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1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – June 23, 2025, at 7:06 PM

3. Chairman Pascal Rettig called the June 23, 2025, Planning Board meeting to order at 7:06 PM.
4. *To submit a public comment ahead of time email Becky Frey at freyr@amesburyma.gov. To speak live at the meeting fill out a public comment form and turn it into Becky Frey. There will be a public comment portion of each public hearing discussed tonight.*

5. *The Chairman notes that tonight's Planning Board meeting is being recorded by Amesbury Public Access Television; this legal step has been taken but does not act as the official record. The written meeting minutes by the Recording Secretary is the official record.*

6. Pascal Rettig initiated roll call –
7. Keith Ratner – YES
8. Joel Nice – YES
9. Michael Jewell – YES
10. Tracey Chalifour – YES
11. Tom Salemi - NO
12. David Frick – YES
13. Pascal Rettig – YES

14. Also: Nipun Jain (Planning Director) and Becky Frey (Community Development Coordinator)

15. **Signs – 100 Macy St. (Life Wellness)**
16. Nipun Jain commented that the DRC reviewed the revised sign package for the building mounted and free-standing sign and recommended to approve the package as revised.
17. Michael Jewell motioned to approve the sign package for Life Wellness at 100 Macy St. as revised. Seconded by David Frick.
18. Pascal Rettig initiated a roll call vote –
19. Keith Ratner – YES
20. Joel Nice – YES
21. Michael Jewell – YES
22. Tracey Chalifour – YES
23. Tom Salemi - ABSENT
24. David Frick – YES
25. Pascal Rettig – YES
26. Motion passed 6-0

27. **Signs – 21 Water St. (Juice House)**

28. Nipun Jain commented DRC reviewed the sign package for the building mounted sign and replacement of the existing freestanding one. DRC recommended approval with 2 recommendations. The first is that the free-standing sign match the other free-standing signs with a green background and white text. The second is that they reverse color on the building sign.
29. Theo Dewez, applicant, commented that they decided to keep the free-standing sign as presented with the white background. They will invert the colors on the building with a pink background and white font.
30. David Frick motioned to approve the sign application for Juice House at 21 Water St. as revised. Seconded by Michael Jewell.
31. Joel Nice questioned if the free standing would be with green lettering. Theo Dewez responded that it would not. They wanted to distinguish this business from the Carriage House Building.
32. Pascal Rettig initiated a roll call vote –
33. Keith Ratner – YES
34. Joel Nice – YES
35. Michael Jewell – YES
36. Tracey Chalifour – YES
37. Tom Salemi - ABSENT
38. David Frick – YES
39. Pascal Rettig – YES
40. Motion passed 6-0

41. **City Council Referral – Bill 2025-053**
42. Nipun Jain commented that the memo indicated that the property owner has been having issues with drainage associated with Elizabeth St. and requested the city resolve that drainage issue. As a result of that request DPW asked the applicant to provide an easement to allow them to make improvements on the property.
43. Michael Jewll questioned who would pay for the work. Nipun Jain responded that the city is paying for the work. Michael Jewell questioned if the Conservation Commission approved this work. Nipun Jain responded he was not sure if this went to the Conservation Commission.
44. David Frick questioned if KP Law drafted the easement. Nipun Jain responded that based on the information submitted, it has not been drafted by KP. It was presented to the city by the residents. David Frick questioned if they were going to send it back to City Council, then they should include recommendations such as: consider sending it to the Conservation Commission, make sure the easement has been reviewed by KP Law, and understand the cost of this project and how it will be funded.
45. Nipun Jain commented summarized the recommendations that the Council should ensure when accepting the easement. 1. The language in the easement protects the city. 2. The work to be performed complies with all regulations for DEP and the local wetlands ordinance. 3. Be aware of the cost and the funds are available before performing the work.
46. David Frick motioned to send a positive recommendation with the stipulations listed above. Seconded by Joel Nice.

47. Pascal Rettig questioned what was on the land above it. Becky Frey responded that it was city owned land that they took in tax and title. The resident is saying that it's causing drainage issues and is asking the city to fix it.
48. Nipun Jain commented that they were correcting the drainage. No plans have been drawn up but there is an indication of where the easement will reside. It is unclear what the details of the plan are.
49. David Frick questioned if the city would sell the land. Nipun Jain responded they would not. Pascal Rettig commented that it looked like it's connected to the town park. They are proposing a rip rap swale toward the street.
50. Michael Jewell commented that it would be nice to have some photos to see what it looks like and was concerned about setting a precedent. Nipun Jain responded that is why the legal documents need to be clearer and hopefully address some of those precedent setting concerns as well.
51. Pascal Rettig agreed with those concerns. It would be good to have more information about why this is being proposed.
52. Becky Frey read the memo from DPW into the record.
53. Michael Jewell questioned if they could request more information before voting on this.
54. Joel Nice noted it could be expensive between the delineation, permitting, design, and construction.
55. Nipun Jain commented that if they needed permits from the Conservation Commission because it was in jurisdictional area, then they would need to permit it. This request is just accepting the easement.
56. Pascal Rettig questioned if the problem could be addressed on the city's property.
57. Nipun Jain questioned if the Board was looking for additional information, then they could request it.
58. Pascal Rettig commented that it may be an expensive proposition for how the city is going to address it, but we don't have those details.
59. Michael Jewell commented that right now he could not support it.
60. Tracey Chalifour questioned why it didn't go to the Conservation Commission. Pascal Rettig responded it was just an easement.
61. David Frick questioned if the City could dispose of the property.
62. Nipun Jain commented that the property came into city possession because taxes were not paid. Now the city has it and it came with its baggage that resulted in "harm" to a property owner. They have brought it to the attention of the city and this is how they are trying to solve that problem.
63. Michael Jewell commented that he was not comfortable with the motion. Tracey Chalifour agreed.
64. Pascal Rettig initiated a roll call vote –
65. Keith Ratner – YES
66. Joel Nice – YES
67. Michael Jewell – NO
68. Tracey Chalifour – NO
69. Tom Salemi - ABSENT
70. David Frick – YES

71. Pascal Rettig – NO
72. Motion did not pass by a 3-3 vote.
73. Michael Jewll motioned ask the following questions:

   1. If the Conservation Commission has looked at the request?
   2. What would the cost be to do the work and maintain it?
   3. Get a legal opinion from KP law, to ask if this sets a precedent?
   4. If there were alternative solutions looked at and what were they?
   5. Who would be responsible for the construction and maintenance?

74. Seconded by Tracey Chalifour.
75. Pascal Rettig initiated a roll call vote –
76. Keith Ratner – YES
77. Joel Nice – YES
78. Michael Jewell – YES
79. Tracey Chalifour – YES
80. Tom Salemi - ABSENT
81. David Frick – YES
82. Pascal Rettig – YES
83. Motion passed by a 6-0 vote.

84. City Council Referral – Bill 2025-072

85. Nipun Jain commented this was an 8.5-acre property in the WRPD. It has 6 acres of wetlands and 2.35 acres of upland. It is located in the R80 zoning district, which has the highest area lot requirements and lowest developable density. The property is bound on three sides by the Powwow and tributaries. It is in the watershed district. There is an existing structure on the parcel, but it is in bad condition. There was a permit granted for that property at one point, but it did not move further due to the high cost of renovation. When the property came up for sale there was discussion with our office and DPW about acquiring it to preserve the drinking water and resource areas around it. It was deemed as a suitable parcel to be owned by the public for the good of the community. There is also potential to use this as a conservation area and a public park in the upland area. It could connect to the Town Forest and Woodsom Farm area.
86. Pascal Rettig commented they discussed this at the Open Space meeting and sent back a positive recommendation. This is valuable for the city. It is in the Water Resource Protection District and would be useful from a public access perspective as well.
87. David Frick noted Amesbury was one of five communities in the state to get this grant funding.
88. Michael Jewell questioned if the structure would come down and what the cost of that would be. The Conservation Commission should review this. It will not be an easy task to tear the structure down. They are talking about the possibility of having benches and trails etc. They need to consider the cost and who will maintain it. They should have those answers before making a decision.
89. Joel Nice commented that it would be a great asset for the city to acquire. It is important to have control of the property. It would be good to have a recreation area in the upland area and ensure access is done correctly. The watershed should be protected.

90. Tracey Chalifour commented there is funding in the CPC account, and this could be a great use of that money. Pascal Rettig agreed that in theory this could be a CPA project.
91. Michael Jewell commented that it will cost money to improve the site and maintain it. It is a great idea and they need to protect the water supply. However, before the Board votes on it they need to have some answers on how it will be funded.
92. Nick Cracknell commented those were great questions. This is a business decision for the town. It is a fundamental purchase. The park is secondary. The insurance policy for drinking water is the priority. The threat to our drinking water supply is the driver. The building is not a threat; it's abandoned. They will be removing that structure in coordination with DPW and with OCED's internal budget. The existing owner is removing other items from the property. There is plenty of room to access the bottom of the site and there is room for a public park should the city find the money. The park is something they want to pursue with other committees. The Conservation Commission provided the money up to do the appraisal for this property. The city controls a lot of the property around this lot and the drinking water supply. The uplands are adjacent to Meadowbrook Pond. There are 600 acres in our drinking water supply system and not all of it is under the care and custody of the water treatment plant or DPW. What the city does have control of has been cobbled together as best as possible. The arch brook culvert is adjacent to the 128 Kimball Rd. property. They currently have trouble accessing that culvert and accessing it through 128 Kimball would be easier. The city will save money by owning this property when they need to replace the Arch Brook culvert. It will be easy to remove the existing structure on the property, and they will not need to go into the wetlands to access it. They will be supervising the removal of the container with the Conservation Agent. If a park happens, then they would need permitting. This is a great resource and a good business decision for the city to lock this property down. After they acquire the property, then they can look at how to make a park. Nick Cracknell did not disagree that the city has a maintenance issue. They have come a long way in the 30 years since he has been here. They have to trust in volunteers and committees as well as utilize resources like the CPC funds. This property is being purchased to protect the drinking water supply and if they get a park out of it eventually, then all the better.
93. Pascal Rettig clarified that the DPW operating budget covers the removal. Nick Cracknell confirmed that was correct. Pascal Rettig noted that there were no maintenance costs. Nick Cracknell responded they were not even doing a sign for this property. They are clearing it out. They will come back with a budget and plan for a park when they are ready. This grant is a land acquisition grant only. It pays for the survey and closing documents. We paid for the appraisal.
94. David Frick motioned to send Bill 2025-072 to City Council with a positive recommendation. Seconded by Tracey Chalifour.
95. Keith Ratner questioned how the sale price was determined. Nick Cracknell responded they negotiated a price based on the asking price of the property that was shored up by the appraisal.
96. Tracey Chalifour added that this was a great opportunity to protect the water supply and think about future use.

97. Michael Jewell clarified that DPW would be taking down the structure. Nick Cracknell responded that they will work together with DPW to remove it. They will also coordinate with the Conservation Agent and Commission. Michael Jewell questioned how close the structure was to the wetlands. Nick Cracknell responded it is sitting on a slab 20 feet from the river. They will make sure they have the appropriate approval to remove the structure with erosion controls.
98. Pascal Rettig initiated a roll call vote –
99. Keith Ratner – YES
100. Joel Nice – YES
101. Michael Jewell – YES
102. Tracey Chalifour – YES
103. Tom Salemi - Absent
104. David Frick – YES
105. Pascal Rettig – YES
106. Motion passed 6-0

107. Administrative – Meadowbrook Parcel
108. Pascal Rettig noted there was no update.

109. Administrative – Planning Board Rules and Regulations
110. Pascal Rettig commented that no one has sent in any updates on this yet. They went over it very quickly at the last meeting. Pascal Rettig questioned if anyone had any questions on the changes being proposed. Procedurally staff needs to take a fine-tooth comb through it to make sure it looks ok. They will also need to do a public hearing.
111. Nipun Jain commented staff had not started any heavy review on this because they were waiting for comments. Our understanding is that the Board wants to get it officially adopted. After it is adopted, they can make changes administratively.
112. Tracey Chalifour questioned if the public hearing could be on July 14th. Nipun Jain commented they would shoot for that timeline.
113. The Board agreed to have the public hearing on July 14, 2025.

114. Administrative – Master Plan Update
115. Nipun Jain commented that they did not have an update from the OCED office. Nipun Jain commented that he has been told that the master plan oversight committee did address the issues that were raised and have incorporated them into the document. They have started to work with MVPC on the maps. As this moves into the next fiscal year they will have more time allocated in local assistance time with MVPC. The Planning Office is only working on the land use component.
116. Pascal Rettig commented that the Board can reach out to the Mayor's Office for an update from them.

117. Administrative – 101-107 Market St. Covenant Release

118. Nipun Jain commented that the covenant is on record. There is still one unit in the two unit building that hasn't closed. The buyer's attorney pointed out it would be prudent to get a partial release for those two units.

119. David Frick motioned to release 107 Market St. Units A and B from the covenant to move forward with the sale of the property. Seconded by Keith Ratner.

120. Pascal Rettig initiated a roll call vote –

121. Keith Ratner – YES

122. Joel Nice – YES

123. Michael Jewell – YES

124. Tracey Chalifour – YES

125. Tom Salemi - ABSENT

126. David Frick – YES

127. Pascal Rettig – YES

128. Motion passed 6-0

129. Administrative – 12 point shore bond release

130. Nipun Jain commented that staff recommends the Planning Board release the bond amount in full as requested by the proponent Glen Saba. They were waiting for him to get the Certificate of Compliance, and he has now received that.

131. David Frick questioned what the name of the project was. Nipun Jain commented that it was Point Shore Meadows and this is in regards to one lot at the end of the spur that goes tower the Birchwood Point properties.

132. Joel Nice motioned to release the Bond for 12 Point Shore in its full amount of $3,494.5. Seconded by Tracey Chalifour.

133. Pascal Rettig initiated a roll call vote –

134. Keith Ratner – YES

135. Joel Nice – YES

136. Michael Jewell – YES

137. Tracey Chalifour – YES

138. Tom Salemi - ABSENT

139. David Frick – YES

140. Pascal Rettig – YES

141. Motion passed 6-0

142. Stantec Invoices

143. Tracey motioned to approve the payment of the Stantec Invoice. Seconded by Michael Jewell.

1. A Stantec for 201 Elm St. in the amount of $1,967.75.

144. Pascal Rettig initiated a roll call vote –

145. Keith Ratner – YES

146. Joel Nice – YES

147. Michael Jewell – YES

148. Tracey Chalifour – YES

149. Tom Salemi - ABSENT
150. David Frick – YES
151. Pascal Rettig – YES
152. Motion passed 6-0

153. General Communications.

154. Michael Jewell questioned if there was any update on School St. properties. Nipun Jain responded that the RFP has been granted, and the mayor has signed off on the recommendation for the city to the contractor team. They have a letter of award.

155. Michael Jewell questioned if the purchase of the Provident Bank by Needham Bank would have any impact on the new city hall. Nipun Jain responded that he did not know.

156. Michael Jewell questioned who was responsible for maintaining Collins St. park. Nipun Jain responded that he did not know. It was most likely DPW.

157. Joel Nice provided an update on the CPA. They had a meeting on June 18th and it was productive. They are basically going through the process of application review and what that will look like.

158. Tracey Chalifour questioned when the money could start being spent. Joel Nice responded they could start spending next July. They can start accepting projects in the beginning of next year and then dispersing funds.

159. David Frick questioned how much money there would be. Joel Nice responded that they will get $900K for the first year.

160. Nipun Jain provided an update on big projects. The Board should take this time to visit projects under construction. It is a good way to learn and helps train each of us to look at things when they are built out. 101-107 Market St. has one two unit building complete and plans to finish the 4 unit building in the next 2-3 months. They will wrap up the project near the end of the year. 39-41 Hillside Ave. has had the steel go up and they are starting to pick up steam. They are hoping to finish the exterior and framing by late fall. Starbucks plans to have everything on the outside done by August. The School St. will be coming to the Board within the next 6-8 weeks. 38-40 Prospect St. should be coming in a similar timeline. 26 Friend St. will go under construction in late July or early august. The AES will be coming to the Board soon in some fashion. The Board has already heard from 1-9 Oakland St. The project preapplication is coming back in July. The marina is ahead of schedule. Bailey's Pond will be wrapping up soon. Staff has received a request from Rocky Hill and they are planning to file in the middle of August. Joel Nice questioned if it would be a phased project. Nipun Jain responded that they are permitting it all at once. Clark's Road will likely come for a preapplication in July.

161. Tracey clarified that the Clark's Road project did not include the other side of 110. Nipun Jain confirmed it was just the south side, but he has heard there is interest in developing the other side too. They have not made that much progress on that though. The Board will need to be judicious about time and how to delegate review of the projects. The larger projects are actually site plan review only and they need to be mindful on that. There are time limitations on that.

162. Tracey Chalifour questioned what was happening with the Disposition Committee. David Frick responded that the Trader's Alan Truck stop needs money for environmental remediation.
163. Tracey Chalifour questioned what the status was with Gorman Farm. Nipun Jain responded they have not heard anything concrete on that.
164. David Frick noted they will only have preapplications in July. Nipun Jain confirmed that was correct, but that is the best time to express any and all concerns. It is good to ask a lot of questions at that time.

165. Adjournment

166. David Frick motioned to adjourn at 8:36 pm. Seconded by Michael Jewell.
167. Pascal Rettig initiated roll call vote –
168. Keith Ratner – YES
169. Joel Nice – YES
170. Michael Jewell – YES
171. Tracey Chalifour – YES
172. Tom Salemi - ABSENT
173. David Frick – YES
174. Pascal Rettig – YES
175. Motion passed 6-0