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July 24, 2024

Mr. Pascal Rettig, Chairman
Amesbury Planning Board
52 Friend Street
Amesbury, MA. 01913

Mr. Nipun Jain, Director
Amesbury Community & Economic Development
39 South Hunt Road
Amesbury, MA. 01913

Re: Response to Peer Review Comments for
2-14 and 13 Merrimack Street – Amesbury, MA.

Members of the Board,

The following provides our response to design review comments provided by Michael Leach and Gerald Fortin of Stantec Consulting Services. Please note we have included the peer review comments with our response to assist the Board with its review.

<i>Site Plan Application</i>	
<i>Comment 1:</i>	<i>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.</i>
Response:	Noted. The applicant will review and address accordingly.
<i>Comment 2:</i>	<i>The plan set does not include a driveway sight distance plan and profile that demonstrates the minimum sight distance of 300 feet is provided. We recommend the plan set be revised accordingly.</i>
Response:	This has been addressed in the traffic study provided by Vanasse & Associates inc.
<i>Comment 3:</i>	<i>The project proposes impacts to Merrimack 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 Merrimack Street will be blocked and removed by the Applicant's proposed sidewalk design (see photos 1 and 2). We</i>



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	<i>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.</i>
Response:	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.
<i>Comment 4:</i>	<i>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.</i>
Response:	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.
<i>Comment 5:</i>	<i>The Applicant's submittal notes the project design provides a total of 97 parking spaces with 79 spaces at the marina site and 18 spaces at the 13 Merrimac Street parcel. Upon review there are only 78 spaces shown on the site and recommend the Applicant update the site plan information accordingly. We note the parking calculations do not account for the existing dwelling to remain at 13 Merrimac Street and the calculations should be updated accordingly. As noted by the Applicant, the design does not meet the minimum parking requirements of Section VIII of the Bylaws to provide 117 parking spaces based upon the calculations provided on sheet C-4. The Applicant has noted that a waiver is being requested for the required number of parking spaces, but we are not aware that a formal request to the Planning Board has been provided. We recommend the Applicant provide the appropriate waiver information including the supporting documentation for the change to the parking requirements for review and consideration by the Board under this application.</i>
Response:	This missing spot that would make 79 spots is a single spot located directly across from the EV spaces. Two additional spaces have been added at the northern end of the parking lot by the existing building to remain (99 total). Regarding the parking spaces at 13 Merrimac, the existing dwelling has its own parking area separate from the designated marina parking. The applicant will provide a formal waiver request for the parking requirements.
<i>Comment 6:</i>	<i>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</i>



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	<i>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.</i>
Response:	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.
<i>Comment 7.a:</i>	<i>Identify all trees larger than 8" per XI.C.5.b of the Zoning Bylaws. We note portions of the site along the Pow Wow River and along the property lines adjacent to Main Street and Merrimac Street are to remain undisturbed. The trees to remain should also be noted on the landscape plan.</i>
Response:	All trees larger than 8" have been located and are depicted on the plans.
<i>Comment 7.b:</i>	<i>Indicate easements associated with the sewer line and water main crossing the property and label the size of the water main. What is the status of the existing water main on the site?</i>
Response:	The existing water and sewer mains crossing the property have been abandoned by the city.
<i>Comment 7.c:</i>	<i>Label the approximate elevation of the low water line shown.</i>
Response:	The mean low water elevation has been added and labeled on the grading plan (sheet C-5).
<i>Comment 7.d:</i>	<i>Provide setback lines per section VI of the bylaws.</i>
Response:	Setback lines are shown on the site plan.
<i>Comment 7.e:</i>	<i>Update the Zoning Table to note total gross floor area, floor elevations, number of stories, and building heights per XI.C.5.c of the Zoning Bylaws and for comparison to the work proposed under this application.</i>
Response:	These additional items have been added to the Zoning Table on Sheet C-4.



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<i>Comment 7.f:</i>	<i>The plan notes a concrete pad with gas filler. Do gas tanks exist on site? Please provide notes on the plans relative to these facilities and explain and clarify the use of these pads.</i>
Response:	The concrete pads with gas fillers are inactive and will be removed.
<i>Comment 7.g:</i>	<i>The plan indicates a monitoring well exists on site. What is the status of the site monitoring and does this well still need to be operational? Please provide notes on the plan and documentation relative to the monitoring well for inclusion in the Planning Board's project file.</i>
Response:	The monitoring wells are inactive and will be abandoned in place.
<i>Comment 7.h:</i>	<i>Please label/clarify the numerous tiny squares shown northerly of the existing building.</i>
Response:	The tiny squares depicted on the existing conditions plan are the remanence of an old foundation for a boat lift and will be removed.
<i>Comment 7.i:</i>	<i>Please indicate and label a benchmark on this plan that will remain during construction. The same benchmark should also be shown and labeled on the grading plan.</i>
Response:	A benchmark has been added to the grading plan.
<i>Comment 7.j:</i>	<i>Please provide spot elevations along the top of the existing retaining walls along the rivers and around the existing buildings to clarify the existing ground elevations.</i>
Response:	Several existing spot grades have been along the top of the sea wall.
<i>Comment 7.k:</i>	<i>Please remove the text and buffer line in Main Street that is obscuring other information for clarity.</i>
Response:	Buffer lines and labels have been removed from the site plan for more clarity.
<i>Comment 8:</i>	<i>Please correct the references to the City of Methuen in general notes 15 and 16 on sheet C-2.</i>
Response:	MEI has corrected the general notes 15 and 16 on sheet C-2.
<i>Comment 9.a:</i>	<i>The Applicant should indicate the building setback lines on the site plan for review and consideration by the Planning Board.</i>
Response:	The building setback lines are shown on the site plan.
<i>Comment 9.b:</i>	<i>The site plan indicates several cross walks, but wheelchair ramps are not identified or appear to be located in the sidewalks at the cross walk locations. This includes the</i>



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	<i>proposed sidewalks and cross walk in Merrimac Street. The design should be revised accordingly.</i>
Response:	MEI has revised the plans to include wheelchair ramps at all crosswalks.
<i>Comment 9.c:</i>	<i>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.</i>
Response:	The dumpster will be on wheels and pulled out from under the building during a trash pick up.
<i>Comment 9.d:</i>	<i>Please clarify all proposed curbing location and label all transition/tip down locations for proper construction. Please include all appropriate details.</i>
Response:	All curbing locations and transitions/tip downs have been depicted on the site plan.
<i>Comment 9.e:</i>	<i>Please clarify how installation and removal of the docks would occur under this revised site design. Please update the plans with notes accordingly.</i>
Response:	The process would remain the same. The docks will be installed and removed at the same location in the southernmost corner of the lot.
<i>Comment 9.f:</i>	<i>Please clarify if winter storage of boats would occur on the site under this revised site design. Please update the plans and notes accordingly.</i>
Response:	There is no winter boat storage on site.
<i>Comment 9.g:</i>	<i>Please clarify if hull painting, service, and maintenance of boats will occur under this revised design. Please update the plans and notes accordingly.</i>
Response:	There will be no hull painting or maintenance services on site.
<i>Comment 9.h:</i>	<i>It is unclear if a sidewalk is proposed along the existing building at the proposed parking area. Please update accordingly.</i>
Response:	There is no sidewalk proposed along the existing building. The lines shown are the parking striping. A 5' aisle has been left along the side of the building for access.
<i>Comment 9.i:</i>	<i>Please dimension the driveway width from Merrimac Street to the marina site. In addition, please dimension the width of Merrimac Street at the proposed cross walk.</i>
Response:	MEI has revised the plans to include dimensions at the marina site entrance and the



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	width of Merrimac Street at the crosswalk location.
<i>Comment 9.j:</i>	<i>Please label the pavement rounding's on the site plan for proper construction.</i>
Response:	Pavement rounding's have been added to the site plan (Sheet C-4).
<i>Comment 9.k:</i>	<i>Please indicate and label a stop sign and stop bar for the marina driveway and include details for construction in the plan set.</i>
Response:	The plans have been revised to include a stop sign and line.
<i>Comment 9.l:</i>	<i>Please indicate and label the loading area for the proposed restaurant and marina on the plan. In addition, please note the type of anticipated delivery vehicle and demonstrate the vehicle can access and negotiate the site and the loading area.</i>
Response:	The loading zone has been labeled on the plan.
<i>Comment 9.m:</i>	<i>With the proposed construction of a retaining wall adjacent to Merrimac Street we recommend a fence, guardrail or other safety feature be provided as acceptable to City. A detail/cross section of the proposed feature along retaining wall with dimensions should be included in the revised plan set.</i>
Response:	The applicant is working with the city on type of fence and location.
<i>Comment 9.n:</i>	<i>The site plan notes that no snow plowing at 13 Merrimac Street. Please clarify/ explain how this would occur relative to the existing dwelling that is noted to remain.</i>
Response:	The Snow plowing would only occur at the entrance of 13 Merrimac Street and the small, paved area at the entrance of the dwelling. The large majority of the lot remaining would stay unplowed. A small snow storage area has been added to account for the snow removal of the entrance and parking spaces for the dwelling.
<i>Comment 9.o:</i>	<i>Please indicate and label a benchmark on the grading plan.</i>
Response:	A benchmark has been depicted on the grading plan.
<i>Comment 9.p:</i>	<i>It appears the proposed grading design is incomplete along the southwesterly sidewalk for the elevation contours 11 to 8 near the property line. Please review and revise to demonstrate the project does not increase fill in the floodplain and on the abutting lot. In addition, please provide finish spot elevations for the peastone areas, under the proposed buildings, and the proposed boardwalk to clarify design intent and for proper construction.</i>
Response:	While some areas of the site are filled, flood storage calculations have been provided



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	to prove there is no net decrease in flood storage.
<i>Comment 9.q:</i>	<i>The drainage design indicates HDPE pipe is proposed and does not comply with the reinforced concrete pipe class III (RCP-CIII) in the specific design and construction standards of Section 8.04.A.1 of the Amesbury Subdivision Rules and Regulations referenced under Section XI.C.8.p of the Bylaws. The Applicant should revise the design in compliance with the regulations.</i>
Response:	The applicant will request a waiver to this regulation.
<i>Comment 9.r:</i>	<i>The Applicant's stormwater design does not provide the required 3 feet of cover over the pipes per the specific design and construction standards of Section 8.04.A.1 of the Amesbury Subdivision Rules and Regulations referenced under Section XI.C.8.p of the Bylaws. The Applicant should revise the design in compliance with the regulations. Should a waiver be considered, the City typically requests RCP Class V (RCP C-V) be provided when cover is less than 3 feet.</i>
Response:	This is a redevelopment project and therefore, the drainage system is designed to the maximum extent practical. Since the entire site is within the floodplain, we cannot raise the entire site to be able to provide 3' of cover. The applicant will request a waiver to this regulation.
<i>Comment 9.s:</i>	<i>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.</i>
Response:	MEI has revised the utility plan to include proposed sewer flows. In addition, a separate attachment has been provided for sewer pipe velocity calculations.
<i>Comment 9.t:</i>	<i>The utility plan indicates the on-site sewer pipe as SDR-35 which does not comply with the specific design and construction standards of Section 8.09.3 of the Amesbury Subdivision Rules and Regulations referenced under Section XI.C.8.p to provide PVC SDR 26 sewer pipe. The Applicant should revise the design in compliance with the regulations.</i>
Response:	The plans have been revised to correct the SDR-35 sewer pipe detail to SDR-26.
<i>Comment 9.u:</i>	<i>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</i>



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	<i>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.</i>
Response:	MEI has revised the plans to include utility profiles.
<i>Comment 9.v:</i>	<i>The utility plan does not provide sewer inverts at the buildings. We note that the foundation plan appears to imply that the proposed buildings are on piers and the sewer services would be exposed. In addition, the sewer service connection at the existing building is unclear as to how this would be constructed. The Applicant should provide additional information to clarify how the proposed utility design has addressed section XII.F.2.c and e of the bylaws. Please include all appropriate details for proper construction.</i>
Response:	Inverts have been added at the building side of each sewer service. The sewer would exit the level above grade via a vertical chase and enter at grade via a tempered chase to the proposed invert depths.
<i>Comment 9.w:</i>	<i>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.</i>
Response:	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
<i>Comment 9.x:</i>	<i>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.</i>
Response:	The applicant will contact the fire department to determine if a hydrant is needed at the end of the 6" main.
<i>Comment 9.y:</i>	<i>Please clarify the locations for the two proposed EV charging stations on the plans with the associated electric service line and include details for the EV charging stations in the plan set.</i>
Response:	The two EV charging stations are located by the transformer and depicted with



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	“EV” labels.
<i>Comment 9.z:</i>	<i>Please update/complete the scale bars on the plans.</i>
Response:	All scale bars have been updated.
<i>Comment 9.aa:</i>	<i>It was observed that several portions of the existing seawall top were loose and in disrepair as noted in photos 7-9. Are maintenance improvements proposed for these areas? Please clarify/address and provide any supporting details as applicable.</i>
Response:	There will be minor repairs & resetting of the top course only. Full replacement of the seawall will be in a future phase.
<i>Comment 9.bb:</i>	<i>The areas adjacent to the existing building that is to remain including the foundation was observed in disrepair as observed in photos 10-11. It is our understanding the existing building is to be refurbished, but the extent of impacts to conduct repairs and any impacts associated with the floodplain are unclear. Please clarify.</i>
Response:	There will be no impact to the flood plain while refurbishing the existing building. All repairs will be completed from the interior of the building.
<i>Comment 10.a:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Retaining wall.</i>
Response:	A retaining wall construction detail has been added to sheet C-9.
<i>Comment 10.b:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Light pole base and light pole.</i>
Response:	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.
<i>Comment 10.c:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Peastone surface area.</i>
Response:	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.
<i>Comment 10.d:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Flagstone sidewalk.</i>
Response:	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



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	requiring a final plan showing the requested landscaping details be submitted to the City for review and approval.
<i>Comment 10.e:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Split rail fence.</i>
Response:	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.
<i>Comment 10.f:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Landscape planting installation.</i>
Response:	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.
<i>Comment 10.g:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Crushed stone surface area.</i>
Response:	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.
<i>Comment 10.h:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Bike racks.</i>
Response:	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.
<i>Comment 10.i:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: 8-ft bench.</i>
Response:	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.
<i>Comment 10.j:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Boardwalk</i>
Response:	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.
<i>Comment 10.k:</i>	<i>We recommend the Applicant update the submission to provide/address the following construction details for the indicated site items: Bollards</i>



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Response:	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.
<i>Comment 10.l:</i>	<i>Please label the construction material for the 8" foundation noted in the cement concrete wheelchair ramp detail.</i>
Response:	The wheelchair ramp detail has been revised.
<i>Comment 10.m:</i>	<i>Please label the Contech CDS2015-4-C-DTL structure as H-20 loading including the frame and cover.</i>
Response:	A note has been added to the CDS detail.
<i>Comment 10.n:</i>	<i>Please indicate and label a geofabric liner for the peastone diaphragm detail.</i>
Response:	The pea stone diaphragm detail has been revised to include a geofabric liner.
<i>Comment 11.a:</i>	<i>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.</i>
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.
<i>Comment 11.b:</i>	<i>Standard 1: The length and width of the riprap apron in the report does not match the detail in the plan set or the size shown on the plans. Please revised the design as necessary to provide the necessary apron size to meet compliance with standard 1.</i>
Response:	The rip rap apron has been adjusted on the plans.
<i>Comment 11.c:</i>	<i>Standard 2: The analysis and calculations do not include the 25-year analysis per the specific design and construction standards of Section 7.10 of the Amesbury Subdivision Rules and Regulations and referenced under Section XI.C.8.p of the Bylaws. The analysis should be updated accordingly.</i>
Response:	MEI has revised the storm water report to include the 25-year analysis.



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<i>Comment 11.d:</i>	<i>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.</i>
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.
<i>Comment 11.e:</i>	<i>Standard 2: The report does not address the impacts to each abutter to lot 88 (13 Merrimac Street), to lot 1 (2 Merrimack Street) or to Merrimac Street under the pre and post development conditions to demonstrate compliance is achieved. The analysis should be updated accordingly.</i>
Response:	The report does address the impact of the abutter at 13.5 Merrimac Street as there is a design point located there. There is a defined drainage swale that runs along the western property line of 13 Merrimac which ultimately drains to the design point. The abutter to the north of 13 Merrimac Street flows onto the 13 Merrimac Property. All stormwater runoff at 2 Merrimac Street flows to the river as it does currently or is caught in the drainage system. It is our opinion that it is not necessary to provide calculations to each abutter for the reasons stated above.
<i>Comment 11.f:</i>	<i>Standard 2: The report lacks hydraulic pipe calculations for the proposed pipes and pipe network systems indicting the system pipe velocities, hydraulic grade line/elevations to demonstrate the proposed systems are of adequate size to convey under gravity flow conditions for the storm events and demonstrate the minimum velocity of 3 FPS and maximum 10 FPS are provided per section 7.10.C of the Amesbury Subdivision Rules and Regulations. The analysis should be updated accordingly.</i>
Response:	Pipe sizing calculations have been included with this submittal.
<i>Comment 11.g:</i>	<i>Standard 2: The existing conditions delineation for E1 does not address/account for the off-site areas that contribute to the site. It appears that portions of the roadway right-of-way and possibly the roadway pavement sheet flow to the site. Please review and revise the existing subcatchment delineation and analysis accordingly. In addition, the post development subcatchment delineations and analysis should be revised accordingly and demonstrate compliance is achieved – no increase in runoff.</i>
Response:	Subcatchment E1 has been revised. The plans have been revised to include curbing along Merrimac and Main Street that would direct offsite stormwater runoff into the city's drainage system.



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<i>Comment 11.h:</i>	<i>Standard 2: The existing conditions delineation for E2 does not address/account for the off-site areas that contributes to the site. In addition, it appears the westerly portion of the site drains to the existing wetland on Map 88 lot 35 versus to Map 88 lot 83 as indicated on the pre-development drainage area plan. Please review and revise the existing subcatchment delineation and analysis accordingly. The post development delineations and analysis should be revised accordingly. Please verify compliance is achieved – no increase in runoff.</i>
Response:	Subcatchments E2 and E3 have been revised to include off-site runoff. The portion of Sub-catchment E2 that seems to flow west towards Map 88 lot 35 is actually caught in a paved swale that directs the water southeast towards DP2. Additional topography has been added to better illustrate the swale along the property line.
<i>Comment 11.i:</i>	<i>Standard 2: The amount of grass in post subcatchment P1F (~30%) in the calculations does not appear to be representative of the design presented. In addition, the boardwalk area does not appear to be represented in the calculations. Please review and revise to be representative of the design presented.</i>
Response:	The square footage of grass in sub catchment P1F has been corrected. The area of the boardwalk has been included in the calculations as part of the gravel area listed in the Hydrocad report.
<i>Comment 11.j:</i>	<i>Standard 2: The amount of grass in post subcatchment P1E (~16%) in the calculations does not appear to be representative of the design presented. Please review and revise to be representative of the design presented.</i>
Response:	The square footage of grass in subcatchment P1E has been recalculated and is nearly the same as previously represented (~22%).
<i>Comment 11.k:</i>	<i>Standard 2: The post development delineation for subcatchment P1E indicates a portion of the proposed driveway runoff is not directed to the rain garden for treatment. It appears that regrading of the driveway could direct most of the new driveway runoff to the rain garden for treatment. We recommend the Applicant review and revise the design accordingly</i>
Response:	The Rain Garden cannot get larger and is at its maximum capacity during a 100-year storm event. Directing more pavement runoff to the rain garden would cause it to overtop the berm.
<i>Comment 11.l:</i>	<i>Standard 3: The submitted checklist indicates the required recharge volume calculations are provided and that recharge BMPS have been size to infiltrate the required recharge volume, but the supporting information states that no recharge is provided and contradicts the checklist. We note that the Applicant is proposing a peastone diaphragm along the gravel parking area at 13 Merrimac Street.</i>



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Response:	The checklist indicates that the infiltration BMPs have been sized to the maximum extent practicable, however in this design with the associated constraints, no infiltration is feasible. We believe the checklist is accurate as currently shown.
<i>Comment 11.m.1:</i>	<i>Standard 4: Please provide an endorsement for the illicit discharge statement to meet compliance with standard 10.</i>
Response:	The illicit discharge statement has been endorsed.
<i>Comment 11.m.2.a:</i>	<i>Standard 4: 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: Good housekeeping practices.</i>
Response:	A construction Phase has been added to the O and M Manual which includes this section.
<i>Comment 11.m.2.b:</i>	<i>Standard 4: 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: Provisions for storing materials and waste products inside or under cover.</i>
Response:	A construction Phase has been added to the O and M Manual which includes this section.
<i>Comment 11.m.2.c:</i>	<i>Standard 4: 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: Vehicle washing controls.</i>
Response:	A construction Phase has been added to the O and M Manual which includes this section.
<i>Comment 11.m.2.d:</i>	<i>Standard 4: 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: Requirements for routine inspections and maintenance of stormwater BMPs and checklist that identifies each BMP (provide O&M manuals for all systems).</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.e:</i>	<i>Standard 4: 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: Spill prevention and response plans.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2fe:</i>	<i>Standard 4: 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:</i>



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	<i>Provisions for maintenance of lawns, gardens, and other landscaped areas.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.g:</i>	<i>Standard 4: 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: Requirements for storage and use of fertilizers, herbicides, and pesticides.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.h:</i>	<i>Standard 4: 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: Pet waste management provisions.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.i:</i>	<i>Standard 4: 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: Provisions for solid waste management.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.j:</i>	<i>Standard 4: 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: Snow disposal and plowing plans relative to Wetland Resource Areas (including location plan).</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.k:</i>	<i>Standard 4: 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: Winter Road Salt and/or Sand Use and Storage restrictions.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.l:</i>	<i>Standard 4: 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: Street/parking lot sweeping schedules.</i>
Response:	The O and M Manual has been revised.
<i>Comment 11.m.2.m:</i>	<i>Standard 4: 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: Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges.</i>
Response:	There will no longer be the storing of boats or maintenance on the site, therefor, we



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	do not believe the BMPs are required to be designed for spill prevention.
<i>Comment 11.m.2.n:</i>	<i>Standard 4: 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: Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan.</i>
Response:	A section on training has been added to the O&M.
<i>Comment 11.m.2.o:</i>	<i>Standard 4: 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 plan identifying each location requiring maintenance under the BMPS should be included in the document.</i>
Response:	A separate O&M Plan has been added to the O&M Manual identifying all of the BMPs that require maintenance.
<i>Comment 11.m.3:</i>	<i>Amesbury is a MS4 community, and we recommend copies of the stormwater inspection checklists be provided to the City on an annual basis.</i>
Response:	Copies of the inspection reports will be sent to the City.
<i>Comment 11.m.4:</i>	<i>We recommend the updated document be a separate complete document as typically requested by the Board.</i>
Response:	A separate Operation and Maintenance Manual has been provided with this submittal.
<i>Comment 11.n:</i>	<i>Standard 4: The water quality calculations for the TSS removal in the report indicate the calculations is based upon only the pavement areas contributing the CDS unit (0.49 ac.), but does account/ address that all of the subcatchment flow (0.63 ac) will be directed to the CDS unit. Please update the calculation to address the total flow to the unit and demonstrate the unit is properly sized to address and treat the flow.</i>
Response:	Per the manufacturer, this unit is designed to handle 10 cfs which exceeds the 100-year storm peak flow.
<i>Comment 11.o:</i>	<i>Standard 4: The analysis does not indicate or address treatment of the new pavement relative to post development subcatchment PIF. The report and analysis should be revised to provide addition information to clarify how this standard has been met under this design.</i>
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



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	treatment before reaching the river.
<i>Comment 11.p:</i>	<i>Standard 7: The proposed site features in the report does not identify/discuss if hull painting, service, and maintenance is part of the project. Please update accordingly.</i>
Response:	There will be no storing or maintenance of boats if this proposal is approved.
<i>Comment 11.q.1:</i>	<i>Standard 8: Provide necessary erosion control measures along the resource areas since a 50- foot buffer is not provided in accordance with section 2.2.1.a. of the CGP. Please include construction details of the measures in the project plan set.</i>
Response:	Silt sock with silt fence is now proposed to provide the double row of erosion controls due to the lack of the 50' buffer.
<i>Comment 11.q.2:</i>	<i>Standard 8: Names of Persons or Entity Responsible for Plan Compliance with the erosion and sediment control plan.</i>
Response:	This information will be included in the SWPPP.
<i>Comment 11.q.3:</i>	<i>Standard 8: Identify temporary sediment basin areas and provide detail drawings and specifications for erosion control BMPs, including sizing calculations.</i>
Response:	A sediment basin has been added to Sheet C-8 and a detail of the basin has been added to Sheet C-13.
<i>Comment 11.q.4:</i>	<i>Standard 8: Construction Sequencing Plan.</i>
Response:	Construction sequencing has been added to Sheet C-12
<i>Comment 11.q.5:</i>	<i>Standard 8: Sequencing of Erosion and Sedimentation Controls</i>
Response:	Construction sequencing has been added to Sheet C-12
<i>Comment 11.q.6:</i>	<i>Standard 8: The total disturbance does not account for the sidewalk reconstruction or utility impacts within Merrimac Street. The plan should be updated accordingly.</i>
Response:	Note 4 has been added to Sheet C-4 identifying the total disturbance with the R.O.W.
<i>Comment 11.q.7:</i>	<i>Standard 8: Location of the waste material dumpster, hazardous waste, and sanitary waste facilities noted on the plans are absent and should be indicated.</i>
Response:	The location of these items has been added to the Sedimentation and Erosion Control Plan Sheet C-8.
<i>Comment 11.q.8:</i>	<i>Standard 8: Inspection and Maintenance Log Form</i>
Response:	The sample inspection form has been included in the revised O and M Manual.



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<i>Comment 11.r:</i>	<i>An estimated operations and maintenance budget per Standard 9 was absent. Please include in an updated submission.</i>
Response:	An estimates O&M Budget has been added to the Manual.
<i>Comment 11.s:</i>	<i>The existing conditions characteristics in the report does not identify/discuss the 100-year flood plain of the site. Please update accordingly.</i>
Response:	The report has been revised to reference the 100-year flood plain.
Other information for Planning Board Consideration under a Special Permit	
<i>Comment 1.A.1:</i>	<i>The existing plan indicates areas below elevation 6 that are altered along the Pow Wow River, but the submission does not address the existing and proposed changes. Please update accordingly.</i>
Response:	The calculations and plans have been revised to show all intervals starting at 4-5.
<i>Comment 1.A.2:</i>	<i>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.</i>
Response:	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.
<i>Comment 1.A.3:</i>	<i>The existing conditions plan indicates the existing stairs are not part of the flood plain. Please explain, especially since they are part of the floodplain in the proposed conditions.</i>
Response:	The existing buildings are at grade and are not designed to accept flood waters. We would not count this as available flood storage.
<i>Comment 1.A.4:</i>	<i>The small rectangular area at the southwest corner of the site is shown in the floodplain in the existing conditions, but not under the proposed conditions. Please explain and update accordingly.</i>
Response:	The flood plain existing conditions plan has been revised to exclude the small rectangular area at the southwest corner of the site.



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<i>Comment I.A.5:</i>	<i>Under the proposed conditions, we would anticipate the elevator shaft would be floodproof. Please review and clarify as appropriate.</i>
Response:	The elevator foundation will be floodproofed and the top of foundation/ pit will be built to an elevation 1' above the base flood elevation. The door and entry to the lobby will be provided with angle slots to insert flood barriers if a known event were to be understood. All electronics are installed at the attic level well above the BFE. The elevator lobby walls will be furnished with flood vents sized for the area served and 12" max. to bottom of vent above grade.
<i>Comment I.A.6:</i>	<i>The proposed plan indicates a narrow area of elevation 6-7 is created along the back of the existing seawall. Please clarify what is being proposed on the grading plan for proper construction.</i>
Response:	The grading in that area has been revised slightly. The proposed 7 contour wraps around the site at the back of the sea wall. Adequate flood storage is provided.
<i>Comment I.A.7:</i>	<i>Upon revision to address the above, please demonstrate that the proposed development will comply with XII.F2.g.</i>
Response:	Adequate compensatory flood storage has been provided. The plans have been certified by a professional engineer.
<i>Comment 2:</i>	<i>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.</i>
Response:	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.
<i>Comment 3:</i>	<i>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.</i>
Response:	No response necessary.
<i>Comment 4:</i>	<i>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.</i>
Response:	The Massachusetts Department of Environmental Protection (MADEP), Waterways



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Regulation Program issued a Determination of Applicability under 310 CMR 9.0 which defined the jurisdictional limits (historic filled tidelands) at the site in the Jurisdictional Determination (JD 20-5750) issued by MADEP on November 10, 2020. Based on this determination, a Waterways Regulation Program's, Chapter 91 license application was submitted to MADEP. On February 15, 2022, MADEP issued Chapter 91 License No. 15457 to authorize previously unauthorized historic filled tidelands, shoreline structures, reconfigured marina floats, and establish a reconfiguration zone at the site.

Based on MADEP's Jurisdictional Determination (JD-20-5750), and issued License 15457, and pre-application filing meeting with MADEP, the proposed location of the new restaurant building will be constructed outside of the MADEP's jurisdiction limits, therefore the non-water dependent use is allowed at the site. The new water-dependent use marina building, however, will be partially located within MADEP Chapter 91's jurisdictional limits, or historic filled tidelands, therefore a new License will be required. 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 trust this response letter provides the necessary information for the Board's review. If you have any questions or comments, please feel free to contact our office at your convenience.

Sincerely,

Millennium Engineering, Inc.

James Melvin, P.E.
Project Manager