

IPSWICH SELECT BOARD
Meeting of Tuesday, April 19, 2022

Pursuant to Open Meeting Law M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Select Board was held on Tuesday, April 19, 2022, at 7:00 PM in Meeting Room A.

Board Members present: Dr. Tammy Jones, Chair; William Whitmore, Vice Chair; Linda Alexson; Sarah Player; Kerry Mackin

Also present: Tony Marino, Town Manager; Eileen Page, Recording Secretary

With a quorum present, Dr. Jones called the meeting to order at 7:03 PM.

Welcome/Announcements

The American Legion Post 80 will hold their annual poppy drive from May 20-22. Legion members will be posted at the Post Office (27 Market Street), CVS (114 Central Street), The Bottle Shop (188 High Street) and Shaw's Supermarket (145 High Street).

A Memorial Day parade will be held on May 30. The parade will muster at the North Main Street Green at 9:30 AM, and then march to the County Street Bridge, the War Memorial, and the South Main Street cemetery for a short ceremony at each location, and then to the VFW Post on County Road for closing remarks and refreshments.

The Public Safety Working Group will meet on April 21 at 7:00 PM in Room B2.

The Water/Wastewater Subcommittee will meet on April 28 at 7 PM at the Utilities office with a Zoom option available.

The Government Study Committee has two (2) positions available for appointment at Town Meeting. Interested residents can apply on the Town website.

There are four (4) open positions for the Finance Committee.

The Shellfish Advisory Board has one (1) opening for a commercial permit holder.

Citizen Queries

None.

Board and Committee Appointments

- I. Haley Mosher, New Appointment, Zoning Board of Appeals
- II. Michael Jones, Reappointment, Affordable Housing Trust Fund Board
- III. Confirm Town Manager Reappointments - Sissy Ffolliott and Catherine Carney-Feldman to Conservation Committee

Haley Mosher (2 Labor in Vain Road) was present. She stated that her grandfather served on the ZBA for forty (40) years, and she has always been interested in serving. Ms. Mosher has a professional background in law and architecture.

- *Vote: Ms. Alexson moved to approve all appointments as presented. Ms. Player seconded. The motion carried unanimously.*

Subordination of Mortgage, 34 Linebrook Road

Ethan Parsons (Director of Planning & Development) stated that in 2013, the Affordable Housing Trust Fund Board (AHTF) issued a ten (10) year forgivable, 0% interest loan to a low-income homeowner in the amount of \$27,000. The homeowner is now seeking to refinance her home. Mr. Parsons noted that if the homeowner was cashing out the Town would receive that loan back.

Ms. Alexson asked if the property was on the Subsidized Housing Inventory (SHI). Mr. Parsons responded that it was not, as the AHTF grants mortgages for rehabilitation and first-time homebuyers to individuals, not on a property. In order to qualify for the loans, individuals must be income eligible and have less than \$75,000 in assets. So long as an individual remains on the property for ten (10) years, the loan is forgiven.

- *Vote: Ms. Alexson moved to approve the motion as written and included in the packet. Ms. Player seconded. The motion carried unanimously.*

Pavilion Beach Resident Only Access Reconsideration

Last year, the Town restricted parking at Pavilion Beach to Ipswich residents on holidays and weekends.

Ms. Alexson asked if the police have the funding to enforce resident-only parking. Police Chief Paul Nikas responded that there is not earmarked funding set aside for beach parking enforcement, but the beach is a regular part of cruiser route rotation. Non-resident mooring owners at the beach were issued letters to display on their dashboard so as to utilize the lot when accessing their boats.

Dr. Jones noted that the beach will continue to be open to the public, with only parking being restricted to Ipswich residents.

- *Vote: Ms. Alexson moved to continue Pavilion Beach parking restrictions to residents on weekends and holidays from Memorial Day Weekend 2022 through Labor Day Weekend 2022. Ms. Player seconded. The motion carried unanimously.*

Set/Vote Ballot Questions for May 17, 2022 Election

The ballot questions are:

1. Moderator - one year term, vote for one
 - a. Thomas R. Murphy, 15 Meadowview Lane, Candidate for Re-Election
2. Select Board - three-year term, vote for two
 - a. Tammy Jones, 1 Seaview Road, Candidate for Re-Election
 - b. Kerry L. Mackin, 76 Little Neck Road, Candidate for Re-Election
3. School Committee - three-year term, vote for two
 - a. Jennifer K. Donahue, 12 High Street
 - b. Dianna M. Freehan, 12 Spillers Lane
4. Question 1: Shall the Town vote, in accordance with Part I, Chapter 25, §1 of the Town's General Bylaws, to approve the borrowing of \$6,000,000 to pay costs of surveying, designing, permitting and constructing improvements to the aeration system at the Wastewater Treatment Plant, including the payment of costs incidental or related thereto, that was authorized by a vote of the Town under Article 14 of the Warrant at the Town Meeting held on May 10, 2022? (Yes/No)

5. Question 2: Shall the Town of Ipswich be allowed to assess an additional \$1,800,000 in real estate and personal property taxes for the purposes of funding the School Department for the fiscal year beginning July 1, 2022? (Yes/No)

Ms. Alexson asked if the \$1.8 million referenced in Question 2 was designated for only one fiscal year, as she felt that the language indicated it would only apply for one year. Mr. Marino responded that the monies will be available on an ongoing basis, and that Town Counsel had approved the wording.

- *Vote: Mr. Whitmore moved to approve the ballot questions as presented. Ms. Player seconded. The motion carried unanimously.*

Temporary Sunday Opening of Recreational Flat for Recreational Permit Holders Until September 30, 2022

Chief Nikas proposed opening Richards Ground for recreational clamming on Sundays from May 1, 2022 through September 30, 2022. All other clamming flats are closed on Sundays, but it has previously been decided to allow recreational clamming on an annual basis.

Ms. Player asked if anyone would be monitoring the health of the flat. Chief Nikas responded that a part-time Shellfish Constable is available on Sundays to ensure diggers are confined to designated areas.

- *Vote: Ms. Alexson moved to approve opening Richards Ground for recreational clamming on Sundays from May 1, 2022 through September 30, 2022. Mr. Whitmore seconded. The motion carried unanimously.*

Consent Agenda

- I. One Day Wine and Malt License Applications
 - a. Kathryn Garry for Old Planters Brewing Co. for Appleton Farms Fathers' Day Bluegrass BBQ Events on June 18 and 19, 2022
 - b. Kathryn Garry for Old Planters Brewing Co. for Appleton Farms Farmhouse Pizza Events on July 2, 9, 16, 23, 30; August 6, 13, 20, 27; September 3, 10, 17, 24; and October 1, 8, 15, 22, 29, 2022
 - c. Alanna Burke for Trustees of Reservations for Summer Solstice Party at Appleton Carriage House, 221 County Road, on June 25, 2022
- II. Application for Total Street Blocking
 - a. Meredith Stendahl requests blocking the lower half of Congress Street #1 to #5 from 3 PM to 8 PM for a block party on Saturday, June 25, 2022

Ms. Alexson asked if additional wine and malt permits would be necessary if an event were to be rescheduled due to weather. Chief Nikas responded that the applicant would need to reapply for the new date.

Town Manager Report

The FinCom book for Annual Town Meeting has been completed. It will be sent to the printer this week, and mailed to households next weekend.

Ukrainian flags will be flown between the columns at the front door of Town Hall, downtown, and at the Visitor Center.

The Outdoor Entertainment Working Group will meet on April 25 at 6:30 PM.

Four (4) bids for designers of the Public Safety Building have been received. Interviews for all will be held on May 5.

Town Meeting will be held on May 10 at 7 PM in the lower gym of the middle/high school.

Select Board Member Subcommittee Update

The Public Safety Facility Reuse Committee will meet on April 21 at 8 PM.

The Veterans Board renewed the Director's contract for an additional three (3) years.

The Shellfish Advisory Board met on April 5 and had a discussion regarding permit fees, but do not have any recommendations at this time. They also discussed setting up a gift account similar to that of the police and fire departments. When a donation is made, the Commissioners will approve, and the money will be deposited for equipment purchases and bounty programs. Ms. Alexson also brought up the idea of posting a sign at Pavilion regarding the status of the clam flats. Eagle Hill and Town Wharf currently have similar signs.

The Electric Subcommittee will attend the May 2 Select Board meeting to present their FY23 budget.

The AHTF Board heard a presentation from Harborlight on potential sites in town for affordable housing. Action Inc. requested \$20,000 from the Board for their rent assistance program. The Housing Partnership has also written a letter requested the removal of an article brought forward at Town Meeting as it does not include language that restricts land to affordable housing use.

The Cycle Safe Task Force is compiling final recommendations for safety improvements at Lord Square. Grant money is available for improvements to the area.

Temporary Outdoor Entertainment License Request from Hellenic Center, 117 County Road

Pending the finalization of an Outdoor Entertainment Policy, venues must submit requests for temporary outdoor entertainment licenses to the Board. The Hellenic Center submitted an application for live music from 1 PM to 11 PM on Sundays, and 8 AM to 11 PM Monday through Saturday.

Bill Massos (43 Boxford Road, representing the Hellenic Center) stated that the Hellenic Center has been holding outdoor music for fifty (50) years, and four (4) individuals are now complaining about the noise. He stated that on one occasion, the Hellenic Center was closed at the time of the complaint.

Mr. Marino asked how many tent weddings are scheduled for summer 2022. Mr. Massos responded that six (6) are currently scheduled.

Mr. Whitmore suggested putting a calendar on the website to let abutters know when outdoor weddings will be held, and the hours.

Dr. Jones reminded the Board that the permit will be in place either until the end of the season, or until a formal policy was finalized.

Chief Nikas reported that the site manager at the Hellenic Center has been very receptive to feedback and checking decibel levels.

Jackie Kronenberg (6 Essex Road) stated that based on the bylaw passed last year, outdoor entertainment at the Hellenic Center is “against the law.” Mr. Marino responded that this was not true. Ms. Kronenberg stated that according to DEP regulations, a member of the Board of Health must be involved in any policy that impacts resident health, and stated that outdoor entertainment has an impact on her health.

Maureen Baker (14 Upper River Road) argued that by setting up a tent, the Hellenic Center is attempting to expand business. She stated that this was inconsiderate of neighbors.

Tim Driscoll (31 Upper River Road) asked what recourse would be in place if corrective action was needed until the policy was finalized. Dr. Jones responded that abutters should report excessive noise to the police, and if a pattern is detected, the Board will address it.

Brandon Boyd (9 Upper River Road) stated that while he did not call the police last summer, the noise from the Hellenic Center was excessive. He reported that he has lived on Upper River Road for twenty-two (22) years and the noise has never been so loud. He argued that if outdoor music was allowed as a COVID accommodation, but indoor gatherings are once again permitted, there is no reason to make outdoor music at the Hellenic Center a regular occurrence.

Brian O’Neill (25 Upper River Road) stated that he has lived on Upper River Road for thirteen (13) years and the sound is magnified by the river. He stated that the annual Greek Festival is typically not intrusive, but weddings have become louder. He has previously gone over to the venue to ask for music to be turned down.

Eileen Page (Danvers; former Masconomet Road resident) stated that she grew up on Masconomet Road and while music from the Hellenic Center was always distantly present, it did not become excessive until last year when weddings moved outside. She stated that while she is not against outdoor music, 11 PM seemed excessively late for outdoor entertainment, especially on weeknights.

Ms. Alexson stated that multiple emails have been received from Upper River Road residents. She asked what efforts could be made to mediate noise issues. Mr. Massos responded that the manager at the Hellenic Center has been trying to end outdoor music around 10-10:30 PM. He reported that the decibel reader is reading at 80 along the river.

Mr. Whitmore stated that he is not comfortable allowing outdoor music until 11 PM on weekdays and Sundays. He suggested allowing outdoor music and other amplifiers until 10 PM, unless otherwise specified in an event contract with the Hellenic Center prior to the date of this meeting.

Ms. Mackin stated that she is in support of decibel and time limits.

- *Vote: Mr. Whitmore moved to approve the permit under the conditions that unless a contract has been signed and agreed to prior to this meeting, no outdoor amplification will take place after 10 PM Sunday-Thursday, and will stop at 10:30 PM Friday and Saturday, and that the Hellenic Center will work with bands and DJs to keep the amplification reasonable. Ms. Player seconded. The motion carried unanimously.*

New Applications for Common Vic, Weekday and Sunday Entertainment Licenses, GCTH Mansion Club Beverage, LLC for The Mansion Club at Turner Hill and GCTH Clubhouse Grill Beverage, LLC for The Clubhouse Grill at Turner Hill

The new owners of Turner Hill have retained AAM Management to coordinate their change of ownership processes. Frank Bento will be the new manager of Turner Hill.

- *Vote: Mr. Whitmore moved to approve the licenses as presented. Ms. Mackin seconded. The motion carried unanimously via roll call.*

New Business

Ms. Alexson asked for a May 2 Executive Session to approve Executive Session minutes.

Old Business

The Board will begin the process of recruiting for a new Town Manager in the Executive Session of May 2.

Ms. Alexson asked for an update on Peabody Street. Mr. Marino stated that the hammerhead turn installation is still in progress as the Town attempts to make contact with a property owner.

Miscellaneous & Correspondence

None.

- *Vote: Mr. Whitmore moved to adjourn. Ms. Alexson seconded. The motion carried unanimously via roll call.*

The Select Board adjourned at 9:07 PM.

*Respectfully submitted by Eileen G. Page
05.16.2022*