

## IPSWICH PLANNING BOARD MEETING MINUTES

Thursday, March 24, 2016, 7:30 p.m.

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a meeting of the Ipswich Planning Board was held on Thursday, March 24, 2016 in Room C, 2nd floor of Town Hall. Board members Heidi Paek, Jay Stanbury, Keith Anderson, Kathleen Milano and Cathy Chadwick and Associate member, Carolyn Britt, attended. Senior Planner, Ethan Parsons, also attended.

Paek convened the meeting at 7:31 pm with a quorum present.

**Citizens' Queries:** None

**Announcements:** Hearings to be continued without discussion include the special permit and site plan review applications at 195 and 199 High Street and the special permit application at 44 Brownville Avenue.

### **Adopt Minutes from 1/28/2016**

*Anderson moved to approve the 1/28/2016 minutes. Milano seconded. The motion passed unanimously.*

*Documents:*

- Draft Minutes from 1/28/16

**Request by Rob Martin for Minor Modification to Site Plan and Special Permit decision** granted 10/2/2008 for 2 Brewery Place.

Anderson recused himself from this matter.

Rob Martin appeared before the Board. The Building Inspector and Martin have been rectifying the as-built plans to reflect what has been completed. The approved plan indicates a "proposed garage", which is not currently or anticipated to be used as a garage. The garage is now used as part of the brewery's dining operations area instead.

*Stanbury moved to find that the elimination of the garage is a minor modification. Chadwick seconded. The motion passed unanimously.*

*Milano moved to approve the minor modification. Chadwick seconded. The motion passed unanimously.*

The second change is in regard to signage for an additional handicap accessible parking space, which Martin added to the parking area designated for employees. It is located in front of a door that is used rarely. Paek was concerned about the "accessible parking only" sign being on the door, which might not be visible if the door were raised. Martin explained that the sign is in compliance with the ADA guidelines. Milano asked if the door may come out eventually. Martin said it would not. Martin agreed to place a second sign next to the door that would be visible when the door needed to be open.

*Chadwick moved this is a minor modification. Milano seconded. The motion passed unanimously.*

*Stanbury moved to approve the minor modification. Milano seconded. The motion passed unanimously.*

*Documents:*

- 3/18/16 Letter to Planning Board from Rob Martin
- Sheet AB1, As-Built, dated 3/10/16
- Permit Site Plan, prepared by Graham Associates, Inc., 8/21/08, last revised 10/2/08

**Request by Clarke Associates, LLC for minor modification of 10 North Main Street special permit of 12/10/15.**

Jeff Clarke described increasing the size of the rear windows for more light, resulting from discussions with the Architectural Preservation District Commission, a potential buyer and a real estate broker. A retaining wall is also proposed to keep the earth back from each window well that will be dug below grade.

The Board reviewed plans that show the changes, which confirmed that the proposed building will still be under the maximum 15% volume increase permitted by the Bylaw. The Board noted the change will not dramatically change the view from abutting properties. Stanbury asked the applicant to check the building code to see if a handrail was required for the retaining wall listed on the plan at the height of 3' 11". The letter stated the wall would be 18" high. The applicant said that the code would be followed and the accurate height would be recorded on the plan. Milano asked if this new retaining wall would link to the already approved retaining wall. Clarke said he would look into this.

*Stanbury moved to find this is a minor modification. Milano seconded. The motion passed unanimously.*

*Stanbury moved to approve the minor modification. Anderson seconded. The motion passed unanimously.*

*Documents:*

- Letter from Clarke Associates, LLC to Planning Board, dated 3/18/16
- Sheet A1, Rear Elevation, Carriage House @ Sparks Tavern, last revised 3/22/16

**New Public Hearing: Request by Field of Diamonds, LLC for special permit and site plan review for the construction of a new building to be occupied by a retail establishment selling motor vehicle parts and accessories at 80 Turnpike Road (Assessor's Map 27C, Lot 20B), pursuant but not necessarily limited to Sections V.D, VI.B, X and XI.J of the Zoning Bylaw.**

Paek read the legal notice and opened the public hearing. The parcel is just south of Tractor Supply. Michael Dryden, Bohler Engineering, appeared before the Board. Dryden noted that the plans are also currently under review by the Conservation Commission and the Board of Health. Dryden described the proposed site of the proposed O'Reilly Auto Parts. The lot used to be a driving range so the land is very flat. The applicant proposes 32 parking spaces and no new curb cuts. The Design Review Board (DRB) commented on this plan at their March 7<sup>th</sup> meeting. They requested a reduction in the parking area. The applicant agreed to remove five spaces but asked if they could be kept on the plan. Matthew Darling, representing the parcel owner, said that it is acceptable to lose the five spaces but he would like assurance that no further reduction in parking be required. Paek asked what the Board thought about the parking and indicated that this issue will be taken up again after the site visit. A roof ladder has been moved to the back of the building per the DRB's recommendation. The DRB will take another look at the analysis for the lighting as they are considering adding one more pole to the rear of the building for the trash enclosure. They also suggested that some lighting be added to the front of the building, and this is being added to revised plans. Dryden also walked through the landscaping plan. Britt said when she did a drive by she saw some fruit trees that had a mature canopy. The DRB was aware of these as well, but asked that

something with more stature be placed in this area. Britt also asked if the back area would just be left to grow naturally. Dryden said this area is under the Conservation Commission's jurisdiction and they asked that this area be maintained in its natural state.

A site visit was set up for Monday, April 11<sup>th</sup> at 8:30AM.

The special permit for a retail establishment selling motor vehicle parts and accessories was discussed. The products would be brought in on a truck a little smaller than what is used at Tractor Supply. There should not be more activity than at Tractor Supply and they plan to employ 2-3 people full time. They don't usually have outdoor displays. Stanbury asked about the lighting on the property. The lighting was presented. Stanbury asked about the signage on the building, noting that there appear to be more signs proposed than is allowed in the Bylaw. Anderson suggested the Board should revisit what was permitted at Tractor Supply and take that as a cue. Anderson also asked about the south elevation where the building is barren and asked how much of this would be visible from Route 1. He suggested that some fake windows be added in the rear, which would make the view more aesthetically pleasing. Parsons mentioned that the wall signage is subject to a special permit. He also mentioned that there is a proposed agreement regarding access to the site from adjacent parcels. Paek said she thought that Tractor Supply has two wall signs and noted the Board would investigate this at the site visit.

*Chadwick moved to continue the public hearing. Anderson seconded. The motion passed unanimously.*

*Documents:*

- Letter from Chief Nikas to Planning Board, dated 3/20/16
- Email from Chief Gagnon to Ethan Parsons, sent 3/15/16
- Drainage Report to Proposed O'Reilly Auto Parts, prepared by Bohler Engineering, 2/17/16
- Letter from Michael J. Dryden, RLA and Matthew D. Smith, PE, Bohler Engineering, dated 2/19/16
- Special Permit Application, dated 2/11/16
- Site Plan Review Application, dated 2/1/16
- Site Development Plans, prepared by Bohler Engineering, 2/17/16
  - CT 1 of 2: Cover Sheet
  - CT 2 of 2: General Notes Sheet
  - D1 of 1: Site Demolition Plan
  - C1 of 7: Site Grading Plan
  - C2 of 7: Site Development
  - C3 of 7: Site Development Details
  - C4 of 7: Erosion and Sediment Pollution Control Plan
  - C5 of 7: Erosion and Sediment Pollution Control Details
  - C6 of 7: Utility Details
  - C7 of 7: Drainage Details
  - L1 of 3: Landscape Plan
  - L2 of 3: Landscape Details
  - L3 of 3: Irrigation Coverage Plan
  - SL1 of 1: Site Lighting Plan
- Exterior Elevations: Sheet A3, prepared by Buddy D. Webb, 8/25/15

**Approval Not Required Plan: 15 Arrowhead Trail and 30 & 32 Newmarch Street**

Paek noted that subdivision control does not apply in this case.

*Chadwick moved to endorse the plan. Milano seconded. The motion passed unanimously.*

*Documents:*

- 15 Arrowhead Trail and 30 & 32 Newmarch Street Plan of Land, prepared 3/17/16 by Meridian Associates

- Form A application, dated 3/8/16
- Variance Decision, 30 Newmarch Street, filed 2/4/16
- Variance Decision, 32 Newmarch Street, filed 2/4/16

**Continued Public Hearing: Request by True North Ale Company, LLC and Ipswich Junction, LLC** for Special Permits and Site Plan Review for an office building, enclosed manufacturing in a proposed building, storage building and related site development at 114-116 County Road (Assessor's Map 54A, Lot 8), located in the Highway Business District, pursuant to Sections V, X and XI.J of the Zoning Bylaw.

The peer review and the traffic study comments have come in and will be discussed by the Board. Peter Pommersheim, Meridian Associates, appeared before the Board on behalf of the applicant and went through the peer review comments. He discussed screening on the property and stated that he believes the requirements have been met. Paek is satisfied with the back of the brewery building as are the other Board members. The loading zone was also discussed. As the proposal does not meet the dimensional requirement for the loading zone, they are providing additional area in the vicinity. The applicant states that this is adequate because the site will be served mostly by Fedex and UPS size delivery trucks, not tractor trailers. Anderson thought this would be acceptable due to the types of deliveries. The Board agreed. The interior parking landscaping was discussed. While ten percent is required to be landscaped, the applicant requests a waiver because they suggest that the landscaping proposed is the greatest extent possible if they are to maximize parking supply. Anderson said that the main issue on the peer review was snow storage. The snow storage was discussed. The lighting was discussed at length from the photometric plan. The applicant stated that they are not counting the back of the property toward the parking-related landscape requirement because this is under the jurisdiction of the Conservation Commission. The Commission requires mitigation planting but this is not considered landscaping. If this were included they would be at or near 20%. The Board expressed that it is comfortable granting a waiver is required on this issue. Paek had a comment about the handicap ramps stating that it has been brought the Board's attention that when ramps are approved sometimes access through the door at the end of the ramp is not taken into consideration. Britt asked if they had planned to put in charging stations for electric vehicles, it was confirmed this would be investigated. Signage was discussed for the site, some signs larger than what is allowed will be requested and special permits are being submitted for the Aubuchon building as well. This will be discussed when this item appears before the Board.

Sam Gregorio, engineer at TEC, appeared before the Board to discuss the traffic comments. The driveway for Ipswich Ford was considered. They are not considering a 4-way intersection for this area. There is not a large volume of traffic entering and exiting Ford even at peak hours. The traffic study was discussed at length. Paek was concerned about the potential for a five car queue for the left hand turn taking two minutes to exit and the tractor trailers potentially crossing the center line. Stanbury said he's seen the trucks cross the center line often in town. The Shaw's site on High Street has a smaller opening for tractor trailer access than this proposal. Dimensional requirements for parking spaces was discussed and they are meeting them. Parsons discussed the signage. The brewery and distillery are requesting a special permit for larger signs than allowed under the Bylaw. The buildings are large and the signs are compatible with the size of the buildings so he thought the Board could approve these requests when they appear before them. Parsons will write a draft decision for the next meeting. He noted that an extension needs to be voted on for until April 18<sup>th</sup>.

*Stanbury moved to approve the extension until April 18<sup>th</sup>. Anderson seconded. The motion passed unanimously.*

*Stanbury moved to continue the public hearing until April 14<sup>th</sup>. Chadwick seconded. The motion passed unanimously.*

*Documents:*

- Peer Review Memo from Cammett Engineering, dated 4/11/16
- Peer Review Memo from Bayside Engineering, dated 4/11/16
- Permit Site Development Plan, prepared by Meridian Associates, 11/16/15, revised 10/3/15, 1/20/16 and 3/16/16
  - Sheet 1: Cover Sheet
  - Sheet 2: Record Conditions/Demolition Plan
  - Sheet 3: Site Layout Plan
  - Sheet 4: Site Grading Plan
  - Sheet 5: Site Utility Plan & Details
  - Sheet 6: Landscaping Plan
  - Sheet 7: Site Details
  - Sheet 8: Site Details
- Pre-Development Watershed Plan- Sheet 1 of 2, prepared by Meridian Associates 1/20/16, revised 3/16/16
- Post-Development Watershed Plan- Sheet 2 of 2, prepared by Meridian Associates 1/20/16, revised 3/16/16
- County Road Conceptual Brewery/Distillery Building, prepared by Martins Design Construction and Lincoln Architects, LLC, 2/29/16
- Site Signage, prepared by Martins Design Construction and Lincoln Architects, LLC, 2/29/16
- Site Plan Electrical (ES-1), prepared by Shepherd Engineering, Inc., 2/17/16, revised 3/4/16
- Letter from Peter Pommersheim, P.E., of Meridian Associates to Planning Board, dated 3/16/16
- Stormwater Analysis and Calculations, prepared by Meridian Associates, 3/16/16
- TEC Response to Peer Review Comments on Traffic Impact Analysis, 3/9/16

**Special Permit for True North Ale**

Parsons read the draft decision. In the findings, reference to “beer and rum” will be changed to “beer and alcoholic beverages”. Paek asked if it should be noted that Turkey Shore Distillery will be subletting. Parsons said he could be more specific about it. Paek also thought it should be a condition that if the tenant changes the Board should be notified. Parsons recommended adding mention of the signage under the findings section as follows: “The Board finds that the wall signs for Turkey Shore Distillery and True North Ale are appropriate due to the scale of the building.” In condition 12 the word “property” will be changed to “building”.

*Stanbury moved to approve the special permit for Ipswich Junction and True North Ale as discussed. Chadwick seconded. The motion passed unanimously.*

*Documents:*

- Draft special permit decision, prepared 3/24/16

**New Public Hearing: Request by Holloran Companies for a special permit and site plan review**

application for eleven dwelling units and one commercial office unit (multifamily dwelling) at 30 South Main Street (Assessor’s Map 42A, Lot 112), pursuant but not necessarily limited to *Sections V.D., VI.B and Footnote 11,X. and XI.J.* of the Zoning Bylaw.

John Seger, Seger Architects, Jeff Holloran, Holloran Companies, Christopher Latham, attorney for Holloran Companies, and Sean Malone, Oak Consulting Group, appeared before the Board. Most of the revisions to the plan occurred before the Planning Board’s site visit as a result of meeting with the Historical Commission. The changes were discussed at length. Stanbury asked if the windows would be operable and it was confirmed that they would be. Paek asked if the patio was raised above-grade and, if so, how high was the step onto the lawn? It was explained that the patio was not designed for a step onto the lawn. Sean Malone discussed drainage and storm water management on the property. Malone also

discussed the landscaping plan. Milano questioned the access to the basement and asked if the company who picks up the trash would have access the basement. It was confirmed that they would have a lock box to get into the basement. Paek would like to see the final decision for the railings on the South Main Street side steps for the next meeting. Chadwick noted the steps are not even leading up to the front door and asked if they would try to level them off. It was confirmed they would, but they are not replacing them. The Affordable Housing Trust and Partnership recommendations were discussed. The applicant proposes an affordable unit that is also handicap accessible, which is above and beyond the requirement. There will also be an appropriate donation to the affordable housing trust. Paek explained that this application triggers footnote 11, which allows the Board to grant a special permit for an increase density, therefore the applicant will need to offer an additional public benefit beyond the affordable housing requirements. Paek explained she is thinking about something that would be useful for Ipswich that would benefit that area of town and/or an additional donation to the Affordable Housing Fund. It was explained it has to be for affordable housing or public recreation.

Ed Dick: Stated that he is on the Affordable Housing Trust but he recused himself from commenting on this case. He does not think that there should be an additional obligation than for the applicant to provide one affordable unit. They are going beyond that requirement by proposing a 2 bedroom affordable unit and making it handicap accessible. Paek explained that this unit is required to comply with the inclusionary housing bylaw but not footnote 11. Dick explained he thought they already went the extra mile. Paek said she understood the extra improvements were generous but she wanted to make sure that the public benefit under footnote 11 is also documented and noted. Latham asked the Board to take the project costs into consideration because it affects the bottom line and feasibility of the project. Britt suggested that one way to blend their interests with the Town's is to create historical signage in the area.

Ed Dick: Thought the historical restoration should be included as a community benefit. The seller is in litigation with the Town and this proposal is the resolution, which will be a benefit to the community.

Anderson reminded the Board that in a recent approval downtown of a handicap accessible the Board allowed the applicant to forgo payment because of its benefit. Paek said this is not an exact parallel as it was a project that created one new unit where a residential unit previously existed. The loading dock requirement will be waived because there are no deliveries to the property. As for the parking limitations the Board finds these acceptable. The Board thought staff could prepare a draft decision for the Board's consideration at the next meeting. Parsons also discussed footnote 11, stating that the public benefit could possibly be for the installation of an interpretive sign.

*Chadwick moved to continue the public hearing. Anderson seconded. The motion passed unanimously.*

**Continued Public Hearing. Request by J&K Realty Trust for a special permit** for a multifamily use and modification of a site plan approval for the addition to a mixed use building and related site development at 195 and 199 High Street (Assessor's Map 21, Lot 7A & 93), which is located in the Highway Business Zoning District and Water Supply Protection District, pursuant to but not limited to Sections V, X and XI.J, of the Zoning Bylaw.

*Stanbury moved to continue the Public Hearing without discussion. Milano seconded. The motion passed unanimously.*

**Continued Public Hearing: Request by J&K Realty Trust for a special permit** for a multifamily use and modification of a site plan approval for the addition to a mixed use building and related site development at 195 and 199 High Street (Assessor's Map 21, Lot 7A & 93), which is located in the Highway Business Zoning District and Water Supply Protection District, pursuant to but not limited to Sections V, X and XI.J, of the Zoning Bylaw. For the water supply district.

*Stanbury moved to continue the Public Hearing without discussion. Milano seconded. The motion passed unanimously.*

**Continued Public Hearing: Request by Frederick Scopa** for a special permit for the proposed conversion of an accessory structure into a dwelling unit at 44 Brownville Ave.

*Stanbury moved to continue the public hearing without discussion. Milano seconded. The motion passed unanimously.*

#### **GENERAL BUSINESS:**

**Zoning Amendments:** The Board discussed potential zoning changes for the Fall Town Meeting. The schedule was discussed, and it was decided when public hearings would be held between August and September. The Board will consider adding Historical Preservation to footnote 11 as a miscellaneous change at Chadwick's suggestion. A memo sent from staff addressing possible changes to the Bylaw was discussed. A proposed change to the Intown Residence District in order to create housing affordable for moderate income families was discussed at length. This change would require quite a bit of research, but has been done in Town previously. The specific pockets of parcels to which this change would apply is very small. One change may also be to require a special permit, which would provide close oversight. Anderson felt this was worth looking into and talking about but had some reservations. Chadwick wanted to know how many lots this could affect. She doesn't think it should be done without first looking into the number of potential accessory conversions that could be proposed in the IR. Milano also thought we should look into limiting the size of houses across the board. Britt wanted to add to miscellaneous the definition of lot area in the tidal wetlands.

**Community Development Plan:** Chadwick wanted to suggest that the Board dedicate a meeting to the plan update because it is important and there is not enough time during regular meetings to devote to it.

**Annual Report:** There are no edits to the annual report.

**NEW BUSINESS:** None.

**ADJOURNMENT:** *Anderson moved to adjourn the meeting at 10:59 PM. Chadwick seconded. The motion passed unanimously.*

Respectfully submitted,

Jennifer Dionne, Recording Secretary

The Board approved these minutes on June 2, 2016