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By City Clerk at 9:58 am, Aug 13, 2024

1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – July 8, 2024, at 7:00 PM

3. Chairman Pascal Rettig called the July 8, 2024, Planning Board meeting to order at 7:01 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. Lorri Krebs- YES
10. Michael Jewell – YES
11. Tracey Chalifour - YES
12. David Frick – YES
13. Pascal Rettig - YES
14. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)

15. **Minutes – 4-29-24**
16. Keith Ratner motioned to approve the minutes from the April 29, 2024, Planning Board Meeting as submitted. Seconded by Joel Nice.
17. Pascal Rettig initiated roll call vote –
18. Keith Ratner – YES
19. Joel Nice – YES
20. Lorri Krebs- YES
21. Michael Jewell – YES
22. Tracey Chalifour - YES
23. David Frick – YES
24. Pascal Rettig – YES
25. Motion passed 7-0

26. **Signs – 198 Main St. – Dollar General**
27. Nipun Jain commented that the Design Review Committee approved the revised sign package. They recommended making the white as thick as possible so that the white will not shine as much. Originally, they had a yellow background and DRC asked them to change it to white. The applicant made that change. In order to keep with neighborhood and

ensure it is not too bright DRC felt the white should be as muted as possible. One of the ways to do that is to make the plexiglass thicker.

28. Jole Nice motioned to approve the sign application for Dollar General at 198 Main St. as submitted with stipulation to make the plexiglass a minimum of ¼ inch thick to subdue the whitewash. Seconded by Michael Jewell.
29. Pascal Rettig initiated roll call vote –
30. Keith Ratner – YES
31. Joel Nice – YES
32. Lorri Krebs- YES
33. Michael Jewell – YES
34. Tracey Chalifour - YES
35. David Frick – YES
36. Pascal Rettig – YES
37. Motion passed 7-0

38. Signs – 37 Main St. – Casa Maria

39. Nipun Jain commented that the Design Review Committee recommended approval on the revised package. The building mounted sign was changed to blue with two different font types. The second component of the application includes monochromatic vinyl stickers on the glass.
40. Lorri Krebs motioned to approve the sign application for Casa Maria at 37 Main St. as revised. Seconded by Keith Ratner.
41. Pascal Rettig initiated roll call vote –
42. Keith Ratner – YES
43. Joel Nice – YES
44. Lorri Krebs- YES
45. Michael Jewell – YES
46. Tracey Chalifour - YES
47. David Frick – YES
48. Pascal Rettig – YES
49. Motion passed 7-0

50. **Continued Public Hearings – 2 Merrimac St.**
51. Nipun Jain commented that the applicant received comments from the Board and peer review. The applicant is working on those responses for both the Planning Board and the Conservation Commission.
52. Tracey Chalifour motioned to continue the applications for 2 and 13 Merrimac St. to the August 12, 2024, Planning Board Meeting. Seconded by Joel Nice.
53. Pascal Rettig initiated roll call vote –
54. Keith Ratner – YES
55. Joel Nice – YES
56. Lorri Krebs- YES
57. Michael Jewell – YES
58. Tracey Chalifour - YES

59. David Frick – YES
60. Pascal Rettig – YES
61. Motion passed 7-0

62. **Continued Public Hearings – 13 Merrimac St.**
63. This was addressed in the motion above.

64. **Continued Public Hearings – 12 S Hunt Rd.**
65. David Frick recused himself from the application.
66. Pascal Rettig commented that they received the comments from Stantec. There were a number of outstanding items and questions in the memo. The peer reviewer is asking for plan updates and clarification on the storm water into the wetlands.
67. Josh Berman responded that their team has reviewed the comments and think that between Stantec and their team they can work through them. Mr. Berman requested that the Board approve this application with conditions tonight.
68. Michael Jewell commented that he would like to see the applicant's responses in writing before the Board votes on this because of the length of the memo. There is also an open enforcement order on the property issued by the Conservation Commission.
69. Josh Berman responded that the Enforcement Order is for 14 S Hunt Rd.
70. Pascal Rettig questioned if the storm water systems were connected. Josh Berman responded that they were not in this location.
71. Tracey Chalifour noted that she agreed with Michael Jewell. It would behoove the Board to see these comments addressed in writing. Josh Berman commented that it has been over 100 days since they submitted the application before they got peer review comments.
72. Pascal Rettig commented that the Board approved peer review at the May 31st meeting. The review timeline after that is out of the Board's hands. The peer reviewer is asking for a number of things that are substantive and could result in changes to the design. This is beyond the scope of conditioning an approval.
73. Josh Berman questioned if there was a way to expedite it at the last meeting. They didn't get comments until July 5th. The team can get there with Stantec by working through the comments.
74. Nipun Jain commented that Stantec got go ahead to do the review two weeks ago. There was a change in the process with the new CFO and that delayed the process for 45 days. They did not have authorization from the finance department until recently. Staff will set up a meeting with the applicant and Stantec to expeditiously address items.
75. Pascal Rettig commented that the next meeting is on the 29th. That leaves a larger window to address the comments with Stantec. Nipun Jain commented that the expectation is to have a phone conversation to see what changes are agreed upon in terms of approach. That way when the applicant does provide responses Stantec knows what is coming and can review the materials more expeditiously. Josh Berman agreed they did the same thing with the 14 S Hunt Rd. application.
76. Pascal Rettig questioned if the applicant felt that they could address and respond to the comments. Josh Berman responded that there were a few comments in question that they

need to discuss with Stantec. Once they are clarified they can turn the updates around in 48 hours.

77. Pascal Rettig commented that the fact that there are some items still in question means that the Board needs to see the response. The frustration about the process is understandable but that is not in Stantec's control. This application is not in a place to condition the approval.
78. Michael Jewell commented that the applicant received a letter from the Conservation Commission in October 2023 identifying the enforcement order for 12-14 S Hunt Rd. Nipun Jain commented that the enforcement order goes across the parcel, but the issue is far away from this site. The EO runs with the order which runs with the property.
79. Nipun Jain commented that the Conservation Commission is reviewing the Enforcement Order with BSC. The applicant can provide a copy of that to help resolve it and show that this application is not tied to the EO. Stantec is reviewing the storm water.
80. Michael Jewell commented that he would like to see something in writing from BSC Group and Stantec.
81. Josh Berman commented that they submitted this application in April, and it is now mid-July and they have not made any progress on it.
82. Pasca Rettig noted that they needed to do their due diligence.
83. Keith Ratner motioned to continue the application for 12 S Hunt Rd. to the July 29, 2024, Planning Board Meeting. Seconded by Joel Nice.
84. Pascal Rettig initiated roll call vote –
85. Keith Ratner – YES
86. Joel Nice – YES
87. Lorri Krebs- YES
88. Michael Jewell – YES
89. Tracey Chalifour - YES
90. David Frick – Recused
91. Pascal Rettig – YES
92. Motion passed 6-0

93. **Administrative – 19 Evans Place – Point Shore – Bond Release**
94. David Frick re-joined the meeting.
95. Nipun Jain commented that they have received a request to release the remaining funds that were being held until the street acceptance was completed and the documents were on record. Staff have asked DPW to confirm if they have everything they need on record. It would be good practice to have something in writing from DPW to confirm they have all the documents they need on record.
96. Tracey Chalifour motioned to request confirmation in writing from DPW confirming they have everything they need before the Board approves the release of the remaining funds. Seconded by Michael Jewell.
97. Pascal Rettig initiated roll call vote –
98. Keith Ratner – YES
99. Joel Nice – YES
100. Lorri Krebs- YES

101. Michael Jewell – YES
102. Tracey Chalifour - YES
103. David Frick – YES
104. Pascal Rettig – YES
105. Motion passed 7-0
106. Michael Jewell questioned if DPW was responsible for maintaining the trail. Nipun Jain responded that he did not know who the responsible entity was to maintain the trail. The Conservation Commission has the care and custody of the open space.
107. Michael Jewell commented that going forward there should be a very specific provision and funding allocated to maintain the trails associated with it.
108. Pascal Rettig commented that it was a good comment, however, on the flip side money is hard to find in the City. They have not had a situation where they ask the applicant to maintain open space after it's been accepted. Nipun Jain responded that they cannot do that. There are severe limitations on requiring funds for that purpose. There are standards for cluster development as far as sidewalks, trails, and trees. They need to consider solutions that make sense and can be maintained.
109. Pascal Rettig noted that was a good comment. It may make sense to just have open space and not have the trails if they can't maintain it. Nipun Jain commented that it was a good conversation on how open space should be formulated.
110. Tracey Chalifour commented that knowing there are other projects coming forth with allocations for open space the Board should consider these implications carefully. It is paramount to define some of this.
111. Pascal Rettig commented that the CPA can't fund maintenance. It is just for new projects. Nipun Jain noted that it was important to lay out parameters of what kind of open space the Board is looking for. It would be helpful to have evaluation criteria to determine public interest and then drill down from there. The Open Space Committee should also be engaged.

112. **Administrative – IAMesbury Master Plan 2030**
113. Pascal Retting commented that they have sent their comments to the Mayor to distribute to the Task Force and are hoping to have a follow up meeting shortly. Nothing is set in stone the comments are up for discussion.
114. Tracey Chalifour questioned the status was on the items staff was working on. Nipun Jain responded that they were waiting to complete the land use component until the comments review was complete in case it impacted anything. Now that the comments are done, they can pull certain goals and action items from other parts of the plan and put in the maps to make that section.

115. **Administrative – Contracts, Bills, and Invoices**
116. Nipun Jain commented that staff has reviewed the Stantec invoices and noted that they recommended payment.
    1. A Stantec Bill for Bailey's Pond in the amount of $470.40
    2. A Stantec Bill for Bailey's Pond in the amount of $416.80
    3. A Stantec Bill for Bailey's Pond in the amount of $5,267.60

4. A Stantec Bill for 14 S Hunt Rd. in the amount of $213.35

117. Lorri Krebs motioned to approve the payment of the invoices listed above. Seconded by David Frick. The motion passed unanimously.
118. Pascal Rettig initiated roll call vote –
119. Keith Ratner – YES
120. Joel Nice – YES
121. Lorri Krebs- YES
122. Michael Jewell – YES
123. Tracey Chalifour - YES
124. David Frick – YES
125. Pascal Rettig – YES
126. Motion passed 7-0

127. Adjournment

128. Michael Jewell motioned to adjourn the meeting at 7:48 pm. Seconded by Lorri Krebs.
129. Pascal Rettig initiated roll call vote –
130. Keith Ratner – YES
131. Joel Nice – YES
132. Lorri Krebs- YES
133. Michael Jewell – YES
134. Tracey Chalifour - YES
135. David Frick – YES
136. Pascal Rettig – YES
137. Motion passed 7-0