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1. Amesbury Planning Board Meeting Minutes

2. Virtual Meeting –February 26, 2024, at 7:00 PM

3. Chairman Pascal Rettig called the February 26, 2024, Planning Board meeting to order at 7:00 PM. He read: Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the extension of the Governor's order until March 31, 2025, Order imposing strict limitations on the number of people that may gather in one place, this Meeting of the Planning Board on February 12, 2024, is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order.
4. *To submit a public comment, or dial in please email Becky Frey at freyr@amesburyma.gov. There will be a public comment portion of each public hearing discussed tonight.*

5. *The Chairman notes that tonight's Planning Board meeting is being recorded by Amesbury Public Access Television; this legal step has been taken but does not act as the official record. The written meeting minutes by the Recording Secretary is the official record.*

6. *If you would like to dial in to speak you can email Nipun at Nipun@amesburyma.gov*

7. Pascal Rettig initiated roll call –
8. Keith Ratner – YES
9. Joel Nice – Absent
10. Lorri Krebs- YES
11. David Frick – YES
12. Michael Jewell - YES
13. Pascal Rettig - YES
14. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)

15. Preapplication – 12 S Hunt Rd.

16. Josh Berman and Garret Horsfall were present to speak to the application. Josh Berman commented that the proposal was to add a single additional turf field and additional parking behind the active curb cut that is there today. Garrett Horsfall commented that the plan is to expand the parking by 51 spaces along the existing drive aisle. They will add landscaped islands as well. An additional light pole is proposed. The field will be a synthetic practice field. There will be a 5-6 foot retaining wall along the driveway encompassing the length of field. A new storm water system is proposed to mitigate the field and parking lot flow.
17. Joel Nice arrived at the meeting at 7:07 pm.

18. Michael Jewell questioned if the storm water system would be to treat the new field. Josh Berman confirmed that was correct as well as the parking. Michael Jewell questioned if it would tie into the current system. Garrett Horsfall responded that it will be connected for an overflow outlet pipe. It will match the already approved flows for the Munter's site. Michael Jewell questioned if this would help the sediment from the current field that is going into the wetlands. Josh Berman responded that they were working with the Conservation Commission on that.
19. Pascal Rettig requested that they provide a holistic view of how the storm water system ties into the Munters site. Josh Berman responded that the initial filing had 2 two additional fields. It has now been reduced to a single field with additional parking. Right now, the plan shows one system, but an additional system may be needed. Garrett Horsfall commented that they will most likely have two systems given the elevations. They will pick up the Munters drainage that drains down the roadway. There will be no flow in the existing system from the Munter's site once it's diverted. The modeling shows the pipes will function as designed in the existing sub surface system with this new storm water system. Nipun Jain commented that the previous storm water design required a bypass from the Munter's site to connect to the sports park or an additional subsurface system. This storm water system proposed in the field application will address that issue.
20. Garret Horsfall confirmed that the currently approved design required them to replace two pipes to add capacity, however, by diverting the Munter's runoff the system in place will function as designed. Josh Berman commented that there will be a drain line halfway up the road that will direct runoff to the sub surface system at the field. Nipun Jain clarified that the pipe system coming from the Munter's site was supposed to tie into the existing field with their approval. Now they are proposing that runoff will go to the new field system. Josh Berman confirmed that was correct. The new design in this proposal will pick up the roadway runoff go to new proposed sub surface system below proposed field. Nipun Jain clarified that the existing runoff will be isolated to the existing storm water section. The ownership between the two systems will be clearer this way as well.
21. Pascal Rettig commented that the new system will take storm water from the driveway and new field. Nipun Jain confirmed that it would take anything running from the Munter's site. Pascal Rettig questioned why there was a pipe connecting the new system to the system under the existing field. Garrett Horsfall clarified that was the overflow outlet.
22. Michael Jewell questioned where the water would go. Garrett Horsfall responded that it would be detained and flow at the same flow rate. Michael Jewell questioned what the timeline for this project would be. Josh Berman responded that they would like to build it this spring. Michael Jewell noted there was a lot of dirt there now.
23. Nipun Jain commented that the site has the existing YMCA, parking, and sports field which will have the air supported structure. The existing grades and driveways were approved as part of that site plan. They are seeking an additional field and additional parking. The layout and grading plan show the changes to the site and the proposed retaining wall construction. They have outlined how stormwater will be collected and how the design will be modified. The site plan requires that performance standards are met. They are not changing the existing access. They are adding parking spaces and should clarify how those spaces were calculated. This was reviewed at TRC. There should be more lighting details on

the official submittal. The most critical aspect to this is the grading of the site. Sheet 12 on the plan shows a different grading plan than what was approved in the Munter's application. The grades are changing to incorporate the soil and make grades easier to build on. The applicant should explain how it's changing and why.

24. Josh Berman responded that they were extending the grades out to meet the existing field. Nipun Jain commented that they were raising the grade by 20 feet and questioned how much fill that would be. Josh Berman responded that it would most likely be around 15,000 cubic yards.
25. Garrett Horsfall commented that they based their parking calculations on what was used for the existing approval for the bubble. They had established a baseline based on 25-person teams and 10 staff members which came to a total of 60 spaces for a full-size field. This is a smaller field and they calculated that 30 spaces would be required. This proposal would add 51 parking spaces in total. The approved plans have 146 spaces. There should be ample parking.
26. Pascal Rettig questioned if this would be used as one field. Josh Berman responded that it would depend on the user. It could be broken into 2 fields. Pascal Rettig commented that he was concerned there would not be enough parking. Josh Berman responded that they went off what was approved previously and added from there.
27. Nipun Jain commented that the Technical Review Committee suggested 2 things. Public safety officials will not support any parking along South Hunt Rd. The applicant needs to make sure to look at parking very hard and see where extra parking could be accommodated for special occasions. The bubble occupancy load is 200 people the applicant will need to address the overlap of parking and if additional parking is needed. During the original approval there was discussion about sharing the parking between the ice rinks and the fields. Now the top of the hill will be Munters, so that is not the same relationship. The applicant should look at the assumptions made in the previous approval and see how they tie back. If they do need to provide overflow, then what arrangement would be in place. TRC suggested that they could look at potential overflow parking along the front. Nipun Jain commented that they should plan to modify the earthworks permit as well.
28. Pascal Rettig noted that the TRC memo included a comment about adding a net barrier and questioned how close the parking would be to the field. Garrett Horsfall responded that it was 10 feet, and confirmed they did add a net barrier.
29. Joel Nice noted that they should include photos of the netting system.
30. David Frick questioned if the additional storm water detention would be under the field. Josh Berman confirmed it would be under the parking and the field. David Frick commented that they would peer review the final proposal. Josh Berman confirmed that they were assuming Stantec would do it.
31. Pascal Rettig commented that it looks like a lot of fill will be going into one area so there will be concerns about what that will look like and how it will be maintained and stabilized. Josh Berman responded that the intent is to carry the landscape down and they will show that in the landscaping plan. Pascal Rettig commented that the Board would like to see something other than a meadow mix there.

32. Joel Nice questioned if the field was going to be grass or artificial turf. Josh Berman responded they have not finalized that yet.
33. Pascal Rettig commented that the plan did not show any snow storage and that should be defined. Josh Berman responded they will include that in the filing.
34. Nipun Jain commented that there was a 200-foot separation between the bubble and the retaining wall. Even in a small event snow will pile up in that area. They will need to think critically about snow storage.
35. Lorri Krebs commented that they should consider planting trees above the retaining wall there to help with stabilization and water absorption. They should not plant all meadow mix. Josh Berman agreed and noted that they plan to create shaded landscaping areas where it's flat.
36. Nipun Jain commented that they should include retaining wall details. People will be walking by this all the time and the details should be considered and shown. Josh Berman responded that they would have more details at the next filing and plan to work with Shea on this.

37. **Administrative - 130 Market St. Modification**
38. Paul Gagliardi represented Wojicki Holdings. They submitted a letter requesting that the Board make a determination on the request to provide a payment in lieu of providing an affordable unit. The in-lieu payment would be in the amount of $200,000 and would go into the Housing Trust. The Housing Manager has noted that several affordable units are about to come off the rolls and this money would be able to help retain them. They are making this request because the costs associated with the project are exceeding expectations. They have had to incorporate environmental cleanup and offsite improvements. The change in design also added cost to the project. Building two duplexes instead of one a fourplex along Market St. added to materials and construction cost.
39. Pascal Retting commented that affordable units in small developments can be difficult, but it's always tough when something that has been approved comes back to make changes after the fact.
40. Keith Ratner requested more details on what the Amesbury Housing Trust was doing. Nipun Jain responded that they have been active for at least 2 years, and they are looking at several projects. They are looking at how to encourage affordable housing and provide diverse housing opportunities. They are looking at public properties, working with the Community Block Grant Program, and assisting maintaining affordable housing restrictions. Affordable units are not affordable in perpetuity. Depending on the mechanism used it could put the unit in place for 15 years, 30 years, or permanent. Amesbury will continue to lose units if they do not create additional units. The special permit tied to this project is Historic Preservation. The primary force behind that permit is preservation. These are larger units and a very different kind of housing type than what was built at Main St. or Sparhawk St. The Housing Trust has only been provided with smaller amounts of money to date. This would be the first substantial amount going in. They could choose to use the funding on things like housing planning and feasibility analysis. They could create a program to use funds to incentivize current property owners to extend existing restrictions.

41. David Frick commented that the Housing Trust was still trying to get their footing and trying to figure out what they can or can't do with that money. This would more than double the amount of money they have now.
42. Joel Nice noted that he was concerned about setting a precedent about accepting payment in lieu payment after approval. However, he did understand the constraints of the project. Construction costs are part of the developer's due diligence. Joel Nice questioned how they arrived at $200,000. Paul Gagliardi responded that they took into account the market value of the unit and what the affordable unit price would be. The difference between that is how they arrived at $200,000.
43. Nipun Jain commented that the affordable unit requirements do not account for design. It could be a big box with a window. This project is making offsite improvements and including the highest level of building materials and design. Changing the four-unit building had a big impact. That increased exterior materials and windows cost. The Board worked to ensure this is a high-quality project that fits into the character of the neighborhood. The project went above and beyond, and the Board should take that into consideration. The payment would be coming in at $20k per unit because it's a 10 unit development. The developer came up with a number that was somewhere in the middle considering all the different variables to make it somewhat reasonable.
44. Joel Nice commented that this could set a precedent for 101-107 Market St. Nipun Jain responded that 101-107 Market St. are all smaller units than this development. The gap between the cost to build and the price of the affordable unit will be much less. They would not have a lot of advantage in making the payment in lieu or much justification for the Board to accept it. These are all evaluated on a case-by-case basis. The Board should consider if this is a reasonable approach to solving the issue. The developer could choose to modify the design back to the four-unit building. When these buildings are built, they will raise the value of everything around it.
45. Pascal Rettig commented that he was worried about setting a precedent. They need to think long and hard about the feasibility of these units and try to have these discussions during the permitting application. It is hard to determine what the in-lieu payment number is and how to calculate it.
46. Nipun Jain commented that they have previously gotten payments from the smart growth district and that funding has been used to support infrastructure improvements for large capital projects. A payment in lieu is usually in smaller amounts, so the Trust is just starting to build up enough to do something creative with that funding. They could use the money to help prepare public assets to better position them for redevelopment and affordable housing with public or private partnership. It is hard to get money for predevelopment, so using this money to help leverage future projects could be very useful. They could also look at creating a program to work with local financial institutions and help with first time home buyers. There is also an opportunity to partner with the Community Block Grant Program. The Planning Board could stipulate how they anticipate the payment would be used for.
47. David Frick commented that it would be good to see the calculations showing the gap and the problem.

48. Nipun Jain commented that the Board could request more information from the applicant to get a better understanding. Bailey's Pond units are selling at 1-1.2 million and they are in a tight neighborhood. These units would at least comp at that amount if not more.
49. Paul Rettig commented that this should have been discussed before the decision was granted. Nipun Jain commented when they originally proposed the affordable unit it was going to be an interior unit. Then the Board approved the units as all duplexes. They are 3-bedroom 2 car garage units. The payment in lieu would afford the housing trust to work with the housing manager and retain affordable units. David Frick questioned what an affordable unit of this type would sell for. Paul Gagliardi responded that it was all based on income and family type. Nipun Jain added that it does not take into account unit size. It is based on bedroom count. David Frick questioned if the Board could request \$250-300,000 in lieu payment instead of the proposed \$200,000. It's hard to make decisions about what's fair because there are no numbers in front of the Board.
50. Lorri Krebs commented that on the broader scale they should consider where they sit as a Board on affordable units vs. in lieu payments.
51. Nipun Jain commented that it could be hard to find eligible buyers for this unit. A concern with making this an affordable unit is that when this goes up for sale it could come off the SHI because they can't find an eligible buyer. If the Board wants them to keep the affordable unit, then the developer may change the design and project to make the numbers work. The developer talked about some of the numbers that the Board can use to help guide the decision. The gap would not be outside the range of \$200-400,000.
52. Keith Ratner commented that it sounded like the Housing Trust could use this money. It would be good to know more about what they are doing. Nipun Jain responded that they could use it to help assess public property. The elementary school site will need to be evaluated. The Board should think about how to leverage this and maximize the opportunity.
53. Davi Frick commented that page 3 of the summary says it costs \$500-600,000 to build and the subsidy would be \$300,00. David Frick questioned if this would sell for \$300 -325,000. Nipun Jain responded that was most likely the case. David Frick commented that the Board should accept an in-lieu payment of \$300,000 in the amount of \$30,000 per sale of each of the 10 units.
54. Joel Nice motioned to determine this was a minor modification. Seconded by David Frick.
55. Pascal Rettig initiated roll call –
56. Keith Ratner – YES
57. Joel Nice – YES
58. Lorri Krebs- YES
59. David Frick – YES
60. Michael Jewell - YES
61. Pascal Rettig – YES
62. Motion passes 6-0

63. Paul Gagliardi commented that they had no problem with that amount as long as the developer still has the option to do the affordable unit or make the in-lieu payment.

64. David Frick motioned to accept a payment in lieu of the affordable unit in the amount of $300,000. It would be paid out in the amount of $30,000 per sale of each unit in the 10 unit development. Seconded by Joel Nice.
65. Nipun Jain clarified that the current project was approved with the requirement for providing one affordable unit. The applicant is requesting to modify that approval to provide a payment in lieu. This motion would allow that payment in lieu with the total amount of $300,000 to be paid out with $30,000 per unit sale. Nipun Jain questioned how that would be tracked to ensure the payments are made. Paul Gagliardi responded that they have done a similar payment in Salisbury and ensured there was documentation at the time of closing that required payment and a signature.
66. Nipun Jain commented that the Board could include a recommendation to the Housing Trust on what they could use the funds for. David Frick responded that they were not on the Housing Trust, and it was his opinion that they did not have the authority to tell them how they should spend that money.
67. Joel Nice commented that it would be good to see a feasibility study around the Amesbury Elementary School site. Keith Ratner agreed and noted some should go toward increasing housing affordability as well.
68. David Frick commented that this Committee was created to determine how to best use this money to help with housing in Amesbury. We should let them decide how to manage it.
69. Pascal Rettig commented that the Planning Board should be engaged with what is going on, however, the Housing Trust has not had a substantial amount of money to date to put any plans into place. The Board should not stipulate how they should use it and put a wrench in the Trust's planning.
70. Keith Ratner agreed it would be good to be more engaged with what they have going on.
71. Nipun Jain noted that their meetings are public and Board members can attend and engage.
72. Pascal Rettig initiated roll call –
73. Keith Ratner – YES
74. Joel Nice – YES
75. Lorri Krebs- No
76. David Frick – YES
77. Michael Jewell - No
78. Pascal Rettig - YES
79. Motion passes 4-2
80. Lorri Krebs commented that she did not think it was a bad idea but wanted more information.
81. Nipun Jain commented that the Planning Board could send a memo of recommendations to the Trust for consideration. There are some very focused activities that the City does not get funding for in the predevelopment phase to do assessments, design and permitting.
82. Keith Ratner motioned to send a memo with recommendations on how to use that funding. Seconded by Joel Nice.
83. Pascal Rettig initiated roll call –
84. Keith Ratner – YES
85. Joel Nice – YES
86. Lorri Krebs- YES

87. David Frick – No
88. Michael Jewell - YES
89. Pascal Rettig - YES
90. Motion passes 5-1
91. Pascal Rettig commented that he would like to put together a working group with the Housing Trust to come up with some formula to discuss this with developers beforehand. This would hopefully help avoid having conversations like this after the fact.

92. **Administrative – 14 S Hunt Rd.**
93. Nipun Jain noted that there was nothing at this time.

94. David Frick motioned to extend the meeting by 5 minutes. Seconded by Keith Ratner.
95. Pascal Rettig initiated roll call –
96. Keith Ratner – YES
97. Joel Nice – YES
98. Lorri Krebs- YES
99. David Frick – YES
100. Michael Jewell - YES
101. Pascal Rettig - YES
102. Motion passes 6-0
103. Joel Nice left the meeting at 9:31 pm.

104. **Administrative – Stantec Inovices**
105. Nipun commented that staff recommended paying the following invoice as submitted and reviewed. They know the work has been performed as submitted.
    1. A Stantec Bill for Bailey's Pond in the amount of $434.65
106. Keith Ratner motioned to pay the Stantec invoice listed above. Seconded by Michael Jewell.
107. Pascal Rettig initiated roll call –
108. Keith Ratner – YES
109. Joel Nice – Absent
110. Lorri Krebs- YES
111. David Frick – YES
112. Michael Jewell - YES
113. Pascal Rettig - YES
114. Motion passes 5-0

115. **Adjournment**
116. Michael Jewell motioned to adjourn at 9:35 pm. Seconded by Lorri Krebs.
117. Pascal Rettig initiated roll call –
118. Keith Ratner – YES
119. Joel Nice – Absent
120. Lorri Krebs- YES
121. David Frick – YES

122. Michael Jewell - YES
123. Pascal Rettig - YES
124. Motion passes 5-0