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**MINUTES of the ZONING BOARD OF APPEALS MEETING
THURSDAY, July 10, 2025**

(Posted in accordance with the provisions of MGL Ch. 39, Sec. 23A, as amended)

City Hall – 7:00 p.m.

62 Friend St.

Amesbury, MA 01913

Attendance: Sharon McDermot (Chair), Donna Collins, David Haraske, Charles Bassler, John Rogers

Absent:

Also in attendance: Community Development Coordinator Becky Frey

Call to Order

Chair Sharon McDermot called the meeting to order at 7:03 pm.

Roll Call/Attendance

Chair Sharon McDermot took roll call. Everyone was in attendance.

Minutes for Approval – 05/22/25

Donna Collins motioned to approve the minutes from the 5-22-25 ZBA Meeting. Seconded by David Haraske. The motion passed unanimously by a 4-0-1 vote. John Rogers abstained from the vote because he was not at that meeting.

Topics for Discussion:

1. 58 Pleasant Valley Road. – Michael Dunn– Special Permit

Chair Sharon McDermot read the legal notice into the record.

Mike Dunn, owner of Neecy Investments, spoke to the application. The plan is to tear down the existing house and three accessory sheds on the property. The square footage of the sheds would be added to the existing house footprint to create the footprint for the proposed home. The former

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owner started a renovation but never pulled a building permit to do the work. The inside is completely gutted. I am a general contractor, and the workmanship is not up to standard. That is why the application is to tear it down instead of renovating it.

Dave Haraske clarified that it would be a complete tear down. Mike Dunn confirmed it would be. It's a block foundation, so they are not reusing it. Mike Dunn showed the square footage of the new footprint and the architectural drawings. They are keeping the septic system which is approved for a 2-bedroom home. Mike Dunn showed renderings of the home. It's a brand-new home but he wanted to keep the Victorian style which is part of Amesbury's history.

Dave Haraske commented that the lot itself is a long lot. There is a boat ramp is partially in this lot and the lot next to it. Mike Dunn responded that he does not use it as a boat ramp. The driveway is on an access easement. David Haraske clarified that the boat dock was for this property. Mike Dunn confirmed that was correct. It is part of the access easement.

Dave Haraske commented that these plans showed half a driveway and a garage on the river. Mike Dunn responded that the paved driveway area was part of the easement. Dave Haraske questioned if the cars could park in the garage. Mike Dunn responded that he was not planning to pave the driveway to the garage area at this time. Dave Haraske clarified that the parking for the entire house was that paved area. Mike Dunn responded that the existing driveway was pretty long. The basement garage will be used for storage. The openings under the house are not very wide.

Dave Haraske commented that his concern was to ensure there is permanent off-street parking. Mike Dunn responded that the parking is within the access easement. The neighbor that owns the property with the easement wants to sell that portion to me. However, he is evaluating if that is possible without impacting his lot.

Chair Sharon McDermot questioned if the easement was in the deed. Mike Dunn confirmed that it was.

Charles Basler questioned if there was any reason why they didn't straighten out the house to make it easier on the lot. If the house was straightened, then it would provide more room on the side setbacks. Mike Dunn responded that they wanted to try to maintain the original footprint to help justify rebuilding it. Charles Basler commented that it was tight on the east side. It might be too big or not designed in a way to give the best use of the skinny lot.

Donna Collins questioned when the house was last occupied and what the parking was like before.

Charles Basler questioned if the other Board members had an issue with the 3-inch setback. His two concerns were the easement and the tight setback on the east side.

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Dave Haraske commented that the easement does note vehicles could be added.

Chair Sharon McDermot opened public comment.

No one from the public was there to speak.

Donna Collins motioned to close the public hearing. Seconded by Dave Haraske. The motion passed unanimously.

Chair Sharon McDermot commented that the parking concerns have been addressed with the easement.

Charles Basler commented that he did not understand why they were keeping the 3-inch setback if they were demolishing the existing house. Dave Haraske responded that there was a slight improvement. The new setback would be 8.4 inches. Charles Basler commented that he felt the side setback could be improved further on both sides. Dave Haraske commented that he did not see the benefit of increasing that setback because there is an easement with no structure next to it. This is not like Lake Attitash where every foot counts. The applicant spent a fortune on an architect to get this design and there were not much for setbacks to begin with.

Charles Basler commented that this was extremely close. Dave Haraske commented that there was a house on the other side, and they were maximizing the space on that side without going into the other lot. Charles Basler noted there could be more room if the house was straightened.

Dave Haraske questioned why architect chose this footprint. Mike Dunn responded that the other house is very close. The plan was to keep the whole footprint similar to the existing home and that is why it's like that.

Chair Sharon McDermot noted that the house predates zoning.

Donna Collins motioned to approve the special permit application for 58 Pleasant Valley Road as presented given the findings. Seconded by Dave Haraske. The motion passed 4-1. Charles Basler was opposed.

276-278-280 Main St. - Housing Support Inc. – Comprehensive Permit

Chair Sharon McDermot read the legal notice into the record.

Chair Sharon McDermot requested that Amesbury Counsel Carolyn Murray provide a status update.

Donna Collins stated that she was not at the initial meeting but reviewed the materials and filed a Mullin Waiver. She is still able to sit on the case.



Carolyn Murray from KP Law served as City Counsel for Amesbury. Carolyn Murray commented that they have a new Zoning Board of Appeals member, John Rogers. He is welcome to sit and listen to the proceedings but will not be able to participate in the proceedings because he was not a member before this public hearing was opened. It has been nearly 4 months since they have been here providing updates. The application was distributed to city departments and committees who may have had jurisdiction on this project. The Police Department has requested a stop sign be placed at the existing driveway. The Fire Department requested stamped plans prior to occupancy which is standard. They are also looking for a truck turning template to show that the largest truck can turn around on the site. There was a question raised as far as the second access off Bartlett's Place and the Board asks the applicant to clarify what that access would be. The Technical Review Committee looked at the application. They noted that the snow storage locations should be shown on the site. That can be a condition of approval. Water, sewer, and curb cut permits need to be obtained. This Board grants all local permits, but that doesn't mean that they can't still require that the appropriate department review it to ensure the connections are appropriate and meet standards. That can be a condition of the approval. The DPW also raised issues about the water pressure and flow in the area. DPW is not requiring a flow test to be conducted, but it could be suggested. A flow test report was submitted by the applicant today. It has not been reviewed yet. The Design Review Committee also met on July 1, 2025, and the Board has a memo from Nipun Jain outlining items discussed at that meeting. There are suggested changes that should be considered, and they are looking for the applicant to respond. The DRC also suggested an enhanced landscaping plan for along Main St. The Board also hired Stantec who reviewed the stormwater materials twice. The most recent report memo is dated June 30, 2025. Some of the items have been resolved and some things need to be addressed. There are some minor items like adding a note on a plan and updating the waiver list to make sure all of the requested waivers are incorporated on it. The applicant submitted revised plans on June 10, 2025. Based on all that it would make sense to hear from the applicant about the revisions and the comments they plan to address. At the first hearing there was a brief discussion of the waivers, but they didn't get into the details. Stantec pointed out additional waivers may be required. It would be beneficial this evening to review those and then discuss plans for the next hearing on August 28, 2025.

The Applicant's Attorney Steve Nolan commented that he represented Housing Support Inc. They have submitted an updated list of waivers in their June submission along with revised plans. They intend to incorporate comments from committees into the plans and submit revisions by July 30, 2025, for the August 28, 2025, meeting.

TJ Melvin from Millenium Engineering reviewed the changes made on civil site plan. The majority of the changes have been minor in nature. They added some extra detail on the sub surface chambers. They incorporated changes in the operation and maintenance report to detail the cleaning and

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schedule for maintenance and inspections. There are no substantial changes to the site itself from the civil aspect. The last review letter from Stantec did not include any comments that would result in substantial plan changes. The majority of the remaining comments had to do with the operations and maintenance report and offsite runoff.

Paul Martel from Resolution Architects commented that they did not have any substantial changes from what was presented last time. They met again with the Design Review Committee last week and had a productive session. They understand the Committee's expectations and know where they are going. Mr. Martel highlighted two items. One of the comments was about the buildings along Bartlett's Place. They were previously staggered but now they are aligned. They will create more repetition with the building. This provides more space between the buildings and the abutters. There is an existing hedge in the back that they can leverage with the landscaping, and they can move some of the landscaping in the front to the rear. They do not plan to put any additional landscaping along the front of Main St. Everything in the front will remain the same, with the exception of the curb cut, which is a safety issue. They are removing an existing fire escape; however, they are not touching the existing buildings beyond that. The second change was around fencing. Mr. Martel showed a graphic that was a visual aid at the DRC meeting. The purple section is a parking or driveway area and will have a swing gate and will shield some views. The idea is to have a shadow box style visual barrier. The back and yellow area will be a 4-foot picket fence. The existing fence is a 4-foot gated fence. The intent is to not put in a tall or opaque fence and keep it more friendly. They spent some time with DRC to beautify the cottages. They are hoping to reinvigorate the vegetation. The physical barrier will be enhanced with vegetation. The original proposal for the two areas in red along the east and south original proposal was to maintain the chain-link fence. The south has the same type of fence that could use some attention. The new proposal is to reinstall the fence using a new chain-link.

Dave Haraske questioned what was there now. Paul Martel responded that it was a 4-foot chain-link and they are proposing to replace that. The footprints and fencing are the substantive changes. The team is open to comments and suggestions.

Charles Basler commented they he liked the revisions. The only thing that wasn't addressed from the public comment concerns was the dumpster. Paul Martel confirmed that the dumpster was in the same location. They do have a wooden opaque fence on the plan to screen the dumpster.

Chair Sharon McDermot questioned why they decided on a chain-link fencing because it seems like it should be more substantial. Paul Martel responded that they were maintaining one and reinstalling what's already there. Visually there will not be any change. This area is more thickly wooded and there will be more natural vegetation for screening. The chain-link fence offers security.

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Dave Haraske requested clarification on what the parking area in the northwest side and the gate were for. Paul Martel responded that it's an asphalt paving area and there is a trailer there currently. The trailer is used to transport large items like refrigerators. There was some discussion last time about the occasional unsightly delivery and appliances that were there for a couple weeks. That is part of apartment moving. This will be largely screened by the swing fence and gate. Dave Haraske questioned if the use would stay the same. Paul Martel confirmed that was correct. The surface would remain the same and they would provide some screening.

Dave Haraske requested clarification on how many planned occupants there were for the entire parcel. Paula Newcomb responded that there were currently 24 residents, and this proposal would add 8. Dave Haraske questioned how many parking spaces there would be for the total of 32 occupants. Paul Martel responded that there were 22 parking spaces in the proposed plan. Dave Haraske noted they were asking for parking relief. They are providing less than one space per occupant. Cars will not be able to park on Main St. or the side streets. Dave Haraske was concerned there was not enough parking. Paul Martel responded that they have considered the intended users and the existing population and concluded this would be adequate parking.

Paula Newcomb, director of Housing Support Inc., commented that there were 21 parking spaces today. Some of the residents are developmentally delayed. This population has 17 units of people who could potentially drive and right now they have 4 cars parking onsite. This population does not own cars, and they don't drive. In coordination with the city departments, it was suggested to us to have less pavement and less parking. The team is trying to cooperate and following suggestions from the Planning Department. Dave Haraske commented that he disagreed with that completely because the population could change. This could create a future problem. Paula Newcomb responded that this population does not drive and there will be a 40-year use restriction on this property. Most of the people there are over 60 years old. There is a small chance they will change habits. Dave Haraske commented that he did not believe the parking was substantial enough for this project.

Charles Basler commented that he researched this issue and most of the parking guidance is less than one space per unit. Nick Cracknell, Director of the Office of Community Economic Development, commented that he was not a traffic engineer and does not profess to be. However, it is clear after visiting this site that they do not need more parking today and they don't want more parking. It is possible to create more parking spaces on the site, but that creates more adverse impacts. All it would do is create more impervious space. Everyone agrees there are no offsite parking options. If the site use changes and they need more parking, then they would have to come back to ask to create more. Nick Cracknell commented that he would not advocate creating more parking today based on the utilization of this site for the past 35 years.

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Paul Martel commented that they are creating 8 additional units with this proposal and adding 8 parking spaces to the existing inventory. The existing parking inventory is stable, and they added one space per unit for the proposed added units. That is how they arrived at the total parking space count.

Chair Sharon McDermot opened public comment.

Meryl Goldsmith of 8 Cleveland St. commented that she was a direct abutter. The chain-link fence is on her property line. She has lived there for 28 years. There are a lot of long-term neighbors and historic houses in this neighborhood. Two years ago, they had a huge watermain break at the end of Cleveland St. and it leaked for a week before they could fix it. It's a temporary fix for huge problem. It took out water for a large area of the neighborhood. In March of 2024 the city got a grant to fix the water main at the top of Main St. Nick Cracknell was quoted in the newspaper saying the upgrades were necessary. In the same article the Mayor said old cities have old infrastructure and need more than local funding to make these improvements. Robert Jones, President of Housing Support, Inc said Housing Support could attest to the impacts on frequent water main breaks and this would help expand housing. Everyone was saying this infrastructure improvement was needed and now today the city is saying this is not necessary to fix. This has been a problem for years. This grant funding also may have just been eliminated by congress and the president. Meryl Goldsmith commented that she had terrible water pressure at their house. Her house lines up with the last two structures on the right. This item is on the Historical Commission agenda tonight as well. It is inappropriate to be talking about the same thing at the same time. The driveway into their new facility is 20 feet wide according to their drawings. The city says it should be a minimum of 24 feet. They are proposing to remove a fire escape, and Meryl Goldsmith questioned why they were removing it. The office building far exceeds what is allowed by at least 12 feet. It is good the Board is talking about fencing. It should be a wood stockade fence all the way back to Bartlett.

Dave Haraske questioned if Meryl had a suggestion on a new fence. Meryl Goldsmith responded that there is a 200-foot maple tree and her small lot. The enjoyment of her house is her backyard. The front view is 495. This huge office maintenance building will be on the fence of her backyard. It will be like they're sitting on her deck. This building will be sitting in her backyard. Meryl Goldsmith was not sure what the solution of the fencing was, but it was not a 5 foot black chain link fence. The property has provided a natural buffer from this facility to the neighborhood. This development will take down all of that. The dumpster location is right near an abutters pool deck. It is funny they are providing screening for 8 people but locating the units so close to abutters. It's not clear why residents can't pull out trash bins like the rest of the neighborhood.

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Jennifer Williamson of 6 Bartlett's Place commented that her front door opens up to the back of those buildings. Her house was built in 1750. She has a small front yard and a few feet in the back yard. Jennifer Williamson appreciated the concern and attention on the design in this unique neighborhood. Right now, it looks like the privacy fence turns into a picket fence. It would be better if the whole thing could be a privacy fence. The neighborhood is normally pretty quiet but for about 2 weeks there's been a car idling 24/7. Jennifer Williamson questioned if there would be other trucks or deliveries and also questioned why they needed a dumpster instead of bins. Jennifer Williamson questioned who would enforce the design standards. Dave Haraske questioned if the privacy fence should be 4 or 5 feet. Jennifer Williamson responded they should be at least 5 feet. The overgrown vegetation provides more privacy today.

Carol Finn of 412 Main St. commented that she has attended many of these meetings. The plans that were given out at DRC showed a lot of brown mulch. That is concerning because a lot of residents are smokers. The cigarette smell in that area can be overwhelming and the mulch will be a problem. The fencing they are using on the backs of these homes is not satisfactory. It is not high enough. The lilacs planted there only have vegetation for part of the year. They have been hearing about the watermain situation for years from administration. It needs to be examined more closely so the public won't be responsible.

Nick Cracknell commented that he has been tangentially involved with this project for the past two years and has been more involved with the design elements. They met with Paula and her team a year and a half ago to express their concerns. There were technical issues relating to site design, public safety, infrastructure, and cultural aesthetics. Nick Cracknell is familiar with the architecture down there. It is a fantastic part of Amesbury, and this project needs to complement and enhance it.

Nick Cracknell commented that he was going to highlight the substantive changes from the applicant's last submittal based on conversations with OCED and DRC. The goal from the beginning was to make this a model project, and the team should be applauded for making these changes. The fencing image Paul Martel showed earlier was part of a design package sent by OCED and used at the DRC for discussion. There was general agreement from Housing Support and the DRC based on that package. The goal was to annotate the plans to ensure everyone was on the same page. The weakest part of this document is this sheet that highlights the fencing. Nick Cracknell commented that he went back to the site today to look at the fences and completely agree with all the abutters' comments. There is currently a 125-foot vegetated buffer. It's the amazon back there and it won't be when this is built. Fencing is important. The fence near Meryl's house is falling apart. It will look dramatically different when it's cleared. The fencing needs to be well conceived. It's important for residents and abutters. The fence along Bartlett's Place probably should be 5 feet and not taller. If it is 6 feet, then it becomes a wall. I would suggest all that vegetated material

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needs to come out. There needs to be a new fence along Bartlett Place, and it should be a 5-foot privacy fence. A shadow box fence is inappropriate for Amesbury. It is not appropriate for the historic fence. Bartlett's place needs one continuous privacy fence to the end. There are four large Norway Maples at the end of the corner. The hope is that the development team plans to keep them because they have big canopies. They will fully shadow the back two houses. There is also a big Norway Maple behind the dumpster as shown, and the hope is that will remain as well. It is important to preserve the perimeter trees. There were also design changes on the cottages. OCED suggested a simpler standardized form of cottages and using siding material and rooflines to differentiate them. They will be shingle-style or clapboard style capes and match the historic nature of the neighborhood. This is affordable housing. There is a canopy over the door with architectural weather-wood shingles. These will look like a wood building but will be low maintenance. These changes will not be a budget buster. The last building is the office and maintenance building. DRC requested that they add a door canopy over the main door and have the windows match the cottage windows.

Nick Cracknell noted that he would like to respond to some of the public comment made tonight. They have talked about the fencing, and everyone is concerned they get it right. In terms of the water main what matters is what is in the present. They have a letter on file from the Public Works Director that says this section of Main St. is an 8-inch pipe with no documented complaints. There is no moratorium in Amesbury anywhere to connect to water or sewer. There was a flow test done and they have passed it along to DPW. The numbers determined in 2022 were sufficient to not present a problem for this neighborhood. The Public Works Director would not be opposed to a repeated flow test. They previously did two tests for two hydrants, but the Public Works Director would like the hydrants on both sides tested. It is not a big test, and they are not anticipating any flow problems. The Historical Commission has this on their agenda tonight because, just like other subcommittees, the ZBA referred this application to them at their March meeting. They are not voting on anything. It is just for informal comments. The Historical Commission is advisory to the ZBA in this matter. This was presented in a timely fashion to the Historical Commission, and they thought there was a water problem. Therefore, they didn't want to discuss it. Hopefully they are talking about the historical elements tonight. The last item was a question about compliance. The first step is to have good plans. Then they make sure those plans are executed and ask the development team for a construction mitigation management plan. There will be a preconstruction meeting to ensure everyone is on the same page. It will be important to help them co-manage this to ensure it is built this way. The Board can condition a certification from the architect certifying it was built in accordance to plan.

Chair Sharon McDermot requested that the city attorney talk about the next steps in the review process.

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Carolyn Murray from KP Law commented that based on everything they heard tonight, the Board is not ready to close the public hearing. Given the hour it may not make sense to discuss the waivers in depth. That discussion can be held at the next meeting. The applicant needs to revise the plans as they said they would do before the next meeting and submit them with the expectation that Stantec and the Board have time to review them. The Board can continue this public hearing to a date certain. The Board could also issue instructions to have staff and city counsel work on draft conditions.

Chair Sharon McDermot commented that at this point they have heard from the city attorney on the next steps. Based on the discussion tonight the Board could motion to defer the waivers to the next meeting.

Donna Collins motioned to postpone the waivers discussion to the meeting on August 28, 2025. Seconded by Dave Haraske. The motion passed unanimously.

Chair Sharon McDermot commented that the Board could motion to ask City Counsel to draft a decision to walk through at the next meeting based on revised plans.

Donna Collions motioned to ask City Counsel to draft a decision to walk through at the next meeting based on the revised plans to be submitted by July 30, 2025. Seconded by Charles Basler. The motion passed unanimously.

Nick Cracknell commented that in the interest of efficiency the Board could consider requesting that the applicant update the civil plan per the peer review memo and discussion, update the architectural elevations as discussed with the Design Review Committee and tonight, and clarify if they want another flow test performed.

Donna Collins motioned to have the applicant submit an additional flow test and update the civil plans and architectural plans as outlined above. Seconded by Dave Haraske. The motion passed unanimously.

Paul Martel requested they be explicit about what's expected from the flow test. Nick Cracknell responded that it was outlined in the letter from the Public Works Department dated May 2, 2025. It says "Typically, system capacity will need to field verified with individual hydrant flow tests (2-3) along Main (pressure and flow) per AWWA procedures and sewer manhole inspections upstream and downstream, estimating depth of flow in the inverts per NASSCO of the proposed development. Therefore, verifying with calculations and field work that there is capacity within the existing system(s). The DPW Director has clarified he would like 3 hydrants tested.

Donna Collins motioned to continue the comprehensive permit application for 276, 278, 280 Main St. to the August 28, 2025, Zoning Board of Appeals Meeting. Seconded by Charles Basler.

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Charles Basler clarified that they did not decide on the parking or fencing yet. Chair Sharon McDermot confirmed those items were still in discussion.

Adjourn

Donna Collins motioned to adjourn the meeting at 9:09 pm. Seconded by David Haraske. The motion passed unanimously.