

IPSWICH PLANNING BOARD

MEETING MINUTES

Remote Meeting using ZOOM

Thursday, April 22, 2021 at 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, April 22, 2021 using ZOOM. Board members Keith Anderson, Mitchell Lowe, Kevin Westerhoff, Carolyn Britt and Helen Weatherall were present. Jeffrey Anderson was absent. Staff, Ethan Parsons and Kristen Grubbs, were also present.

K. Anderson convened the meeting at 7:07 PM with a quorum present.

K. Anderson requested an acknowledgement of attendance for all members present. He 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.

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

K. Anderson announced the public hearing will be continued without discussion at the applicant's request. J. Anderson is recused. Weatherall is a voting member for this application.

Westerhoff moved to continue the public hearing without discussion to May 13, 2021. Britt seconded. The motion passed unanimously.

Continued Public Hearing: Request by C & J Reality Trust for Site Plan Review at 57 & 59 Mitchell Road to construct a new industrial building and expand an existing industrial building, with associated increase in parking and site work at 57-59 Mitchell Road (Assessor's Map 21, Lots 18R & 108), located in the Industrial District, pursuant but not necessarily limited to Sections V, VII and X of the Zoning Bylaw

K. Anderson announced the public hearing will be continued without discussion at the applicant's request.

Britt moved to continue the public hearing without discussion to May 13, 2021. Westerhoff seconded. The motion passed unanimously.

Request by Robert Shannon for Approval Not Required Plan endorsement for plan of land 24 Spring Street

Parsons explained this is clean up between two neighboring properties and frontage and access does not change for either lot.

Lowe made a motion to accept the Approval Not Required Plan as presented for 24 Spring Street. Westerhoff seconded. The motion passed unanimously.

New Public Hearing: Request by Triple Q Inc. (John Colantoni) for Scenic Road approval for removal of four trees within the right of way and the removal and replacement of stones in the stonewall on Linebrook Road at 423 Linebrook Road (Assessor's Map 37D Lot 0170)

K. Anderson opened the public hearing by reading the legal notice. John Colantoni was present for the hearing. Colantoni explained a single family home will be built at 423 Linebrook Road and some trees need to come down. Colantoni presented a site plan noting the trees and stones to be removed. The stones being removed are for the new driveway. The stones will be used in a nearby section of the existing stone wall. Nine trees in total will be removed; four on Town property and five on private property.

Lowe said he went by the property and said the 24 inch oak tree looks good. He requested that tree be saved. Westerhoff agreed and suggested some pruning to the tree.

K. Anderson said the Board usually requests a replacement tree when trees are being removed. Parsons suggested not replanting a tree in the right of way because it is narrow between the stone wall and edge of pavement and also the property is located on a curve. Weatherall inquired about the 18 inch oak tree. Lowe stated either the 18 inch or 10 inch oak tree was leaning. Parsons noted on the plan that the 18 inch oak tree is on the private property and reminded the Board that it has no jurisdiction over trees on the applicant's property unless the applicant consents.

Public Comment:

Charlie Claeys, 425 Linebrook Road, said he has no objection to this request.

K. Anderson requested Board members visit the site to review the four trees requested for removal and provide feedback to Parsons so that a draft decision can be prepared for the next meeting.

Lowe moved to continue the public hearing to May 13, 2021. Westerhoff seconded. The motion passed unanimously (4-0).

Request by The Golf Course at Turner Hill for minor modification of existing Special Permit and Site Plan Approval to construct a restroom facility easterly of the 12th fairway and to install requisite utilities

John Sadowski, Golf Course Superintendent, and Larry Graham of H.L. Graham Associates, were present for the applicant. Graham presented a site plan. He said the proposed restroom facility will be between the 12th and 13th fairways. He said the proposal is required to be filed with State waste water management because this proposed facility will dump into the existing sewer line and waste water treatment facility. He stated plans were also filed with the Ipswich Board of Health and the Ipswich Conservation Commission. The golf course is within conservation restrictions. Graham reviewed the site plan. He stated the trench is approximately 800 feet from residences and is in between two golf cart paths and two fairways. He said no trees need to come down.

Sadowski stated fixtures for the facility will be low flow type. LED and low voltage lighting and water efficient sinks and toilets will be installed.

Graham noted the State provided direction for the plan. Graham will request a letter from the State if is open to alternative waste treatment as suggested by the Board.

Lowe inquired about solar panels. Sadowski said there are a lot of trees in the area. Weatherall asked about usage of the facility. Sadowski estimated on heavy demand days the usage would be 80 to 90 visits and an average day would be closer to 50.

No public comments were noted.

Grubbs asked Sadowski to identify the public trails on the site. She asked if the public trails will be impacted. Sadowski said one trail by the 14th green will be impacted by the project. Grubbs asked if the facility will be available to trail users. John said yes and noted it will be seasonal. The golf course is open from April 1 through the Sunday after Thanksgiving.

Lowe asked about cooling and heating the facility. Sadowski said it will be both. Lowe asked what type of heat. Sadowski said they have not yet decided. Grubbs will check with Beth O'Connor, the Open Space steward for the Town, to make sure she does not have any questions or concerns about the open space use.

Lowe moved to determine the request is a minor modification. Westerhoff seconded. The motion passed unanimously (4-0).

Lowe moved to approve the request with the condition that they use the most energy efficient plumbing fixtures and the most energy efficient heating and cooling system as possible. Britt seconded. The motion passed unanimously (4-0).

Documents:

- *Permit Plan, prepared by HL Graham Associates, 3/29/21*
- *Architectural Plan, prepared by Joseph Tatone & Associates, LLC, 4/7/21*

Continued Public Hearing: Request by MMC Realty Holdings LLC for a special permit for a 7-unit multifamily development at 126 & 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 and XI.J of the Zoning Bylaw

Larry Graham and Lou Rubino were present for the public hearing. K. Anderson asked about any changes and asked about responses to the peer review. Graham said a few changes were made in response to Board comments. The front of the units are no longer flush. Doing this changed the size of some of the exclusive use patios in the back. He said responses to peer review comments are being worked on.

Parsons noted that the Conservation Commission met last night and did not have any comments.

Britt asked about exterior stairs to the patio. Graham said there are no exterior stairs. Britt said it would be convenient for residents to go from the second floor kitchen to stairs leading to the patio. Exterior stairs are important.

Rubino reviewed the landscape plan. Stone dust paths were added as a walkway for residents. Benches were also added. Grass was added between the buildings and on the sides of buildings.

Britt asked about the location of condensers for AC units. Rubino said they will go either in the exclusive use area or on the side of the buildings. They will be screened. Britt encouraged the applicant to consider solar. Parsons said solar is required to be considered for site plan review and not special permit.

K. Anderson noted the Board received a letter from the Ipswich Historical Commission. The letter encourages the Board to be careful about development on High Street.

Public Comment:

Joanne Tuttle, 103 High Street, reminded the Board how dense the population is on High Street and the traffic is terrible.

Lowe asked about the status of the Design Review Board (DRB) final report. Parsons stated the DRB has one more meeting to review the project. Parsons said before the next meeting, the Water Commissioners and the Conservation Commission will provide feedback to the Board.

Lowe asked about the impact on traffic. K. Anderson said traffic studies can be done. Parsons said he does not believe adding four units would be a significant issue.

Lowe moved to continue the public hearing to May 13, 2021. Westerhoff seconded. The motion passed unanimously (4-0).

Documents: Permit Plan Set, 4 sheets, prepared by HL Graham Associates, 4/15/21

Request by Sarah Winderlin for extension of expiration date relative to 87 High Street Special Permit issued May 19, 2019 for conversion of accessory building into dwelling unit

Sarah Winderlin, the applicant, was present. She explained delays were caused due to the COVID-19 pandemic.

Lowé moved to extend the Special Permit rendered in May 2019 to June 1, 2022. Britt seconded. The motion passed unanimously (4-0).

Continued Public Hearing: Request by Sarah L. Winderlin for a Special Permit to construct a new four unit building as part of a multifamily development and incorporate the existing two-family and accessory conversion units into the multifamily development at 87 High Street (Assessor's Map 30D Lot 12), which is located in the Intown Residence and Rural Residence A Zoning Districts, pursuant but not necessarily limited to Sections V.D, VI, VII and XI.J of the Zoning Bylaw

K. Anderson is recused and Weatherall is appointed as a voting member. Britt will chair the public hearing. Sarah Winderlin, the applicant, was present.

Britt noted receiving a memo from the Planning Department and the Building Inspector noting the project does not meet requirements of the bylaw. Parsons explained the Building Inspector raised question about nonresidential use of a building. Parsons explained there are three levels of density: (1) Table in the bylaw; (2) Footnote 11; (3) Old density for IR district. Winderlin is requesting for the old IR district density which is one unit for the first 5,000 sq. ft. and additional units for subsequent 2,000 sq. ft. of lot area. It is only permissible if the Board finds the project entails the conversion of a nonresidential use into a multifamily use. The Building Inspector opined that the project doesn't qualify as a conversion.

Winderlin said she met with the Building Inspector to discuss the bylaw and the definition of a conversion. Nonresidential use does not have to be commercial use. The Building Inspector emailed the Planning Department and Winderlin and stated the accessory building must be altered and not torn down.

Winderlin presented Footnote 11 and highlighted specific sections. She explained that Footnote 11 requires a public benefit. The public benefit is 20% of additional units be affordable. The nonresidential use building had its certificate of occupancy issued in 2009. In 2013 a conversion was done and received a second certificate of occupancy for the workshop. The application is requesting five additional units. One unit will be affordable and fully handicap accessible. Winderlin stated DHCD requires a 15 year term for affordable rental units. She said the four new units will be placed on the Subsidized Housing Inventory.

Lowé noted there needs to be redesign work to do to incorporate the building into the new building.

Westerhoff said he is struggling with the 12 x 16 building being converted. He does not feel that the project addresses what was intended in the zoning bylaw. He said the public benefit is fantastic, with respect to the potential affordable home that would be added. Winderlin asked about 83 High Street and said the workshop on that property had approximately a 600 sq. ft. footprint. It has morphed into 5 additional units.

Britt reviewed the process with 83 High Street. She said initially the intent was to move the barn. At the end of process, it became clear that was not going to happen because of the poor condition of the barn. It was replaced with a building that is just slightly larger. The Board has received more comments from abutters and neighbors about increasing density and traffic on High Street and the concern about the appearance of historic properties. Britt stated this is not a conversion.

Lowe is doubtful that it is a conversion but would like to see the redesign. Weatherall agreed with Britt. She takes an issue with this being considered a conversion.

Britt stated this is an issue that needs to be addressed. Winderlin appreciates the feedback. Lowe said the Board needs to spend more time discussing what a conversion is. He suggested discussing it with the Building Inspector and the Planning Department. The Board needs to understand the issue better. Westerhoff reminded everyone that J. Anderson is a voting member on this application and should be present for the discussion. Westerhoff said the Board needs to discuss the density on the site. He does not see going forward with the application at this time. The Board needs more time to discuss the issue of conversion. He suggested continuing to the next meeting.

The Board discussed various options to discuss the issue at a subcommittee meeting or a full board meeting. Parsons suggested inviting the Building Inspector to the next meeting.

Public Comment:

Joanne and Emerson Tuttle, 103 High Street asked if the Board has considered the communications from the neighborhood. Letters were sent to Keith Anderson. Britt replied she has seen letters from the Tuttle and other neighbors. Westerhoff, Weatherall and Lowe said they read the letters.

Cara Connors, 93 High Street, asked for clarification on the continuance and potential subcommittee meeting.

Britt responded that the public hearing will be continued on May 13, 2021. Parsons said subcommittee meetings are public and the date and time will be posted.

Weatherall asked if granting a special permit triggers traffic studies. Parsons said it could if the Board requires it. It is not mandated in the zoning bylaw. Weatherall suggested a traffic study for this project. Lowe asked why the Board would require a traffic study for this project and not one for other projects on High Street. Weatherall sent a letter regarding traffic and what is happening in Ipswich. She said it is time for Ipswich to have a committee to look at infrastructure and traffic in Ipswich. The letter was forwarded to K. Anderson.

Westerhoff moved to continue the public hearing to May 13, 2021. Lowe seconded. The motion passed unanimously (4-0).

Continued Public Hearing: Request by New England Biolabs, Inc. for Site Plan Review to construct a new child care facility of approximately 9,000 sq. ft. and a 17-space surface parking lot at the southern portion of the lot known as 31 Fellows Road, immediately adjacent to, and with access from, the owner's campus at 240 County Road (Assessor's Map 63, Lot 7 & 43), located in the Rural Residence A District, pursuant but not necessarily limited to Sections V, VII, and X of the Zoning Bylaw

Westerhoff is recused, Weatherall is recused and K. Anderson is recused. Britt announced that the hearing needs to be continued without discussion since there are not enough voting members present for the public hearing.

Lowe moved to continue the public hearing without discussion to May 13, 2021. Britt seconded. The motion passed.

Vote on Planning Board Report to Town Meeting on Zoning Bylaw amendment articles

K. Anderson said the report is required for Town Meeting for any article changes. It is a summary of all the articles and how the Board voted on the articles. K. Anderson reviewed the report and noted it will be submitted to the Select Board and Finance Committee, which also voted on the articles. He also reminded members that the Board needs to present the articles at Town Meeting. Britt will present the Great Estate Preservation article. Weatherall will present the article on water demand minimization and Lowe will present the energy efficiency article. K. Anderson will present the Inclusionary Housing article.

Britt moved to approve the Planning Board Report to Town Meeting. Lowe seconded. The motion passed unanimously (4-0).

Document: Draft Report to Town Meeting

General Planning Discussion: CDP update, Special Town Meeting October 2021 Zoning Priorities, Staff updates

Grubbs provided an update on the Community Development Plan (CDP). The CDP Steering Committee meeting is scheduled for Wednesday, April 28, 2021. She said a short presentation was developed for outreach purposes to other committees, schools and any Town audience. Grubbs said a summer planning intern position for the Planning Department was posted.

Lowe asked about the timeline for review and approval of the CDP. Grubbs said the hope is to bring it to Fall Town Meeting.

Topics for Fall Town Meeting 2021:

Grubbs reviewed topics and stated the Board and Planning Department need to have proposals in place by July 2021. She said it is time intensive for working groups to be established and to meet.

Westerhoff suggested reviewing the density in Footnote 11. He said it stands out as a high priority. Lowe said the Board has regulation work to do assuming articles get passed at Town Meeting. K. Anderson agreed and said the payment-in-lieu regulation should be reviewed at the next meeting. K. Anderson said a review of various fees should be reviewed.

Parsons said he was in touch with Toni Mooradd and Glenn Gibbs about changes to Special Permit regulations. He suggested adding additional parameters to Special Permit regulations for certain projects. Toni Mooradd noted that clarifying language for the regulation will be suggested.

Parsons said additional topics include Open Space Preservation Zoning language, Water Supply Protection District language and short-term rentals are other things of importance to the Town and Board. Grubbs and Parsons will scope changes out.

Adopt minutes of March 4 and 11, 2021

Lowe moved to approve the minutes of March 4, 2021. Britt seconded. The motion passed 3-0 (Westerhoff abstained).

Westerhoff requested an edit for the March 11, 2021 minutes. He said he suggested to the applicant to present a four-unit plan in relation to 108 Central Street public hearing. He sent the requested edit to Parsons and Grubbs.

Lowe moved to approve the minutes of March 11, 2021 as amended by Westerhoff. Westerhoff seconded. The motion passed with 4 votes.

Documents: Draft minutes of March 4 and March 11, 2021 meetings

Announcements/New Business

K. Anderson is stepping down from the PB on June 4, 2021.

Adjournment

Lowe moved to adjourn. Westerhoff seconded. The motion passed unanimously.

Meeting adjourned at 10:19 PM

Meeting minutes prepared by: Odile Breton

Adopted on: June 3, 2021