

IPSWICH PLANNING BOARD

MEETING MINUTES

Remote Meeting using ZOOM

Wednesday, January 20, 2021

6:30 PM

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a remote meeting of the Ipswich Planning Board was held on Wednesday, January 7, 2021 using ZOOM. Board members Keith Anderson, Mitchell Lowe, Jeffrey Anderson, Carolyn Britt and Helen Weatherall were present. Kevin Westerhoff was absent. Staff, Ethan Parsons and Kristen Grubbs, were present.

K. Anderson convened the meeting at 6:34 PM with a quorum present.

K. Anderson noted the Board members that were present as well as Town staff, Ethan Parsons, Kristen Grubbs and minute taker Odile Breton.

Citizen Queries: None noted

Discuss potential zoning amendments for 2021 Town Meeting and other potential updates to Rules, Regulations, and Policies

Parsons noted he and Grubbs sent the Board a memo regarding the potential zoning amendments. Parsons noted there is a lot to digest including a new article being proposed. He stated there is a buyer for 55 Waldingfield Road. Parsons noted this is a prominent property and there is a mansion on the property that was built before 1948. It abuts the Julia Bird reservation, which is a Greenbelt property. Parsons explained why the Board is being presented with this zoning amendment. He stated an eye research company (Ora, Inc) based in Andover is buying the property and the company wants to reorganize its business model and operate the headquarters for the business at 55 Waldingfield Road. Parsons said the property is 38 acres. Under current zoning bylaws the property does not meet the definition of a Great Estate property but it otherwise appears to meet the spirit of that provision. The property is eligible for other uses, which may not be in the public's highest interest, such as single family housing. Parsons explained the amendments proposed would allow 55 Waldingfield Road to be eligible as a Great Estate property. Ora is working on a concept plan for the business.

Parsons noted that prior to 1948 the property had more than 60 acres, which is currently a requirement to be considered a Great Estate. In the 1970s a portion of the land was conveyed to Greenbelt. The zoning amendment would change the definition of a Great Estate to allow for lots consisting of 60 acres or more prior to 1948 be considered a Great Estate provided land subsequently conveyed out was conveyed for conservation purposes and public access. Parsons noted a portion of the original estate land was conveyed for conservation purposes with public access. He noted the mansion would be required to be at least 12,500 square feet and be architecturally significant with significant landscape and constructed prior to 1948. Parsons said the main house- mansion- exceeds 12,500 square feet.

K. Anderson asked what other properties in Ipswich would fall under these proposed changes. Parsons said that as the proposed amendment is worded, it's possible that other properties could be eligible. K. Anderson would like a better understanding of what properties could be eligible under these changes. K. Anderson said the Board would also need to have a better understanding of the buyers' proposed use of the site. Lowe requested clarification of the proposed changes and asked if the proposal only changes the definition of a Great Estate. Parsons stated one change would affect future Great Estate projects. He pointed out one change of one acre to current zoning requirements in the floor area development. It states the total resulting floor area does not exceed the product of 3000 square feet times the number of dwelling units that could be developed under normal application of the current zoning requirements under the Town of Ipswich Rules and Regulations Governing the Subdivision of land.

Britt stated there was quite a bit of work done when the Great Estate zoning was passed regarding all the parcels that would qualify. She thinks it was 7 to 10 parcels that would be eligible and asked the Planning Department to review those documents. Under item 3.3, Britt asked for an explanation for the change from 40,000 square feet of existing building floor area to 30,000 square feet. Parsons said that is another change. He said the 55 Waldingfield Road lot does not meet the 40,000 square feet requirement. Lowe asked what could be done if the site does not qualify as a Great Estate. Parsons stated it would be like any other lot in the RRA district.

J. Anderson asked how the Planning Department can determine how many parcels the proposed changes impact and how can they determine the information in an efficient manner. Parsons said it could be figured out by first eliminating parcels less than 60 acres. He said they would also have to review parcels that abut conservation land. The lots would also be reviewed before land was conveyed to conservation land. J. Anderson noted that there is no minimum lot size defined under this change. Parsons stated any land conveyed in the past has to have been for conservation and must allow public access. K. Anderson said more information is needed for the next meeting. Britt suggested speaking with the Open Space Committee regarding the eligible parcels for Great Estate zoning.

The discussion moved to a potential article addressing water neutral growth. Parsons said he and Kristen have met with Vicki Halmen from the Water Department and George Hall, legal counsel for the Town. Parsons stated that Hall did not recommend a change the zoning bylaw. He suggested using the Water Commission's authority under its water regulations. The Water Department and Water Commission are developing amendments to regulations to achieve water neutral growth.

Parsons noted changes to site plan review and the special permit section of the zoning bylaw. The changes would allow the Board to mandate certain water conservation measures. Grubbs stated more explicit language was added to the criteria in regards to water usage. Parsons explained that there is an opportunity for the Town to raise fees for new developments, however there could be opportunities to waive the fees if water mitigating actions are taken. Lowe is concerned with continuously monitoring sites for water use to ensure mitigating tools are in place and working. Lowe is reluctant to offer breaks on fees if no water is actually saved.

Parsons stated enforcement was discussed. Parsons said Lowe raises an interesting point. A development could install low flow fixtures, however it could still consume a lot of water. Parsons said that a certification from a licensed plumber could be requested for installation of water efficient fixtures. Weatherall suggested setting levels of water consumption and if they are exceeded then charge a fine.

Lowe requested better language that includes metrics instead of “maximum extent feasible”. Parsons said the Board has limitations related to regulating the interior of buildings, which is controlled by the building code. Grubbs said the wording is broad and consistent with other language in the bylaw.

Britt asked if the changes were needed for site plan review and special permits. She stated during the site plan review issues are identified. If water is not adequate, then there will not be water waste. She is concerned that the changes are adding to what is already in the site plan review and special permit standards.

J. Anderson stated the Board has no control on how owners use water. He is concerned about the lack of data to support proposed changes. For example, how does the Board measure water efficiency for proposed projects? Britt understands that the Board can request a number of items if an applicant is requesting a density bonus.

Parsons said several items from the Community Development Plan can be added to regulations.

The discussion moved to Inclusionary Housing. Parsons attended the Housing Board meeting in December and recruited Charlie Allen and Jim Warner for help with potential changes to inclusionary housing. Allen sat on the Planning Board in the past and is knowledgeable on affordable housing. Allen has looked at costs to develop affordable housing, costs to developers, profits, and typical developments in Ipswich. Allen developed a formula for rental projects and for sale projects that would lower the threshold for requiring affordable units to one for every seven units. That means that 15% of units in multifamily developments would have to be affordable. Fees would increase as well. Parsons noted that Allen’s formula is a starting point for the discussion. Parsons reviewed the formula. J. Anderson noted there are a few assumptions in the formula. J. Anderson explained how the calculation worked for a newly constructed single family home sale and how the fee is applied if the developer does or does not make the unit affordable.

Parsons reviewed a proposed table for multi-family rental projects. He said the fees would slightly change. He stated the current bylaw allows the fee to be waived if a ten unit multi-family project provided one affordable unit. The proposed change being considered would require a newly developed ten unit multi-family project to provide one affordable unit and pay a fee of \$84,813 to the Affordable Housing Trust. The table uses the cost of creating an affordable unit.

K. Anderson noted the Board promised to make substantial changes for inclusionary housing for Annual Town Meeting. Parsons said the zoning bylaw changes could be proposed for Annual Town Meeting and work can continue on proposed changes to the Board’s Payment-in-Lie Regulations.

Britt said the Board should support the proposed changes with communities that have success in doing 15% of units as affordable or one required unit in multi-family rental projects of seven units. She suggested that the Board needs to have a good reason for requiring 15% and should see evidence that it is working.

J. Anderson stated he reviewed at random some other Massachusetts town bylaws for inclusionary housing. He stated the Ipswich bylaw is difficult to understand. He said the formula is not only driven by market sale price but also by median income. He reviewed special permits issued in Ipswich over the previous ten years and noted only one project in the category of 5-10 units had an affordable housing unit.

K. Anderson likes mandatory units.

Parsons said there are public hearings scheduled for March. There is time to make changes to the proposed articles.

Document referenced above: 2021 Annual Town Meeting Draft Articles v. 1/20/21

Announcements/New Business

None noted.

Adjournment

Lowe moved to adjourn. J. Anderson seconded. The motion passed unanimously.

Meeting adjourned at 8:30 PM

Meeting minutes prepared by: Odile Breton

Adopted on: March 12, 2021