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By City Clerk at 11:07 am, Oct 16, 2026

1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – September 14, 2026, at 7:04 PM

3. Chairman Pascal Rettig called the September 14, 2026, Planning Board meeting to order at 7:04 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. Tracey Chalifour – YES
10. Tom Salemi – YES
11. Eric Girard - YES
12. David Frick – YES
13. Pascal Rettig – YES

14. Also: Becky Frey (Community Development Coordinator)

15. **Minutes – 4-13-26**
16. Tom Salemi motioned to approve the minutes from the 4-13-26 meeting. Seconded by David Frick. The motion passed by a 6-0-1 vote. Tracey Chalifour abstained.

17. **Minutes – 4-27-26**
    Tom Salemi motioned to approve the minutes from the 4-13-26 meeting. Seconded by David Frick. The motion passed by a 6-0-1 vote. Tracey Chalifour abstained.

18. **Minutes – 7-27-26**
19. Tracey Chalifour motioned to approve the minutes from the 7-27-26 meeting. Seconded by Eric Girard. The motion passed by a 5-0-2 vote. David Frick and Joel Nice abstained.

20. **Minutes – 8-10-26**
21. David Frick motioned to approve the minutes from the 8-10-26 meeting. Seconded by Tom Salemi. The motion passed by a 6-0-1 vote. Keith Ratner abstained.

22. **Minutes – 8-24-26**

23. These were tabled to a future meeting.

24. **Continued Public Hearings – 29 Lake Attitash Road**
25. Keith Ratner motioned to continue the application for 29 Lake Attitash Road to the 10-14-26 Planning Board Meeting. Seconded by Tom Salemi. The motion passed unanimously.

26. **Continued Public Hearings – 3 Old Merrill St.**
27. Keith Ratner motioned to continue the application for 3 Old Merrill Street to the 10-14-26 Planning Board Meeting. Seconded by Eric Girard. The motion passed unanimously.

28. **Continued Public Hearings – 12 Oak Street**
29. Jim Fritz commented that he was hoping to finalize the ADU application. The design seemed to be accepted last time. The fire issue was resolved, and the building was moved slightly farther from the property line.
30. Pascal Rettig commented that the Board received some notes from staff with proposed conditions for approval. Is there anything outstanding other than those conditions?
31. Nipun Jain reviewed the conditions. The application is for a detached ADU that replaces the existing garage. The plans have been reviewed, and the final revisions reflect what was recommended as conditions of approval. The new structure will be built as submitted. The building design is a 1.5-story ADU with a specific architectural design. There will be one window on the side of the property closest to the property line. The structure will be set back at least three feet from the property line. The dormer and building materials are included in the design. A waiver from the setback requirements is being requested. The required setback for a detached structure is five feet. Other dimensional aspects are included, including a three-foot side yard and the rear and front yards. Certain landscaping and screening have been shown and incorporated as conditions of approval. The existing parking areas for the two units will be maintained. One parking area is a driveway that will be maintained for Unit 2. Tandem parking for Unit 1 will be provided off Oakland Street. Two parking spaces in front of the ADU will be separate from the parking for Unit 1.
32. Jim Fritz reviewed the conditions. He is planning to install a fence between the ADU and the yard and is more than happy to do so. He also approves of the plans.
33. Joel Nice noted that the pinch point appears to be two feet. Nipun Jain noted that it was increased to three feet. Joel Nice stated that the minimum condition would be wider elsewhere. Nipun Jain agreed.
34. Tracey Chalifour asked about exterior lighting on the ADU. Jim Fritz stated that they had not discussed lighting. He will install a light above the front door and probably one near the rear sliding door. He currently has landscape lights around his property and is not planning extensive lighting.
35. Pascal opened public comment. No one spoke.
36. Keith Ratner motioned to approve the application with the conditions outlined in the staff memo dated September 14, 2026. Seconded by Tracey Chalifour. The motion passed unanimously.
37. Keith Ratner moved to close the public hearing for 12 Oak Street. Seconded by Tracey Chalifour. The motion passed unanimously.

40. **Continued Public Hearings – Rocky Hill**
41. Tom Salemi motioned to continue the Rocky Hill applications for site plan and subdivision to the 9-28-26 Planning Board Meeting. Seconded by Joel Nice.
42. Tracey Chalifour questioned if they will have addressed everything in the memo when they return. Also, the folder does not have a list of waiver requests. Nipun Jain responded they didn't make a comprehensive list, but they are embedded in the responses. The applicant believes they have responded to all the comments. Traffic was closed out. The last memo seen from VHB says they were not going to do a further review. They have broken down responses to addressed, addressed and no further review if there is a condition, and the third category is referring back to the Board to decide.
43. Tracey Chalifour commented there are 8 items that are not resolved in the peer review document. The Board should be zeroing in on the outstanding items. Pascal Rettig commented that the memo stated they would be a Board decision. Nipun Jain commented that the applicant is not submitting anything additional.
44. David Frick noted just because they have a draft decision doesn't mean the Board can't discuss or raise items at the next meeting.
45. Nipun Jain commented that it was a complicated project in scale and complexity. The Board should review and focus on key issues.
46. The motion passed unanimously.

47. **Continued Public Hearings – 28 Haverhill Road**
48. David Frick motioned to continue the hearing for 28 Haverhill Road to the 9-28-26 Planning Board meeting. Seconded by Keith Ratner. The motion passed unanimously.

49. **New Public Hearings – 4 Lake Attitash Road**
50. Nipun Jain read the legal ad into the record.
51. William Holt presented for the applicant, Matt Curley. The existing conditions include a house with roof overhangs totaling 1,207 sf, an enclosed porch, and several impervious areas with concrete blocks and a patio. The total impervious area is 1,325 sf. The proposal is to raze the house and construct a new single-family home (SFH) with smaller overhangs. There are a couple of decks at the front of the road. The proposed house area is 1,151 sf, which is less than the existing impervious area. The total existing impervious area is 1,325 sf, and the proposal is for 1,151 sf, resulting in a decrease in impervious area. The lot is currently 22.4% impervious, and the proposal would reduce that to 19%. Two parking spaces will be created. The area is currently all grass. Porous pavers will be installed for the parking area to prevent runoff. Roof runoff will be directed to a dripstone trench below, where it will infiltrate. The house was moved 4.5 feet toward the street and away from the lake. In consultation with Conservation, they requested moving the house to meet the 50-foot side setback. The proposed setback is now 50.3 feet. The side setbacks have increased with this move. The front setback has decreased but still meets the front setback requirements. Soil testing was conducted for infiltration, and construction plans required by Conservation are also being proposed. All utilities will remain the same. Drainage

calculations were also completed for the 100-year storm, showing a decrease in overall volume and runoff.

52. Pascal Rettig asked about the livable area of the house and what it would be after construction. Matt Curley stated that the livable area would be the same on the first floor. The second floor would be a mirror image of the first floor. Pascal Rettig noted that the existing house is tiny, but the impervious area is not changing, despite the intensification of the property's use. The current house is very small. Matt Curley stated that the existing first floor is 1,080 sf, with 300 sf on the second floor, and the proposal is to increase the second floor to 1,080 sf, mirroring the first floor.
53. Nipun Jain asked whether the enclosed porch was seasonal or conditioned space. Matt Curley stated that it is considered seasonal and is not heated. Nipun Jain asked whether the existing structure contains 900 sf of habitable space. Matt Curley confirmed that it has been used as part of the existing house but is not heated. Nipun Jain noted that the main house appears to be a central core with lean-tos and a seasonal porch added over time. This proposal would change that. It was not clear from the drawings what was being proposed.
54. Pascal Rettig noted that the proposal would increase the house from the size of an ADU to a 2,000-sf home. Matt Curley agreed but stated that it would be in line with the rest of the neighborhood.
55. Nipun Jain asked whether there would be a basement or attic. Matt Curley stated that there would be no basement, only a crawl space, and that the attic would be unfinished.
56. David Frick noted the applicant was proposing to maintain the existing square footage on one floor but build two stories without increasing the impervious area. He asked what the issue was. Nipun Jain stated that there was no issue with increasing the square footage, but they should have accurate documentation of the existing building envelope.
57. Matt Curley stated that the first floor's living space should be 1,700 sf. He explained that preparing highly detailed plans would involve significant costs. He did not want to submit the application and then have objections raised. Pascal Rettig stated that the proposal was reasonable but it needed to go before the DRC, with detailed plans. The Board could provide feedback on any objections at this stage. The goal was to understand the project.
58. Nipun Jain stated that projects are typically sent to the TRC and DRC. For the applicants' clarification, even projects involving ADUs are asked to submit architectural drawings. When a project must go before various committees, the Board specifies what is needed to obtain proper feedback. Staff can help with the drawings. Regarding engineering, coordination with the Conservation Commission will be necessary.
59. Pascal Rettig expressed concern about using porous pavers directly adjacent to the driveway. Joel Nice stated that those pavers are not truly pervious and that water would run off them. He was concerned about sheet runoff and noted that the land contours were unknown, making it difficult to determine how runoff would behave on the site. A stormwater runoff design, potentially including an underground storage detention system, would be helpful. Overall, the comments were appropriate for the neighborhood. It would be worthwhile to obtain drawings and proceed to the TRC and DRC. The project was not considered too large, but it needed to be properly engineered to accommodate its size.

60. David Frick appreciated the increased setback from the lake and the improvements to the setbacks. The general concept of reducing the impervious area was positive. Staff could assist with the process.
61. Joel Nice asked whether the space shown on the older plan for a dump truck and excavator was intended for parking or construction logistics. Matt Curley stated that it was for construction.
62. Pascal Rettig asked about the access easement next to the property. David Frick asked who owned it. William Holt explained that the accessways serve all the lots and cannot be built upon. Matt Curley stated that there was no intention to include that area in the project. Pascal Rettig asked whether the side setback was measured from the accessway. William Holt stated that the accessway must remain open.
63. Nipun Jain noted that this situation is typically seen on paper streets. When a street is not owned in fee by an entity, abutting owners generally own to the middle of the right-of-way. Setbacks are measured from the edge of the right-of-way. This would change the setback from 2.5 feet to 4 feet. The applicant should check with the Building Department to determine whether any relief is needed and confirm the requirements. Matt Curley stated that he had already spoken with the Building Department during the process and that they were satisfied.
64. Nipun Jain asked about the widest portion of the site available for vehicle access. William Holt stated that the property has 12.25 feet of frontage and that the proposed driveway is 6 feet wide. The entire lot slopes from Lake Attitash Road toward the lake. Nipun Jain noted that the proposed driveway entrance appeared to make it difficult for a car to enter and exit when two cars were parked there. There would be very little room to maneuver two cars, making access difficult, and this needed further detail. William Holt stated that the parking spaces would be 20 feet wide and 20 feet deep, allowing cars to park side by side. He believed the cars could make the turns and offered to show how this would work. Matt Curley added that this was also how parking was currently being used.
65. Nipun Jain commented that the parking could be rearranged to make it more accessible. The space was sufficient, but not in the configuration it is shown.
66. Eric Griard commented that he lives in the general area and noted that people use creative parking arrangements. The street view did not show much space, but the parking area extended significantly beyond the pole, behind the shrubs and bushes. More detail would help clarify where the parking area was located relative to the property boundaries. He did not see any problem with the proposal but would like to see additional details.
67. Joel Nice noted the existing cobblestone walkway in the right-of-way and asked whether it would be removed and a new curb installed. He stated that it would be difficult for cars to access the property without the existing conditions. Matt Curley stated that the plan was to remove it and that the project involved the road right-of-way. The neighborhood accessway did not extend to the road right-of-way. He had spoken with the DPW and explained that the street right-of-way extended 5 or 6 feet from the road, followed by the neighborhood accessway. Nipun Jain noted that the pavers were in the public right-of-way and stated that pavers could not be installed there. Matt Curley stated that the DPW had told him to pave up to the property line. Nipun Jain clarified that the area between the pole and the current edge of pavement consisted of pavers.

68. Keith Ratner stated that the stormwater situation needed to be reviewed generally, including how water would flow through the site and whether permeable pavers would help mitigate runoff.
69. David Frick mentioned that a gentleman near Alliance Park had installed pervious pavers and suggested asking the DPW whether this would be permitted. Nipun Jain stated that the subdivision regulations and city right-of-way standards do not allow pavers in the right-of-way. He was pointing out that the proposal did not meet the standards; if the DPW wished to allow it, they could do so with a memo.
70. Pascal Rettig asked about the next steps for the stormwater review. Nipun Jain stated that staff could handle it internally. The parking layout and vehicle access needed to be addressed to ensure that the design accommodated two cars. David Frick asked about the space between the pole and the post. William Holt stated that the frontage was 12.5 feet and the driveway was 10 feet wide. David Frick asked about the pavers at the property edge and the relationship between the driveway and the right-of-way. Matt Curley stated that the pole and bushes marked the edge of the right-of-way. Two cars could park there, but only one could exit at a time.
71. Pascal Rettig outlined the next steps: the project would go before the DRC and TRC, and staff would review the stormwater plan. Nipun Jain suggested reconsidering the use of permeable pavers if runoff could be mitigated through another method, which might be a more practical solution.
72. Pascal Rettig stated that there were no strong objections to the project in principle and that the next steps were to proceed to the DRC and TRC and work with staff.
73. Pascal Rettig opened the floor for public comment. No one spoke.
74. Tracey Chalifour motioned to continue the matter to the October 14, 2026 Planning Board meeting. Seconded by Tom Salemi. The motion passed unanimously.

75. Pascal Rettig called for a one-minute break.

76. **New Public Hearings – 2-4 Elmwood Street**
77. Nipun Jain read the legal ad into the record.
78. Magdiel Mathias, owner and applicant of 2–4 Elmwood St., stated that the property currently contains an existing two-family structure and an accessory structure. The proposed plan subdivides the property into two residential lots. Lot 1 will contain the existing historic structure, and Lot 2 will contain a proposed new single-family home (SFH) with a one-car garage. The intent is to maintain the existing historic structure while creating a new lot. Repairs to the existing sidewalk, landscaping, decks, patio, and other site improvements will be made in accordance with the approved plan. Because of the historical significance of the existing structure, an HSP approved by the Historical Commission will be placed on the historic residential building and will remain in effect in perpetuity. The Board previously granted a site plan and special permit in accordance with the approved plans. The next step in the preservation process is to submit the plans to the Commonwealth for review and endorsement. Tonight, the applicant is respectfully requesting approval of the definitive subdivision plan for 2–4 Elmwood St.

79. Pascal Rettig reviewed the staff notes recommending approval subject to four conditions. Nipun Jain commented that Magdiel provided a good overview of the project. One important aspect is that the two lots being created lack the required frontage, which is why they do not qualify for approval under the ANR process. The Board needs to acknowledge and waive the frontage requirements for the subdivision, with 73.5 feet for Lot 1 and 58.5 feet for Lot 2. Otherwise, the project was well presented. The conditions require a covenant. A covenant is already included in the special permit, site plan, and HSP restrictions. The waivers to the frontage requirements are subject to the new house and improvements being consistent with the previously approved special permit.
80. Joel Nice asked about the current phase of the project. Magdiel Mathias stated that certain requirements had been completed for 2 Elmwood St.
81. Tom Salemi asked whether the preservation restriction would apply to future owners and whether it would be tied to the property. Nipun Jain stated that it should be incorporated into the property deeds and reference the decision. A plaque is supposed to be placed on each historic structure. This will be noted on the subdivision plan and site plan. The historic preservation restriction is also on record.
82. Tom Salemi asked about the timeline. Magdiel Mathais stated that he would update the CMMP and that the project would take approximately five to six months.
83. Joel Nice asked whether the building had asbestos shingles. Magdiel Mathias responded it did not. Nipun Jain stated that most of the exterior improvements had been completed. The goal is to ensure that the building envelope for the new structure is established.
84. David Frick motioned to approve the subdivision plan for 2-4 Elmwood St., subject to the four conditions in the memo dated September 14, 2026. Seconded by Joel Nice. The motion passed unanimously.
85. Pascal opened the floor for public comment. No one spoke.
86. Keith Ratner motioned to close the public hearing. Seconded by David Frick. The motion passed unanimously.
87.
88. **Administrative – Community Preservation Committee**
89. Joel Nice, is the CPC liaison, and reminded the Board that the public portion of the CPA meeting would take place on September 23, 2026 at 5:30 p.m. to receive public comments. The application materials are essentially prepared, including a document explaining what the CPA is, the pre-application form, and the application form. Public comments will be accepted, and projects will be added to future agendas for presentations. The goal is to have applications submitted before the end of the year, although some may extend into early next year.
90. David Frick asked what percentage of taxes would be collected. Joel Nice stated that the surcharge would be 1% and would generate approximately $600,000. The funds would receive a 16% state match. David Frick encouraged the Board to look for public projects. Joel Nice agreed, noting that various groups had presented projects related to recreation, housing, and other eligible categories. He looked forward to reviewing the proposals.
91. Tracey Chalifour asked whether funds could be awarded in the first year. Joel Nice confirmed that they could.

92. Tracey Chalifour asked about the Master Plan. Pascal Rettig stated that there were no updates. Nipun Jain said they needed to sit down and discuss a couple of mapping items.

93. **Adjournment**
94. Tom Salemi motioned to adjourn at 8:42 pm. Seconded by Keith Ratner. The motion passed unanimously.