

**PLANNING BOARD SPECIAL MEETING
August 3, 2015 - 9 School Street, Amesbury, MA
Meeting called to order at 7:10 P.M.**

Present: Howard Dalton, Lars Johannessen, Karen Solstad, Ted Semesnyei, Scott Mandeville, Robert Laplante.

Absent: David Frick

Also Present: Nipun Jain, City Planner

Transcribed minutes from audio recorder: Paul Bibaud

ADMINISTRATIVE:

47 ½ - 57 Kimball Road – Peer Review Services

Special Permit: Wetlands and Floodplain Protection District Overlay

Applicant: BC Realty Trust

Nipun Jain: At an earlier meeting, PLB decided to have BSC perform peer review services for the review of this application. Upon further investigation, BSC disclosed a conflict of interest with the applicant and since then, we have identified another consulting firm, Stantec out of Londonderry and they will be performing the peer review. This is a formal introduction to the board of Stantec as peer reviewer for this project and get the PLB to endorse.

Motion was made by Scott Mandeville to hire Stantec as peer reviewer for 47 ½ - 57 Kimball Road. Motion was seconded by Lars Johannessen. AIF.

19 Evans Place, The Meadows at Point Shore – Inspectional Services

Representative: Rick Saba, developer.

Nipun Jain: This is the 13 lot subdivision. The project is looking to start construction on the right of way. You heard at the last meeting the developer's position on some of the remaining items. They can still meet those soon enough, but we wanted to line up the inspectional services in order to get the pre-construction meeting scheduled. So for this project, the staff recommends that we go with Stantec as the inspectional engineer.

Motion was made by Lars Johannessen to use Stantec as consultant. Motion was seconded by Robert Laplante. AIF.

36 Haverhill Road, 40R – Amesbury Heights

Supplemental Review and Inspectional Services

Nipun Jain: Quick update. 1. At the last hearing, I had asked for the PLB's choice for consultant be Stantec, because Horsley-Witten did not have the capacity to manage this project from an inspection point of view. So we wanted the PLB to endorse an expanded inspectional services for the project, and to also have Stantec issue their initial findings report to the applicant to provide additional information for moving ahead before construction.

Motion to accept to expand inspectional services and to accept Stantec as consultant was made by Scott Mandeville and seconded by Lars Johannessen to approve expansion of inspectional service. AIF.

Motion was made by Lars Johannessen to have Stantec send the applicant their initial findings on the status of their preconstruction submittal. Motion was seconded by Robert Laplante. AIF.

60 Merrimac Street – Hatters Point – Inspectional Services

Nipun Jain: This project also is gearing up to start construction. We had a meeting with the subcommittee of the board on a package that was submitted to the PLB with regards to the changes they are proposing to the retaining wall along Merrimac Street, changes to building design in terms of building materials and finishes. There also talking about changes to the building floor plans, based on feedback from the architectural board. The changes to the retaining wall along Merrimac Street are significant. They have started to discuss those with DPW, which has a lot of say on what sort of solution would be acceptable or not. It also requires temporary if not permanent easements from the city to do that sort of work. Originally it was sheet pile. Now they are doing a tie back type of retaining wall, which they have to provide structural reports and calculations for the kind of wall they are proposing to do. The tie backs not only go along Merrimac Street but also follow along the access driveway for this part of the project. One of the things we discussed with them was, its probably better to start the inspectional services now to talk about a pre construction meeting, design changes to coordinate with other depts., and sign offs, now that they are doing more work offsite than was originally anticipated, and it is more involved. For that reason, we are again seeking that PLB looks at Stantec for that purpose. Reason is, they have capacity to do structural engineering review as well, which is one of the things that we've had to ask for in the BSC, and that was not easy to get, plus at that time, the applicant wasn't sure what sort of retaining wall system they would use. They proposed sheet piling, and now they proposing a different one. So it needs to be reviewed at least from the perspective of whether it is safe on the site. DPW will have its own opinion on how it impacts Merrimac Street and public safety will also have their own opinion. So the sooner inspectional services start, the sooner we will get a report back to you.

Motion was made by Lars Johannessen to endorse Stantec to be the consultant for inspectional service for Hatter's Point. Motion was seconded by Scott Mandeville. Robert Laplante recuses himself, and all other board members vote in favor.

Lars Johannessen would like to give a report back to the board.

When we met with them in subcommittee last Thursday with Hatters Point, Larry Smith et al, we were presented with the new exterior drawings of the project. They are proposing three floors that are brick and two floors that are stucco or ephus (stucco over insulation. It is mortar over polystyrene board), and one floor of hardy plank. This being because they are constructing this whole building out of wood instead of steel, where the rest of Hatters Point was done in steel. One of my fears that I relayed, along with Scott, was that ephus doesn't have the capability than lasting much more than 15-20 years, so they are going to make it look the same, but with all the ephus that is going up there, I'm very disappointed. They chose to go with wood instead of steel, it's the difference between building a brick building like we were presented with versus what we'd not been presented with, that is brick and ephus. This has not been presented to the Mass. Historical Commission.

Nipun Jain: That was part of the recommendation from the subcommittee that, given what was presented to the local historical commission and the state historical commission, was a plan that showed certain building material types both on the street side as well as the river side, that they

should, sooner than later, present the change in that design to the local and state historical commissions to make sure there are no issues prior to start of construction on that matter. If they are allowed to move forward by the local commission, an updated version of ephus, which Scott had talked about, which is critical from the point of view of maintenance. The issue that came about was, at the end of the day, the condo association is going to be bearing the cost of that maintenance, and so even though it is not something that the PLB would get into, but it is worth talking about right now. Scott David was there representing the condo association, and was part of the conversation, so we asked him what his opinion would be on that matter. It was a very interesting dialogue. One cool thing was a discussion of color difference over age. Each material reacts differently to exposure to the sun. Brick reacts one way, ephus reacts another way, and now, when it is that prominent and you look at the design, there is a very clear band that separates the two.

Lars Johannessen: I've noticed that things don't get noticed if they are how they should be, but if they are not as they should be, it pops out at you.

Nipun Jain: When you are looking at this mass, up close, you would probably never see it or note it. But if you are at Lowell's Boat Shop, depending on the time of day, you'd probably see the building and notice that, or if you were on Maudslay, you'd see it. Not to say that is the only reason why that should be considered, but I think the point needs to be made to make them realize that these are good things to think about now, and just from a regulatory perspective, rather than having a situation with the historical commissions later on, think about it now. Let's get their endorsements. The south side will look exactly as they expect it will. It is the east and north sides that will be showing this ephus and when they have to go back and these columns that they have prominently out there are now stepping back on the third floor another 6 inches.

Robert Laplante: Who's looking at it from the east, that's Maudslay.

Lars Johannessen: Everyone coming up the street. Maudslay is south.

Nipun Jain: Here's an example: when the tallest building in the world was being designed, in Shanghai, the original proposal was very different on the glass wall. Before they started construction on that, that went through a total redesign on how it was built and how it was designed. It turned out to be better than the original design, even though there must have been a great many discussions on it. It was all built in 18 months. My point here is, if we give them the benefit of the doubt, that their goal is to still do what they intended to do, let's first get the opinion of the commissions that more closely look at that aspect, and also see where they may be trying to make improvements from what they had said they will represent. The more important critical points for you will be the retaining wall and what they have to do on the tie backs that they are proposing within the public right of way, which in my opinion is a much bigger deviation from what they were proposing before. That was the second part, and if the subcommittee members want to give an overview of that, that may be something for the board to hear.

Scott Mandeville: From our side, the number of concerns about sheet pilings, the vibrations, the pounding, etc. From their perspective, this seemed to solve those problems and also allowed them to deal with site issues in a more dynamic way, giving them a little more flexibility on when, where, and how they are going to do it. This alleviates those initial issues. They will be installing monitoring stations to track the gas line, etc.

Nipun Jain: But they are still preliminary in their design stage as far as their full survey work for utility, full structural detailed analysis. They have a good sense of what they can and should do, based on preliminary soil tests. The bigger aspect that subcommittee pointed out was, I don't

think they are completely sold on the utilities and that is what they are working on. One question that was asked was, these tie backs, and they will be detentioned after they are done. They are supposed to be temporary, but they will be left in place. In discussing with Stantec, they talk about that issue. They said usually it is not left in place. It's unusual, first of all, to see them do this in this sort of environment. Not even in Boston where there is a moiré compact and use situation do you have tie backs. They always do sheet pile. For various reasons, it is much more economical and practical. If this is the case, they would have to survey each and every area utility within that section of Merrimac Street to make sure they don't miss anything. This is not a new road, it is an historic road. So what they may have as plans may not be what the accurate situation is. They might find something broken, or find settlement, etc. Most of the infrastructure there is pretty heavy grade. A 12 inch water main going on one side. You have an 8 foot historic wall on the other side, through which the pipe actually goes. As long as DPW discusses those issues and is fairly satisfied with the engineering, existing conditions, proposed conditions, the long term aspect that are associated with tie backs and tie backs that are left within the right of way and existing utilities, and traffic safety during construction. Those are all things to be discussed right away before the design moves forward to a more definitive level. Also, they were talking about the easement, that this should not be a temporary easement, it should be a permanent easement because it is something private going into a public right of way situation, even if it becomes part of the public asset, because if there is any liability associated with that, who put it in there? Whoever put that in there should retain the liability for having to fix it. So this is not a simple easement or shouldn't even be licensed at any point, and those should be discussed and secured before any work is done. So it is time consuming. For this very reason, they do not see tie backs in a public right of way, unless it is the only solution for whatever reason.

Karen Solstad: How far into the public right of way will it be?

Nipun Jain: All across and all the way through across the street. They run at an angle, not horizontally, but they do go all the way to the other side. I think the subcommittee was surprised at the sheer number of tie backs to be used to run the whole span of Merrimac Street and that section. It needs to be thoroughly discussed now, which is the recommendation. Originally, it was all sheet pile proposal. Now getting deeper into the engineering, they are seeing all aspects of what is involved and now lean towards tie backs. They are starting to work out details, but are still in the pre construction mode.

Robert Laplante: Speaking as a resident here, the most affected people by this project are the present unit owners. Had they expressed their concerns about disruption, safety, having a good design, all these things. That input has been pushed. Things change, if you've ever been in the business.

Lars Johannessen: Those in Phase I are going to pay a whole lot more in costs to maintain Phase II, because it is getting more and more cheap.

Karen Solstad: How can one of the most expensive developments in town, and you take material to use that has a 15 year lifespan? I wouldn't buy a new house that had cheap materials that had a 15 year lifespan.

Nipun Jain: I would say that they are coming before they are too far into their structural design, and we've had the opportunity to provide feedback. PLB has authorized us to do what is in the best interest of the project, so we can look at this, continue to work with Stantec, and other depts. to make sure our concerns are addressed, at least on the public safety side.

A P P R O V E D

Motion to close this portion of the meeting was made by Lars Johannessen. Motion was seconded by Ted Semesnyi. Vote was unanimous

Motion to go into Executive Session was made by Scott Mandeville. Polling the members: Ted, yes; Scott, yes; Howard, yes; Robert, yes; Lars, yes; Karen, yes.

Board moves into Executive Session.