

27.5 & 29 Clarks Road, Amesbury

Responses to Site/Civil Peer Review #2 by VHB dated December 29, 2025

January 8, 2026

Submitted by Eagles Crossing LLC

Missing Materials

Landscape Plan Calculations

VHB Response: Upon review, this item appears to be missing.

Applicant: The plan showing parking area and green space within that area has been submitted (L1.1 Site Materials Plan_Parking Lot Landscape Markup, uploaded to the permitting portal January 6, 2026), showing 5.6% green space within the parking area. (5% is required)

· *General Environmental Impact (to be submitted to the Conservation Commission during the NOI permitting process)*

Applicant: The Environmental Impact Report was uploaded to the permitting portal on January 5, 2026.

Section VIII: OFF-STREET PARKING AND LOADING REGULATIONS

1. Parking and handicap access

VHB recommends that the Planning Board require the Applicant to submit updated plans prior to the building permit application demonstrating compliance with 521 CMR and the 2010 ADA Standards for all required accessible parking spaces and routes. Any site design revisions necessary to achieve compliance should be submitted to the Planning Department for acknowledgment as a condition of approval.

Applicant: Agreed. Applicant suggests that if the changes (if any) resulting from these reports are minor in nature, they be evaluated and approved by city staff.

Section XI.Q: SMART GROWTH OVERLAY DISTRICT

10. Design and Development Standards

10. 10.4.b Soils

VHB recommends that the Planning Board determine whether submission of a soils and geotechnical report is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should clearly require that the report be prepared by a qualified geotechnical professional and submitted prior to issuance of a

building permit, with any resulting design modifications returned to the Planning Board for review, as such changes may affect grading, stormwater management, and site layout.

Applicant: As is customary, Applicant will prepare the necessary soils and geotechnical reports and submit them to city staff prior to issuance of a building permit. Applicant suggests that if the changes (if any) resulting from these reports are minor in nature, they be evaluated and approved by city staff.

11. 10.4.c General environmental impact

VHB recommends that the Planning Board determine whether submission of the environmental impact report is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should clearly require that the completed report be submitted to the Planning Board upon completion and prior to issuance of a building permit, or prior to final plan endorsement, as deemed appropriate by the Board.

Applicant: The Environmental Impact Report was uploaded to the permitting portal on January 5, 2026.

12. 10.4.e Architectural Plans

VHB Response: VHB recommends that the Planning Board determine whether submission of preliminary architectural elevations is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should require that the drawings be submitted for Planning Board review prior to issuance of a building permit.

Applicant: Preliminary architectural elevations showing dimensions including dimensioned elevations of all building facades, building heights, key dimensions, gross floor areas, and garage plans as well as rooflines have been submitted, and updated versions of the same, “29 Clarks Road- Arch Updates 25.12.31” were uploaded to the permitting portal on December 31, 2025. The Design Review Committee voted to approve with conditions the design at their January 5 meeting. Applicant suggests, as is customary, that design development and construction drawings be submitted to city staff for confirmation of continued compliance with planning board and design guidelines.

16. 10.5a.4.b If the property directly abuts a pedestrian walkway or bikeway right-of-way, a paved access route to the bikeway shall be provided; and,

VHB recommends that the Planning Board confirm whether the proposed trail connections satisfy the intent of §10.5.a.4.b and whether any additional paved or accessible access routes are required. Clarification of which connections are intended to be accessible, and which are not, should be provided on the plans. This may be addressed as part of the general ADA coordination noted elsewhere in this review.

Applicant: As noted, the trail has been designed as a natural path following the terrain of the land, per US Forest Service Trail guidelines. No part of it is anticipated to meet ADA accessible

requirements. The accessible path to approach this trail is via the site sidewalks and the sidewalk along Clarks Road.

19. 10.5.b.4.e Parking, loading, access etc.

Subject to confirmation of Fire Department concurrence, VHB defers to the Planning Board to determine whether the proposed loading zone and internal circulation provide adequate maneuverability, emergency access, and operational functionality consistent with §10.5.b.4.e of the Zoning Ordinance.

Applicant: Applicant suggests the planning board include written Fire Department concurrence as a condition of approval.

24. 10.5.c.6 Parking Areas

VHB recommends that the Applicant upload the referenced landscaping calculation sketch to the project file so compliance with §10.5.c.6 can be verified and documented for the Planning Board record.

Applicant: The plan showing parking area and green space within that area has been submitted (L1.1 Site Materials Plan_Parking Lot Landscape Markup, uploaded to the permitting portal January 6, 2026), showing 5.6% green space within the parking area. (5% is required)

25. 10.5.d.4 Residents' association

VHB recommends that the Planning Board require, as a condition of approval, submission of the proposed ownership and maintenance framework, including responsible parties and maintenance responsibilities for common infrastructure (e.g., stormwater systems, roads, open space), prior to issuance of a certificate of occupancy.

Applicant: Agreed

Section 2 Definitions

1. 2.02 ANR plan

VHB recommends that the Planning Board require, as a condition of approval, submission of an endorsed and recorded ANR plan confirming lot consolidation prior to issuance of a building permit.

Applicant: Agreed

Section 7 Design Standards

1. 7.10.B.1 Low Impact Design

VHB recommends that the Planning Board determine whether the requirement for a formal Low Impact Development (LID) feasibility evaluation should be waived in this instance. If the Planning Board determines that the project meets the intent of the regulation through its overall design, this comment may be considered addressed.

Applicant: Applicant requests the Board conclude that the overall design of the project, the previous peer response on this matter from the Morin Cameron Group, VHB's statement that "...the overall site planning approach substantially addresses the intent of 7.10(b)(1)." and the information in the Environmental Impact Report uploaded to the permitting portal on January 5, 2026 are sufficient to waive any additional formal report related to Low Impact Development.

Stormwater Comments

1. additional test pits

VHB recommends that the Planning Board include this requirement as a condition of approval, with the understanding that if confirmatory testing identifies soil or groundwater conditions inconsistent with the design assumptions, the infiltration systems shall be revised accordingly and resubmitted for review.

Applicant: Agreed

3. Infiltration basins, groundwater mounding analysis

Revised calculations should be submitted to confirm that post-construction mounded groundwater conditions will not encroach into the infiltration systems in the 72 hour storm period. VHB recommends that the Planning Board include this requirement as a condition of approval.

Applicant: Agreed.

7. Groundwater management at garage

Should the final building and groundwater management design result in any material changes to the approved stormwater management system, groundwater assumptions, or discharge locations, such changes should be submitted to the Planning Board for review and approval prior to issuance of a building permit.

Applicant: Agreed.

9. landscape areas

VHB Response: VHB acknowledges MCG's response and recommends that final grading and drainage design for the landscaped areas be included as a condition of approval and submitted for review prior to issuance of an occupancy permit.

Applicant: Agreed.

10. soils and geotechnical report

VHB Response: VHB recommends that the Planning Board determine whether submission of a soils and geotechnical report is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should clearly require that the report be prepared by a qualified geotechnical professional and submitted prior to issuance of a building permit, with any resulting design modifications returned to the Planning Board for review, as such changes may affect grading, stormwater management, and site layout.

Applicant: As is customary, Applicant will prepare the necessary soils and geotechnical reports and submit them to city staff prior to issuance of a building permit. Applicant suggests that if the changes (if any) resulting from these reports are minor in nature, they be evaluated and approved by city staff.

General Engineering & Plan Comments

1. Accessibility

VHB recommends that demonstration of compliance with all required accessible routes be included as a condition of approval and submitted prior to issuance of a building permit. Any revisions to the approved site design necessary to achieve compliance may be reviewed by Planning Board staff or the Planning Board, as appropriate.

Applicant: Agreed.

3. Fire access

VHB Response: VHB acknowledges MCG's response and the Applicant's coordination with the Amesbury Fire Department. Based on the information provided, including confirmation that the building will be fully sprinklered and that the Fire Chief has expressed support for the revised site layout, VHB agrees that final fire protection details may be addressed through a condition of approval. **VHB recommends that final fire-apparatus access, hose-reach documentation, and Fire Department approval be submitted as part of the building permit review prior to issuance of a building permit as a condition of approval.**

Applicant: Agreed.

4. Median and site access

VHB Response: VHB acknowledges MCG's response and the Applicant's coordination with the Amesbury Fire Department regarding site access and emergency operations. **Based on the information provided, including confirmation that the Fire Chief has reviewed the revised site layout and raised no access concerns, VHB finds that the comment has been adequately addressed.**

Applicant: Agreed

6. Trail and access

VHB Response: VHB acknowledges MCG's response that the subject pathways are not intended to function as accessible routes and that accessible access to the on-site amenities will be provided via an alternate compliant route through the garage. **VHB recommends that as a condition of approval, the final plans clearly identify which pedestrian routes are intended to be accessible and demonstrate that all required amenities are served by compliant accessible routes, to be confirmed as part of the building permit review.**

Applicant: Agreed.

7. Grading and slopes

cannot be fully assessed without additional detail. **Given the extent of steep grading, proximity to stormwater infrastructure, and long-term maintenance requirements, VHB recommends that the Planning Board require confirmation by a qualified geotechnical engineer that the proposed slopes and stabilization measures will provide long-term stability and maintainability. This review should also evaluate whether alternative grading approaches, structural elements, or an alternate maintenance access route (including potential access via the garage or other locations) would improve long-term functionality.**

VHB recommends that this geotechnical confirmation, along with clarification of a practical and compliant maintenance access route to the stormwater basin, be included as a condition of approval and submitted for review prior to issuance of a building permit. Any resulting revisions to grading, stabilization, or access should be clearly reflected on the plans.

Applicant: Applicant agrees to confirm via a qualified geotechnical engineer that the proposed slopes and stabilization measures will provide long-term stability and maintainability, and that the maintenance access route to the stormwater basin proposed is practical and compliant. Any changes resulting from that review will be submitted to city staff and/or the Board as appropriate for review. Alternative approaches and elements have already been evaluated and will only be re-evaluated if the proposed plans are found to be infeasible or noncompliant.

9. Sidewalk

VHB Response: VHB acknowledges MCG's response. While the Applicant has indicated that the proposed sidewalk and parking layout is adequate, the potential for reduced effective pedestrian clear width due to vehicle overhang remains a design consideration. **VHB recommends that the Planning Board determine whether the proposed sidewalk widths and mitigation measures are acceptable or whether additional design modifications are warranted to preserve a continuous pedestrian clear path.**

Applicant: The parking and sidewalk layout proposed is usual and customary.

10. NOI and SWPPP

VHB Response: VHB acknowledges MCG's response and agrees that submission of the NPDES Construction General Permit Notice of Intent and the Stormwater Pollution Prevention Plan prior to the start of construction should be included as a condition of approval.

Applicant: Agreed. Additionally, the Notice of Intent has been filed with the Amesbury Conservation Commission, and a meeting was held January 5, 2026.

11. Outdoor program elements

VHB Response: VHB acknowledges MCG's response and the precedent materials provided. **VHB agrees that final plans and specifications for fencing and outdoor program elements may be addressed through a condition of approval and submitted for administrative review by Planning Board staff prior to issuance of a building permit.**

Applicant: Applicant suggests that as is customary, design development and construction drawings be submitted to city staff for confirmation of continued compliance with planning board and design guidelines.

Waiver Review Statement

Section XI.Q: Smart Growth Overlay District

10. Design and Development Standards

4. 10.5.b.1 Parking

VHB Response: VHB acknowledges MCG's response indicating that visitor parking is included within the total parking supply and that parking within drive aisles and along Clarks Road will be prohibited. However, final acceptance of the reduced parking ratio, including whether the proposed parking supply adequately accommodates both resident and visitor demand, remains at the discretion of the Planning Board pursuant to Sections 10.5.b.1 and 10.5.b.3 of the Zoning Bylaw. **The Planning Board may wish to consider whether additional clarification or conditions related to visitor parking designation are warranted to ensure long-term operational and safety objectives are met.**

Applicant: Given the previous responses, applicant suggests that no further clarification or conditions related to visitor parking are warranted or appropriate.

8. 10.5.c.3 Fences

VHB Response: VHB acknowledges MCG's response and the precedent fencing materials submitted for Planning Board review. The Applicant has identified differing provisions within the EESGOD regarding fencing types and has proposed stockade and black chain link fencing for screening and amenity areas. However, acceptance of these fencing types and resolution of any bylaw interpretation remains a zoning determination for the Planning Board. **VHB continues to recommend that all fencing types, locations, heights, and materials be clearly identified on the plans to allow the Planning Board to fully evaluate the requested waiver.**

Applicant: The fencing types, locations, heights and materials are identified on the document "Landscape Plan L1.1 Site Materials Plan" uploaded to the permitting portal on November 14, 2025, and supplemented with precedent images in the document "25.11.14 Planning Board

Fencing Precedent Images” uploaded to the permitting portal on the same date. Applicant requests the Board grant the requested waivers from the conflicting provisions in the zoning regarding fencing and that, as is customary, design development and construction drawings be submitted to city staff for confirmation of continued compliance with planning board and design guidelines.

11. 10.5.0 Shadows

VHB Response: VHB acknowledges MCG’s response indicating that additional plans and information will be submitted under separate cover. Until a shadow study and plan depiction of the shed at 31 Clarks Road are provided, VHB cannot verify the extent of the potential shadow impact or evaluate the applicability of Section 10.5.o. **VHB recommends that submission of a shadow study and supporting plan information be required as part of the waiver request so that the Planning Board can determine whether the regulation applies to the referenced accessory structure and whether the waiver is appropriate.**

Applicant: The shadow study was uploaded to the permitting portal as part of “29 Clarks Road- Arch Updates 25.12.31” on December 31, 2025. Based on the projections in the shadow study, the potential for shadowing as defined by the ordinance appears to be October 21 at 3pm and February 21 at 3pm, potentially affecting the house at 31 Clarks Road. Looking closer, it appears that on October 21 the northernmost window at 31 Clarks Road would be in shadow starting at approximately 2:30PM. On February 21 at 3:00PM, the shadow appears to be below the level of the windows. Additionally, removal of a large pine tree at 29 Clarks Road will allow for reduced shading in the same time periods. Please see below photo of 31 Clarks Road for reference. Based on the maximum projected shadow during the time periods referenced in the ordinance of approximately one half hour, and the increase in light to the affected property by the removal of the large pine tree at 29 Clarks Road, Applicant requests relief from this section of the ordinance.



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By its Project Manager, Alexander Loth

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