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1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – November 25, 2024, at 7:02 PM

3. Chairman Pascal Rettig called the November 25, 2024, Planning Board meeting to order at 7:02 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. David Frick – YES
12. Pascal Rettig - YES
13. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)

14. **Minutes – 9-9-2024**
15. Tracey Chalifour motioned to approve minutes from the September 9, 2024, Planning Board Meeting. Seconded by Joel Nice.
16. Pascal Rettig initiated roll call vote –
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. **Minutes – 9-23-2024**
25. Tracey Chalifour motioned to approve minutes from the September 23, 2024, Planning Board Meeting. Seconded by Joel Nice.
26. Pascal Rettig initiated roll call vote –
27. Keith Ratner – YES
28. Joel Nice – YES
29. Michael Jewell – YES

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

34. Signs – 43 Main St. – River Run Lending

35. Alysa Morse commented that she was here in the summer with a sign application for 43 Main St. The Planning Board did not have legal authority to waive the dimension requirements. Ms. Morse went to the Zoning Board of Appeals, and they received a variance. Now this application is back for design approval.
36. Nipun Jain commented the ZBA granted relief on the sign dimensions. At this time the Board can review the application now that the size is allowed to be considered for approval. On the initial application the DRC reviewed and determined that the sign design was consistent with the other sign package. Their concern at the time was the square footage.
37. Keith Ratner motioned to approve the sign application at 43 Main St. Seconded by David Frick.
38. Pascal Rettig initiated roll call vote –
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. Pascal Rettig commented that they should take the take the Preapplication and Continued Public Hearings before the City Council Referrals.
47. Keith Ratner motioned to take the Preapplication and Continued Public Hearings first out of order. Seconded by David Frick.
48. Pascal Rettig initiated roll call vote –
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. Nipun Jain commented that there was a request to take 14 S Hunt Road in the administrative and Bill 2024-144-146 out of order after that.
57. David Frick motioned to take Bills 2024-144-146 and then 14 S Hunt Rd. out of order. Seconded by Joel Nice.
58. Pascal Rettig initiated roll call vote –
59. Keith Ratner – YES

60. Joel Nice – YES
61. Michael Jewell – YES
62. Tracey Chalifour - YES
63. David Frick – YES
64. Pascal Rettig - YES
65. Motion passed 6-0

66. **Preapplication – 80 Haverhill Rd.**
67. Lisa Mead of MTC Lawyers spoke on behalf of the application. This proposal is for a multifamily development. There is an existing historic home and a barn that was ordered to be taken down recently. The plan is to replace the barn and put 4 units in the existing home and 4 in the reconstructed barn. They are here tonight under a historic Special permit. They asked for a zoning change to allow for multifamily housing on this lot. Prior to this zoning change it was commercially zoned. They have taken parking and stormwater into consideration. The project will have a total of 8 units with 16 parking spaces. There will be 4 in a garage with 4 tandem spaces behind those spaces for the house units. The barn will have 4 spaces under the building and 4 next to that space in the back. The Historical Commission did determine the property was historically significant even with the proposed changes. They are working on a draft preservation agreement. The stone wall that was the foundation of the barn will be reused as a fence around the property.
68. Sam Colombo from Millennium Engineering reviewed the site plan. The access to the site is off Haverhill Rd. with a gravel driveway that wraps around to what was the existing barn structure. Currently there are not any designated parking spaces or storm water management. They are proposing to keep a similar layout with an 18-foot-wide driveway with granite curbing. There will be designated snow storage at the northeast corner by the entrance and at the south of the site by the rear lot line. They have implemented a storm water management system to help with peak runoff rates. They will use catch basins, proprietary separators, and infiltration basins. They will be able to infiltrate a lot of the storm water due to the soil conditions. The utilities will come in off Haverhill Rd. They will have an 8-inch sewer service, 6-inch water service and will have a fire and domestic service for both buildings. The plan includes erosion control and a proposed construction entrance.
69. Aileen Graf commented that original home was built 1885 the side porch has been enclosed. A lot of the original details are still existing. There are two over two windows and some were replaced with one over ones. The building has been wrapped in vinyl. There have been some modern adjustments to deal with the multi-unit layout and egresses. The intent is to connect the new barn to the original farmhouse. They will remove the vinyl products and bring back the cedar and panels. They will also bring back the covered porch and quality two over two windows. In the back they will transition to new structure hardy board. The roof will have a third-floor dormer for more living space. The addition in the middle that starts on the first floor. The carriage house will connect back to the barn structure. They have accounted for trash storage and will use granite steps to match the front of the house. The barn structure travels along the driveway and drops down in grade for that. The barn and garage entries will be in the back and there will be balconies for the units. They plan to have mechanical equipment in the carriage house. The original house

units range from 1,000 sf to 1,200 sf and will be 2 bedrooms plus units. The barn units will be 1,400 to 1,600 sf and have a similar number of bedrooms.

70. Lisa Mead commented that they provided a list of waivers included in the application. This is a preexisting nonconforming lot, and the waivers account for that.
71. David Frick commented that overall, this was a fantastic proposal and questioned how people will get from the garage to the main house. Aileen Graf responded that unit 2 will have direct access and people would come to the front door for all the other units. There are interior paths for them to use. David Frick questioned what entrance visitors would use. Aileen Graf responded that they would use the main entrance. David Frick clarified that the mechanicals would not be visible. Aileen Graf confirmed that was correct. They will be in the back on the non-driveway side.
72. Joel Nice clarified that people will not see the full 4 stories unless they are looking at the back of the barn, and questioned if they considered breaking up the barn roof with dormers or a cupula. Aileen Graf responded that they did not consider that. Joel Nice questioned if they looked into solar. Lisa Mead responded that would be complicated because of the condo ownership.
73. Keith Ratner commented that the project looked good and questioned if there was a buffer between this and the commercial use next door. Aileen Graf responded that they were trying to create a little separation from the street and added a vegetated screening. They will also work to replace the existing fence. Keith Ratner questioned if they were only screening the one unit with the trees. Lisa Mead responded that the existing trees would remain.
74. Keith Ratner questioned if there was visitor parking. Lisa Mead responded that they have 16 parking spaces which should be sufficient parking. They do not have designated visitor parking, but they can look at that.
75. Tracey Chalifour noted that she was concerned about the visitor parking as well. Tracey Chalifour questioned if the porch would be common space. Aileen Graf responded that the porch abuts unit 2. Unit 3 and 4 have outdoor space above the addition. Unit 1 has a deck. The four units in the barn have balcony space. Tracey Chalifour questioned if there was a shared patio area. Aileen Graf responded that they have not designated anything.
76. Tracey Chalifour questioned which unit would be designated affordable. Aileen Graf responded that they have talked about making Unit 1 affordable. They are all equal in size and have the same parking spaces allotted. A first-floor unit would maintain accessibility.
77. Pascal Rettig commented this was a great project. It will be awesome to get 4 more units in the same footprint. This helps address the missing middle. Pascal Rettig questioned if all windows would be replaced. Aileen Graf confirmed that was correct.
78. Tracey Chalifour commented that this looked phenomenal, and it would be good see more of it throughout the city.
79. David Frick commented the parking driveway is very wide, and there may be room for parallel parking. Lisa Mead confirmed they would look into it.

80. **Continued Public Hearings – 87 South Hampton Road.**
81. Paul Gagliardi commented that he was there to represent the applicant. They have made revisions since they were before the Board last year. They have added a requirement that

the owner of the open space to mow once a year so it will remain an open field. They will maintain the existing equestrian structures so the view from the road will be the same in the future as it is today. The original plan is on record. The Board approved a major change in the cluster in 2016 or 2018. They came back and requested a modification with lot 7. The Francoeur house and the equestrian buildings were on lot 6. The original modification request proposed to divide lot 7 into 3 lots. Lot 7c would be behind the house to keep it private and Lot 7b would be to keep for agricultural purposes. Lot 6a would be all the equestrian buildings. The Board had concerns with this proposal, so they developed another proposal to do just 2 lots. Lot 8 would have the Francoeur house and Lot 9 will be the open space parcel. In concession for creating a conservation restriction, they would allow construction of another single-family home on Lot 9. That would increase the open space to 27.1 acres. It would all be subject to a conservation restriction and management plan. That allows for the barns and equestrian facilities to remain open space. Anyone who is going to buy an equestrian facility will want to live there. There is no other new development proposed other than the single-family home. The restriction would not allow more development than that and it would require mowing once a year. The Planning Office worked with Francoeur to draft a preset design for the proposed single-family home.

82. Pascal Rettig questioned if the new house was being proposed in an area that was previously not included in the open space. Paul Gagliardi confirmed that was correct.
83. David Frick commented that this revised plan addressed the concerns of the Board.
84. Nipun Jain commented that the open space continues to remain pastureland and that will not change. The original proposal left it open to future development based on the proposal. This changed proposal helps to address that. It solidifies the intent of the original approval for open space. It also gives the agricultural buildings the hope to thrive and survive by creating a single-family home that can be on the same campus.
85. Keith Ratner commented that the Board also had concerns with who would be able to use the open space and questioned if that was addressed. Paul Gagliardi responded that the bylaw talks about open space open going to the lot owners and gives the Board discretion to allow for one owner to have access. Nipun Jain commented that there was discussion about why this space was not open to the public. It was not intended to be open to the public. The zoning ordinance provides a lot of latitude for maintenance, access, and ownership. It does not mandate availability to the public or residents of the subdivision. It only requires the space to remain open and maintained for the purpose the Planning Board determines it needs to be. This open space will remain private, and it will be maintained privately. If this was not maintained, then it could become forest. The intent is to keep it an open pasture. This will ensure it will be maintained.
86. Joel Nice commented that the plan looked great and agreed the open space should remain private. The public has access to plenty of land across the street. They don’t want to lose that pasture look. Adding the new structure where it’s laid out will not impact view.
87. Nipun Jain commented that the only changes they are asking for are the lot lines. Staff recommends the Board accept revised plans for the new layout for Lot 8 and Lot 9 along with the open space management plans as revised. Every other requirement of the subdivision approval will remain in place.
88. Pascal Rettig questioned if there was any public comment. There was none.

89. David Frick motioned to approve the Definitive Subdivision and Site Plan Review modification request for 87 South Hampton Road which includes revised plans for the new layout for Lot 8 and Lot 9 along with the open space management plans as revised. Every other requirement of the subdivision approval will remain in place. Seconded by Joel Nice.
90. Pascal Rettig initiated roll call vote –
91. Keith Ratner – YES
92. Joel Nice – YES
93. Michael Jewell – Abstain
94. Tracey Chalifour - Abstain
95. David Frick – YES
96. Pascal Rettig - YES
97. Motion passed 4-0

98. Keith Ratner motioned to close the public hearing for 87 South Hampton Road. Seconded by Joel Nice.
99. Pascal Rettig initiated roll call vote –
100. Keith Ratner – YES
101. Joel Nice – YES
102. Michael Jewell – YES
103. Tracey Chalifour - YES
104. David Frick – YES
105. Pascal Rettig - YES
106. Motion passed 6-0

107. **Continued Public Hearings – 31 Newton Road.**
108. David Frick motioned to continue to the December 9, 2024, Planning Board Meeting. Seconded by Joel Nice.
109. Pascal Rettig initiated roll call vote –
110. Keith Ratner – YES
111. Joel Nice – YES
112. Michael Jewell – YES
113. Tracey Chalifour - YES
114. David Frick – YES
115. Pascal Rettig - YES
116. Motion passed 6-0

117. **Continued Public Hearings – Bill 2024-096**
118. Nipun put that date on discussion for the Board. The City has received a formal application from the solar facility proponents. There are legal issues that Staff need to address, and they have not spent enough time looking at performance standards. Staff will not be able to produce something for the December 9, 2024, meeting and request a continuance to the January 13, 2025, meeting.
119. David Frick motioned to continue Bill 2024-096 to the first meeting in January Planning Board Meeting. Seconded by Joel Nice.

120. Pascal Rettig initiated roll call vote –
121. Keith Ratner – YES
122. Joel Nice – YES
123. Michael Jewell – YES
124. Tracey Chalifour - YES
125. David Frick – YES
126. Pascal Rettig - YES
127. Motion passed 6-0

128. **City Council Referrals – Bill 2024-144, 145, 146**
129. Nipun Jain commented that these Bills 2024-144 and -146 pertain to establish the layout of Colonial Drive as a way and to accept it as a public way. Bill 2024-145 is accepting the open space as public land.
130. Briana Burns the applicant's attorney and applicant Ryan Elliot were present to speak. Briana Burns commented that the Board has 3 orders before them to accept Colonial Drive as public way and accept the open space. The plans have been reviewed and signed off by Amesbury DPW, the fire department, and KP Law. The project was approved in 2007 and then delayed. FHC Builder took it up in 2019 and deeded the last lot in 2022.
131. David Frick questioned if the Planning Board was providing a recommendation or approving it. Nipun Jain responded that the Boad is making a recommendation for each of the Bills. This subdivision was built as per approved plans. Stantec reviewed and inspected the street and made a recommendation for accepting the As Built as submitted. They have now made the petition to accept the layout of the subdivision road and make it a public way.
132. David Frick questioned if it was appropriate to put all the Bills in one motion. Nipun Jain confirmed that was correct. It is important to understand that Parcel X has a certain significance in being publicly owned. It plays a critical role in managing the storm water and flood storage area. This assists the city and neighborhood in that management. It is in the public's best interest to accept it.
133. David Frick motioned to send a positive recommendation for Bill 2024-144, 145, 146 to City Council. Seconded by Keith Ratner.
134. Michael Jewell questioned if the Conservation Commission signed off on this. Briana Burns confirmed they received a Certificate of Compliance.
135. Joel Nice questioned if there were any current trails or public access on Parcel X. Briana Burns responded there was not.
136. Tracey Chalifour commented that over the past number of years the city has moved towards not accepting roads that are dead ended and requested clarification on that.
137. Nick Cracknell responded that this came up in City Council in respect to the Point Shore Street acceptance. The city is obligated to accept these streets when they are designed and approved in compliance with the subdivision regulations. If the Planning Board ever decides the city's position is to not accept these streets, then it is imperative that this Board understand that policy and require homeowner associations. Point Shore did a limited homeowner's association. It would require a substantial reserve to replace a street. Someone on City Council made a case that it was a financial burden to accept streets like

this. If they don't accept streets, then the home values will decline because there will be a large condo fee. The city does have to maintain the street is if it public, but it will also be accounted for in Chapter 90 funds. It is important for the Planning Board to communicate that sentiment to the City Council.

138. Pascal Rettig initiated roll call vote –
139. Keith Ratner – YES
140. Joel Nice – YES
141. Michael Jewell – YES
142. Tracey Chalifour - YES
143. David Frick – YES
144. Pascal Rettig - YES
145. Motion passed 6-0

146. **Administrative – 14 S Hunt Rd. Performance Bond**

147. Paul Gagliardi represented the applicant and Andrew Mackin from Marcus Partners were present to speak. Paul Gagliardi commented that they are looking to get the Board to determine the amount of the performance bond. Most of the site work is done and they are looking for a certificate of occupancy. They will back up the bond from the date of the last Stantec review. The Form H covenant could be released at this point.

148. Nipun Jain commented that the development team provided an As Built to Stantec. They have submitted some responses to the Stantec memo today. There is still some verification work that needs to be done, but there isn't anything significant. They are trying to figure out the appropriate amount for work left after October 30, 2024. There are some questions about the storm water structure in the back of the property and earthwork completed. There is currently an erosion surety and two cash bonds in place that total to $413,864 total. Given that the As Built is still being reviewed those cash and surety could be converted to a performance bond and the Board can move forward to release covenant. The site is stable, but they need to see how the landscaping comes in for least one growing season. They have a form on record that says specific amounts in combination in cash and surety for erosion it just must be modified to say performance bond.

149. David Frick questioned if the surety goes two growing seasons. Nipun Jain responded that it can be extended if needed. After one season they may not need to keep as much surety.

150. David Frick motioned to convert the current erosion control bond in cash and surety to a performance bond. The covenant can be released upon the establishment of the performance bond. Seconded by Keith Ratner.

151. Joel Nice questioned if they should clarify that they would hold the performance bond for 2 growing seasons.

152. David Frick amended the motion to hold the performance bond for 2 growing seasons. Seconded Keith Ratner.

153. Andrew Mackin requested clarification that they would have the opportunity to come back to the Board to reduce the bond amount to capture just the landscaping. Nipun Jain confirmed the applicant can ask for that.

154. Pascal Rettig initiated roll call vote –

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. City Council Referrals – Bill 2024-149 – An Order to appropriate and borrow for 5 Market St.

163. Nick Cracknell commented that he was there on behalf of the Mayor and City Council to present a proposal to move City Hall to Market Square. This is a unique opportunity because the bank has a desire to downsize in that location. They will lease back 4-5,000 sf and 8 parking spaces for 10 years. They will retain the drive through lane. There will be a shared lobby and elevators. There parking lot has a total of 29 parking spaces, 8 of which will be reserved for the bank. In June the bank issued an RFP and the City responded to that with a submitted proposal in August. Now they have a letter of intent and are negotiating details in the purchase and sales and lease agreement. They have informally had some design professionals do a walkthrough. They are working to secure a commercial building inspector to ensure things look as they appear. The potential benefits for this property are that it is handicap accessible, life safety compliant, climate controlled, would have low cost improvements, lower energy costs, and lease supported financing. They will need to organize IT efforts and install a chair lift to make one section of the building accessible. The original bank building is across from Ristorante Molise. Then they renovated and added on in 2002 when they added the elevator. A total of 4 different buildings have been weaved together. There is 19,000 sf is a net leasable space. There is 22,215 sf total. They will be able to utilize most of the basement and portions of the first and second floor. The buildings are extremely well maintained and on a maintenance schedule with a facilities manager. There is good archival space with 2 large vaults.

164. David Frick questioned if the main doors on Market Square would be the main entrance. Nick Cracknell responded that the main entrance would likely be in the back of the building because that is where the parking is located. They have not programmed yet where all of the departments will be located yet. The bank will retain the marble lobby area with the teller space and drive through. The basement has a room that can support 100 people. They will likely hold meetings there.

165. Joel Nice questioned if they had any intention to find a new tenant after the bank. Nick Cracknell responded that they did not at this time. The bank will have a 10-year lease with two 5-year options that would be up to both parties' discretions. If bank was there for 20 years, then the building would essentially be free.

166. Nick Cracknell commented that they were in process of including furniture in the purchase and sales. There is 4,000 sf of mechanical equipment space in the basement. There are conference rooms. The vaults will be great for the Clerk to store vital records. There are at least 10 offices that go around the perimeter of the building and an open area. There is one area in the basement that is not handicap accessible. The first floor has offices along the perimeter again. There are bathrooms on all three floors. The reasons to move

are clear. This building is tired and needs financial investment to function as a City Hall. There is a water and mold problem in the basement and there were issues with the roof which have been fixed. There is not enough room. OCED moved to School St. then out on S Hunt Rd. This building could be renovated but the challenge is just providing handicap accessibility requires an external shaft. The library estimates are coming in at 2 million to do that and it is triggering another 7 million in life safety deficits. The cost of keeping this building as city hall are profound. It doesn't mean that someone couldn't reuse this space without the demands of a city hall. They are looking at other options for interim uses for this building until they figure out an appropriate long-term use. They have a lot of work to do as a community to figure out pieces. The current City Hall has 14,000 sf gross floor area and they are utilizing 7,000 sf. The bank would provide a 2,000-sf increase in space. The plan will be to bring OCED back to City Hall. There will be more meeting space as well. There won't be a substantial increase until the bank vacates the building. The city will have 60% of the first floor and 75% of the second floor. The agreed price is $3 million. The lease back is valued at $1.5-1.6 million. The hopeful timeline is to complete inspections in December 2024, close in March 2025, and have occupancy in July 2025.

167. Michael Jewell questioned how much the bank paid in taxes currently. Nick Cracknell estimated that they paid in the ballpark of $50,000. While they are occupying the leased area, they will still be paying that 20-25% in their rent. There is a FAQ list on the web site that everyone should look to for more information. OCED is currently looking at the Ordway and School St. buildings to dispose and sell to put back on the tax rolls. It is likely they will have $50K in new tax revenue coming in from those type of projects and they would still have 20-25% coming in for the bank rental area.

168. Michael Jewell questioned if they would bring the current city hall up to code for a new reuse. Nick Cracknell responded that they don't know what the use would be. They have looked at moving the Innovation High School there, which would require a handicap ramp. This building does operate, but they don't have full accessibility. The auditorium is the only accessible space. There is a scenario where the Innovation High School could come into this building and make it accessible on the first floor. That is how it's structured where it is now. The city intends to maintain it and find a use that can afford to be here.

169. David Frick motioned to continue the meeting to 10 pm. Seconded by Joel Nice. Unanimous.

170. Pascal Rettig initiated roll call vote –

171. Keith Ratner – YES

172. Joel Nice – YES

173. Michael Jewell – YES

174. Tracey Chalifour - YES

175. David Frick – YES

176. Pascal Rettig - YES

177. Motion passed 6-0

178. Michael Jewell noted that the city has let other buildings fall into disrepair, and questioned how they ensure it does not happen here. Michael Jewell also questioned what would happen to the space that was built out for OCED in the MDC Building. Nick Cracknell

responded that they need to maintain the building. The city needs the right size of the building for the people that are in it. They will also need archival space outside of the bank to store files. That could be part of the MDC Building use. Michael Jewell questioned if the parking would be on Water St. and if there was a sidewalk there. Nick Cracknell responded that there is a sidewalk on the other side of the street a low flow traffic street. They have not heard of any public safety issues there.

179. Michael Jewell questioned where the entrance to city hall would be. Nick Cracknell responded that there were multiple entrances. The rear entrance will most likely be the primary entrance because that is where the parking lot is. There is also an entrance off Market Square.

180. David Frick commented that he thought this made a lot of sense and was happy for this opportunity.

181. Joel Nice and Keith Ratner agreed.

182. Tracey Chalifour questioned how the Ordway building related to this timeline. Nick Cracknell responded that it would probably be a year and a half for the Ordway Building.

183. Pascal Rettig commented that the old Amesbury Elementary School is broken down and not maintained. Pascal Rettig questioned what the city was going to do differently to make sure the city hall is maintained. Nick Cracknell responded that the burden is on all of us, staff in particular, to do a reserve study to understand the needs and replacement schedule. They will need to budget for those things and create a revenue source for that. AES is in bad shape today; it is also 60 years old. It has outlived its design life. That is not the best example of the city's problem, which his capital facility maintenance. The concern is valid, and they will do the best they can to break that pattern. Getting the Ordway and School St. out of city ownership and selling them to be back on the tax rolls is a good first step.

184. Keith Ratner motioned to send a positive recommendation for Bill 2024-149 to City Council. Seconded by Joel Nice.

185. Pascal Rettig initiated roll call vote –

186. Keith Ratner – YES

187. Joel Nice – YES

188. Michael Jewell – YES

189. Tracey Chalifour - YES

190. David Frick – YES

191. Pascal Rettig - YES

192. Motion passed 6-0

193. **New Public Hearings – Amend Subdivision Rules and Regulations**

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

195. Nipun Jain commented that the intention of the amendment to the design standard is driven and requirements from EPA for MS4 permits. They required the city to make certain changes in the management and review of storm water management systems, oversight, and review.

196. David Frick questioned if this was reviewed by staff. Nipun Jain responded that the requirement is to replace section 7.10.b in its entirety. Staff is recommending approval. It is

a requirement from the EPA. The DPW will be severely fined if the standards are not upgraded and deadline is the end of the year.

197. David Frick motioned to approve the amendments as presented. Seconded by Keith Ratner.

198. Pascal Rettig questioned if there was any public comment. There was none.

199. Pascal Rettig initiated roll call vote –

200. Keith Ratner – YES

201. Joel Nice – YES

202. Michael Jewell – YES

203. Tracey Chalifour - YES

204. David Frick – YES

205. Pascal Rettig - YES

206. Motion passed 6-0

207. Keith Ratner motioned to close the public hearing for the amendment of the Subdivision Rules and Regulations. Seconded by Joel Nice.

208. Pascal Rettig initiated roll call vote –

209. Keith Ratner – YES

210. Joel Nice – YES

211. Michael Jewell – YES

212. Tracey Chalifour - YES

213. David Frick – YES

214. Pascal Rettig - YES

215. Motion passed 6-0

216. **Administrative – Leda's Lane Erosion Control Bond Release**

217. Nipun Jain commented that this project was complete, and the Board does not need to hold the funds anymore.

218. Keith Ratner motioned to release the performance bond in the amount of $1,936.12 and any accrued interest for Leda's Lane. Seconded by Joel Nice.

219. Pascal Rettig 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

227. **Administrative – Cumberland Farms Erosion Control Bond Release**

228. Nipun Jain commented that this project was complete, and the Board does not need to hold the funds anymore.

229. David Frick motioned to release the peer review fees in the amount of $2,163.95 and any accrued interest for Cumberland Farms. Seconded by Michael Jewell.

230. Pascal Rettig initiated roll call vote –
231. Keith Ratner – YES
232. Joel Nice – YES
233. Michael Jewell – YES
234. Tracey Chalifour - YES
235. David Frick – YES
236. Pascal Rettig - YES
237. Motion passed 6-0

238. **Administrative – MVPC MiMap Contract approval**
239. Nipun Jain commented that the MVPC MiMap contract was for $3,500 and they were requesting the Planning Board approve this payment out of their consulting budget.
240. David Frick motioned to approve payment of $3,500 to MVPC for the MiMap contract. Seconded by Michael Jewell.
241. Pascal Rettig initiated roll call vote –
242. Keith Ratner – YES
243. Joel Nice – YES
244. Michael Jewell – YES
245. Tracey Chalifour - YES
246. David Frick – YES
247. Pascal Rettig - YES
248. Motion passed 6-0

249. **Administrative – Contracts Bills and Invoices**
250. Nipun Jain listed the following invoices that needed payment:
    1. A Stantec bill for 47.5-57 Kimball Rd. in the amount of $213.35
    2. A Stantec bill for 14 S Hunt Rd. in the amount of $2,516.80
    3. A Stantec bill for 31 Newton Rd. in the amount of $1,906.50
    4. A Stantec bill for Bailey's Pond in the amount of $296.80
251. David Frick motioned to approve the payment of the Stantec invoices listed above. Seconded by Michael Jewell.
252. Pascal Rettig initiated roll call vote –
253. Keith Ratner – YES
254. Joel Nice – YES
255. Michael Jewell – YES
256. Tracey Chalifour - YES
257. David Frick – YES
258. Pascal Rettig - YES
259. Motion passed 6-0

260. Adjournment
261. Tracey Chalifour motioned to adjourn at 10:02 pm. Seconded by Keith Ratner.
262. Pascal Rettig initiated roll call vote –

263. Keith Ratner – Absent
264. Joel Nice – YES
265. Michael Jewell – YES
266. Tracey Chalifour - YES
267. David Frick – YES
268. Pascal Rettig - YES
269. Motion passed 5-0