

IPSWICH PLANNING BOARD

MEETING MINUTES

Remote Meeting using ZOOM

Thursday, January 28, 2021

7:00 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 Thursday, January 28, 2021 using ZOOM. Board members Mitchell Lowe, Jeffrey Anderson, Kevin Westerhoff, Carolyn Britt and Helen Weatherall were present. Keith Anderson was absent. Staff Ethan Parsons and Kristen Grubbs were present.

Britt convened the meeting at 7:04 PM with a quorum present.

Britt requested a roll call for all members present. She 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.

Request by Gary Rogers, True North Ales, for modification of special permit and site plan review to allow outdoor seating at 116 County Road

Gary Rogers was present. He requested extending outdoor seating for the safety of guests and the survival of the business. Currently, customers are reluctant to dine out in cold weather. Rogers said going forward, people will want outdoor seating as an option. He is requesting that the extended space used for outdoor dining during spring/summer/fall 2020 be permanent outdoor dining space. Revised site plans were sent to the Board. The extended outdoor seating area joins the existing patio.

Lowe asked if the barriers surrounding the area will change. He said the diagram makes the area appear temporary. Lowe stated if the request is to make the area permanent then the area should appear permanent.

Parsons noted that he considered the request to be a minor modification and noted that five parking spaces would be removed. Westerhoff asked if the special permit decision included a parking waiver. Parsons said there is a mechanism for the Police Chief and the Board to revisit the special permit and parking conditions. J. Anderson is concerned about the request being permanent. He stated adding concrete and curbs reduces the flexibility of the area. Lowe is concerned about maintaining the temporary look with tents and barriers. J. Anderson noted that the applicant does not own the parking lot and would not be able to tear up the parking lot to make changes. Britt stated there is a letter from the owner supporting the modification request.

Britt requested Parsons draft a condition that allows the Board to revisit its vote if parking issues arise in the future. The Board decided to continue the request to the February 18, 2021 meeting and Britt asked Parsons to draft a motion for the Board's consideration.

Documents: True North Ale Co. packet of material dated 1/28/21

Continued Public Hearing: Request by Brian Parro for a special permit, pursuant but not limited to, Sections IX.C and XI.J of the Zoning Bylaw to drill to a depth greater than 15 feet for a ground source heat pump in the Water Supply Protection District A, at 58 Mile Lane Road (Assessor's Map 29A, Lot 19)

Brian Parro, owner, and Jayme Ciaramitaro from Energy Smart Alternatives were present. Parsons provided information from the Water Department about the project. Parro stated the supplied materials reference guidelines of the Massachusetts Department of Environmental Protection (MA DEP). He stated MA DEP guidelines indicated toxicity of materials being used are low. MA DEP guidelines help to prevent contamination of the aquifer. The contractor's plans submitted to the Board follow MA DEP guidelines. J. Anderson noted the letter from the Water Department states the project would not adversely impact the Town's water supply.

Parsons reviewed the draft decision emphasizing conditions and findings. Parsons noted the drilling is subcontracted to Gap Mountains Drilling which is licensed to drill in Massachusetts. Parro had questions related to condition #10 which requires soil and bedrock samples for inspection for the Town. Parsons suggested Parro consult with the Water Department.

There were no further questions from the Board or the public.

Lowe moved to close the public hearing. J. Anderson seconded. The motion passed with 4 votes yes.

J. Anderson moved to approve the special permit as amended. Lowe seconded. The motion passed with 4 votes yes.

Documents: Draft decision prepared by Planning Department v. 1/25/21

- Email from Vicki Halmen to E. Parsons, 1/21/21

Continued Public Hearing: Request by John Colantoni for a Special Permit (and potential ANR endorsement) pursuant but not limited to Sections IX.S and XI.J of the Zoning Bylaw to create an infill single family house lot in the IR District at 3 Payne Street (Assessor's Map 42C, lot 119)

John Colantoni, developer, and Richard Kallman, Attorney representing Deirdre Davis, were present for the public hearing. Colantoni explained the changes made since the last meeting. He stated the turnaround space was eliminated to save the existing tree. Changes were made to the second floor exterior trim as suggested. He also stated the plans for the Davis lot include two car off street parking. The driveway area on the Davis lot will be gravel.

Weatherall thanked the applicant for making the changes but said she is still concerned about the scale of the house. Colantoni stated there are no requests for waivers on the infill lot. The scale of the house fits for what is permitted. Colantoni does not want to scale back on the size of the

house. He stated he made the changes based on input from neighbors. He stated there is a setback of 20 feet on the right side of the proposed house.

Britt asked about the central air unit. Colantoni stated it is by the garage. Britt is concerned about items sitting on the property such as boats. Colantoni stated confusion regarding what is an allowed use of the property. He said zoning laws are applicable for the addition of other structures such as a shed. He added there is no place to store a boat on either side of the house.

Westerhoff noted on the site plan the drainage line is close to the tree that is being saved. Colantoni stated he is working with the engineer to place the pipe a safe distance away from the tree.

Lowe stated he is in favor of infill lots. He said the proposed house is too large for the lot. Lowe stated the house should not be built to the setbacks on three sides. Lowe said the footprint of the house needs to be smaller. Colantoni asked how much smaller? Westerhoff noted the space between the house and an existing fence is less than ten feet. Colantoni said that is because the fence is within the infill lot. Westerhoff said visually it would look very cramped and that is the area Colantoni should review.

Britt stated that special permits require four out of five votes to approve.

J. Anderson commented that the project should fit the character of the neighborhood. There is not consistency within Ipswich regarding proper massing. He said the issue is building to the maximum on a very small lot, which gives up green space for building. J. Anderson is not opposed to the application as proposed.

Public Comment:

Willie Whitmore, 3 Kinsman Court, commented that it would be one of the largest houses in the neighborhood on one of the smallest lots. The proposed project misses the original intent of the infill provision.

Kathleen Gallanar, 16 Argilla Road, is concerned about parking and requested a condition to include parking for the Davis lot. She wants the Board to ensure the driveway is constructed on the original lot.

Kallman stated Davis is putting in a driveway that is sixteen feet in width and has two off street parking spaces. Davis would like to maintain as much green space as possible.

Joanne Delaney, 12 Kinsman Court, supports the infill provision and a build at this location. She said the size of the house is too large for the lot. She has requested the driveway be on the other side of the lot for visual continuity with the other houses on Payne Street.

Colantoni thanked the neighbors for their input. He suggested a condition be included in the decision to maintain the tree. He also expressed frustration with the Board and said there is nothing new being said this evening. The changes requested from the last Board meeting were done. He defended the decisions made for the location of the driveway and drainage design.

Britt suggested letting the Board work out where this application is going. Unless Lowe changed his mind, the Board couldn't approve the project with only three votes in the affirmative. Britt asked members to summarize their concerns.

Lowe suggested a condition that the left side setback be thirteen feet from the property line and the maximum width of the building be fifty-three feet. Westerhoff suggested a condition for the drainage line to be moved to provide clearance for the tree. J. Anderson suggested a restriction for the preservation of the tree. Britt suggested a condition for no storage of seasonal vehicles in the setback area. J. Anderson is concerned about the Board dictating how property owners use their lots.

Britt asked Parsons to make changes to the decision for the next meeting. Colantoni asked if the decision could be voted on tonight with the items discussed this evening included as conditions.

Britt noted no further comments or questions from the Board and the public.

J. Anderson moved to close the public hearing. Lowe seconded. The motion passed with 4 votes yes.

Parsons reviewed the draft decision emphasizing conditions and findings. Parsons noted the new conditions discussed this evening will be added.

Lowe moved to approve the special permit application as discussed and amended. J. Anderson seconded. The motion passed with 4 votes in favor and 0 opposed.

Documents: Packet for 1/28/21 meeting, including draft decision prepared 1/26/21 by Planning Department

Continued Public Hearing: Request by MMC Realty Holdings LLC for a special permit for a 7-unit multifamily development at 126 and 128 High Street (Assessor's Map 30B Lots 5 & 5A), which is located in the Highway Business and Water Supply Protection Zone II Districts, pursuant but not necessarily limited to Sections V.D, VI, VII, X and XI.J of the Zoning Bylaw

Britt announced the applicant requested to continue the hearing without discussion.

J. Anderson moved to continue without discussion to February 18, 2021. Westerhoff seconded. The motion passed with 4 votes in favor and 0 opposed.

Continued Public Hearing: Request by 108 Central Street LLC for a special permit and site plan review to create 6 units in a multifamily development at 108 Central Street (Assessor's Map 30D Lot 75), which is located in the Intown Residence District, pursuant but not limited to Sections V.D, VI, VII, X and XI.J of the Zoning Bylaw

J. Anderson is recused and Weatherall is appointed as a voting member for this application. K. Anderson is absent but can review the video recording of the public hearing using the "Mullin Rule".

Mike Becker, Charissa Vitas, applicants, and Thomas Mayo, architect, were present for the public hearing.

Mayo read a memo from Larry Graham, civil engineer for the project, to Mike Becker regarding the wetland regulations. Mayo stated the application has not yet been submitted to the Conservation Commission. Mayo reviewed site plan #5. He pointed out Farley Brook and the drainage easement on the plan. He stated that they are not permitted to disturb an area within 100 feet of Farley Brook and identified a line on the drawing where the 100 foot setback is located. He also identified a line on the drawing that is the 200 foot setback. The proposed building was redesigned because of the no-disturb restriction. The plan is for six new residential units and ten new parking spaces. The proposed building will have two one-bedroom units and four two or three-bedroom units. A portion of the building is three stories and the two wings are two stories. The building is designed around a courtyard in the front. Mayo reviewed two variations of the exterior building design. He also reviewed site zoning calculations. Mayo requested feedback from the Board.

Britt expressed concern that the project is not achievable because of the Conservation Commission requirements. She also stated concern for vehicles having the ability to back out of garages. Mayo stated vehicles have 22 feet, which is the amount required.

Westerhoff stated the scale of the building is large for the site. Westerhoff said there is currently an unobstructed view from the street to Farley Brook. He said in the current proposal the building will have a lot of visibility. Westerhoff said the issue is the density and the massing of the building.

Weatherall commented that the design of the building wings is not welcoming. She is concerned about the density for the site.

Lowe requested the applicant provide a streetscape rendering including the proposed building.

Public Comment:

Jim Umile, 110 Central Street, appreciates the changes made, however the building is too big for the site. He has concerns for vehicles and snow storage. He stated a one-bedroom unit does not necessarily mean one car for the unit.

Toni Mooradd, 106 Central Street, stated the proposed building is enormous and out of scale for the neighborhood and is similar to the mistake on the other side of her property. She does not understand the architecture and design style. She requested that the project be reduced in size and scale as it does not fit the character of the neighborhood. Mooradd stated the space in the rear of the building is wet. She said the construction is going to be disruptive to deer.

Jennifer Donahue, 12 High Street, said it is a huge structure going behind a single family home with a Mansard roof. She suggested a Mansard roof as it is not appealing to have mixed roof lines in the neighborhood. She said the proposed building is too big and not in character with the neighborhood.

Mat Cummings, 85 Central Street, said the building is enormous for the site and is not in Town character. He suggested the Board look at the area that is available for building and not the entire lot size. He said this is an opportunity for the Board to say the project is inappropriate for the neighborhood.

Becker said they will continue to work on the site plans. Lowe requested the applicant scale down the size of the building and have four or five units instead of six.

Westerhoff moved to continue the public hearing to February 18, 2021. Lowe seconded. The motion passed with 4 vote yes.

Documents:

- *108 Central Site Plan #5 and Proposed Elevation, prepared 1/21/21 by Thomas Mayo Associates*
- *Letter from Jim Umile to Planning Board, dated 1/11/21*

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

Don Greenough, Attorney at 15 Market Street, discussed the potential amendment to the Great Estate zoning bylaw language.

Jennifer Williams, Senior Project Manager for ORA, Inc. provided information about the company and the proposed use of the site (55 Waldingfield Road). She stated the company does clinical research in the ophthalmology sector. Finance, legal and IT would be located at the 55 Waldingfield Road site. She described potential plans for the site and noted the company has 400 employees worldwide.

Parsons stated the benefit of the proposed change is preserving the historic buildings and the land. Greenough added the purpose is to salvage large estate properties and not have subdivisions.

Weatherall asked about assurances that can be made. Williams stated the company is reviewing different options at this time and is not making any commitments.

Lowe said the change is a good idea, however he is concerned about the condition of Waldingfield Road and adding traffic to it. Westerhoff and Britt agreed that the potential project is a good idea.

Parsons asked if the Board needs another business meeting to review proposed zoning changes before the February 18, 2021 meeting. Parsons reminded the Board that it continued two public hearings for February 18, 2021. He suggested a meeting for February 16, 2021. This would allow the Planning Department to wrap up work on the proposed zoning amendments and send the information to the Board members prior to February 16, 2021.

Documents: Site Plan Presentation dated 1/27/2021

Consideration of County Street Bridge TIP project letter of support

Parsons said the DPW is applying for a state TIP for improvements to County Street. The draft letter from the Board supports the application.

Lowe moved to support signing the letter of support for the TIP project application. J. Anderson seconded. The motion passed with 4 votes yes.

Documents:

- *January 28, 2021 Draft letter of support regarding DPW TIP Application*

Adopt minutes of January 7, 2021 and January 20, 2021

Minutes were not available.

Announcements/New Business

No new business.

Adjournment

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

Meeting adjourned at 10:51 PM

Meeting minutes prepared by: Odile Breton

Adopted on: March 11, 2021