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MINUTES of the ZONING BOARD OF APPEALS MEETING
THURSDAY, April 9, 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), Charles Basler, Donna Collins, 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 7:12 pm.

Roll Call/Attendance

Chair Sharon McDermot took roll call.

Minutes – 1-22-26

Donna Collins motioned to approve the minutes from the 1-22-26 ZBA Meeting. Seconded by Dave Haraske. The motion passed unanimously.

Minutes – 3-5-26

Donna Collins motioned to approve the minutes from the 3-5-26 ZBA Meeting. Seconded by Dave Haraske. The motion passed unanimously.

Continued Public Hearings:

1. 27 Kimball Road – Comprehensive Permit

Andrew Mackin from Marcus Partners commented that he was the applicant and developer. They also had Kellen Kyger and Andy Nordhus from Kephart Architects and Jen Martel from Copley Wolf for

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landscape. Attorney Jeff Roelofs was also present. Andrew Mackin commented that they opened the hearing on March 5th and had a TRC meeting on March 19th. As an outcome of that meeting, the civil engineering team has met with city staff to review details. Peer review will happen at a subsequent meeting. In addition to these meetings, we have had several meetings with OECD. We have been looking at the feedback received from community members, staff, and stakeholders. There has been good dialogue. Tonight, we will be presenting the plan as it currently stands, but it will evolve, and we will be taking into consideration some of the comments received. We are planning to engage in a separate community meeting on April 15th. It will be a listening session for community members. Comments came up through TRC and in some letters around management and services. The development will be privately managed, including trash removal, snow removal, etc. It will not be a burden on the city taxpayers. We received four new letters today and have not had the opportunity to address them. There were 14 comments focused on safety, access for police and fire, and technical questions. We will not address those items tonight. We have engaged a third party to do a full assessment of the fire code for the development. This will help us respond to those items and to the fire chief. We will respond when we have that information.

Charles Basler commented that he appreciated the outreach efforts.

Andrew Mackin commented they had Kellen Kyger and Andy Nordhus from Kephart Architecture to do a presentation on architecture. Kellen Kyger commented that one of the things we like to do for a project is create a site story to help inform the design. We want to be part of the place. Amesbury has a carriage history. We see a lot of buildings born out of natural materials and early European settlements. They are simple, basic homes that are very modular and adaptable. The building forms are simple and helped inform the architectural concept for this neighborhood. The next evolution of buildings comes from transportation, including Lake Attitash summer homes and Victorian-style homes. The next layer is to understand what Amesbury wants. For example, some downtown buildings have been preserved and converted into studios and lofts. The last step was to look at what neighboring homes look like.

Kellen Kyger commented that the next step was to translate the site story into a practical design. A paired home is a duplex; however, it is a front-to-back unit. The benefit is that everyone gets a front door and what looks like a single-family home. All the homes you see are paired homes. Everyone has a front door on their own elevation and a private yard. There is ranch-style living as well as two-story units. There are also detached carriage-style buildings, with garages below and units above. Residents get their own semi-private front porch and great room living, which you don't typically find in older homes or rentals. There are private side yards and large bedrooms. This is a contemporary take on the site story. Buildings B, C, and D look like front elevations, even though they technically face the rear. We like to say they have two front elevations. The design incorporates steep roof ridges and symmetrical forms seen in some of the older buildings. There is consistent materiality and color. They have closed

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pediment roof forms and covered front porches. Kellen Kyger showed renderings of the site. The site includes a green common area in the center, paseos, and streetscape elements.

Jen Martel commented that her role in this project is to design the outdoor spaces and think about how people will use the site on a day-to-day basis. Landscape is a natural extension of the outdoor area and creates connectivity and circulation. The graphics shown in the presentation are slightly different than what will be submitted. The planting approach along Kimball Road and the buffer planting along the eastern edge of the site have been enhanced. The site is 9.2 acres and is currently 75% wooded. Vegetation on the site would be considered post-agricultural woodland. The site sits within a broader landscape of similar residential developments. The parcel slopes from the south to the north, then slopes down to Kimball Road. The low point to the west of the site is a depressed wetland area. The center of the site has the shared green space. It will have flexible amenities for gathering. There is a north-to-south walkway, referred to as a paseo. At the southern entrance to the left is an entry planting feature, which serves as an arrival moment. Amenity services like mail and trash are located along the ring road. Clusters of buildings provide more space for buffer planting and grading. The circulation plan prioritizes an active, walkable community and ensures it is logistically usable. There is over a mile of walking paths along the site, including a quarter-mile loop on the inside. The quarter-mile walkway slopes under 5% and provides some areas to stop along the way. The central green area is 50 feet wide and 200 feet long. It is the size of two NBA basketball courts, so quite a bit can be done in that space. The green includes a flexible lawn space toward the top. Amenity patios in the center may have outdoor grilling and dining. There are small planting areas and fire pit nooks. The team is contemplating the idea of a natural play space. The character of the landscaping follows a general approach of patio areas and synthetic turf areas for private patios. Perimeter landscaping will be simple, consistent, and low maintenance. They will be using native and well-adapted species. The landscaping will all be maintained by the private management company. The buffer plantings on the edges are being approached with a layered evergreen and deciduous tree strategy. Right now, there is a mix of that throughout the forest, and the goal is to maintain that through the buffer. These trees will grow in and provide more screening over time. The Kimball Road frontage will retain existing trees as much as possible. Some areas will need to be cleared for stormwater management, but the team will preserve what they can and revegetate what they cannot save. In summary, there will be 49% open space, over 140 new trees in the planting plan, and more than a mile of walkable paths. The goal is to build on the existing wooded character.

Charles Basler requested that they speak to the narrow spaces and how they will function not only in daily life but also in bad weather. He questioned if there were similar concepts built elsewhere and what challenges they have noticed with them.

Kellen Kyger responded that the tertiary path through the central zone will feel tight, but it will create the feeling of a cottage vacation community. We can distribute some imagery. It does feel tighter than what's on Kimball Road now, but it builds a sense of community. People will have the opportunity to

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interact on front porches and with those walking through. In the wintertime, it will be chillier in those spaces. In reality, everyone has to deal with a colder climate. We can consider softening this up, but the concept has been successful elsewhere.

Chair Sharon McDermot questioned if they have been built elsewhere. Also, in the winter no one will be walking down that narrow path. Andrew Mackin responded that there is a project in Lancaster that is similar in style to what is being achieved here. Townhome communities replicate some of this, but not to this degree. This concept is very popular in Denver. The civil engineering plan doesn't show snow management on site. The first order is to manage snow within the bounds of our site, and like any development, there is always the possibility they will have to shift snow off site. We will maintain access for residents.

Charles Basler commented that he was talking about the general proximity of the pathways. Units 46 and 50, or 14 and 13, in the top right are especially tight. All these spaces will present problems that need to be addressed. Winter freeze and thaw is just one of the challenges. Putting buildings in close proximity will create weather issues, neighbor issues, and sound issues. In general where has this been built previously? What are some challenges you have seen, and how have they been mitigated?

John Rogers agreed that there would be weather issues, but there could be other issues as well like public safety, for example. With 456 units, how is a fire apparatus getting in there? It just speaks to the density.

Andrew Mackin responded that was an important question and something that is currently being validated by a third party. The study will ensure the unit separation meets fire code as well as the distance from fire hydrants and roads.

Dave Haraske questioned if they were all two-story townhouses. Andrew Mackin responded there were six-unit types on the plan. There is a ranch-style that are single-story.

Dave Haraske questioned what the square footage was. Andrew Mackin responded that the footprint is approximately 1,900 sf.

Dave Haraske questioned what the footprint of the individual units were. Kellen Kyger responded that it was 1,100 sf for a two-bed and 800 sf for a one-bed. Andrew Mackin noted the paired homes are 1,400 square feet.

Dave Haraske questioned what the three-bed unit size was. Kellan Kyger responded it was just under 1,500 sf, with a main-floor bedroom and two beds upstairs.



Dave Haraske commented that a quarter-mile walk around the middle is the same as the inside of the Amesbury High School track. There are 54 units in that area. He was concerned about the density of that. Mentally picturing that many units in that area is a lot.

Andrew Mackin commented this was a build-to-rent asset class. It is a horizontal multifamily development and 50,000 units have been built nationally. A lot of them are in the Sunbelt. Build-to-rent is the predominant product type in Phoenix. This development is trying to build the best end of this product type. This is alternative housing for the “missing middle.” The other option could be to live in a 5–6 story building. People wouldn’t have nine windows, a porch, and a private backyard with that option. This replicates a lot of the things people like about single-family homes with the maintenance-free lifestyle of renting. From a renter’s perspective, is this a better option in Amesbury? We think it is. We think it’s a product that, once complete, will be a good housing solution.

Dave Haraske commented that whatever application comes before us, we look at whether it fits in the neighborhood. Is it typical? The architecture matches, but it’s adding a little city there. We’ve been doing this for years, but the continuity of the neighborhood is an important feature for the Board, and I think we lose it here.

Kendra Amaral commented that the site has a 40-foot elevation change from front to back, but the renderings show it as effectively a level site, so we are having a hard time understanding what the resident experience would be. Can we get something that shows us the elevation, including the narrow area with actual topography?

Andrew Mackin agreed with that. From Kimball Road to the site is an 8.5% slope. They are trying to make up a big chunk of the grade change there. Then there will be a 3–4 foot terrace as you get back to the site. They can include the 3D visualization tool to help show this.

Chair Sharon McDermot questioned how tall the retaining walls were. Andrew Mackin responded that the largest goes from 4 feet to 17 feet tall. Most of the others are around 4 feet.

Kendra Amaral commented that they mentioned on the landscape plan that the patio space would be synthetic turf. It is common to see that in desert areas. How do you think that will work as a livable experience for residents? Andrew Mackin responded that a lot of row houses in Boston are converting to synthetic turf. Private backyard areas are difficult to access and expensive to maintain. Grass doesn’t survive. There will be a hose on the site to clean it. The property management team will maintain it.

Kendra Amaral questioned if it was PFAS-free? Andrew Mackin responded that there will be crushed stone under it. Jen Martel responded the material has not been specified, but there are new products on the market with less PVC in them. Grass vs. synthetic turf is a trade-off in the feel of the material, but turf requires fewer inputs with no gas mowing, fertilizer, etc.

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Chair Sharon McDermot questioned what the size of the backyard areas were. Kellen Kyger responded the concrete patio is 8 by 10 feet. The depth of yard is the depth of the unit, around 10–12 feet. Chair Sharon McDermot commented that was not a lot of area for a family.

Charles Basler commented that the turf is maintenance-free and you can walk on it all year long. You don't go through the muddy season.

Jen Martel clarified that the turf will be completely PFAS-free.

John Rogers commented that the plans contemplate building across the no-disturb zone. The whole area is covered by building structure and road. Andrew Mackin responded that area is not protected by the WPA, so filling that area is allowed. They are maintaining a 50-foot buffer from the BVW.

Charles Basler questioned if that was a vernal pool. Some people say it is and some say it's not. Andrew Mackin responded that the peer reviewer the Conservation Commission hired for the ANRAD application has not indicated it is a vernal pool. The committee report observed it at one point of the year, but it was not fully analyzed. The memo from conservation peer review suggests observing during peak season to confirm. A vernal pool is jurisdictional in Amesbury's local bylaw but not under the WPA.

Kendra Amaral questioned if they were doing stick-build or modular homes. Andrew Mackin responded that they talked to some modular builders but think stick-build is more economical. They can also build a better model with stick-build.

Chair Sharon McDermot commented on the landscape and tree removal. The MassHousing letter mentioned consideration of enhanced buffers. When you look at this proposal, there is not one consistent buffer. It's not enough. Andrew Mackin responded that they are endeavoring to maintain buffers and preserve mature trees. They are looking to supplement with evergreen trees and shrubs. It is something we are focused on working through.

Kendra Amaral commented that this plan is technically over-parked. There are more spaces than required by Amesbury code. Have you considered more parallel parking to reduce pavement width? Andrew Mackin responded that they are considering it. Nationally, the target is 1.25 spaces per bed. This comes out to 2 parking spaces per unit. They want to make sure there is an appropriate amount of parking, but they are having a dialogue with staff and the team. They are looking at ratios and perpendicular vs. parallel spaces.

Charles Basler questioned how many total beds are in the development. Andrew Mackin responded it was 154 beds.



Charles Basler questioned what the capacity of Amesbury Heights was. Nick Cracnell responded it was about 240 units. There are five buildings, ranging from 4–5 stories.

Charles Basler commented they were kind of a victim of its own success because people think single-family homes, but it's rental. Instead of this architecture, they could be looking multi-level 4–5 story apartment buildings.

Andrew Mackin confirmed that if they were consolidated it would be a 3–4 story development. From a scale perspective, it would not be appropriate.

Charles Basler commented that this architecture has a lot of challenges. There are other options that were not taken. It is designed something neighborhood-like, which leads people to think about single-family homes that residents would live in for decades. However, that's not this product; these are rentals. It is an alternative housing solution for someone who wants to downsize, or someone who wants to move to Amesbury but can't afford to buy and doesn't want a traditional apartment. It is a different product type.

Charles Basler commented that the density is the biggest issue of concern, and because of the density there is concern for the amount of hardscape and lack of aesthetic entrance and exit. The challenge is to make sure those issues can be addressed. These are big sticking points among the Board and community.

Donna Collins questioned if the 49% open space was accounted for paseos sidewalks, and tiny areas backyard areas. Andrew Mackin responded that they followed the Amesbury Zoning Ordinance definition of open space. They can take that question and come back with specifics.

Donna Collins commented that some of that was not really considered open space. Chair Sharon McDermot read the ordinance open space definition. Donna Collins commented that it just did not look like 49% open space.

Andrew Mackin commented that the goal is to improve that number as we solicit feedback. John Rogers commented that it would be good to get information back to understand what was included in the calculation at a future meeting.

Chair Sharon McDermot opened public comment.

Tony Delmonico commented that this was an investment property being marketed as a rental. They will be left holding the bill. 27 Kimball is the highest site in the area and his home sits at the lowest. The road has flooded from the stream in the past. When he purchased his property, he was instructed it was unlawful to build anything outside the footprint. Why is this development being marketed as acceptable?

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Armand Bisson of 14 Kimball Road commented that anyone who has been following me has heard my speech before. He is hanging his hat on the safety of Kimball Road for the residents who live there now and in the future. There is a project coming toward the end of Kimball Road on Meadowbrook. There will be 47 more units built there. The traffic will only increase. It is a real concern with more units coming. The residents are looking for a time to sit down eye to eye with the developer.

Geoff Seager of 15 Kimball commented that he lives in the Acadia Condos and had a lot of questions. His main concern was the density of the project. Have there been any others? They have talked about places like Phoenix and Colorado, but have there been any projects built in MA that we can look at with this density? That would show what happens 5–10 years down the road. It looks great, but what does this bring in terms of people living there? How has the place been maintained? Do they have problems with noise, light, runoff, etc.? For something of this density, we don't have anything like this now. Has this been built anywhere else in MA?

Kathy Eichenlamb commented that she has lived on Kimball Road since 1980. She has also lived in Bend, OR, where they are building like crazy. A lot of them have more open space and garages, which is great in the snow. There is always snow and ice to avoid on Kimball Road. This should be less dense. How much will they cost? Units are expensive nowadays. Ms. Eichenlamb was curious about the prices and property management located on the property, not sure if that was said.

Rick Burnelle of 6 Kimball Road commented that one of the things I keep coming back to that is staggering to me is this development coming in off Haverhill Road. How will this work? Mr. Brunelle has spent a lot of time talking to his neighbors. Every time I go by 27 Kimball and look at Dead Man's Curve it is so dangerous. The national standard for a development of this size dictates the need for more than one access. The Board should consider that liability.

Thom Connors of 18 Claire Road commented that this was a presentation of architecture and landscaping, then they got a history of architecture. They left out trees, forest, and wildlife when trying to fit in the housing. They included a ¼-mile hot-top circle and concrete walkways. They didn't talk about how many street lights will be in there. Kimball Road is dark. This is a suburban housing project. Mr. Connors grew up in Lynn and knows what a housing project looks like. He also knows what they look like when they start and 10–15 years down the line. They will wipe out 9.5 acres and flatten Kimball Road. They are proposing to put in 10 units per acre. Where do architecture and landscape fit? Mr. Connors does not see it. Mentioned new houses down the street — 8–9 beautiful homes. That contractor had to jump through hoops to put in 8 beautiful homes, not 95, because it's a 40B. This does not benefit Amesbury. People will not be paying taxes, transient in and out — just benefits the corporation.

Christopher Roberts submitted written public comment that is attached to the end of these minutes.

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Geoff Seager of 15 Kimball questioned if other projects in Amesbury impact our ratio under 40B?

Nick Cracknell responded it would not tip the scale because we are not close. Amesbury is currently at 8.5%, and is required to be at 10%. This project won't even get us to 10%. Projects like this, will make 25% of the units be affordable. Because they are rentals, all of the units would count. AES is a market-rate project with a minimal amount of affordable required under Amesbury regulations. Only 6–8 units from that project would go on the SHI. Amesbury needs about 140 units added to the SHI. All the economics change when doing a project like this. When doing an affordable housing project, they are always high density unless it's a nonprofit like 276 Main St.

Chair Sharon McDermot commented that the Board had a couple motions they'd like to make.

Chair Sharon McDermot motioned to have the applicant submit revised plans that address limits of work, grading, parking, and open space. The Board will need those submissions a week ahead of time. Seconded by Donna Collins. The motion passed unanimously by a 5-0 vote.

Charles Basler motioned to continue the peer review selection to the April 30, 2026 meeting. Seconded by Donna Collins. The motion passed unanimously by a 5-0 vote.

Charles Basler motioned to request a site visit for the Zoning Board of Appeals on Tuesday 4/28, for a full tour of the site to understand the impact of the project. There should be staking on the site as outlined in the staff report. Seconded by Donna Collins. The motion passed unanimously by a 5-0 vote.

Chair Sharon McDermot motioned for staff to get a third-party urban design peer review scope. Seconded by Donna Collins. The motion passed unanimously by a 5-0 vote.

Chair Sharon McDermot thanked the public for coming out.

Jeff Roelofs commented they were hoping to discuss the stormwater plan and traffic report at the April 30th meeting.

Nick Cracknell clarified that the Board would like any revised plans a week ahead of a meeting to afford time to review. We have gotten all the peer review quote responses this week. It is a lot of material; and we have not reviewed it as staff. That decision will be made on the 30th. Presumably on the 30th we'll have revised plans and choose a peer reviewer.

Jeff Roelofs commented that they understood they will need to submit revised materials a week in advance. It would be premature to submit revised plans next week, but would not be premature to dive into the details of the traffic study and stormwater report.



Chair Sharon McDermot questioned when they could expect revised plans. Jeff Roelofs responded that it would likely be sometime in May.

Chair Sharon McDermot questioned if they would have urban designer quotes by then. Nick Cracknell responded it will be more likely to just have a scope developed by then. Likely, they will have proposals for the May meeting.

Nick Cracknell noted that on the Zoning Board of Appeals page there is a link to this project and all related documents are housed there for anyone to look at.

Armand Bisson requested the developer host an evening to talk to the public.

Jeff Roelofs commented that Andrew Mackin mentioned at the presentation we have reserved this room April 15th from 6–8 pm for a community meeting. This will be an Opportunity to have a back-and-forth exchange. Members of the public can reach out to Andrew with questions ahead of time.

Rick Brunelle of 6 Kimball Road questioned how they could talk about traffic and stormwater without the peer review. Nick Cracknell responded that they will be presenting their plans. There will be further discussion after the peer review.

Donna Collins motioned to continue the public hearing to the April 30, 2026 ZBA meeting. Seconded by Charles Basler. The motion passed unanimously by a 5-0 vote.

Adjourn

Charles Basler motioned to adjourn the meeting at 8:52 pm. Seconded by Donna Collins. The motion passed unanimously.



Public Comment – Christopher Roberts

I live at 88 Kimball Rd. I am writing to express my extreme concerns over the **27**

Kimball Rd 40B Project.

Kimball Rd is already a high traffic dangerous street with no pedestrian sidewalks. The recent paving of Kimball Rd has turned an already busy street, with high-traffic from NH, into a dangerous raceway. I have witnessed drag-racing, motorcyclist doing stunts, cars ignoring the stop sign at Kimball & Lions Mouth, speeds in excess of 60mph in front of my property, cars unable to stay within the marked lanes, near-misses at my residence and along the street when residents of Kimball Rd are simply trying to leave their driveway. Visibility is notoriously poor, any on-street parking (even half-way on a lawn) has basically shut down the Rt. 110 end of the road. The proposed single access road for 95 units near two dangerous corners is going to overwhelm the road.

Pedestrians and bicyclist already risk their lives trying to navigate this street during daylight; 95 units and hundreds of additional people are not going to magically fix the infrastructure.

Additionally, I have seen no impact studies on the local infrastructure (gas, sewer, electricity, cable, etc.), this single project would overwhelm this sparsely populated neighborhood. Impact of increased run-off and environmental concerns are a bound with the addition of the units. The construction alone will require clearing a large section of old wood forest, whose clearing alone warrants an environmental impact study. Last I checked, we are in the Lake Attitash Watershed which limits what I, as a homeowner, can on my own property and would like to see the same amount of rigor & scrutiny applied to this new development. I have already seen a notable change in the water

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table from the last major development on this road. Any shift in the water table affects those of us with property in the low-lying areas of Kimball Rd; it will destroy our homes and our property value.

Has the impact of the additional population the development been factored into city services? The police are already understaffed, the schools are in a budget crisis, and this development will help how?

I oppose this development as currently formulated, trying to exempt itself from the environmental and permitting process the rest of us contend with.

Sincerely,

Dr. Christopher Roberts