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CITY OF AMESBURY, MA

CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY-FIVE

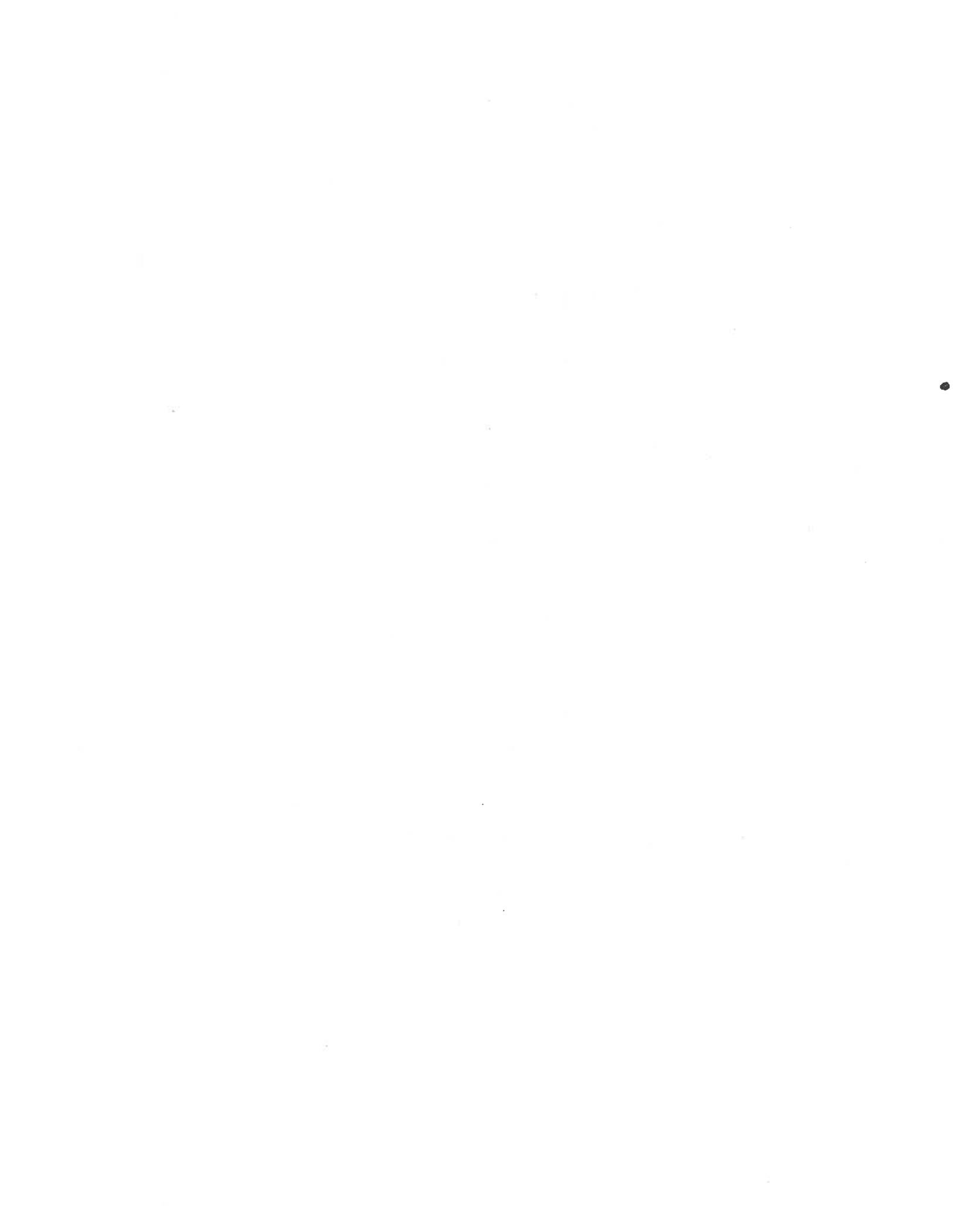
SPONSORED BY: Kassandra Gove BILL No. 2025-093
Kassandra Gove, Mayor

An Order of the Amesbury City Council to Accept an Easement from Newburyport Homes LLC for the purposes of accessing, operating, maintaining, repairing and replacing drainage infrastructure on the property located at 101-107 Market Street, Amesbury, Massachusetts and to Authorize the Mayor to Execute an Acceptance on Behalf of the City of Amesbury.

Summary: The Site Plan Review and Special Permit – Planned Unit Development Decision of the Planning Board dated December 11, 2023 and recorded at the Essex South District Registry of Deeds in Book 41953, Page 353, required Newburyport Homes LLC to grant to the City an access, drainage and utility easement for the existing drainage infrastructure on the Property. The intent of this Order is to obtain the acceptance of the easement by the City Council and to authorize the Mayor to approve and execute the Acceptance of the easement.

Be it Ordered by the City Council of the City of Amesbury assembled, and by the authority of the same as follows:

The City Council of the City of Amesbury hereby accepts from Newburyport Homes LLC the conveyance of a drainage easement on the property located at 101-107 Market Street, Amesbury, Massachusetts as described in a Drainage Easement Agreement and authorizes the Mayor to execute an Acceptance on behalf of the City of Amesbury.



DRAINAGE EASEMENT AGREEMENT

This Drainage Easement Agreement (the "Agreement") is granted this ___ day of _____, 2025, by **Newburyport Homes LLC**, a Massachusetts Limited Liability Company with its principal office at 11 Lunt Street, Byfield, Massachusetts 01922 ("Grantor") to the **City of Amesbury**, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, located at 62 Friend Street, Amesbury, Massachusetts 01913 (together with its successors and assigns, "Grantee").

WHEREAS, the Grantor is the owner of the property located at 101-107 Market Street, Amesbury, Essex County, Massachusetts by deed dated February 16, 2024, and recorded with the Essex South District Registry of Deeds (the "Registry") at Book 41989, Page 156 (the "Property"); and

WHEREAS, pursuant to a Special Permit and Site Plan Approval granted by the Amesbury Planning Board dated December 11, 2023, and recorded with the Registry at Book 41953, Page 353 (the "Permit") Newburyport Homes LLC is required to provide the City of Amesbury a drainage easement.

NOW THEREFORE, for nominal consideration paid the receipt and sufficiency of which are hereby acknowledged and for the promises set forth below, Grantor does hereby grant to Grantee the following rights and easement:

1. Grant of a Non-Exclusive Drainage Easement. Grantor does hereby grant, with quitclaim covenants, to Grantee the following non-exclusive drainage easement (the "Easement") to run with the land as follows:

- (a) The non-exclusive right of the City of Amesbury to install, access, use, operate, maintain, repair and replace drainage infrastructure, including the existing culvert, in the location shown as "Proposed 20' Drain Easement" on a plan entitled "Drain Easement Exhibit," dated May 23, 2025, prepared by Winter GEC, LLC, attached hereto as Exhibit A (the "Easement Premises"). The Grantee shall have the right of entry upon and

Property Address: 101-107 Market Street, Amesbury, Massachusetts 01913

passage over said Easement Premises, together with reasonable rights of ingress and egress for all purposes stated herein and uses incidental thereto, by, without limitation, foot, motor vehicle, and equipment. Use of the Easement shall be through Pine Street.

- (b) Grantor agrees not to erect or maintain within the Easement Premises any permanent or temporary buildings, structures, objects or physical obstructions of any kind or nature whatsoever, including trees and shrubbery or to permit the same to be so erected or maintained, without the prior written consent of Grantee.
- (c) Grantee covenants that, in the event the surface of the Easement Premises is disturbed at any time and from time to time by the Grantee or any party acting on behalf of the Grantee, the Grantee, at its sole cost and expense and within a reasonable time thereafter, shall repair and restore the surface of the Easement Premises, as nearly as possible, to the condition which existed prior to any such disturbance, provided the Grantee shall not be responsible to restore or replace any buildings, structures, objects or physical obstructions, including landscaping disturbed during said work.
- (d) Grantor agrees not to interfere with, nor grant any other easements, leases or licenses to the Easement Premises which will interfere with the Grantee's perpetual easement on the Easement Premises without the prior written consent of the Grantee.

2. Limitations and Restrictions. The rights and easements granted herein shall not include any right to construct or install any improvements not related to drainage, nor shall it impose any obligation upon the Grantor to maintain the drainage infrastructure or conduct repairs which at all times shall be the obligation of the Grantee.

3. No Liability: Grantor does not assume any responsibility to the Grantee, the general public, or anyone else in connection with its or their use of this Easement which use shall be at its and their discretion and risk.

4. No Representations or Warranties. Grantor makes no representation or warranty, either express or implied, with respect to the condition of any portion of the Property or the improvements now or hereafter constructed thereon.

5. Perpetual. This Easement and conditions provided herein shall be perpetual and irrevocable and shall be deemed to be covenants running with the land and shall inure to the benefit of and be binding upon the Grantor and the Grantee and their respective successors and assigns.

6. Compliance with Law. In the performance of its obligations hereunder, Grantee shall comply promptly with all laws, regulations and governmental permits and approvals. The

Grantee shall be responsible for any and all permits or approvals necessary to exercise any rights or privileges granted hereunder.

7. Amendment. Except as otherwise expressly set forth in this Agreement, no amendments or modifications of this Agreement shall be effective without the prior written consent of each party at the time of such amendment or modification.

8. Severability. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be declared to be invalid or unenforceable, then the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

9. Governing Law. This Agreement shall be construed and interpreted under the laws of the Commonwealth of Massachusetts.

10. Notices. Unless otherwise specified herein, any notice to be given hereunder shall be in writing and shall be deemed to have been given (a) when delivered by hand, or (b) when mailed by registered or certified mail return receipt requested, or (c) when sent by overnight delivery (such as FedEx), or (d) when sent by daytime courier, addressed as follows:

If to Grantor: Christopher Horan, Manager
Newburyport Homes LLC
11 Lunt Street
Byfield, MA 01922

If to Grantee: City of Amesbury
Mayor
City Hall
62 Friend Street
Amesbury, MA 01913

Each party's notice address may change upon prior written notice to the other party. Notices shall be deemed delivered on the date received or on the date that the addressee has refused delivery, or on the date that the notice is returned to sender due to the inability of the postal authorities to deliver.

11. Not a Public Dedication. Nothing contained in this Agreement shall be deemed to be a gift or dedication of or a restriction or covenant upon any part of the remaining portion of the Property, for the benefit of the general public.

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EXECUTED as a sealed instrument on the date first written above.

GRANTOR:

NEWBURYPORT HOMES LLC

By: _____
Christopher Horan, Its Manager

COMMONWEALTH OF MASSACHUSETTS

Essex County, ss.

On this ____ day of _____, 2025, before me, the undersigned Notary Public, personally appeared the above-named Christopher Horan, as Manager of Newburyport Homes LLC, proved to me by satisfactory evidence of identification, being (check whichever applies):
 driver's license or other state or federal governmental document bearing a photographic image,
 oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, on behalf of Newburyport Homes LLC.

(Print Name of Notary Public): _____
My commission expires: _____
Qualified in the Commonwealth of Massachusetts

ACCEPTANCE

The City of Amesbury, by and through its Mayor, pursuant to Bill 2025-___ of the Amesbury City Council, a certified copy of which is attached hereto, hereby accepts the foregoing Drainage Easement from Newburyport Homes LLC, this ___ day of _____, 2025.

GRANTEE:

CITY OF AMESBURY

By: _____
Kassandra Gove, Mayor

COMMONWEALTH OF MASSACHUSETTS

Essex County, ss.

On this _____ day of _____, 2025, before me, the undersigned Notary Public, personally appeared the above-named Kassandra Gove, Mayor of the City of Amesbury, proved to me by satisfactory evidence of identification, being (check whichever applies): driver's license or other state or federal governmental document bearing a photographic image, oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by her voluntarily for its stated purpose, on behalf of the City of Amesbury.

(Print Name of Notary Public): _____
My commission expires: _____
Qualified in the Commonwealth of Massachusetts



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

www.mtcclawyers.com

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2025 AUG 28 P 4: 03

CITY OF AMESBURY, MA

April 22, 2025

By Email

Ann Marie Casey
Chief of Staff — Mayor's Office
City of Amesbury
62 Friend Street,
Amesbury, Massachusetts 01913

Re: 101-107 Market Street Easements

Dear Ms. Casey:

Reference is made to the above-captioned matter. In that connection, this firm represents Newburyport Homes LLC (the "Developer") related to the project at 101 – 107 Market Street (the "Property"). Pursuant to the Site Plan Review and Special Permit – Planned Unit Development Decision of the Planning Board dated December 11, 2023 and recorded at the Southern Essex Registry of Deeds in Book 41953, Page 353, the Developer is required to provide the City with an easement for access, drainage and utility easement for the existing drainage infrastructure and low-lying wetland area of the Property. The City also requested an access, use and maintenance easement for a water line and fire hydrant at the Property.

The drainage easement is required by General Condition number 16 of the decision and the water line and fire hydrant easement was requested by the City. A hydrant was installed on the Property in late 2024. A copy of the Decision is attached as **Exhibit A** and the easements are attached as **Exhibit B** and **Exhibit D**.

The easements allow the City to maintain the existing drainage system on the Property and to install and maintain a water line, curb box and fire hydrant on the Property.

The Developer respectfully requests that you request the Mayor to sponsor and submit the orders to the City Council for its approval and authorization of the Mayor to sign the easements. We have attached draft orders for the City Council as **Exhibit C** and **Exhibit E**.

Millis Office

730 Main Street, Suite 1F
Millis, MA 02054
Phone/Fax 508.376.8400

New Bedford Office

227 Union Street, Suite 606
New Bedford, MA 02740

Respectfully submitted,
Newburyport Homes LLC
By its Attorney,

Benjamin J. Roberts

Lisa L. Mead
Benjamin J. Roberts

cc: Client
Nipun Jain, Director of Planning
Becky Frey, Community Development Coordinator

Exhibits

Exhibit A



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City of Amesbury
PLANNING BOARD
CERTIFICATE OF NO APPEAL

City Clerk's Office
62 Friend Street, Amesbury, MA 01913
978-388-8100
Clerk@amesburyma.gov

Property Ownership: Robins Enterprise, LLC
101-107 Market Street
Amesbury, MA 01913

Applicant: Newburyport Homes, LLC
11 Lunt Street
Byfield, MA 01951

Property: 101-107 Market Street
Amesbury, MA 01913

I, Jennifer E. Smith, the City Clerk of the City of Amesbury, Massachusetts hereby certify that the Amesbury Planning Board vote to approve Newburyport Homes, LLC application for **Site Plan Review** and a **Planned Unit Development Special Permit** for proposed residential development under Section **XI.H1** for the property located at **101-107 Market Street**, Amesbury, MA – subject to the findings and conditions noted in the Decision, has been received and recorded at this office on, December 28, 2023, and that no appeal was received and recorded at this office, and no appeal was received during the twenty (20) days next after such receipt and recording of said notice.

Date: *January 18, 2024*

Attest:

Jennifer E. Smith
City Clerk of Amesbury, MA



PLANNING BOARD DECISION

Property Ownership: **Robins Enterprise, LLC**
101 – 107 Market Street
Amesbury MA 01913

Applicant: **Newburyport Homes LLC**
11 Lunt Street
Byfield MA 01951

Application Type: **SITE PLAN REVIEW**
SPECIAL PERMIT – Planned Unit Development

Project: **Multi- family Residential PUD (9 units)**

Location: **101 - 107 Market Street, Amesbury MA 01913**

Date: **December 11th, 2023**

A. GENERAL

On or about 8/25/2023, the Planning Board of Amesbury (the “Board”) received applications for (1) Site Plan Review, and (2) Planned Unit Development Special Permit for property located at 101 - 107 Market Street in Amesbury MA. The applications were submitted along with a Site Plan (the “Plan”) drawn by SBS Engineering, 1 Collins Street Newburyport MA 01950, dated 8/24/2023 and revised 11/29/2023. The applications and supporting documents were submitted by Ben Taylor of Mead, Talerman and Costa LLC on behalf of Chris Horan of Newburyport Homes, LLC (the “Applicant”).

The Board also received supplemental plans and documents pertaining to proposed activities, which were provided to the Board to supplement the discussion during the public review process.

The Board held the initial public hearing on 10/23/2023. The public hearing was closed, and a decision was rendered on 12/11/2023. This is the Final Action of the Board (“Decision”) on the Special Permit and Site Plan applications.

B. FINDINGS

1. **Property Locus and Applicability under Amesbury Zoning Ordinance:** The subject parcels are located in the Central Business zoning district (CBD). The Site Plan includes two parcels as per Assessors Database and shown as Map 40, Lots 162 and 163A. The site consists of a total of 47,290+/- square feet. The applicant requests a multi-family residential development on the property. The requested uses require a Planned Unit Development (PUD) Special Permit and Site Plan Review from the Board under Section XI.H1 of the Amesbury Zoning Ordinance;
2. **Existing Conditions:** The site consists of an existing commercial single-story building and a large surface gravel parking lot that covers most of the disturbed area on the parcel. Wetland resource areas are located towards the rear of the parking lot. The site generally slopes down from Market Street beyond the building and the parking areas. The project site is currently under-utilized (Exhibit #1).
3. **Project Description and Proposed Use:** The PUD special permit seeks to create nine (9) residential dwelling units in three (3) residential structures. The existing building is proposed to be demolished. Site improvements will include outdoor patios, parking areas located behind the proposed structures, driveways and stormwater management systems. New sidewalks and street trees are proposed along Market Street.
4. **Site Layout and Building Location:** The three residential structures are proposed to be located along the property frontage with vehicular access from Market Street. The structures are placed on site so that parking is located behind the respective buildings. There are walkways that provide pedestrian access from Market Street to entrances to these buildings (Site Plan Set - Exhibit #1). Outdoor patios and yards are located to the side and rear yards to provide privacy. A detailed landscape plan (Exhibit #2) has been provided that shows landscape screening along abutting properties and shows a general planting scheme around each building.

5. **Architectural Design:** The applicant has proposed buildings that are consistent in design with the traditional character and architectural design of the buildings in this neighborhood. One building will have two units, second building with three units and the third building with four units for a total of nine (9) units. Building elevations have been presented to the Board along with the proposed site plan. The Board finds the proposed architectural design satisfactory provided the final construction drawings are consistent with these drawings and include all the necessary details as recommended by Design Review Committee (See Exhibit #3);

6. **Site Access, Traffic and Vehicular Circulation:** The Board finds that the access driveways and parking areas are adequate for access and circulation. The proposed building, access and parking layout provides convenient, safe access and egress for residents at this development. The Board finds that the residential uses are likely to generate less traffic than the current commercial uses on this site and therefore less likely to create any adverse traffic or circulation impact on nearby residential uses;

7. **Utilities and Municipal Infrastructure:** The site is serviced by adequate public water and sewer utilities. The stormwater run-off will be handled by the proposed stormwater and drainage improvements. The supporting engineering details and design were reviewed by the peer review consultants. Based on review by Department of Public Works (DPW), the Board finds that the proposed use will not burden public utilities or infrastructure. The Board also finds that the requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area will be unduly subjected to hazards affecting health, safety, or the general welfare.

8. **Trash, Recycling and Service Areas:** The proposed residential units will use trash and recycling bins that will be picked up from Market Street. The bins will be stored in designated areas on site or within each unit. The Board finds the proposed location adequate for the these uses at this site;

9. **Stormwater Design and Environmental Mitigation:** The Applicant submitted a Notice of Intent to the Amesbury Conservation Commission (ACC). A stormwater management report was also submitted with the application. The peer review consultants have recommended approval of the stormwater management improvements provided supplemental plans and documents are submitted along with other recommended revisions to the existing documents prior to start of any construction.
10. **Neighborhood Impact:** The existing commercial building is not compatible with the residential scale and character of residential structures around the subject property. The layout and design of the new/proposed residential structures is compatible with the character of the buildings in the zoning district. The Board finds that the proposed use will not impair the integrity or character of the neighborhood, the zoning district or adjoining districts and will not be detrimental to the health or welfare;
11. **Public Impact:** The subject property is located in an area with existing municipal utility services. The approved site plan shows improvements to the existing infrastructure and the proposed improvements have been found to be adequate for the proposed uses. Recommendations from DPW have been incorporated into the revised site plan and therefore the Board finds that the project will not create any undue burden on the utilities, municipal services or public infrastructure by the proposed changes to the existing property. The Board finds that the proposed use:
 - a) is desirable and compatible with the character of the neighborhood,
 - b) will not be an intensification of the existing uses, and
 - c) is not detrimental to the public health or welfare.
12. **Site Plan Compliance:** Based on the findings noted above and the information and details included in the application materials, the Board finds that the Project, as detailed in the project materials and as conditioned in this decision, constitutes a suitable development in compliance with the criteria and design performance standards set forth in the Zoning Ordinance – subject to the conditions and design performance conditions imposed in this decision to ensure the health, safety, and welfare of the community.

13. **Special Permit findings:** Based on the findings noted above and the information and details included in the application materials, the Board finds that the Project, as detailed in the project materials and as conditioned in this decision, constitutes a suitable development in compliance with the criteria and design performance standards set forth in the Zoning Ordinance – subject to the conditions and design performance conditions imposed in this decision to ensure the health, safety, and welfare of the community.

C. WAIVERS

Requirement	Requested Waiver	Decision of the Board
<p>XI.C.8.P - Requires the drainage pipes to be made of reinforced concrete with a minimum three (3) feet earthen cover</p>	<p>Request to allow a High Density Polyethylene (HDPE) pipe with a minimum cover of 18 inches.</p>	<p>Granted provided the stormwater management system is installed as approved and all landscaped areas are completed as per approved Landscaped Plan</p>

D. APPROVAL OF THE SITE PLAN AND SPECIAL PERMIT APPLICATIONS AND CONDITIONS THERETO

After public hearing, upon notice in accordance with the statute (General Laws, Chapter 40A, section 11) and the Amesbury Zoning Ordinance, and after full consideration of the evidence presented, and upon the findings made by the Board as set forth herein, application for Site Plan Review and Planned Unit Development Special Permit for proposed nine (9) unit residential development at 101 – 107 Market Street in Amesbury, MA are hereby approved for the premises described in the application upon the conditions that follow:

1. COMPLIANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS

The Project and all construction, utilities, roads, drainage, earth removal and filling and all related appurtenances with respect to the Project, shall comply with all applicable local, state and federal regulations except as waived specifically by this Decision. The Applicant shall be responsible for acquiring all other local, state and federal permits and approvals as necessary to construct the Project as approved by the Board. Final action on all other permits shall be submitted to the Board for record, including any renewals. The Board notes that the following are some of the permits needed for this Project prior to start of any construction activity:

1. Compliance with DEP Stormwater Regulations, as needed;
2. Compliance with the City's Stormwater Management Ordinance; and
3. NPDES permit from Environmental Protection Agency.

2. GENERAL CONDITIONS

1. **Allowed Uses:** This Decision allows upto nine (9) residential units in the proposed PUD as shown on the Site Plan. A total of three (3) new buildings shall be allowed as follows – a two (2) unit, a three (3) unit and a four (4) unit building. The number of units within each of the approved structures shall not be changed without the written approval of the Board. No other new structures, changes to building footprints or increase in the total number of dwelling units except as shown on the approved plan set shall be allowed by this Decision.

Changes to uses or changes to the building footprint or gross floor area shall only be allowed after approval by the Board;

2. **Lighting** – The final light fixture catalogue cuts for building mounted lights and in the parking area, if any, shall be provided to the Board for further review and approval prior to making application for building permits;
3. **Affordable Unit** - The Applicant shall make application for the Affordable Unit to DHCD as required under the Local Initiative Program (LIP) prior to making application for any building permits. The said unit shall be subject to a deed affordability restriction in perpetuity and be consistent with the requirements of the Amesbury Zoning Ordinance. The Applicant shall be responsible for all legal costs associated with the review and approval of the legal documents and shall be required to provide the necessary documents and fees in advance of the City's approval and acceptance of the final documents;
4. **Landscape Buffers** – The Board shall require the installation of landscaped plant materials that includes shrubs and trees to meet the requirement of buffers from abutting properties. Such details shall be as per the approved site plan and landscaping plan. The final plan shall be submitted for review and approval prior to start of construction;
5. **Notations** - The following notes shall be added to the Plan prior to endorsement:
 - a. A note shall be added that states that *"No further subdivision of any parcel or any change to the number of dwelling units, or site layout shall occur without a further review and approval of a site plan and special permit modification by the Board"* and a notation to this effect shall also appear upon any deeds to any unit on the property;
 - b. A note shall be added that states that *"This site plan layout and conversion of the existing building into residential use is subject to the Planning Board decision recorded herewith and conditions stated therein"*;
6. **Notation on Deeds for specific Unit**: The Stormwater Operation and Maintenance (O & M) Plan shall be referenced in the condominium trust and the deeds for individual units shall specifically refer to the condominium documents. The condominium documents shall clearly

refer to the specific maintenance requirements and responsibilities of unit owners, individually and collectively for the overall stormwater management system. Draft condominium documents for this purpose shall be provided to the Board for review prior to release by the Board of any of these units for sale;

7. **Signage:** Any and all existing signage on the property and building shall be permanently removed from the site;
8. **Public Infrastructure along Market Street:** The Applicant shall be responsible for any repairs and reconstruction of the public infrastructure, including but not limited to, light poles, sidewalks, street curbing, trees and cross walk ramps. No relocation of any assets with the public right of way shall be allowed without further approval by the Board;
9. **Compliance with Site Plan and Application Materials:** All proposed improvements and buildings shall be constructed and installed in compliance with this special permit and site plan approval decision, the approved Project Documents, and the representations made in the submitted Application materials;
10. **Landscaping and buffers along property lines:** All landscaped areas and vegetative buffers shall be planted in accordance with the approved landscape plan and shall be maintained by the Property owner(s) in perpetuity. Any damaged or dead shrubs and trees shall be replaced with the same plant materials as per approved plan.
11. **Final Landscape Plan and Fences:** A Final Landscape Plan shall be approved after review of the proposed preliminary landscape plan by the Board. Proposed landscape buffers along property boundaries shall be maintained and kept in good condition at all times.
12. **Final Release of the Performance Bond** - Final release of performance bond shall be made when all the following conditions have been met:
 - a) Upon completion of work as shown on the Final Plans, the Applicant shall furnish a report from the Board's construction observation consultant indicating that all work has been completed as per the Board's Decision and as shown on the Final Plans;

- b) All City Department and the Board's inspectional engineer have recommended release of bond funds;
 - c) Upon completion of all off-site improvements and stormwater management system, submission of an "As-Built Plan" to the Board along with a written confirmation from a Registered Professional Engineer (P.E.), indicating that construction complies with the approved site plans and conditions of approval, including drainage and utility plans; and
 - d) All landscaping plant materials (trees, shrubs, and other plants) have survived two (2) growing season and that dead/damaged plants have been replaced as per Final Plans;
13. **As-Built Plans and Repairs:** To ensure compliance with the terms and conditions of this Decision and any approval or order by any federal, state-agency, the Applicant shall submit plans with a certification from a Professional Engineer or Architect registered in the Commonwealth of Massachusetts that the Project "As-Built Plan" complies in all substantive respects with this Decision and any other approval or order by any federal, state or local agency. Any damage to public roads and walkways shall be repaired and/or replaced to the satisfaction of the DPW Director and City Engineer.
14. **Indemnification:** The Applicant agrees that the City of Amesbury shall be free of any liability for any negligent acts or omissions by or of the Applicant, its employees, agents, subcontractors, beneficiaries or trustees with relation to this Project. The Applicant, on behalf of itself and its successors and assigns, further agrees to indemnify and hold harmless the City of Amesbury, its employees and officials for any harm, damage, injury or loss caused by negligent acts or omissions of the Applicant, its employees, agents, subcontractors, beneficiaries or trustees with regard to the construction of this Project.
15. **Right to Enter Site for Inspection:** The Applicant shall provide access to its operations to all City officials and its representatives as needed for them to carry out their responsibilities and to provide the necessary services in assisting the Board to ensure that activities are being performed pursuant to this decision.
16. **Public Drainage and Utility Easements:** The existing stormwater drainage system located along Pine Street and the low-lying wetland area at the rear section of the property may

require some maintenance by the City from time to time. The applicant shall provide the city with an access, drainage, and utility easement to address, if necessary, any further drainage improvements;

17. **Remaining property:** Outside the three proposed principal structures located along the Market Street frontage, and related approved improvements as shown on the proposed site plan, the remaining portions of the property located along Pine Street and the low-lying wetland area shall remain in its natural state and be used for conservation purposes only or public utility and drainage purposes as needed by the City.

18. **Long Term Pollution Prevention Plan (LTPPP):** Relative to the DEP Stormwater Management Standards the Applicant shall provide a Long Term Pollution Prevention Plan (LTPPP) and an Illicit Discharge Statement in accordance with DEP Standards 4 and 10 respectively.

19. **Wetland Permits** – In order to effectively coordinate and integrate the required observation and inspection reports for this project, the Board recognizes that the Plan(s) shown under the Notice of Intent Application (as revised) and the Order of Conditions, issued by the Commission, shall also be carried out to the satisfaction of the Commission or its agents. Except as waived by this Decision or a decision of the Commission, the construction of this project pursuant to the approved Site Plan shall comply with the Amesbury Wetlands Bylaw and Commission Regulations in effect at the time any building permit is sought for a dwelling unit or for any jurisdiction for roadway-associated construction, and with all rules, regulations and permit requirements and certifications of the Commission with respect to natural resource protection, construction of storm water management structures within the Buffer Zone and their disposal, construction of other structures including retaining walls within the Buffer Zone, and wastewater disposal. Any request for alteration to the Order of Conditions made by the Applicant to the Commission (or to Massachusetts Department of Environmental Protection - MassDEP, upon appeal) shall be simultaneously provided to the Board. The proposed work shall comply with the “Order of Conditions” issued by the Commission upon the said premises. The Order of Conditions from the Commission shall be carried out to the satisfaction of the Commission. Any violation of the Order of

Conditions issued by the Commission shall be deemed to be a violation of this Special Permit, with all remedies to the City of Amesbury as provided by law.

20. **Changes in Project Density or Design** - No further subdivision of the property or increase in density shall be allowed without further review and approval by the Board. Any change to the site plan or any of these conditions of approval, including, but not limited to, the building footprint and driveway locations, landscaping plans, architectural design criteria and the approved building construction materials, site improvements and finished grades or to any recorded legal documents shall only be allowed after review and approval by the Board. Substantive revisions to the Final Plans, such as changes to the building design or any of its exterior façade details, addition of dwelling units, relocation of more than one property line, relocation of the access driveways or other substantive changes from the Final Plans shall not be permitted without further review and written approval of the Board.
21. **Site Plan Modifications**: Prior to expansion, addition or alteration of uses allowed by this Approval, the Applicant shall provide detailed information and plans along with a formal written request for modification to the approved Site Plan for determination of minor or major modification and approval by the Board. Any substantial modifications to the Special Permit and Site Plan or changes that impact the Performance Standards under XI.C.8 or conditions of approval of this Decision shall be subject to review and approval of the Board. The Board shall, if it so determines, require the applicant to submit a new application for modification to the approved Site Plan or uses and hold a new public hearing for review of the requested modifications;
22. **Validity**: This permit is valid only for the use and structure to the extent approved in the Decision and shall expire within two years from the issuance date if construction is not started in that time period. Any changes to the site plan, uses or other improvements shown on the approved plan without the approval of the Board shall render those unauthorized improvements or changes null and void. This permit shall become final only upon 1) the recording of the Special Permit and Site Plan Approval granted by the Board for the final Site Plan and improvements shown on said Plan and accompanying Site Plan set (civil only); and 2) the issuance of all other state and federal permits required to start any construction

activity allowed per this permit. The Site Plan Approval shall expire upon the expiration of the special permit, unless said permit(s) is extended by the permit granting authority.

3. PRIOR TO START OF CONSTRUCTION:

The Applicant shall file with the Board and all other relevant public agencies for review and for consistency with this Decision any documents and shall have completed the following actions:

1. **Legal Documents:** The following documents shall be submitted to the Board and the Building Inspector:
 - a) **Documents Recorded at the Southern Essex Registry of Deeds:**
 - i. Planning Board Decision and Plan Set - A copy of this Decision and Approved Plan Set endorsed by the Board;
 - b) **Covenant** - A covenant shall be placed on the development or building(s) or other structures erected or placed on and require a release by the Board. The covenant shall require 1) an Erosion Control and Sedimentation Bond to be established prior to making application for a building permit for any building/unit, and 2) a Performance Bond to be established for any and all remaining work prior to sale of any dwelling unit, 3) All buildings have been built and are consistent with the architectural plan set approved by the Board; 4) All legal documents pertaining to the master deed and trust have been approved by the Board; and 5) All legal documents pertaining to the Affordable Unit, including but not limited to, the Regulatory Agreement and Deed Restrictions have been approved by the Board and have been presented to the City for endorsement. This covenant shall be endorsed by the Board prior to the commencement of any of the on- or off-site improvements;
2. **CAD Drawings:** Three copies of all drawings and recorded site plans as approved by Board shall be provided as Computer Assisted Drawings (CAD) on Compact Disks to the Board;
3. **Submission of Architectural Drawings:** A copy of the complete set of detailed architectural elevations and floor plans for each proposed residential building shall be submitted to the Board. The final architectural drawings shall be sufficiently annotated to describe in detail the building materials, details and color scheme for the building. The Board shall review the final construction drawings to establish conformance with architectural

drawings presented to the Board, which approval shall not unreasonably withheld, before making request for a building permit for said building;

4. **Revisions to the Final Site Plan and Other Application Documents/Report:** The peer review letter dated 11/29/2023 from Stantec Consulting Services Inc. outlines several recommendations as conditions of approval for the proposed project. All of the recommendations from said letter are included herein by reference and as conditions of approval of this Special Permit. All plans and documents identified in that letter shall be revised and updated as indicated and submitted to the Board for final review and approval prior to start of construction. The Final Site Plan shall be revised to address any outstanding issues through the supplemental review and approval process and as part of submission of Final Plans to the Board;
5. **Retaining Walls:** Retaining walls, if any, over four (4) feet shall be designed by a structural engineer and accompanied by supporting documentation indicating that the existing soils and fill are appropriate for the proposed design. Additional test pits and accompanying data shall be supplied with the retaining wall design and details, if necessary and requested by the City for review by the Board's Agent to establish consistency with Final Plans;
6. **Sedimentation and Erosion Control:**
 - a. **Surety Bond:** The Applicant shall be required to post Surety with the Board for Sedimentation and Erosion to ensure that all drainage and erosion control measures associated with the proposed driveways, parking, stormwater management system, site grading plan are implemented as per the Final Plans and other engineering drawings. Prior to release of any Surety, the Board shall verify with its construction observation consultant that the disturbed areas have stabilized, and stormwater management systems have been installed and functioning as per approved design and that there is evidence of healthy mature grass and/or landscaping on the site; and
 - b. **Erosion Control Installation:** Prior to the commencement of any work at the site, an erosion control barrier (at a minimum, hay bales staked end to end and siltation fence firmly anchored with six (6) inches of soil on the uphill side) shall be installed in a location

reasonably acceptable to the Board or its representative and as per installation measures shown on the erosion control plan. The erosion control barrier shall be inspected by the Board or its representative prior to work commencing on the site and shall be maintained until all disturbed areas have been stabilized to the satisfaction of the Board or its representative;

7. **Performance Bond:** The Applicant shall be required to post a surety with the Board for all improvements associated with landscaping, parking areas, walkways, other site improvements and work within the public right of way as shown on the Final Plans. The performance bond amount shall be established based on work not completed prior to the sale of the first residential unit. Prior to release of any Surety, the Board shall verify with its construction observation consultant that the work has been completed as per approved plans;
8. **Final Private Utility Layout:** The Applicant shall obtain all necessary private utility permits, including but not limited to gas pipeline, electric, telephone and cable service required by the respective utilities. The Applicant is responsible for all expenses associated with removal/relocation of electric poles and overhead wires servicing the proposed buildings. Documentation of all Permits/approvals issued by private utilities pertaining to the development of the Project shall be provided to the Board for record;
9. **Inspectional Services** - The Applicant shall request the Board to start Inspectional Services (for stormwater, drainage and utility improvements, off-site improvements and environmental remediation (per Conservation Commission decision)) and provide the necessary funds to the Board at least 21 days in advance of start of any construction activity on site.
10. **Request for Pre-construction Conference:** The request for a Pre-construction Conference shall be acted upon by the Board only AFTER the Board has received and reviewed ALL of the documents required per this Decision before start of construction and has determined that the Project is ready to proceed to the construction phase. Upon authorization by the Board, its representatives shall schedule the Pre-construction Conference; and

11. **Pre-Construction Conference** - At least five (5) business days prior to any initial site work, a Pre-Construction conference shall be held with the Applicant, Applicant's contractor, a representative of the Board, its consulting engineer, and representatives of the City Departments having an interest in the Plan. Said meeting shall be for the purpose of familiarization with the project, the conditions of approval, and the project's construction sequence and timetable. Copies of all other permits shall be provided to the Board in advance of this meeting.

4. DURING CONSTRUCTION:

The following shall apply to all construction activity as per approved Site Plan:

1. **Stockpiles:** All earth stockpiles shall be established in locations greater than fifty (50') feet from the wetlands or other proposed stormwater management areas as approved by the Board or its designee. Earth material stockpiles shall not be allowed immediately adjacent to perimeter siltation barriers or drain inlets. Long term stockpiles over 30 days shall be shaped stabilized and circled by siltation fence and hay bales and shall be stabilized by temporary seeding, sheeting or netting;
2. **Utility Trenches:** Utility trenches within the public Right of Way shall be saw-cut prior to excavation. Open trenches shall be backfilled with bank gravel and compacted to 95%. Trenches shall be paved with asphalt binder to a minimum depth of three (3) inches and overlaid curb to curb on Market Street to a minimum depth of one and half (1.5) inches. Water service trenches shall be infrared joint paved. The DPW Director and the City Engineer shall have the final signoff on the right of way improvements and any change to these standards or those shown on approved plans shall be subject to their review and approval;
3. **Repair and Cleanup:** The existing roadways shall be kept clean of all earth materials during the construction phase. Any damage to public roads and walkways shall be repaired and/or replaced to the satisfaction of the DPW Director and City Engineer;

4. **Inspections:** The Planning Board shall require the inspection of drainage and stormwater management system to ensure that the work is carried out in accordance with the Final Plans and to ensure that all improvements are in compliance with the conditions stated in this Decision. The Board shall require the establishment of a construction observation account and the Applicant shall provide the funds necessary for inspection by the Board's consultant prior to start of any construction activity.
5. **Construction Activities** - During construction, except within the individual building envelopes, the Applicant and its agents and employees shall conform to all local, state and federal laws regarding noise, vibration, dust and use of public roads and utilities. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area and maintain safe and adequate vehicular access on Market Street and Southampton Road. Construction shall not commence on any day Monday through Saturday before 7:00 AM. Construction activities shall cease by 6:00 PM Monday through Friday and by Noon on Saturday. No construction or activity whatsoever (except for interior finishing) shall take place on Sunday; and
6. **Erosion Control and Stormwater Maintenance Requirement:** The Applicant's designee or assignee shall on a quarterly basis submit interim reports and supporting documents to the Board showing that requirements for stormwater system maintenance are being adhered according to the approved SWPPP and NPDES Permit as well as other requirements of the Stormwater Management regulations, as applicable included here by reference.

6. PRIOR TO MAKING REQUEST FOR AN OCCUPANCY PERMIT:

The Applicant shall file with the Board and all other relevant public agencies for review and for consistency with this Decision any documents and shall have completed the following actions:

1. **Recorded Documents:** Prior to the issuance of the last occupancy permit, the following documents shall be submitted:

- a) Affordable Unit Deed Restriction - A copy of the Affordable Housing Restriction as accepted by the City and as recorded at the Essex Registry of Deeds shall be submitted to the Board;
2. **Infrastructure Improvements:** The Applicant shall submit a letter from the Board's construction observation consultant that these improvements have been completed in accordance with the approved stormwater management design and as approved by the Board. The Applicant shall request written confirmation from the City Engineer and DPW Director that the finished construction of all utilities, sidewalks and all municipal structures located within the public right of way or easement areas are adjusted to appropriate finished grade and are adequately accessible for future maintenance. Interim or final as-built plan showing the installed stormwater and drainage systems shall have been recommended for approval by the Board's inspectional engineer.
3. **Certification of Improvements** – Upon completion of all site improvements, the Applicant shall request the Board for a Certificate of Improvements and submit it to the Building Inspector from the Board verifying that conditions of approval have been met and that construction to date is per the approved plans;
4. **Landscape Improvements, Vegetative Buffers and Fencing:** All proposed trees shall be placed in position or staked out for approval by the Board (or its designated agent) prior to digging. All site improvements, including landscape plantings, vegetative buffers, lighting and fencing shall be completed and installed as per Final Plans prior to making application for the occupancy permit. The Board's construction observation consultant for the project shall submit a certification that the trees, shrubs and screening plants have been installed as per approved plans. Alternatively, the Board shall retain a landscape performance bond equivalent to twice the amount to make all approved landscape improvements at the time the first certificate of occupancy is officially requested by the Applicant. The Landscaped Architect for the project shall submit a certification that the trees, shrubs and screening plants have been installed as per approved Final plans prior to release of the landscape performance bond;

5. **Architect's Certification:** The Project Architect registered in the Commonwealth of Massachusetts shall submit a certification to the Board certifying that all new residential buildings have been built as per architectural drawings approved by the Board; and
6. **Public Way Repairs:** Any damage to public roads and walkways shall be repaired and/or replaced to the satisfaction of the DPW Director and City Engineer;

Chair, Amesbury Planning Board

EXHIBITS

PROJECT DOCUMENTS

Exhibit #1

Site Plan Set containing eight (8) sheets and titled "The Redevelopment of 101 – 107 Market Street in Amesbury, MA" prepared for Newburyport Homes, L.J.C., 11 Lunt Street Byfield, MA dated 8/24/2023 and last revised 12/11/2023 and prepared by SBS Engineering, 15 Collins Street, Newburyport, MA 01950

Exhibit #2

Plan titled "Landscape Planting Plan" prepared by Order Up a Garden, 45 Ferry Road Salisbury MA dated October 2023 and revised on 12/11/2023

Exhibit #3

Architectural Drawings for Buildings A, B and C titled "101 Market Residences," dated 8/15/2023 and prepared by Graf Architects 2 Liberty Street, Newburyport MA 01950

Exhibit #4

Stormwater Management Report as included in document titled "Project Narrative and Stormwater Analysis," 101 – 107 Market Street Amesbury, MA dated 11/13/2023 and prepared by SBS Engineering

THE REDEVELOPMENT OF 101-107 MARKET STREET IN AMESBURY, MASSACHUSETTS PREPARED FOR NEWBURYPORT HOMES, LLC 11 LUNT STREET BYFIELD, MASSACHUSETTS

ZONING

CENTRAL BUSINESS DISTRICT (CBZ)

REQUIREMENT	EXISTING	PROPOSED
MINIMUM LOT AREA	5,000 SQUARE FEET	21,924 SQUARE FEET
MINIMUM FRONTAGE	50 FEET	216.6 FEET
FRONT SETBACK	0 FEET	6.7 FEET
SIDE SETBACK (R)	5 FEET	6.1 FEET
SIDE SETBACK (L)	5 FEET	6.1 FEET
REAR SETBACK	30 FEET	22.7 FEET
MAXIMUM LOT COVERAGE (C)	4%	15%
MAXIMUM HEIGHT	40 FEET	27 FEET
MINIMUM OPEN SPACE	10%	20%



VICINITY MAP
0 200 400 Feet

PARKING SUMMARY

- 1. REQUIREMENT - 8 SPACES
- 2. TOTAL SPACES PROVIDED - 17 SPACES

LIST OF WANTERS

IF THE PROPERTY OWNER WOULD LIKE TO REQUEST A VARIATION FROM THE ZONING REGULATIONS, THE PROPERTY OWNER MUST SUBMIT A VARIATION APPLICATION TO THE ZONING BOARD WITH A FEE OF \$100.00.

CONDITIONS OF APPROVAL

1. ALL PLANS OF THE COMPLETED PROJECT SHALL BE SUBMITTED TO THE ZONING BOARD FOR REVIEW AND APPROVAL. THE ZONING BOARD SHALL REVIEW THE PLANS AND SHALL HAVE THE AUTHORITY TO APPROVE OR DENY THE PROJECT. THE ZONING BOARD SHALL HAVE THE AUTHORITY TO APPROVE OR DENY THE PROJECT.

SHEET INDEX

SHEET NO.	DESCRIPTION
T1.0	TITLE SHEET
S-1	EXISTING CONDITIONS PLAN 1
C1.0	SITE LAYOUT PLAN
C1.1	GRADING, DRAINAGE & UTILITY PLAN
C1.2	OVERALL SITE PLAN
C2.0	EROSION CONTROL NOTES & DETAILS
C3.0	SITE CONST. DETAILS
C3.1	SITE CONST. DETAILS

OWNER: NEWBURYPORT HOMES, LLC
11 LUNT STREET
AMESBURY, MA 01921

ENGINEER: SEBERT, TAVNER, P.E.
15 COLLEGE STREET
NEWBURYPORT, MA 01960

SURVEYOR: WALTER OGC
44 HERRING STREET
NEWBURYPORT, MA 01960

ARCHITECT: GALT DESIGN ASSOC.
2 LIBERTY STREET
NEWBURYPORT, MA 01960

PROJECT NAME: 101-107 MARKET ST.
AMESBURY, MA

DATE: 08/11/2011



TITLE SHEET

T1.0

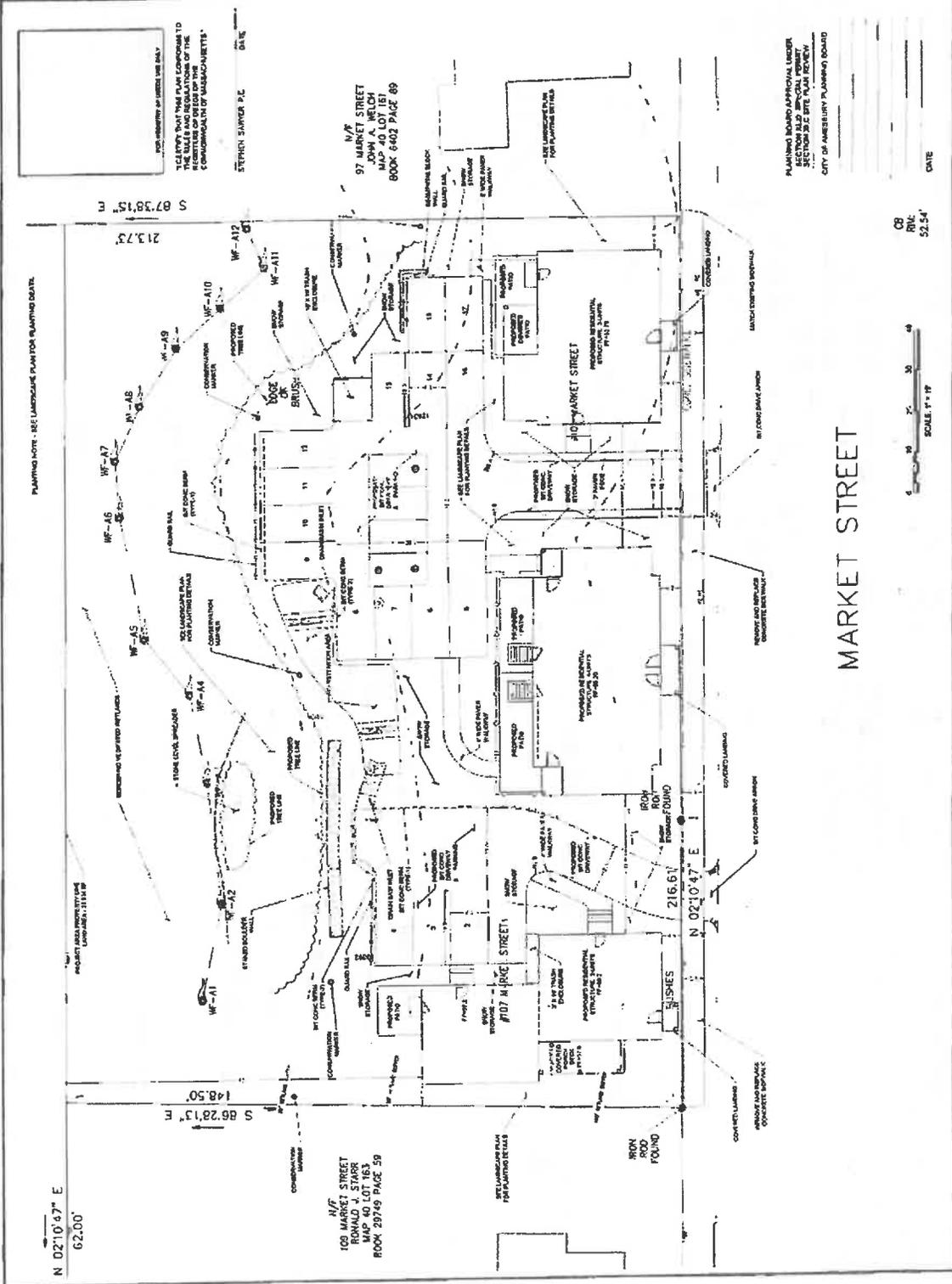
DATE: 08/11/2011
DRN: 346
CRN: 019
PROJECT: 101 MARKET ST
CITY: AMESBURY
SCALE: 1" = 10' 0"

PLANNING BOARD APPROVAL UNDER SECTION 212C OF THE ZONING REGULATIONS IS REQUIRED FOR THE PROJECT.

CITY OF AMESBURY PLANNING BOARD

DATE: _____

	OWNER REYNOLDS HOMES LLC 1000 W. MARKET STREET WYOMING, WY 82001	PROJECT NAME 100-100 MARKET ST. ANNESBURY, VA	
	ENGINEER SBB ENGINEERING 15 COLLING STREET ANNESBURY, VA 22023		
	ARCHITECT ORF DESIGN ASSOC. 2 LIBERTY STREET ANNESBURY, VA 22023		
	PLANNING BOARD APPROVAL LABEL SECTION 3.02 SPECIAL PERMIT SECTION 3.02 SITE PLAN REVIEW CITY OF ANNESBURY PLANNING BOARD		



SITE LAYOUT PLAN

C1.0

DATE: 08/11/2023

SCALE: 1" = 10'

DATE: 08/11/2023

SCALE: 1" = 10'

PLANNING BOARD APPROVAL LABEL
 SECTION 3.02 SPECIAL PERMIT
 SECTION 3.02 SITE PLAN REVIEW
 CITY OF ANNESBURY PLANNING BOARD

DATE: _____

SCALE: 1" = 10'

DATE: _____

MARKET STREET

SCALE: 1" = 10'

DATE: _____

	OWNER NEWPORT HOMES LLC 100 WINDY HILL NEWPORT, MA 01851	PROJECT NAME 100 WINDY HILL ST. NEWPORT, MA		OVERALL SITE PLAN	C1.2
	ENGINEER SRS ENGINEERING 45 COLLING STREET NEWPORT, MA 01850				
	SURVEYOR STEPHEN SAWYER P.E. 100 WINDY HILL NEWPORT, MA 01850				
	ARCHITECT OLAF OERBOM ASSOC. 7 LIBERTY STREET NEWPORT, MA 01850				
					DATE: 08/11/2020 SCALE: 1" = 30'

FOR RECORD OF BIRTH LINE ONLY

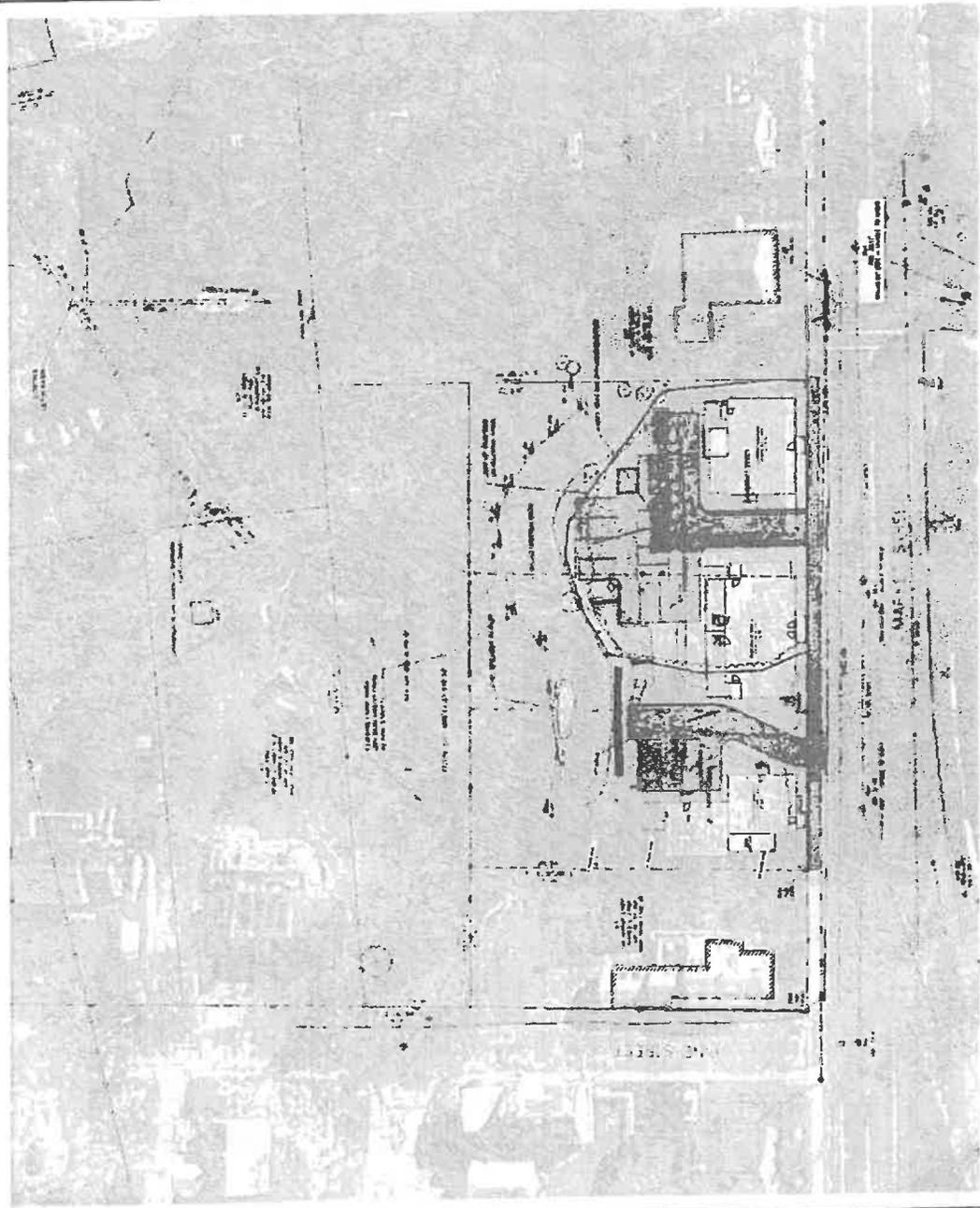
I HEREBY GIVE THESE PLANS CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS:

STEPHEN SAWYER P.E. DATE

PLANNING BOARD APPROVAL UNDER SECTION 23C OF THE PLANNING BOARD ACT

CITY OF AMESBURY PLANNING BOARD

DATE



0 50 100
 SCALE 1" = 30'



OWNER
 NEWPORT HOMES LLC
 1100 MARKET STREET
 WYOMING, WY 82001

ENGINEER
 STEPHEN SAWYER P.E.
 15 CALAIS STREET
 NEWPORT, WY 81060

SUBJECT
 EROSION CONTROL PLAN
 4400 MARKET STREET
 NEWPORT, WY 81060

ARCHITECT
 GRAY DESIGN ASSOC.
 2100 MARKET STREET
 NEWPORT, WY 81060

PROJECT NAME
 4400 MARKET ST.
 AMESBURY, MA

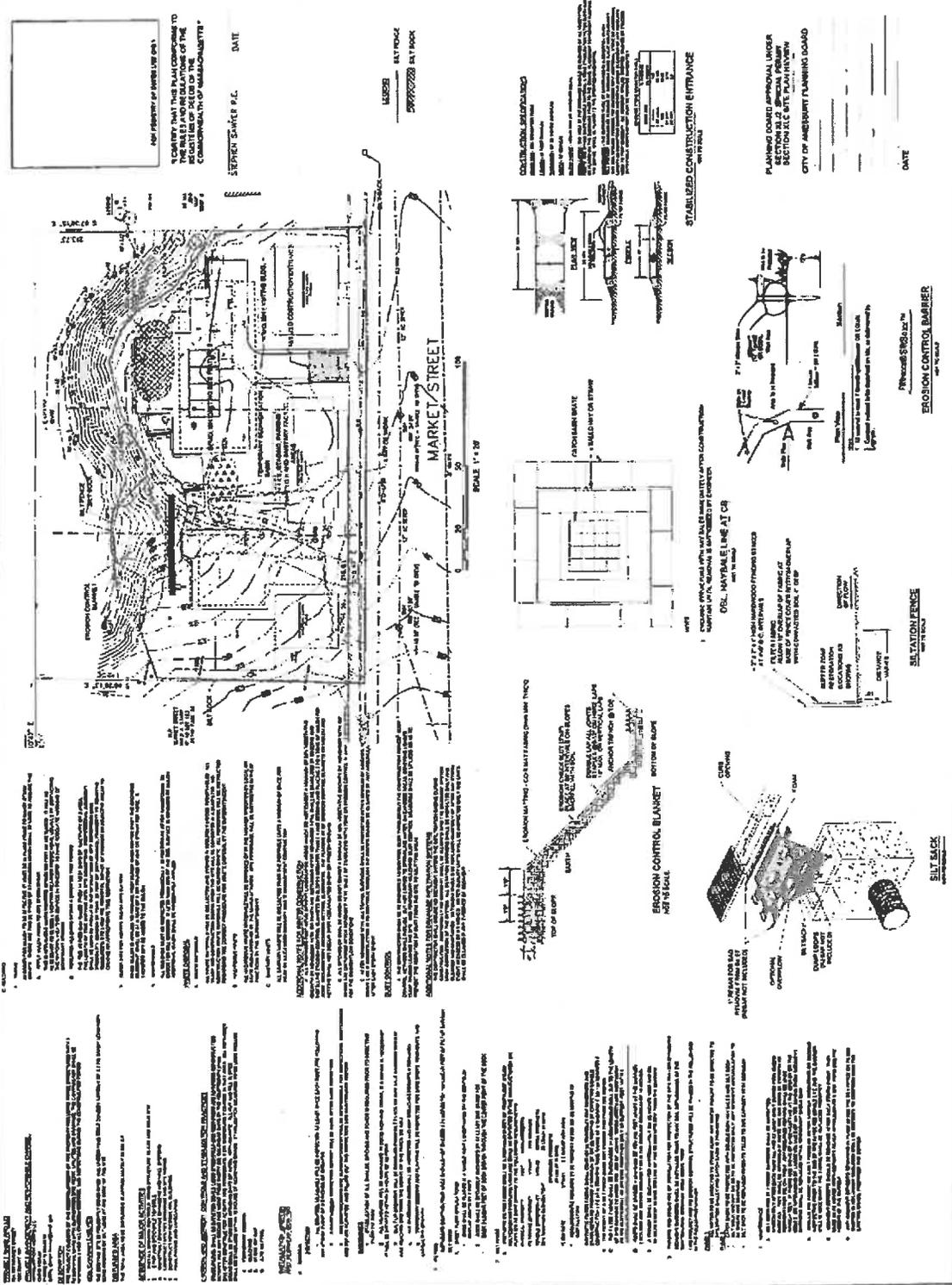
DATE	11/11/2011
BY	SS
CHECKED	SS
APPROVED	SS
SCALE	1" = 1' - 0"



EROSION CONTROL PLAN

C2.0

DATE: 11/11/2011
 CHECKED: SS
 PROJECT: 4400 MARKET ST
 SHEET: 11 of 17



NOTES:

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.
2. ALL EROSION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE WYOMING EROSION CONTROL ACT AND THE WYOMING EROSION CONTROL REGULATIONS.
3. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NEEDED THROUGHOUT CONSTRUCTION.
4. ALL EROSION CONTROL MEASURES SHALL BE REMOVED AND RESTORED TO ORIGINAL OR BETTER CONDITION UPON COMPLETION OF CONSTRUCTION.
5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION.
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20. ALL EROSION CONTROL MEASURES SHALL BE REMOVED AND RESTORED TO ORIGINAL OR BETTER CONDITION UPON COMPLETION OF CONSTRUCTION.

OWNER
 NEWPORT HOME LLC
 1000 W. MARKET ST.
 HYDE PARK, MA 01911

ENGINEER
 SRS ENGINEERING
 14 COLONY STREET
 NEWPORT, MA 01854

SURVEYOR
 TERRY W. BROWN
 21 LIBERTY STREET
 NEWPORT, MA 01854

ARCHITECT
 GRAY DESIGN ASSOC.
 21 LIBERTY STREET
 NEWPORT, MA 01854

PROJECT

PROJECT NAME
 100-107 MARKET ST.
 ANNESBURY, MA

DATE	10/1/2014
BY	W. BROWN
CHECKED BY	SRS ENGINEERING
SCALE	AS SHOWN
PROJECT NO.	100-107 MARKET ST.
DATE	10/1/2014
BY	W. BROWN
CHECKED BY	SRS ENGINEERING
SCALE	AS SHOWN
PROJECT NO.	100-107 MARKET ST.



SITE CONST. DETAILS

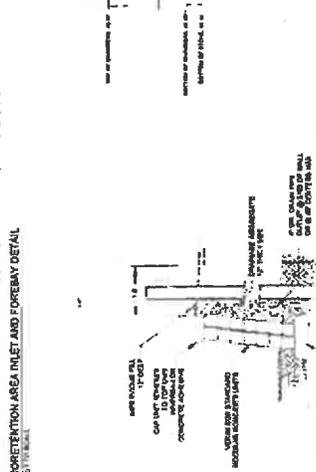
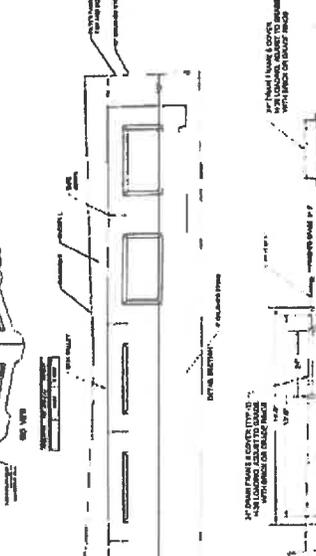
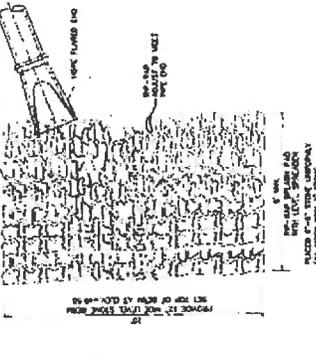
C3.1

DATE: 10/1/2014
 DRAWN BY: W. BROWN
 CHECKED BY: SRS ENGINEERING
 SCALE: 1" = 10'

FOR A REVIEW OF DESIGN USE ONLY

VERIFY THAT THE PLANS CONFORM TO THE RULES AND REGULATIONS OF THE MASSACHUSETTS BOARD OF REGISTERED PROFESSIONAL ENGINEERS AND ARCHITECTS.

STEPHEN BROWN, P.E.
 DATE: _____



PLANNING BOARD APPROVAL NUMBER: _____
 SECTION 12. SPECIAL PERMIT
 SECTION 13.6 SITE PLAN REVIEW
 CITY OF ANNESBURY PLANNING BOARD

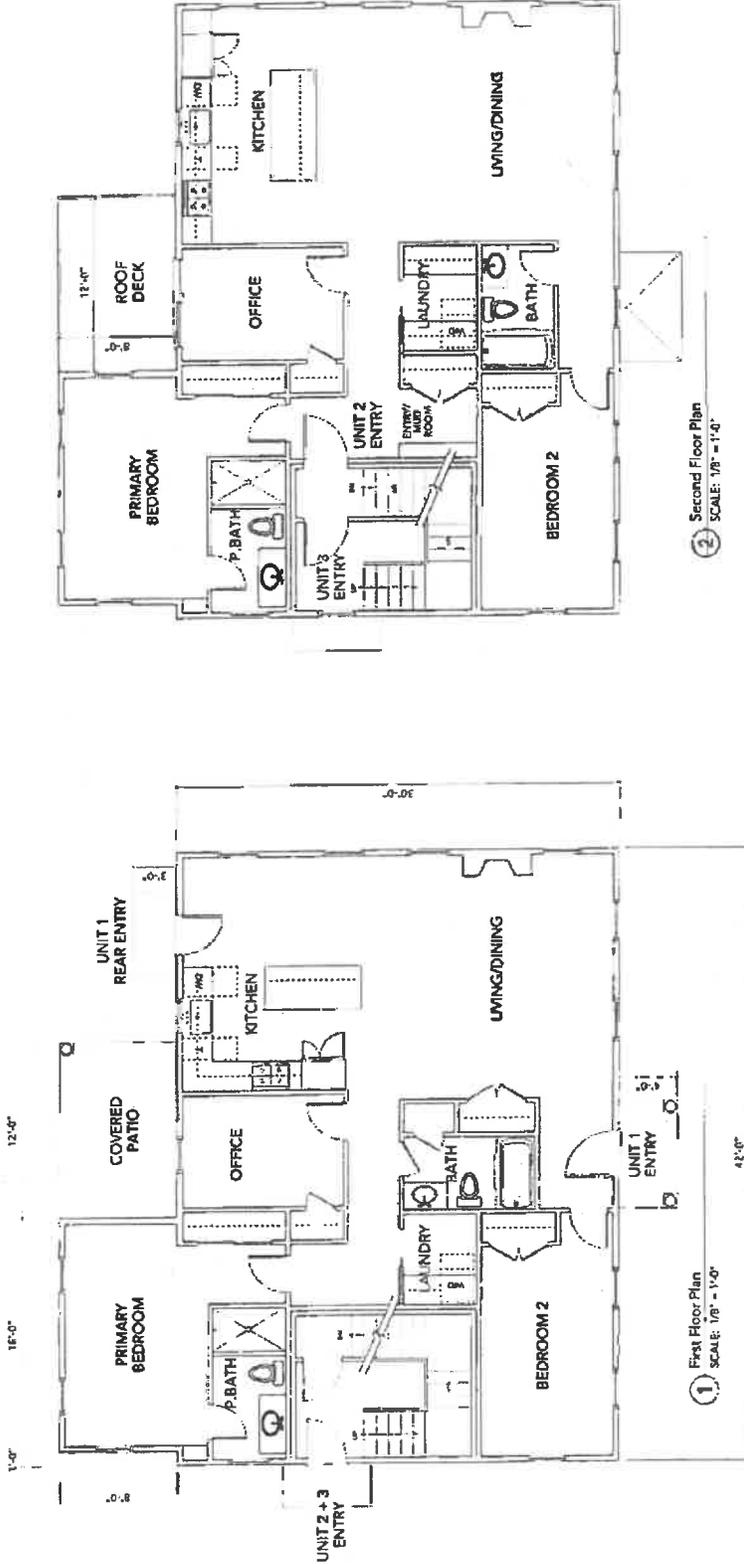
DATE: _____

NOTES:
 1. SEE PLAN FOR LOCATION OF ALL INFILTRATION CHAMBERS.
 2. SEE PLAN FOR LOCATION OF ALL INLET PIPES.
 3. SEE PLAN FOR LOCATION OF ALL RIPRAP LEVEL SPREADERS.
 4. SEE PLAN FOR LOCATION OF ALL RETAINING WALLS.
 5. SEE PLAN FOR LOCATION OF ALL WOOD GUARD RAILS.
 6. SEE PLAN FOR LOCATION OF ALL FOREBAYS.
 7. SEE PLAN FOR LOCATION OF ALL INLET AND FOREBAY DETAILS.

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 1. SEE PLAN FOR LOCATION OF ALL INFILTRATION CHAMBERS.
 2. SEE PLAN FOR LOCATION OF ALL INLET PIPES.
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 5. SEE PLAN FOR LOCATION OF ALL WOOD GUARD RAILS.
 6. SEE PLAN FOR LOCATION OF ALL FOREBAYS.
 7. SEE PLAN FOR LOCATION OF ALL INLET AND FOREBAY DETAILS.

PROJECT
**101 MARKET
 RESIDENCES**
 Amesbury, MA

architect:
**GRAF
 ARCHITECTS**
 2 Union Street
 Newburyport, MA
 01950
 T. 978.499.8482
 www.graf.com



1111e
BUILDING A
 First + Second
 Floor Plans

SCALE: 1/8" = 1'-0"
 14 AUGUST 2023

A01

PROPOSED SF CALCULATIONS

UNIT 1	UNIT 2	UNIT 3	
1ST FL	1,189 SF	2ND FL	66 SF
TOTAL SF	1,189 SF	3RD FL	883 SF
STORAGE	272 SF	TOTAL SF	949 SF
		STORAGE	274 SF

project

101 MARKET RESIDENCES

Amesbury, MA

architect:

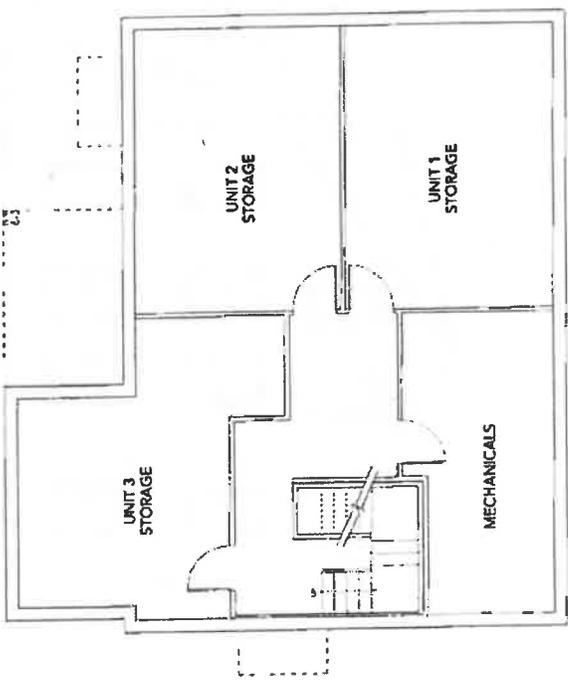
GRAF ARCHITECTS
2 Liberty Street
Northampton, MA
01060
T. 978.499.9442
www.grafarch.com

title:

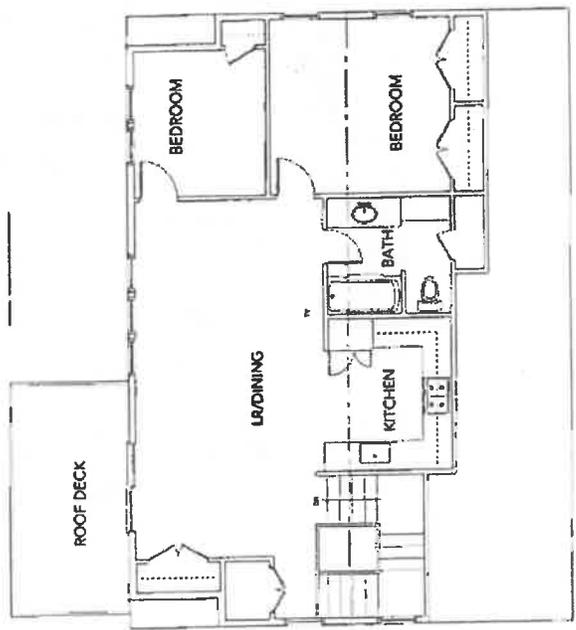
BUILDING A Third Floor + Basement Floor Plan

SCALE: 1/8" = 1'-0"
14 August 2023

A02



② Basement Floor Plan
SCALE: 1/8" = 1'-0"



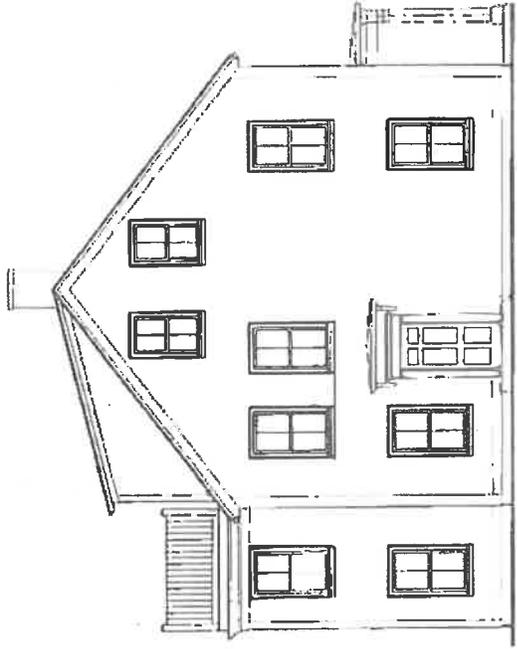
① Third Floor Plan
SCALE: 1/8" = 1'-0"

PROPOSED SF CALCULATIONS

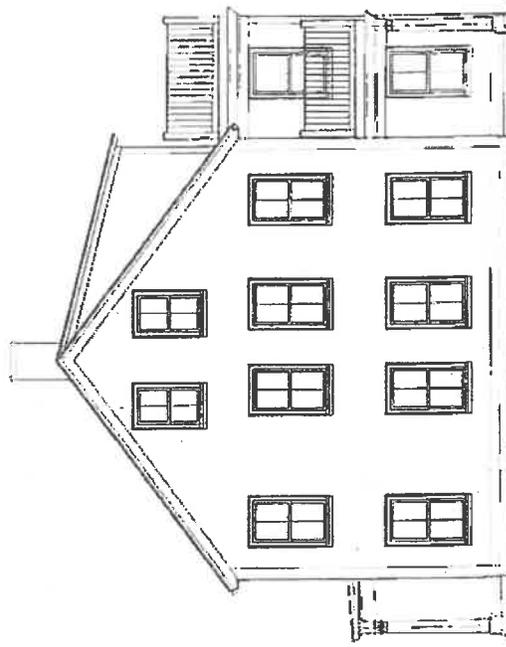
UNIT 1	UNIT 2	UNIT 3	
1ST FL	1,189 SF	2ND FL	66 SF
TOTAL SF	1,189 SF	3RD FL	883 SF
STORAGE	272 SF	TOTAL SF	949 SF
		STORAGE	274 SF

project
**101 MARKET
 RESIDENCES**
 Amesbury, MA

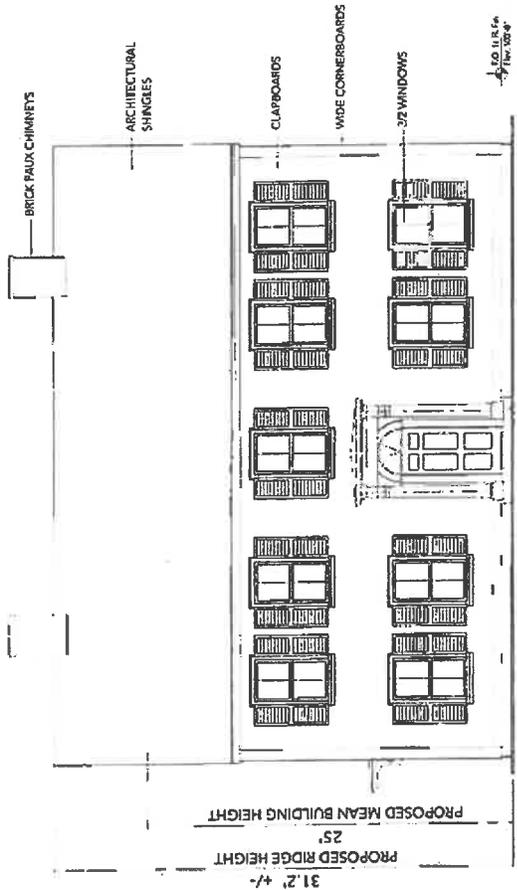
ARCHITECT
**GRAF
 ARCHITECTS**
 2 Liberty Street
 Newburyport, MA
 01950
 T. 978 499 9242
 www.grafarch.com



② Side (Left) Exterior Elevation - PROPOSED
 SCALE: 1/8" = 1'-0"



④ Side (Right) Exterior Elevation - PROPOSED
 SCALE: 1/8" = 1'-0"



① Front Exterior Elevation - PROPOSED
 SCALE: 1/8" = 1'-0"



③ Rear Exterior Elevation - PROPOSED
 SCALE: 1/8" = 1'-0"

11116
BUILDING A
 Exterior Elevations

SCALE: 1/8" = 1'-0"
 15 August 2023

A03

project
**101 MARKET
 RESIDENCES**
 Amesbury, MA

architect
**GRAF
 ARCHITECTS**
 2 Liberty Street,
 Newburyport, MA
 01950
 T. 978.499.9442
 www.grafarch.com

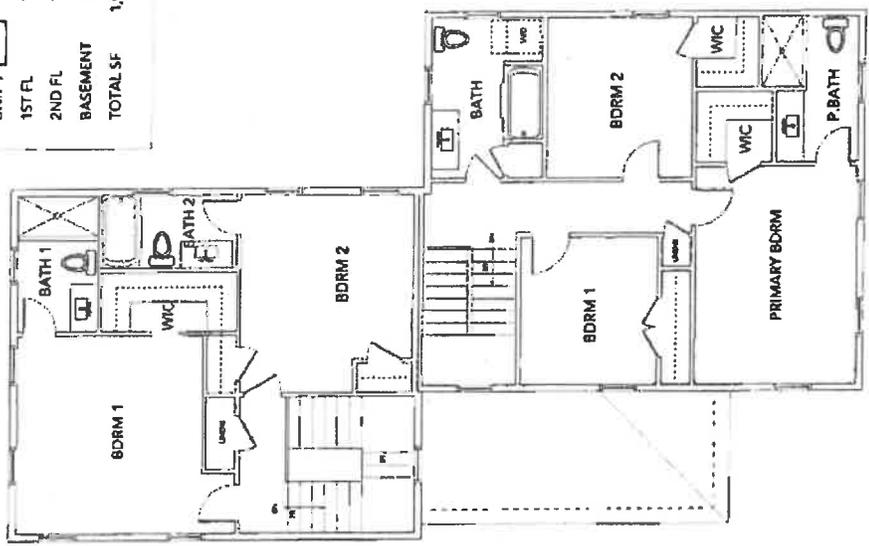
11116
BUILDING B
**First + Second
 Floor Plans**

SCALE: 1/8" = 1'-0"
 15 AUGUST 2023

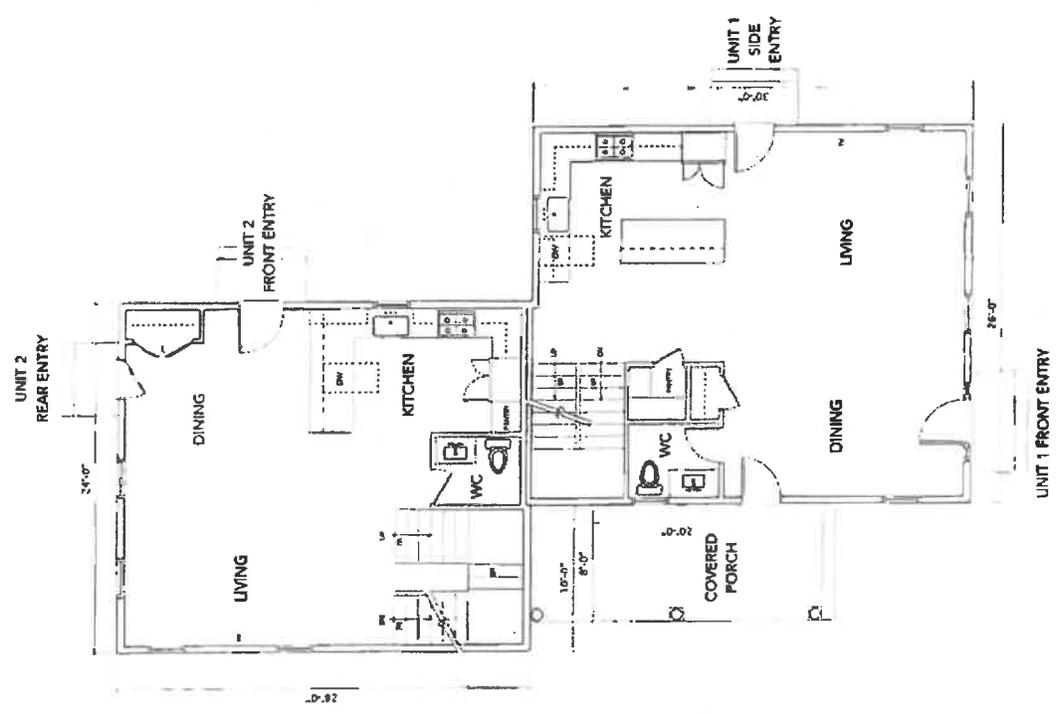
A01

PROPOSED SF CALCULATIONS

UNIT 1		UNIT 2	
1ST FL	735 SF	1ST FL	621 SF
2ND FL	735 SF	2ND FL	621 SF
BASEMENT	513 SF	BASEMENT	488 SF
TOTAL SF	1,983 SF	TOTAL SF	1,730 SF



② Second Floor Plan
 SCALE: 1/8" = 1'-0"



① First Floor Plan
 SCALE: 1/8" = 1'-0"

Project

101 MARKET RESIDENCES

Amesbury, MA

Architect

GRAF ARCHITECTS
2 Liberty Street
Newburyport, MA
01950
T. 978 699 9442
www.grafarch.com

Title

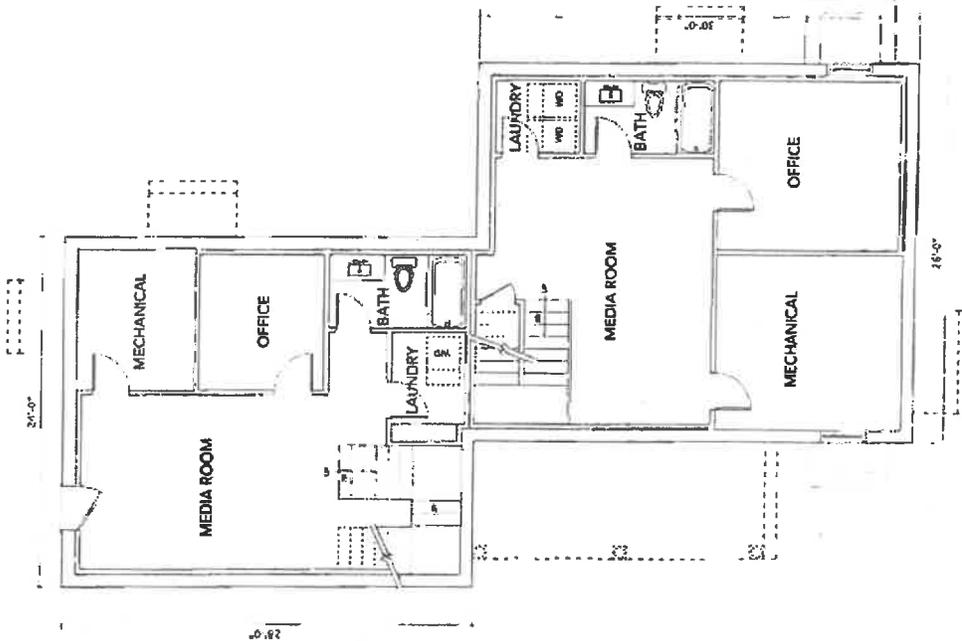
BUILDING B
Basement
Floor Plan

SCALE: 1/8" = 1'-0"
15 August 2023

A02

PROPOSED SF CALCULATIONS

UNIT 1		UNIT 2	
1ST FL	735 SF	1ST FL	621 SF
2ND FL	735 SF	2ND FL	621 SF
BASEMENT	513 SF	BASEMENT	488 SF
TOTAL SF	1,983 SF	TOTAL SF	1,730 SF



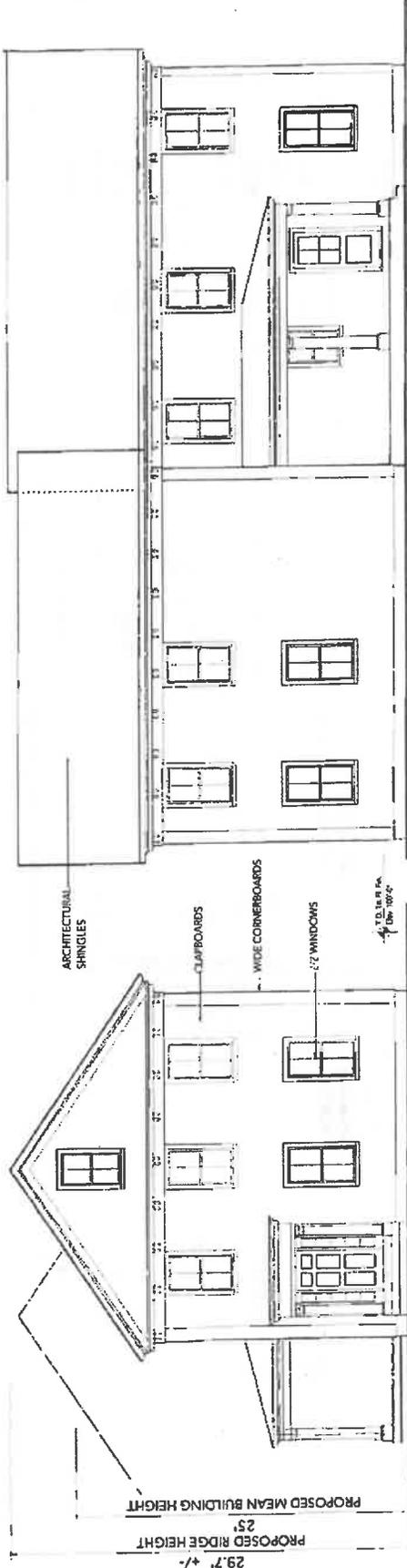
1 Basement Floor Plan
SCALE: 1/8" = 1'-0"

PROJECT
101 MARKET RESIDENCES

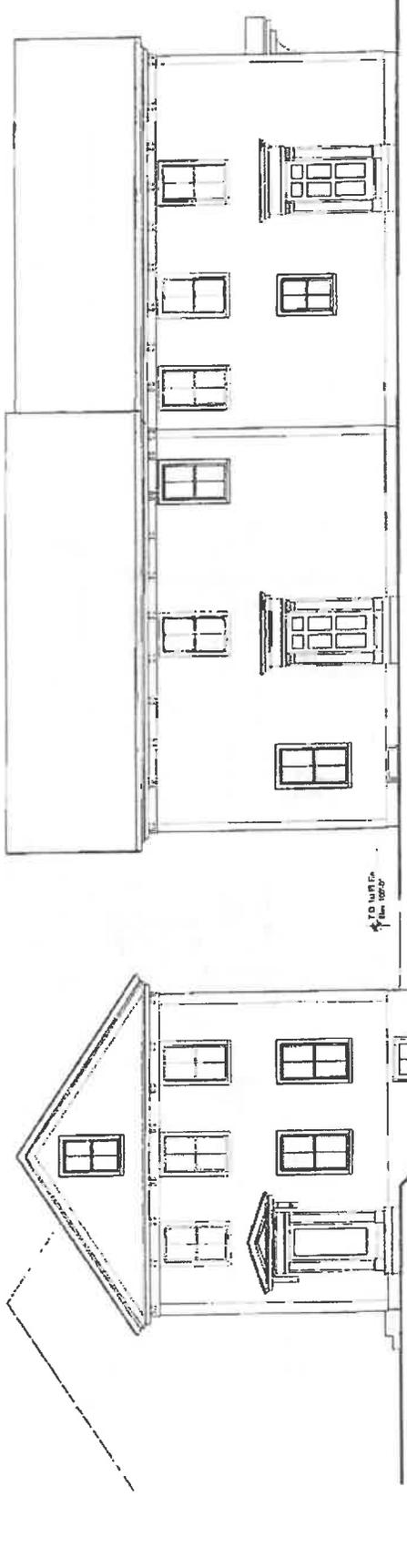
Amesbury, MA

architect:

GRAF ARCHITECTS
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 Newburyport, MA
 01950
 T. 978.699.9442
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② Side Exterior Elevation
 SCALE: 1/8" = 1'-0"



④ Side Exterior Elevation
 SCALE: 1/8" = 1'-0"

③ Rear Exterior Elevation
 SCALE: 1/8" = 1'-0"

title
BUILDING B
 Exterior Elevations

SCALE: 1/8" = 1'-0"
 16 AUGUST 2023

A03

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Amsbury, MA

architect

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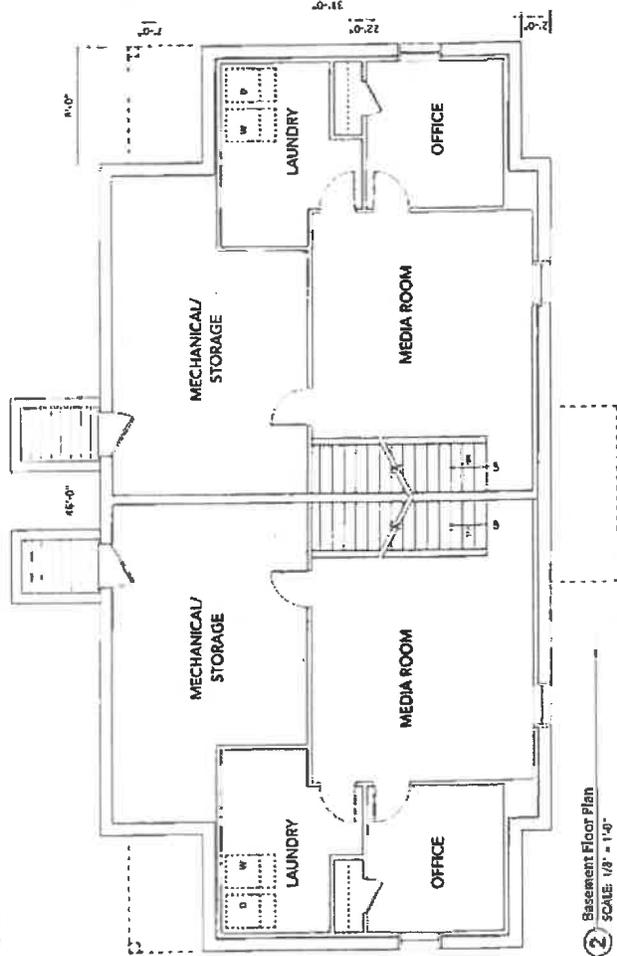
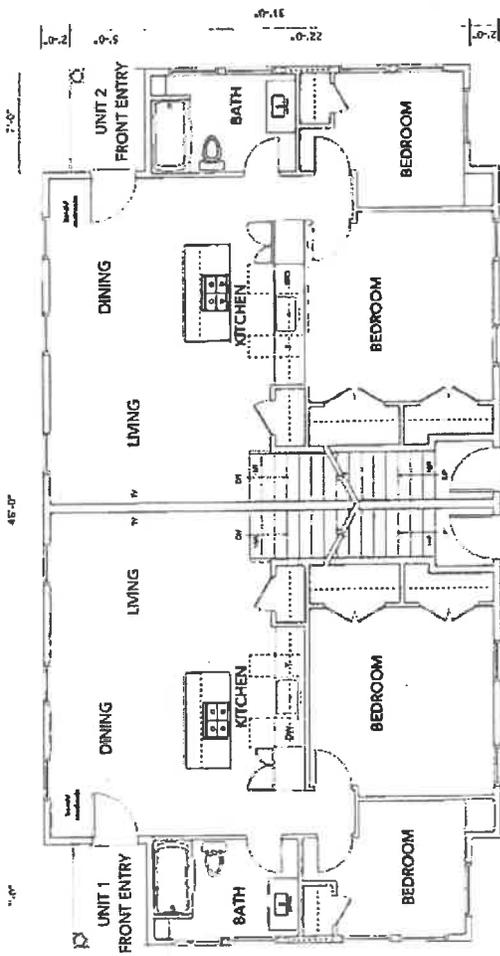
title
BUILDING C
**First + Basement
 Floor Plans**

SCALE: 1/8" = 1'-0"
 15 AUGUST 2023

A01

PROPOSED SF CALCULATIONS

UNIT 1	774 SF
1ST FL	492 SF
BASEMENT	1,266 SF
TOTAL SF	
UNIT 2	774 SF
1ST FL	492 SF
BASEMENT	1,266 SF
TOTAL SF	
UNIT 3	36 SF
1ST FL	669 SF
2ND FL	533 SF
3RD FL	1,238 SF
TOTAL SF	
UNIT 4	36 SF
1ST FL	669 SF
2ND FL	533 SF
3RD FL	1,238 SF
TOTAL SF	



project
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 Amesbury, MA

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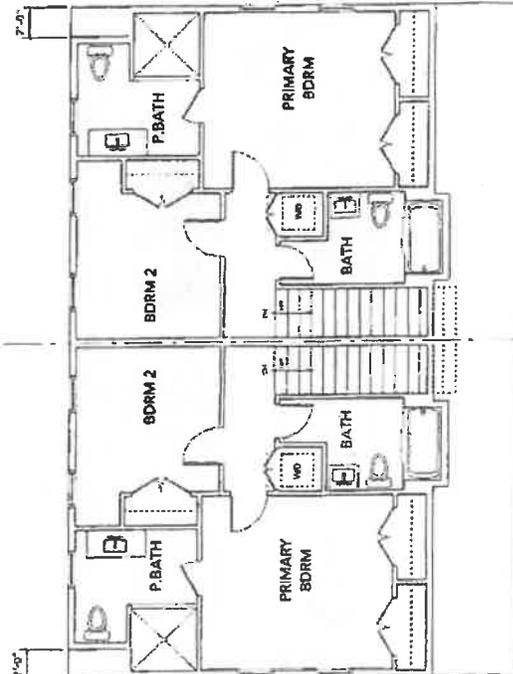
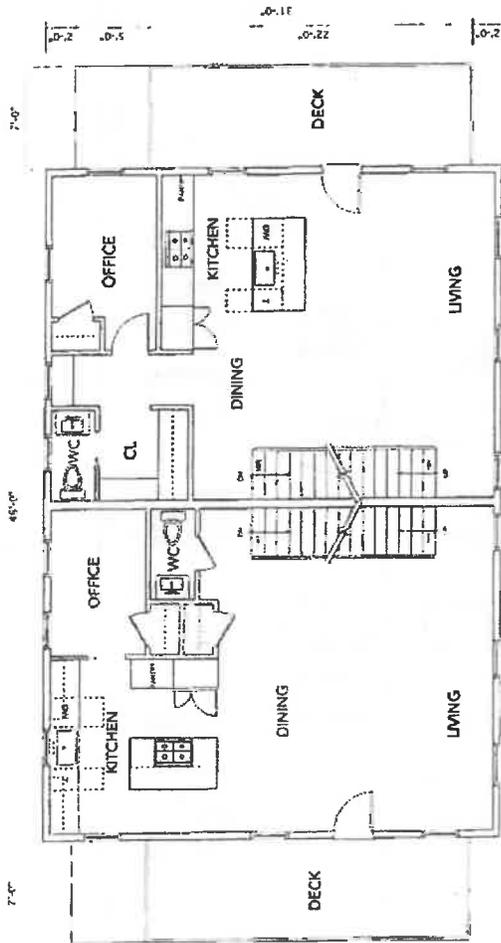
title
BUILDING C
**Second + Third
 Floor Plans**

SCALE: 1/8" = 1'-0"
 15 August 2023

A02

PROPOSED SF CALCULATIONS

UNIT 1	774 SF
1ST FL	492 SF
BASEMENT	1,266 SF
TOTAL SF	
UNIT 2	774 SF
1ST FL	492 SF
BASEMENT	1,266 SF
TOTAL SF	
UNIT 3	36 SF
1ST FL	649 SF
2ND FL	533 SF
3RD FL	1,238 SF
TOTAL SF	
UNIT 4	36 SF
1ST FL	669 SF
2ND FL	533 SF
3RD FL	1,238 SF
TOTAL SF	



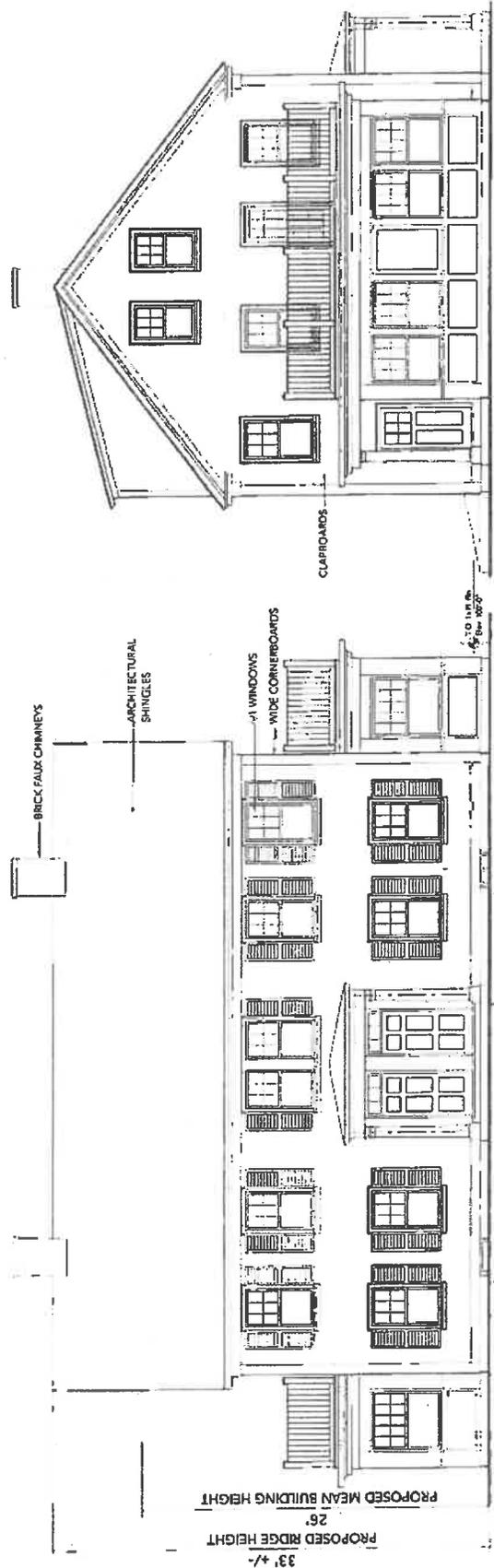
Project:
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 RESIDENCES**
 Amesbury, MA

architect:
**GRAF
 ARCHITECTS**
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 Newburyport, MA
 01950
 T. 978.600.0442
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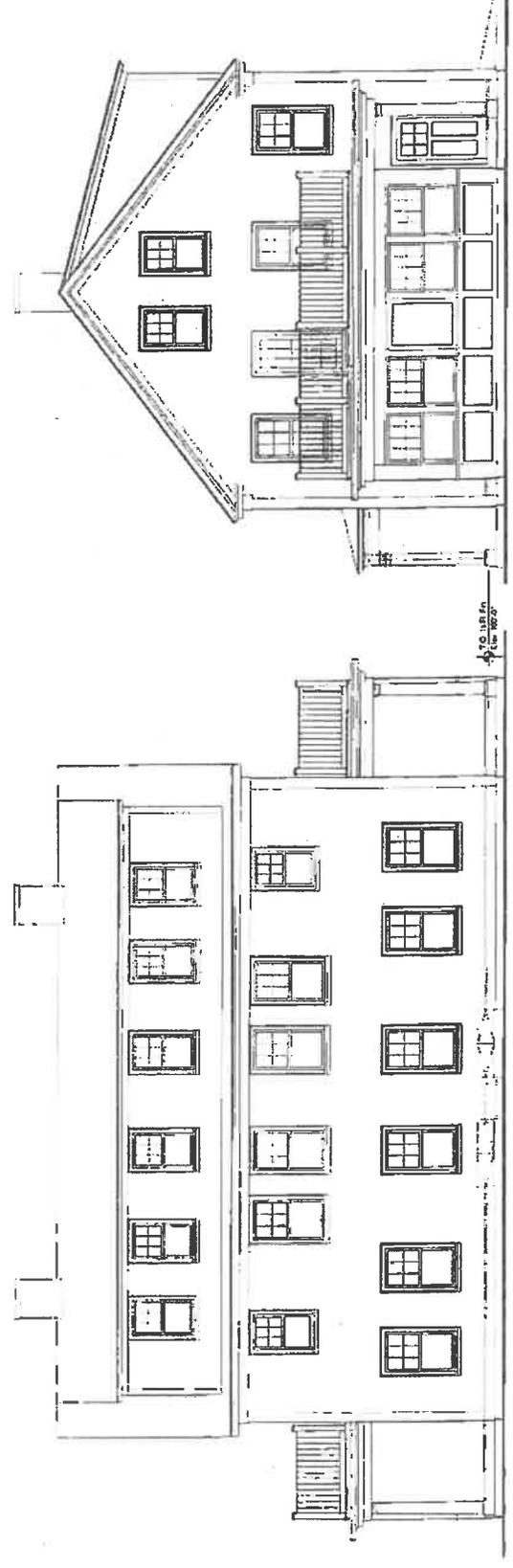
title:
**BUILDING C
 Exterior Elevations**

SCALE: 1/8" = 1'-0"
 15 August 2023

A03



① Front Exterior Elevation - PROPOSED
 SCALE: 1/8" = 1'-0"



② Side Exterior Elevation - PROPOSED
 SCALE: 1/8" = 1'-0"

PROJECT NARRATIVE AND STORMWATER ANALYSIS 101-107 MARKET STREET

AMESBURY, MA

November 13, 2023

Prepared For:
Newburyport Homes, LLC
11 Lunt St
Byfield, MA 01951

Prepared By:
SBS Engineering



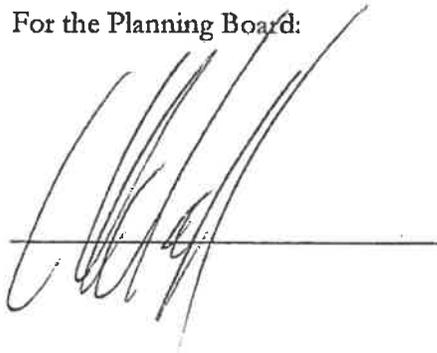
TO:

Newburyport Homes LLC (*Applicant*)
11 Lunt Street
Byfield MA 01951

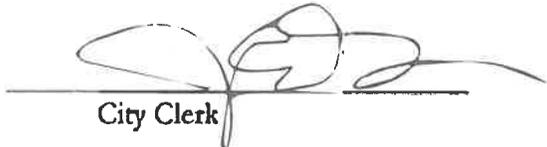
PLANNING BOARD VOTE:

On 12/11/2023 the Amesbury Planning Board voted to approve the application for Site Plan Review and a Planned Unit Development Special Permit for proposed residential development under Section XI.H1 at 101 - 107 Market Street in Amesbury MA - subject to the findings and conditions noted in this Decision.

For the Planning Board:



Filed with the City Clerk on Dec 28, 2023


City Clerk

A Building Permit is required for any construction or remodeling. It is your responsibility to file this Special Permit Decision with the Registry of Deeds and to record the plans after endorsement; forms may be obtained from the City Clerk's Office.
Any appeal shall be made pursuant to Mass. General Laws, Section 17, Chapter 40A, and shall be filed within twenty (20) days after the date of filing of such notice in the City Clerk's Office.

Certified True Copy

I hereby certify that this is a true and exact copy of the original document dated this 10 day of Jan, 2024

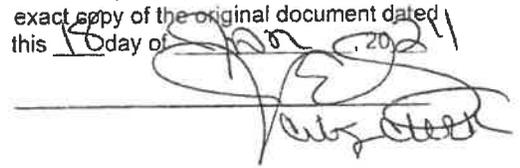
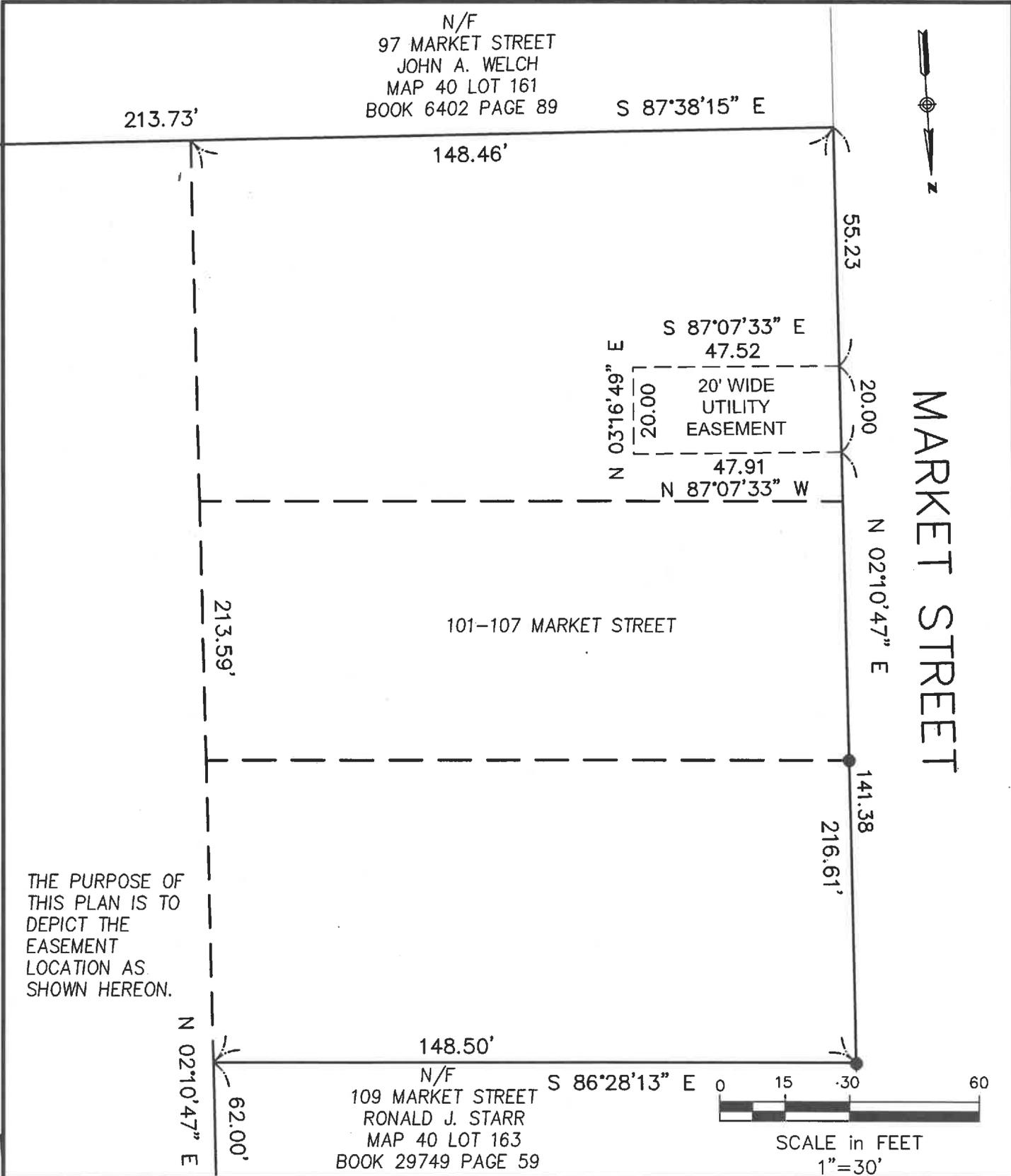


Exhibit A
Easement Plan



Winter GEC, LLC

44 MERRIMAC STREET
NEWBURYPORT, MA 01950
978-270-8626

101-107 MARKET STREET
AMESBURY, MASSACHUSETTS
PREPARED FOR
NEWBURYPORT HOMES LLC
11 LUNT STREET
NEWBURY, MA 01952

EXHIBIT A
"EASEMENT
EXHIBIT"