

1. Amesbury Planning Board Meeting Minutes
2. Virtual Meeting – April 22, 2024, at 7:00 PM
3. Chairman Pascal Rettig called the April 22, 2024, Planning Board meeting to order at 7:02 PM. He read: Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the extension of the Governor's order until March 31, 2025, Order imposing strict limitations on the number of people that may gather in one place, this Meeting of the Planning Board on April 22, 2024, is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order.
4. *To submit a public comment, or dial in please email Becky Frey at freyr@amesburyma.gov. 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. *If you would like to dial in to speak you can email Nipun at Nipun@amesburyma.gov*
7. Pascal Rettig initiated roll call –
8. Keith Ratner – YES
9. Joel Nice – YES
10. Lorri Krebs- YES
11. Michael Jewell – YES
12. Tracey Chalifour - YES
13. David Frick – YES
14. Pascal Rettig - YES
15. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)
- 16. New Public Hearings – 2 Merrimac St.**
17. Nipun Jain read the legal notice for 2 and 13 Merrimac St. into the record. The initial public hearing was scheduled for 4/8/24, but it was continued to 4/22/24 on behalf of the applicant's request.
18. Pascal Rettig commented that a new application was submitted after the previous application was withdrawn. The applicant has an initial presentation to make and will take initial questions from the Planning Board. After that the Board will take public comment. No action will be taken by the Board because they are still waiting for peer review.
19. Mike Sanchez, Peter Suorsa, Michael Blier, and Dan Ricciarelli were present to speak to the application. Mike Sanchez provided a brief update. There have not been many changes

since the last time. They pulled back a couple parking spaces because they were in the buffer. They have continued to finalize architecture designs and landscaping. They went to the Conservation Commission this month and they did a site walk.

20. Dan Ricciarelli commented that this will be a signature building. The existing building along the Powwow River will remain. This proposal will introduce a new restaurant space and a marina operations space along the Merrimack River. The parking lot will have a center aisle and two-way circulation. They will try to screen trash and utilities. The building is elevated a story to account for flood plain and elevation issues.
21. Michael Blier spoke to the landscaping. The goal is to create a landscape responsive to the riverbank locations. They will be using a series of understory grasses, a shrub layer, and a healthy tree layer. They focused on safe pedestrian movement through the site. The boardwalk will bring people to the front of the building. The space between the two buildings could be programmed as a meeting spot and will feel like a nice garden space. The east side will have vegetation and parking and the west will have the sunset deck.
22. Dan Ricciarelli commented that the elevator to the lobby will be in the middle. The lobby will be a bridge element. The marina operations side will have showers and bathrooms and an office space on the top floor. The front of the restaurant will face the river and the back of house will face Main St. The second floor will house an office, storage, and mechanical space. The river side of the building will have café doors which will expand for al fresco dining. The marina operations office space will be for employees only. The building is a shingle style contemporary building. The buildings features like turrets and porches are pulled together by shingles. They are looking to use terraced planters for screening the base. The center entrance will have a main stairway. The connecting bridge will not have shingles. The west elevation has more glass showing. They are planning to refurbish the blue building that will remain.
23. Michael Blier commented that they took time to develop more around the base of the building. There will be a loop around the building with a boardwalk and flagstone path. There will be a courtyard in the connector area in the middle of the site. The sunset terrace will be framed by movable planters.
24. TJ Melvin commented that the site is currently mostly paved. 13 Merrimac St. has a gravel parking area on 2/3 of the site and an existing dwelling. 2 Merrimac St. will have a two-way circulation parking lot. The snow storage is outlined in the back corner by the existing blue building. That area will be used for dock storage as well. They are expanding some gravel parking but have pulled it back in some other spaces because of the buffer. They will be re-doing the sidewalk on the 13 Merrimac St. side and adding crosswalks on the street and within the 2 Merrimac St. lot. This site is in the flood plain, so they are trying to match the existing grades as much as possible. The flows go from Main St. to Merrimac St. Everything flows to the southeast. There is no storm water management today, but they are proposing to catch the northern portion of parking lot in catch basins to treat before discharging to the Powwow River. The main entrance will drain to a rain garden before discharging to the Powwow River. There is a portion of the site they will not be able to capture, but they do meet the storm water standards.
25. Mike Sanchez commented that they met with the Conservation Commission and the project will go to peer review for the storm water management.

26. Pascal Rettig suggested that the Board start with engineering questions.
27. Michael Jewell questioned if the parking in the buffer zone had been addressed by the Conservation Commission. Mike Sanchez responded that they have reviewed the parking plan with the Commission, and they were satisfied with it.
28. Tracey Chalifour requested more details on the snow storage plan and questioned how many parking spaces it would take up. TJ Melvin responded that it would take up 31 spaces in total. Tracey Chalifour questioned where the dock storage would be going. TJ Melvin responded that it would be in the same area. There would be 48 available parking spaces in the winter.
29. Nipun Jain commented that the sidewalk and curb could impact their intended flow, so they should check their elevations again. They should probably check the wall and curb line and evaluate if they really need the curb there. The flow will change when the big building is removed, so hopefully that was considered.
30. Pascal Rettig questioned if they considered replacing the sidewalk on both sides of the proposed crosswalk instead of just one side. The whole sidewalk is in poor shape, and it would make sense to extend the new sidewalk to the next driveway. Mike Sanchez responded that they could look at it. Nipun Jain commented that they would follow up with the City Engineer too to make sure looked at more carefully.
31. Pascal Rettig questioned if any other traffic calming measures were proposed. Mike Sanchez responded that the crosswalks will be raised to address some traffic calming.
32. Tracey Chalifour commented that she attended the most recent Technical Review Committee meeting. There were some comments and feedback that came out of that meeting. The minutes aren't out yet, but the team was receptive to the comments. They requested a flow test and expressed concerns about the sightlines. Mike Sanchez responded that they have scheduled a flow test. They are working with the City on a participation agreement associated with boat ramp, and plan to continue the sidewalk to the boat ramp. The City Engineer also requested a gate at the sewer treatment plant to prevent others from using that parking lot.
33. Tracey Chalifour commented that the southwest corner of the property can flood, and putting pea stone in that area could cause it to be carried away. TJ Melvin responded that because they are in the flood plain, they can't decrease the flood volume on the site itself. The elevation is just barely over 7 and they can't raise it up because they can't make the compensation work. They are limited to the grass area off the side of the rain garden and runoff. Mike Sanchez added that they would use a gridded tech system that would help the pea stone and grass stay in place. Nipun Jain commented that they should look at that detail again to make sure it will work.
34. Pascal Rettig requested that they talk about the lighting plan and what people will see from the street. Michael Blier responded that they will have simple low level downward lighting for the parking areas and the pathways around the buildings. Pascal Rettig questioned if the 16-foot lighting would be on the building or on poles. Michael Blier responded that they would be on poles. Nipun Jain commented that all the light fixtures along the property line will need to be looked at because they exceed the allowances. The applicant should include the lighting fixtures catalogue.

35. Nipun Jain commented that this application was going to the Design Review Committee on April 30, 2024, which will encompass a review of the building design, landscaping, and lighting. The Board can pass along any other comments to that Committee via the Planning Office.
36. Michael Jewell requested that they get a memo from the Conservation Commission regarding parking and the buffer zones. Michael Jewell commented that the traffic flow getting from Merrimac St. to Main St. can be touchy, and questioned if they would be addressing that in any way.
37. Keith Ratner questioned what was going on to the west of the building space. Mike Sanchez responded that they would be putting in a bench and pea stone. They need to keep the area open to allow for hauling out docks. The design team is intending it to be a nice spot to sit out and watch the sunset. Keith Ratner clarified that it would not be restaurant space, but just a public access area. Mike Sanchez confirmed that was correct. Keith Ratner questioned if events would happen there. Mike Sanchez responded that they did not have a specific program for that area.
38. Tracey Chalifour commented that the property was not zoned for events. Mike Sanchez responded that during the iteration process they had discussed that area could hold events like a craft fair. It is just a sunset patio and open space. Tracey Chalifour commented that the public access space would impact parking. Pascal Rettig noted that there were parking requirements for the restaurant and marina use, but not for public parking. Nipun Jain confirmed that was correct. There is no requirement for providing parking spaces for public access even under Chapter 91. If there is room, then they could provide it. Mike Sanchez added that the marina owner has entered into an MOU with the City as the design of the boat ramp develops. They will work with the City to integrate the project as it makes sense. Tracey Chalifour commented that she was concerned about people using parking at the public boat ramp when they aren't using the ramp. Nipun Jain responded that was a parking management issue for the City.
39. David Frick questioned if they would be able to work out a shared parking arrangement with the church nearby. Peter Suorsa responded that they had already talked with the church about that potential.
40. Joe Finn commented that the church is a venue for other public meetings and art groups. The church cannot accommodate overflow.
41. Carol Finn commented that their church congregation has already been approached by the team and they were not in favor because it would be unfair to the neighbors.
42. Pascal Rettig requested that they include a cross section of the view from the street. It would help to show the scale of the elevated first floor and screening planters. It would be good to see some renderings with people in it to get a sense of what it would look like.
43. Joel Nice commented that the front entryway is still a bit finnick. It's a step in the right direction but could still use some work.
44. Pascal Rettig commented on the traffic and parking. The existing marina has 41 parking spaces available. During peak times 25 spaces are used by the slip renters. The Board received the update on the traffic study. Pascal Rettig requested that the applicant summarize the original study and the update. Peter Suorsa commented that the original study found that the impact of the facilities would be negligible. The study was done when

the proposal was for a 180-seat restaurant. The plans have changed to an 80-seat restaurant. The outcome was that it would be a proportional decrease. The decreased impact is proportional to the decrease in seats. The proposal includes 97 parking spaces, which is 20 parking spaces short, but allows for increased green space. They could come closer to the full 117 parking spaces but would sacrifice other elements on the site. They looked at the real-world operating conditions of the marina. They also took into consideration the seasonality of the site and the overlapping timing of patrons.

45. Keith Ratner questioned what the parking requirement would be for the size of the restaurant. Peter Suorsa responded that it would be 30 spaces.
46. Tracey Chalifour commented that the traffic study was done in January and has a factor of .01 to seasonally adjust. There could still be unintended consequences of people circling the neighborhood because the lot is full on a peak weekend. It will be a good addition to the neighborhood, but she was still worried about the impact to the neighborhood in peak season.
47. Pascal Rettig questioned if there was any public comment.
48. Nidi Turner of 5 Merrimac St. commented that in the parking lot drawing they are indicating a two-way circulation with parking. Ms. Turner questioned if they were planning to widen the current driveway. Mike Sanchez responded that the new driveway is 20 feet wide. Additionally, they are showing a right turn only out of the parking lot. It is probably wider than the existing grass shown there. Nidi Turner commented that there are trees currently along the property line, but they are not shown on the plan. Ms. Turner questioned if they were intending to extend the fence. At least one of those trees is on her property line.
49. Mike Sanchez responded that they were not going to add an additional stockade fence there. The dark line is the property line. They are not planning to touch the trees on the property. Nidi Turner questioned what the lighting plan was for 2 and 13 Merrimac St. and if they were going to be on timers. Mike Sanchez responded that they were trying to avoid doing lighting at 13 Merrimac St. if possible. Peter Suorsa added that they have not discussed the particulars of timing the lights. They will be the lowest profile lighting for parking. There won't be any parking at the 13 Merrimac St. lot in the winter. Nidi Turner commented that it would be good to include signage to remind patrons not to smoke and to be quiet. Peter Suorsa commented that the parking at 13 Merrimac St. would be for slip renters or employees. They can dictate the terms and conditions of parking.
50. Joe Finn of 412 Main St. commented that the dominant remaining issue was if there was adequate parking and where was the overflow option. Mr. Finn was also concerned about access to the river. Right now, people go to Alliance Park. Overflow parking may end up at Alliance Park and the church. The applicants should not be trying to solve a parking problem by throwing it on enforcement. The best solution would be to eliminate the greenery and to add extra parking spaces. If there's going to be an error, then it should be on the high side of parking spaces.
51. Peter Suorsa responded that the parking calculations were based on 1 parking space for every 4 seats and .9 per slip in the marina. The marina today does not exceed 30 cars in the lot. That would leave 49 spaces for the restaurant. There will also be 18 spaces across the street. That leaves 67 spaces to accommodate patrons and staff.

52. Brenda Schema of 1 Merrimac St. questioned if they would be painting the remaining metal building. Mike Sanchez responded that there were plans to repaint the building and add windows. Ms. Schema requested more details on the requested gate at sewer treatment plant. Mike Sanchez responded that the DPW requested they install a gate to lock that area off when the sewer treatment plant is not being used to prevent others from parking there. Ms. Schema commented that the sidewalks were dangerous right now and did not understand why they were waiting for the marina to fix the problem. She also did not understand why the marina was contributing money to the Washington Landing project. Mike Sanchez clarified that the marina has agreed to integrate their site plan into the future Washington Landing site plan. That is the coordination between the projects.
53. Nipun Jain commented that the offsite improvements are required because the project is at the expense of the applicant and the sidewalk repairs benefit the project. The sidewalk will be fixed and used by patrons to access the site.
54. Sally Nutt of 335 Main St. questioned how tall the plantings between the parking lot and Merrimac St. would be. Ms. Nutt also questioned if the tower would compete with the church steeple across the street. Mike Sanchez responded that the tower is meant to complement the steeple. Michale Blier added that the plantings along the edge are meant to screen headlights and would be 48 inches in height. Ms. Nutt commented that the residents will have to deal with what happens in the parking lot when it is completed and questioned what enforcement tools would be in place to help regulate it.
55. John Stevenson of 439 Main St. agreed with Joe Finn's comments about the parking and questioned if the 30 required spaces for the restaurant included employees in that count. The applicant mentioned sacrificing green space to add more parking and the Board should consider that. The restaurant is still an unknown party, but they should work to resolve issues now to avoid misunderstandings later. They should draft an agreement now, so all parties understand certain conditions.
56. Tracey Chalifour agreed with the comments made by Joe Finn and John Stevenson about more parking. The added green space would not be a net benefit when there could be parking issues. Tracey Chalifour commented that she was concerned about the right turn only out of 13 Merrimac St. It could create an already dangerous curb more dangerous because some cars will need to reverse direction. Pete Suorsa reiterated that only staff and slip owners would be parking there, so it would be more regulated.
57. David Frick questioned how they would make sure how make sure only employees and slip renters parked there. It may make sense to have a permit system.
58. Pascal Rettig questioned if there was any other written public comment. Nipun Jain responded they did not have any other written comment.
59. Pascal Rettig commented that this will go to the Design Review Committee as well as have peer review. The Board should continue these hearings and wait for comments.
60. Tracey Chalifour questioned when this would go back to the technical Review Committee. Nipun Jain responded that this was being reviewed by Stantec who will be looking at engineering, storm water, and the flood plain. Once that report is done the applicant will provide a response for engineering and non-engineering related matters. The only time it will go back to the Technical Review Committee is if there is a substantial change to the site plan or TRC comments have not been addressed by the applicant.

61. David Frick motioned to continue the applications for 2 Merrimac St. and 13 Merrimac St. to the May 13, 2024, Planning Board Meeting. Seconded by Keith Ratner.
62. Pascal Rettig initiated roll call vote –
63. Keith Ratner – YES
64. Joel Nice – YES
65. Lorri Krebs- YES
66. Michael Jewell – YES
67. Tracey Chalifour - YES
68. David Frick – YES
69. Pascal Rettig – YES
70. Motion passed 7-0

71. New Public Hearings – 13 Merrimac St.

72. This application was continued in the motion above.

73. New Public Hearings – 12 S Hunt Rd.

74. David Frick recused himself from the application hearing and left the meeting at 9:30 pm.

75. Tracey Chalifour motioned to extend the meeting to 10 pm. Seconded by Joel Nice.

76. Pascal Rettig initiated roll call vote –

77. Keith Ratner – YES

78. Joel Nice – YES

79. Lorri Krebs- YES

80. Michael Jewell – YES

81. Tracey Chalifour - YES

82. David Frick – Absent

83. Pascal Rettig – YES

84. Motion passed 6-0

85. Nipun Jain read the legal notice into the record.

86. Josh Berman from Marcus Partners represented the applicant and spoke to the presentation. They first presented this in a pre-application presentation in front of the Board a few weeks ago. There were a few comments raised at that meeting. They included: sports netting, light fixtures, and clarified parking counts. 12 S Hunt Rd. currently has an existing athletic field. This application proposes a 100' by 180' practice field and an added parking lot adjacent to the existing parking lot. There will be a short 4 foot retaining wall that will gradually go down to 0 feet. They are proposing a 4-foot fence and 10-foot sporting net above it that will separate the proposed field and parking lot. There will be 3 light fixtures on 39' tall poles that will be placed on the left side of field, and they will face away from South Hunt Rd. This extra parking will bring the parking to a grand total of 197 spaces. The parking calculations show that they are required to have 121 spaces.

87. Michael Jewell commented that at the last presentation he asked about the existing fields and the storm water system draining into the wetlands. The newly proposed fields will be

running additional stormwater into the wetlands. Michael Jewell questioned what has been done to eliminate discharges into the wetlands. Josh Berman responded that the new field will have a new system. There will be an overflow into the existing system. The City and DOT are looking into drainage issues on S Hunt Rd. Michael Jewell questioned if they have addressed the discharge going into wetland. Josh Berman responded that their comments are still being reviewed by the Commission.

88. Pascal Rettig questioned how maintenance was done on the existing storm water system. Josh Berman responded that there were ports on the field. They ran a camera through the system in the field numerous times. Pascal Rettig questioned if the ports ever needed to be cleaned out or maintained. Josh Berman responded that he did not have the full answer on that. Our engineer reviewed it and believed the high water caused the sediment to rise in the system. They don't believe they are discharging it any longer.
89. Keith Ratner requested clarification on the parking counts. Josh Berman responded that they need 32 spaces for the YMCA and 60 spaces for the large existing field. The practice field is half the size, and they need 30 spaces for that. That totals to 122 spaces and they will provide 197 spaces. Keith Ratner questioned why they were providing extra spaces. Josh Berman commented that based on their last conversation with the Board there was concern about not having enough parking spaces. They added more to alleviate that concern.
90. Nipun Jain commented that it would be beneficial to look at the prior parking decisions. The large multipurpose field has an occupancy of 200 people. It can host events and special tournaments. That is part of the reason why extra parking was considered during the initial approval. There is no additional capacity on adjoining sites or streets. The previous iteration had a sports and entertainment complex and they intended to use that area as overflow, but that is not the case any longer. Given the unique use of the air supported structure TRC wanted to ensure there would not be any offsite parking along S Hunt Rd. The snow storage will take up some of the parking spaces in the winter as well.
91. Pascal Rettig questioned if the current lighting has been installed according to specifications. Josh Berman responded that it has not been installed yet. Pascal Rettig noted that BSC is reporting on the existing storm water situation and requested that the Board get copies of the monitoring reports. Part of the proposed field is connecting to the current storm water system coming down the hill. Nipun Jain confirmed they could provide the Board with that. BSC is doing site inspections to address the Commission's concerns. Part of that involves looking at the SWWPP and storm water issues. Stantec is assisting the applicant for storm water management during the initial review. This project is trying to address some of that engineering design. Concerns and issues may be addressed through this project as well. Josh Berman confirmed that was correct. Nipun Jain commented that a new engineering team came on with Munters and they are working to address the storm water system.
92. Pascal Rettig questioned if the bubble was still going up. Josh Berman confirmed it was. It would probably go up late fall.
93. Nipun Jain requested details on the fill with elevation and grade. Josh Berman responded that the existing road is at 142 and they are trying to get to 107 for the field grade. It will be

flattened at the top and they are doing a 3 to 1 slope with a 4-foot retaining wall. The fill tallies to around 15,000 cubic yards in that area.

94. Tracey Chalifour questioned who would own the storm water management when the project was complete. Josh Berman responded that there is an easement recorded for the shared system and maintenance agreements between both parties.

95. Tracey Chalifour motioned to extend the Planning Board meeting to 10:15 pm. Seconded by Keith Ratner.

96. Pascal Rettig initiated roll call vote –

97. Keith Ratner – YES

98. Joel Nice – YES

99. Lorri Krebs- YES

100. Michael Jewell – YES

101. Tracey Chalifour - YES

102. David Frick – Absent

103. Pascal Rettig – YES

104. Motion passed 6-0

105. Josh Berman questioned if they could get the earthwork modification approved tonight to address the soil. The Conservation Commission has asked us to move the dirt or hydroseed it. They will be moving 5,000 cubic yards on 12 S Hunt Rd. and extending the grading.

106. Pascal Rettig commented that the Board needs to make a determination of the modification and then vote on it.

107. Nipun Jain commented that the Board could make a determination that it's a minor modification. It should be subject to certain conditions and ensure the stormwater and Geotech are adequately addressed. Typically, that is reviewed by the peer engineer. They should understand what the landscaping will look like in the final finish as well. If the Board wishes to approve this, then they should think of those performance standards. Nipun Jain questioned if the wall still needs to be designed. Josh Berman confirmed that was correct. It's 6 feet high.

108. Joel Nice motioned to determine the request was a minor modification. Seconded by Tracey Chalifour.

109. Pascal Rettig initiated roll call vote –

110. Keith Ratner – YES

111. Joel Nice – YES

112. Lorri Krebs- YES

113. Michael Jewell – YES

114. Tracey Chalifour - YES

115. David Frick – Absent

116. Pascal Rettig – YES

117. Motion passed 6-0

118. Pascal Rettig commented that they would need to come up with set of conditions. Nipun Jain noted the applicant could continue to move the dirt in that area. They can

address the other items in the next meeting. There might be additional comments in the engineering review. They can do this and then appropriately condition it with better technical information in hand. Pascal Rettig noted that the current permit allows for the applicant to start moving dirt and the Board has given indication that it is a minor modification. They will not build any structural elements until final approval. Nipun Jain confirmed that was correct.

119. Keith Ratner motioned to continue the hearing for 12 South Hunt Rd. to the May 13, 2024, Planning Board Meeting. Seconded by Lorri Krebs.

120. Pascal Rettig initiated roll call vote –

121. Keith Ratner – YES

122. Joel Nice – YES

123. Lorri Krebs- YES

124. Michael Jewell – YES

125. Tracey Chalifour - YES

126. David Frick – Absent

127. Pascal Rettig – YES

128. Motion passed 6-0

129. **Continued Public Hearing – 87 S Hampton Rd.**

130. Keith Ratner motioned to continue the hearing for 87 S Hampton Rd. to the June 10, 2024, Planning Board Meeting. Seconded by Lorri Krebs.

131. Pascal Rettig initiated roll call vote –

132. Keith Ratner – YES

133. Joel Nice – YES

134. Lorri Krebs- YES

135. Michael Jewell – YES

136. Tracey Chalifour - YES

137. David Frick – Absent

138. Pascal Rettig – YES

139. Motion passed 6-0

140.

141. **Administrative – 14 S Hunt Rd.**

142. There was nothing to address for this item.

143. **Administrative – In Person Meetings**

144. Keith Ratner suggested they have this discussion during the meeting next week and the Board agreed. Pascal Rettig confirmed he would reach out to the Mayor to discuss the options for hybrid meetings to be able to contribute that information to the discussion next week.

145. **Administrative – Covenants and Bonds**

146. There were no other covenants or bonds to be addressed.

147. **Administrative – Contracts, Bills, and Invoices**

148. There were no contracts, bills, or invoices to be addressed.

149. Adjournment

- 150. Tracey Chalifour motioned to adjourn at 10:16 pm. Seconded by Michael Jewell.
- 151. Pascal Rettig initiated roll call vote –
- 152. Keith Ratner – YES
- 153. Joel Nice – YES
- 154. Lorri Krebs- YES
- 155. Michael Jewell – YES
- 156. Tracey Chalifour - YES
- 157. David Frick – Absent
- 158. Pascal Rettig – YES
- 159. Motion passed 6-0