



MINUTES of the ZONING BOARD OF APPEALS MEETING
MONDAY, May 18, 2026

(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, Charles Basler, Dave Haraske, John Rogers, Kendra Amaral

Absent:

Also in attendance: Community Development Coordinator Becky Frey

Call to Order

Chair Sharon McDermot called the meeting to order at 7:01 pm.

Roll Call/Attendance

Chair Sharon McDermot took roll call.

Chair Sharon McDermot commented that for the 27 Kimball Road application they would start with public comment and then have Board discussion and peer review selection.

Minutes – 4-30-26

Donna Collins motioned to approve the minutes from the 4-30-26 ZBA Meeting as presented. Seconded by Dave Haraske. The motion passed unanimously with one abstention. Charles Basler abstained because he wasn't there.

Continued Public Hearings:

1. 27 Kimball Road – Comprehensive Permit

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City Attorney Carolyn Murray provided a synopsis of peer review. Tonight, the Board is going to go through the variety of peer review proposals they have received. In the context of the 40B, if the Board feels they need any particular type of specialized expertise like engineering, landscape, traffic etc. typically, there is no in-house staff with expertise to review and comment on a submitted plan. The Applicant pays for the peer reviewers hired by the ZBA to look at various disciplines. The peer reviewer will work for the Board and review what the applicant's experts have submitted. The peer review will review the plans and data and provide comments and recommendations to the Board. Their comments will help formulate conditions.

Chair Sharon McDermot opened public comment.

Becky Frey read a public comment statement from Rick Brunelle on behalf of the Kimball Road Safety Preservation Group which is attached to the end of the minutes.

Becky Frey read a written public comment from Anne Enaire of 16 Claire Road which is attached to the end of the minutes.

Armand Bisson of 14 Kimball Road commented that he had sent a memo to Becky Frey to distribute and it talks about a 10,000 foot view of what a good traffic peer review should be. If we are short of any of those elements, then it is not an impactful peer review at all. Mr. Bisson did not think the previous TIAS report was accurate.

Chair Sharon McDermot commented that the Board had a list of companies to select for peer review. The Board can vote on the scopes one at a time. They should start with civil engineering.

Kendra Amaral questioned if it was worth discussing hiring one firm to do all the evaluations or go one by one. Chair Sharon McDermot responded that they could choose different companies for each scope. Charles Basler noted they also have the option of just choosing one.

John Rogers commented that he looked at the proposals from the perspective of using one company for everything. His top three choices were in line with what the City recommended BSC, Stantec and Weston and Sampson. He liked the service and level of experience of both BSC and Stantec. Stantec has a good reputation. Both Stantec and BSC have good experience with Amesbury. Weston and Sampson has limited experience in review with this community. John Rogers ranked the firms. BSC was his first choice, Stantec was his second choice, and Weston and Sampson was a distant third.

Donna Collins commented that she had ranked Stantec as her first choice.

Charles Basler commented that the traffic review will be very important. BSC lists three traffic consultants. One has 40 years of experience. That should be a strong consideration for BSC. Charles Basler debated if it was better to hire a firm that was more or less connected with Amesbury. There are

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pros and cons for either. John Rogers agreed that had crossed his mind as well which is why he put Weston and Sampson as third.

Chair Sharon McDermot commented that she was also concerned about that. That led her to think it may make sense to choose more than one firm. Charles Basler commented that he was worried if they split it between firms, then the review may not be as comprehensive.

Dave Haraske commented that his personal preference would be to pick someone who does not have specific Amesbury experience. That would give the review a fresh look. He commented that he was also inclined to split the scopes among different companies.

Kendra Amaral commented that hiring a single firm would allow them to look at a wholistic view of the project. Hiring multiple firms could result with conflicting recommendations or create situations where the Board has to make a decision on which comment supersedes the other. One firm looking at the project wholistically can result with better coordination and provide more valuable information.

Dave Haraske commented that having different firms coming up with completely different points of view may result in the Board learning more. Chair Sharon McDermot agreed with that and noted she was concerned about a bias in choosing a firm that has worked a lot with the city.

Charles Basler commented that he thought the Board would be at a disadvantage if they split up the scopes across different firms. They did not have enough information. Chair Sharon McDermot questioned who he ranked at the top. Charles Basler responded that he was wavering between BSC and Weston and Sampson. Charles Basler commented it was hard to put one person over the other and he trusted the experts in all the fields.

Charles Basler motioned to adopt a peer review selection by firm rather than individual and that firm would be BSC. No one seconded this motion. The motion failed.

John Rogers questioned for those who want to break it up, who would you choose for each scope. Chair Sharon McDermot responded that she was not necessarily in favor of breaking it up. Chair Sharon McDermot commented that her top choice was BSC based on experience. John Rogers commented his number one was BSC as well. He was back and forth between BSC and Weston and Sampson. However, he was not sure it's an advantage to hire a firm that does not have a lot familiarity in Amesbury for this project.

Donna Collins questioned if they should request a new traffic study like the letter from the abutters suggested.

Becky Frey commented that the traffic peer reviewer would look at the whole traffic report including the data. If the quality of the data is not sufficient or the peer reviewer needs more data to clarify

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certain questions, then they would ask for that in their peer review memo. The Board cannot require the applicant to conduct a completely new traffic report, but the peer reviewer will identify any concerns with the one they submitted.

Kendra Amaral commented that they have been hearing consistently from the neighborhood about the conditions and safety of Kimball Road. Is it in the realm of the ZBA to ask for mitigation for Kimball Road? Carolyn Murray confirmed it was, and she would assume that the peer review study would recommend mitigation studies. They can ask for supplemental reports. The peer reviewer would recommend supplemental data points. They can have those supplemental reports provided by the applicant and peer review would look at that as well. Kendra Amaral asked that in the motion they specifically focus on mitigation recommendations.

Dave Haraske commented he was fine with BSC, but would prefer to use Stantec for hydrology in particular. They have extensive experience in Amesbury and he has seen over the years that they have done good work on water, drainage, and hydrology. He was fine with BSC for the environmental and traffic reports.

Chair Sharon McDermot commented that BSC was the number one choice for herself, John, Charles and Dave except for the hydrology. Donna had Stantec as her number one choice and BSC her second.

Dave Haraske questioned if they should vote by scope. Charles Basler commented they should do it in one motion.

Donna Collins motioned to select BSC to do peer review the civil, environmental, and traffic scopes with the understanding that they could ask the applicant for supplemental reviews. Seconded by Charles Basler. The motioned passed by a 4-1 vote. Dave Haraske voted no.

Chair Sharon motioned to approve the scope of work regarding an independent urban design peer review and ask staff to seek bids. Seconded by Charles Basler. The motion passed unanimously by a 5-0 vote.

Charles Basler commented that they had a site visit that was canceled and have now had 2 meetings without any new information. He expressed concern about how quickly they were moving forward. The original plan was to take it by topic area by each meeting. Chair Sharon McDermot responded that once the revised plans come out, the Board will do a site visit. They are anticipating the Board will have revised plans for June.

Andrew Mackin from Marcus Partners provided a quick update. They have received a significant amount of feedback from abutters, staff, and stakeholders. They are currently in the process to update the design. The goal is to submit the revisions by June 1, 2026. The intention is that the design submitted will be well received by abutters. They will ask peer reviewers to commence review on the

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materials when they are submitted. There have been a lot of comments on circulation and flow. They are working to address those, as well as parking ratios and density. If a reduction in unit count is part of the plan, then they will amend the traffic study to reflect that. If the impervious surface is reduced the storm water will be updated. They have received comments from the Police Chief and the Fire Chief and are working to respond to all of that. On June 1st they intend to submit the revised site plan and updated traffic plan. The full civil set may come after. The Board will have it before the June 15th meeting. At that meeting they would like to present what has changed on the project. They have submitted an ANRAD to delineate the wetlands on the site and those boundaries have been approved with an ORAD from the Conservation Commission. They have a good basis for where the wetlands are onsite and how they are delineated. The April 30th meeting was postponed because they were working on updates. They had a site walk scheduled with the Board that was canceled because of the revisions in progress. It would be a great opportunity to reschedule for the week of June 8th. Jeff Roelofs confirmed they submitted a signed 30-day extension for the public hearing to close by October 1, 2026.

Dave Haraske motioned to continue the Comprehensive Permit application for 27 Kimball Road to the June 15, 2026, Zoning Board of Appeals Meeting. Seconded by Charles Basler. The motion passed unanimously.

Rick Brunelle commented that no one has talked about the fire engineer report. There should be discussion about that. Becky Frey commented that the applicant is currently conducting a third party review of their fire code compliance and when that report is submitted to the Board they will discuss it.

Adjourn

Donna Collins motioned to adjourn the meeting at 7:45 pm. Seconded by Charles Basler. The motion passed unanimously.



Public Comment - Rick Brunelle – Kimball Road Safety Preservation Group:

On behalf of the Kimball Rd Safety Preservation Group, we respectfully renew our request that the Board authorize a wholly new and independent Traffic Impact and Access Study for the proposed 27 Kimball Road development. The current TIAS relies on traffic counts collected during December 2025, a period the consultant itself acknowledges reflects below-average traffic conditions, and further depends upon traffic growth assumptions and supporting data derived from years materially affected by post-pandemic travel patterns. We believe these inputs significantly understate the real-world traffic, safety, roadway, and emergency access conditions experienced daily by residents on Kimball Road. Additionally, the broader public safety concerns raised by Police Chief Craig Bailey reinforce the need for a more comprehensive and realistic evaluation of the roadway network and its ability to safely accommodate a development of this scale. Under the strict 180-day time constraints governing Chapter 40B proceedings, we respectfully submit that conducting a peer review of a fundamentally flawed TIAS risks wasting valuable time and resources while leaving the Board without the reliable, seasonally appropriate, and fully independent analysis necessary to make an informed public safety determination. For these reasons, we again respectfully request that the Board commission a wholly new TIAS before proceeding further with project review.

Public Comment – Anne Enaire