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PLANNING BOARD MEETING

AUGUST 24, 2015

CITY HALL AUDITORIUM

62 Friend Street, Amesbury - Meeting started at 7:04 p.m.

Present: David Frick, Robert Laplante, Scott Mandeville, Lars Johannessen, Karen Solstad, Ted Semesnyei.

Absent: Nipun Jain, Planner; Howard Dalton.

Also Present: Paul Bibaud, Recording Secretary.

MINUTES:

July 13, 2015: Motion by Robert Laplante to approve, second by Lars Johannessen. AIF

July 27, 2015: Motion by Robert Laplante to approve, second by Ted Semesnyei. AIF.

CONTINUED PUBLIC HEARING:

219 Lions Mouth Road, Amesbury Soccer Association – Site Plan/Special Permit

Representative: Margaret McCarthy (absent)

Sean Malone, Oak Consulting Group, Civil Engineer; Along with Chris Holmes, president of Amesbury Soccer Association.

We had submitted a construction logistic plan earlier this month in response to the discussion at the last meeting. If there are any specific questions moving forward, I would like to respond to those now in hopes of closing the hearing tonight.

Lars Johannessen: Lots of questions. Re: soil removal and it was vague in your report as to what you are doing. Have you talked to DPW, police, etc. about what you need to do re: soil removal? As far as 10 yards a truck, you're talking about 3900 truck loads.

Sean Malone: 20 yard trucks, but yes. So 1800 trucks.

Lars Johannessen: That's a lot of moving and a lot of trucks put onto our roads that are not in great shape for 20 yards, plus the truck itself, which is 50 tons with that payload.

David Frick: I think they'll need a special permit for all of this trucking, right?

Lars Johannessen: They will, but are you going to be putting in a special permit on that as well?

Chris Holmes, pres. Of Amesbury Soccer Assoc.: On two separate occasions, the association has had meetings with Nipun, John Lopez, there was a police representative talking about traffic, and DPW. They have seen a review of the plans and didn't have any objections.

Lars Johannessen: Could you furnish the board with a copy of the lease agreement? I'm curious about the soil being removed from there. (Lars discussed soil being removed being town property and possibly could be used elsewhere).

Chris Holmes: Yes, we will.

Bill Scott, OCED Director for Amesbury: The lease to use it as a soccer field and then their construction as approved by the boards gives them the power to acquire and expose of the soil to make the original goal of the lease occur. If we want to look into the matter of it having a fiduciary value and exporting it, the mayor's office can do that with them and determine whether or not we want to use the soil somewhere else, or if they are going to sell it, the mayor's office can look into that. But the power granted to the mayor by city council was to

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dispose of the property in the terms of the lease of 25 years for the use of soccer fields and its related construction. So that would've given them the power. I don't recall anything on assets. There wasn't anything on the value of the assets to come off the site in the lease.

Karen Solstad: I think the point is that the topsoil being removed is valuable on the market to be sold, and the fill coming in is different types of fill that don't have the same value as high grade loam.

Bill Scott: If the PLB wishes, we can make a recommendation to the mayor's office to work with the soccer association to make sure that, if there is any inherent value in the outgoing soil, that they would work with them to see of its use by the city. Right now, they have no obligation to the city to assign a value to it to the city in the lease. It is not essentially an entity that is separate from the city, it is just an entity that is a construction asset for the city, and for the city to manage it.

Chris Holmes: And at the end of the lease term, that site goes back to control the city.

Karen Solstad: The other concern I had was when we had a similar type of set up with the Waste Management fill site where there were a lot of heavy trucks moving over city roads, over a period of time, as part of the earth fill and removal special permit, that they worked with the city and police dept to time these trucks, and since it is right next to a school, not to have trucks going past the school when school is getting out, and assess the exit and entrance to the Woodsom Farm area, and if there is any damage from those heavy trucks going back and forth, that that be taken care of. But mostly, in the special permit for the earth removal, we had specific items that they had to work with police and DPW about how the trucks would move, so they'd know where they can go so we don't have great big trucks taking side streets to avoid schools or whatever, that we want control over that. Section 11.B1 through B...

Sean Malone: I think having the soccer association work with police and DPW as you suggest would be a condition of the approval.

David Frick: Since there are two permits here that you are asking for, I think we can take what we need right now for the first one, and make a decision on that. Then as far as the Special Permit application for earth removal and fill, we'll need more information on that one, and something we can work on, but at least you'd be permitted for the use. That helps you move forward in some aspects.

Motion was made by Scott Mandeville to close the public hearing on the Special Permit application for construction of non-profit recreational facility and open space conservancy zoning district. Also to instruct Nipun Jain to draft a draft decision. Motion was seconded by Ted Semesnyei. AIF.

We will schedule discussion on earth removal and fill based upon the PLB movement and what it wants to do and when it wants to move that forward. So work with the planning office on scheduling the next hearing on that.

ADMINISTRATIVE:

19 Evan's Place , Amanda Lane Realty Trust – Performance Bond

Representative: Richard Saba.

David Frick: Last meeting, there was an issue on how much land was going to be disturbed and we want a bond to be issued to cover that, as I recall.

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Ben Osgood, engineer for the project: I've been working with Stantec since the last meeting, who is the engineer to review the construction and do environmental monitoring for ConCom. Mr. Saba has posted the required funds to hire them. They reviewed calculations that I submitted on the area of disturbance. I believe they issued you a memo agreeing with my calculations and establishing a proposed bond amount of \$79,460.00.

That is what we ask the PLB to approve so Mr. Saba can bring in his bond documents and post that bond with the dept.

Motion was made by Lars Johannessen to approve the bond. Motion was seconded by Robert Laplante. AIF.

241-243 Main Street – Cumberland Farms – Proposed Improvements Along The Common Boundary With the Union Cemetery. Representative: John Smolak.

John Smolak: With me tonight, Mark Bellanger, project engineer, Domenic Taverna, senior construction manager of Cumberland Farms, Tom Doyle, general contractor.

Since our last meeting, we've undertaken a lot of activities. Those items are reflected in the July 30 memorandum to the PLB that we provided, along with revised and adjusted plans from the last meeting. The PLB did prefer to continue with the low wall plan that was in your materials, rather than go with a railroad tie type of wall.

So we went back to consult with our construction engineer, because one concern was that the potential of the extent that would be performed on the Amesbury cemetery. The engineer suggested that what we can do is to pull that wall back one foot from the property boundary. That would result in no excavation being needed on cemetery property. There will be filling on the cemetery property to the extent that we're going to re-grade on cemetery property. Except for the area that is within the first 25 feet of the boundary from Haverhill Road, where we'll have some mechanized vehicles to get around some guide wires and utility poles, there won't be any mechanized vehicles going onto the cemetery property to perform the remaining work. We've minimized the amount of work needing to be done on the Union Cemetery. We met with the director of DPW and went through, on site, reviewed the work plan, which was reviewed and approved by DPW after consultation with the chair of the cemetery commission. We also put together a proposed license agreement to allow for access onto the property that will have to be signed by the mayor, which the mayor has done. As to landscaping, the width of the planting area as discussed, we've removed the originally proposed plantings, and in the memo that we provided to you, we identified the three species of plantings that would be in the narrowed planting area. We also narrowed the area of work on the cemetery property by fine tuning the area of work. Some areas, it is 8 feet, some areas are 12 feet. Re: burials, they are located on the cemetery side and we'll keep at least 6 feet away from any monuments, but in some cases, farther away. So precautions have been taken to be well away from burials. So DPW is in agreement with the work plan. With the PLB permission, we'd like to proceed as soon as possible.

Motion was made by Robert Laplante to approve the proposal. Motion was seconded by Scott Mandeville. Vote was 5 yes, 1 no (Lars Johannessen).

Motion by Lars Johannessen to take this next item out of order. Motion was seconded by Ted Semesnyei. AIF.

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Amendments for Inspections: Cumberland Farms, Main/Macy Street

New Amendment – Review and Signature.

Motion was made by Lars Johannessen to accept the Horsley-Witten proposal. Motion was seconded by Ted Semesnyei. AIF.

37 Middle Road – Eastern Lights – Performance Bond Acceptance

Owner: Robert Anderson and Lot G Middle Road Realty Trust

Request from applicant's representative to continue this hearing to the Sept. 14 meeting.

Frank Valerelli, representing Eastern Lights. Both Mr. Anderson and Sherray had scheduled vacations this week. What has transpired is a lot of work done this year. In order to get the third party agreement for the performance bond, they required some revisions to the plan, and the town consultant is now working with our engineer, which is Millenium Engineering. We got them to do these revisions. Those revisions are underway right now and we're asking for a continuance until next month's meeting. Everything should be complete by then.

Motion was made by Lars Johannessen to continue to September 14, 2015. Motion was seconded by Robert Laplante. AIF.

Motion made by Scott Mandeville and seconded by Lars Johannessen to take the next item on the agenda out of order. AIF.

Amendments for Inspections: Eastern Lights, 37 Middle Road

Copy of Outstanding Agreement – Review and Signature.

Motion was made by Scott Mandeville to approve Horsley-Witten and their proposal for \$4,000. Motion was seconded by Lars Johannessen. AIF

36 Haverhill Road – Amesbury Heights – Preconstruction

William Buckley on behalf of Boston North Properties. I'm here tonight with Connor Nagle, engineer from VHB Engineering, and Sean McReynolds, project manager with Cork and Jennison and Associates. There was a final memo issued today on the plans.

We've been productive all summer. We developed our final plans moving forward and making the changes and conditions on what the original peer review comments made.

In June, we submitted our final plans to PLB via the department. Those plans were peer reviewed and in a meeting on Aug. 3, we met with Stantec for the first time and reviewed their preliminary comments on the plans. We came up with a list of Action Items for their peer review to address any of their comments. A week later on Aug. 10, we submitted a response to the action items that had been generated, which was a pretty significant response and included all the new plans where they had requested plans, and more details where requested, as well as storm water calculations and everything else asked for, and we submitted all that on Aug. 10.

On Aug. 19, they sent a final letter clarifying a couple items and noting all the comments that we had addressed. Today, we issued a final letter that notes how we addressed, whether it was a note made on the Plan, or storm water calculations or such, and we feel very confident that this final response meets all of their concerns re: any changes to the plans. We feel there will be no more changes to the plans or notes. Based on all these submittals and back and forth with peer review consultant, we feel we've met conditions for endorsement of plans this evening,

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and also feel we've met all conditions in the permit to begin construction activity on site, and we intend to submit for a building permit in fairly short order, within the next 10 days. That building permit, we've already met most conditions prior to submitting for this permit. We've come a long way from the original approval on Apr. 13. The plans tonight ready for endorsement will be the final plans, fully peer reviewed and accepted.

Connor Nagle, VHB: There will be a fence mounted just in front of the wall on the roadside. That fence is shown on the site plan.

Motion was made by Robert Laplante to grant conditional approval until Stantec can review and approve. Motion was seconded by Ted Semesnyei. Mylars will be signed tonight and held in escrow. AIF.

60 Merrimac Street – Hatter's Point – Phase II – Inspectional Services

Robert Laplante recused himself from this hearing, as a resident of this complex.

A very lengthy discussion of approx. 90+ minutes ensued, primarily centered on the ephus material portion of the Phase II upper façade. The ephus brick façade example physically shown to the PLB met with a negative response overall from the PLB.

Motion was made by Scott Mandeville to direct the city staff to proceed with Stantec as consultant/peer review and get clarification and specificity per the applicant's request.

Motion was seconded by Lars Johannessen. AIF.

Motion was made by Ted Semesnyei to continue this hearing to Sept. 14. Motion was seconded by Karen Solstad. The subcommittee will meet Sept. 10th to discuss upper building façade possible options to proposed ephus façade. AIF (Laplante recused).

Motion was made by Scott Mandeville to continue this meeting to no later than 10:05 PM.

Motion was seconded by Lars Johannessen. AIF.

Motion was made by Scott Mandeville and seconded by Ted Semesnyei to take the next item out of order on the agenda. AIF.

20 Cedar Street/4 Poplar Street – Letter of Credit – Release approval and Formal Request to release \$10K.

Representative: Michael Wynkoop, Chinburg Properties.

All paperwork has been submitted.

Motion was made by Scott Mandeville to release \$10K and continue to retain \$15K.

Motion was seconded by Karen Solstad. AIF.

56 – 58 South Hampton Road – Locke Hill Lane – Inspectional Services

Representative: Buzz Couillard.

No one was present for this hearing.

Motion was made by Ted Semesnyei to continue this to the Sept. 14, 2015 hearing.

Motion was seconded by Scott Mandeville. AIF.

Amendments for Inspections : Amesbury Animal Hospital, 277 Elm Street

New Amendment – Review and Signature.

Motion was made by Lars Johannessen to release the \$700. Motion was seconded by Ted Semesnyei. AIF.

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NOTE: Ashley's Hallmark signage has been approved and will get signed tonight. This item was not on the agenda.

Motion to close hearing was made by Scott Mandeville. Motion was seconded by Ted Semesnyei. AIF.

Meeting was adjourned at 9:55 P.M.