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1. Amesbury Planning Board Meeting Minutes

2. In Person Meeting – August 24, 2026, at 7:00 PM

3. Chairman Pascal Rettig called the August 24, 2026, Planning Board meeting to order at 7:00 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. David Frick initiated roll call -
7. Keith Ratner – YES
8. Joel Nice – YES
9. Tracey Chalifour – YES
10. Tom Salemi – ABSENT
11. Eric Girard - ABSENT
12. David Frick – YES
13. Pascal Rettig – ABSENT

14. Also: Becky Frey (Community Development Coordinator)

15. David Frick commented that they will not discuss hearings on the Special Permits because there are only 4 members present tonight.

16. **Minutes – 4-13-26**
17. These minutes were tabled to a future meeting.

18. **Minutes – 7-27-26**
19. These minutes were tabled to a future meeting.

20. **Minutes – 8-10-26**
21. These minutes were tabled to a future meeting.

22. **Signs – 57 Main Street – The Fruitful Fig**
23. Emmaline Andrews from 57 Main St. submitted the application for The Fruitful Fig. David Frick commented that it looked like the DRC supported the sign design. Nipun Jain confirmed that was correct. It was reviewed and they recommended approval as presented.

24. Keith Ratner motioned to approve the sign for The Fruitful Fig at 57 Main Street as submitted. Seconded by Joel Nice. The motion passed unanimously.

25. **ANR – 135-145 Main Street**
26. David Frick commented that for the record that he was a member of the church. This was not a discretionary approval. If the proposal has the proper frontage, access, and lot area, then the Board must approve it.
27. Lisa Riley from Merrimac, MA was the moderator for the church. Hancock Engineering has drafted the ANR related from 135-145 Main St. The proposal is to divide the existing property into 2 lots. They did not touch the existing outer boundaries. The proposal is to subdivide from within. The proposal meets all the requirements for setbacks and borders.
28. Nipun Jain commented that the ANR plan is an endorsement by the Planning Board under the state statute. There is adequate frontage. It meets the minimum lot area. The plan satisfies the requirements for an ANR endorsement. There is a general note on all ANR plans that no determination of zoning compliance or approval has been made. This is purely a subdivision plan. The use of the parcels or existing structures would be determined by the uses allowed in the district. Staff recommends approving as presented.
29. Keith Ratner motioned to approve the ANR plan for 135-145 Main St. Seconded by Joel Nice. The motion passed unanimously.

30. **Preapplication – 46 Elm Street – Sunrise Bagels**
31. Ryan Lopes of 17 Linwood Place and General Manager Geoff Ponitz were present to speak to the preapplication for sunrise bagels. They were hoping to get some feedback on this proposal before filing the site plan approval application. Geoff Ponitz commented that the business was founded in Maine. It is a sourdough bagel company, and they have a full line of sweets and hot sandwiches. They will have an espresso machine and coffee. Their mission is to make the best bagel available. Ryan Lopes added that they produce a good product, and they will generate jobs.
32. Joel Nice questioned if there were renderings.
33. Ryan Lopes confirmed there were. The most important thing to note was there will not be any grading. There are no proposed changes to the lot itself. The only plan is to make interior changes and exterior aesthetic finishing. This elevation is a first draft rendering. There is no proposed construction or development other than building out the interior bakery. The plan to request a waiver on submitting the architecture and traffic study. There used to be a business at this location. They have contractors laying out the parking now. He knows he needs approval on the signage. He is asking for a waiver on storm water management, lighting, and landscaping. Also, any other waivers not applicable to a simple change of use.
34. Joel Nice commented this was a unique situation because the developer made the building a shell. It is flexible on who would go in there. This is not as much site plan approval but more plan improvement.
35. Keith Ratner questioned what the parking requirements were. Nipun Jain commented that was based on the square footage of the building or number of tables. Given the nature of

the business, more fast food and pick up, there is not a lot of seating proposed. Ryan Lopes commented that the rough draft of parking shows 13 spaces.

36. Nipun Jain commented that the Board can see the building is in the process of being renovated. It was exciting that this use came about. The site is on the periphery of downtown and it is an attractive location. The proposal will use the existing building footprint with no layout changes. All of the other things that come with a site plan do not need to be conducted for this location. It appears to be a reasonable request to not file all those documents typically required for a new development. Staff does recommend more details on landscape, lighting, signage, and design. Some can be a condition of approval. This is a great fit for the neighborhood and location. They anticipate people will be parking also in the Lower Millyard and on street. There is a bus stop close by. Parking should not be an issue.
37. Joel Nice commented he was in general in support of the project. It was a great use and improvement. He was in favor of the waivers requested.
38. Keith Ratner agreed. He was more interested in the building design, landscaping, and lighting details. Sometimes they can condition on acceptance.
39. Tracey Chalifour commented that spots 10 and 11 may be hard for people to turn in. Ryan Lopes commented he has a professional laying out the parking in a way that is compliant. Tracey Chalifour questioned if there was an existing curb cut at the two-way circulation and questioned if there would be a drive thru. Ryan Lopes confirmed the curb cut existed and there was no proposed drive thru.
40. David Frick agreed with everyone. This is a great addition to the downtown.

41. **Continued Public Hearings – 12 Oak Street**
42. Keith Ratner motioned to continue the application to the September 14, 2026, Planning Board Meeting. Seconded by Joel Nice. The motion passed unanimously.

43. **Continued Public Hearings – 28 Haverhill Road**
44. Keith Ratner motioned to continue the application to the September 14, 2026, Planning Board Meeting. Seconded by Joel Nice. The motion passed unanimously.

45. **Continued Public Hearings – Rocky Hill Development**
46. Nipun Jain commented the Board could discuss this with the subdivision application under new hearings.

47. **New Public Hearings – 4 Lake Attitash Road**
48. Joel Nice motioned to continue the application to the September 14, 2026, Planning Board Meeting. Seconded by Keith Ratner. The motion passed unanimously.
49. Nipun Jain commented that they should let the record show the initial public hearing was not opened tonight and will be opened at the next meeting.
50. Joel Nice motioned to add that the initial public hearing for 4 Lake Attitash Road would not be opened until the September 14, 2026 Planning Board Meeting. Seconded by Keith Ratner. The motion passed unanimously.

51. **New Public Hearings – 2-4 Elmwood Street**
52. Joel Nice motioned to continue the application to the September 14, 2026, Planning Board Meeting. Seconded by Keith Ratner. The motion passed unanimously.

53. **New Public Hearings – 14 Maple Street**
54. Nipun Jainn read legal notice into the record.
55. Paul Gagliardi commented that this proposal was to officially create the two lots that were essentially approved with the site plan and special permit. They don't have the required frontage or area, so they need to do a definitive subdivision. They cannot do an ANR.
56. Nipun Jain commented that the definitive subdivision application and requires various engineering. They need to look at drainage, utilities access, and circulation. The proposal is a redevelopment of one existing house to have a preservation restriction and an additional single family on a new parcel. This is not a big project. It was all reviewed by the Board and went through the site plan and special permit process. The site plan included waivers for the dimensional controls to allow for compliance. The setbacks and lot area were waived but the subdivision still needed to be filed and approved by the Board. Staff recommends including some conditions with approval. The first is to refer to all terms and approvals of the site plan and special permit for 14 Maple St. There should be a covenant on the subdivision that requires approval of the Board to release the lot before sale. If the historic preservation restriction is not formally approved prior to the sale, then an affidavit must be signed by the future owners requiring acknowledgment of the restriction. Any changes to the layout, site material etc. should be reviewed and approved by the Board. Many of these conditions are in the site plan and special permit decision that was already issued, but they want to make sure this ties back to that.
57. Paul Gagliardi confirmed he had no problem with those conditions.
58. David Frick opened public comment. There was no public comment.
59. Keith Ratner motioned to approve the Definitive Subdivision for 14 Maple St. with the 4 conditions outlined by Nipun Jain. Seconded by Joel Nice. The motion passed unanimously.
60. Keith Ratner motioned to close the public hearing for 14 Maple St. Seconded by Joel Nice. The motion passed unanimously.

61. **New Public Hearings – Rocky Hill Development**
62. Nipun Jain read the legal notice into the record.
63. Steve Sawyer commented that the proposal was for a subdivision for three lots and a separate road lot. They are intending to have street acceptance for the road lot. Road A runs into the property from the easterly south neighborhood off to the right. The two historic homes will be a follow up submission for historic preservation for those two lots. They are for sale units. There is a variable width with 50 feet at the entrance then it widens to 80 feet. Road A has a turnaround round about and tag off to the left with parking for the trails. The land plan is what would be developed as part of the development. The south neighborhood will have a condo association. Lot 4 would be managed by a management company. The land plan was born out of the rocky hill process. The technical review was covered with the site plan review.

64. Joel Nice commented that lot 1, the historical lot, showed an existing deck to be removed. Steve Sawyer commented that was a later addition and has no historic significance. Joel Nice questioned if lot 5 would be condo or homeowner. Bob Dale responded that 3 and 5 would be managed by a single association for all the south neighborhood. Joel Nice clarified that if it was a public street then it would all be parking for the trails. Bob Dale confirmed it was intended to be access for the trail.
65. Keith Ratner commented that the subdivision plan looks fine.
66. Tracey Chalifour did not have any questions.
67. Nipun Jain commented that the applicant's engineer, provided a good overview of the intent of the subdivision. Regarding the two lots at the entrance to Elm Street. Based on the dimensional requirements of the zoning, those two lots will require relief to be buildable lots. This can be noted on the plan. They mentioned the engineering aspects and agreed that performance standards need to be met. These are being reviewed exhaustively, and the project is nearing the end of the road associated with the development of the site. A draft set of conditions has been prepared. Once finalized, approval of the subdivision can be paired with the site plan. Keith Ratner asked whether both could be approved together procedurally. Nipun Jain recommended approving the site plan first because it includes the engineering for the project.
68. Tracey Chalifour asked about the two lots at the front, noting that they have to be approved and go through the approval process. Where do those land on the timeline? Bob Dale responded they are working their way through the process. They have a good year to get the road in. They intend to start the historic preservation after the site plan is approved. Nipun Jain explained that the lots have to have frontage, which can only happen once the road is built. To use the lots for their intended purposes, they will be filing for historic preservation. Tracey Chalifour asked how long historic preservation takes. Nipun said it can vary depending on how well the project complies with the requirements but it typically takes four to six months of permitting.
69. Joel Nice asked whether the lots would be large enough to allow additions. Bob Dale responded there are no plans for additions, although they might build a detached garage. The buildings would just be renovated. Joel Nice noted that there is no setback from the proposed road. Nipun Jain said it is challenging to see the lines that define the right-of-way, but there will be some setback. They have looked at a conceptual plan. The developer has been amenable to pursuing an avenue for preserving the structure. Joel Nice wanted to make sure they would not run into a lot-size issue. Nipun Jain responded that the Historical Commission has looked at this and is reviewing the actual footprints. The house would not be sitting right at the edge of the roadway. There will be a paved section, sidewalk, and grass strip.
69. Bob Dale said the scale of this is challenging, but there is a sidewalk on that side. There is room for some landscaping.
70. Nipun Jain thought they would be in a much clearer position to make a recommendation at the next meeting in conjunction with the site plan.
71. David Frick opened public comment on the subdivision. There was no public comment.
72. Bob Dale commented that he would like to update the Board on the progress made on the site plan. The Conservation Commission should be issuing their approval at the September

hearing. They have a draft Order of Conditions (OOC) with little to no comments. The peer review for Con Com is finished. They need to confirm the stormwater management plan. No changes to their plan resulted from the Con Com process. They hope to close and approve the OOC in September. With respect to the site plan, they received a longer peer review letter from VHB about a month ago. They held an all-hands meeting and believe they have resolved the substantive comments. Revised plans were submitted to VHB last Monday. They hope any remaining open items can be addressed through conditions of approval. There are always some trailing items that need to be addressed. They are unaware of any substantive issues. They believe the plans are ready to be approved. He asked the Board to close the public hearing that evening.

73. Keith Ratner had no comments.
74. Joel Nice had no comments.
75. David Frick opened public comment.
76. Jerry Klime, 18 Second Street, commented that he is a member of the Coastal Trails Coalition. He had previously submitted comments asking the Board to establish a condition requiring the developer to widen the sidewalk between Amesbury Animal Hospital and the entrance to Stop & Shop. This is one missing link along the trail. The design and funding are available to build it. The existing Riverwalk connection is behind Stop & Shop. There is an eight-foot-wide pathway at the corner of Macy and Elm Streets, off the Ghost Trail, followed by approximately 300 feet of five-foot-wide sidewalk. Hundreds of people are using the trail now. He asked the Board to require the developer, as part of this project, to widen that section. It is not a very big request, and he hoped the Board would seriously consider it. It would be a small addition to the project.
77. David Frick asked where the sidewalk should be widened. Jerry Klime said it would run from the entrance to Amesbury Animal Hospital down to the existing sidewalk. As part of the Riverwalk extension design, there is a pedestrian crosswalk from the left side of the Stop & Shop driveway to that sidewalk, with a pedestrian signal. When people get there and try to travel by bike, they encounter an unsafe condition. He believes there is enough room to widen the sidewalk. A walking and biking route separated from the road would allow people to reach the intersection more safely.
78. Joel Nice expressed concern that the frontage is not on the property associated with this project. He was referring to the area where construction was recently completed and the culvert was installed under the road. That frontage is not part of this project, and the parcels in question are not part of the project. Jerry Klime asked whether the developer would be required to add another lane on Elm Street. Keith Ratner said MassWorks is doing that. Joel Nice said this area would not include that work. His concern was about parcels farther up the road. Jerry Klime clarified that the area is within the Elm Street right-of-way.
79. Tracey Chalifour noted that the proposed development would have its second egress through the Amesbury Animal Hospital lot.
80. Bob Dale commented he was happy to address a few points. If this involved 300 feet of three-foot-wide pavement, there would be a lot of logistics to consider. Elm Street was recently rebuilt, including the culvert and guardrail, and a bike lane was painted on Elm Street. MassDOT and the City reviewed it. He understands that another grant is in place to establish connectivity between the two trails. The development's driveway will also have a

signalized crosswalk. As part of this development, the developer entered into a development agreement with the City, including $3,000 per unit in impact fees for work on Route 110. A significant amount of money remains available for the City to use at its discretion. He considers this a reasonable request and can speak to the City about it, but he cannot comment on the feasibility of completing the work. He was looking at the request objectively.

81. Joel Nice commented that he liked the concept but does not believe it should be a burden on this development.
82. David Frick said he is a strong supporter of the trail network and appreciates the point being made. If the work were straightforward to engineer, that would be one thing, but this is a different situation. He appreciates the development agreement and the options that may offer.
83. Keith Ratner suggested considering the south side, noting that one trail runs along that side and another is associated with Rocky Hill. It might make sense to put the trail on the south side and have one pedestrian crossing. Joel Nice agreed that this would provide a better flow.
82. Bob Dale noted that the signals are activated only when someone uses them, so they should not create a significant conflict.
83. David Frick looked forward to the project moving to the next step and seeing the Order of Conditions and Decision. He could only imagine the construction phasing involved. There will be conditions regarding imported fill and infrastructure. There are many conditions to review at the next meeting.
84. Tracey Chalifour said they were still waiting for some responses. Bob Dale said a meeting had been held to go through the outstanding items, and resolutions had been agreed upon. The materials had been submitted, and they were waiting for final approval. If anything remained outstanding, they would accept it as a condition of approval.
85. Nipun Jain said the last memo was dated August 3, 2026. That memo formed the basis of a discussion held almost two weeks earlier with VHB, during which they reviewed the comments included in the memo. At the conclusion of that discussion, all comments had been discussed, and the issues had either been resolved, addressed through conditions, or covered by a few minor documents that needed to be produced. In essence, it was agreed that no other items remained outstanding. Some conditions would involve a stormwater pollution prevention plan (SWPPP), along with minor items such as updating the plan to show stormwater changes and reductions in the limit of work. Steve Sawyer had used a more conservative infiltration rate, so they were asked to use the full credit for the rate and reduce the size of the detention pond. This was done for Detention Pond 1, which was also moved 10 feet farther away from the resource area. Nipun Jain said the issue had been discussed, a solution had been developed, and the applicant had provided the necessary information. In discussions with VHB, the developer produced a list of action items based on the comments. The list was provided to VHB for review, and verbal confirmation was received that the items had been discussed and there were no significant issues. Nipun Jain did not think a new memo would be issued but expected a letter closing out the memo, which would allow them to formulate a list of conditions of approval.

87. Keith Ratner motioned to continue the public hearings for the site plan and definitive subdivision for Rocky Hill Development to the September 14, 2026 Planning Board meeting. Seconded by Joel Nice. The motion passed unanimously.

88. **Administrative – 29 Water Street**

89. Nipun Jain commented that the Board needed to endorse the covenant and the plans. There is a license agreement from the city to use the adjoining property. The budling is the parcel and they need to access to public property to perform improvements to the exterior of the building. As part of license agreement the applicant and owner are required to restore the site to approved condition. There is an erosion control bond typically required by the Board. However, given the license agreement to use the property and restore it, the Board can vote to waive the erosion control bond. The mylars are ready and consistent with the final plan set. Staff recommends the Board vote to endorse the mylars, endorse the covenant consistent with the terms and conditions of approval, and waive the requirement for an erosion bond in lieu of a license agreement with city.
90. Joel Nice motioned to endorse the mylars, endorse the covenant consistent with the terms and conditions of approval, and waive the requirement for an erosion bond in lieu of a license agreement with city. Seconded by Keith Ratner. The motion passed unanimously.

2. Administrative – Invoices

3. Keith Ratner motioned to pay the invoice listed below. Second by Joel Nice.

88. A Stantec invoice for 28 Haverhill Road in the amount of $19,921.00.

4. The motion passed unanimously.

5. Admin – 102 Kimball Road

6. Nipun Jain commented that the Board needed to establish a bond for the minor modification at 102 Kimball Road. It should be in the amount of $4,220 and established cash surety bond.
7. Joel Nice motioned to establish a cash surety erosion control bond in the amount of $4,220 for 102 Kimball Road. Seconded by Keith Ratner. The motion passed unanimously.

8. Adjournment

9. Tracey Chalifour motioned to adjourn the meeting at 8:34 pm. Seconded by Keith Ratner. The motion passed unanimously.