



**Amesbury Technical Review Committee
November 20, 2024**

**City Hall Auditorium
62 Friend St.
9:30 am**

In attendance: Jim Wilson, Nick Cracknell, Robert Serino, Lisa DeMeo Chief Bailey,
Lauren Blatchford, Nipun Jain, and Becky Frey
Absent: Chief Nolan, Joe Buckley

Chief Bailey called meeting to order at 9:41 am.

Administrative:

1. 7-16-2024; 10-29-2024 Minutes

Nick Cracknell motioned to approve the 10-29-24 minutes with amendments. Seconded by Rob Serino. The motion passed unanimously. Chief Bailey and Nipun Jain abstained.

Ordinance Amendments:

1. Outdoor Dining Ordinance

Becky Frey noted that the TRC needed to start a framework for an outdoor dining ordinance. Is there anything that specifically should be included in this ordinance? Should there be specific criteria for denial? Should there be a fee schedule? Should applicants get abutter approval?

Lisa DeMeo commented that outdoor dining should not be near any crosswalks, or hydrants. Restaurants should not have to get abutter permission because it is municipal property. It's not private to any specific business. They could consider setting a limit on how much parking a business could take away. Nick Cracknell commented that they did not need to set a limit. If it becomes an issue, then they could amend the ordinance. Rob Serino added that limiting available parking spaces allowed to be used could negatively impact restaurants.

Nick Cracknell commented that they need to understand the on and off-street parking supply in real numbers before making any decisions. Chief Bailey commented that they just completed a parking study. Chief Bailey confirmed he could send a copy of the parking study to everyone.

Nick Cracknell commented that they should make the application deadline March 1st.



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Becky Frey questioned what the date range of the outdoor dining should be. Most communities run from May to October some time. DPW noted this year that keeping the barriers up late into the fall did impact leaf pickup.

Rob Serino commented that he liked the date range Newburyport used May 1st to October 31st. Nick Cracknell commented they should go to November 1st. Becky Frey noted that a May 1st start date would allow for enough time for application review and barrier set up.

Nipun Jain commented that they should determine if they are using barricades or other design elements, and what the fees should be. Becky Frey commented that the intent with setting fees is to not overburden the applicants, but the City needs to ensure they are covering their costs. Lisa DeMeo added that if they get more applicants than last year, then DPW will need to buy more jersey barriers.

Nick Cracknell commented that outdoor dining has been fully subsidized by taxpayers until now, so they need to be conscious about how much they charge. Chief Bailey commented that they all agreed there should be a \$100 application fee.

Becky Frey noted that some communities charge per square foot of parking space or sidewalk space. Portsmouth and Newburyport charge \$5 per square foot. Lisa DeMeo commented that some communities charge for parking, so they are making up for lost revenue. Amesbury should charge per square foot, but the fee should not be as high.

Chief Bailey commented that they should cut the \$5 fee in half to \$2.50 per square foot for parking spaces. Becky Frey questioned if they wanted to charge for other spaces like sidewalks and if it should be the same fee or less. Nick Cracknell responded that it should be a \$2.50 per square foot fee for any municipal area that an outdoor dining space is using. The limit should be defined by the limit of the corral.

Chief Bailey questioned if there should be a fee for jersey barrier use. Nick Cracknell confirmed there should be to help with the cost and maintenance of using them. Chief Bailey commented that Salem charges \$100 per barrier and that may be too steep. It would make sense to start with \$25 per barrier. Nick Cracknell commented that would cover the barrier usage and DPW delivery and pick up.

Becky Frey questioned if there should be any specific denial criteria. Rob Serino responded that it may be denied due to access to fire safety equipment. Chief Bailey added it could be denied for emergency access points.



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Chief Bailey noted that there should be a general statement that the City has the right to revoke or suspend a permit. They could include a provision about suspending permits for special events.

Rob Serino noted that they would need to comply with general building and fire codes.

Lisa DeMeo commented that there should be a statement about ADA compliance to make sure it is accessible. Nick Cracknell agreed there should be a general statement. The hope is that in the future the City could provide adjustable flooring to make the parklets accessible like Newburyport.

Nick Cracknell commented that plan would be to file an ordinance in the next 6 weeks.

Lisa DeMeo commented that they should not require abutter consent but should require abutter notice.

Nick Cracknell commented that TRC would need to know they were notified. Nipun Jain commented that they should notify the businesses not the landlord. Nick Cracknell noted that they should create a sign to have a business hang in the window and give the abutting businesses a chance to see. Becky Frey commented that the signs could be provided after the applications are received, or the Building Inspector can go hang the sign.

Chief Bailey noted that TRC should review the draft ordinance and the Chamber should be notified that this is going to be filed.

Projects Preparing to Close out:

1. 14 S Hunt Rd. – Munters

Nipun Jain commented that most of the Committee knows that Marcus Partners are wrapping up so Munters can move in. They are looking at the Planning Board requirements. The Board is not working on anything in the building. That is in the Inspections Department purview. They are also not looking at fire safety because that's the Fire Department's purview. OCED has met with the engineers for Marcus Partners and the peer reviewer Stantec. There are still a few items missing and they are working on that. They are using the project status on October 30, 2024, as a baseline date for creating a bond. Most of the work has been done. There are no obvious significant



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issues as it pertains to parking, stormwater, circulation, and a retaining wall. However, since the landscaping and slopes are still fresh, they have not gone through 2 growing seasons. They will hold the bond until they ensure the landscaping survives. Marcus is supposed to provide written letters on the retaining wall, and they asked for the Geotech Engineers to provide sign off. They are going to provide calculations for the storm water basin volumes. They are coming before the Planning Board on 11/25/24 to confirm what they need to provide for the bond and anything else.

Lisa DeMeo commented that they do not have a water meter or account. Jim Wilson responded that it went in yesterday. Lisa DeMeo commented that they inspected the sewer from the street to the upper part of site. Onyx took care of the connection to the building. DPW has not received any reports on inspection or testing from their third party. They will need to see their sewer inspection and reports. Jim Wilson responded that they were there yesterday as well.

Lisa DeMeo noted that the Conservation Commission monitoring reports raise an issue with a basin every week. Nipun Jain responded that Stantec reviewed the installation of the basin. Lisa DeMeo commented that they will need to resolve that issue before they get a CO. Nipun Jain agreed that what was built must be verified and certified by the developer and Stantec. They need to confirm what was designed and approved in the permit.

Nick Cracknell commented that it's an open issue that will be part of the resolution. It won't hold up the partial CO. They will see what Stantec says about the stormwater.

Lisa DeMeo commented that she would follow up with Tom and Brian for sewer and water comments.

Nick Cracknell questioned when they wanted to move in. Jim Wilson responded that they wanted a partial CO by end of December or beginning of January.

Rob Serino commented that they want to start moving some mechanical elements in. They aren't doing the office space and workers yet. He is doing the pump testing today and will be spending all day Tuesday looking at fire alarms, sprinklers, fire extinguishers etc.

Nipun Jain commented that the goal would be to corral whoever is involved in the final phase and get a schedule from them for the wrap up.



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Projects Pending Planning Board Referral:

1. [80 Haverhill Road](#)
2. [Meadowbrook](#)

Rob Serino commented that he met with the Meadowbrook team and reviewed the code with them.

Chief Bailey questioned if it made a difference that Birchmeadow Rd. was not a public way. Nick Cracknell responded that it was a private street that's open to the public, so no. He could not see how it would have any bearing.

Nipun Jain commented that this use is afforded protections under state law.

Projects Pending Demolition:

1. [2 and 13 Merrimac St.](#)
2. [39-41 Hillside Drive](#)
3. [37 Clarks Road](#)

Nick Cracknell motioned to adjourn at 10:54 am. Seconded by Nipun Jain. The motion passed unanimously.