



Stantec Consulting Services Inc.
5 Dartmouth Drive, Suite 200, Auburn NH 03032

August 28, 2024
File 179450869

Amesbury Planning Board
Attn: Mr. Pascal Rettig, Chairman, and
Amesbury Community & Economic Development
Attn: Mr. Nipun Jain, Director of Planning
39 South Hunt Road - Amesbury, MA 01913

Cc: Amesbury Department of Public Works
Attn: Mr. Joseph Buckley, PE – Director

**Reference: Site Plan and Two Special Permit Application Third Peer Review
For two sites located upon Assessor Map 88, Lots 1 and 82 at
2-14 and 13 Merrimac Street – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

Dear Mr. Rettig and Mr. Jain:

As requested, Stantec Consulting Services, Inc. (Stantec) has conducted a second review of the site plan application information relative to the Zoning Bylaws Section XI.C for the proposed development at 14 & 13 Merrimac Street. The review was based primarily on plans and supporting documents/information provided to Stantec by the Applicant's engineer – Millennium Engineering, Inc. in response to Stantec's June 13, 2024 peer review and includes:

1. Landscape Site Plan (9 sheets) prepared by Seger Architects; Inc. dated July 15, 2024 and August 16, 2024;
2. Long – Term Pollution Prevention and Operations and Maintenance Plan dated July 24, 2024 and revised August 19, 2024 prepared by Millennium Engineering, Inc.;
3. Pollution Prevention and Operations and Maintenance Plan – Construction Phase dated July 24, 2024 and revised August 19, 2024 prepared by Millennium Engineering, Inc.;
4. Copy of letter to Mr. Pascal Rettig, Chairman relative to response to peer review comments dated August 19, 2024 prepared by Millennium Engineering, Inc.;
5. Copy of letter to Mr. Pascal Rettig, Chairman relative to Waiver Request dated July 24, 2024 prepared by Millennium Engineering, Inc.;
6. Proposed Site Plan Marina at Amesbury Point in Amesbury MA, March 2024 plan set last revised 8/19/24 by Millennium Engineering, Inc.;
7. Stormwater Management Report for the Marina at Amesbury Point dated March 11, 2024 and last revised on August 19, 2024 prepared by Millennium Engineering, Inc.;

As noted previously, a review of the Transportation Impact Assessment (TIA) was not conducted. It is our understanding the review of the revised project landscaping, lighting, and signs will be conducted by the Community & Economic Development Department.

As noted previously, the Applicant's submission proposes to redevelop the existing marina site at 2-14 Merrimac Street located along the westerly edge of the Pow Wow River as it flows to the Merrimack River. The submitted plans indicate most of the marina site is located within the 100-year floodplain. The submitted site plans and information indicate the redevelopment would demolish all the existing buildings except one and proposes to construct a new marina clubhouse building and separate restaurant building with an associated parking lot and utility connections. The proposed restaurant use on the parcel requires a special permit and the site development in



August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 2 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

the floodplain requires a special permit. In addition, the project proposes to construct additional parking for marina patrons and employees across the street from the redevelopment site upon an existing residential lot at 13 Merrimac Street (lot 82). This lot is located above the 100-year floodplain.

Based upon the Applicant's submission noted above in response to the August 8, 2024 second review letter, we offer the following general comments in the format of retaining the original comment when needed, *noting the Applicant's response (italics)*, providing our subsequent response from the August 8th letter, *noting the Applicant's response (italics)*, and providing our **subsequent comment (bold)** as needed:

Site Plan Application:

1. The project proposes to demolish the existing marina building, an existing dwelling, and an existing large garage on the site and the existing conditions plan appear to indicate existing utilities that cross the property could be impacted by the proposed demolition. The Applicant should identify, verify, and provide supporting information that the proposed demolition work does not impact existing utilities. We recommend that a demolition plan be provided for any utilities that would be removed under this project to clarify the limits of work.

Noted. The applicant will review and address accordingly.

We recommend a demolition plan be provided for this project.

A Demolition Plan has been added to the plan set.

Please update the new demolition plan to indicate the existing utilities to be removed under the project as previously requested. This could be a condition of approval.

2. **Comment previously addressed.**
3. The project proposes impacts to Merrimac Street including the construction of sidewalks and curbing, reconstruction of sidewalks, installation of a cross walk, and construction of utilities in the roadway to serve the new development. We note the design indicates a portion of the abutting boat launch access from Merrimac Street will be blocked and removed by the Applicant's proposed sidewalk design (see photos 1 and 2). We recommend the Applicant verify the proposed improvements within the City's roadway, impacts to the existing boat launch access, and impacts to existing utilities shown on site meets approval of the Department of Public Works by obtaining approval documentation from the Department for inclusion in the Planning Board's project file.

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 3 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

The Location of sidewalks, curbing, and crosswalks within the right of way have been review/coordinated with the city. Any construction within the city's right of way will be coordinated with the city's future plan for the public boat ramp.

The revised site plan indicates additional disturbance to Merrimac Street for the proposed sidewalk and curbing along Merrimac Street to Main Street that does not appear to be addressed/discussed in the updated stormwater report. We note the crosswalk has been relocated southwesterly along Merrimac Street with this submission and upstream of the existing catch basins. The relocated sidewalk is labeled as a "raised crosswalk", but a detail was absent from the submission. If this is truly a raised/elevated sidewalk, the location would appear to create a "dam" along flow path of the Merrimac Street stormwater along the edge of curb and potentially create ponding where there is currently none. The new cross walk may also be less visible for traffic heading southwesterly along Merrimac Street. We recommend the Applicant obtain documentation from the Department of Public Work relative to the coordination and general acceptance of the proposed improvements on the plans for inclusion in the Planning Board's project file.

We are committed to working with the City to integrate the final design of the crosswalk with the final design of the City's boat ramp.

We recommend the Applicant obtain documentation from the Department of Public Work relative to the coordination and general acceptance of the proposed improvements on the plans for inclusion in the Planning Board's project file. This could be a condition of approval.

4. The proposed sidewalk at 13 Merrimac Street appears to be constructed to the building foundation (see photos 3-5). Please provide an enlarged detail of these improvements to demonstrate the sidewalk is within the right of way and does not impact the existing building that is noted to remain. The proposed Merrimac Street sidewalk and cross walk design shall meet the approval of the Department of Public Works.

The proposed sidewalk location has been coordinated with the city. The owner of 13 Merrimac Street is the same as the marina and accepts proposed locations.

We recommend the Applicant obtain documentation from the Department of Public Work relative to the coordination and general acceptance of the proposed improvements on the plans for inclusion in the Planning Board's project file.

The addition of the curb and sidewalk to be coordinated with DPW and the owner of 13 Merrimac Street.

We recommend the Applicant obtain documentation from the Department of Public Work relative to the coordination and general acceptance of the proposed improvements on the plans for inclusion in the Planning Board's project file. This could be a condition of approval.

5. **The Applicant has submitted a written waiver request for the parking requirements for Planning Board consideration.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 4 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

6. The Applicant is proposing a retaining wall at the northwesterly corner of the site at the height of 5.5 feet which is considered a structure. It appears the proposed excavation and soil removal to construct the wall would impact the existing embankment of the Merrimac Street roadway and could undermine the existing roadway (see photo 6). A slope easement does not appear to be shown on the existing condition plans for maintenance of the roadway embankment. We would anticipate the retaining wall construction requiring over excavation and likely tiebacks that would further impact the roadway embankment. However, a detail of the proposed retaining construction was not included in the submission. We recommend the Applicant revise the design to replace the retaining wall at the toe of the existing slope to reduce the height to so as to not be considered a structure and that the wall is not placed closer to the property line than currently exists.

The retaining wall is self-supporting (Shea Block), and the location of the wall has been reviewed with the city and located with their guidance.

A segmental block retaining wall detail has been added to detail sheet C-9.

The revised design includes additional retaining wall construction along both Merrimac and Main Streets that totals to approximately 270 feet in length with heights varying up to 6.5 feet. The retaining wall location along Merrimac Street appears to be 3 feet from the property line and the entire wall is located within the building setbacks. The proposed structure would appear to require a variance. We recommend the Applicant discuss the revised wall design with the Board and update as acceptable to the Board.

Per discussions with Inspectional Services, the construction of the wall in this location would not require a variance but would require a building permit.

We recommend the Board consider the design of the proposed retaining walls which could be a condition of approval for this project.

7. We recommend Applicant address/clarify the following on a revised existing conditions plan submission:
 - a. **Comment previously addressed.**
 - b. **Comment previously addressed**
 - c. **Comment previously addressed.**
 - d. **Comment addressed with revised submission.**
 - e. **Comment addressed with revised submission.**
 - f. **Comment addressed with revised submission.**
 - g. **Comment addressed with revised submission.**
 - h. **Comment addressed with revised submission.**
 - i. **Comment previously addressed.**
 - j. **Comment addressed with revised submission.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 5 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

- k. **Comment previously addressed**
- 8. **Comment previously addressed.**
- 9. General comments relative to the Site Plan, Grading and Drainage, and Utility Plan information. We recommend the Applicant address/clarify the following on the revised plan submissions:
 - a. **Comment previously addressed.**
 - b. **Comment previously addressed**
 - c. It is unclear how access to the indicated dumpster would occur for service vehicles. Please provide details of the dumpster (volume, size, and height) and additional supporting information on how the dumpster will be serviced by vehicles. Please clarify how screening will be provided and details for the concrete pad. The Applicant should review and consider other locations as acceptable to the Planning Board.

The dumpster will be on wheels and pulled out from under the building during a trash pick up

Please provide details of the dumpster (volume, size, and height) and clarify how screening will be provided and details for the concrete pad.

The proposed dumpster pad is 8'x10'. Screening is shown on the Architectural plans. The final details will be provided in the final building permit submission.

We recommend the Board consider the final design of the proposed dumpster pad and screening which could be a condition of approval for this project.
- d. **Comment previously addressed.**
- e. **Comment addressed with revised submission**
- f. **Comment addressed with revised submission**
- g. **Comment addressed with revised submission**
- h. **Comment previously addressed.**
- i. **Comment previously addressed.**
- j. **Comment addressed with revised submission**
- k. **Comment previously addressed.**
- l. **Comment previously addressed.**
- m. **Comment addressed with revised submission**
- n. **Comment previously addressed.**
- o. **Comment previously addressed.**
- p. **Comment addressed with revised submission.**
- q. **The Applicant has submitted a written waiver request for the proposed drainage pipe type requirements for Planning Board consideration.**
- r. **The Applicant has submitted a written waiver request for the proposed drainage pipe cover requirements for Planning Board consideration.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 6 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

- s. The Applicant's information did not include calculations to support the proposed sewer system flow or minimum sewer flow pipe velocities per the specific design and construction standards of Sections 8.09.1 and 2 of the Amesbury Subdivision Rules and Regulations referenced under Section XI.C.8.p of the Bylaws. The Applicant's design includes a new connection to the existing building is to occur. The Applicant should provide detailed information on the proposed sewer flow from each building and supporting calculations for review in accordance with the regulations.

MEI has revised the utility plan to include proposed sewer flows. In addition, a separate attachment has been provided for sewer pipe velocity calculations

The Applicant should provide documentation from the DPW that the submitted sewer information is acceptable for inclusion in the Planning Board project file.

The applicant will obtain approval prior to making the connection.

Which could

We recommend the Board consider the design of the proposed sewer connections be a condition of approval for this project.

- t. **Comment previously addressed.**

- u. The Applicant's design information did not include sewer profiles to identify minimum cover depths, and any potential of utility conflicts consistent with the specific design and construction standards of Section 8.09 of the Amesbury Subdivision Rules and Regulations referenced under Section XI.C.8.p of the Bylaws. The Applicant should provide this information in the updated project plan set.

MEI has revised the plans to include utility profiles.

The submission does not include a sewer profile for the sewer service shown to the existing building. The plan set should be updated accordingly.

A profile of the sewer service has been added to Sheet C-7.

The updated sewer profile information indicates the proposed sewer service would have less than 6 feet of cover over the pipe under pavement. We recommend the Applicant indicate and provide insulation for all paved locations with less than 6 feet of cover and meeting approval of the Department of Public Works (DPW). A detail for the insulated pipe should be included in the plan set. We recommend the Board consider the approval of the proposed sewer connections by DPW which could be a condition of approval for this project.

- v. **Comment previously addressed.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 7 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

- w. The utility plan notes the water line would enter the proposed buildings that appears to be constructed on piers. In addition, the plan does not indicate any power and telephone/communications services would be provided to the proposed buildings. We note the existing services (electric, etc.) of the existing building are unclear and if improvements within the existing building are proposed for the indicated sewer and water connections. Also, we note the existing buildings were serviced with gas, but the plans do not address if gas would be provided for the proposed buildings or existing building. The Applicant should provide additional information to clarify how the proposed utility designs would be provided and have addressed XII.F.2.e of the bylaws. Please include all appropriate details for proper construction.

All utilities will exit the habitable level to grade and be place subsurface to a depth noted on the civil design drawings. All utilities will be in tempered chase structures to protect from the elements. Gas would be provided for future restaurant cooking appliances only.

Please provide construction details in the next submission.

The final detail of the utility chases will be shown on the final Architectural Plans to be submitted for the Building Permit.

We recommend the Board consider the approval of the final details for the proposed utility chases which could be be a condition of approval for this project.

- x. We recommend the Applicant coordinate with the Fire Department and Department of Public Works to determine if an on-site hydrant at the end of the 6" water main extension is appropriate for this project.

The applicant will contact the fire department to determine if a hydrant is needed at the end of the 6" main.

Please update per the Fire Department determination.

We have presented the current plan at several Technical Review Committee meetings and no comments from the Fire Department have been received.

We recommend the Board consider the determination if a hydrant is needed at the end of the 6" main by the Fire Department which could be a condition of approval for this project.

- y. **Comment previously addressed.**
z. **Comment previously addressed.**
aa. **Comment addressed with revised submission.**
bb. **Comment addressed with revised submission.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 8 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

10. We note that several details do not appear to be provided in the submission for consideration by the Board. We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items:

- a. **Comment addressed with revised submission;**
- b. **Comment addressed with revised submission.**
- c. **Comment addressed with revised submission.**
- d. **Comment addressed with revised submission.**
- e. **Comment addressed with revised submission.**
- f. **Comment addressed with revised submission.**

- g. Crushed stone surface area;

We are still working with DRC on the final materials for several aspects of the project. We would request that a condition be incorporated into the final decision requiring a final plan showing the requested landscaping details be submitted to the City for review and approval.

Please update the plan set accordingly with the acceptable detail.

It is our opinion that these items are not critical to the approval of the Site Plan. Final details will be provided prior to the start of construction.

We recommend the Board consider the approval of the crushed stone surface area final detail which could be a condition of approval for this project.

- h. **Comment addressed with revised submission.**
- i. **Comment addressed with revised submission.**

- j. Boardwalk;

We are still working with DRC on the final materials for several aspects of the project. We would request that a condition be incorporated into the final decision requiring a final plan showing the requested landscaping details be submitted to the City for review and approval.

Please update the plan set accordingly with the acceptable detail.

It is our opinion that these items are not critical to the approval of the Site Plan. Final details will be provided prior to the start of construction.

We recommend the Board consider the submission of a boardwalk final detail which could be a condition of approval for this project.

- k. **Comment addressed with revised submission.**
- l. **Comment previously addressed.**
- m. **Comment previously addressed.**
- n. **Comment previously addressed.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 9 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

11. The Applicant has provided a stormwater management report for the project. We note the following general concerns:

- a. Standard 1: The Applicant proposes new paved driveway and parking along the westerly side of the site that will create sheet flow discharge towards the Merrimack River. The design does not appear to provide treatment for this new pavement and does not appear to meet standard 1. The Applicant should review and provide treatment for this new pavement discharge to meet compliance with standard 1.

Response: This portion of the site is currently paved and flows directly to the Merrimack River. The entire site flows untreated to either the Merrimack or Powwow Rivers. We strongly disagree that this is a new untreated discharge as it is currently untreated and discharges to the same location. While this area is not being directed to a BMP, it is directed towards a relatively flat area of pea stone which will provide some treatment before reaching the river.

Response acknowledged.

No response required.

- b. **Comment previously addressed.**
- c. **Comment previously addressed.**
- d. Standard 2: The proposed site features in the report does not identify/discuss the proposed sidewalk widening and sidewalk construction in Merrimac Street including the changes to the access for the boat ramp. In addition, the analysis does not address the changes to Merrimac Street and impacts to the City existing stormwater system. The analysis and calculations should be revised to address the work in Merrimac Street and demonstrate compliance is achieved. – no increase in runoff.

Response: The proposed sidewalk changes along Merrimac Street and access to the boat ramp were incorporated per the city's request. Note 5 has been added to Sheet C-4 noting the net decrease of 415 s.f. of impervious area.

The submission does not include supporting documentation from the City acknowledging the work in Merrimac Street or supporting documentation to clarify how the noted net decrease of impervious area was determined. The report information should be updated accordingly.

It is our opinion that these items are not critical to the approval of the Site Plan. Final details will be provided prior to the start of construction.

We recommend the Board consider the submission of supporting documentation and clarification relative to how the noted net decrease of impervious area was determined that demonstrates compliance. This could be a condition of approval for this project.

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 10 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

- e. **Comment addressed with revised submission.**
- f. **Comment previously addressed.**
- g. **Comment previously addressed.**
- h. **Comment addressed with revised submission.**
- i. **Comment previously addressed.**
- j. **Comment previously addressed.**
- k. **Comment addressed with revised submission.**
- l. **Comment addressed with revised submission.**

- m. Standard 4: The report includes a Long Term Pollution Prevention and Operations and Maintenance Plan document that is undated. We recommend the Applicant clarify/address the following relative to the document:
 - 1. **Comment previously addressed.**

 - 2. Please clarify/address the following in the Post Construction BMP's that is part of Standard 4, which appear to be absent and typically includes the following:
 - A. **Comment addressed with revised submission.**
 - B. **Comment addressed with revised submission.**
 - C. **Comment addressed with revised submission.**

 - D. Requirements for routine inspections and maintenance of stormwater BMPs and checklist that identifies each BMP(provide O&M manuals for all systems);

The O and M Manual has been revised.

The current BMPS are updated, but additional BMPs are needed - See response noted in A above.

The O and M Manual has been revised.

Please update/expand the Stormwater System Inspection Report form in the Long-Term Pollution Prevention and Operation and Maintenance Plan to identify each stormwater facility (i.e. CB1, CB2, etc.) labeled on the accompanying O&M plan and include street sweeping and lawn care consistent with the items associated with O&M description to ensure/document that each of the BMPs will be inspected. This could be a condition of approval.

- E. **Comment addressed with revised submission.**
- F. **Comment addressed with revised submission.**
- G. **Comment addressed with revised submission.**
- H. **Comment addressed with revised submission.**
- I. **Comment addressed with revised submission.**
- J. **Comment addressed with revised submission.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 11 of 14

Reference: **Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street**
 Assessor Map 88, Lots 1 and 82 – Amesbury, MA
 Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC

- K. **Comment addressed with revised submission.**
- L. **Comment addressed with revised submission.**
- M. **Comment addressed with revised submission.**
- N. **Comment addressed with revised submission.**
- O. **Comment addressed with revised submission.**
- 3. **Comment addressed with revised submission.**
- n. **Comment addressed with revised submission.**
- o. **Comment addressed with revised submission.**
- p. **Comment addressed with revised submission.**
- q. Standard 8: The report includes a document noted as Erosion and Sediment Control BMP's but does not reference the plans and details. We note this section also indicates the project is subject to an EPA Construction General Permit (CGP) and SWPPP has not been prepared or provided. We recommend the Applicant clarify/address the following relative to standard 8:
 - 1. **Comment addressed with revised submission.**
 - 2. Names of Persons or Entity Responsible for Plan Compliance with the erosion and sediment control plan;

This information will be included in the SWPPP.

A SWPPP should be part of the Conditions of Approval for this project.

We are agreeable that a condition require a SWPPP be filed prior to the start of any land disturbance.

A SWPPP should be part of the Conditions of Approval for this project.

- 3. Identify temporary sediment basin areas and provide detail drawings and specifications for erosion control BMPs, including sizing calculations;

A sediment basin has been added to Sheet C-8 and a detail of the basin has been added to Sheet C-13.

The use of the permanent stormwater basin is not recommended as a temporary sediment basin and especially located adjacent to the river and the design should be revised accordingly. The construction of the proposed rain garden needs to occur prior to directing stormwater from upstream stabilized areas to it. This cannot occur while it is actively being used for other purposes.

While we understand the comment, it is our opinion this may be the best possible location to be able to collect any runoff during the construction phase. The existing and proposed grades for the site generally direct runoff to this location from the majority

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 12 of 14

Reference: **Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street**
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC

of the site. Further, due to the grades of the site, pulling the basin away from the river moves it upgradient of potential runoff. The plan for the construction of the site is to have as little earth disturbance as possible. First the building will be demolished, foundations/piers installed, utilities installed, and then the pavement will be removed, re-graded, and paved. The intent is not to clear the entire site of the existing pavement at the start and leave it in those conditions for a long period of time.

We repeat our previous comment that the use of the permanent stormwater basin is not recommended as a temporary sediment basin and especially since it is located adjacent to the river. The design should be revised accordingly. The construction of the proposed rain garden needs to occur prior to directing stormwater from upstream stabilized areas to it. This cannot occur while it is actively being used for other purposes. This could be included in the SWPPP document which could be a condition of approval.

4. Construction Sequencing Plan;

Construction sequencing has been added to Sheet C-12

Construction sequencing is missing from sheet C-12. This information is more appropriate for sheet 8 – Sediment and Erosion Control Plan. Please update the plan set accordingly.

The Construction Sequencing has been added to Sheet C-8.

Please update the construction sequence on sheet C-9 to include and identify when the proposed building foundations/piers will be constructed. This could be a condition of approval.

- 5. **Comment addressed with revised submission.**
- 6. **Comment previously addressed.**
- 7. **Comment previously addressed.**
- 8. **Comment previously addressed.**
- r. **Comment previously addressed.**
- s. **Comment previously addressed.**
- 12. **Comment addressed with revised submission.**

Other information for Planning Board Consideration under a Special Permit:

- 1. Special Permit under Section XII.F of the Bylaws:
 - A. The submission includes colored plans of the Applicant's determination of flood storage for the existing and proposed conditions. We recommend the Applicant clarify/address the following relative to the submitted plans:
 - 1. **Comment previously addressed.**

August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 13 of 14

Reference: **Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street**
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC

2. The existing plan implies the existing buildings are floodproofed by the lack of color, but documentation that the existing buildings are floodproofed was absent from the submission. Based upon a site visit (see photos 11-14), it appears only the existing dwelling with the retaining wall may meet this criteria, but spot elevations of the wall and floor elevations were absent for the submission. Please review and provide additional information that supports the information presented on the existing conditions plan.

We disagree with this statement. If the existing buildings were not constructed in a manner to allow flood water to freely enter and exit the building, we would consider that as available flood storage. Where these buildings have not, we do not agree that this should be counted as available flood storage. The average grade at the top of the retaining wall around the dwelling is 11.3 with the lowest elevation of 10.91

Response acknowledged.

No response required.

3. **Comment previously addressed.**
4. **Comment previously addressed.**
5. **Comment previously addressed.**
6. **Comment previously addressed.**
7. Upon revision to address the above, please demonstrate that the proposed development will comply with XII.F2.g.

Adequate compensatory flood storage has been provided. The plans have been certified by a professional engineer.

Response acknowledged.

No response required.

2. The submission does not address if some of the marina boat spaces would be converted to provide public boat access to the restaurant. The Applicant should consider this as an alternative relative to the required parking for the project noted above, and as appropriate and acceptable to the Board.

Under the chapter 91 license there are a few marina boat spaces provided for public boat access. These spaces have not been included in the parking calculations. However, should the planning board deem the boat spaces appropriate/acceptable, they may be added to the parking calculation.

Response acknowledged.

No response required.

3. The Applicant has submitted an NOI application to the Conservation Commission and DEP for this project that is currently under consideration by the Commission and DEP.



August 28, 2024

Amesbury Planning Board &

Amesbury Community and Economic Development

Attn: Mr. Pascal Rettig & Mr. Nipun Jain

Page 14 of 14

**Reference: Third Peer Review of Site Plan Application for 2-14 & 13 Merrimac Street
Assessor Map 88, Lots 1 and 82 – Amesbury, MA
Applicants: 14 Merrimac Street LLC and 13 Merrimac Street LLC**

No response necessary.

4. The project proposes changes to the existing marina site that alters the marina building location, introduces non-marina uses to the site, and appears to require an update to the Chapter 91 license. The submitted information does not address this issue or address if a separate chapter 91 license or modification is to be obtained under this application. The Applicant should provide additional information and supporting documentation that demonstrates how the Chapter 91 license for this project application will be addressed and obtained that is acceptable to the Planning Board.

..... The application for a new MADEP Waterways Regulation Program's Chapter 91 license was submitted to MADEP via their online portal system on May 16, 2024. The application is currently being reviewed. An approved Order of Conditions will need to be submitted to MADEP prior to final issuance of the new license.

We recommend the final issuance of a Chapter 91 license be a condition of any Planning Board approval for the project.

We will not perform work within the Chapter 91 Jurisdictional area until the license is in place. All work outside the jurisdictional area should not be limited by the issuance of a Chapter 91 License.

We recommend the final issuance of a Chapter 91 license be a condition of any Planning Board approval for the project.

Summary:

Based upon the most recent submission for the project, we recommend the Planning Board consider conditional approval of the project that should include the above noted outstanding items and all other items Planning Board deems appropriate. We note the Applicant has also requested waivers to be considered with the conditional approval.

Please contact Michael Leach at (603) 206-7538 should you have any questions regarding this correspondence. We look forward to continuing to assist the City of Amesbury with this Project.

Regards,

Stantec Consulting Services Inc.


Michael Leach, CPESC, CESSWI, CWS
Senior Associate
Phone: (603) 206-7538
michael.leach@stantec.com


Gerard Fortin, PE
Senior Principal
Phone: (603) 206-7544
gerard.fortin@stantec.com