

IPSWICH PLANNING BOARD
MEETING MINUTES

Town Hall, Room A, 25 Green Street, Ipswich, MA
Thursday, January 24, 2019 at 7:00 PM

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, January 24, 2019 in Room A of Town Hall. Board members Keith Anderson, Heidi Paek, Kathleen Milano, Carolyn Britt, Kevin Westerhoff and Associate, Paul Nordberg, were present. Staff present: Ethan Parsons.

Anderson convened the meeting at 7:02 PM with a quorum present.

Anderson introduced Associate Member, Paul Nordberg, to his first meeting as a Board member.

Citizen Queries: None noted

New Public Hearing: Request by AT&T Mobility/SAI Communications for the replacement of existing panels, radios and related equipment on an existing monopole at 2 Turnpike Road (Assessor's Map 49, Lot 003), located in the Limited Industrial and Wireless Communication District A zoning districts, pursuant to Sections IX.G and X of the Zoning Bylaw

Anderson opened the hearing by reading the legal notice. Emily Barnes and Timothy Green of SAI Communications presented for AT&T. Barnes said AT&T is requesting a permit to add additional capacity for the future. This is the fourth AT&T upgrade since the tower was built. Anderson asked if the height of the pole will change. Barnes confirmed that the height of the pole will stay the same. Paek asked if the signal would improve. Barnes said it will. She said the purpose of the project is to upgrade equipment to handle more capacity and provide better service for customers. Westerhoff asked if this is a 5G upgrade. Green said it is not part of the 5G upgrade. Anderson stated the request appeared straightforward. He noted that Parsons had prepared a draft decision. Anderson asked if the Board had any objections to Parsons proceeding to review his draft and if there were any public comments. Hearing none, Anderson asked Parsons to proceed. Parsons reviewed the draft decision for site plan review approval, including suggested findings and conditions. The Board did not suggest any changes to the draft.

Paek moved to approve the site plan review application. Westerhoff seconded the motion. The motion passed unanimously.

Paek moved to close the public hearing. Milano seconded the motion. The motion passed unanimously.

Documents:

Plan: AT&T, Site Number MA3382

Prepared by: Hudson Design Group, LLC

43 Beechwood Drive, N. Andover, MA 01845

Dated: 10/9/18, revised 12/13/18

Sheets: T-1, Title Sheet; GN-1, General Notes; A-1, Compound & Equipment Plan; A-2, Antenna Layouts & Elevation; A-3, Details; A-4, Equipment Details; RF-1, RF Plumbing Diagram; G-1, Grounding Details Structural Analysis Report, prepared by SBA Communications Corporation (stamped by Jie Chen, MA P.E. #52770), dated December 13, 2018

New Public Hearing: Edward Dick, Trustee, Ipswich Mini Storage Trust, for site plan review approval for the construction of a new self-storage building at 22 Hayward Street (Assessor's Map 53B, Lot 51), located in the Industrial District, pursuant to Section X of the Zoning Bylaw

Anderson opened the public hearing by reading the legal notice. Edward Dick, Trustee for the Ipswich Mini Storage Trust, presented. Dick explained that he is requesting site plan review approval to replace a metal building that was built in 1984. He has three such buildings on his exclusive use area and one will be replaced with a building that is 55 x 120 feet and two stories tall. It will also be used as a storage facility. Dick said he was requesting a waiver from submitting a stormwater management analysis because there is no net difference in the runoff and runoff will occur off of the roof, not the asphalt. The water will go into the existing stormwater system. The two buildings in the rear of the lot will be fixed up, not replaced. Dick said there are no formal parking spaces at the site because of the nature of the storage business, but there is sufficient maneuvering and parking area as well as parking at the business office at 27 Hayward Street.

Dick explained that the building will be roughly 25% non-climate controlled and 75% climate controlled. The road and the industrial park are privately maintained. Anderson asked if sprinklers are required. Dick said he intends to install sprinklers and would seek a final decision from the Fire Chief. Parsons said the Fire Chief would review the plans before a building permit is issued. Paek asked if all the exterior lighting is recessed. Dick pointed out the location of the exterior lighting and explained that it will be shielded down. Westerhoff asked where the mechanical equipment would be for the climate control system. Dick said it will most likely be on the roof. Anderson asked if Dick plans to install solar panels. Dick said he will need to know if the structure can handle solar and he is unsure if he will install panels. Britt and Dick discussed the possibility of adding solar panels. Britt said she spent the day at the State House talking about all the new environmental bills and she anticipates mandatory net zero building will come sooner than we think. She noted that the industrial park has a lot of roof space for solar panels. Anderson asked about lighting at night. Dick said it will be motion activated outside of the building. Westerhoff asked about the hours of operation. Dick said the business is open 24/7. Anderson asked what would happen to the existing trees in front of the building. Dick said it is infeasible to save the trees during construction. He added that his landscape plan was designed to offset the loss of trees. Anderson asked how far the project is located from the Ipswich River. Dick said the work limit is about 350 feet from the river. Anderson asked if the Board had any questions or concerns about the requested waivers. Paek said the work will be an improvement in terms of the building appearance and she does not have any issues granting the requested waivers. Anderson asked members to drive by the site before the next meeting instead of a formal site visit.

Britt said that it is hard to evaluate the project for energy efficiency unless the Board knows the specifications for heating and cooling. She asked that Dick submit this information before the Board renders a decision. Dick said the plan will have to meet the new energy code, which is daunting. Anderson said that could be expressed in the decision. Anderson asked Parsons to draft a draft decision. Dick asked that the Board continue the hearing until its February 28 meeting.

Milano moved to continue the public hearing to February 28, 2019 at a meeting beginning at 7:00 PM in Room A of Town Hall. Paek seconded the motion. The motion passed unanimously.

Documents:

- *Architectural Plans, prepared by Olson Lewis + Architects, 12/27/18 (SP1.0: Site Plan Existing; SP1.1: Site Plan Proposed; SP1.1b: Site Plan Lots; SP1.1c: Site Plan Setbacks; SP1.2: Enlarged Site Plan; SP1.2b: Partial Contour Site Plan; A2.0 Floor Plans; A3.0: Exterior Elevations)*

- *Simkar AF Series Architectural LED floods*
- *Landscape Plan, prepared by Meridian Associates, 12/21/18*
- *Proposed Building Plan, prepared by Donohoe Survey, Inc., 12/18/18*

Request by Dave Clarke/Clarke Associates for authorization for issuance of occupancy permit for unit #10 at 6-8-10 North Main Street

Anderson stated the Board is revisiting this case, which has been ongoing. In May of 2018 the Board granted a two year extension to a temporary certificate of occupancy for #10 North Main to allow for a plan to be agreed upon and implemented to resolve drainage issues. Anderson noted that the Board received a letter stating that the condominium association and Clarke Associates reached an agreement for funding the work.

Dave Clarke, Clarke Associates, said there is an agreement for funding the drainage project and the issuance of a permanent certificate of occupancy is a crucial next step to bring this to a successful conclusion.

Also present were Kibby Squires-Pilla, owner #10 North Main, and Don Gentile, attorney for Squires-Pilla. Gentile stated that Squires-Pilla's goal is to make sure the drainage system is installed and this project is closed out in a timely manner. Gentile asked how the Board would ensure the work were carried out. He asked if there will be an enforcement order with a construction schedule to be met by certain dates. He asked if the Board will require a bond.

Anderson said the Board will need to decide if the plan and agreement is enough or if the Board wants to require some sort of assurance that this is done timely. Gentile asked if there is a certificate of compliance procedure where the entire project gets closed out. Parsons said that the Board typically does that by authorizing the issuance of the occupancy permit. Parsons said it is not out of the ordinary for the Board to ask for a construction schedule or a performance date.

Bill Heenehan, 6 North Main Street, and a Trustee of the condominium association, said that since the process has begun it has been the association's position that the drainage system be resolved as quickly as possible. The association has a contractor for the project and the project will be underway as soon as the contractor is available and he will complete the work as quickly as he can. Heenehan said the association is at the mercy of the contractor and his availability to begin.

Anderson asked for comments from the Board. Paek requested Clarke elaborate on the agreement with the association. Clarke stated that as part of the settlement, Clarke Associates' insurance company is a participant in funding the drainage project. Clarke Associates has not been involved with vetting contractors. The completion of the project is the responsibility of the condominium association. It will have the funding and will be in charge of the work and the timeline. Heenehan stated that the settlement was with the condominium association as it involves common areas of the association. It is not the owners of units 6 and 8 North Main Street that are responsible. It is the association's responsibility to see the project completed. Heenehan said that for over two years the association has wanted this issue resolved and they are now in a position to solve it.

Paek said it seems that progress has been made with the settlement agreement and the hiring of the contractor. She said that based on the current situation she would support a permanent certificate of occupancy. Britt asked Parsons what would be the downside of requiring a performance bond. Parsons said it's a possible instrument for surety but not the most preferable instrument. He suggested asking the association because it will be assuming the responsibility for installation of the drainage plan. A bond

would be some leverage for the Town. Squires-Pilla expressed an interest in the Town playing a role in assuring that the work is done in a timely manner. Parsons stated he would not want Squires-Pilla to be punished if the work is not done. He did not think zoning enforcement against Squires-Pilla would be appropriate. Anderson said the enforcement is complicated as Clarke Associates was the original applicant but they have sold the property, and the special permit runs with the land. Gentile suggested that the association provide a construction schedule and that the Board could step in if the schedule was not being met. Clarke said the association is here tonight and has been vocal about moving forward. He said the money to complete the project is already in place and adding a bond may potentially slow down the process. Anderson asked Clarke if the permanent certificate of occupancy is required for the insurance company. Clarke stated it is a loose end that the insurance company would like resolve. He said that not issuing a permanent certificate of occupancy at this point would slow things down. Heenehan, however, stated that the association is in receipt of all funds associated with the settlement. The association would entertain a small bond tied to the completion of the project. Britt asked about waiting to the next meeting to approve a certificate of occupancy and to allow the association to provide a contract and a contractor schedule. Heenehan informed the Board that Larry Graham will be managing the project on behalf of the association. He stated it is difficult to adhere to specific dates during installation and suggested an end date instead. Anderson agreed with Britt about delaying voting to authorize a permanent certificate of occupancy until the Board sees a signed contract for the project. Anderson asked the Board if that would be enough. Paek agreed to delay issuing the certificate of occupancy and to see a contract in place and suggested an end date of October 31. Paek said she is comfortable with not requiring a bond if a contract is in place. Milano agreed with Paek. Westerhoff said it sounds like everybody wants to do what has been discussed and it appears that it is in motion. Anderson requested a signed contract with a completion date of October 31 by the next Board meeting, February 7, 2019.

Anderson stated this was not a public hearing therefore there was no need to vote to close or continue.

Documents:

- *October 19, 2018 letter to Glenn Gibbs from Attorney Thomas J. Delaney*

Continued Public Hearing: Request by South Side Green, LLC for a special permit to alter an existing nonconforming building with an addition and repurpose it as a four-unit multifamily dwelling, at 64-66 County Road (Assessor's Map 42C, Lot 115), located in the In town Residence District, pursuant but not limited to Sections II, V, and XI.J, of the Zoning Bylaw

Anderson reminded the Board and the audience that this is an application for a special permit for four residential units. John Colantoni, developer, Thad Berry, engineer, and John Dugger, architect, presented for the applicant. The application is for a special permit to convert one commercial unit to a residential unit and create four residential town houses, each approximately 2,000 square feet. Colantoni said that he had met with the DRB since the last meeting. The DRB requested that they de-emphasize the south elevation. Colantoni described the changes since the last meeting. He said no changes had been made to the front of the building. The changes relate to the exterior of the new building, focusing on the south side of the project. He said a portion of the roof line was removed and a gable look was added. There have been no elevation changes or height changes. Westerhoff asked if the DRB had any comments with respect to colors of the buildings. Colantoni said no. Paek noted that on the renderings there are a couple of tones of color, which helps break up the massing of the building. Paek said the changes were an improvement. Britt said that if the applicant were willing to reduce floor area within the units, particularly the 3rd floor, it would result in a positive reduction of the building size. She read the DRB's discussion and the DRB recommended that the building be de-emphasized and made smaller, particularly because it

appears tall and massive from the south. Britt said she was hesitant for the Board to make a decision until the DRB sees the changes and determines that the changes address its recommendation. Colantoni said they cannot make the building any smaller. He said the south view has changed three or four times based on the input from various boards and committees.

Paek said that overall the project is an improvement. The project restores a dilapidated building and the view from the street will be improved. The courtyard has been opened and the single building that the project started with has become two. Westerhoff asked if the lighting fixtures that have been proposed are appropriate for the period of the house. Colantoni said they have not selected the lighting yet. Westerhoff emphasized that color choices and lighting choices are details to pay attention to so that the project fits into the character of the neighborhood. Anderson reminded the Board that the project needs the approval of the Architectural Preservation District Commission.

Berry discussed the stormwater management plan. He said he received review comments from Cammett Engineering. He has no issues with making suggested revisions and will submit them to Cammett for a second review. Anderson asked Berry to highlight Cammett's major concerns and how he plans to address them. Berry said Cammett questioned the survivability of certain plants and trees as well as some questions on erosion control. Berry said there were also some questions about the rain gardens and how they work. He said that the project does not increase storm water runoff. The applicant is providing a number of areas that will allow water to infiltrate into the soils naturally and prevent water from running off onto adjacent lots.

Laura Gresh, 72 County Road, said the project improved when the initial building being proposed was divided into two. The main concern of the neighborhood is the south façade and the scale and mass of the building. Neighbors attended the DRB meeting and the Board spoke about adding dormers on the third floor. Gresh said the changes that were made do not address the DRB's suggestions.

Parsons explained that this is a case where the APDC must also approve the project for it to move forward. The APDC was specifically created to review architecture and the historic appropriateness. The Board could approve a project that is also subject to the approval of the APDC. If the plan changes after the Board votes, then the Board would have to approve the changes.

Anderson asked about the location of mechanical equipment. Colantoni indicated the location of the air conditioning condensers. He said plants will obscure the units. Anderson said the changes are an improvement. The DRB meets on February 4, 2019 and this project is on its agenda. Anderson said the Board did not appear prepared to make a decision tonight. Anderson asked members if they felt ready to review a draft decision at the February 7, 2019 meeting. Britt said it makes sense for Parsons to begin preparing a draft decision and Westerhoff agreed. Parsons said any additional engineering comments would be incorporated in the draft. Parsons expects the plans to change after the Board makes a decision because of the APDC review. Paek agreed and said she is satisfied with the design as it appears now and the project is not out of character given the neighboring buildings. Milano agreed and said she is pleased with changes that have been made. Anderson stated Parsons will draft a decision for the next meeting. Britt asked Colantoni to bring in complete information regarding exterior lights for the buildings.

Paek moved to continue the public hearing to February 7, 2019 at 7:00 PM in Room A of Town Hall. Milano seconded the motion. The motion passed unanimously.

Documents:

- *Special Permit Application filed with Town Clerk November 7, 2018*
- *Architectural Plans, prepared by Duggar Development Services, January 24, 2019*

- *Site Plans, prepared by ASB design group, LLC, November 29, 2018, revised 12/6/18, 12/27/18, 1/22/19, and 1/28/19 (Sheet C1: Cover Sheet, Index & Notes; Sheet C3: Site Layout, Utilities, Grading & Drainage Plan; Sheet C4: Landscape Plan & Details; Sheet C5: Site Details; Sheet C6: Utility Details and Sewer Profile; Sheet C7: Erosion Control Details)*

Continued Public Hearing: Request by Angelo Ciardiello for a modification of a special permit and site plan review approval for a multifamily development, adding one dwelling unit to an existing mixed use building and demolishing a single family home and constructing a two family home in its place, at 62 and 64 Central Street (Assessor's Map 42A, Lots 247 and 248), located in the General Business District, pursuant to Sections V, VI (footnote 11), IX.I, X and XI.J of the Zoning Bylaw

Richard Griffin, architect, and Angelo Ciardiello, owner, presented. Griffin said that the DRB recommended adding windows to the rear of the new building. The land behind the new building is dedicated to a water and sewer easement and cuts diagonally across the property. Accordingly, it would be appropriate to add windows. Griffin said that at the last meeting there was a discussion about zoning code requirements. He said that the plan meets all setback requirements around the building or doesn't create any new encroachments. The permeable surface amounts to 25% with the two lots combined and only 5% permeable is required. The proposed height is one and a half to two feet shorter than the current building height.

Griffin acknowledged that the Board wants a complete set of drainage calculations. Parsons stated that the peer reviewer, Cammett Engineering, says the project needs to be designed to address the Massachusetts Stormwater Management standards.

Griffin said that the other aspect of the project is the conversion of a portion of the first floor of the building at 62 Central Street to a residential unit. This work requires no exterior modifications.

Anderson asked about parking for the new building. Griffin said the outdoor spaces are tight but he is confident there is adequate maneuvering area for cars. He said that the fence in the rear runs the whole length of the rear property and will be replaced with a wooden fence.

Westerhoff asked about the status with Cammett's review. Parsons responded that Cammett informed him as they began their review estimate that it appears the applicant's engineer did not address applicable stormwater standards. Cammett said it does not make sense for it to scope the peer review until that question was addressed.

Paek said she counted eleven spaces but the plan describes twelve spaces. Griffin said they are assuming that the dumpster will not be needed, thereby freeing up a parking space.

Odile Breton, 9 Soffron Lane, clarified for the Board that the lot Griffin described as non-buildable is private property and the residents that own the area use it. Breton stated that her understanding about the wood fence between 64 Central and the Soffron Lane property is that the fence belongs to the owners of the Soffron Lane property as the fence runs along the entire Soffron Lane property line. She said she did not understand why the applicant was proposing to remove a fence that did not belong to him.

Ciardiello said the subject fence is on his property. Breton said the parking is tight and asked where the snow would go. Griffin said there is an area toward the southwest corner where snow could be stored. Breton said that the snow would need to be pushed up against the fence. Ciardiello said he would haul snow off the property as needed. Paek said snow removal may be a condition if the Board approves the project. Anderson said snow removal was a condition of the 62 Central decision.

Dana Young, 4 Granite Court, asked about the height of the proposed fence between the rear of 62 Central Street and Granite Court. Ciardiello said he plans to install a six foot tall fence. Young said that Granite Court has a mix of residential and commercial properties. He asked if Ciardiello will be installing lights on the site. Griffin said the exterior lights approved initially have not been installed and may not be needed, provided the Board agrees. Griffin said that lighting on the building does not spill over to neighboring property in the rear.

Paek asked Young what height fence he would prefer. Young said he would prefer a wooden fence eight to ten feet tall. Young added that there was a lot of vegetation lost during the construction of 62 Central Street. When cars enter the 62 Central Street parking in the rear the car lights shine on to Granite Court houses. Young added that he would like to see the landscaping completed in the rear of 62 Central Street and he has problems with the drainage from Ciardello's property.

Anderson asked Ciardiello about the landscaping requirement from the original decision. Ciardiello stated that in 2018 he requested a modification to the special permit to add two gates, one pedestrian and one vehicle, to the rear fence. He said he no longer intends to install gates but he will install a six foot fence. Anderson said that the fence height should match the height of existing fences. Paek asked if the DRB completed its review. Griffin stated that there is a DRB meeting on February 4 and Ciardiello will present the revised plans at that meeting.

Peter Buchanan, 22 Brown Square, asked when the fence would be installed at the rear of 62 Central Street. He would prefer the fence be installed prior to demolition and construction of 64 Central Street. Anderson said it would not be installed until the applicant receives a permit to construct the project. Ciardiello stated that demolition could occur in the winter. Anderson said this is something the Board will consider in its decision. Parsons suggested requiring the applicant install a temporary construction fence instead of installing an expensive wood fence to prevent access through Granite Court during construction. He suggested that the Board could require certification that the fence is installed on the property line and that it remains for the duration of construction. Paek suggested requiring that the fence be installed as soon as weather permits. Anderson asked the applicant to identify items that still need to be completed on 62 Central Street that were approved on the special permit. Ciardiello stated the paving is done and the landscaping is done except for the piece to be added in the rear of the property toward the fence. Griffin added that insulation was completed on the first floor of the new building. Parsons noted that the inclusionary housing requirement still needs to be met for the existing project and Ciardiello should submit a plan addressing how he will meet it for the new project. Parsons explained the requirement. Griffin said Ciardiello is leaning toward making a payment to the Affordable Housing Trust in lieu of providing an affordable unit. Anderson said it is the applicant's choice to make a payment but encouraged Ciardiello to reconsider providing an affordable unit.

Paek asked if the windows and finishes of the proposed two-family building match those of the 62 Central Street building. Griffin said it will be pretty close. The windows are the same size and the tone will be compatible to 62 Central Street. Anderson asked where the mechanical equipment would be installed for the new building. Griffin said the condensers would be located on each side of the building for each unit. Britt asked about the use of solar panels. Griffin said solar panels had not been considered but are a possibility. Paek suggested the applicant investigate incentives from the Light Department and reminded Ciardiello and Griffin that energy efficient design is one of the Board's considerations.

Anderson suggested a site visit for Tuesday, January 29, 2019 at 8:00 AM. The Board and Ciardiello agreed to the site visit time.

Milano moved to continue the public hearing to February 7, 2019 at 7:00 PM in Room A of Town Hall. Westerhoff seconded the motion. The motion passed unanimously.

Documents:

- *Site Plan and Proposed Roof Recharge System Design & Analysis, revised through 1/14/19*

Continued Public Hearing: Request by First Presbyterian Church of Hamilton to modify a site plan review decision for the construction of a new unified worship space and related site work at 175, 177 and 179 County Road (Assessor's Map 53D, Lots 8 & 8A), located in the Rural Residence A district, pursuant to Section X of the Zoning Bylaw

Anderson noted that the applicant requested the Board continue the public hearing until the next meeting without discussion tonight.

Britt moved to continue the public hearing to the next scheduled meeting, February 7, 2019 at 7:00 PM in Room A of Town Hall. Paek seconded the motion. The motion passed unanimously.

Adopt Minutes of 12/13/18 meeting

Westerhoff requested a comment be added mentioning his suggestion about separating the buildings in a paragraph describing the 64-66 County Road discussion.

Paek moved to accept the 12/13/18 minutes with Westerhoff's addition. Milano seconded the motion. The motion passed unanimously.

Documents: Draft minutes of 12/13/18 meeting

Other Business:

- a. Board member and staff update on Town projects/general business

Britt raised a question about gas lights she noticed had been installed on the front of the District Condominiums. She said she didn't recall the Board allowing gas lights in the initial decision and she noted that LED lights would be more energy efficient. She observed that the gas light provide little illumination and The District added a spot light that was also not approved. Parsons agreed that the spot light is new and was not on the plan, however he noted the applicant showed on the approved plan that they would replace the light fixtures on the front, though they did not specify the lighting source. Parsons said he was not sure if it was appropriate to have the applicant come in to ask permission on how to power a light fixture the plan was vague and the Town's regulations do not prohibit using a non-electric source for lighting. Anderson said the fixtures appear appropriate for the building in terms of character. He does not think that the Board can dictate replacing the gas lighting. He suggested that Board members observe the spot light. Britt said the Board assumed that the lights would be LED. Paek said that going forward the Board should always ask for light specifications. There was a discussion about what, if any, next steps there should be. The Board decided to observe the property and discuss at the next meeting.

- b. Announcement of Environmental Notification Form for Proposed Wellfield at Lynch Site on Linebrook Road

Anderson announced that the Board received an environmental notification form for a proposed wellfield at the Lynch Site on Linebrook Road. He said the Board is not required to do anything other than announce receiving notice. The Water Department is in the process of evaluating the municipal water supply. One potential source for water is the Lynch property on Linebrook Road. Britt asked if there will be a hearing. Parsons said there will be a hearing and he would email the information to Board members.

New Business (*business not reasonably anticipated 48 hours in advance*)

Adjournment

Paek moved to adjourn the meeting at approximately 9:40 PM. Westerhoff seconded the motion. The motion carried unanimously.

Meeting minutes prepared by Odile Breton

Meeting minutes adopted March 21, 2019