primary entrance. The fence locations have not yet been finalized but

will be determined soon. The single-car garage is set far back, and the new house is located on the left side. One of the only comments from the Historical Commission was questioning the style of the house. They believe the proposal will be successful because it's an eclectic neighborhood, though mostly Victorian in style. They will be before the DRC on Tuesday for further guidance. The new house is 2.5 stories and 2,300 sf. It is 300 sf larger than the existing house but has a smaller footprint. The existing house will not have additional square footage added at the attic level. Both houses are identical in height at 26 feet from mean grade to the median roofline. The front elevations show the deemphasized entry. For the most part, they have kept the most important features intact and plan to restore them to their original condition. The left-side elevation shows a roofline that reflects a later addition. They will change a few openings but maintain the original style. The plan is to add the tower back in to make it consistent with the house next door. The new proposed house is a 2.5-story home with a single-story mudroom addition. They plan to appear before the DRC on Tuesday and the Historical Commission again this month. At that hearing, the Commission should review a draft preservation restriction, which was uploaded to the portal today. By February 23rd, they should have provided all materials needed for this Board to make a decision on the project.

18. Michael Jewell questioned why they would not finish the attic in the existing house. Scott Brown responded that it lacks sufficient head height, so it cannot be made usable without dormers. They also would not be able to install code-compliant stairs.
19. Michael Jewell questioned whether work has already started on the existing house. Scott Brown responded that they have been working inside because reframing was needed. Michael Jewell noted work now appears to be happening on the outside and asked what the Board was approving. Scott Brown responded that the Board is approving the project as a whole. If exterior work is being done, it will need to be consistent with these plans.
20. David Frick stated they have a right to fix the house even without the special permit. Scott Brown responded that interior work has no bearing on the proposal. If they are doing exterior work, they are doing it at their own risk. Michael Jewell expressed concern that exterior work is being done without approval.
21. Pascal Rettig commented that if the permit is denied, the assumption is they will continue renovating the existing house but will not be able to build the second house.
22. Tracey Chalifour asked about additional uploaded documents. Scott Brown responded that they uploaded a landscaping plan and a draft preservation restriction.
23. Joel Nice asked what style they would call the new building. Scott Brown responded it is more of a Colonial Revival style. Joel Nice asked whether the windows on the existing building would be new or existing. Scott Brown responded they would be new windows. Joel Nice asked if the green shown was the proposed color scheme. Scott Brown confirmed it was and said they wanted something a little different. It is modeled after a house on Market Street with a deep green color.
24. Tom Salemi asked if the tree in the front would be removed. Scott Brown confirmed that it would, as it is located where the new driveway is planned.
25. Pascal Rettig noted there was a typo on the zoning plan regarding the minimum open area. Scott Brown confirmed they would correct it.

26. Pascal Rettig commented that new principle buildings or structures shall not exceed a certain percentage and asked whether a waiver would be needed or if it would not apply since it is a separate lot. Nipun Jain responded that the applicant would need to request a waiver.
27. Nipun Jain commented it would be helpful to know what elements of the existing structure are being demolished versus replaced. The applicant should include a list of elements and their status.
28. Tracey Chalifour asked whether the existing garage and carport would be removed. Scott Brown confirmed both will be removed, and a new smaller single-car garage will be built.
29. Keith Ratner motioned to continue the public hearing for 14 Maple Street to the February 23, 2026 Planning Board Meeting. Seconded by Joel Nice.
30. Michael Jewell asked whether they could continue exterior work before approval. Pascal Rettig responded they can continue work legally allowed under the building permit. Nipun Jain noted the Board has documented this properly and that the applicant is working at their own risk. If anything installed, repaired, or replaced is not approved, it will need to be removed before they can exercise approval under the special permit.
31. Pascal Rettig initiated roll call vote—
32. Keith Ratner – YES
33. Joel Nice – YES
34. Michael Jewell – YES
35. Tracey Chalifour – YES
36. Tom Salemi - YES
37. David Frick – YES
38. Pascal Rettig – YES
39. Motion passed 7-0

40. Continued Public Hearings – 45 Main Street

41. David Frick recused himself from the application.
42. Nipun Jain reviewed the three action items from the last meeting. The DRC discussed the roof height proposal and recommended approval after review. Next was the waiver for the parking. The request from the Board was to obtain something more concrete from the police to ensure it would not set a precedent or create an enforcement or capacity problem. The city has started working on this management issue and will be reviewing it more closely. They understand that, as more redevelopment occurs in the downtown, they need to address parking for residents. This could potentially be addressed using a payment or sticker program. The Police Department is supportive of the request for 45 Main St. Staff recommends that the waiver be granted. It is important to recognize that the project applicant is using a Historic Preservation Special Permit and is making significant improvements to the building. This represents a higher standard and a good opportunity to see an iconic building restored. The third issue was the draft decision, with a recommendation to include 4–5 conditions, including replacement of architecture elements and other exterior elements of the existing building.
43. Tracey Chalifour asked if they could take 5 minutes to read the memo.
44. Pascal suggested taking a 4-minute break and stated they would be back at 7:48.

45. Pascal Rettig commented that the bottom of the letter noted the implementation of a sticker program with a very modest fee, which will likely become a monthly sticker pass. He added that they could review the recommended conditions, as there are no stormwater issues.
46. Nipun Jain commented that the DRC and HC, as ancillary committees, found the project generally complies with the Historic Preservation Special Permit requirements. The applicant is requesting two waivers: one for parking and one for an affordable unit. One affordable housing unit is required, but a waiver is requested because there are only four residential units, and they are very small. They will more or less all be affordable based on the rents being proposed. The request appears well justified. Staff recommends granting both waivers, with conditions that the proponent provide a historic preservation restriction prior to occupancy and that project improvements be made based on what was approved. Any changes to density or footprint require Board approval. Standard conditions, including endorsement of plans and sign-off from the Planning Board should also be included.
47. Pascal Rettig summarized that the Board had two waivers, a historic preservation restriction, any changes to density and design requiring Board approval, and recording the plans with construction completed per the approved design. Nipun added that standard requirements for administration of the permit would also be included in the decision.
48. Tracey Chalifour questioned what was decided regarding the back of the building and raising the roof. Pascal Rettig commented that the DRC reviewed this. Nipun Jain added that the concern about the roof impeding the abutter window was presented to the Board. The issue is whether the improvements can be minimized or if there is a strong reason for them. Based on the information presented, the changes are minimal and required by building code for the commercial space. The structure is only changing vertically, and the increase is minimal compared to expanding to a three-story building.
49. Joel Nice stated it is a minimal impact compared to going up three stories. Tracey Chalifour responded that that while it may seem minimal to some, it is a bigger concern for the abutter. Pascal Rettig responded that they are raising it to the minimum required height for the proposal.
50. Tom Salemi commented that he was fine with waiving the parking but wondered if a condition should be included stating that parking is not guaranteed. Nipun Jain responded that the waiver means the owner does not need to provide on-site parking and that the police letter can be referenced in granting the waiver.
51. Michael Jewell noted that waiving the parking requirement does not guarantee parking. Nipun Jain noted that was correct and added that any future rules instituted by the city will apply to all existing and newly proposed developments.
52. Keith Ratner motioned to approve the site plan and special permit for 45 Main Street, including waivers for parking and the affordable unit, with conditions to provide a historic preservation restriction, adhere to approved plans, require Board approval for any changes to density or design, and include standard conditions. Seconded by Joel Nice.
53. Michael Jewell suggested incorporating a sentence from the police letter. Nipun Jain agreed to amend the waiver to reference the letter from the Chief. Keith Ratner and Joel Nice agreed to the amendment.
54. Pascal Rettig initiated roll call vote—

- 55. Keith Ratner – YES
- 56. Joel Nice – YES
- 57. Michael Jewell – YES
- 58. Tracey Chalifour – ABSTAIN
- 59. Tom Salemi - YES
- 60. David Frick – RECUSED
- 61. Pascal Rettig - YES
- 62. Motion passed 5-0-1

- 63. Keith Ratner motioned to close the public hearing for 45 Main St. Seconded by Joel Nice.
- 64. Pascal Rettig initiated roll call vote–
- 65. Keith Ratner – YES
- 66. Joel Nice – YES
- 67. Michael Jewell – YES
- 68. Tracey Chalifour – ABSTAIN
- 69. Tom Salemi - YES
- 70. David Frick – RECUSED
- 71. Pascal Rettig - YES
- 72. Motion passed 6-0

- 73. Pascal Rettig commented that the Rocky Hill Development application and 29 lake Attitash will be continued to the February 23, 2026 meeting.
- 74. David Frick motioned to take 5 and 13 School St. out of order. Seconded by Joel Nice.
- 75. Pascal Rettig initiated roll call vote–
- 76. Keith Ratner – YES
- 77. Joel Nice – YES
- 78. Michael Jewell – YES
- 79. Tracey Chalifour – NO
- 80. Tom Salemi - YES
- 81. David Frick – YES
- 82. Pascal Rettig - YES
- 83. Motion passed 6-1

84. Continued Public Hearings – 27.5-29 Clarks Road

- 85. Tracey Chalifour recused herself from the application.
- 86. Alex Loth commented that a document was uploaded with architectural updates. There have been some minor revisions to the front buildings, including more pronounced entryways and smaller windows. The size of the building works better with this architectural design. The windows will be 6-over-6 double-hung. The other building will feature different colors, roof styles, and door styles. The architectural details of the roofline are shown for both the south-side and northeast buildings. Some building colors were changed to help differentiate them, and entryways were made more pronounced. The color of the brick is slightly more red. The retaining wall along the ramp into the garage will use the same type of brick. The window spacing has also been revised.

87. Alex Loth commented that they also addressed the traffic comments and concerns, acknowledging that residents are right to be frustrated with traffic being pushed onto Route 110 and shortcuts through Clarks Road. He noted that improvements to Route 110 have been delayed but that work is expected to move forward at an accelerated pace.
88. Keith Ratner commented that he reviewed the peer review memo and noted that it correctly indicated more traffic will head south out of the site. There was also a comment about relocating a crosswalk. Alex Loth explained that the city is proposing a crosswalk across Clarks Road. The applicant has agreed to build a sidewalk from Route 110 to the project site and has further committed to extending it to Birchwood Point. The city is working to continue the sidewalk and provide a crossing to the western side.
89. Michael Jewell asked about extending the sidewalk to Main Street and sharing costs. Alex Loth responded that the applicant agreed to share costs to Birchwood Point and the crosswalk but emphasized that the project already includes 20% affordable units and additional commitments. Adding more requirements would be difficult. Pascal Rettig noted that the draft decision removed that requirement, but funding from the 40R program could be used to complete the project. Nipun Jain confirmed that several major project components can include off-site improvements.
90. Nipun Jain suggested organizing the discussion into major categories: traffic, environmental impact, building design, landscaping and lighting, and open space/trail network. He reviewed the peer review engineering analysis by VHB, noting that their concerns were addressed or incorporated as conditions in the draft decision. The traffic impact assessment concluded that the proposed mitigation is adequate. Minimal changes were identified, including replacing sidewalks from Starbucks to the site and extending them to Birchwood Point. A further extension and crosswalk were discussed but are not required; the city may fund these using 40R funds. The environmental aspects are under review by the Conservation Commission. Much of the project lies outside the jurisdictional areas but the Decision references Conservation Commission conditions. The applicant has committed to dedicating conservation land to the city as public open space. The trail network includes three sections: a flat portion from Clarks Road to the wetlands, a boardwalk, and a trail connecting to Point Shore. The applicant agreed to use stone dust instead of bark mulch for durability. Regarding the building design, revisions were made following Board feedback. Conditions now require 6-over-6 double-hung windows and distinct historic color palettes for each structure.
91. Pascal Rettig asked whether the Board wanted to review redlines from the prior draft decision or take questions.
92. Michael Jewell noted there were no changes to pages 2–4. Nipun Jain clarified those pages contain the findings, facts about the application, then it is followed by the waivers and conditions.
93. Pascal Rettig explained that some waivers were removed and converted into conditions. Nipun Jain added that certain waivers are effectively addressed through conditions rather than formally granted.

94. Michael Jewell raised concerns about reviewing updated drainage and stormwater plans provided the same day. Pascal Rettig clarified that only the conditions were redlined. Nipun Jain offered to clarify any items.
95. Michael Jewell asked about maintenance of the conservation area. Pascal Rettig stated it will be deeded to the city, making it the city's responsibility.
96. Michael Jewell also questioned the density, noting 146 units exceed the typical limit. Pascal Rettig explained that clustering allows higher density while preserving open space.
97. David Frick stated the approach is beneficial to the town because it preserves open space and aligns with long-standing planning goals.
98. Michael Jewell questioned the reduced setback (10 feet vs. 20 feet). Pascal Rettig explained it reflects historic building patterns and reduces visibility of the larger structures behind. Michael Jewell expressed concern about impacting the neighborhood character and snow management. Alex Loth noted similar conditions exist elsewhere in the city.
99. Michael Jewell also questioned that the regular and EV parking ratios were. Alex Loth clarified that EV spaces will initially meet code requirements and be expanded as needed. Nipun Jain explained that parking management is based on experience and building code requirements.
100. Michael Jewell noted ADA parking concerns. Alex Loth confirmed more than one ADA space will be provided. Nipun Jain clarified that ADA and EV spaces are governed by building code, not zoning counts.
101. Joel Nice asked whether all peer review conditions were incorporated. Nipun Jain confirmed they were.
102. Michael Jewell asked about the previously discussed sidewalk cost-sharing. Nipun Jain confirmed that condition was removed; the city may fund improvements using 40R funds.
103. Michael Jewell asked about the architecture design conditions. Nipun Jain confirmed duplicate conditions were removed, and final design requirements are included elsewhere.
104. Michael Jewell asked about the off-site traffic improvements. Nipun Jain clarified that only sidewalk improvements remain; no additional off-site work is required.
105. Michael Jewell asked whether public comments were incorporated. Nipun Jain confirmed that the draft reflects Board and public input.
106. Keith Ratner noted the applicant has responded to comments. Alex Loth confirmed written responses were provided. Pascal Rettig added that documentation is available in OpenGov.
107. Pascal Rettig stated that many traffic concerns are not caused by this project but are broader city issues. He outlined three concerns raised with the mayor: traffic on Main Street/Clarks Road, lack of visibility on MassWorks projects, and the need for a comprehensive traffic plan. The mayor indicated plans for a public forum.
108. Nipun Jain added that larger projects undergo more extensive review and that MassWorks improvements are based on cumulative development impacts. These efforts are coordinated outside the Planning Board process.
109. Nipun Jain reviewed the waiver sections and noted adjustments.
110. David Frick asked about the chain-link fencing locations. Nipun Jain explained it will be around the dog park and recreation areas. It will be black vinyl-coated fencing. There will be stockade fencing will be used around dumpsters.

111. Pascal Rettig noted the building design updates were addressed. Nipun Jain added that specific brand references, like Benjamin Moore, will be removed from the conditions.
112. Keith Ratner motioned to continue the meeting to 10:15 pm. Seconded by David Frick.
113. Pascal Rettig initiated roll call vote—
114. Keith Ratner – YES
115. Joel Nice – YES
116. Michael Jewell – YES
117. Tracey Chalifour – RECUSED
118. Tom Salemi - YES
119. David Frick – YES
120. Pascal Rettig - YES
121. Motion passed 6-0

122. Nipun Jain noted the removal of the word “preliminary” from the architectural drawings.
123. Pascal Rettig requested clarification on the trail conditions. Nipun Jain clarified the materials would be stone dust with landscape fabric, plus a boardwalk section.
124. Tom Salemi questioned why they were removing pressure-treated wood references. Nipun Jain recommended leaving material choices to the engineering design.
125. Pascal Rettig noted previously discussed items were removed.
126. Nipun clarified the open space and trail conditions and confirmed no off-site improvements would take place beyond the sidewalks.
127. Keith Ratner questioned the changes to the affordable housing timing. Nipun Jain clarified the requirement is within 18 months of project start and prior to occupancy.
128. Alex Loth noted a correction to the sidewalk limits; Nipun Jain agreed revisions are needed.
129. Pascal Rettig opened public comment.
130. Ken Welter of 465 Main St. commented on project density and setbacks, expressing concern about visual impact, fencing, and parking reductions. He suggested alternative layouts with fewer units.
131. Nipun Jain clarified fencing conditions. The first 50 feet will be at 4 feet in height, then it will raise to 6 feet.
132. Joe Finn of 412 Main St. supported the architectural improvements but was opposed to the reduced setback, arguing it would negatively affect the neighborhood character.
133. Pascal Rettig noted the design has always reflected a 10-foot setback.
134. Anne Ganzenmuller of 464 Main St. submitted written public comment that’s attached to the end of these minutes.
135. Grant Lepore of 417 Main St. submitted written public comment that’s attached to the end of these minutes.
136. Anne Azema of 416 Main St. submitted written public comment that’s attached to the end of these minutes.
137. Tracey Chalifour of 25 Clarks Road submitted written public comment that’s attached to the end of these minutes.

138. Donna Denoncourt of 4 Andrews St. submitted written public comment that's attached to the end of these minutes.
139. Michael Jewell asked whether waivers could be modified. Pascal Rettig said changes would be difficult due to site plan dependencies.
140. Michael Jewell proposed increasing setbacks and parking ratios and suggested adding public parking. Nipun Jain explained that increasing parking or setbacks would reduce green space and alter the project layout.
141. Joel Nice opposed adding parking at the expense of green space and supported the current setback for design reasons.
142. Keith Ratner referenced the VHB peer review, which supported the proposed parking ratios. Pascal Rettig stated that excess parking can increase traffic; insufficient parking becomes the applicant's responsibility to manage.
143. David Frick motioned to continue the meeting to 10:45 pm. Seconded by Keith Ratner.
144. Pascal Rettig initiated roll call vote—
145. Keith Ratner – YES
146. Joel Nice – YES
147. Michael Jewell – YES
148. Tracey Chalifour – RECUSED
149. Tom Salemi - YES
150. David Frick – YES
151. Pascal Rettig - YES
152. Motion passed 6-0

153. David Frick noted the applicant would not proceed without confidence in adequate parking.
154. Nipun Jain suggested the Planning Board could draft a letter supporting the use of 40R funds for sidewalks and crosswalks.
155. David Frick motioned to approve the site plan decision for 27.5-29 Clarks Road as drafted and amended.
156. Nipun clarified that the motion includes all discussed edits and conditions. The edits include removal of brand references, addition of stone dust and landscape fabric, and revisions to sidewalk limits. David Frick agreed. Seconded by Joel Nice.
157. Tom Salemi asked whether prior missing information had been addressed.
158. Nipun Jain confirmed that all peer review recommendations have been incorporated into the final decision where required for zoning compliance.
159. Pascal Rettig initiated roll call vote—
160. Keith Ratner – YES
161. Joel Nice – YES
162. Michael Jewell – NO
163. Tracey Chalifour – RECUSED
164. Tom Salemi - YES
165. David Frick – YES
166. Pascal Rettig – YES
167. Motion passed 5-1

168. Keith Ratner motioned to close the public hearing for 27.5-29 Clarks Road. Seconded by Joel Nice. Motion passed 6-0.

169. Pascal Rettig initiated roll call vote—

170. Keith Ratner – YES

171. Joel Nice – YES

172. Michael Jewell – NO

173. Tracey Chalifour – RECUSED

174. Tom Salemi - YES

175. David Frick – YES

176. Pascal Rettig – YES

177. Motion passed 6-0

178. Keith Ratner motioned to a send letter recommending to the mayor that they use the 40R funds on approval for this project for installation of raised crosswalks and extension of sidewalks on the east and west side of Clarks Road as suggested in public hearing process. Seconded by Joel Nice.

179. Pascal Rettig initiated roll call vote—

180. Keith Ratner – YES

181. Joel Nice – YES

182. Michael Jewell – NO

183. Tracey Chalifour – YES

184. Tom Salemi - YES

185. David Frick – YES

186. Pascal Rettig – YES

187. Motion passed 7-0

188. **Continued Public Hearings – 5 and 13 School Street**

189. Scott Brown commented that the public hearing was opened on December 22, 2025.

Since then, we have been before the Historical Commission on January 8, 2026. The Commission did the eligibility vote and indicated they were inclined to approve the demolition of 5 School St. We have uploaded some new material. The only item missing in this application is a list of waivers. They are going to the DRC on Tuesday and may have some comments on that. Today they uploaded a draft historic preservation restriction.

190. David Frick commented this is a magnificent proposal compared to what is there now and questioned if the Historical Commission objected to removing the addition on the Ordway Building. Scott Brown responded that they did not. They will be removing the addition, so the footprint will be getting smaller. In December one of the things that lacked clarity was what they were doing with the parking and the driveway. They will have a 6-foot sidewalk that goes from School St. to the parking lot. They will move the fire department parking over. The rest of the plan remains the same. The architectural site plan has been updated. It indicates in detail what they are planning to do. There is an updated landscaping plan as well.

191. Michael Jewell asked how fast they could get his done. Scott Brown responded that the builders like to move quickly but the project will take a year because there is significant work needed inside the building.

192. David Frick motioned to continue the public hearing for 5 and 13 School St. to the February 23, 2026, Planning Board Meeting. Seconded by Joel Nice.

193. Tracey Chalifour questioned if they had an indication of what was on the waiver list. Scott Brown responded they didn't have it yet. One would be for lot area.

194. Pascal Rettig initiated roll call vote—

195. Keith Ratner – YES

196. Joel Nice – YES

197. Michael Jewell – YES

198. Tracey Chalifour – YES

199. Tom Salemi - YES

200. David Frick – YES

201. Pascal Rettig – YES

202. Motion passed 7-0

203. Continued Public Hearings – Rocky Hill Development

204. David Frick motioned to continue the public hearing for the Rocky Hill Development to the February 23, 2026. Seconded by Joel Nice.

205. Pascal Rettig initiated roll call vote—

206. Keith Ratner – YES

207. Joel Nice – YES

208. Michael Jewell – YES

209. Tracey Chalifour – YES

210. Tom Salemi - YES

211. David Frick – YES

212. Pascal Rettig – YES

213. Motion passed 7-0

214. Continued Public Hearings – 29 Lake Attitash Road

215. David Frick motioned to continue the public hearing for the 29 Lake Attitash Road to the February 23, 2026. Seconded by Keith Ratner.

216. Pascal Rettig initiated roll call vote—

217. Keith Ratner – YES

218. Joel Nice – YES

219. Michael Jewell – YES

220. Tracey Chalifour – YES

221. Tom Salemi - YES

222. David Frick – YES

223. Pascal Rettig – YES

224. Motion passed 7-0

225. Administrative – 130 Market Street Bond Release

226. David Frick motioned to release the bond for 130 Market Street in the amount of \$25,000. Seconded by Keith Ratner.

227. Pascal Rettig initiated roll call vote—

228. Keith Ratner – YES

229. Joel Nice – YES

230. Michael Jewell – YES

231. Tracey Chalifour – YES

232. Tom Salemi - YES

233. David Frick – YES

234. Pascal Rettig – YES

235. Motion passed 7-0

236. **Administrative – Bailey's Pond Bond Release**

237. Nipun Jain commented that the Board received a request for release in all three phases. The applicant requested to release the performance bond in phase 1 and 2 and inspectional engineer supports the request.

238. David Frick questioned what that amount was. Nipun Jain responded it was \$61,000.

239. Nipun Jain commented that they also requested to release the erosion control bond for phase 3. That was a separate bond from phase 1 and 2 and is \$25,00 cash. Staff supports the request to release the erosion control surety bond for phase 3 in the amount of \$64,867.

240. Nipun Jain commented that the last request was to reduce the performance bond for phase 3 and release the bond to \$114,835.88. Release from current amount to leave balance.

241. David Frick motioned to release the \$61,000 performance for phase 1 and 2. The erosion control surety bond of \$64,867 and reducing the phase 3 performance bond to \$114,835.88. seconded by Keith Ratner.

242. Pascal Rettig initiated roll call vote—

243. Keith Ratner – YES

244. Joel Nice – YES

245. Michael Jewell – YES

246. Tracey Chalifour – Abstain

247. Tom Salemi - YES

248. David Frick – YES

249. Pascal Rettig – YES

250. Motion passed 6-0-1

251. **Administrative – Moncrief Covenant Release**

252. Nipun Jain commented that staff recommended the requested release of the last unit from the covenant.

253. David Frick motioned to release the covenant for 5-7 Moncrief St. lot 3 and two units on that lot. Seconded by Keith Ratner.

254. Pascal Rettig initiated roll call vote—

255. Keith Ratner – YES

- 256. Joel Nice – YES
- 257. Michael Jewell – YES
- 258. Tracey Chalifour – YES
- 259. Tom Salemi - YES
- 260. David Frick – YES
- 261. Pascal Rettig – YES
- 262. Motion passed 7-0

263. **Administrative – 26 Friend St. Bond Establishment**

- 264. Nipun Jain commented that staff recommended they establish an erosion control bond equal to the limit of work being disturbed. Pascal Rettig commented this could wait until the next meeting.

265. **Administrative – Stantec Invoices**

- 266. David Frick reviewed the Stantec Invoices:
 - 1. A Stantec invoice for 9 Oakland Street in the amount of \$905.00
 - 2. A Stantec invoice for Bailey's Pond in the amount of \$270.
- 267. David Frick motioned to approve payment of the Stantec invoices. Seconded by Keith Ratner.
- 268. Pascal Rettig initiated roll call vote–
- 269. Keith Ratner – YES
- 270. Joel Nice – YES
- 271. Michael Jewell – YES
- 272. Tracey Chalifour – YES
- 273. Tom Salemi - YES
- 274. David Frick – YES
- 275. Pascal Rettig – YES
- 276. Motion passed 7-0
- 277. Tracey Chalifour commented the minutes are behind and it is hard for the public to find information on what is happening. They need to find a way to do better because it is a disservice to the public. Pascal Rettig asked the mayor to look into electronic options. Nipun Jain commented the public can look at ACTV for the Planning Board meetings as well.

278. **Adjournment**

- 279. Keith Ratner motioned to adjourn at 10:46 pm. Seconded by Tracey Chalifour.
- 280. Pascal Rettig initiated roll call vote –
- 281. Keith Ratner – YES
- 282. Joel Nice – YES
- 283. Michael Jewell – YES
- 284. Tracey Chalifour – YES
- 285. Tom Salemi - YES
- 286. David Frick – YES
- 287. Pascal Rettig – YES
- 288. Motion passed 7-0

Anne Ganzenmuller of 464 Main St. - public comment 27.5-29 Clarks Road

We are writing regarding the proposed Clarks Road development. We raised our concerns about traffic and safety in a prior meeting and would like to re-iterate those concerns. We would like to see traffic mitigation strategies and sidewalks the length of Clarks Road be part of this project.

We are also concerned that the project is asking for several waivers, most of which seem to be in order to maximize the number of units and thus revenue. I assume the regulations were put in place for good reasons. However, what is not clear to me is what kind of "reason" a project needs to waive a requirement.

The three waivers that stand out to us as avenues to increase the size of the development and maximize return without considering impact on the neighborhood, include:

- The 20 foot setback being waived to 10 feet. The reason stated is "*Moving the buildings closer to Clarks Road, suggested by OCED, allows for a more historically appropriate streetscape and better screening for the multifamily building and parking*" The homes in that area of Clarks Rd are not close to the street and the 2 new buildings are far larger than any home in that area. We were stunned in the December meeting to see the scale of the building next to the current shed/garage.
- The parking waiver for less than 1.5 spots per unit. Amesbury, in the 110 area, is not a "walkable" town. There is little public transportation. If 2 people live a single bedroom unit, they may have 2 cars. In addition, was snow removal considered? We are curious about Birchwood and their parking situation and if it was used as a comparison.
- The maximum size of one building having 48 units is being waived to allow over 3 times that many units, 146, in one building. The reason stated for this waiver is to allow space for conservation land. While we are strong proponents of conservation land, we are not sure of the cost here. This seems like a "throw away" reason, as stated, to maximize revenue. It is also not clear who will maintain this conservation land for public enjoyment. The path that it will connect to on Point Shore Drive is currently not maintained or usable and has not been in the last year and a half that we have lived here.

We are asking the board to please reconsider granting all these waivers and perhaps have the development scale down to meet the regulations of the town, as well as plan for increased traffic and safety.

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Thanks

Anne and Bill Ganzenmuller

Grant Lepore of 417 Main St. - public comment – 27.5-29 Clarks Road

Unfortunately we cannot attend the Planning Board meeting tonight, but we would like to submit comments beforehand for the Board to read.

Dear Members of the Planning Board,

As residents of Main St near the intersection of Clarks Rd, we are writing to formally submit our concerns regarding the proposed development at 27.5 & 29 Clarks Rd. While we understand the need for housing, the scale and specific waivers requested for this project pose significant risks to our neighborhood's safety and infrastructure.

1. Setback Exemption and Public Safety: We strongly urge the Board to deny the requested 10' setback exemption. This is a residential neighborhood of single-family homes, not a high-density downtown corridor. A reduced setback creates a dangerous "constriction point." Currently, the few historical homes on Clarks Rd built close to the pavement already create hazardous conditions when trucks or delivery vans pass one another. Adding modern, high-density structures so close to the roadway will further limit sightlines and endanger pedestrians and motorists alike.

2. Traffic Impact and Data Inaccuracies: The traffic study provided by the applicant is fundamentally flawed and, in our view, fails to meet the standard of "due diligence" for the following reasons:

- **Omission of Key Intersections:** The study focuses almost exclusively on the flow toward Route 110, completely ignoring the impact on the Clarks Rd and Main St intersection. This intersection already fails to handle current rush-hour volumes; adding 203 parking spaces "a stone's throw" away without a dedicated impact analysis is a major oversight.
- **Significant Under-counting of Cumulative Impact:** The study lists the "Proposed Elm Street 40R" project as having 115 units. The actual number is **381 units**. This 3x discrepancy means the "Specific Developments By Others" section of the study is mathematically invalid.
- **Unrealistic Trip Generation:** The study concludes that two major developments (totaling 945 parking spots) will add only **12 additional trips** to Clarks Rd during the evening peak. This implies a 1.2% usage rate, which defies logic and local reality.

3. Proposed Resolution: Given these discrepancies, we believe approving this project based on the current record would be a dereliction of the Board's duty to the neighborhood. We respectfully request:

- **An Independent Peer Review:** The City should commission an independent traffic study to verify the applicant's claims, using correct unit counts for neighboring developments.

- **Phased Approval:** Rather than approving 150+ units upfront, the Board should consider a smaller initial phase to allow the city to measure real-world impacts (especially following the opening of the new Starbucks) before permanent, irreversible changes are made to our infrastructure.

Once these units are built, the neighborhood must live with the consequences forever. We ask the Board to prioritize the safety and stability of existing residents over the density goals of this specific proposal.

Thank you for your time and your service to the City of Amesbury.

Sincerely,

Grant & Audrey Lepore
417 Main St, Amesbury

Anne Azema of 416 Main St. - public comment – 27.5-29 Clarks Road

My name is Anne Stabenbordt Azéma, I live at 416 Main, with my husband, Joel Cohen. My work schedule doesn't allow me to attend the meeting on 1-29-26. Allow me to share my concerns with you, in writing, as you gather up thoughts about the Clark Road project.

I have lived at 416 Main since 1994. This is my home.

My hope is that this board understands that for those of us who live here, the Clark Road project with its “minimal traffic and safety impacts” will in fact add to a situation which will quickly become unmanageable for those of us who live here.

And here is why: it is the lack of management of the total traffic impact which is of concern. To the Clark Road project, we have to add Starbucks and the big Elm St/Rocky Hill neighborhood, to an already alarming high traffic volume already existing.

I am a walker and biker, and roam my neighborhood streets during all seasons. By doing so, I am taking my life into my own hands, as traffic calming and protective measures are completely absent from our community.

Can you insure that your recommendations will:

- protect pedestrians from a much bigger total traffic impact on our neighborhood?
- In our neighborhood at large, sidewalks and crossings are sometimes inexistant; will you include in your recommendation that these are added, and those who are in place, maintained? Please try to cross Macy Road coming from Rocky Hill, walk down from the Cemetery to Main Street on Clark Road, or park and cross Main street to go visit the Lowell Boat Shop, and report to us. Dangerous tasks, all.
- protect bikers, young and old, who do not have any dedicated lanes in any of the aforementioned streets and neighborhoods.
- allow that all can live in good intelligence by adding traffic calming measures. Since 1994, I have heard many plans for this, but none have come to fruition. It is high time,

with such an imposition of new, considerable traffic impact on our neighborhood, that such measures be finally put into place. And here is why: it is the lack of management of the total traffic impact, as well as the ill-considered negative effects to the natural environment, which are of concern.

Thank you for your attention to these matters.

Anne

Tracey Chalifour of 25 Clarks Road - public comment – 27.5-29 Clarks Road

General Statements

1. **Only one point of entry/egress** for the quantity of units and vehicles still problematic and contrary to **international building code and international fire code**. Housing developments generally require at least two distinct, widely separated vehicle entrance/exit points to ensure safety, emergency access, and traffic flow. While specific numbers depend on occupant load, local fire codes (like IFC/IBC) usually require multiple points for developments over a certain size (e.g., >100 units or specific occupant loads) to prevent entrapment during emergencies.

2. **Proposed road improvements on Clarks** - are not solidified and official yet. the residents of this area have been hearing about improvements for at least 6-7 years and nothing is ever done. There are no guarantees anything will happen. The MAAssworks grant was written for a specific set of deliverables that includes the following in Year 1

Improvement Year 1

Route 110 at Clarks and Elm \$2,800,000 - this does nothing on Clarks, or any other road except 110

Clarks Road Sidewalk Extension to Residential Driveway \$75,000 - this is the only improvement and only to Eagles Crossing, and it wont mitigate traffic

Water Line Improvement at 110 and Elm Street Intersection \$525,000

Subtotal= \$3,600,000

Improvement Year 2 - nothing for Clarks

3. Again I will point out.....**In the list of 29 Clarks Road documents**, was one from 2004 (NJCAT TECHNOLOGY VERIFICATION - Stormceptor®) when this project was originally introduced as a 40b. A lot has changed since then adjacent to 29 Clarks, including the reconstruction of the Route 95 Whittier bridges and surrounding ramps, abutments, impervious surfaces, the addition of 13-15 homes on Point Shore Drive, Starbucks, and more that will change anything in a 2004 report. This document should not be considered as an acceptable submission. In the DRIVE, it is called "Third Party TSS Documentation" - this was uploaded on 12/18/25 - why is the PB not concerned about this outdated data source? In addition to this, I hope PB members have caught on to the fact that the Drainage and Groundwater Calculations reports were done during a drought period this past summer/early fall.

4. **Structures** - The large building height of 52' – how is this compared to BP – a 2.5 story building as tall as the house across the street at 20 Clarks Road. And Buildings A&B - **all 3 buildings** are way out of scale, and too close to the road – no other dwelling in this area has that size/scale and proximity – out of keeping with neighborhood character. Also, the DRC is not happy with the end result, one member told me personally that they have concerns about building A & B. size, design elements, etc. The applicant is not willing to make some changes they requested. It would be great if meeting minutes existed so we could validate this. Why cant these two structures be reduced in size and scale (2 units)

5. **Proposed Trails and Open Space** - There is still no proposed parking at the trail head on this site, nor on Point Shore Drive. If the trails are going to be as popular as everyone has stated, parking will be needed. Also, the proposed trail is steep in spots and has many switchbacks. It is being promoted as “public access” but does not meet accessible route requirements. Applicant says they wont be “accessible”. Also, Provide split rail fence between trail and building and between trail and Birchwood Point property – the applicant doesn't want to. The PB can insist on this.

6. TRC meeting on 12/16 – items and comments that should be analogous when evaluating any project. It was a very public facing meeting and broadcast on AC TV for 27 Kimball Road (95 unit 40b potential development) - interesting comments by OCED Director Nick Cracknell in response to applicant and the neighbors - the City MUST give the same due diligence and consideration to the Clarks Road project. Clarks project unit scope is 38% bigger, so it has way more impact in a more compact area, and all driven by density. We should be reviewing Clarks with the same lens and scrutiny as Kimball Road to be equitable and transparent. The list below contains points I have raised before in regard to 29 Clarks that came up during the TRC meeting:

A. Fire Chief Serino stated that - water and fire flow are primary concerns given density and the project, especially with an older water system. "As it pertains to our staffing and our capabilities, especially with the city budget moving forward, I do have a concern about the capabilities of the systems that are there" - that same statement is applicable for the Clarks Road project, with some of the oldest water and sewer infrastructure in the city

B. Lieutenant Blatchford - "Kimball road is a major corridor to NH, high traffic and speeds, windy road, no sidewalks, our concern is the increase in traffic and pedestrian safety" - that same statement is applicable for the Clarks Road project as Clarks is a major corridor to Newburyport. It should be evaluated in the same manner.

C. Nick Cracknell stated - "Traffic issues are real - you guys live there, we don't" - the city must listen to the residents that are conveying these lived experiences. Consistently. From project to project. The same lens should be used/applied

D. Neighbor that said "data can be skewed" and "data does not tell the whole story" is spot on - just like traffic studies that are a snapshot in time. Nick acknowledged that projects like these

have "profound impacts" in the neighborhood. That same principle applies for 29 Clarks, and should be considered.

7. VHB Peer Review Memo 12/29/25 items for PB to still consider and VHB said several items "are either missing or incomplete to a degree that prevents full technical review." Some of them have since been submitted but many have not. How is the PB supposed to appropriately evaluate this project? Why bother hiring a peer reviewer if not taking their advice and recommendations? Still missing:

- o Garage Layout plans
- o Groundwater Mounding calculations
- o Building with Elevations
- o Soils report (repeat from 12/4 memo) - (required in Zoning by-laws) - VHB comment "the absence of a soils and geotechnical report at this stage prevents VHB from reviewing erosion potential, slope stability, and long-term performance of the proposed grading.
- o Architectural plans – repeat from 12/4 memo

And many more listed on page 4 and detailed throughout the document.

On, page 34-35 - grading design behind large building where trail will be: "VHB recommends that the Planning Board requests that the applicant re-evaluate the grading strategy behind Building C to ensure that runoff is managed effectively, amenity areas are constructible and stable, and long term maintainability is achievable." And "portions of the pedestrian path along the eastern property line appear to exceed approximately 15 percent. VHB does not consider slopes of this magnitude to be suitable for routine maintenance vehicle access to the stormwater basin, particularly for sediment removal, rehabilitation, or emergency repairs. The plans do not clearly demonstrate that the slope, width, surface treatment, and turning geometry of this route are adequate for maintenance vehicles. In addition, while fine grading and localized retaining features for amenity areas are proposed to be addressed during a later design phase, the feasibility of these areas and their interaction with adjacent steep slopes cannot be fully assessed without additional detail. Given the extent of steep grading, proximity to stormwater infrastructure, and long-term maintenance requirements, VHB recommends that the Planning Board require confirmation by a qualified geotechnical engineer that the proposed slopes and stabilization measures will provide long-term stability and maintainability. Has the PB addressed this?

There are Some Waivers Requested that I would speak to again but it seems that there have been some changes uploaded that the public does not have access to review.

Donna Denoncourt of 4 Andrews St. - public comment – 27.5-29 Clarks Road

Thank you for encouraging this second review of the traffic conditions.
My name is Donna Denoncourt, and I live on Andrews Lane.

I wanted to put in writing my traffic concerns for this project. As John Stevenson has stated many times, it is of concern the total traffic impact with Starbucks and the new neighborhood construction project planned on Rocky Hill road. I do understand that this report is only looking at the Clark Road project for this traffic study, yet traffic and its impacts are not siloed. This report states "this is expected to have minimal traffic and safety impacts based on this construction", yet I do want to add more questions from this report.

Traffic & Safety

Is the planning board satisfied that the MassWorks and/or Rocky Hill improvements will be completed before people move in—and are the applicant's contingency commitments sufficient?

Given existing congestion at Route 110 ramps, does the Board agree that the project's incremental traffic is truly negligible as VHB states?

Does the Board agree that additional traffic to the south on Clark's Road (including Main Street turns) will not materially affect neighborhood conditions and neighboring streets?

Are additional traffic-calming measures needed now, or should the Board rely on roadway geometry and sidewalk improvements alone?

Is the proposed sidewalk and alignment sufficient to support future pedestrian demand from an increased population?

Environmental Impact:

I would like to add an additional concern regarding the woods and wildlife.

I see in the Environmental Impact report it does note that this project will remove existing mature forest, a valuable resource that cannot be replaced. In addition, the report states, "The large standing trees are an important wildlife habitat due to their expansive canopy and structural diversity, which may provide foraging, sheltering, and nesting habitat for birds and arboreal mammals. There are also numerous large dead standing trees, which may provide sheltering for woodpeckers and other cavity-nesting birds. Other notable wildlife habitat features present include contiguous mature forest, which provides breeding habitat for forest interior bird and mammal species that require unfragmented habitat for breeding success.

I would like to make sure this point is not lost with the project build.

Thank you for your attention and focus on this matter.

Donna Denoncourt