

## IPSWICH PLANNING BOARD

### MEETING MINUTES

Meeting remotely using ZOOM

Thursday, March 10, 2022

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, March 10, 2022, at Town Hall in Room A and remotely using ZOOM. Board members Carolyn Britt, Mitch Lowe, Toni Mooradd, Helen Weatherall and Associate Member Laurie Paskavitz were present. Jeffrey Anderson was absent. Staff, Ethan Parsons, Kristen Grubbs and recording secretary Odile Breton were also present.

Mooradd convened the meeting at 7:01 PM with a quorum present. Mooradd chaired the meeting this evening at Britt's request.

Mooradd requested an acknowledgement of attendance for all members present. Mooradd reviewed meeting purpose and procedures for the Board, applicants and public audience. She noted meetings will end by 10:45 PM.

**Citizen Queries:** None noted.

**New Public Hearing: Request by Carl Gardner for a Special Permit to build a detached accessory dwelling unit at 5-7 Turkey Shore Road (Accessor's Map 42A, Lot 37C), which is located in the In-Town Residence District, pursuant but not necessarily limited to *Sections IX.U and XI.J* of the Zoning Bylaw**

Jeff Anderson recused himself from the hearing since he does not anticipate sitting on the Board for its entire duration. Britt appointed Alternate Laurie Paskavitz as a voting member on this application. Carl Gardner, applicant, was present. Gardner said he has owned the property since 1986. He explained the proposed project. The lot is 12,950 sq. ft. with an existing two-family house (each unit is two-bedroom). The existing driveway will be expanded, and there will be two parking spaces for the new dwelling unit. The proposed detached accessory building will be 20 x 25 ft. and will have a two-bedroom unit. There is an existing shed that will be replaced with a new, larger shed. The proposed dwelling unit will be located on the property to be as far away from the river. Gardner noted the project will go before the Conservation Commission as an NOI.

Gardner presented elevation drawings to demonstrate the scale of the proposed building. It will be 1,000 sq. ft. of living space, and the height is 24 ft. and 25 inches. Gardner described exterior materials to be used. He noted the building will be energy efficient. He noted the new building will be connected to Town water and sewer. Gardner proposes making one of the existing units on the site the affordable unit.

Britt suggested Gardner thoroughly review the special permit regulations as recent changes were made. Britt noted receiving many letters from residents of the neighborhood. Lowe asked the applicant to review the rationale of his requested waivers. Gardner said the landscape plan will not be provided because it is not complicated, and the Design Review Board (DRB) did not request a landscape plan. Weatherall said if it is a simple plan, then it would be simple to provide it. Gardner would like flexibility and does not want to commit to specific plant stock as they may not be readily available.

Public Comment:

Clark Ziegler, 10 Woods Lane, lives behind the property. He reviewed the plans and is supportive of the project.

Steve Miles, 18 Poplar Street, said his property abuts 5-7 Turkey Shore Road. He noted there is an existing two-family home on a site designed for a single-family home. He is concerned about adding an additional unit in a neighborhood that is primarily single-family homes.

Mooradd suggested a Board site visit for March 19, 2022, at 9:00 AM.

*Lowe moved to continue the public hearing to March 31, 2022, at Town Hall in Room A at a meeting beginning at 7:00 PM and Britt seconded. The motion passed unanimously.*

**New Public Hearing: Request by 214 High LLC for a Special Permit for a multi-family dwelling (10 units) at 214 High Street (Assessor's Map 21 Lot 13), 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, IX.C, IX.K, and XI.J of the Zoning Bylaw**

Jeff Anderson recused himself since he doesn't anticipate serving on the Board for the duration of the hearing. Britt appointed Alternate Laurie Paskavitz as a voting member. Mike Becker, Charrissa Vitas, and Tom Mayo (architect) were present for the application via ZOOM. There were technical difficulties with hearing the applicant and the Board decided to not open the public hearing and requested the applicant appear in person at the next meeting.

*Lowe moved to not open the public hearing until March 31, 2022 at which the Board expects at least one representative to present the project in person. Paskavitz seconded the motion. The motion passed unanimously.*

**Continued Public Hearing: 5 & 11 Washington St: Request by Triple Q LLC for a Special Permit and Site Plan Review for a 16-unit multifamily residential development at 5 and 11 Washington Street (Assessor's Map 41B Lots 274 and 275), which is located in the General Business District, pursuant but not necessarily limited to Sections V.D, VI, VII, IX.I, IX.K and X of the Zoning Bylaw and associated regulations**

Jeff Anderson is recused. Laurie Paskavitz was appointed a voting member for this application on September 9, 2021.

John Colantoni, Attorney James Juliano, Jim Emmanuel (landscape architect), and Thad Berry (engineer) were present in person. John Duggar (architect) was present on ZOOM.

Colantoni presented the changes. He noted the plans were revised with a 20 ft. setback in the rear and there is no setback waiver request. He pointed out that units F and G are 2-story buildings, and the height is less than 39 feet. Six units have roof decks are 39 feet in height. There is one less parking space in the rear (by unit M) and a second gathering space was created. He noted some changes were made to the first gathering area based on DRB comments.

Thad Berry, engineer, reviewed the drainage plan. There will be a decrease in impervious surface with the development of the site. There is a combination of stormwater infiltration system, rain gardens and pervious pavers. Barry pointed out the drainage plan on the site plan. The site is very level. Parsons noted the drainage plan is currently under peer review.

James Emmanuel, landscape architect, reviewed the landscape plan. He pointed out the new trees on Washington Street. Evergreens will be used for screening gathering areas. He said plants will be native and drought tolerant.

Mooradd asked the Board for feedback on site layout and massing of the buildings. Weatherall would like the site to be less dense. Paskavitz said the massing of the buildings is not in character with the neighborhood. She does not believe that a 2,800 sq. ft. unit fits in a complex this dense. Mooradd would like fewer or smaller units. The neighborhood is single-family homes and smaller sized condominiums. She noted that six units are over 2,000 sq. ft. The massing is outsized for the neighborhood. Britt is concerned with management and maintenance. Britt asked about electric chargers for vehicles and trash and recycling. She said a solar feasibility study was not completed and suggested the applicant complete it. Juliano noted that condominium bylaws can include landscape maintenance requirements for unit homeowners. Colantoni said if the Board requires electric vehicle charges, then they will be added. Colantoni said the infrastructure for solar can be completed. Trash and recycling will be private pick-up and there will not be a dumpster on-site.

Lowe likes the landscape design improvements. He is concerned about the size of some of the units. He suggested downsizing units and reducing the bulk of the buildings.

Public Comment: Torii Bottomley, 60 Central Street, likes guest parking.

Melissa and Tom Walsh, 114 High Street, owners of 5-11 Washington, are supportive of the proposed project and residential use of the site.

Colantoni said the project has been reduced to 13 units and he will not do less than 13 units. He said the project is already in peer review with 13 units. He believes the project fits in with the neighborhood. Paskavitz said she doesn't have an issue with 13 units but the units need to be smaller.

Parsons noted an extension is needed for this application.

*Lowe moved to extend the public hearing review timeline to March 31, 2022. Paskavitz seconded. The motion passed unanimously.*

*Lowe moved to continue the public hearing to March 31, 2022, at Town Hall in Room A at a meeting beginning at 7:00 PM. Weatherall seconded. The motion passed unanimously.*

**Continued Public Hearing: Request by Helen Moore VonOehsen and William VonOehsen for a Special Permit to convert an accessory structure into a dwelling unit at 48 Turkey Shore Road (Assessor's Map 42A Lot 55), which is located in the Rural Residence A District, pursuant but not necessarily limited to Sections V, IX.P and XI.J of the Zoning Bylaw**

Jeff Anderson is recused, and Laurie Paskavitz was appointed a voting member on this application.

Helen and William VonOehsen (via ZOOM) and John Morin (Morin-Cameron Group) were present.

Weatherall noted neighbors' concerns about the size of the accessory building. She requested reviewing the volume calculation. Mooradd said the Building Inspector reviewed the volume calculation and understood that existing enclosed structures would count toward the calculation. Weatherall read the gross floor area from Section III of the Zoning Bylaw. Parsons said that gross floor area is not used for conversions of accessory buildings, rather, the Town uses volume as the metric for measuring the size of an existing building.

Parsons reviewed the draft decision emphasizing findings and conditions. He noted the APDC approved the design for the new structure. The Conservation Commission issued an Order Of Conditions. The applicant needs to submit a final utility plan. The applicant will pay \$15,000 to the Affordable Housing Trust prior to receiving a certificate of occupancy. Parsons said the buildings cannot be separated onto two separate parcels of land and the restriction must be filed at the Registry of Deeds. Safety during construction is needed and conditions for construction are included.

Public Comment: Michele Hunton, 67 Turkey Shore Road, expressed concern about turning the new dwelling unit into a condominium. Hunton requested restrictions on future expansion. She is concerned about construction vehicles and requested that access for other residents not be impeded.

Mooradd responded that the lot cannot be divided into two parcels. Lowe added that expansion requires the applicant to come before the Board, if it's permitted at all.

*Lowe moved to close the public hearing. Paskavitz seconded. The motion passed unanimously.*

*Lowe moved to approve the draft decision as discussed and amended. Paskavitz seconded. The motion passed unanimously.*

**Continued Public Hearing: Request by New England Biolabs Inc. for a Special Permit pursuant to Sections IX.N and XI.J of the Zoning Bylaw for uses involving hazardous and toxic materials associated with the uses and activities in the main laboratory building and the expansion currently under construction at the New England Biolabs, Inc. property at 240 County Road (Assessor's Map 63, Lot 7), located in the Rural Residence A District (an on NEB's GEPD lot)**

Jeff Anderson and Helen Weatherall are recused. Laurie Paskavitz is appointed a voting member. Patrick Norton (New England Biolabs), Don Greenough, attorney for New England Biolabs (NEB), and Barry Cohen (NEB) were present for the application.

Greenough reviewed the application and noted the existing building is under a Special Permit issued in 2001, which included four paragraphs related to use in the bylaw. In 2008, the Town adopted a more comprehensive Special Permit process relating to hazardous materials. Greenough said it does not make sense for one building to operate under 2001 bylaws and the new building to operate under current bylaws. The request is to have one special permit for the entire campus and not operate two buildings under two special permits.

Cohen is the Senior Manager for Environmental Health and Safety for NEB. Cohen is also on the NEB Public Safety Oversight Committee providing the Committee information about NEB. Cohen reviewed volume of hazardous materials. Paskavitz said the presentation will be interesting however Board cannot validate the highly specialized information. She suggested using a third-party reviewer. Greenough said it is a valid point. The Board requested Parsons find a third-party reviewer. Parsons reviewed Section IX.N of the Bylaw for the type of consultant needed and the scope of review.

Public Comment: Torii Bottomley, 60 Central Street, requested clarification on the increase of hazardous materials.

Cohen explained that NEB has a license from the State for a certain volume of radio isotopes. NEB has not come close to the limit. He said some activities are moving from one building to another building, which is a reason for the request. There is no incineration of materials on the campus.

*Britt moved to continue the public hearing to March 31, 2022, at Town Hall in Room A at a meeting beginning at 7:00 PM. Lowe seconded. The motion passed unanimously.*

**Continued Public Hearing: 50-56 Market Street LLC for a Special Permit for a multifamily residential development (adding 5 townhouses to an existing multifamily dwelling property) at 50-56 Market Street (Assessor's Map 42A, Lot 202), which is located in the Central Business District, pursuant but not necessarily limited to Sections V.D, VI, VII, IX.I, IX.K, and XI.J of the Zoning Bylaw**

Anderson is recused. Paskavitz was appointed as a voting member for the application when the public hearing was opened on October 21, 2021.

Kevin Perelli (owner), Ken Savoie (Savoie Nolan Architects), and John Morin (Morin-Cameron Group) were present for the application. Morin noted a productive meeting with the peer reviewer. Revised plans were submitted. Morin noted a reduction in the size of one parking space. Morin noted the area by the trash/dumpster and the area will be striped so there will be no parking. Morin discussed the drainage for the patios and noted a stone apron at the base of the wall. The Homeowners Association will contract with a vendor for snow management. The DRB last reviewed the project in February, focusing on the landscape plan. The DRB recommended approval of the plans as presented. Parsons noted there is correspondence from DPW and the Fire Department.

Britt is concerned with the tandem parking and its location on the site. She said there are too many units on the site. Britt stated she will be voting no on the project. Savoie said the tandem parking is needed to prevent the front yard from becoming a parking lot. Paskavitz is concerned about all the voiced concerns from the peer reviewer and the Board about the density of the project and all the waivers requested. Perelli noted that all the peer review comments were satisfied.

No public comments noted. Parsons reviewed a draft decision he had prepared for the Board's consideration, emphasizing conditions and findings. Parsons reviewed waiver requests and reasons for approving the waivers.

*Lowe made a motion to close the public hearing and Weatherall seconded. The motion passed unanimously.*

*Lowe made a motion to approve the project and draft decision as discussed and amended and Paskavitz seconded. The motion did not pass by the required supermajority (3 votes yes: Mooradd, Paskavitz, Lowe and 2 votes no: Britt and Weatherall).*

**Continued Public Hearing: Ora, Inc. for Site Plan Review, and a Special Permit to use 55 Waldingfield Road as a "Great Estate" for business purposes pursuant to Section IX.H of the Zoning Bylaw. The proposal involves the alteration of more than 2,500 sq. ft. of commercial space as described in Section X.B.1 and the increase of required parking spaces by more than 10 as described in Section X.B.3 of the Zoning Bylaw, as well as associated site work, at 55 Waldingfield Rd. (Assessor's Map 62, Lot 14), located in the Rural Residence A Zoning District, pursuant but not limited to the sections of the Zoning Bylaw cited herein as well as XI.J**

Mooradd noted voting members for the application are Anderson, Lowe, Weatherall, Mooradd and Britt. Chip Nylen, attorney representing Ora, Inc., was present for the applicant. Nylen requested to continue the public hearing without discussion. An extension to review the application is needed and it was suggested the extension go through May 5, 2022.

*Lowe made a motion to continue the public hearing without discussion to April 28, 2022, at Town Hall in Room A at a meeting beginning at 7:00 pm and Britt seconded. The motion passed with 4 votes yes (Anderson absent).*

*Lowe made a motion to approve the extension to May 5, 2022, and Paskavitz seconded. The motion passed unanimously.*

**Adopt minutes of February 10, 2022**

*Lowe moved to adopt the minutes of February 10, 2022, as drafted and edited from Parsons' March 8, 2022 email and Paskavitz seconded. The motion passed unanimously.*

**New Business: Parsons noted opportunities for zoning amendments and requested two Board members volunteer to work with his office on potential zoning changes. Mooradd suggested a business meeting to develop a list of potential zoning changes and priorities.**

**Adjournment**

*Britt made a motion to adjourn, and Paskavitz seconded. Meeting adjourned at 10:45 PM.*

Meeting notes taken by: Odile Breton

Adopted on: April 14, 2022