

IPSWICH PLANNING BOARD
MEETING MINUTES
Town Hall, Room C, 25 Green Street, Ipswich, MA
Thursday, February 28, 2019 at 7:00 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, February 28, 2019 in Room C of Town Hall. Board members Keith Anderson, Heidi Paek, Kathleen Milano, Carolyn Britt and Paul Nordberg were present. Kevin Westerhoff was absent. Staff present: Ethan Parsons.

Anderson convened the meeting at 7:00 p.m. with a quorum present.

Citizen Queries: *None noted*

Request by Frederick H. Ebinger III and Michael D. Lord, Trustees, Greens Point Investment Trust, for Approval Not Required plan endorsement at 171 Town Farm

Anderson said the ANR plan will divide the property. He said he reviewed the plan with Parsons and Paek. The plan results in an existing house on a new lot and an unbuildable portion of land, which will be conveyed to the Massachusetts Division of Fish and Wildlife. Subdivision rules do not apply to this plan.

Paek moved to approve the ANR finding that subdivision control does not apply. Milano seconded the motion. The motion passed unanimously.

Documents: Plan of Land, 171 Town Farm Road, prepared by Donohoe Survey, Inc., 2/7/19

New Public Hearing: Request by The Clink LLC for a special permit and site plan review for an eight unit multifamily development at 83 High Street (Assessor's Map 30D, Lot 112), pursuant but not necessarily limited to Sections V.D, VI, VII, X and XI.J of the Zoning Bylaw

Anderson read the legal notice to open the hearing. Mike Becker, principal of The Clink LLC, Tom Mayo, architect, and Larry Graham, civil engineer, presented for the applicant. Anderson informed the applicant that Paul Nordberg will be a voting member on the application in place of Kathleen Milano who will be missing subsequent hearings.

Mayo provided background on the proposed project. Kimball House is a historic house and the plan is to restore it. Seven new units would be built in three new buildings. The Kimball House will be a standalone single family house. There will be a three unit town house structure designed to resemble a barn and a two family structure next to the Kimball House. There will be a second two family structure that resembles a garrison style house. The driveway is 'S' shaped and there will be 1.5 parking spaces per unit. Mayo discussed the elevations and neighborhood context.

Mayo discussed the landscape plan. There will be exclusive use patios as well as some shared space. The driveway is paved 16 feet wide with a sidewalk of 4 feet, amounting to 20 feet for fire truck access. All the buildings will be equipped with sprinklers except for the Kimball House. The three family building will have fire walls between each unit.

Britt asked about casement windows for egress. Mayo stated the building code requires a certain size for emergency egress. Using casement windows allows for a smaller window and meets the egress requirement.

Britt asked about trees on the east side of the site. Mayo identified a dead tree to be removed and a beach tree that they will attempt to save. Mayo also identified other trees to be removed. Anderson asked if trees would be replaced. Mayo explained what and where they would plant.

Anderson asked about the impervious surfaces and the proposed percentages. Graham stated the drainage analysis will include all the calculations.

Robert Hegarty, 82 High Street, had questions about site parking and stated eight units are too many units for the neighborhood. Mayo asked where Hegarty's guests park. Hegarty said his guests park in his driveway as he has adequate space because his lot is not over built.

Danny Cullen, 79 High Street, asked about the setback between structures on the east side of the subject lot. He also asked about the patios behind the structures. Cullen stated he had owned his house for 30 years and commented that he has seen cars struggle with maneuvering on the subject lot. Cullen said it will be difficult for twelve cars to maneuver on the site and plowing snow will be difficult with so many cars. Mayo stated the building setbacks are approximately 10.6 feet from his property line and the patios would be within the setback. Mayo said he reviewed a traffic study for the area conducted in relation to an application by the owner of Dunkin Donuts and the study indicated that there were 1,300 cars at peak morning hours. Twelve additional cars would be less than a 1% increase at the peak hour, which would not have a negative impact. Hegarty stated it is a difficult intersection and adding more cars is an issue.

Larry Graham presented the preliminary drainage plan for the site and gave an overview of the utility plan. Graham said that because the development is clustered there is not much flexibility with the utility design but he has reviewed the plan with Town utility personnel who seem to be satisfied.

Anderson suggested a site visit for Saturday, March 9, 2019 at 9:00 a.m. Nordberg requested that the applicant flag principal points of buildings and driveways for the site visit.

Danny Cullen, 79 High Street, asked Becker if the units would be for sale or rent. Becker stated the units will be sold as condominiums. Becker will retain the Kimball House for five years to take advantage of tax credits for its restoration.

Paek moved to continue the public hearing to March 21, 2019 at Town Hall in Room C at 7:00 p.m. Milano seconded. The motion passed unanimously.

Documents:

- *Special permit and site plan review applications, 2/4/19*
- *Landscape Plan, prepared 2/4/19 by Corliss*
- *Architectural Plans, prepared by Thomas Mayo Associates, 2/4/19 (Sheet A1- Site Plan/First Floor Plan; Sheets A4 and A5- Elevations)*

Continued Public Hearing: Edward Dick, Trustee, Ipswich Mini Storage Trust, for site plan review approval for the construction of a new self-storage building and 22 Hayward Street (Assessor's Map 53B, Lot51), located in the Industrial District, pursuant to Section X of the Zoning Bylaw.

Anderson said Parsons prepared a draft decision for the Board's consideration. Attorney Jim Kroesser was present for the applicant.

Paek asked about the chain link fence in the front of the site and whether it would stay or be removed. She stated it looked like it could be improved. Board members and the applicant reviewed the site plan and determined there was no plan to alter the chain link fence. Parsons stated the fence would probably come

down during construction and suggested adding that as a condition in the decision, however he noted that the proposed plan does not include the fence therefore it is likely to not be retained.

Parsons reviewed the draft decision and conditions. Paek commented on the fence and the relevant condition. She stated since there is no fence on the approved plan, the Board accept the decision as written and remind the applicant that if a fence will be added the applicant should apply for a modification. Parsons said he thought this could be handled without having the applicant return to the Board. There was some discussion about how to word a condition pertaining to the fence. Anderson said that it would be a simple minor modification to add the fence and Paek agreed. Britt said it did not appear the fence was there for security and the Board should assume there will not be a fence based on the site plan submitted.

There were no comments or questions from the applicant or the public.

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

Paek moved to approve the site plan review application as discussed. Britt seconded. The motion passed unanimously.

Documents: Draft decision, prepared by Planning and Development Department, 2/19/19

Continued from 1/24/19 meeting: Request by Dave Clarke/Clarke Associates for authorization for issuance of occupancy permit for unit#10 at 6-8-10 North Main Street.

Anderson reminded the audience that this is not a public hearing. He noted that the Board received a letter from the condominium trustees, which is also signed by their contractor, indicating they have an agreement for cost and timeline for the drainage work.

Kibby Squires-Pilla, owner unit 10, Don Gentile, attorney for Kibby Squires-Pilla, and Dave Clarke were present. Gentile stated they were disappointed that a contract was not available. He requested a bond to ensure the timely completion of the project. Heenehan, trustee for the condominium association, responded. He stated the absence of a contract is explained in the letter the association sent to the Board.

Anderson asked the Board if the letter would be acceptable for granting a certificate of occupancy for unit 10. He also asked the Board what assurance could be provided to make sure the drainage work is completed. He suggested making the October 31, 2019 date mentioned in the letter a condition for completing the drainage. Heenehan reminded the Board that Larry Graham will be managing the project. Anderson asked Graham if October 31, 2019 was a reasonable time line for the project. Graham stated it was reasonable. Paek said she thought the letter was acceptable and she supports issuing a certificate of occupancy. Enforcement beyond October 31, 2019 would be through the Building Inspector, she added. She said a bond does not make sense since the Town will not step in and do the work.

Britt said the letter was not satisfying. Anderson said he would prefer a contract but the contractor did sign the letter. Anderson said that he believed the letter is satisfactory with an October 31, 2019 completion date. Britt asked what options are available if the work is not completed by October 31, 2019. Parsons said zoning enforcement is up to the Building Inspector. It's the discretion of the Building Inspector to enforce the zoning bylaws and failure to comply with the special permit requirements is a zoning violation. Paek stated the Board would advocate for Building Inspector action if the work is not completed on time.

Milano said she was worried about setting a precedent and said a contract would be better. Hearing no further discussion, Anderson asked for a motion.

Paek moved to recommend the issuance of the certificate of occupancy for 10 North Main Street. Milano seconded the motion. The motion passed unanimously.

Documents: Letter from William Heenehan to Planning Board

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 – to be continued without discussion

Milano moved to continue the public hearing to March 21, 2019 at 7:00 p.m. in Town Hall, Room C. Paek seconded the motion. The motion passed unanimously.

Adopt Minutes of 1/3/19 meeting

Paek moved to adopt the minutes of the January 3, 2019 meeting. Britt seconded the motion. The motion passed unanimously.

Documents: Draft minutes of 1/3/19 meeting

Other Business:

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

Anderson said the Board should begin considering zoning amendments for fall 2019 Town Meeting. A discussion of solar use and incentives for developers/land owners began. Britt stated the Commonwealth set up two new programs, one for investor owned utilities and one for municipal owned utilities. The programs are in transition. Paek stated it may be as simple as making a bylaw modification to include incentives for solar. Anderson suggested having someone from the Electric Light Department give a presentation to the Board to gain an understanding of solar use and incentives. Parsons suggested additional topics for bylaw amendments, including short-term rentals. He stated the Select Board has the authority to impose regulations for taxes and require registration of short-term rentals. The Board, through zoning bylaws, can determine density and dimensional controls such as parking and unit details.

- b. Parsons stated there is a kick-off meeting with the CDP Phase 1 consultant, JM Goldson, and the Steering Committee on March 14, 2019 in Room C of Town Hall at 7:00 p.m. It is a public meeting.

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

None noted.

Adjournment

Paek moved to adjourn at approximately 8:40 p.m. Milano seconded the motion. The motion passed unanimously.

Meeting minutes prepared by Odile Breton

Meeting minutes adopted April 11, 2019