



Memorandum

To: Pascal Rettig
Planning Board Chair
City of Amesbury
62 Friend St.
Amesbury, MA 02913

Date: December 29th, 2025

Project #: 201049.00

From: Nathan A. Poretta, PE
Frank Dipietro, PE

Re: Proposed 2-3 Family, Multi-Family Residential Development
Clarks Road, Amesbury, Massachusetts
Site/Civil Peer Review #2

Overview

On behalf of the City of Amesbury, VHB conducted a second independent peer review of the site civil and stormwater management design prepared by The Morin-Cameron Group, Inc. for the proposed 27.5 and 29 Clarks Road Residential Development, located within the East End Smart Growth Overlay District (EESGOD) in Amesbury, Massachusetts. The project seeks approval for a multi-family residential development with associated site improvements including parking, utilities, grading, and stormwater management facilities.

The purpose of this peer review is to provide the Amesbury Planning Board with an objective technical evaluation of the project's compliance with applicable municipal regulations, state stormwater standards, and standard engineering practice. The review focuses on the adequacy and consistency of the proposed site and stormwater design to ensure protection of public safety, property, and environmental resources during both construction and long-term operation.

This second peer review evaluates revised plan sets, the updated stormwater report, the Applicant's response to prior review comments, and other supplemental materials submitted since the initial peer review. VHB has reviewed and responded to the response letter prepared by The Morin-Cameron Group, Inc. (MCG), dated December 17, 2025. For clarity, VHB's original comments from the December 4, 2025 peer review are dated accordingly and headings are in **bold**; MCG's responses are shown in *italics*, followed by VHB's follow-up response headings and recommendations are in **bold**.

Proposed Project

The project proposes the construction of a 152-unit multi-family residential development at 27.5 and 29 Clarks Road within the East End Smart Growth Overlay District (EESGOD) in Amesbury, Massachusetts. The development consists of three residential buildings with associated driveways, parking areas, utilities, grading, landscaping, and stormwater management systems.

A singular vehicular access is provided by an access driveway on Clarks Road, with internal circulation and parking designed to serve residents and emergency vehicles. Stormwater runoff from roof and paved areas is proposed to be managed through a combination of infiltration systems, bioretention areas, and subsurface drainage infrastructure.

The findings of our review are presented in the following sections. VHB's comments and recommendations are identified and numbered throughout the document.

Scope of Review

The following documents and topics were reviewed by VHB on behalf of the Amesbury Planning Board, including but not limited to:

- › Response Comments to Peer Review prepared by The Morin-Cameron Group, Inc., dated December 17, 2025
- › Floor Plans prepared by HDS Architecture, dated December 17, 2025
- › Pipe Sizing Calculations by The Morin-Cameron Group, Inc., dated December 12, 2025
- › Site Development Plans prepared by The Morin-Cameron Group, Inc., dated September 29, 2025, revised December 17, 2025
- › Swept Path Sketch prepared by The Morin-Cameron Group, Inc., dated September 29, 2025, revised December 11, 2025
- › TSS Removal Calculations prepared by The Morin-Cameron Group, Inc., dated October 20, 2025, revised December 12, 2025
- › Groundwater Mounding Calculations prepared by The Morin-Cameron Group, Inc., dated December 18, 2025
- › Riprap Sizing prepared by The Morin-Cameron Group, Inc., dated December 18, 2025
- › L1.1 Landscape Materials Plan and L1.2 Representative Plant List dated November 14, 2025
- › City of Amesbury Stormwater Management Ordinance (Chapter 398) and related Stormwater Management & Erosion Control Regulations
- › Amesbury Subdivision Rules and Regulations (June 29, 2020, Revised January 7, 2025)
- › Amesbury Zoning Ordinance and Map (Adopted April 12, 1971 with Revisions Through April 30, 2025)
- › Amendment - Zoning Ordinance 2023-01: East End Smart Growth Overlay District
- › Amesbury Wetland Regulations (June 20, 2012)
- › Massachusetts Stormwater Management Standards and Massachusetts Stormwater Handbook
- › Adequacy of proposed stormwater management systems, including sizing, pretreatment, infiltration, and outlet structures
- › Grading and drainage design, including pre- and post-development hydrology, stormwater routing, and peak-flow mitigation
- › Erosion and sedimentation controls for construction-phase compliance
- › Long-term operation and maintenance of stormwater infrastructure
- › Utility layout
- › Conformance with applicable municipal design standards for site layout, access, and infrastructure
- › General Engineering Practice

Missing Materials

VHB has reviewed the submitted documents and identified several items that are either missing or incomplete to a degree that prevents full technical review. Some of these items are not technical in nature but are included for the Planning Board's awareness as part of its overall project review. The list below reflects the materials identified to date,

however, additional items may be required as further information is submitted or as the design is refined, including but not limited to the following:

- › Erosion and Sedimentation Control Plan, (See Stormwater Management and Wetlands Compliance section below)
- › Hydraulic Calculations for Storm Drain Pipes and Outlets, (See Stormwater Management and Wetlands Compliance section below)
- › Retaining Wall Details, (See Conformance with the Zoning Ordinance section below)
- › Landscape Plan Calculations, (See Conformance with the Zoning Ordinance section below)
- › Shadow Analysis, (See Conformance with the Zoning Ordinance section below)
- › Confirmation of Lot Consolidation (ANR Plan) (See Subdivision of Land and Site Plan Special Permit Regulations section below)
- › Groundwater Mounding Analysis (See Stormwater Management and Wetlands Compliance section below)
- › Affordable Housing Compliance Materials, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Open Space Ownership & Maintenance Entity Formation Copies, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Deeds, easements, agreements and other legal documents, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › "Location, quantity and unit size" of units accessible to the disabled, Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Utility capacity confirmation (Planned Infrastructure & CIP), Applicant's Proposed Condition of Approval, (See Conformance with the Zoning Ordinance section below)
- › Soils Report (See Conformance with the Zoning Ordinance section below)
- › General Environmental Impact (See Conformance with the Zoning Ordinance section below)
- › Building with Elevations (See Conformance with the Zoning Ordinance section below)
- › Indoor Garage Layout Plan (See Conformance with the Zoning Ordinance section below)

See appropriate comments in detailed sections below.

MCG Response: Erosion and sediment notes are shown on the "General Notes, Legend & Abbreviations" sheet, proposed erosion control locations are depicted on the "Site Preparation & Demolition Plan", and details of the erosion controls are depicted on the details sheets. The following documents have been included as supplemental information with this response letter:

- *Hydraulic calculations for pipes and outlets*
- *Indoor garage layout*
- *Landscape Plan Calculations*

VHB Response: Upon review, this item appears to be missing.

- *Indoor Garage Layout Plan*

- *Groundwater mounding calculations*

The following items will be submitted under separate cover at a later date:

- *Shadow Analysis*
- *Building with Elevations*

The following documents have not been submitted, and the Applicant request these be incorporated into the conditions of approval to be submitted prior to building permit application:

- *Retaining wall design (to be completed during building permit development)*
- *ANR Plan (to be prepared pending approvals)*
- *Affordable Housing Compliance Material (to be prepared pending approvals)*
- *Open Space Ownership and Maintenance Entity Formation Copies (to be prepared pending approvals)*
- *Deeds, easements, agreements and other legal documents (to be prepared pending approvals)*
- *Location, quantity and unit size of units accessible to the disabled (to be completed during building permit development)*
- *Utility capacity and conformance with Planned Infrastructure Report and Capital Improvement Plan (to be prepared and coordinated with the Department of Public Works)*
- *Soils Report (waiver requested)*
- *General Environmental Impact (to be submitted to the Conservation Commission during the NOI permitting process)*

VHB Response: VHB has reviewed the Applicant's response and associated supplemental materials. While additional information has been provided since the initial peer review, several items identified previously remain outstanding or are proposed to be deferred to subsequent permitting phases. The adequacy and timing of these materials, and whether deferral is appropriate, are discussed in the applicable sections of this peer review.

Conformance with the Zoning Ordinance

This review was conducted on behalf of the Amesbury Planning Board to identify areas where the proposed project may not fully comply with the Amesbury Zoning Ordinance (2025), including the provisions of the East End Smart Growth Overlay District (EESGOD), as well as related subdivision and site design standards.

While VHB has noted select instances where additional clarification or justification may be warranted, not all potential deviations may be captured in this review. The Planning Board, acting as the permit-granting authority under the Smart Growth framework, may consider these observations in formulating its findings and may grant waivers or conditions as it deems appropriate.

Section VIII: OFF-STREET PARKING AND LOADING REGULATIONS

1. G.18 All parking areas shall provide handicapped parking spaces and access ramps, as required by the Americans with Disabilities Act (ADA as amended.)

(12/4/25) VHB Comment: The submitted plans do not clearly demonstrate that each building is served by ADA-compliant accessible parking spaces. Under 521 CMR 23.2 (Massachusetts Architectural Access Board), accessible parking spaces must be provided in each parking area and must be located on the shortest accessible route to an accessible building entrance. Similarly, the 2010 ADA Standards (Section 208.3.1) require that accessible spaces be dispersed and positioned to serve each accessible entrance rather than grouped in a single location. Particularly, it does not appear that Buildings A or B have any accessible parking spaces, although these may not be required for these use types. Also, there should not be any parking across the drive aisle if there is closer parking available building side.

Because building entrances are not shown on the current plans, it is not possible to verify whether accessible spaces are properly assigned, located, or connected by compliant routes.

VHB recommends that the Planning Board requests the Applicant clarify the following:

- The number and location of accessible parking spaces serving each building or parking area.
- The location of accessible building entrances, and confirmation that each accessible space is situated on the shortest accessible route to those entrances.
- Confirmation that accessible routes meet the requirements of 521 CMR and the 2010 ADA Standards, including slopes, landings, and connection to sidewalks/walkways.

This information is needed to confirm compliance with applicable accessibility requirements.

MCG Response: Until the project is further developed, it is unknown if Building A or Building B will include an accessible unit, but it is not anticipated at this time. However, if it is determined that either building will include an accessible unit, the ADA accessible spaces will be relocated to conform with the 2010 ADA Standards.

Per the ADA Design Standards, each parking facility must comply with the required number of ADA spaces. This project includes two (2) facilities, the above ground surface parking area and the underground garage parking area. The calculations for the number of spaces required/provided is noted on the Site Layout Plan (Sheet C-7).

The ADA spaces located across the drive aisle (east side of Building C) are located at the closet location to the building with an accessible route. The parking lot grades nearest the building typically exceed 3% and therefore are not suitable for accessible parking spaces which must be under 2%. The three (3) spaces located near the play area and (3) spaces located at the western entrance of Building C are anticipated to be restricted, short term parking at varying times (to be determined at a later date). The ADA spaces located at the western entrance will provide an accessible route to the proposed amenity area on the western side of the building.

The site has been designed to be in full compliance with all applicable ADA regulations. Final grading, locations of accessible parking spaces and accessible routes to the building will be enhanced in greater detail during the construction plan phase coinciding with the building permit application. This level of detail is not possible at this time without having the construction drawings by structural engineers, MEP engineers, architect and other professionals for the building in hand.

VHB Response: VHB acknowledges the Applicant's statement that Buildings A and B are not currently anticipated to include accessible units and that accessible parking requirements would be reevaluated should that change.

With respect to the accessible parking spaces proposed across the drive aisle, VHB cannot confirm that these spaces provide the closest, safest, or most direct accessible route to the primary entrance of Building C based on the information provided. The need to cross an active drive aisle introduces potential pedestrian vehicle conflicts and does not clearly represent the shortest practicable accessible route. Also, doorways are still not clearly shown on the plans, therefore the accessible route cannot be determined.

In addition, the accessible parking spaces shown at an intermediate location between the amenity areas and the Building C entrance do not appear to serve either destination by the shortest practicable accessible route. Locating accessible parking midway between destinations may result in longer travel distances, particularly during inclement weather conditions, and may not provide equivalent convenience or safety compared to parking located closer to required entrances. If accessible access is required to both the building entrance and the amenity areas, additional or reconfigured accessible parking may be necessary.

VHB recommends that the Planning Board require the Applicant to submit updated plans prior to the building permit application demonstrating compliance with 521 CMR and the 2010 ADA Standards for all required accessible parking spaces and routes. Any site design revisions necessary to achieve compliance should be submitted to the Planning Department for acknowledgment as a condition of approval.

2. G.18 All parking areas shall provide handicapped parking spaces and access ramps, as required by the Americans with Disabilities Act (ADA as amended.)

(12/4/25) VHB Comment: While the plans do not identify EV parking spaces, public comments indicate that EV charging stations may be proposed as part of the project. If EV spaces are included, it is not clear whether any will be ADA-accessible, as required under the 2010 ADA Standards for Accessible Design and U.S. Access Board guidance. A minimum of 5% of ADA spaces are required to contain EV chargers as per the guidance developed by the DCAMM Office of Planning, Statewide Accessibility Initiative.

Accessible EV charging spaces must meet requirements for stall dimensions, access aisles, signage, and location on the shortest accessible route to an accessible entrance. Without clear identification of EV spaces on the plans, VHB cannot verify whether accessible EV charging accommodations are being provided.

VHB recommends that the Planning Board requests that the Applicant clarify whether EV charging spaces are proposed, and if so, confirm that the design includes the required number of ADA-accessible EV spaces consistent with federal accessibility standards.

***MCG Response:** The site plans have been revised to show future EV underground electric conduit ("EV Ready") for 42 parking spaces total along the Northern parking (including an ADA accessible space). The conduit and location of EV ready spaces is shown on the Utility Plan (sheet C-9). Under the Stretch Energy Code at least 20% of spaces for new residential buildings shall be "EV ready". The project is proposing a total of 203 parking spaces for the site (surface parking and underground garage parking) making the total required "EV ready" parking spaces 41 spaces. The proposed 42 "EV Ready" parking spaces meet the requirements of the Residential Stretch Energy Code and ADA accessibility requirements.*

VHB Response: VHB acknowledges that the plans have been revised to identify EV-ready parking spaces, including conduit installation, consistent with the requirements of the Massachusetts Residential Stretch Energy Code.

Based on the revised plans, this comment has been addressed.

Section XI.Q: SMART GROWTH OVERLAY DISTRICT

5. Permitted Uses

1. 5.2.1 A Project within the Two or Three Family Sub-district (2-3 FAM) may include:
(Waiver Requested)
2. 5.2.2 A Project within the Multi-family Sub-districts (MF-1 and MF-2) may include:
(Waiver Requested)

6. Housing and Housing Affordability

3. 6.3.2 Evidence that the Project complies with the cost and eligibility requirements of Section 6.4
(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.
4. 6.3.2 (second bullet numbered 6.3.2) Project plans that demonstrate compliance with the requirements of this Section 6.3 and Section 6.5;
(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.
5. 6.3.3 A form of Affordable Housing Restriction that satisfies the requirements of Section 6.6
(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.
6. 6.3.4 Floor Plans that shall include details including, but not limited to, location, quantity and unit size related to units provided within the development that are accessible to the disabled.
(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.
7. 6.6 Each Project shall be subject to an Affordable Housing Restriction which is recorded with the appropriate registry of deeds or district registry of the Land Court and which contains the following:
(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.

7. Dimensional and Density Requirements

8. 7.2.1 to build two three family buildings each 10' from the front property line, where 20' is required.
(Waiver Requested)

10. Design and Development Standards

9. 10.3.h. Signs. The location, dimensions, height, and characteristics of proposed signs;

(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.

10. 10.4.b Soils – a report on the potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development and the mitigation efforts proposed. To this end, high intensity soil mapping, i.e., test borings and analysis, may be required;

(12/4/25) VHB Comment: A soils report is missing from the submission, as is required by the zoning bylaws. This report is critical to describe the potential for erosion and sedimentation associated with the operation and maintenance of the proposed development.

This item is particularly relevant given the proposed grading along the southern portion of the site, where portions of the building and a stormwater surface basin are located on or adjacent to steep slopes. A geotechnical evaluation regarding construction methods and long term stability of these areas is required. This is discussed in more detail in VHB's comment regarding §10.5.e.2.b. Without the required soils/erosion analysis, VHB cannot evaluate whether the proposed design adequately addresses erosion risks, slope stability, or long-term maintenance considerations.

VHB recommends that the Planning Board requests the Applicant provide the required soils report prepared by a geotechnical consultant, including an assessment of erosion and sedimentation risks and the associated mitigation measures, consistent with the EESGOD submission requirements. This documentation will assist the Planning Board in reviewing the project's compliance with §10.5.e.2.b and evaluating the adequacy of proposed protection measures for development on or near steep slopes.

***MCG Response:** The Applicant has not engaged a geotechnical engineer for this stage of the project feasibility (i.e. Site Plan Approval). A geotechnical engineer will be engaged and can prepare the noted report as part of the construction drawing phase of the project following this planning board process. The Applicant requests that this requirement be a condition of approval and submitted prior to building permit.*

VHB Response: VHB acknowledges the Applicant's request to defer preparation of the required soils report to the construction drawing phase. However, based on the applicable zoning bylaw requirements and the proposed site design, the absence of a soils and geotechnical report at this stage prevents VHB from reviewing erosion potential, slope stability, and long-term performance of the proposed grading.

As noted in VHB's original comment, this information is particularly important given the proposed disturbance of steep slopes along the southern portion of the site and the placement of buildings and stormwater infrastructure in these areas. Without a geotechnical evaluation, it is not possible to confirm that the proposed design is consistent with the intent of §10.5.e.2.b or that adequate mitigation measures have been incorporated into the site layout.

VHB recommends that the Planning Board determine whether submission of a soils and geotechnical report is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should clearly require that the report be prepared by a qualified geotechnical professional and submitted prior to issuance of a building permit, with any resulting design

modifications returned to the Planning Board for review, as such changes may affect grading, stormwater management, and site layout.

11. 10.4.c General environmental impact – a report on the relationship of the proposed development to the major botanical, zoological, geological, and hydrological resources on the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods. At the discretion of the Planning Board, an EIS required through the MEPA process which addresses the Planning Board’s concerns may be substituted in lieu of this report;

(12/4/25) VHB Comment: The EESGOD submission requirements call for a general environmental impact report describing the relationship of the proposed development to the major botanical, zoological, geological, and hydrological resources on the site, as well as the project’s compatibility with adjacent land uses and surrounding neighborhoods. This report may be submitted to the Conservation Commission as part of the NOI filing or substituted with a MEPA Environmental Impact Statement (EIS) at the discretion of the Planning Board; however, no such report or substitute documentation was included in the current submission as required.

Given the presence of on-site wetland resource areas, steep slopes, public-access open space, and adjacent residential uses, this information is necessary for the Board to understand the project’s broader environmental context and its potential impacts on surrounding natural and built environments.

VHB recommends that the Planning Board requests the Applicant submit the required environmental impact report or, if applicable, confirm whether this report will be submitted as part of the NOI filing or a MEPA filing will be provided to the Board for their review. This documentation will assist the Planning Board in evaluating the project’s environmental compatibility and compliance with the EESGOD submission standards. This requirement could be included as a condition of approval by the Board.

***MCG Response:** An environmental impact report is being prepared by the project’s Wetland Scientist (LEC Environmental Consultants, Inc.) and will be submitted to the Conservation Commission during the Notice of Intent permitting process. The Applicant requests that submittal of this document to the Planning Board be a condition of approval and submitted to the Planning Board once completed.*

VHB Response: As noted in VHB’s original comment, the general environmental impact report is intended to inform the Planning Board’s review of the project’s relationship to on-site natural resources, including wetlands, steep slopes, and open space, as well as the project’s compatibility with adjacent land uses and surrounding neighborhoods. Absent this information, VHB’s ability to review the project’s environmental context and potential impacts at the site plan approval stage is limited.

VHB recommends that the Planning Board determine whether submission of the environmental impact report is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should clearly require that the completed report be submitted to the Planning Board upon completion and prior to issuance of a building permit, or prior to final plan endorsement, as deemed appropriate by the Board.

12. 10.4.e Architectural Plans – elevations, roof plans and other drawings and documentation, architectural elevations of all sides of all new buildings and of those sides of existing buildings which are proposed to be altered in any way. The elevations shall be prepared by a registered architect who shall sign the plan and place

his/her seal upon it. The drawings shall be prepared at a minimum scale of $1/8" = 1'$ and shall show the following:

(12/4/25) VHB Comment: The architectural drawings included in the submission appear to be schematic design renderings rather than formal architectural elevations. EESGOD requirements call for fully dimensioned elevations of all building facades, prepared, signed, and sealed by a registered architect at a minimum scale of $1/8" = 1'-0"$. The submitted materials do not include an architect's seal, do not show building heights or key dimensions, gross floor areas, garage plans and do not provide the level of detail needed to evaluate conformance with the EESGOD architectural standards or building-height requirements.

VHB recommends that the Planning Board requests the Applicant provide preliminary architectural drawings that portray architectural elevations prepared, signed, and sealed by a registered architect, including building heights, rooflines, gross floor areas, garage plans and other required dimensional information, so the Planning Board can fully assess compliance with the ordinance and that they meet the Amesbury's Design Guidelines, adopted March 1999.

MCG Response: *The noted plans will be submitted under separate cover at a later date.*

VHB Response: VHB recommends that the Planning Board determine whether submission of preliminary architectural elevations is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should require that the drawings be submitted for Planning Board review prior to issuance of a building permit.

13. 10.4.e.4 Size, location, colors, and copy of signs affixed to or hanging from the building;

(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.

14. 10.4.f. Deeds, easements, agreements and other legal documents – Draft of deeds, easements, agreements and other legal documents, including the following where applicable:

(12/4/25) VHB Comment: See Proposed Conditions of Approval section below.

15. 10.5.a.2.b and 10.5.a.2.c

b. A plan to minimize traffic and safety impacts through such means as physical design and layout concepts, promoting use of public transportation, or other appropriate means; and,

c. An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.

(12/4/25) VHB Comment: This comment relates to safe internal circulation as intended by EESGOD Sections 10.5.b and 10.5.c. The first six parking spaces near the site entrance appear to be located directly within the main driveway throat. Parking within the driveway can create conflicts with entering and exiting vehicles, reduce sight lines, and limit available width for two-way circulation, particularly during peak hours or when vehicles are maneuvering into or out of these stalls.

VHB recommends that the Planning Board requests that the Applicant confirm that adequate driveway width, maneuvering space, and sight distance are maintained with these spaces in place. If necessary, the Applicant may wish to evaluate alternative layouts or operational measures to ensure safe and efficient access at the site entrance.

***MCG Response:** The first six (6) spaces located near the entrance to Clark Road provide adequate maneuvering space and do not create a safety hazard.*

- *The driveway aisle is designed in compliance with the Regulations and commonly accepted engineering practices.*
- *The first space is located 62' from the entrance to Clarks Road which provides sufficient distance for a vehicle to complete a 90 degree right turn into the driveway, which is adequately wide with 12' aisles in each direction (total width 24'). The vehicle, which will already be at a reduced speed making the turn, then will be aligned facing the parked cars and has adequate distance, at this reduced speed, to come to a full stop.*
- *Traffic calming surface changes at the entrance drive will further deter operators from hitting the accelerator upon entering the site.*
- *Vehicles making a left turn in have an additional 15' of site distance with visibility from the lane opposite the site.*

VHB Response: VHB acknowledges the Applicant's explanation regarding driveway width, maneuvering distances, sight distance, and traffic calming measures at the site entrance. Based on the information provided, the proposed parking configuration and internal circulation layout appear to be consistent with applicable dimensional requirements and generally accepted engineering practice.

Accordingly, this comment has been addressed.

16. 10.5.a.4.b If the property directly abuts a pedestrian walkway or bikeway right-of-way, a paved access route to the bikeway shall be provided; and,

(12/4/25) VHB Comment: The plans show a stairway connection from the amenity area between Buildings B and C to the proposed public-access trail. While the Applicant does provide an accessible connection from the development to Clark Road, no ADA-accessible interior route is provided from the amenity space to the public trail.

See general comment regarding ADA in general comments section below.

***MCG Response:** There is no stairway from the amenity area to the trail (there are stepping stones set flush with surrounding grade to connect the trail to the amenity area). The proposed project was designed to deter public access from the public trail into the private amenity areas intended for residents. An accessible route from building A and B is provided along Clarks Road and an accessible route is provided as part of the public trail up to the building connector. However, it should be noted that the trail beyond the Building C connector has not been designed as an accessible feature given the existing topography and to minimize disturbance to the natural environment. Portions of the trail are in conformance with accessible guidelines, but the overall trail has been designed following the US Forest Service Trail Accessibility Guidelines which are referred to in both ADA and MAAB. Generally, for new trails, slopes are intended to follow the natural terrain of the land without causing extensive excavation or changes to grade and with that in mind, compliance with the slope requirements to the extent practicable is the standard.*

VHB Response: VHB acknowledges the Applicant's clarification that the connection between the amenity area and the public-access trail consists of stepping stones set flush with grade, rather than a stairway. Based on this clarification, the plans do not depict a formal stair connection from the amenity area to the trail.

VHB further acknowledges the Applicant's intent to discourage public access from the trail into private amenity areas and the explanation that the trail beyond the Building C connector has not been designed as a fully accessible facility due to topography and environmental constraints.

Notwithstanding the above, §10.5.a.4.b of the EESGOD requires that, where a property directly abuts a pedestrian walkway or bikeway, a paved access route to the walkway or bikeway be provided. While an accessible route is shown along Clarks Road and to the trail connection near Building C, the plans do not clearly demonstrate whether a paved, compliant access route is being provided at all required interface points.

VHB recommends that the Planning Board confirm whether the proposed trail connections satisfy the intent of §10.5.a.4.b and whether any additional paved or accessible access routes are required. Clarification of which connections are intended to be accessible, and which are not, should be provided on the plans. This may be addressed as part of the general ADA coordination noted elsewhere in this review.

17. 10.5.b.1 To allow 1.33 parking spaces per unit where 1.75 spaces are required.

(Waiver Requested)

18. 10.5.b.4.d To allow for 16 compact spaces of 8.5' width by 18' length.

(Waiver Requested)

19. 10.5.b.4.e. Design all off-street parking and loading spaces, access ways, and maneuvering area so as to provide for adequate drainage, snow removal, maneuverability and curb cuts; and,

(12/4/25) VHB Comment: This comment relates to maneuverability requirements under the Zoning Ordinance which requires loading spaces and access ways to be designed to provide adequate maneuverability and avoid conflict with site circulation. The plans show a single 40-foot loading space, but it is not clear whether this area is intended to serve all loading, delivery, and move-in/move-out functions for the development. Routine services such as Amazon/UPS deliveries, typically using rolling carts that require ramp access, as well as residential moving vehicles, may require more functional loading accommodations than a single 40-foot space can provide. It is also unclear how deliveries or moving operations for Building C would be managed from this location.

Without confirmation that the proposed loading space is adequate, there is a risk that delivery or service vehicles may stage within drive aisles, which could affect two-way circulation, emergency access, or resident access.

VHB recommends that the Planning Board requests that the Applicant clarify the intended use of the 40-foot loading space and provide supporting information demonstrating that it can adequately serve anticipated operational needs.

In addition, VHB requests clarification on whether the cul-de-sac turnaround near the site entrance is intended to function as a drop-off or pick-up area, and if so, how short-term stopping will be managed to avoid

disrupting circulation. Based upon the submitted truck turning templates, it appears that the emergency vehicles need the entire width of the cul-de-sac for their maneuverability. Therefore, VHB recommends that the Planning Board requests that the Applicant provide signage to prohibit the use of short-term parking in this area.

***MCG Response:** The loading zone has been modified to be a total length of 44'. The curbing has also been modified to allow better accessibility for vehicles into the loading zone. Based on prior projects with the same developer, this type of loading zone works effectively. A "Swept Path Sketch" has been prepared to show the maneuverability of two vehicles (similar size to Amazon, UPS, FedEx, etc.) utilizing the loading zone at the same time.*

The sketch also depicts a scenario of a 30' "moving truck" being located in three (3) different locations in the cul-de-sac, with an emergency vehicle (i.e. ambulance) still being able to fully access/turn through the cul-de-sac. The ladder truck would not be able to turn around the cul-de-sac if vehicles are temporarily parked within the drive aisle but would still be able to access the drive aisle/building if needed. The swept path sketch also includes a turning figure to show the ladder truck can reverse to the underground garage and turn around if needed, removing a requirement for the ladder truck to reverse excessive distances to turn around.

The developer has extensive experience in owning and managing similar properties. The property manager will oversee moving truck schedules to not inundate the parking area or the building.

VHB Response: VHB acknowledges the Applicant's revisions to the loading zone, including the increase in length to 44 feet, modified curbing, and submission of swept path exhibits demonstrating maneuverability for delivery vehicles, moving trucks, and emergency vehicles.

While the Applicant has indicated that similar loading configurations have operated effectively at other properties and that on-site management would oversee moving and delivery activity, the acceptability of the proposed loading and circulation layout remains dependent on operational enforcement and emergency access considerations.

In particular, the swept path analysis indicates that temporary parking within the cul-de-sac could restrict ladder truck maneuverability, and that alternate maneuvering strategies, as shown a ladder truck backing down the garage ramp to three point turn, may be required. VHB recommends that the Planning Board confirm that the proposed circulation and emergency access configuration has been reviewed and approved by the Fire Department.

Subject to confirmation of Fire Department concurrence, VHB defers to the Planning Board to determine whether the proposed loading zone and internal circulation provide adequate maneuverability, emergency access, and operational functionality consistent with §10.5.b.4.e of the Zoning Ordinance.

20. 10.5.b.4.e. Design all off-street parking and loading spaces, access ways, and maneuvering area so as to provide for adequate drainage, snow removal, maneuverability and curb cuts; and,

(12/4/25) VHB Comment: The proposed dumpster enclosure is located along a primary internal drive aisle that serves as the main access to the rear portion of the site. Based on its location, servicing the dumpster (trash/recycling collection) would require a truck to stop within this internal drive, temporarily blocking traffic and potentially limiting access to the back half of the site.

VHB recommends that the Planning Board requests that the Applicant clarify how trash and recycling vehicles will access and service the dumpster without interrupting circulation within this primary drive aisle. If the current location is intended to remain, the Applicant should confirm that service operations can occur safely and without restricting resident access, emergency access, or overall site circulation.

***MCG Response:** The Applicant has considered the comment and concluded that trash and recycling vehicle access will not adversely impact the proposed development. This enclosure type and size has performed effectively at similar developments developed by the applicant, with brief service interruptions managed without significant impacts. After consideration, the Applicant has no concerns that the temporary traffic impacts will not unduly affect residents, emergency access, or overall site circulation. If impacts are determined to be detrimental during operations, pickups can be adjusted and scheduled during off-peak times.*

VHB Response: VHB acknowledges the Applicant's explanation regarding trash and recycling service operations at the proposed dumpster enclosure. Based on the information provided, including the Applicant's operational experience with similar facilities and the ability to schedule service during off-peak periods, the proposed arrangement does not present an apparent conflict with the intent of §10.5.b.4.e related to site circulation and maneuverability.

Accordingly, this comment has been addressed.

21. 10.5.c.1 A landscaped buffer strip at least twenty (20) feet wide, continuous except for approved driveways, shall be established adjacent to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, and shade trees having a minimum 3" caliper, planted at least every 50 feet along the road frontage. At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present an obstruction to sight lines.

(Waiver Requested)

22. 10.5.c.2 Retaining Walls. Retaining walls shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls shall be terraced and landscaped. Retaining walls facing residential districts shall be natural stone finish and vertical cast in place concrete shall not be permitted.

(Waiver Requested)

23. 10.5.c.3 Fences, Decorative Walls and Hedges. Fences, low decorative walls and hedges define walkways, give pedestrian scale to the street and maintain the historic character of the City. The materials and design shall reflect the period and the ornateness of the building they delineate. The use of low decorative fences to delineate spaces is strongly encouraged and the use of any type of chain link or stockade fence is prohibited.

(Waiver Requested)

24. 10.5.c.6 Parking Areas. Parking areas containing over 20 parking spaces shall have at least one shade tree per eight (8) parking spaces, such trees to be a minimum of 2 ½ inches in diameter and located either in the parking area or within ten (10) feet of it. At least five (5)% of the interior of any parking area over 20 spaces shall be maintained with landscaping, including trees, in plots of at least nine (9) feet in width when located within a parking bay. Trees shall be so located to provide visual relief from sun and wind interruption within

the parking area, and to assure safe patterns of internal circulation. Further, no more than twenty (20) spaces shall be provided in a row without separation by a landscaped area containing at least one (1) shade tree. In the case of double rows, this separation shall mean twenty (20) spaces on each side of the bay areas. Smaller parking lots shall use landscaping and terracing to break up large areas of pavement and to enhance a residential flavor and appearance; trees and shrubs shall be used to the maximum extent feasible.

(12/4/25) VHB Comment: Section 10.5.c.6 requires interior parking lot landscaping, including one shade tree per eight spaces, landscaped islands, and a minimum of five percent of the parking area maintained as interior landscaped area. The Applicant has submitted a landscape plan that appears to meet the intent of these standards; however, the required calculation demonstrating compliance with the five percent interior landscaping requirement has not been provided.

VHB recommends that the Planning Board requests that the Applicant submit the interior landscape percentage calculation for documentation and to confirm compliance with Section 10.5.c.6.

***MCG Response:** A sketch depicting the landscaping calculation has been included in the supplemental materials. The overall planting area is 5.6% and is in compliance with the 5% minimum.*

VHB Response: VHB acknowledges the Applicant's statement that an interior parking lot landscaping calculation sketch has been prepared demonstrating compliance with the five percent minimum requirement. However, this sketch was not included in the materials posted to the City's online portal and was therefore not available for review.

VHB recommends that the Applicant upload the referenced landscaping calculation sketch to the project file so compliance with §10.5.c.6 can be verified and documented for the Planning Board record.

25. 10.5.d.4 Resident's Association In order to ensure that any proposed common open space and common facilities within the development will be properly maintained, each project development shall have a Resident's Association or similar responsible entity, which shall be in the form of a corporation, non-profit organization, or trust, established in accordance with appropriate state law by a suitable legal instrument or instruments recorded at the Essex Registry of Deeds or Registry District of the Land Court. As part of the Plan Approval, the applicant shall supply to the PAA copies of such proposed instrument.

(12/4/25) VHB Comment: Section 10.5.d.4 of the Amesbury Zoning Ordinance requires each project to establish a property management entity to ensure proper long-term maintenance of common open space and common facilities.

VHB recommends that the Planning Board requests that the Applicant provide contact information for this entity should be provided to the Planning Board and appropriate City agencies.

The long term responsibilities of the property management should be documented and provided to the Planning Board. Should the management entity change, updated contact information should be provided to the City.

Because the project includes privately owned and maintained features, such as stormwater BMPs, internal roads, sidewalks, lighting, open spaces, and other shared infrastructure, clarity on ownership and maintenance

responsibilities is necessary to confirm compliance with §10.5.d.4 and to ensure these systems are properly operated over time.

See Proposed Conditions of Approval section below.

***MCG Response:** This information is not available at this time as the management company would not be hired until close to completion of the building. This can be included as a condition of approval to be provided prior to issuance of a final occupancy permit. Regarding stormwater BMPs; the developer is the responsible party until such time that they name a new party to manage the property. This is described in the LTPPP included with the stormwater report and common practice. The final stormwater LTPPP should be provided with the final as-built for the project, coincident with the final building occupancy.*

VHB Response: VHB acknowledges the Applicant's intent to establish a property management entity at a later stage. While it is reasonable that the specific management company may not yet be identified, the Zoning Ordinance requires confirmation that a responsible entity will be established to ensure long-term ownership, operation, and maintenance of common facilities.

VHB recommends that the Planning Board require, as a condition of approval, submission of the proposed ownership and maintenance framework, including responsible parties and maintenance responsibilities for common infrastructure (e.g., stormwater systems, roads, open space), prior to issuance of a certificate of occupancy.

26. 10.5.e.1.c Any portions of new buildings within 200 feet of existing residential buildings three (3) stories or less, shall not exceed three (3) stories. See Style Guide.

(Waiver Requested)

27. 10.5.e.2.b Except for recreational access, disturbance of steep slopes (over 25%) and the placement of buildings in areas that require extensive alteration of steep slopes and mature vegetation through road, utilities or building construction shall be avoided;

(Waiver Requested)

28. 10.e.13 Energy Efficiency:
a. All buildings shall reflect environmentally responsible design and construction practices as governed by the Energy Star Program; and,
b. Buildings are also strongly encouraged to be certifiable by the U.S. Green Building Council LEED Rating System.

(12/4/25) VHB Comment: Section 10.13 requires that buildings reflect environmentally responsible design and construction practices consistent with the Energy Star Program and encourages LEED-certifiable design. The submission does not include information regarding Energy Star compliance or whether the project intends to pursue LEED-certifiable design.

VHB recommends the Planning Board requests the Applicant clarify how the project will meet the requirements of Section 10.13 for the Planning Board's information.

***MCG Response:** The project will meet Amesbury's building codes including its adoption of the Stretch Code. Depending on the editions in effect at the time of application for building permit, the Applicant may pursue LEED certification but does not wish to be conditioned to do so.*

VHB Response: VHB acknowledges the Applicant's statement that the project will comply with applicable building codes, including the Massachusetts Stretch Energy Code. Section 10.13(b) encourages, but does not require, LEED-certifiable design. **Based on the information provided, this comment has been addressed.**

29. 10.5. **j. Lighting.** All Plans shall comply with the following requirements:

1. Parking lot pole lighting shall not exceed a height of 18 feet;
2. Lighting along the driveways, pedestrian walkways and sidewalks shall not exceed 12 feet in height; and,
3. The pole heights should determine the overall spacing of the poles and fixtures shall be of the cutoff luminaries type. Lamp type should be metal halide to provide a natural uniform quality of light. Parking and pedestrian light fixtures should be compatible with the building lighting to provide for a contiguous appearance of the project.
4. All other provisions of Section XI.C.8.i.

Per XI.C.8.i.2 Compliant and designed to provide the minimum illumination recommended by the IESNA in the most current edition of the Illuminating Engineering Society of North America (IESNA) Lighting Handbook.

(12/4/25) VHB Comment: Section 10.5.j limits parking lot lighting poles to 18 feet and driveway, walkway, and sidewalk poles to 12 feet. Although the photometric plan identifies fixtures, the site plans do not show lighting pole locations, heights, or foundation details, so compliance with these standards cannot be confirmed.

VHB recommends that the Planning Board requests that the Applicant confirm pole locations and heights, clarify whether building-mounted fixtures are included, and provide updated photometric information as needed to demonstrate compliance with Section 10.5.j and XI.C.8.i. The Planning Board may also wish to consider whether lighting is appropriate along the proposed boardwalk and the path to the dog park given potential early-morning and evening use.

***MCG Response:** The light fixture/ pole locations are graphically shown on the Utility Plan (Sheet C-9). The light pole heights are 18' for parking lot, 12' for pedestrian sidewalk and 10' at building entries as noted on the Lighting Photometric Plan and are in compliance with the height requirements. Minimal lighting is provided at the dog park as shown on the photometric plan. It is our opinion that lighting is not necessary for the boardwalk, especially given the environmental sensitive location and our desire to minimally disturb the natural area beyond the building. The Applicant also does not want to encourage usage of the trail at night, similar to commonly accepted city rules for park access from dusk to dawn. Full design of all site features such as the light poles/bases have not been completed at this time and the Applicant requests that submittal of these documents to Planning Board be a condition of approval and submitted at a later date.*

VHB Response: VHB acknowledges the Applicant's clarification regarding lighting locations and pole heights, as shown on the Utility Plan and Lighting Photometric Plan. Based on the information provided, the proposed

pole heights for parking areas, pedestrian walkways, and building entries appear to comply with the height limitations of §10.5.j.

VHB further acknowledges the Applicant's intent to limit lighting along the boardwalk and natural areas to minimize environmental impacts. Detailed pole base and foundation design has not yet been provided; however, these elements are typically addressed during later design phases.

Accordingly, this comment has been addressed. Any remaining lighting fixture and foundation details may be submitted as a condition of approval.

30. 10.5.m. **Utilities.** All Plans shall comply with the following requirements:

1. Electric, telephone, cable TV and other such utilities shall be underground from existing roadway utilities; and,
2. The applicant must demonstrate that the proposed development is consistent with the City's Planned Infrastructure Report and Capital Improvement Plan and that it will not overburden public sewer, water, and other service systems. If sewerage is to be treated on site, the applicant shall submit plans and specifications for said treatment system and shall demonstrate that the system will not negatively impact adjacent properties or aquifer recharge areas.

(12/4/25) VHB Comment: §10.5.m.1 requires all electric, telephone, cable TV, and similar utilities serving the project to be placed underground from existing roadway utilities. The plans indicate that the existing overhead service to 31 Clarks Road will be reconnected in kind as an overhead line; this occurs outside the project parcel and is a replacement of an existing abutter service. However, the plans do not identify the existing or proposed utility service configuration for 27 Clarks Road, leaving uncertainty regarding whether that connection will remain overhead, require relocation, or be placed underground to comply with §10.5.m.

Additionally, §10.5.m.2 requires the Applicant to demonstrate that the development will not overburden municipal water, sewer, or other public utilities and that it is consistent with the City's Planned Infrastructure Report and Capital Improvement Plan. No documentation or DPW correspondence demonstrating such coordination has been provided.

VHB recommends that the Planning Board requests that the Applicant should clarify how utility service to 27 Clarks Road will be maintained or modified, including whether the service is overhead or underground and how continuity will be protected during construction. In addition, the Applicant should submit written confirmation from DPW demonstrating that the project's water, sewer, and utility demands do not exceed available municipal capacity and that the proposed improvements are consistent with the City's Planned Infrastructure Report and Capital Improvement Plan, as required under §10.5.m.2.

See Proposed Conditions of Approval section below.

***MCG Response:** The existing overhead electric service to 27 Clarks Road encroaches onto the subject property and will be need to be relocated. Exact details for the relocation will be coordinated with the homeowner and utility provider at such time when an application is submitted and fee paid to the utility provider. The current design shows the relocated overhead wires, but exact location will be determined by the utility provider.*

The Applicant and MCG have met with DPW to discuss utilities and existing adequacy at the project location. Based on discussions, the City's infrastructure is adequate to support the project but may require localized

improvements including the extension of the water main from Macy Street and potentially upgrading the sewer from Macy Street to the project site. The City has hired an Engineering Firm to assess the water distribution system and extents of water upgrades will not be known until the analysis is complete in a few months. The existing sewer capacity is also being analyzed by MCG and coordinated with DPW to see if upgrades are required. All utility connections are governed by DPW and the Applicant requests that this condition be deferred to the DPW and resolved prior to issuance of an occupancy permit.

It should also be noted that DPW has stated in a letter dated January 24, 2022, prepared by Robert Desmarais, Director of Public Works, submitted to MA Department of Housing and Community Development, that the development within the ESGD will not overburden the City's infrastructure, but limited upgrades may be required. This letter was prepared prior to establishing the Smart Growth District.

VHB Response: VHB acknowledges the Applicant's clarification that the existing overhead electric service to 27 Clarks Road will require relocation and that final routing will be coordinated with the utility provider. While the plans generally indicate relocated overhead utilities, the final configuration has not yet been established and will be subject to utility company requirements.

VHB also acknowledges the January 24, 2022 letter from the Director of Public Works indicating that development within the East End Smart Growth District is not anticipated to overburden municipal infrastructure, subject to potential localized upgrades. For purposes of this review, VHB assumes that this guidance is applicable to the proposed development.

If the Planning Board determines that additional project-specific coordination, clarification of utility relocation, or formal DPW signoff is warranted, such information may be required as a condition of approval prior to issuance of a building permit or certificate of occupancy, as deemed appropriate by the Board.

31. 10.5.o Shadows. Between 9:00 a.m. and 3:00 p.m. (EST) from February 21st to October 21st, no building shall cast a shadow on any residential structure in existence at the time of Preliminary Plan submission.

(Waiver Requested)

Subdivision of Land and Site Plan Special Permit Regulations

VHB has reviewed the proposed development for consistency with the City of Amesbury's Subdivision Rules and Regulations (as amended January 7, 2025). This review focused on the design and layout of the proposed site improvements, specifically roadways, grading, utilities, drainage systems, pedestrian accommodations, and overall site circulation, to assess conformance with the technical and performance objectives of these regulations.

VHB's comments are intended to assist the Amesbury Planning Board, acting as the permit-granting authority under the East End Smart Growth Overlay District, in determining whether the proposed development meets the intent and engineering standards of the City's subdivision and site design requirements.

Section 2 DEFINITIONS

1. 2.02 The project site appears to have originally consisted of multiple lots, which are now shown as a single consolidated parcel on the current plans. It is unclear whether these lots have already been legally merged.

Under M.G.L. c. 41 §81P (Approval Not Required plans) and the Amesbury Subdivision Rules and Regulations (Article II – Definitions, incorporating the Subdivision Control Law), the consolidation of multiple lots into a single buildable parcel typically requires submission and Planning Board endorsement of an ANR plan prior to recording. The submitted materials do not indicate whether such a plan has been filed, endorsed, or recorded.

VHB recommends that the Planning Board requests that the applicant clarify whether the lots have been formally consolidated.

If the existing lots have not been consolidated, then the project does not meet the setback requirements in the zoning regulations.

If so, the endorsed ANR plan or recording information should be provided. If consolidation has not yet occurred, the Applicant should confirm whether an ANR plan will be filed with the Planning Board consistent with M.G.L. c. 41 §81P. This could be a condition of approval.

***MCG Response:** If the project moves forward, the lots will be merged through the Planning Board's ANR process. This will not be completed until feasibility/permitting of the project is completed. The Applicant requests that completion of merging the lots be a condition of approval prior to issuance of a building permit.*

VHB Response: As noted in VHB's original comment, confirmation of lot consolidation is necessary to establish zoning compliance, including setback requirements, based on the parcel configuration shown on the plans. In the absence of a recorded ANR plan or other documentation confirming merger, compliance with applicable zoning standards cannot be confirmed at this time.

VHB recommends that the Planning Board require, as a condition of approval, submission of an endorsed and recorded ANR plan confirming lot consolidation prior to issuance of a building permit.

Section 7 DESIGN STANDARDS

1. 7.10.B.1 Use Low Impact Development (LID) site planning and design strategies unless infeasible;

Subdivision Regulations §7.10(B)(1) require that Low Impact Development (LID) site planning and design strategies be incorporated into a project unless they are demonstrated to be infeasible. The current stormwater design relies primarily on conventional BMPs, including subsurface infiltration systems and limited bioretention, but the submission does not include any narrative or alternatives analysis describing whether LID options were evaluated elsewhere on the site. It is unclear whether opportunities for distributed LID, such as rain gardens within the cul-de-sac or parking islands, permeable pavement for patio or walkway areas, or vegetated filter strips receiving sheet flow, were analyzed during design. Without documentation of this evaluation, VHB cannot confirm that the project satisfies the regulatory requirement to utilize LID practices to the maximum extent practicable.

VHB recommends that the Planning Board requests that the applicant should provide a written evaluation of LID feasibility that explains where LID practices were considered on the site, whether they are practicable in locations such as landscaped islands, pedestrian areas, the cul-de-sac, or patio spaces, and, if not feasible, the specific engineering basis for excluding them. This analysis should include explanations related to soils, groundwater, utilities, grading, or maintenance constraints as applicable. If feasible LID opportunities exist, the design should be revised to incorporate those practices to comply with §7.10(B).

***MCG Response:** The property currently has a permit through the State's Comprehensive Permit Program, Chapter 40B for a Townhouse style neighborhood. These plans include crossing the wetland with a road and developing the entire property. The current proposal is to consolidate the development on the street side of the wetland and preserve the entirety of the southern forest as open space. The very nature of this application is a low impact approach to development because it preserves the majority of the property as woodland. Through this effort, the development footprint was constricted as much as possible, thereby limiting space for other, LID stormwater measures. Usable open space was a secondary development objective and this is reflected in the design with a large park, dog park, walking trails and 360 pedestrian circulation. This further constrained space for LID stormwater measures which consume a large footprint of land. As such, stormwater is primarily addressed through structural practices with only a single, vegetated infiltration basin at the rear of the property. That said, managing stormwater structurally is very efficient use of space because it is happening within the footprint of the parking area and generally not expanding further out into the forest.*

VHB Response: VHB acknowledges the Applicant's explanation that the proposed site design minimizes environmental impacts by consolidating development on the upland portion of the site and preserving the southern forested area as open space. Given the site constraints and preservation objectives described, VHB agrees that the overall site planning approach substantially addresses the intent of §7.10(B)(1).

VHB recommends that the Planning Board determine whether the requirement for a formal Low Impact Development (LID) feasibility evaluation should be waived in this instance. If the Planning Board determines that the project meets the intent of the regulation through its overall design, this comment may be considered addressed.

Stormwater Management and Wetlands Compliance

VHB has reviewed the proposed stormwater management system and its interaction with jurisdictional wetland resource areas for conformance with applicable state and local regulations. This review encompassed the Drainage Report prepared by MCG dated October 20, 2025, the Site Development Plans dated September 29, 2025, the Development Narrative, and relevant sections of the Amesbury Zoning Ordinance, including stormwater and wetlands related provisions within the East End Smart Growth Overlay District.

The review was conducted for compliance with the following regulatory frameworks:

- The Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and 310 CMR 10.00
- Amesbury Wetland Regulations (adopted June 20, 2012)
- The Massachusetts Stormwater Management Standards and Stormwater Handbook
- City of Amesbury Stormwater Management Ordinance (Chapter 398)

Wetlands Comments

1. Section 21.6 of the Amesbury Wetland Regulations prohibits the placement of fill in any Resource Area or buffer zone in a manner that alters surface-water flow and may adversely affect wetland values. The regulations also specify that the installation of a bridge or similar structure covering a Resource Area is considered fill. The current plans show a proposed boardwalk constructed within a jurisdictional wetland, which constitutes regulated activity under Section 21.6(4).

VHB notes that an ANRAD has been approved for the site confirming the boundaries of the wetland resource areas; however, no Notice of Intent (NOI) has been submitted for the proposed work within the Resource Area and the associated buffer zone. Until an NOI is filed and reviewed by the Conservation Commission, compliance with Section 21.6 cannot be evaluated, and the acceptability of the proposed boardwalk construction within the wetland cannot be determined.

VHB notes that a complete NOI will be filed for all work located within the Resource Area and the 100-foot buffer zone so that the Conservation Commission may evaluate whether the proposed boardwalk complies with Section 21.6 and the performance standards of the Massachusetts Wetlands Protection Act.

MCG Response: A Notice of Intent has been filed with the Amesbury Conservation Commission.

VHB Response: VHB acknowledges the Applicant's statement that a Notice of Intent has been filed with the Amesbury Conservation Commission for work proposed within the wetland resource areas and associated buffer zone. Review of compliance with Section 21.6 of the Amesbury Wetland Regulations and the Massachusetts Wetlands Protection Act will be conducted by the Conservation Commission through the NOI process.

Based on this information, this comment has been addressed.

Stormwater Comments

1. According to the Massachusetts Stormwater Handbook, Volume 2, Chapter 2 (Infiltration Practices), a minimum of one soil boring or test pit is required for every 5,000 square feet of infiltration basin area, with a minimum of three test pits per infiltration basin. The current submission shows fewer than three test pits associated with each infiltration basin, which does not meet the Handbook's recommended minimum for field verification of soil and groundwater conditions.

Reduced subsurface testing increases the risk of encountering unsuitable soil characteristics or higher groundwater elevations during construction, which could require redesign of the infiltration systems.

VHB recommends that the Planning Board requests that the applicant complete at least one additional confirmatory test pit for each infiltration basin prior to construction, as a condition of approval. While VHB acknowledges that the full testing density may be conservative for a project of this scale, a minimum level of confirmatory testing would reduce uncertainty and help verify that the infiltration systems are feasible as designed. The Applicant should acknowledge that if additional testing reveals soil or groundwater conditions inconsistent with the design assumptions, redesign and re-review of the stormwater system may be necessary.

MCG Response: Due to existing site constraints select locations were chosen to perform the testing. The results of the soil testing was very consistent. Generally, the B horizon consists of free draining sand. This rests upon a silt layer. Groundwater is coincident with the silt layer. These conditions were found in every test hole and the depth to groundwater can be tracked with the surficial topography. Nearer to the wetland, the silt layer transitions into clay. This was also very consistent and predictable. Based on the consistency and predictability of the soil tests, it was not prudent to demolish sheds, clear mature trees and disrupt residents and neighbors. A note has been added to the General Notes, Legend & Abbreviations sheet (C-3) to perform a test hole within the infiltration systems to confirm the ESHWT prior to installation. The Applicant requests that this requirement be a condition of approval to be completed during construction.

VHB Response: VHB acknowledges the Applicant's explanation regarding the consistency of subsurface conditions observed across the site and the practical constraints associated with additional pre-construction test pits. VHB also acknowledges that a note has been added to the plans requiring a confirmatory test pit within each infiltration system footprint to verify the Estimated Seasonal High Groundwater Table (ESHWT) prior to installation.

Based on this commitment, VHB concurs that construction-phase confirmatory testing is an acceptable approach to reduce subsurface uncertainty.

VHB recommends that the Planning Board include this requirement as a condition of approval, with the understanding that if confirmatory testing identifies soil or groundwater conditions inconsistent with the design assumptions, the infiltration systems shall be revised accordingly and resubmitted for review.

2. The soil test pit logs identify the Estimated Seasonal High Water Table (E.S.H.W.T.) as "observed," but the basis for this determination is not explained. It is unclear whether "observed" refers to direct observation of groundwater, observation of soil mottles/redoximorphic features, or an estimated elevation interpreted from soil conditions. This distinction is important, as the test pits were conducted in September, during potential drought conditions and outside the April–May period when seasonal high groundwater is typically observed in the field.

Under the Massachusetts Stormwater Handbook (Vol. 2, Ch. 2 and Vol. 3, Ch. 1), E.S.H.W.T. must be documented through observable field indicators (groundwater, mottling/redox features) or, if indicators are inconclusive, through an accepted estimation method (e.g., Frimpter) supported by soil evidence. MassDEP also requires maintaining a minimum of two feet of separation between the bottom of infiltration practices and the E.S.H.W.T.

VHB recommends that the Planning Board requests that the Applicant clarify how the E.S.H.W.T. elevations were determined, specifically, whether field indicators were present in the test pits, whether mottling was observed, and whether any estimation methodology was used.

VHB was informed by the applicant that the term "observed" was intended to indicate that mottling was observed in the test pits; however, VHB recommends that the Applicant provide documentation or supplemental notes confirming the field indicators used to establish the E.S.H.W.T. for each location.

MCG Response: Soil testing was conducted by a Massachusetts Certified Soil Evaluator, Scott P. Cameron, P.E. SE#3024. The estimated seasonal high-water table was determined by redoximorphic features (i.e. mottling). For clarity, the soil logs depicted on the site plans have been revised to note that "Mottling" was the field indicator that was used to determine the E.S.H.W.T. The mottling was distinct and occurred at the interface between the upper C sand layer and the lower C silt layer.

VHB Response: VHB acknowledges the Applicant's clarification that the Estimated Seasonal High Water Table was determined by observation of redoximorphic features (mottling) by a Massachusetts Certified Soil Evaluator, and that the soil logs have been revised to explicitly identify mottling as the field indicator used. Based on this clarification and the updated plan notes, the basis for the E.S.H.W.T. determination is adequately documented and consistent with the Massachusetts Stormwater Handbook.

Accordingly, this comment has been addressed.

3. The proposed infiltration basins appear to have limited vertical separation to the Estimated Seasonal High Groundwater (ESHGW) based on the test pit information provided. Basin 1P has a bottom invert elevation of 50.9 feet compared to an ESHGW of 48.8 feet (TP-3). Basin 2P has an invert of 48.3 feet, with nearby ESHGW elevations of 45.6 feet (TP-6) and 46.1 feet (TP-7). Basin 3P has an invert elevation of 32.0 feet, while TP-8 identifies ESHGW at 29.8 feet. In each case, vertical separation to groundwater is limited. Under the Massachusetts Stormwater Handbook (Vol. 2, Ch. 2), infiltration practices must always maintain a minimum of 2 feet of vertical separation to ESHGW. Where less than 4 feet of separation is provided and an infiltration system also serves to attenuate runoff from the 10-year or greater 24-hour storm, the Handbook requires a groundwater mounding analysis (Vol. 3, Ch. 1) to demonstrate that:

Mounded groundwater will not rise into the bottom of the system, No groundwater breakout will occur to adjacent wetlands or surface waters, and Full dewatering of the system will occur within 72 hours.

Given the limited separation observed at Basins 1P, 2P, and 3P, and the fact that these systems appear to provide both recharge and peak-rate attenuation, a groundwater mounding analysis is required to confirm compliance with Standard 3.

VHB recommends that the Planning Board requests that the Applicant provide a mounding analysis using an accepted analytical method and confirm that post-construction mounded conditions maintain the required separation and drawdown performance. The Applicant should also update the Standard 3 (Recharge) section of the MassDEP Stormwater Checklist to reflect the need for groundwater mounding evaluation and to document compliance once the analysis is completed.

VHB was informed by the applicants engineer that the system was not believed to require a groundwater mounding analysis. Under MassDEP guidance, a mounding analysis is required when BOTH of the following are true:

- The vertical separation from the bottom of the infiltration (exfiltration) BMP to seasonal high groundwater is less than 4 feet (but at least 2 feet), AND
- The recharge system is proposed to attenuate the peak discharge from a 10-year or larger 24-hour storm.

Because the proposed infiltration systems provide less than 4 feet of separation and are used to attenuate the 10-year storm, VHB maintains its original comment and recommends that the Board require the Applicant to submit groundwater mounding analyses for each infiltration BMP.

MCG Response: A mounding analysis was performed for all 3 infiltration systems using the Hantush Method. The saturated thickness was calculated based on the depth between the measured seasonal high-water table to the adjacent wetland, which occurs at elevation 24. This is a conservative assumption. The duration was calculated based on the drawdown time for the 100-year storm event volume, also a conservative approach. Based on the results of the analysis, mounding will occur beneath each infiltration system between 11" to 18" above the seasonal high-water table. However, it will not exceed the bottom of the basin in the center, the point of measurement, as each is designed to be 2 feet above the seasonal high-water table. Mounding will not impact the function of the infiltration systems.

VHB Response: VHB acknowledges that the Applicant has completed a groundwater mounding analysis for all three infiltration systems using the Hantush analytical method. VHB further acknowledges the Applicant's intent to apply conservative assumptions with respect to saturated thickness and storm event selection.

However, upon review, VHB identifies several key input assumptions that require clarification or revision in order to confirm that the analysis is consistent with Massachusetts Stormwater Handbook guidance:

Recharge Rate (R):

The recharge rate appears to have been entered as the soil hydraulic conductivity/infiltration rate. For groundwater mounding analyses, the recharge term should represent the applied recharge flux (i.e., the design storm recharge volume divided by the effective infiltration area), rather than the soil hydraulic conductivity.

Hydraulic Conductivity (K):

The analysis assumes vertical hydraulic conductivity equal to one-tenth of the horizontal hydraulic conductivity. The assumed ($K_v = K_h/10$) increases predicted mound height. If site data support higher K_h , the analysis may be refined accordingly.

Infiltration Duration (t):

The duration term used in the mounding analysis should reflect the 24-hour storm application period. Separately, MassDEP's 72-hour criterion pertains to the BMP's required drawdown/dewatering performance (evaluation window).

Initial Thickness of Saturated zone (feet):

Finally, VHB notes that the assumed initial saturated thickness appears aggressive. Groundwater was not directly observed in the test pits, and in such cases it is common practice to conservatively assume the bottom of the test pit or boring as the base of the saturated zone unless otherwise justified. The assumed aquifer thickness should be revisited and clearly tied to observed site conditions.

VHB notes that the Hantush analytical method is a transient solution for groundwater mounding beneath a finite recharge area. It computes mound growth during the applied recharge period (defined by the infiltration duration, t) and predicts exponential recession after infiltration ceases. Many engineering tools report the peak mound at or near the end of the applied duration; therefore, selecting an appropriate t is critical to representing worst-case conditions consistent with MassDEP's 72-hour evaluation window. An alternative software tool such as (AQTESOLV) may be needed to calculate the full stormwater period.

Based on the above, VHB recommends that the Applicant revise the groundwater mounding analysis to:

- 1. Use an applied recharge rate based on design storm volume and infiltration area;**
- 2. Clarify and justify vertical and horizontal hydraulic conductivity assumptions;**
- 3. Use an infiltration duration consistent with MassDEP worst-case mounding guidance; and**
- 4. Reassess the assumed saturated thickness based on observed subsurface data.**

Revised calculations should be submitted to confirm that post-construction mounded groundwater conditions will not encroach into the infiltration systems in the 72 hour storm period. VHB recommends that the Planning Board include this requirement as a condition of approval.

4. The Applicant proposes Contech Stormceptor hydrodynamic separators as pretreatment to the infiltration basins. This use is consistent with the Massachusetts Stormwater Handbook (Vol. 2, Ch. 2), which identifies hydrodynamic separators as acceptable pretreatment devices when properly sized and maintained. The Applicant has provided manufacturer sizing documentation and an O&M plan for the proposed units.

However, the drainage report cites TSS removal efficiencies of 91–99% for the Stormceptor devices. Under the Massachusetts Stormwater Handbook (Vol. 2, Ch. 4), any TSS removal rate credited to a proprietary system must be supported by independent verification (e.g., NJCAT, TARP/STEP, or studies referenced in the UMass Stormwater Technologies Clearinghouse). No independent verification has been submitted for the specific Stormceptor models proposed.

Absent independently validated performance data, MassDEP guidance limits the allowable TSS removal credit for hydrodynamic separators to 80%.

VHB recommends that the Planning Board requests that the Applicant either:

- provide independent third-party verification supporting a TSS removal rate above 80% for the specific Stormceptor models, or
- revise the treatment calculations to reflect an 80% TSS removal credit and confirm that the full treatment train continues to meet the requirements of Standard 4

***MCG Response:** The independent verification of the Contech Stormceptor hydrodynamic separator and Continuous Deflective Separator (CDS) treatment rates is provided with the supplemental information. TSS removal rates for each system have been revised to match the verified 80% (Stormceptor) and 75% (CDS) TSS removal rates verified through the 3rd party verification documentation and the full treatment train has been adjusted to show that the design continues to meet the requirements of Standard 4. For simplicity, the lowest TSS pretreatment removal rate was used going to Subsurface Infiltration System #1 (SIS #1). Revised TSS removal calculations are provided with the supplemental information.*

VHB Response: VHB acknowledges that the Applicant has submitted independent third-party verification documentation for the proposed Stormceptor and CDS hydrodynamic separator systems and has revised the credited TSS removal rates to 80% and 75%, respectively, consistent with MassDEP guidance. VHB further acknowledges that the treatment train calculations have been updated to reflect these revised efficiencies and demonstrate continued compliance with Massachusetts Stormwater Standard 4.

Based on the information provided, this comment has been addressed.

5. A couple of catch basins are located at the corners of parking areas. While MassDEP does not prohibit corner inlets, the Stormwater Handbook emphasizes that catch basin siting should support effective maintenance and minimize clogging. Parking-lot corners commonly accumulate snow and debris, which can lead to blocked grates, increased sediment loading, and reduced pretreatment effectiveness unless adequately protected and frequently maintained.

VHB recommends that the Planning Board requests that the Applicant evaluate whether these corner inlets are appropriate long-term locations or whether shifting them slightly out of the corners would reduce maintenance burdens.

MCG Response: The catch basin locations were adjusted to be 2' off the corners.

VHB Response: The Applicant has revised the plans to relocate the catch basins away from the parking lot corners. **This comment has been addressed.**

6. The stormwater submission does not include hydraulic sizing calculations for the site storm drain pipes or for the pipe outlets and associated riprap aprons/level spreaders. Under MassDEP Stormwater Standard 2, and the design requirements in the Massachusetts Stormwater Handbook (Vol. 2, Ch. 1 and Ch. 2), stormwater conveyance systems must be sized using hydrologic and hydraulic calculations to demonstrate adequate capacity for the 2-, 10-, and 100-year design storms and to confirm that outlet protection is properly designed to prevent erosion. Without these calculations, VHB cannot verify whether the proposed storm drain system complies with these requirements.

VHB recommends that the Planning Board requests that the Applicant provide full hydraulic sizing calculations for all storm drain pipes, as well as design calculations for pipe outlets, riprap aprons, and any proposed level spreaders. This information is necessary to confirm compliance with Stormwater Standard 2 and the applicable design guidance in Vol. 2 of the Stormwater Handbook, and to verify that the conveyance system and outlet protection measures are appropriately sized.

MCG Response: The hydraulic sizing calculations for the site storm drain pipes/outlets and rip-rap apron/level spreaders sizing has been provided with the supplemental information. The plans have been revised to include this information.

VHB Response: VHB acknowledges that hydraulic sizing calculations for the storm drain pipes, outlets, and associated riprap aprons/level spreaders have been provided and incorporated into the revised plans. **Based on the information submitted, this comment has been addressed.**

7. Based on the submitted plans and groundwater information, portions of the proposed garage appear to be located below the seasonal high groundwater table. The drainage report and plan set do not describe how underslab drainage, foundation drains, waterproofing, or groundwater control will be managed for the below-grade structure.

VHB recommends that the Planning Board requests that the Applicant clarify the proposed approach for managing groundwater around and beneath the garage, including whether perimeter or underslab foundation drains are proposed, how such drains will discharge, and how long-term pumping or dewatering requirements (if any) will be addressed. This information is needed to evaluate potential interactions with the stormwater system and ensure that the design complies with applicable stormwater and wastewater regulations.

MCG Response: Given the predictability of the soil and groundwater conditions on this site compared to other sites in till or bedrock, MCG expects both slab and foundation drainage to be part of the building design. Approximately 1/3 of the building will be above the water table. Consideration will be made in the slab and foundation drain design for the onsite infiltration systems, and if measures need to be incorporated such as impermeable barriers to better direct groundwater flow. Given these parameters, and high confidence with

subsurface conditions on this property, MCG recommends a condition that this groundwater management system design be submitted prior to issuance of a building permit.

VHB Response: VHB acknowledges the Applicant's response and concurs that groundwater management associated with the below-grade portions of the proposed garage may be addressed through a condition of approval. The Applicant has indicated that slab and/or foundation drainage will be incorporated into the building design based on observed subsurface conditions.

For purposes of this review, VHB assumes that any proposed foundation or underslab drainage discharging to adjacent wetland areas would consist of uncontaminated groundwater only, and would not include stormwater runoff or other regulated discharges. The final design should clearly document the proposed foundation drain configuration, discharge locations, and any measures used to isolate foundation drainage from the stormwater management system.

Should the final building and groundwater management design result in any material changes to the approved stormwater management system, groundwater assumptions, or discharge locations, such changes should be submitted to the Planning Board for review and approval prior to issuance of a building permit.

8. Based on the current utility layout, the inlet pipes to DMH-4 appear to conflict and may not be constructible as shown. The available structure diameter does not appear sufficient to accommodate the proposed pipe sizes, entry angles, and required wall clearances in accordance with standard manhole construction practices.

VHB recommends that the Planning Board requests that the Applicant review the configuration of DMH-4 and confirm that the manhole size, pipe orientations, and invert elevations can be constructed without conflict. A larger structure or alternative pipe layout may be necessary to resolve these issues.

MCG Response: DMH-4 has been increased to a 5' diameter to reduce any potential pipe conflicts/constructability. A detail showing the DMH layout has been incorporated into the plan set on Details Sheet C-15.

VHB Response: Based on the revised information provided, the comment is adequately addressed.

9. Several "landscape areas" adjacent to paved surfaces appear to receive runoff based on the proposed grading, but no catch basins or other drainage structures are shown within these areas. Without clear drainage pathways or inlets, there is a potential for localized ponding, icing, or uncontrolled flow in these landscape zones, particularly during larger storm events.

VHB recommends that the Planning Board requests that the Applicant review the grading and drainage patterns within these landscaped areas and confirm whether additional drainage structures or minor regrading are needed to provide positive drainage to the stormwater system. Any revisions should demonstrate that runoff from these areas is managed in a manner consistent with MassDEP Stormwater Standard 2 (conveyance and peak flow control) and does not result in standing water or nuisance conditions.

MCG Response: Final grading and drainage of these areas has not been completed at this time. However, the stormwater system has been designed to account runoff from these areas. Final design of these areas will be completed during the development of the building permit plans. The Applicant requests that final design of these areas be a condition of approval and submitted prior to issuance of an occupancy.

VHB Response: VHB acknowledges MCG's response and recommends that final grading and drainage design for the landscaped areas be included as a condition of approval and submitted for review prior to issuance of an occupancy permit.

10. Several infiltration systems are located near the structured parking garage, but the submission does not include an evaluation of potential hydrostatic pressure or groundwater mounding effects on the garage foundation and below-grade walls. Without this analysis, VHB cannot confirm that the garage has been designed to withstand additional hydraulic loading from the proposed recharge systems.

VHB recommends that the Planning Board requests that the applicant provide a hydrostatic pressure and mounding evaluation prepared by the structural and/or geotechnical engineer of record demonstrating that the nearby infiltration systems will not impose adverse hydraulic loads on the garage and that appropriate waterproofing or structural measures are incorporated as needed.

MCG Response: A geotechnical engineer will be engaged during the building construction document phase following the Planning Board process. The Applicant requests that this requirement be a condition of approval and submitted prior to issuance of a building permit.

VHB Response: VHB recommends that the Planning Board determine whether submission of a soils and geotechnical report is required prior to site plan approval or may be deferred as a condition of approval. If deferred, the condition should clearly require that the report be prepared by a qualified geotechnical professional and submitted prior to issuance of a building permit, with any resulting design modifications returned to the Planning Board for review, as such changes may affect grading, stormwater management, and site layout.

11. The infiltration systems are located beneath or adjacent to drive aisles, parking areas, or other load-bearing surfaces. The submission does not include documentation confirming that the systems have been evaluated for structural loading, including moving trucks or other vehicular loads. Without this information, VHB cannot confirm that the proposed systems are rated for the anticipated loading conditions or that they meet standard engineering and manufacturer requirements.

VHB recommends that the Planning Board requests that the applicant provide documentation demonstrating that the infiltration systems have been evaluated and designed for all applicable structural loads, including vehicular traffic. This analysis should confirm compliance with manufacturer specifications and standard engineering practice for load-bearing installations.

MCG Response: The infiltration systems were designed using HDPE pipe. Per the manufacturer of ADS N-12, a 12" pipe requires 12" minimum cover to achieve a HS-25 load rating. The proposed cover exceeds the 12" minimum in all locations. The plans note that "all stormwater conveyance pipes shall be HDPE (ADS N-12) or project civil engineer approved equivalent" on the storm drain notes on the General Notes, Legend & Abbreviations sheet. Documentation from the manufacturer has been included in the supplemental material.

VHB Response: Based on the revised information provided, the comment is adequately addressed.

12. The grading at the garage entrance creates a low point in an area served by four catch basins near the ramp. In a surcharge or failure condition, such as blockage, reduced capacity, or system backwater, this configuration would cause runoff to accumulate at the low point with limited overland relief, increasing the

risk that stormwater could enter and flood the garage. No alternative high capacity overflow route or revised low-point strategy is shown to demonstrate how this risk is mitigated.

VHB recommends that the Planning Board requests that the applicant reevaluate the grading and inlet layout in the vicinity of the garage ramp, including the location of the low point and the four catch basins. This evaluation should consider shifting the low point away from the garage entrance, reconfiguring the inlets, and/or providing a defined overland relief path so that, under surcharge or failure conditions, ponded water is directed away from the garage opening rather than into it.

***MCG Response:** A low point was created at the garage entry in order to reduce the slope of the ramp. Four (4) catch basins were located in the vicinity of the garage to manage, capture and convey stormwater from this low point. As a redundancy, a trench drain was located at the top of the ramp 0.4' higher than the catch basin rims. If the catch basins clogged, the trench drain would capture any additional runoff prior to flowing down the ramp. As a secondary redundancy measure (and to capture runoff generated on the ramp itself) a second trench drain was located at the bottom of the ramp prior to entering the garage. This trench drain conveys stormwater under the garage slab and ultimately to the proposed infiltration basin. In the event that stormwater conveyed to infiltration basin #2 (through DMH-4 and WQU-4) is under failure conditions or surcharged, stormwater is conveyed down gradient directly to the infiltration basin.*

VHB Response: VHB acknowledges MCG's response. The Applicant has described a multi-tiered drainage approach at the garage ramp, including multiple catch basins, an upper trench drain serving as a primary overflow measure, and a secondary trench drain at the base of the ramp to intercept runoff prior to entering the garage. **Based on the redundancy described and the revised drainage strategy, VHB finds that the comment has been adequately addressed.**

General Engineering & Plan Comments

This section includes comments on site-related design and plan completeness that are not specifically covered under zoning, stormwater, or wetlands compliance. VHB has reviewed the overall site layout, grading, access, and plan organization for general conformance with sound engineering practices and the City's expectations for site plan submittals. Comments in this section are intended to improve plan clarity, safety, and coordination between site elements.

1. Although the East End Smart Growth Overlay District does not regulate accessibility design details, any project approved under the EESGOD must comply with the requirements of 521 CMR and the 2010 ADA Standards prior to issuance of a building permit. Based on the current site plans, several proposed pedestrian routes and amenity access points do not appear to meet accessible route criteria; however, the Applicant has not provided sufficient information to confirm full compliance.

VHB recommends that the Planning Board requests that the Applicant submit updated plans prior to the submittal for a building permit to demonstrate compliance with 521 CMR and ADA Standards for all required accessible routes. Any changes to grading, pathways, or circulation required to achieve compliance should be resubmitted to the Planning Board for acknowledgment, as these revisions may alter approved site design elements. This could be a condition of approval.

***MCG Response:** It is understood that the project must comply to 521 CMR and ADA Standards. Minor changes from the Planning Board plans to the final construction documents are normal and expected because until the*

project moves past the Planning Board phase, the vast majority of technical design team is not engaged (structural, MEP, fire, architectural, interior design, etc). All of this design needs to be coordinated with the Civil Engineering drawings. Typically, a copy of the final construction drawings are submitted to the Planning Department and the normal process is followed by staff or the board to determine if the technical fine tuning warrants a public hearing or administrative review. The Applicant requests that this requirement be a condition of approval and submitted prior to issuance of a building permit.

VHB Response: VHB acknowledges MCG's response and agrees that compliance with 521 CMR and the 2010 ADA Standards is appropriately addressed at the building permit stage.

VHB recommends that demonstration of compliance with all required accessible routes be included as a condition of approval and submitted prior to issuance of a building permit. Any revisions to the approved site design necessary to achieve compliance may be reviewed by Planning Board staff or the Planning Board, as appropriate.

2. Two of the parking spaces near the north corner of the site, adjacent to Building A, are shown with a 10-foot width rather than the standard 9-foot width used elsewhere on the site.

VHB recommends that the Planning Board requests that the Applicant confirm whether these wider spaces are intentional (e.g., for operational or maneuvering purposes) or if it should be revised for consistency with the site's parking layout.

MCG Response: *The site plan has been revised to make all spaces consistently 9' wide other than compact spaces.*

VHB Response: VHB acknowledges MCG's response. The plans have been revised to provide consistent 9-foot-wide parking spaces (except where designated as compact), **and the comment is adequately addressed.**

3. Under NFPA-1, as adopted and amended by Massachusetts in 527 CMR 1.00, fire-apparatus access roads must reach within 150 feet of all exterior portions of a non-sprinklered building and within 250 feet of a fully sprinklered building. These distances are measured along an approved fire-apparatus route. The current submittal does not indicate whether the proposed building will be fully sprinklered, nor does it provide measured hose-reach distances demonstrating compliance.

NFPA-1 §18.2.3.1.4 allows the Authority Having Jurisdiction (AHJ) to accept alternative means of fire protection when full fire-apparatus access cannot be achieved due to topography, site constraints, or similar conditions, including options such as additional hydrants, cisterns, or full sprinkler protection. It is VHB's understanding that the Amesbury Fire Department has preliminarily indicated acceptance of this site configuration; however, no written confirmation was provided in the submission package.

VHB recommends that the Planning Board requests that the Applicant provide the following information to document compliance with 527 CMR 1.00 / NFPA-1:

- Confirmation of whether the building will be fully sprinklered under NFPA 13;
- Measured hose-reach distances from the fire-access road to all exterior walls; and

- Written confirmation from the Amesbury Fire Chief, as the AHJ, verifying that the proposed access layout is acceptable under NFPA-1 §18.2.3.1.4 and that any required alternative fire-protection measures have been reviewed and approved.

This could be a condition of approval that this letter and plans are provided.

***MCG Response:** The Applicant and MCG met with the Fire Chief (Chief Serino) on November 6, 2025 to review the project and comments noted in a memorandum to Rebecca Frey dated October 13, 2025. Based on discussions, minor modifications to the site plan have been made including landscape modifications and hydrant locations. With the modifications incorporated, the Chief noted his support for the project and overall site design. The building will be fully sprinkled and designed in conformance with NFPA regulations. The final design will require review and approval from the Fire Department during the Building Permit submission. The Applicant requests that additional information related to fire protection be a condition of approval and submitted to and approved by the Fire Department prior to issuance of a building permit.*

VHB Response: VHB acknowledges MCG's response and the Applicant's coordination with the Amesbury Fire Department. Based on the information provided, including confirmation that the building will be fully sprinklered and that the Fire Chief has expressed support for the revised site layout, VHB agrees that final fire protection details may be addressed through a condition of approval. **VHB recommends that final fire-apparatus access, hose-reach documentation, and Fire Department approval be submitted as part of the building permit review prior to issuance of a building permit as a condition of approval.**

4. The Amesbury City Staff has indicated a preference for a median at the site entrance/drive aisle to support emergency operations. The current plans do not provide enough detail to evaluate how such a median would be configured or whether it can be accommodated within the proposed layout.

A second means of access and egress to the site is not provided for the site and a median could potentially provide that for the project. VHB recommends that the Planning Board requests that the Applicant work with the City, in particular the fire department, to provide additional information illustrating how a median could be incorporated, or consider viable alternative fire-access routes, such as a reinforced travel path north of Building A, that could satisfy the Fire Department's operational requirements.

***MCG Response:** As noted previously, the Fire Chief has reviewed the site design and had no issues for access pending the minor modifications to the site that have already been incorporated into the design. The Applicant has also studied a median at the entrance and has concluded that a single 24' entrance suites the site best. Adding a landscape island inhibits turning movements of emergency apparatus, limits the width of the median to 6' and is not sufficient to support mature trees, and would place Building A and Building B closer to the abutters. Therefore, it was determined that the single curb cut with no median is an appropriate design for the site. However, as part of the entrance review, modifications were made to enhance the entry appearance. These modifications include adding landscape strips between the drive aisle and sidewalk to create a tree belt at the entry when entering the site.*

VHB Response: VHB acknowledges MCG's response and the Applicant's coordination with the Amesbury Fire Department regarding site access and emergency operations. **Based on the information provided, including confirmation that the Fire Chief has reviewed the revised site layout and raised no access concerns, VHB finds that the comment has been adequately addressed.**

5. We have reviewed the Fire Departments comment that the Fire Department requires this area along travel lanes for ladder-truck operations, and that tree species within the designated fire-access corridor must have a maximum canopy height of 15 feet at maturity to accommodate ladder swing and access when the ladder truck is positioned within the adjacent travel lane.

VHB recommends that the Planning Board request a final landscape plan that meets the Fire Department's requirement, this could be a condition of approval.

MCG Response: No response provided.

VHB Response: VHB notes that while MCG did not provide a written response to this comment, the revised plans appear to reflect landscape design consistent with the Fire Department's requirements for ladder-truck operations, including limitations on tree canopy height within the designated fire-access corridors. **VHB considers this comment addressed.**

6. The plans identify a public-access trail behind Building C consisting of multiple switchbacks to the boardwalk. Based on the grading information provided, portions of this trail appear to approach slopes of approximately 25 percent, which significantly exceeds the maximum 5 percent running slope permitted for an accessible route under 521 CMR 20.00 and the 2010 ADA Standards. This also is steep for a walking path in general.

In addition to this switchback trail, another access path is shown along the property line that provides access to the play areas, dog run, and boardwalk. Grading information indicates that this access path also does not meet accessible route slope limits and therefore does not provide an accessible connection to these on-site amenities.

Because the submission identifies these routes as publicly accessible or intended to serve programmatic elements of the development, they must either comply with accessible route requirements or be supported by a documented exemption applicable to outdoor developed areas. No accessibility classification, exemption justification, or supporting documentation was included in the submission. As a result, VHB cannot confirm whether either pathway is intended to be accessible or whether the Applicant is proposing them as non-accessible recreational trails

See general comment regarding ADA in general comments section above.

MCG Response: *The proposed path was not designed as an accessible path. However, access to all amenity areas will be accessible, including accessing the dog park via an accessible route through the garage.*

VHB Response: VHB acknowledges MCG's response that the subject pathways are not intended to function as accessible routes and that accessible access to the on-site amenities will be provided via an alternate compliant route through the garage. **VHB recommends that as a condition of approval, the final plans clearly identify which pedestrian routes are intended to be accessible and demonstrate that all required amenities are served by compliant accessible routes, to be confirmed as part of the building permit review.**

7. The grading design behind Building C presents several functional and maintainability concerns. Steep 2:1 side slopes are proposed in multiple locations, creating challenges for long-term stability, maintenance access, and safe use of adjacent program areas. Seating nodes and amenity spaces are shown within this zone; however, the grading does not appear to provide level, usable surfaces or stable transitions between the seating areas

and surrounding slopes. Additionally, the proposed slopes direct runoff toward steep embankments without intermediate grading features, terracing, or structures to control flow, which may lead to erosive conditions, difficulty establishing vegetation, and reduced performance of the adjacent stormwater basin. The design does not indicate how maintenance vehicles will access the basin, which is located behind Building C and surrounded by steep slopes; access for sediment removal, rehabilitation, or emergency repair is not clearly accommodated. Given the combination of steep grading, programmatic use, and stormwater infrastructure, the current layout may not provide a practical or durable long-term condition.

VHB recommends that the Planning Board requests that the applicant re-evaluate the grading strategy behind Building C to ensure that runoff is managed effectively, amenity areas are constructible and stable, and long-term maintainability is achievable. Consideration should be given to introducing retaining walls or other structural elements to reduce reliance on extensive 2:1 slopes and to create more functional benches or terraces for seating and circulation. Also, the applicant should consider using native vegetative planting for these slopes to ensure long term stability. The design should also identify a clear and practical access route for maintenance vehicles to reach the stormwater basin, including adequate slope, width, and stabilization measures. Revised grading plans or additional design details may be necessary for the Planning Board to fully assess the feasibility and long-term performance of this area. Also, see comment above regarding geotechnical study / soils report.

***MCG Response:** The rear of the building was designed to limit structural elements and grading within resource area buffer zones. Limited areas with 2:1 slope were designed to achieve grading requirements and will be fully stabilized and vegetated. Vegetation will include low maintenance native plantings and slope stabilization measures implemented prior to vegetation establishment. Stabilization methods have been included on the detail sheet (C-16) for implementation once grading is complete. Areas that include a 2:1 slope have been highlighted on the revised plans. It is our opinion that the select areas with 2:1 slopes will be able to be fully stabilized for long term stability.*

The amenity areas will require fine grading to ensure adequate slopes/level areas at the proposed benches. Small retaining features (i.e. boulders) may be required to create a leveled area. The Applicant requests that additional information related to fine grading of the amenity areas be a condition of approval and submitted to and approved by the Planning Board prior to issuance of a building permit.

The proposed path along the eastern property line will also function as an access route for the stormwater basin maintenance and rear building maintenance. The access path continues from the path, across the top berm of the infiltration basin and connects to the relatively level path behind the building. It is our opinion that the width and slope is adequate for machinery, materials and personnel to access the stormwater basin and rear of building for maintenance purposes.

VHB Response: VHB acknowledges the Applicant's response regarding slope stabilization measures, proposed fine grading of amenity areas, and the intended maintenance access route to the stormwater basin behind Building C. VHB also acknowledges the Applicant's intent to minimize disturbance within resource area buffer zones and to stabilize the proposed 2:1 slopes using native vegetation and structural stabilization details. However, based on review of the revised grading plans, portions of the pedestrian path along the eastern property line appear to exceed approximately 15 percent. VHB does not consider slopes of this magnitude to be suitable for routine maintenance vehicle access to the stormwater basin, particularly for sediment removal, rehabilitation, or emergency repairs. The plans do not clearly demonstrate that the slope,

width, surface treatment, and turning geometry of this route are adequate for maintenance vehicles. In addition, while fine grading and localized retaining features for amenity areas are proposed to be addressed during a later design phase, the feasibility of these areas and their interaction with adjacent steep slopes cannot be fully assessed without additional detail. **Given the extent of steep grading, proximity to stormwater infrastructure, and long-term maintenance requirements, VHB recommends that the Planning Board require confirmation by a qualified geotechnical engineer that the proposed slopes and stabilization measures will provide long-term stability and maintainability. This review should also evaluate whether alternative grading approaches, structural elements, or an alternate maintenance access route (including potential access via the garage or other locations) would improve long-term functionality.**

VHB recommends that this geotechnical confirmation, along with clarification of a practical and compliant maintenance access route to the stormwater basin, be included as a condition of approval and submitted for review prior to issuance of a building permit. Any resulting revisions to grading, stabilization, or access should be clearly reflected on the plans.

8. The plans identify snow storage areas within landscaped zones, including tree planting beds and along the property-line screening buffer. These locations appear infeasible for long-term snow storage, as repeated plowing and snow loading would damage plantings, compromise screening, and potentially reduce the effectiveness of required buffer areas. Several of the designated storage areas also lack sufficient space or grading to safely contain plowed snow without encroaching into vegetation or adjacent private property.

VHB recommends that the Planning Board requests that the applicant reassess the snow storage layout and identify practical, durable areas that can accommodate snow loads without damaging plantings or diminishing required screening. Revised plans should clearly delineate viable snow storage locations that do not conflict with landscaping or buffer requirements.

***MCG Response:** As discussed with the Board at previous meetings, the snow storage on site is limited. Areas shown for snow storage are for small storm events, while it is the Applicant's understanding that snow removal from the site will most likely be required during larger storm events or when adequate storage onsite is not available. The landscape plans have been revised to show herbaceous non-woody vegetation in areas of proposed snow storage that will not result in damaged plantings during winter months.*

VHB Response: VHB acknowledges MCG's response and the revisions to the landscape plans identifying appropriate non-woody vegetation within designated snow storage areas. **Based on the revised information provided, the comment has been adequately addressed.**

9. Several parking spaces directly abut the sidewalk, which will reduce the effective pedestrian clear width due to standard vehicular overhang. Although the sidewalk is shown as approximately 5 feet wide, the functional width will be diminished where vehicles encroach into the pedestrian path, creating potential accessibility and safety concerns.

VHB recommends that the Planning Board requests that the Applicant increase the sidewalk width, or otherwise provide measures to preserve the full pedestrian clear path, in all locations where vehicular overhang would reduce the effective sidewalk width.

***MCG Response:** It is our opinion that the sidewalk widths are adequate for a project of this type. The provided parking spaces are all compliant to zoning requirements and are 18' in depth. It is understood that vehicle parking and overhanging parking spaces is difficult to regulate and may occur. However, an eighteen (18) foot deep parking space, six (6) inch curb and five (5) foot sidewalk is provided. It is our opinion that this layout is adequate to allow vehicle parking without impeding pedestrian circulation through the site even if vehicle overhanging does occur.*

VHB Response: VHB acknowledges MCG's response. While the Applicant has indicated that the proposed sidewalk and parking layout is adequate, the potential for reduced effective pedestrian clear width due to vehicle overhang remains a design consideration. **VHB recommends that the Planning Board determine whether the proposed sidewalk widths and mitigation measures are acceptable or whether additional design modifications are warranted to preserve a continuous pedestrian clear path.**

10. The project will disturb more than one acre of land and will therefore require coverage under the EPA NPDES Construction General Permit (CGP), including preparation of a Stormwater Pollution Prevention Plan (SWPPP). These documents were not included in the submission, and no indication was provided regarding the Applicant's schedule for obtaining permit coverage prior to construction.

VHB recommends that the Planning Board requests that the Applicant should provide the Planning Board with a copy of the completed NPDES Notice of Intent (NOI) and the fully developed SWPPP prior to the start of construction. This can be included as a condition of approval to ensure compliance with federal permitting requirements.

***MCG Response:** A NPDES NOI filing and SWPPP will be prepared prior to construction. The Applicant request that submission to the Planning Board of this documentation be a condition of approval to be submitted prior to the start of construction.*

VHB Response: VHB acknowledges MCG's response and agrees that **submission of the NPDES Construction General Permit Notice of Intent and the Stormwater Pollution Prevention Plan prior to the start of construction should be included as a condition of approval.**

11. The plans reference several outdoor program elements—including perimeter and screening fencing, outdoor recreation areas, patio spaces, and the dog park—but do not provide construction details, material specifications, enclosure designs, surfacing types, or dimensional information for these features. Without these details, VHB cannot verify that the proposed amenities are feasible, safely designed, or consistent with the layout and intent shown on the plans. These elements also affect grading, accessibility, maintenance requirements, and long-term site functionality, and therefore require sufficient detail for the Planning Board's review.

VHB recommends that the Planning Board requests that the Applicant should provide detailed plans and specifications for all fencing, outdoor recreation areas, patio spaces, and the dog park, including materials, heights, surfacing, access points, and any associated site features. These details should be submitted to the Planning Board for review to confirm that the proposed amenities can be safely constructed, properly maintained, and integrated into the overall site design.

MCG Response: Precedent images of fencing were submitted to the Planning Board for review on November 18, 2025. The Applicant requests that submission of additional details to the Planning Board of final material selections be a condition of approval as an administrative staff review prior to issuance of the building permit.

VHB Response: VHB acknowledges MCG's response and the precedent materials provided. **VHB agrees that final plans and specifications for fencing and outdoor program elements may be addressed through a condition of approval and submitted for administrative review by Planning Board staff prior to issuance of a building permit.**

Waiver Review Statement

The Applicant has requested waivers from certain sections of the following local regulatory provisions as part of the application:

- **Amesbury Zoning Ordinance, (Adopted April 12, 1971 with Revisions Through April 30, 2025)**
- **Amendment - Zoning Ordinance 2023-01: East End Smart Growth Overlay District**

VHB has reviewed the submitted waiver requests as part of our independent peer review. This memorandum addresses only those waivers and areas of non-compliance that involve technical considerations related to site layout, stormwater management, grading, utilities, or environmental performance. Items that may not comply with local regulations but do not involve technical engineering reviews (including the submission waivers), have also been reviewed but are not commented on in this letter.

The Planning Board should refer to the Applicant's Waiver Request document, which is within their Project Narrative, to fully understand the scope of all requested relief. For waivers of a non-technical nature or those involving policy discretion (including the submission waivers), VHB understands the Board will make its own determinations or refer to the appropriate permitting authorities.

Section XI.Q: SMART GROWTH OVERLAY DISTRICT

5. Permitted Uses

1. 5.2.1 A Project within the Two or Three Family Sub-district (2-3 FAM) may include:
 - a) Two-Three family residential use(s);
 - b) Parking accessory to any of the above permitted uses; and
 - c) Accessory uses customarily incidental to any of the above permitted uses.

MCG Comment: 5.1.1.c to allow amenities related to both the 2-3 Family buildings and the Multi-Family building to be located in the 2-3 Family zone.

The 2-3 Family zone was incorporated into the EESGOD district specifically to encourage the type of residential-scale streetscape this project is providing. The amenity building continues this residential scale while serving all residents of the development.

(12/4/25) VHB Comment: This waiver relates to the placement of shared project amenities within the 2-3 Family subdistrict. VHB notes that the location of the 2-3 family buildings impacts the parking lot layout and could eliminate the need for parking within the driveway throat as noted in our comments above.

VHB defers to the Planning Board on this waiver pending further information.

2. 5.2.2 A Project within the Multi-family Sub-districts (MF-1 and MF-2) may include:
 - a) Multi-family residential use(s) [with no more than forty-eight (48) units per building], provided that the minimum allowable as-of-right density requirements for residential use specified in Section 7.1 shall apply;
 - b) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g. parking garages); and
 - c) Accessory uses customarily incidental to any of the above permitted uses.

MCG Comment: 5.2.2.a To build one building containing 146 units, where “no more than forty-eight (48) units per building” are allowed, “provided that the minimum allowable as-of-right density requirements for residential use specified in Section 7.1 shall apply”.

(Note: The applicable section for the EESGOD is 7.2.2, not 7.1)

The stated intent of the project from the beginning has always been to concentrate the allowable development on the approximately 4 acres of upland, leaving the remainder of the site as conservation land. That goal is incompatible with a limitation of 48 units per building.

(12/4/25) VHB Comment: VHB defers to the Planning Board on this request, as it is a policy and zoning determination. No technical engineering concerns associated with this waiver were identified based on the submitted plans and calculations.

7. Dimensional and Density Requirements

3. 7.2.1 to build two three family buildings each 10' from the front property line, where 20' is required.

MCG Comment: Moving the buildings closer to Clarks Road, suggested by OCED, allows for a more historically appropriate streetscape and better screening for the multifamily building and parking.

(12/4/25) VHB Comment: VHB notes that by reducing the setback, it could impact site lines and driveway length which could reduce pedestrian safety.

10. Design and Development Standards

4. 10.5.b.1 To allow 1.33 parking spaces per unit where 1.75 spaces are required.

MCG Comment: With approximately 65% of the units planned to be studios or one bedroom, the applicant's experience with similarly located projects of similar unit breakdown, and the Institute of Traffic Engineers 6th edition parking generation manual, which suggests .88 spaces per bedroom, which would suggest 194 spaces needed, the applicant believes our 203 spaces proposed are more than adequate for the needs of residents and guests.

Section 10.5.b.1 notes the minimum and maximum parking “Unless otherwise approved by the PAA”.

Section 10.5.b.3 Reduction in Parking Requirements notes the PAA may consider “d. Age or other occupancy restrictions that are likely to result in a lower level of auto usage.” and “f. Such other factors as may be considered by the PAA”.

(12/4/25) VHB Comment: Section 10.5.b.1 establishes a minimum parking requirement of 1.75 spaces per dwelling unit unless otherwise approved by the Planning Board. The Applicant proposes a reduced ratio of 1.33 spaces per unit (203 spaces total) and notes that approximately 65% of units are studios or one-bedroom units. The Applicant also cites the ITE Parking Generation Manual (6th Edition), which suggests an average parking demand of approximately 0.88 spaces per bedroom, equating to an estimated demand of roughly 194 spaces for this project.

Section 10.5.b.3 allows the Planning Board to approve a lower parking supply if the Applicant demonstrates that the reduced number of spaces will not result in congestion, safety issues, or adverse operational impacts, and the section also allows the Board to consider factors such as occupancy characteristics and other relevant circumstances.

From a technical perspective, the plans do not clearly indicate whether dedicated visitor parking is included within the proposed 203 spaces. For a development of this scale and mix of unit types, visitor demand, particularly during evenings and weekends, should be explicitly accounted for. Without identified visitor spaces, reduced parking may lead to overflow parking within internal drive aisles, conflicts with emergency vehicle access, or potential spillover onto Clarks Road.

VHB recommends that the Board requests clarification on whether visitor parking is included in the total parking supply, and if so, where those spaces are located. If visitor parking is not designated, the Applicant should explain how visitor demand, including overnight parking, will be accommodated consistent with the operational and safety criteria outlined in Section 10.5.b.3.

Final acceptance of the reduced parking ratio remains at the discretion of the Planning Board.

MCG Response: Visitor parking is included in the total parking count. Final visitor parking locations and number will be determined by the future building operations management and modified as needed. Parking within the drive aisles will be strictly prohibited. Parking along Clarks Road is prohibited and will be enforced by local authorities.

VHB Response: VHB acknowledges MCG's response indicating that visitor parking is included within the total parking supply and that parking within drive aisles and along Clarks Road will be prohibited. However, final acceptance of the reduced parking ratio, including whether the proposed parking supply adequately accommodates both resident and visitor demand, remains at the discretion of the Planning Board pursuant to Sections 10.5.b.1 and 10.5.b.3 of the Zoning Bylaw. **The Planning Board may wish to consider whether additional clarification or conditions related to visitor parking designation are warranted to ensure long-term operational and safety objectives are met.**

5. 10.5.b.4.d To allow for 16 compact spaces of 8.5' width by 18' length.

MCG Comment: Eight indoor and eight outdoor spaces which are 6" smaller than standard are a small encouragement of more fuel efficient vehicles and allow for retention of at least one parking space more than if all spaces were standard size.

(12/4/25) VHB Comment: The Applicant proposes 16 compact parking spaces, which do not meet the standard 9' x 18' stall dimension required under Section 10.5.b.4.d. While this section allows the Planning Board to approve alternative parking configurations at its discretion, the functional benefit of introducing a limited number of compact spaces appears minimal. The net width reduction of 0.5 feet per stall results in

only a modest overall space savings and may yield, at most, one additional parking space. In addition, given that vehicle sizes have generally increased in recent years, incorporating a small subset of narrower stalls may create inconsistency in parking usability across the site.

VHB recommends that the Planning Board consider whether the limited dimensional benefit achieved by these compact spaces justifies their inclusion, or whether maintaining uniform standard stall dimensions may better serve long-term functionality for residents and visitors. If the Board determines that the compact stalls are acceptable under the alternative configuration provisions, then a formal waiver may not be required; however, the Applicant should confirm the necessity and rationale for the proposed compact spaces to assist the Board's decision-making.

At this time, VHB has not received or reviewed the proposed indoor parking layout.

***MCG Response:** The indoor garage parking layout is included with the supplemental materials. Based on existing properties, the Applicant has determined that compact spaces (reduced width to 8') are adequate and appropriate for a development of this type. Vehicles have a range of sizes and it is our opinion that including eight (8) exterior and eight (8) interior garage compact spaces are appropriate.*

VHB Response: VHB acknowledges MCG's response and receipt of the supplemental materials showing the indoor garage parking layout. The Applicant has indicated that a limited number of compact parking spaces, both interior and exterior, are proposed and are considered appropriate for this development. **Acceptance of the compact stall dimensions and their consistency with long-term parking functionality remains at the discretion of the Planning Board pursuant to Section 10.5.b.4.d of the Zoning Bylaw.**

6. 10.5.c.1 A landscaped buffer strip at least twenty (20) feet wide, continuous except for approved driveways, shall be established adjacent to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, and shade trees having a minimum 3" caliper, planted at least every 50 feet along the road frontage. At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present an obstruction to sight lines.

MCG Comment: Landscape Buffers to provide a 10' buffer strip along Clarks Road where 20' is required. Moving the buildings closer to Clarks Road, suggested by OCED, allows for a more historically appropriate streetscape and better screening for the multifamily building and parking. The project will comply with the remaining provisions of 10.5.c.1.

(12/4/25) VHB Comment: The Applicant requests a reduction of the required landscape buffer along Clarks Road from 20 feet to 10 feet. While this waiver is primarily a zoning/design matter, VHB notes that the plans appear to show a retaining wall within the reduced buffer, although the wall is not labeled or detailed in the current plan set. The presence of a wall in a constrained frontage area may affect final grading transitions, landscaping, and maintenance access.

VHB recommends the Planning Board requests the Applicant clearly label and detail the retaining wall within the frontage buffer and confirm that the reduced width can accommodate required grading and planting without creating operational or maintenance issues. VHB notes that by reducing the setback, it could impact site lines and driveway length which could reduce pedestrian safety. VHB defers to the Planning Board regarding the appropriateness of the buffer reduction as a zoning waiver.

***MCG Response:** There is no retaining wall located in the front setback. The proposed wall is ornamental. The height of the wall will be designed to not impede sight lines.*

VHB Response: VHB acknowledges MCG's response clarifying that no retaining wall is proposed within the Clarks Road frontage buffer and that the wall shown is ornamental and will be designed to preserve sight lines. Based on this clarification, the specific concern regarding a retaining wall within the reduced buffer has been addressed. **Determination of whether the proposed reduction in the landscape buffer width is appropriate remains at the discretion of the Planning Board as part of its review of the requested zoning waiver.**

7. 10.5.c.2 Retaining Walls. Retaining walls shall be constructed to a maximum height of six (6) feet. If site conditions require elevation changes of greater than six (6) feet, retaining walls shall be terraced and landscaped. Retaining walls facing residential districts shall be natural stone finish and vertical cast in place concrete shall not be permitted.

***MCG Comment:** At the ramp to access the garage parking, a retaining wall of approximately 11' will be necessary. This wall will be finished in decorative brick or stone veneer and fenced at the top for safety.*

(12/4/25) VHB Comment: Section 10.5.c.2 limits retaining wall height to 6 feet unless walls are terraced and landscaped, and requires natural stone finishes for walls facing residential districts. The Applicant notes that an approximately 11-foot retaining wall is required at the garage access ramp and proposes to finish the wall with decorative brick or stone veneer and add fencing for safety.

Based on the submitted plans, it is not clear whether this is the only retaining wall proposed on the site, nor are wall heights, materials, terracing, or landscape treatments consistently labeled. Without detailed retaining wall drawings, cross-sections, or elevations, VHB cannot confirm compliance with the dimensional or design requirements of Section 10.5.c.2 to determine how these walls interact with other engineering aspects of the project, such as drainage runoff.

VHB recommends that as a condition of the waiver, complete retaining wall details, including height, materials, configuration, terracing (if applicable), drainage, safety fencing, and any associated landscaping be provided, so that the Planning Board can evaluate compliance with Section 10.5.c.2.

Structural design and stability of the proposed retaining walls should be prepared, signed, and sealed by a licensed structural engineer and will require review and approval by the Building Department as part of the building permit process.

Determination as to whether the proposed wall height, finish, and associated waiver are acceptable remains at the discretion of the Planning Board.

***MCG Response:** The walls will be designed by a structural engineer and submitted for review/approval during the building permit application process. The wall designs will incorporate industry standard drainage and safety fencing requirements. The Applicant request that submission of additional details to the Planning Board of final material selections be a condition to be reviewed administratively by staff and that the final wall design, should it require a building permit, be handled by the Building Department.*

VHB Response: VHB acknowledges MCG's response indicating that the retaining walls will be designed by a licensed structural engineer and reviewed as part of the building permit process. While structural design and

permitting review are appropriately handled by the Building Department, the proposed retaining wall exceeds the maximum height permitted under Section 10.5.c.2. **Accordingly, the requested waiver, including acceptance of the wall height, configuration, and materials, remains subject to review and determination by the Planning Board.**

8. 10.5.c.3 Fences, Decorative Walls and Hedges. Fences, low decorative walls and hedges define walkways, give pedestrian scale to the street and maintain the historic character of the City. The materials and design shall reflect the period and the ornateness of the building they delineate. The use of low decorative fences to delineate spaces is strongly encouraged and the use of any type of chain link or stockade fence is prohibited.

MCG Comment: 10.5.c.3 to allow for stockade fences and chain link fence. Stockade fencing is proposed as a visual buffer to adjacent properties. Black chain link fencing is proposed around dog run and play areas, chosen for its limited visual impact, allowing for better views of surrounding nature.

(12/4/25) VHB Comment: Section 10.5.c.3 prohibits stockade and chain link fencing within the district. The Applicant proposes stockade fencing along property boundaries for screening and black chain link fencing around the dog run and play areas. The plans do not clearly label all fencing locations, heights, or materials, so VHB cannot confirm where each fence type is proposed.

VHB recommends that the Planning Board requests that the Applicant clearly identify all fencing types and locations on the plans so the Planning Board can evaluate the requested waiver. The acceptability of stockade and chain link fencing under Section 10.5.c.3 is a zoning determination for the Board.

MCG Response: Precedent images of fencing were submitted to the Planning Board for review on November 18, 2025. While the EESGOD in one place prohibits stockade and chain link fence, in section 10.5.e.1c it requires "solid wooden fencing at least 6 feet high". The Applicant has proposed stockade fencing in select locations to enhance screening and privacy for neighbors, and black chain link in another location to enhance views from the amenity areas to the surrounding natural area.

VHB Response: VHB acknowledges MCG's response and the precedent fencing materials submitted for Planning Board review. The Applicant has identified differing provisions within the EESGOD regarding fencing types and has proposed stockade and black chain link fencing for screening and amenity areas. However, acceptance of these fencing types and resolution of any bylaw interpretation remains a zoning determination for the Planning Board. **VHB continues to recommend that all fencing types, locations, heights, and materials be clearly identified on the plans to allow the Planning Board to fully evaluate the requested waiver.**

9. 10.5.e.1.c Any portions of new buildings within 200 feet of existing residential buildings three (3) stories or less, shall not exceed three (3) stories. See Style Guide.

MCG Comment: 10.5.e.1.c To permit a four story building approximately 90' from an abutting building 3 stories or less. This is due to the signed ordinance failing to capture the change approved by the planning board from 150' to 75'. (scrivener's error – The below highlighted language should read seventy-five (75) feet.)

"c. Any portions of new buildings within 200 feet of existing residential buildings three (3) stories or less, shall not exceed three (3) stories. The PAA may waive the two hundred (200) feet to no less than one hundred and fifty (150) feet provided a landscape buffer is provided along the closest property line(s) consisting of a combination of solid wooden fencing at least 6 feet high and a 20 foot wide vegetative buffer consisting of

evergreen trees no less than 4" in caliper and other evergreen flowering shrubs as approved by the PAA. See Style Guide."

(12/4/25) VHB Comment: VHB has no comment.

10. 10.5.e.2.b Except for recreational access, disturbance of steep slopes (over 25%) and the placement of buildings in areas that require extensive alteration of steep slopes and mature vegetation through road, utilities or building construction shall be avoided;

MCG Comment: 10.5.e.2.b To disturb slopes over 25%

While the building has been oriented to follow the contour of the slope in order to reduce impact to the sloped area, in order to concentrate development out of the wetland and conserved area, some slope exceeding 25% is expected to be impacted.

The language in the zoning is "shall be avoided".

(12/4/25) VHB Comment: The zoning standard states that disturbance of slopes greater than 25% "shall be avoided." Portions of the site, particularly along the southern edge where the building footprint and stormwater systems are proposed, contain existing steep slopes. Based on the submitted plans and existing topography, some disturbance in these areas appears unavoidable for the project to be constructed as designed. From a technical standpoint, work in steeper areas will require appropriate grading transitions, stabilization measures, and erosion controls to ensure long-term slope stability and proper stormwater function.

VHB has not reviewed any geotechnical analysis for the proposed slope work or retaining wall design as part of this submittal.

VHB recommends that the Planning Board requests that the applicant confirm that appropriate slope stabilization and retaining wall measures will be provided based on geotechnical recommendations. The waiver itself is a zoning determination for the Planning Board.

MCG Response: Slope stabilization methods will be implemented as noted previously. Pending project approval, a geotechnical engineer will be engaged and will review all site and wall designs. The Applicant requests that this requirement be a condition of approval and submitted prior to construction.

VHB Response: VHB acknowledges MCG's response indicating that slope stabilization measures will be implemented and that a geotechnical engineer will review site grading and retaining wall designs following project approval. VHB agrees that geotechnical review and confirmation of slope stabilization measures is appropriately addressed through a condition of approval and submitted prior to construction. **However, acceptance of disturbance to slopes exceeding 25 percent remains a zoning determination for the Planning Board pursuant to Section 10.5.e.2.b.**

11. 10.5.o Shadows. Between 9:00 a.m. and 3:00 p.m. (EST) from February 21st to October 21st, no building shall cast a shadow on any residential structure in existence at the time of Preliminary Plan submission.

MCG Comment: 10.5.o To construct a building which "cast(s) a shadow on any residential structure in existence at the time of Preliminary Plan Submission between 9am and 3pm from February 21 to October 21."

Applicant anticipates that a small portion of a shed located at 31 Clarks Road, in an area currently shadowed by a large evergreen tree, may be impacted. No other shadow impacts as defined in this section are anticipated.

(12/4/25) VHB Comment: Section 10.5.o prohibits new buildings from casting shadows between 9:00 a.m. and 3:00 p.m., February 21 to October 21, on any residential structure existing at the time of Preliminary Plan submission. The Applicant states that a portion of a shed at 31 Clarks Road may receive additional shading during this period. The shed is not shown on the submitted plans, and no shadow diagrams or modeling were provided. Without a plan depiction of the structure or a shadow study, VHB cannot verify the extent of any shading or confirm whether any residential structures, as intended by the regulation, would be affected. Sheds and similar accessory structures are generally not treated as “residential structures” under common zoning practice; however, the applicability of §10.5.o to this case is ultimately a Planning Board interpretation.

VHB recommends that the Planning Board requests that the applicant provide a shadow study and plan depiction of the shed at 31 Clarks Road to allow verification of the potential shading impact described in the waiver request. The Planning Board should determine whether §10.5.o applies to accessory structures such as sheds and whether the Applicant’s waiver request is justified based on the study results and the regulation’s intent.

MCG Response: The noted plans will be submitted under separate cover at a later date.

VHB Response: VHB acknowledges MCG’s response indicating that additional plans and information will be submitted under separate cover. Until a shadow study and plan depiction of the shed at 31 Clarks Road are provided, VHB cannot verify the extent of the potential shadow impact or evaluate the applicability of Section 10.5.o. **VHB recommends that submission of a shadow study and supporting plan information be required as part of the waiver request so that the Planning Board can determine whether the regulation applies to the referenced accessory structure and whether the waiver is appropriate.**

Applicant’s Proposed Conditions of Approval

Planning Board, please note: The Applicant has requested that the following items be incorporated as conditions of approval in lieu of submitting the required materials with the application. The Board should determine whether deferring these materials to post-approval is acceptable within the context of the EESGOD and applicable City regulations.

MCG Statement: In keeping with the goal of streamlined permitting under the East End Smart Growth Overlay District, Applicant respectfully request that the Planning Board approve the proposed project with the following conditions.

1. 6.3.2, 6.3.4 Related to project plans, and “location, quantity and unit size” of units accessible to the disabled

As exact unit sizes and which units will be designated as affordable, and which will be built as accessible, are under development, the applicant proposes to provide the required information in coordination with city staff and the Massachusetts Executive Office of Housing and Livable Communities as a condition of approval.

2. 6.3.3 and 6.6 Affordable Housing Restriction

While some information required in section 6.6 has been submitted and applicant will comply with all provisions of these two sections, at this time applicant proposes to submit for approval the remaining documentation required therein to both the city and the Massachusetts Executive Office of Housing and Livable Communities as a condition of approval.

3. 10.3.h and 10.4.e.4 related to site and building signage

Applicant proposes to locate and design signage and coordinate with city staff as a condition of approval. Alternatively, the condition could require Applicant return to the Board for approval of signage as a minor modification.

4. 10.4.f related to deeds and easements

Applicant proposes to negotiate and finalize the necessary deed(s) and easement(s) with the City related to the open space and access to it with city staff as a condition of approval.

5. 10.5.d.4 related to copies of formation of approved entity to maintain open space

Applicant is willing to maintain the trail on the open space parcel for a period of five years and proposes to finalize the details of such maintenance with city staff as a condition of approval.

6. 10.5.m.2 Related to demonstrating project is consistent with the City's Planned Infrastructure Report and Capital Improvement Plan

Applicant proposes to work with the DPW and other city staff to update the information necessary to demonstrate this compliance, and requests the Board include such demonstration, as approved by city staff, as a condition of approval.

(12/4/25) VHB Comment: The Applicant's requests related to Sections 6.3, 6.6, 10.3.h, 10.4.e.4, and 10.4.f, involve affordable-housing documentation, accessibility information, signage design, deed and easement coordination, open-space maintenance entities, and infrastructure-planning confirmations. VHB has commented on 10.5.d.4 and 10.5.m.2 in the applicable section for the zoning review above. These are administrative and zoning compliance items that are outside the scope of VHB's civil and stormwater peer review.

VHB notes only that the corresponding materials were not included in the submission. Whether these items may be addressed as conditions of approval is a procedural determination for the Planning Board.