

1. Amesbury Planning Board Meeting Minutes
2. In Person Meeting – November 3, 2025, at 7:07 PM
3. Chairman Pascal Rettig called the November 3, 2025, Planning Board meeting to order at 7:07 PM.
4. *To submit a public comment ahead of time email Becky Frey at freyr@amesburyma.gov. To speak live at the meeting fill out a public comment form and turn it into Becky Frey. There will be a public comment portion of each public hearing discussed tonight.*
5. *The Chairman notes that tonight's Planning Board meeting is being recorded by Amesbury Public Access Television; this legal step has been taken but does not act as the official record. The written meeting minutes by the Recording Secretary is the official record.*
6. Pascal Rettig initiated roll call –
7. Keith Ratner – YES
8. Joel Nice – YES
9. Michael Jewell – YES
10. Tracey Chalifour – YES
11. Tom Salemi - YES
12. David Frick – YES
13. Pascal Rettig – YES
14. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)
15. **Continued Public Hearings– 9 Alenclair Drive**
16. Pascal opened public comment 9 Alenclair Drive.
17. There was no public comment.
18. Nipun Jain circulated the draft decision and highlighted special stipulations in red. Those address specific issues that have been discussed with the Board and the applicant. The Board had specifically discussed landscaping and that will need to be implemented as approved. The fencing and entrance gate materials and color have been specified. They have identified two trees that will need to be preserved on site. They did not include the driveway as a condition because it is shown correctly on the approved plan. There will be landscape monitoring. The Board will be getting reports on a biyearly basis, and they can have an environmental monitor review the reports and recommend any mitigation needed. The lighting will be dark sky compliant and off-street improvements need to be completed as per DPW approval.
19. Pascal Rettig clarified they were approving the landscape plan that was presented at the last meeting. Nipun Jain confirmed that was correct.

20. Tracey Chalifour commented that the Board liked the green gate color better than black. Nipun Jain responded that staff was recommending black because as green the fades over time it will be more obvious. The black will hold up better.
21. David Frick questioned if they were able to change the color of the building. Jole Nice noted that last meeting they said it would be more gray than white.
22. Keith Ratner and Tom Salemi agreed with changing the gate to black.
23. Tom Salemi questioned who the monitoring reports would be provided to. Nipun Jain responded they would come to the Board.
24. Joel Nice questioned if the performance bond amount had been enumerated. Nipun Jain responded that would be enumerated based on the landscaping.
25. Pascal Rettig questioned if the applicant was able to change the paint color of the building. Joshua Lee Smith responded that they were not able to change it. The building and the equipment will be ansi gray. It will be close to the color that is there now.
26. Pascal Rettig questioned if there were any questions from the applicant on the conditions. Joshua Lee Smith requested that they do not require a performance bond for this. The company is fully self-insured and they were not aware there would be a performance bond for this project. David Frick responded that the landscaping plan is very important to this approval. If this is not implemented as proposed or if plants die and are not replaced, then they need something to fall back on. Joshua Lee Smith responded that the company is obligated to replace it. Joel Nice added that it's a three-year performance bond. Nipun Jain clarified that it would be returned to the applicant. It's a surety. They are not recommending the full amount, but a reasonable portion for it. They can establish the bond prior to construction. They can update the condition to clarify that it's based upon the final landscape plan.
27. Tracey Chalifour noted they should clarify the condition further to make it clear the bond was about the landscaping only.
28. David Frick commented that they should add a condition 17 to clarify the equipment and building will be ansi gray.
29. Joshua Lee Smith requested clarification on the erosion control bond condition. Nipun Jain commented that was required when a site is disturbed. It is .25 cents per square foot of disturbance. It's a fixed amount. Once the project is fully established then the bond is returned back to the applicant.
30. Keith Ratner motioned to approve the site plan for 9 Alenclair Drive with 2 modifications 1 was to add condition 17 about ansi gray paint and clarify that condition 10 was a landscape performance bond. Seconded by Michael Jewell.
31. Pascal Rettig initiated a roll call vote –
32. Keith Ratner – YES
33. Joel Nice – YES
34. Michael Jewell – YES
35. Tracey Chalifour – YES
36. Tom Salemi - YES
37. David Frick – YES
38. Pascal Rettig – YES
39. Motion passed 7-0.

40. Keith Ratner motioned to close public hearing for 9 Allenclair Drive. Seconded by Tom Salemi.
41. Pascal Rettig initiated a roll call vote –
42. Keith Ratner – YES
43. Joel Nice – YES
44. Michael Jewell – YES
45. Tracey Chalifour – YES
46. Tom Salemi - YES
47. David Frick – YES
48. Pascal Rettig – YES
49. Motion passed 7-0

50. New Public Hearings– 27.5 – 29 Clarks Road

51. Nipun Jain read the legal notice into the record.
52. Tracey Chalifour recused herself from the application.
53. Alex Loth commented that the lot was about 11 acres on Clarks Road just down the street from the intersection at Route 110. When they purchased the project there was an approved 40B that would have had a larger impact. The intent was to always do a more compact development like this. They have been working on this for 5.5 years with city staff and the public. They participated in the Merrimack River District Study. They are focusing the development on the 4 acres near the street where the site is flatter. There are two proposed smaller buildings along Clarks Road to keep the residential scale of the neighborhood. Then the development transitions to a multifamily building in the back. The larger building will appear to be two buildings. There will be parking underneath. The green open space will be conserved and deeded over to the town. They have mapped out a walking path for public use. They will be permitting through the Conservation Commission as well.
54. Michael Denis from HDS Architecture commented that they worked closely with OCED to design this project. The design takes a lot of inspiration from the traditional New England charm. The two street buildings will have 3 units each. They were heavily inspired by the homes on Main Street. They will help complete the street and engage the streetscape. They will also help conceal the surface level parking in the back. The larger back building will be four floors and appear as multiple buildings. The smaller building will be the amenity building with an office, lounge, coworking space, and club house. The large residential building will have 146 units with basement level parking beneath. They have chosen a color palette that will work well with the natural surroundings.
55. Sharon Jameson, landscape architect, commented that there are several open spaces on the site. There is a central green, a tenant amenity off the amenity building, a play area, a dog run, and a community walking trail. The central green space is intended to be the front lawn area of the building and will be a space for community gathering. The next area is the tenant amenity extension. The primary focus is the lounge area with outdoor dining. The overall character includes natural materials and warm textures. The nature play area in the back of the site will be incorporated into the topography of the section. There will also be a

dog run in that area. It will be about 1,000 sf. The community trail will start at Clarks Road with a bike rack and wayfinding kiosk. The trail will be stone dust surfacing on the back end of the site. Then it would transition to a boardwalk before transitioning again to a natural wood chip surfacing material. They are trying to minimize the impact of the development and preserve as much wetland as possible while providing a trail connection.

56. Will Shakuta, civil engineer, commented that the site is composed of 2 parcels. The development will have 4 acres of disturbance off Clarks Road. The site is relatively flat there then it drops down to the wetland then goes back up to connect to the open space parcel. They will work with the Conservation Commission on a boardwalk to connect to the open space parcel and ultimately to Point Shore Drive. The site has two three-unit buildings on Clarks Road and then a larger building in the back. There will be 97 surface parking spaces and 106 spaces in a garage under the building. There will be circulation around the front portion of the building for drop off mail and packages. The two buildings will be connected with a walkway. That is where the entrance to the garage will be. The back of the building has a circle turnaround for delivery and emergency access. Pedestrian access around the building is basically 360 degrees. They can walk around the building on a trail to access the larger trail network. The larger building will be angled to flow with the contour of the land. It was designed like this to minimize cut and fill and retaining walls. For storm water management, there will be infiltration under the parking lot and the back has an above ground surface treatment system. One corner of the front of the site flows to Clarks Road and the rest flows to the wetland system.
57. Derek Roach, traffic engineer, with Vanesse Associates commented that the traffic study was completed according to Mass DOT standards. They looked at weekday morning and evening peak hours as well as Saturday midday for the traffic counts. They looked at 4 intersections, the Carriage Town Market Place, Elm St. and the two 95 ramps on Route 110. They looked at the existing conditions and conditions 10 years out. In the 10-year scenario they incorporated all development and proposed street improvements. Starbucks is going in on Clarks Road and they have agreed to widen Clarks Road to incorporate a turn lane. The expected trip generation will generate 55-58 peak hour trips. That will be 1 new trip every minute. The capacity analysis showed minimal impact, and no service change needed at the intersections. The traffic volume increase is less than 1%. It meets the recommended values for sight distances at the driveway. There were some mitigation factors that will be incorporated. They are adding a stop sign at the driveway entrance and will keep sightlines open and clear especially when it snows. They will construct a new sidewalk from this site to Starbucks. They will also plan to provide a welcome packet, which will detail public transportation options. The site will also have bike storage facilities. They looked at trip distribution traffic based on census data. Most people go toward I-95 or I-495 off Route 110. Only 3% of the traffic goes out toward Main Street.
58. Keith Ratner commented that another project in front of the Board has a boulevard driveway with a median in the middle to provide a second access. It is a good option for emergency access. David Frick commented that if they did that, they could plant trees on that median for a buffer.
59. Joel Nice commented that he liked incorporating the residential end pieces. The middle building is a giant block. It may be good to have dormers on the white bump outs to give

more of a neighborhood feel. Otherwise, it looks great and he liked the color palette. The landscape areas are amazing.

60. Tom Salemi questioned if there would be public parking for the trail. Alex Loth responded that unfortunately they do not have capacity for public parking. Tom Salemi commented that he was worried about cars parking on the street. Tom Salemi questioned how close the trail at the back of the building was to the property line. Alex Loth responded that they have 20 feet between the property line and building. The trail will be 5 feet off the property line and 15 feet from the building. They are thinking about screening options. Tom Salemi questioned if the trail would accommodate biking or if it would just be a walking trail. Alex Loth responded that they won't be building a bike path like the rail trail. It will be more of a hiking path.
61. Michael Jewell requested details on the trail materials. Alex Loth responded that the trail coming off the street will be stone dust surface. That will switch back down to a boardwalk. Beyond that it will be a woodchip path. That will be less impact and matches the trails in Point Shore. Michael Jewell questioned how the trails would be maintained. Alex Loth responded that the trail on their property would be maintained by them. The intent is to convey open space to the city. They will need to work out a maintenance agreement. It is in our interest to maintain it because they want residents to use it. Michael Jewell questioned how the sidewalk would be reconstructed. Alex Loth responded that they would be reconstructing it in kind, but will coordinate with the city. Nipun Jain added that they would need to build it to city standards. Michael Jewell questioned if the units would have gas or electric heat. Alex Loth responded that they were envisioning it would be electric. They will work with the city to see what makes the most sense.
62. David Frick commented that he was appreciative of affordable housing and trails in the development. The two houses out the front looked different in an earlier iteration. Alex Loth responded that they were a different color for the preapplication conference. Pascal Retting commented that they looked more traditional colonial without the extensions.
63. Keith Ratner commented that he did not see any visitor spaces identified and questioned if there were any short-term parking in front of the amenity building. It would be good to identify the bike racks would be. Alex Loth responded they would take that into consideration. Keith Ratner questioned if there was one spot for trash. Alex Loth confirmed there would be one recycling dumpster and a trash compacter. They will have trash removal every three weeks.
64. Tom Salemi questioned if the parking would be assigned or general. Alex Loth responded that it would depend on the development. They usually give residents a sticker to mark them as a resident. They should not have a major management issue.
65. David Frick commented that he liked the way the front houses looked in the preapplication better. That may allow for a wider entrance. Alex Loth responded that they have worked extensively with city staff. The city asked us to bring the houses closer to the street to keep in line with the streetscape. They are bigger than the preapplication. They can add dormers if desired. Pascal Rettig commented that they could discuss that further with the DRC.
66. Pascal Rettig commented that they could define the first floor a little bit more there may be a way to activate that ground floor better.

67. Pascal Rettig opened public comment.
68. John Stevenson of 439 Main Street commented there was a lot going in that area and they should be looking at it as one entity. The real concern was about adding all the traffic together. Mr. Stevenson did not agree that only 3% of traffic was going to Main Street. That would mean only 26 cars going to Main St. There will be more than 3% going to Starbucks. Mr. Stevenson was concerned about the traffic numbers for Starbucks. They are not taking that impact into consideration. 50% of traffic goes down Clarks Road to Main St. because there's no lights to get to 495. There are 2,290 vehicles on Clarks Road today. The traffic engineering needs to look at all the traffic from the proposed projects together. The mitigation with 2 additional roads out of Starbucks will not be completed by the Rocky Hill project until 2031 or 2032. They are drawing on figures that show two lanes, but those lanes won't be there until then. They need to take this into consideration for residents on Clarks Road because it is a major impact on the road.
69. Pascal Rettig commented that they provided a traffic study, but the Board will request a traffic study peer review.
70. John O'keefe 25 Clarks Road commented that he knows there's a traffic study but hasn't looked at it. When Mr. O'Keefe leaves for work in the morning it is impossible for more than three cars to take a right off Clarks Road at a time. On the way home only 3-4 cars can turn left onto Clarks Road at a time. This project is putting 140 additional units in that intersection, and it will be a nightmare. That needs to be looked at. It is a problem and needs to be addressed.
71. Tracey Chalifour of 25 Clarks Road commented that this was a large building. It is unclear if the architecture drawings are finished. The mechanical locations are not shown on the plan. If they are going to be on the roof, then that should be shown. There should be a visual of the garage entry. Putting units near the entrance are not optimal. It is not a good lifestyle. There are only two locations for trash on the property, which seems inadequate. At the July preapplication meeting they stated a view would be prepared to show what the abutter views would look like. Ms. Chalifour was hoping those would be provided. The applicant has stated the economics required the height and scale of the building and screening would be important. It is not clear how tall the building will be. Ms. Chalifour has not seen updated water and sewer plans. The trail maintenance is still unclear. If the open space is provided to the city, then how does the calculation work to put this many units in the development. Nick Cracknell noted there should be public parking. At the TRC meeting on October 13th the fire chief said he had concerns about the aerial ladder access. They proposed removing or relocating trees or landscaping. That could impact screening for abutters. The fire chief was also concerned about access details for the garage.
72. Pascal Rettig commented that the next step would be to work on peer review.
73. Nipun Jain commented that he had received proposals for a traffic review storm water review from VHB and think it's an acceptable proposal.
74. David Frick motioned to hire VHB to do traffic and storm water peer review including other aspects for general conformance to civil design. Seconded by Keith Ratner.
75. Pascal Rettig initiated a roll call vote –
76. Keith Ratner – YES
77. Joel Nice – YES

- 78. Michael Jewell – YES
- 79. Tracey Chalifour – RECUSED
- 80. Tom Salemi - YES
- 81. David Frick – YES
- 82. Pascal Rettig – YES
- 83. Motion passed 6-0.
- 84. Keith Ratner motioned to continue public hearing for 27.5-29 Clarks Road to the December 8, 2025 Planning Board meeting. Seconded by Joel Nice.
- 85. Pascal Rettig initiated a roll call vote –
- 86. Keith Ratner – YES
- 87. Joel Nice – YES
- 88. Michael Jewell – YES
- 89. Tracey Chalifour – RECUSED
- 90. Tom Salemi - YES
- 91. David Frick – YES
- 92. Pascal Rettig – YES
- 93. Motion passed 7-0.
- 94. Pascal Rettig commented that the Board will take a 5-minute break.

95. New Public Hearings– 45 Main Street

- 96. Nipun Jain read the legal notice into the record.
- 97. David Frick recused himself from the application.
- 98. Paul Gagliardi commented that he represented the applicant for the Fuller Building. Mike Dumaresq is the owner and Aileen Graf is the architect. They are looking for a Historic Preservation Permit. The proposal is the same as the preapplication. They are looking for waivers for onsite parking, the affordable unit, and providing additional site plan materials required under section XI.C 5 and 6. There is no change to the footprint and they are looking to add 4 units on the upper floors and put in 2 commercial units. One would front on Main Street and one on Friend Street.
- 99. Aileen Graf commented that their intent is to restore the existing building. The basement will have minimal work. The first-floor commercial unit on Main Street will remain. The second commercial space will be accessed from Friend St. and they will introduce a new floor system to create the space. They will raise the roof 4 feet to accommodate the new floor. The second floor will have two residential units with no changes on the exterior except one shortened window. The third floor will also have 2 residential units. The last drawing is a roof plan. They will remove a chimney and replace it with an existing skylight. They will replace the windows in the front façade of the building. There is one larger double hung window that they will replace with two double hung windows. They will scrape and repaint the exterior. They will extend the glass storefront along the side façade on Friend Street and add another entry. They will be removing the stair aspect of the existing fire escape but will retain the balcony part of it. There is a metal rail fence in the back that will be cleaned up and remain. They have talked about putting the trash in there. There is currently a staircase that accesses the roof top, which will be removed with this renovation. They will fill in the existing openings with brick. They will need to shorten a window with

the roof rising. The tin-clad doors will remain but will not operate. All the existing storefront glass will remain. They will paint around it and ensure it is cleaned and restored. The lettering will also be restored. The intent is to bring this building back to life.

100. Pascal Rettig clarified that the 4 windows that will be bricked in are in the alley. Aileen Graf confirmed that was correct.
101. Michael Jewell questioned if the entry off Friend St. would have stairs going down. Aileen Graf responded it would not. It will only access the new commercial space.
102. Paul Gagliardi commented that they provided the historic preservation restriction and was going to the Historical Commission this week.
103. Nipun Jain commented that they have two majors stops before this application comes back to the Board. They need Historical Commission approval and to go to the Design Review Committee. They will probably go on the November 18th DRC agenda. The application will go to TRC as well. They went for the preapplication already. One thing they have not discussed in great depth is the location of the HVAC units. It would be helpful to know where they are going. Pascal Rettig clarified all those meetings would be done by the first meeting in December. Nipun Jain responded that was the intention.
104. Pascal Rettig questioned if there had been any movement on the parking discussion given there is no parking for the building. Pascal Rettig questioned if they had anything deeded off site. Paul Gagliardi responded that the applicant has been discussing options with various properties. One location that was discussed was Mill St. but that location is more than 300 feet from the property. Zoning dictates that no parking on site is required if there was a municipal parking lot within 300 feet of the building. Pascal Rettig commented that it was his understanding that the intent of that was for commercial parking not residential. Paul Gagliardi responded they have interpreted it as all parking. There is no way to provide parking on site. Mill St. is over 300 feet away and it is not a realistic solution. No one will give an agreement in perpetuity and a short-term agreement doesn't satisfy. Section 8f allows them to use municipal lots.
105. Nipun Jain commented that Section 8 is not a blanket use of municipal parking. It says the Board may take that into account. Mill St. is not a requirement but it is just an idea. There are other ways to demonstrate whether there is capacity or not even with public parking facilities.
106. Pascal Rettig clarified that they do not have payment in lieu for parking. Nipun Jain confirmed that was correct. They do not have a payment in lieu program for parking. Commercial use parking is more transient. Public safety may have an opinion on parking use.
107. Nipun Jain commented that the second issue was the affordable units. The applicant is requesting a waiver for that as well. The Board needs to consider that. They don't have to discuss that tonight. The applicant can provide justification on why they are requesting it.
108. Keith Ratner commented that the Planning Board has accepted payment in lieu to the Housing Trust when they waive affordable units. Paul Gagliardi commented that they have received mixed signals on whether that is actually required or not as well. The city does not have a policy for payment in lieu. The affordable unit does not allow for this to work. If it is required, then they may need to go down to three units. They can discuss this more offline.

109. Nipun Jain confirmed they could discuss it. It would behoove the applicant to provide additional information in that request.
110. Pascal Rettig commented that he would like to see the historic building restored, but was concerned that the town does not have a good policy for residential parking in the downtown area.
111. Joel Nice questioned where the parking on Mill St. was. Nipun Jain responded that there is a proposal in the works for 33 Mill St. that will generate more parking than will be needed for that development. That was an opportunity that was raised, but it is not the only idea.
112. Tom Salemi questioned what was currently upstairs in that building. Pascal Rettig responded that it is office space.
113. Keith Ratner motioned to extend the meeting to 10:30 pm. Seconded by Tom Salemi.
114. Pascal Rettig initiated roll call vote –
115. Keith Ratner – YES
116. Joel Nice – YES
117. Michael Jewell – YES
118. Tracey Chalifour – YES
119. Tom Salemi - YES
120. David Frick – RECUSED
121. Pascal Rettig – YES
122. Motion passed 6-0
123. Pascal Rettig commented that the parking and affordable unit were an outstanding discussion.
124. Pascal Rettig opened public comment.
125. Amanda Graham submitted written public comment that is at the end of these minutes.
126. Pascal Rettig questioned if raising the roof would block windows.
127. Aileen Graf commented that they are extending the roof 4 feet, and the building is 4 feet away from the abutting building.
128. Keith Ratner motioned to continued the public hearing to 45 Main St. to the December 22, 2025, Planning Board meeting. Seconded by Joel Nice.
129. Pascal Rettig initiated roll call vote –
130. Keith Ratner – YES
131. Joel Nice – YES
132. Michael Jewell – YES
133. Tracey Chalifour – YES
134. Tom Salemi - YES
135. David Frick – RECUSED
136. Pascal Rettig – YES
137. Motion passed 6-0
138. **New Public Hearings– 29 Lake Attitash Road**
139. Nipun Jain read the legal notice into the record.

140. Sam Colombo, engineer, commented that the proposed project was located at 29 Lake Attitash Road in the R20 district and in the water resource protection district. They are proposing a single-family home with lot access via Lake Attitash Road. There is an existing ground pavement and gravel driveway that runs under the proposed home. They are proposing to replace that with asphalt. That will provide access to the two-car garage. The high point of the site is the front right portion of the lot and all water flows north to the wetland. They have done their best to maintain post development water flow. The roof will shed off the back and run over lawn to the wetland as it does today. They are proposing water and sewer services connecting on Lake Attitash Road and will use the existing utility pole for electric. They are preparing a package to send to the Conservation Commission as well.
141. Pascal Rettig requested clarification on the zoning for the lot because the site is undersized for the R20 district. They need to see a conforming note in the memo before the Board can evaluate the project.
142. Paul Gagliardi commented that before they engaged engineers, they contacted the previous Zoning Compliance Officer Vinny Tirone to understand if this was a preexisting non-conforming lot. The current Zoning Compliance Officer Jim Wilson engaged KP Law for a determination. There is a memo where KP law made a determination that this was a pre-existing non-conforming lot and not subject to setbacks. Pascal Rettig questioned what controls were in place prior to 1971. Paul Gagliardi responded that from a building standpoint it was 5 feet.
143. Nipun Jain commented that they will need the memo from KP Law to understand what they determined and what they are recommending to understand the site plan.
144. Pascal Rettig commented that they were looking at this single-family home because this is in the WRPD, but there is no storm water information. Sam Colombo responded that his interpretation of the regulations was that there was a threshold of 2,500 sf or 15% of the lot. The total impervious area of the lot is 1,320 sf. It was a gray area on what was required. Runoff will sheet flow to the lawn which is one of the items on the ordinance. They were open to discussion on that.
145. Nipun Jain questioned if they had impervious on the site right now. Sam Colombo responded that right now there is a broken pavement impervious driveway. Nipun Jain responded that they will need to understand the existing to post conditions. They need a storm water assessment and need to show how it will be mitigated. There are performance standards for any development and they need to provide that analysis and report.
146. David Frick requested more details on the pre-existing non-conforming lot status. Paul Gagliardi commented that meant when the zoning came into being this lot was not owned with any adjoining property. It did not comply with the new requirements of the zoning bylaw and as such is not subject to the requirements of 1971. David Frick clarified that it did not have to be the same owner. Paul Gagliardi responded that it did not. Nipun Jain added that it applies to vacant parcels. If there is an existing structure on the lot, then it would need to go to ZBA.
147. David Frick questioned why another property was shown on the plan. Sam Colombo responded that Mr. Cavallaro owns 30 Lake Attitash Road and 29 Lake Attitash Road. The only work proposed is on 29 Lake Attitash Road.

148. Pascal Rettig questioned if they had been in front of the Conservation Commission yet. Paul Gagliardi responded not yet. They have engaged Mary Rimmer to flag the site and will be filing shortly.
149. Nipun Jain commented that it was important to know the type of resources on the site and make sure those flags are accurate. The proposal could be impacted depending on what they find. They need an environmental scientist, like Mary Rimmer, to verify buffers. David Frick commented that they should add the dimensions of the building and driveway to the plan. Sam Colombo confirmed they could add that.
150. Pascal Rettig opened public comment.
151. Cody and Natalie Riopel of 27 Lake Attitash Road commented that they live at the abutting property. The property currently floods in the winter and spring. It has been an ongoing problem ever since they've moved in. The culvert drains in the woods behind their house and drains to 29 Lake Attitash Rd. It is picked up by a stream that feeds Lake Attitash. It flows through their yard into 29 Lake Attitash Rd. The proposed house will change the grading and will put their yard and basement in a constant state for flooding. Their backyard is the low spot. The setbacks are significantly under the legal requirements, and it would put the proposed house right against their property line and accessory structure. They are about to welcome their first child and want a safe place for them to stay. This will impact their quality of life. If they clear cut trees it will impact the runoff to the lake.
152. Joe Osbaldeston of 28 Lake Attitash Road commented that he lives across the street and the applicant neglected to comment on all the water that goes across the property. The stream outlets into the valley at 29 Lake Attitash Rd. That is the lowest lot on the street. Mr. Osbaldeston was concerned about the drainage. The lake itself is pretty good, but drainage infects it. They have already dealt with a cyanobacteria issue. They already have a drainage problem. Development creates more runoff. This lot is in a valley, and they have done nothing to address the water concerns. When it rains they get a puddle on the street and it lasts for 10 days. It doesn't infiltrate. Mr. Osbaldeston did not understand the grandfathering. The lot in question for 100 years has been part of 30 Lake Attitash Rd. Those two lots came together and became one lot. For 100 years it was unbuildable and now there are two lots. The stream is closer to the house than the plan is showing.
153. Gordon Glass Esquire commented that he was legal counsel for the Osbaldeston at 28 Lake Attitash Road. The lot is directly across the street from his clients. They strongly oppose the proposal. There are several legal issues. This application is woefully incomplete. It's the applicant's burden to read the bylaw and provide appropriate materials. They did not provide anything for storm water. There is a legal issue that the applicant has not addressed in the application. The entire property is in the 200-foot buffer of the wetland. Runoff drains through a culvert to the lake. It is a wetland tributary area. There is a legal issue about whether this is in Zone C or Zone A.
154. Betty Graham of 34 Lake Attitash Road submitted a written comment that is at the end of the minutes.
155. Nipun Jain read a memo from the Conservation Agent.
156. Tom Salemi commented that they would need clarity for the lot zoning. Paul Gagliardi commented that the lot was not recently divided. They checked that with the registry long before they got to this point. They have also hired Mary Rimmer and she has been out to

the site. There's been a determination that there is an intermittent stream. They will be filing all of that for review at the Conservation Commission. They would not be doing this if there was any doubt that it was an intermittent stream. They believe what they are showing here is allowed.

157. Pascal Rettig commented that it looks like the house is close to the buffer line and they need a determination from the Conservation Commission. If the house needs to move, then it could impact Planning review. Paul Gagliardi commented that they would like to hire peer review and coordinate with the Conservation Commission and Planning Board for efficiency.
158. Nipun Jain commented that they should file with the Conservation Commission. Getting the report from Mary Rimmer would be helpful. Once that application is filed, they can try to hire the same consultant to review in parallel. They would also need to review the stormwater report and mitigation plan. Then they will understand how they are meeting the storm water standards. Lastly, they need the legal opinion on the applicability of the dimensional relief. When the Board has that information, then they will be in a better position to move forward.
159. David Frick motioned to continue the public hearing for 29 Lake Attitash Road to December 22, 2025, Planning Board Meeting. Seconded by Keith Ratner.
160. Michael Jewell questioned what the easement question was about in the written public comment.
161. Betty Graham of 34 Lake Attitash Road commented that Mrs. Cavallaro spoke to her about 10 days ago and she brought up using part of Ms. Graham's property for a dock access easement.
162. Paul Gagliardi commented that was a misunderstanding. Frank Cavallaro commented they own 29 and 30 Lake Attitash Road. They are not asking anyone for any easements. They can grant themselves an easement if needed.
163. Pascal Rettig initiated roll call vote –
164. Keith Ratner – YES
165. Joel Nice – YES
166. Michael Jewell – YES
167. Tracey Chalifour – YES
168. Tom Salemi - YES
169. David Frick – YES
170. Pascal Rettig – YES
171. Motion passed 7-0
172. Tracey Chalifour motioned to extend the meeting to 11 pm. Seconded by David Frick.
173. Pascal Rettig initiated roll call vote –
174. Keith Ratner – YES
175. Joel Nice – YES
176. Michael Jewell – YES
177. Tracey Chalifour – YES
178. Tom Salemi - YES
179. David Frick – YES
180. Pascal Rettig – YES

181. Motion passed 7-0

182. **Administrative – 0 and 14 Mill St.**

183. Joshua Lee Smith commented that Massachusetts Electric Company is performing work on another substation in the city. This one is located in the IC zoning district. They are informally presenting this project tonight. They will formally open the public hearing on November 10, 2025. This substation has been here for decades. It powers the downtown area for the city. There is an urgency with respect to what's happening at that substation. There are concerns with the retaining wall and existing soils. In 2022 they met with city staff to let them know about the soils and instability. One of the transformers was relocated as a result. That was a short-term fix. The company has accelerated a solution by proposing to install a temporary mobile substation further down the hill. It will have transformers, a mobile switchgear building, and a cabinet. It's about a 7,000 sf of area. They have met with TRC and have done a site visit. There was some feedback with respect to the screening. They are aware of the development in the works at 33 Mill St. They want to be sensitive to that visual impact. There will be privacy slats in the fencing that can go along the entire perimeter of the fencing. Some of the mobile equipment will be above the fence line but they will be including 10-12-foot-tall arborvitaes along the front portion of the mobile fencing.

184. Pascal Rettig commented that the reason they were here was because this is an urgent project and they need to get through the approval process as quickly as possible. Once this is done they will remove the equipment that is in danger of collapsing. Joshua Lee Smith confirmed that once that was installed and energized, they will deenergize and remove the T2 transformer. Then they will sequentially remove the remaining equipment in the existing substation site. Pascal Rettig clarified that this is something happened to this substation then Amesbury would be without power until emergency measures were put in place. Joshua Lee Smith confirmed that was correct. This is an essential service and it is somewhat in jeopardy. They met with the ZBA because one dimensional setback is non-compliant. The variance was approved. They are hoping to have a Planning Board vote on November 10, 2025.

185. David Frick questioned how quickly this temporary substation would be installed. Carly Evans commented that once they got approval, then they will begin construction. It's a 2-3 month construction period. David Frick questioned how long it would be there. Carly Evans responded that it would be there 1.5 – 2 years. They will come back with a retirement plan.

186. Tom Salemi questioned how the noise would be at this temporary substation. Joshua Lee Smith responded that it should be less noisy.

187. Tom Salemi questioned if the soil was strong enough where they were proposing to put the temporary substation. Joshua Lee Smith responded that the existing substation is upgradient. They need a level area for the site equipment. There will not be an issue in the new location. Nipun Jain also noted that this would be temporary.

188. Michael Jewell questioned if they were going to present what the site would look like when the temporary substation was removed. Carly Evans responded that the goal is to attempt to make it into a green space. They will need to investigate the safety and activity limitations on the property.

189. **Adjournment**

190. Tom Salemi motioned to adjourn the meeting at 10:49 pm. Seconded by Tracey Chalifour.

191. Pascal Rettig initiated roll call vote –

192. Keith Ratner – YES

193. Joel Nice – YES

194. Michael Jewell – YES

195. Tracey Chalifour – YES

196. Tom Salemi - YES

197. David Frick – YES

198. Pascal Rettig – YES

199. Motion passed 7-0

Public Comment – 45 Main Street – Amanda Graham

Hello,

I have concerns regarding the project at 45 Main St. The new building will obstruct the natural light and ventilation in the kitchen and living room of my condo. We have 9 windows, currently 4 of them are blocked by the existing structure at 45 Main st. and if the proposed project is approved it will eliminate the only 2 windows that receive natural light in the kitchen/living room. Additionally this will decrease our property value, limit parking options (currently on street parking is limited) and the construction itself will cause great disturbance to current residents.

Thank you.

Best,
Amanda & Tom

Public Comment – 29 Lake Attitash Road – Betty Graham

My name is Betty Graham, I live at 34 Lake Attitash Rd & jointly own (with family) 32 Lake Attitash Rd.

My questions are twofold, is it possible to create a new right of way where one has never existed?

If this can be done would it be possible for the Cavallero's to take the necessary amount of property from # 30 to create a new right of way? Their existing property has 100' of waterfront.....ours at 32 has 25'. Space for 2 docks and 2 boats in 25' would be very tight squeeze indeed.

Thank you