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### TOWN OF IPSWICH

25 Green Street  
Ipswich, MA 01938

**DECISION ON APPLICATION COMPREHENSIVE PERMIT APPLICATION**  
**G.L. C. 40B, §§20-23**

APPLICANT: 30 Town Farm Road, LLC ("Applicant")  
PROPERTY: 30, 34 Town Farm Road & 17 Locust Road  
Ipswich, Massachusetts ("Property")  
DEVELOPMENT NAME: Primrose Farm  
DATE: July 16, 2020

#### I. PROCEDURAL HISTORY

1. An application for a Comprehensive Permit was received by the Ipswich Zoning Board of Appeals ("Board") on or about May 23, 2017. The application was for construction of forty (40) homeownership units in twenty (20) duplexes to be located on property located at 30, 34 Town Farm Road & 17 Locust Road, Ipswich, Massachusetts ("Project"). The Applicant has since modified the Project to twenty-four (24) condominium units consisting of ten (10) duplexes and four (4) single-dwelling units.
2. The Board's hearing on the Application was duly opened on June 15, 2017, and was continued to August 17, 2017, October 12, 2017, November 16, 2017, February 15, 2019, July 19, 2018, November 15, 2018, November 29, 2018, January 17, 2019, July 25, 2019, October 24, 2019, May 21, 2019, June 18, 2020

and July 16, 2020. At the request of the Applicant, the hearing was continued on numerous occasions, with extensions granted for the close of the public hearing pursuant to 760 CMR 56.05(3). The hearing was closed on July 16, 2020.

3. The Project is located at 30, 34 Town Farm Road & 17 Locust Road, Ipswich, Massachusetts (the "Property").
4. The Property is located in the Rural Residence A (RRA) Zoning District. The Property consists of three parcels of land totaling approximately 7.51 acres.
5. The Applicant provided various materials, reports, studies, and revised plans throughout the course of the public hearings on the Application.
6. During the public hearings, the Applicant was assisted primarily by its attorney Richard M. Kallman and its engineering consultant Patrick L. Bower of Amoskeag Engineering Consultants, PLLC. The Board utilized the services of Robert B. Blanchette, Jr., P.E. and Denis M. Hamel, CPESC of W.C. Cammet Engineering, Inc., Paul Haverty, Esq. and Christopher J. Alphen, Esq., of Blatman, Bobrowski & Haverty, LLC also represented the Board as its technical consultants through the Massachusetts Housing Partnership Technical Review program.
7. There was significant public input at the public hearings. The Board heard input from abutters and other interested persons throughout the hearing process.

## II. JURISDICTIONAL FINDINGS

8. The Applicant has demonstrated its eligibility to submit an application for a Comprehensive Permit to the Board, and the development fulfills the minimum project eligibility requirements set forth in 760 CMR 56.04(1) as follows:
  - a. The Applicant has formed a limited dividend entity, the 30 Town Farm Road, LLC, which is a single-purpose entity created for the purpose of the Project. 30 Town Farm Road, LLC has a principal place of business of 5 Broadway, Suite 200B, Saugus, Massachusetts 01906.
  - b. The Applicant has received a written determination of Project Eligibility from MassHousing dated April 3, 2017, a copy of which was provided to the Board with the original application.
  - c. The Applicant has included a copy of recorded deed which vests the Property to the Applicant, thus the Applicant has shown evidence of site control sufficient to qualify as an Applicant for a Comprehensive Permit.

- d. The Applicant has agreed to execute a Regulatory Agreement that limits its annual distributions in accordance with Chapter 40B and the regulations and guidelines adopted thereunder by the Department of Housing and Community Development-(DHCD).
9. The Town of Ipswich does not meet the statutory minima set forth in G.L. c. 40B § 20 or 760 CMR 56.03(3) to 56.03(7):
- a. At the time of the filing of the application, the number of low or moderate income housing units in the Town of Ipswich constituted 8.9% of the total year-round units in the Town, based on the most recent publicly available copy of the DHCD Subsidized Housing Inventory, dated September 14, 2017. Thus, the Town does not meet the 10 percent statutory minimum.
  - b. The Town does not have information that there are existing affordable housing units that are on sites which comprise more than one and one half percent (1.5%) of the total land area of the Town which is zoned for residential, commercial or industrial use (excluding land owned by the United States, the Commonwealth of Massachusetts or any political subdivision thereof).
  - c. The granting of this Comprehensive Permit will not result in the commencement of construction of low or moderate income housing units on a site comprising more than three tenths of one percent of land area in the Town of Ipswich or ten acres, whichever is larger, zoned for residential, commercial or industrial uses (excluding land owned by the United States, the Commonwealth of Massachusetts or any political subdivision thereof) in any one calendar year.
  - d. The Town of Ipswich does not have a currently approved Housing Production Plan pursuant to 760 CMR 56.03(4).
  - e. The Town of Ipswich has not achieved recent progress toward its housing unit minimum pursuant to 760 CMR 56.03(5).
  - f. The Project does not constitute a Large Project pursuant to 760 CMR 56.03(6).
  - g. The Applicant's Comprehensive Permit application does not constitute a Related Application pursuant to 760 CMR 56.03(7).

### III. FACTUAL FINDINGS

10. The Project is located on property located at 30, 34 Town Farm Road & 17 Locust Road, Ipswich, Massachusetts.
11. The Property is located within a Rural Residence A (RRA) Zoning District.
12. The Project will consist of twenty (24) residential ownership condominium units located in ten (10) duplex structures and four (4) single-family structures.
13. The Board heard testimony from the Applicant and in the traffic consultant's Traffic Study and Access Study (TIAS) completed by MDM Transportation Consultants dated May 2017 for a proposed 40 unit age restricted residential development with primary access along Town Farm Road and a secondary access along Locust Street. The TIAS was reviewed by WSP, the Town's peer traffic reviewer. WSP prepared a memorandum dated November 7, 2019. WSP found that the TIAS followed standard methodology and that the increase in vehicle trips is anticipated to be low. WSP further agreed with the TIAS conclusion that the available sight lines at the Town Farm Road driveway are more than adequate for the posted speed or the traveling speed.
14. The Board engaged in peer review of potential civil engineering, site design, and stormwater impacts of the Project.
15. The conceptual plans proposed 40 dwelling units, a traditional curb and gutter drainage system, a gravity sewer that fed a centralized sewer pumping station and significant disturbance within the 25-foot buffer zone to the existing wetland. After conducting an on-the-ground survey of the site, the Applicant's team discovered that the wetland to the north had expanded into the project area. The number of units was reduced 32 dwellings. The centralized sewer pumping station was eliminated and was replaced with individual sewer grinder pumps for each structure discharging to a common sewer force main.
16. The proposal was reviewed by the Conservation Commission. The Conservation Commission requested that the proposal be designed to create additional separation from the wetlands and include "Low-Impact Development" techniques that would encourage stormwater recharge. In addition the project was shifted southerly to limit disturbance within the 25-foot buffer zone.
17. The new proposal, submitted in June 2018, proposed 28 dwellings, a "country drainage" system that employed Low Impact Development (LID) techniques, and a significantly improved area of non-disturbance between the developed site and the existing wetland.

18. The Utilities Department reviewed the June 2018 plan and determined that the transmission main should not be realigned. The project was revised to remove the proposed water main realignment and to remove any structures from within the water easement. The resultant plans, dated November 2018, maintained the “country drainage” system and sewer force main systems. The proposed dwellings along the water easement were changed from duplex style to single units and the total number of proposed dwellings was reduced to 24.
19. The plan was revised by December 2018, April 2019 and July 2019 Plan sets. These plans did not change the proposed number of dwellings and general layout of the Project. The revisions were based on peer review comments and requests for further information. The drainage system is a mix of country drainage and some curb and gutter that was necessary to create separation from the wetlands and keep all new structures outside of the water easement. The sewer system remains unchanged from earlier proposals.
20. The landscape design objective for the proposed development will be to enhance the built environment through the creation of a sustainable landscape that blends into the site’s natural surroundings. The overall design will emphasize the use of low maintenance, native plantings and strive to integrate the proposed development’s needs into the site’s surrounding environment. The site design incorporates natural Low Impact Development (LID) practices such as vegetated swales, bioretention areas planted with native plantings, and underground recharge chambers.
21. The proposal helps address the lack of year-round affordable ownership units in Ipswich.
22. All the units will be age-restricted (55+) conominum units.
23. The Board finds that granting a Comprehensive Permit, with the conditions and waivers contained below, is consistent with local needs.
24. The Board finds that finds that the conditions imposed in Section IV of this Decision are necessary in order to address Local Concerns. The Board finds that such conditions will not render the project uneconomic. To the extent that such conditions may render the project uneconomic (as defined in 760 CMR 56.02), the Board finds that the Local Concerns outweigh the potential benefits of the proposed affordable units.

25. The Board finds that granting certain waivers from local by-laws and regulations is acceptable even though granting any waivers may have an adverse impact on Local Concerns.
26. The Board acknowledges concerns raised by abutters and other interested parties, including concerns relating to increased traffic and parking demand and stormwater runoff. The Board has addressed these concerns by the imposition of appropriate conditions. The Board further finds that conditions detailed below appropriately address these matters of local concern in a manner that outweighs the regional need for affordable housing. The Board finds that the conditions imposed below addresses local and regional housing needs while properly protecting valid issues of local concern.
27. The Board finds that the construction of the Project, as conditioned, will be consistent with local needs.
28. The development will demolish the existing residential homes on the site.
29. Access to the site will be provided by a primary driveway on Town Farm Road and a secondary driveway on Locust Street.

#### IV. CONDITIONS

##### A. **General**

- A.1 The holder of this Comprehensive Permit is defined as a limited dividend entity, 30 Town Farm Road, LLC. The site is defined as those properties located at 130, 34 Town Farm Road & 17 Locust Road Ipswich, Massachusetts, containing a total of approximately 7.51 acres. The Project is defined as all features shown on the plans listed below in Condition A.2 or as otherwise required by this Comprehensive Permit.
- A.2 Except as may be provided for in the following Conditions or in the Final Plans referenced below, the Project shall be constructed substantially in conformance with the plans and drawings listed below in this Condition A.2, which for purposes of this Comprehensive Permit shall be considered the Approved Plans for the Project ("Approved Plans"). Minor changes to the Approved Plans (e.g., changes that do not materially affect the location of, or increase the height or massing of the structures, or increase the number of units contained in the residential buildings) shall be submitted to the Building Commissioner who shall have the authority to approve such changes as immaterial changes. If the Building Commissioner determines that the proposed changes do not conform to the requirements of this Comprehensive Permit, he shall so notify the Applicant

and the Applicant shall either bring the plans into conformance with this Decision or seek modification in accordance with 760 CMR 56.05(11). The Approved Plans consist of the following:

Primrose Farm, Tax Map 30B, Parcels 33, 37A & 63, Town Farm Road – Locust Road, Ipswich Mass., dated November 13, 2017, with revisions through October 3, 2019, and consisting of the following sheets:

Sheet 1	Existing Conditions Plan 1
Sheet 2	Existing Conditions Plan 2
Sheet 3	Proposed Site Plan 1
Sheet 4	Proposed Site Plan 2
Sheet 5	Proposed Grading and Drainage Plan
Sheet 6	Proposed Roadway Profiles
Sheet 7	Proposed Utility Plan 1
Sheet 8	Proposed Utility Plan 2
Sheet 9	Proposed Construction Details 1
Sheet 10	Proposed Construction Details 2
Sheet 11	Proposed Construction Details 3
Sheet 12	Proposed Construction Details 4
Sheet 13	Proposed Landscape Plan 1
Sheet 14	Proposed Landscape Plan 2
Sheet 15	Proposed Landscape Plan 3
Sheet 16	Proposed Landscape Plan 4

Architectural Plan entitled “Samantha” prepared by Artform Home Plans, dated May 30, 2019, described as Samantha, Lot 4 Prim Rose, Ipswich, MA, consisting of ten sheets.

Architectural Plan entitled “Mayapple Patty Cake Duplex”, prepared by Artform Home Plans, dated May 29, 2019, described as Mayapple Patty Cake Duplex, Lot 15 & 16, Primrose Farm Estates, Town Farm Road, Ipswich, MA consisting of eleven sheets.

- A.3 The Applicant shall be a Limited Dividend Entity as required by Chapter 40B and it and its successors and assign, shall comply with the limited dividend and other applicable requirements of Chapter 40B and the regulations adopted thereunder.
- A.4 The Project shall consist of not more than twenty-four (24) condominium units in ten (10) duplex structures and four (4) single-family dwellings. The Project shall consist of twenty-four (24) three-bedroom units.

- A.5 The proposed project provides a garage and driveway for each unit. There shall be two (2) parking spaces per unit, including the affordable units. Driveway spaces shall have minimum dimensions of parking spaces, except as waived herein.
- A.6 All residential units approved under this Comprehensive Permit shall be age-restricted (+55) for-sale condominium units. Affordable units shall be distributed throughout the Project, as approved by the Subsidizing Agency during Final Approval.
- A.7 Pursuant to the revised Waiver List submitted to the Board and attached hereto as Exhibit A, the Applicant has requested, and the Board has granted, those waivers from the Ipswich Zoning Bylaw and other local by-laws and regulations as specified therein. No waivers are granted from requirements that are beyond the purview of G. L. c. 40B, §§ 20-23. No waiver of permit or inspection fees has been granted. Any subsequent revision to the Plans, including but not limited to revisions that are apparent in the Final Plans that require additional or more expansive waivers of any local by-laws or regulations, must be approved by the Board in accordance with 760 CMR 56.05(11). To the extent that additional waivers are subsequently determined to be required with respect to improvements that are otherwise shown on the Approved Plans, such waivers shall be deemed an insubstantial change to the Comprehensive Permit under 760 CMR 56.05(11), and can be granted administratively by the Board.
- A.8 The Project shall comply with all local regulations of the Town of Ipswich and its boards, commissions and departments unless specifically waived herein or as otherwise addressed in these conditions.
- A.9 The Applicant shall copy the Board on all correspondence between the Applicant and any federal, state, or Town official, board, or commission concerning the conditions set forth in this decision, including but not limited to all testing results, official filings, environmental approvals, and other permits issued for the Project.
- A.10 Except as otherwise specifically provided herein, where this Decision provides for the submission of plans or other documents for approval by the Building Commissioner or other Town Departments, the Building Commissioner or applicable Department Head will use reasonable efforts to review and provide a written response within thirty (30) days following submission. For submissions that require assistance from an outside consultant, as determined by the Building Commissioner or applicable Department Head, the thirty-day time period shall not begin until the consultant's fee has been fully funded by the Applicant.

- A.11 This Comprehensive Permit may be subsequently assigned or transferred pursuant to 760 CMR 56.05(12)(b). The pledging of the Property as security under any conventional loan financing terms as set forth in the financing entity's Loan Documents or any foreclosure sale pursuant to the same shall not constitute an assignment or transfer under this paragraph. The Board shall receive notice of any change in the principals of the 30 Town Farm Road, LLC, during construction of the Project, except if said change is as a result of the exercise by the Project lender of any rights under the applicable Loan Documents.
- A.12 The provisions of this Comprehensive Permit Decision and Conditions shall be binding upon the successors and assigns of the Applicant, and the obligations shall run with the land. In the event that the Applicant sells, transfers, or assigns its interest in the development, this Comprehensive Permit shall be binding upon the purchaser, transferee, or assignee and any successor purchasers, transferees or assignees. The limited dividend restrictions shall apply to the owner of the project regardless of sale, transfer, or assignment of the project.
- A.13 The driveways, roads, utilities, drainage systems, and all other infrastructure shown on the Approved Plans as serving the Project shall remain private in perpetuity, and the Town of Ipswich shall not have, now or in the future, any legal responsibility for the operation or maintenance of the infrastructure, including but not limited to snow removal and landscape maintenance. In this regard, the driveway within the Project shall not be dedicated to or accepted by the Town.
- A.14 Unless otherwise indicated herein, the Board may designate an agent to review and approve matters on the Board's behalf subsequent to this Decision.

**B. Affordability**

- B.1 A minimum of 25% of the home-ownership units shall be low- or moderate-income units, meaning that they shall be sold to, and occupied by, households whose income is not more than 80% of the Area Median Income ("AMI"), as determined by the United States Department of Housing and Urban Development ("HUD") and DHCD ("Affordable Units"). Affordable units shall be dispersed throughout the Project in accordance with the guidelines of the Subsidizing Agency. Unless otherwise expressly directed by the Subsidizing Agency, at least one of the four (4) single-family houses shall be an affordable unit. The Applicant shall be responsible for maintaining records sufficient to comply with DHCD guidelines for the location of Affordable Units in the Project and occupancy of such Units by income-eligible households.
- B.2 Upon completion of the Project, and in perpetuity (or for so long as the Project does not comply with the underlying zoning requirements), six (6) units shall

meet the criteria for inclusion in the DHCD's Subsidized Housing Inventory.

- B.3 The Applicant shall obtain approval by the Subsidizing Agency of an affirmative fair housing marketing plan prior to the sale of any units, and shall ensure that the Project complies with the Subsidizing Agency's fair housing requirements.
- B.4 The maximum number of affordable units allowed by law and applicable subsidy program, but no more than fifty (50%) percent of the units, shall be reserved for present residents of Ipswich, or employees working in the town of Ipswich. A lottery shall be established in a form approved by the Subsidizing Agency and/or the Project's monitoring agent to effectuate this local preference, with an approved secondary lottery for all other applicants. The Applicant shall assist the Town in the submittal of any evidence required by the Subsidizing Agency to support this local preference requirement.

**C. Submission Requirements**

- C.1 Prior to any construction or site development activities (including site clearing, tree removal, grading, etc.) on the Site, whether or not pursuant to a building permit, the Applicant shall:
- a. Deliver to the Board a check in a reasonable amount determined by the Board to be used for the Board to retain outside experts for technical and legal reviews and inspections required under these conditions. Said funds shall be deposited by the Board in an account pursuant to G. L. c. 44, s. 53G and shall only be used for technical reviews and inspections associated with this project. Any unspent funds shall be returned to the Applicant with accrued interest at the completion of the project. If at any time the Board reasonably determines that there are insufficient funds to cover the costs of technical reviews, it shall inform the Applicant and the Applicant shall forthwith deliver additional funds as specified by the Board in a reasonable amount as may be determined by the Board. Said funds may be used by the Board to hire civil engineering, traffic engineering, legal counsel, accounting, and/or other professionals that the Board deems reasonably necessary to ensure compliance with the conditions hereof.
  - b. Obtain a National Pollution Discharge Elimination System (NPDES) Permit from the U.S. Environmental Protection Agency (EPA), if necessary. The Board shall also be provided a copy of the Stormwater Pollution Prevention Plan ("SWPPP") submitted along with the NPDES filing.

- c. Submit to the Board for review and administrative approval a EPA Construction General Permit.
- d. Submit to the Board for review and administrative approval Final Engineering Drawings and Plans ("Final Plans") that conform to the requirements of this Comprehensive Permit and incorporate the conditions herein. The Final Plans shall also incorporate all conditions and requirements of permitting agencies having jurisdiction. Applicable sheets of the Final Plans shall be signed and sealed by the Professional Land Surveyor of record, the Professional (Civil) Engineer of record, and the Registered Landscape Architect of record. Final Architectural Plans shall be stamped by a Registered Architect. The Final Plans shall be submitted to the Board at least thirty (30) days prior to the anticipated date of commencement of building construction or submission of an application for building permits, whichever is earlier (the "Final Site Plan Submission Date").

At a minimum, the Final Plans shall be in accordance with the comments from the peer review consultants detailed during the course of the hearing. If no written response or comments have been given to the Applicant by the Board concerning the Final Plans within thirty (30) days after the Final Plan Submission Date, the Final Plans, as delivered, will be deemed to have been approved.

- e. Submit to the Building Commissioner a construction mitigation plan including, but not limited to, dust control measures, fill delivery schedules, stockpiling areas, and like matters. Other than site work and such other work as may be authorized in writing by the Building Commissioner, no other construction of units shall commence and no building permits shall be issued under this Comprehensive Permit until the Building Commissioner, in consultation with the Board's peer review engineer, has approved the Final Plans as being in conformance with this Decision. If no written response or comments have been given to the Applicant by the Building Commissioner concerning the Final Plans within thirty (30) days after the Final Plan Submission Date, the Final Plans, as delivered, will be deemed to have been approved.
- f. Submit to the Board for its administrative approval, a landscaping plan with the Final Plans, signed and sealed by a Registered Landscape Architect, depicting the following:
  - i. Overall planting plan that includes a demarcation of clearing and the limits of work;

- ii. Planting plans for driveways showing shade trees and lighting fixture locations;
- iii. Plans of walkways in open space and recreation areas;
- iv. Prototype planting plans for each building that include shade trees, ornamental trees, shrubs, and groundcovers;
- v. Prototype screening plans for dumpsters, depicting plantings and fencing;
- vi. Planting details for coniferous and deciduous shade trees, ornamental trees, and shrubs;
- vii. Planting schedules listing the quantity, size, height, caliper, species, variety, and form of trees, shrubs, and groundcovers;
- viii. Tree protection and preservation plans; and
- ix. Construction details.
- x. Verification that the plantings will not interfere with subsurface infrastructure.

All plantings shall consist of non-invasive, drought-tolerant species. Plantings installed along driveways and walkways shall also be salt-tolerant. The final landscaping plans shall preserve the existing perimeter tree cover to the greatest extent practicable. The Applicant shall be responsible for removing and replacing any dead or diseased planting that does not survive the first two growing seasons. Prior to planting, the Applicant shall verify with the Town Engineer that such plantings will not interfere with existing subsurface infrastructure.

C.2 Prior to the issuance of any building permits, the Applicant shall:

- a. Record this Comprehensive Permit with the Essex South Registry of Deeds, at the Applicant's expense, and provide proof of such recording with the Ipswich Building Commissioner.
- b. Submit to the Board and the Building Commissioner evidence of Final Approval from the Subsidizing Agency (MassHousing), as required by the Project Eligibility letter and the Chapter 40B regulations.
- c. Submit to the Board and the Building Inspector a certified copy of the

Regulatory Agreement and Monitoring Services Agreement for the Project. Execution and recording of such Regulatory Agreement and subsidy funding commitment by MassHousing or an approved New England Fund lender shall be complete prior to the issuance of any building permit.

- d. Submit to the Building Commissioner final Architectural Plans prepared, signed and sealed by an architect with a valid registration in the Commonwealth of Massachusetts ("Architectural Plans"). The Architectural Plans shall be submitted in such form as the Building Commissioner may request.
- e. Obtain and file with the Building Commissioner a copy of all required Federal, State, and local permits and approvals required to begin construction of the Project.
- f. Obtain all necessary building, electrical, plumbing, and associated permits required to begin construction of the Project required by state law.

**D. Construction Completion/Certificate of Occupancy**

- D.1 Prior to issuance of a certificate of occupancy for a specific portion of the Project, the Applicant shall:
- a. Submit engineer's interim certification of compliance with utilities plan and profiles (as applicable) to the Ipswich Building Commissioner.
  - b. Provide a letter to the Board, signed by the Applicant's civil engineer, certifying that the Project has been constructed in compliance with the Final Plans in all material respects.
  - c. Obtain acceptance from the Ipswich Fire Department of testing of all fire protection systems, fire alarm systems, fire sprinkler systems, and local smoke alarms within the dwelling units.
  - e. Obtain a sewer connection permit from the Ipswich Sewer/Wastewater Division.
- D.2 Prior to issuance of the certificate of occupancy for the last residential building to be constructed, the Applicant shall:

- a. Submit to the Building Department, in digital file format, a final as-built utilities plan including profiles, showing actual-in ground installation of all applicable utilities, rim and invert elevations, roadway, sidewalk and associated construction. The file format shall be in a form acceptable to the Building Department. AutoCAD file delivery shall be in full model view and individual sheet views. The digital file shall include property boundaries, dimensions, easements, rights-of-way, edge of pavement, edge of water bodies, wetland boundaries, topographic contours, spot elevations, parking areas, road centerline and associated text. Said digital data shall be delivered in the Massachusetts State Plane Coordinate System, North American Datum 1983 and North American Vertical Datum 1988, in U.S. Survey Feet.
- b. Submit to the Building Commissioner as-built foundation plans for all buildings in the Project.
- c. Prior to the first occupancy agreement for the first unit, submit to the Board's counsel the Condominium Master Deed, Condominium Declaration of Trust and accompanying condominium plans (together, the "Condominium Documents"). Such Condominium Documents shall incorporate the all the conditions of this Decision, and shall address, at minimum maintenance/snow removal of all roadways, infrastructure maintenance, and trash removal.

**E. Project Design and Construction**

- E.1 Prior to the commencement of any work on the site, the Applicant and the site general contractor shall attend a preconstruction conference with the Building Commissioner and other Town staff as may be determined.
- E.2 The Applicant shall permit representatives of the Board to observe and inspect the Site and construction progress until such time as the Project has been completed.
- E.3 The proposed construction shall be in accordance with applicable Federal and State laws, rules and regulations.
- E.4 All site retaining walls four (4) feet or greater in height shall be designed by a Massachusetts Professional Structural Engineer.

- E.5 During construction, the Applicant shall conform to all local, State, and Federal laws regarding noise, vibration, dust, and blocking of Town roads. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Adequate provisions shall be made by the Applicant to control and minimize dust on the site during construction in accordance with the construction mitigation plan. The Applicant shall keep all portions of any public way used as access/egress to the Project free of soil, mud or debris deposited due to use by construction vehicles associated with the Project.
- E.6 Appropriate signage shall be shown on the Final Plans. The Applicant has requested a single waiver from the Town of Ipswich Bylaws regarding signs. All other signs shall comply with the applicable Bylaws.
- E.7 The location of all utilities, including but not limited to electric, telephone, and cable, shall be shown on the Final Plans. All transformers and other electric and telecommunication system components shall be included on the Final Plans.
- E.8 The Applicant shall use natural gas for the Project, if reasonably available at the time of the submission of Final Plans. Gas service locations shall be included on the Final Plans.
- E.9 The Applicant shall install lighting on the site which conforms to the Town of Ipswich's Zoning Bylaw. Lighting shall be down-lit/shielded to prevent light spillover onto surrounding properties. Management of outdoor lighting shall be the responsibility of the Applicant.
- E.10 Utilities, including but not limited to telephone, electric, and cable, shall be located underground.
- E.11 Soil material used as backfill for pipes, access drives, or structures shall be certified by the Geotechnical Engineer to the Building Commissioner as meeting design specifications, as applicable.
- E.12 Construction activities shall be conducted between the hours of 7:00 a.m. and 7p.m., Monday through Friday, and Saturdays 7:00 a.m. to 5:00 p.m. For purposes of this condition, construction activities shall be defined as: start-up of equipment or machinery, delivery of building materials and supplies; delivery or removal of equipment or machinery; removal of trees; grubbing; clearing; grading; filling; excavating; import or export of earth materials; installation of utilities both on and off the site; removal of stumps and debris; and erection of new structures. All off-site utility work shall be coordinated and approved by the Building Department and shall not be subject to the timing restrictions set forth above. Parking of all vehicles and equipment must be on site during construction.

- E.13 Burning or burial of construction or demolition debris on the site is strictly prohibited. All such materials are to be removed from the site in accordance with applicable law. During construction, the site shall be secured against unauthorized entry or vandalism by fencing, or other appropriate means, and all construction materials shall be stored or stockpiled in a safe manner. Any floodlights used during the construction period shall be located and directed so as to prevent spillover or illumination onto adjacent properties. All construction activities are to be conducted in a workmanlike manner.
- E.14 No building areas shall be left in an open, unstabilized condition longer than sixty (60) days. Temporary stabilization shall be accomplished by hay bales, hay coverings or matting. Final stabilization shall be accomplished by loaming and seeding exposed areas.
- E.15 The Applicant and/or subsequent condominium association shall be responsible for trash pickup. The condominium documents shall include provisions for trash pickup.
- E.16 All retaining walls visible from a public way or direct abutters, as determined by the Building Commissioner based upon the time of year when such walls would be most visible, shall be constructed in an aesthetic manner. Specifically, retaining walls shall avoid the use of exposed concrete to the greatest extent practicable.
- E.17 Snow shall be stored within the areas of the site designated on the Approved Plans. To the extent snowfall exceeds the capacity of the designated snow storage areas, the Applicant shall truck the excess snow off-site.
- E.18 The Applicant shall comply with all applicable state and federal requirements relating to noise from construction activities, including the regulations contained at 310 CMR 7.10 and the DEP's Noise Policy contained in DAQC Policy 90-001. The Applicant shall also implement all necessary controls to ensure that vibration from construction activities does not constitute a nuisance or hazard beyond the Property. Upon notification from appropriate municipal officials, the Applicant shall cease all construction activities creating noise in excess of state and federal standards, and shall implement such mitigation measures as is necessary to ensure the construction activity will comply with applicable State and Federal requirements.
- E.19 The Applicant is responsible for the sweeping, removal of snow and sanding of the internal roadways and driveways providing access to residents of the Project, as well as emergency vehicles.

E.20 The Applicant shall maintain all portions of any public road, whether state or local roads, used for access to the Property by construction vehicles, free from soil, mud or debris deposited due to such use during the duration of construction.

**F. Traffic Safety Conditions**

F.1 Applicant shall ensure that clearing and grading associated with the construction of site driveway intersections with Town Farm Road exceeds the sight line requirements published by AASHTO. Applicant shall maintain the sight distance at the Locust Road and Town Farm Road intersections by trimming vegetation and limiting signage.

F.2 Any reduction in parking area for any unit, absent a corresponding reduction in the number of units, shall constitute a substantial change pursuant to 760 CMR 56.05(11).

**G. Police, Fire, and Emergency Medical Conditions**

G.1 The Applicant shall ensure that emergency vehicles can adequately maneuver through the site. The Ipswich Fire Department shall review the Final Plans to ensure compliance with this condition.

G.2 Unit numbers shall be provided in an easily identifiable manner as soon as foundations are poured, to allow easy recognition by emergency personnel.

**H. Water, Sewer and Utilities**

H.1 Sprinkler systems shall be installed in buildings with more than two dwelling units.

H.2 All water infrastructure shall be installed in conformance with the Town of Ipswich's requirements. The Applicant shall consult with the Town's Division of Water/Wastewater prior to the commencement of construction. Construction shall be done consistent with the construction sequencing plan dated October 21, 2019, submitted during the course of the hearing.

H.3 Fire hydrants shall be placed as shown on the Approved Plans in locations approved by the Ipswich Fire Department. If the Ipswich Fire Department approves different hydrant locations, such modification shall be accepted as an insubstantial change pursuant to 760 CMR 56.05(11).

- H.4 The service size for the domestic water service should be verified by the Water Department and information on the fire service size and requirements should be verified by the Fire Department. The Applicant shall submit information regarding the size of both the domestic and fire services as part of Final Plans, after consultation with the Water Department and the Fire Department respectively.
- H.5 All water and sewer improvements necessary to serve the Project must be completed, and interim as-built plans must be submitted to and approved by the Division of Sewer/Wastewater, before any occupancy permits for the Project may be issued.
- H.6 The water and drainage utilities servicing the buildings in the Project shall be installed and tested in accordance with applicable Town of Ipswich requirements and protocols, except as may be waived herein.
- H.7 Utilities shall be installed underground by the Applicant using methods standard to those installations. Utilities shall be defined as electric service lines, telephone lines, water service lines, CATV lines, municipal conduit and the like.
- H.8 The Applicant agrees to upgrade and record new easement documents pertaining to existing water main easement, consistent with Town requirements. Such revised easement shall be subject to review by Town Counsel, and the administrative approval of the Water and Wastewater Department. Such revised easement documents shall also include a formal easement plan and description of the existing water main approved by the Department, suitable for recording.
- H.9 The Applicant shall be responsible for any damage to the existing water main or associated appurtenances due to its construction activity. Prior to the commencement of any work that may impact the existing water main, the Applicant shall provide the Division of Water/Wastewater a bond in the amount of \$150,000.
- H.10 Permanent monuments marking the location of the existing water main must be installed and maintained throughout the length of the easement in some reasonable interval, subject to the approval of the Water and Wastewater Department.
- H.11 Water meters shall be in place during construction, to measure the use of the public water supply.
- H.12 The Applicant shall coordinate the connection to the natural gas with the DPW, and such connection shall be reviewed as part of the Final Plans.

**I. Other General Conditions**

- I.1 As security for completion of the infrastructure shown on the Final Site Plans, including, but not limited to the roadways including the entire paving of the entire roadway, parking, stormwater management system, lighting, water and, landscaping and utilities (collectively the "Infrastructure"), the Applicant shall provide security consistent with the provisions of G. L. 41, § 81U, and subject to the following:
- a. No occupancy permit for a building shall be issued until: (1) the entirety of the roadway shown on the Final Site Plans providing access to the subject buildings has been installed, excepting the final course of pavement; and (2) all other Infrastructure necessary to serve the building, as approved by the Building Inspector and/or Water/Wastewater Director has been constructed and installed so as to adequately serve said building. The final infrastructure for the Project, including, but not limited to, final course of pavement shall be installed prior to the issuance of occupancy permits for the final condominium unit. The final infrastructure shall include, but not be limited to: intermediate and final course of pavement, remaining landscaping, and any "punch list" items identified by the Water/Wastewater Director, the Building Inspector and/or the Public Works Director, as applicable. Alternatively, if the Applicant desires to obtain such final occupancy permits for the final condominium unit before the completion of said Final Infrastructure, it shall deposit monetary security with the Town securing the installation and construction of such Final Infrastructure. The amount of such security and any necessary contingency shall be determined by the Board, acting reasonably and upon the advice of its consulting engineer. The form of the security agreement binding such security shall be subject to review by Town Counsel.
  - b. Upon review of the Final Infrastructure by the Building Inspector, and the DPW, the Applicant may seek to obtain certificates of occupancy for the units.
- I.2 This Decision will be deemed to be final upon the expiration of the appeal period with no appeal having been filed or upon the final judicial decision following the filing of any appeal, whichever is later. In accordance with 760 CMR 56.05(12)(c), this Comprehensive Permit shall expire three (3) years from the date that the permit becomes final, unless (i) prior to that time substantial use of the Comprehensive Permit has commenced or (ii) the time period is otherwise tolled in accordance with law. The Applicant may timely apply to the Board for extensions to the Comprehensive Permit as permitted by law.

- I.3 The Applicant shall comply with all local regulations of the Town of Ipswich and its boards, commissions, and departments unless specifically waived herein or as otherwise addressed in these conditions.
- I.4 The Applicant shall copy the Board on all correspondence between the Applicant and any federal, state, or Town official, board, or commission concerning the conditions set forth in this decision, including but not limited to all testing results, official filings, environmental approvals, and other permits issued for the Project.
- I.5 This Decision prohibits the parking or storage of any unregistered vehicle on the site, and likewise prohibits the service of any vehicles on the site, except during construction.
- I.6 In the event that the Applicant (or the Condominium Association) fails to maintain the stormwater management system for the Project in accordance with its operation and maintenance plan, the Town may conduct emergency maintenance and/or repair, as it deems necessary, and the Applicant shall, prior to the issuance of any certificates of occupancy, convey such easement or other rights in a form mutually acceptable to the Town and the Applicant as may be reasonably necessary to complete such repair and/or maintenance. In the event the Town is required to perform such maintenance, the Applicant shall reimburse the Town within forty-five (45) for all of its reasonable expenses related to such work.
- I.7 The Project entrance way and interior roads, and drainage systems associated therewith shall remain private, and the Town shall not have any legal responsibility for the operation and maintenance of such.
- I.8 If any default, violation or breach of these conditions by the Applicant is not cured within thirty (30) days after notice thereof (or such longer period of time as is reasonably necessary to cure such a default so long as the Applicant is diligently and continuously prosecuting such a cure), then the Town may take one or more of the following steps: (a) by mandamus or other suit, action or other proceeding at law or in equity, require the Applicant to perform its obligations under these conditions; or (b) take such other action at law or in equity as may appear necessary or desirable to enforce these conditions. If the Town brings any claim to enforce these conditions, and the Town finally prevails in such claim, the Applicant shall reimburse the Town for its reasonable attorneys' fees and expenses incurred in connection with such claim.

- I.9 Prior to the issue of any occupancy permits, and prior to the execution of any purchase and sales agreement for a market rate unit, the Applicant shall submit, to the satisfaction of the Building Inspector, a copy of the Condominium Trust and Condominium Master Deed which shall include an adequate plan for the operation and maintenance of utilities and roadway. The utilities and roadway which provides access to the units shall be maintained in perpetuity by the Condominium Association, which obligation shall be incorporated in the Condominium Association documents, as applicable, and the declaration of restrictive covenants to be executed by the Applicant. The Condominium's Association obligation shall include snow removal of the roadway. The condominium documents shall include bylaws prohibiting cars from parking on any portion of the roadway.
- I.10 The landscaping shall be maintained in perpetuity by the Condominium Association, which obligation shall be incorporated in the Condominium Association documents, as applicable, and the declaration of restrictive covenants to be executed by the Applicant. Dead or diseased plantings shall be replaced as soon as possible in accordance with growing and weather conditions.
- I.11 Prior to the issuance of the Certificate of Occupancy for the final market-rate unit in the Project, the Applicant shall have completed construction and shall have ready for sale all of the affordable units in the Project.

### **DECISION**

In consideration of all of the foregoing, including the plans, documents and testimony given during the public hearing, the Board hereby grants the Applicant a comprehensive permit for the construction of twenty-four (24) home ownership condominium units pursuant to Chapter 40B, §§ 20-23, for the development described above.

### **RECORD OF VOTE**

The Ipswich Zoning Board of Appeals voted \_\_\_\_\_, at its public meeting on July 16, to grant a Comprehensive Permit subject to the above-stated Conditions, with this decision as attested by the signatures below.

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2020 JUL 30 A 10:21

Members in favor:

Robert G. Sambate

Benjamin F. Fierstein

Eric A. Van

[Signature]

RECEIVED  
TOWN CLERK  
OFFICE

Dated: July 16, 2020

Filed with the Town Clerk on July 30, 2020.

Amy Sakell  
Town Clerk

**Notice:** Appeals, if any, by any party other than the Applicant, shall be made pursuant to Massachusetts General Laws, Chapter 40A, s. 17, and shall be filed within twenty (20) days after the filing of this notice in the Office of the Town Clerk, Town Hall, Ipswich, Massachusetts. Any appeal by the Applicant shall be filed with the Housing Appeals Committee pursuant to G. L. c. 40B, § 23, within twenty (20) days after the filing of this notice in the Office of the Town Clerk.

ATTEST A TRUE COPY.

Amy Sakell

### DECISION ON WAIVERS

The Board grants the following waivers from local requirements and regulations as it has determined necessary for the construction of the Project as approved by the Board:

**Waiver Request:**

As required under 760 CMR 56.05(2)(h), the following is a list of Waivers to "Local Requirements and Regulations" in effect as of the date of the filing of the Comprehensive Permit Application with the Town of Ipswich Zoning Board of Appeals, including waivers from the Town of Ipswich General Bylaws, as Amended through the Special Town Meeting held on October 25, 2016, as further amended through the date of the filing of this Application ("Ipswich General Bylaws"), VI. Protective Zoning Bylaw -- Town of Ipswich, Massachusetts (dated May 7, 1977, as Amended through the Special Town Meeting held on October 25, 2016, as amended through the date of the filing of this Application ("Zoning Bylaw"), the Town of Ipswich Planning Board Rules and Regulations Governing the Subdivision of Land in Ipswich, Massachusetts, as amended through July, 2013 (Subdivision Rules) if applicable, and other Local Requirements and Regulations as defined under Section 56.02 of the Chapter 40B Regulations, including all local legislative, regulatory, or other actions which are more restrictive than state requirements, if any, including local zoning and wetlands bylaws, subdivision and board of health rules, and other local bylaws, codes, and regulations, in each case which are in effect on the date of the Project's application to the Board. In addition to the following list of requested Waivers listed below, the Applicant requests an exception from each and every provision or requirement of all Local Requirements and Regulations issued by a "Local Board" (defined under the Chapter 40B Regulations as means any local board or official, including, but not limited to any board of survey; board of health; planning board; conservation commission; historical commission; water, sewer, or other commission or district; fire, police, traffic, or other department; building inspector or similar official or board; board of selectmen, as well as all boards, regardless of their geographical jurisdiction or their source of authority [that is, including boards created by special acts of the legislature or by other legislative action] if such local board perform functions usually performed by locally created boards) with which any aspect of its Comprehensive Permit Application, including but not limited to its proposed site development plans and any other information hereinafter submitted to the Board, is inconsistent.

**Board Action:** The Board acknowledges that procedural requirements requiring applications to other local boards, as that term is defined by G. L. c. 40B, § 20 and 760 CMR 56.05(2), are not required, as the issuance of a comprehensive permit subsumes all other local permitting requirements. This does not relieve the Applicant of the burden of requesting specific waivers of substantive requirements of local rules. The Board does not grant blanket waivers of local rules, any

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**substantive waivers must be expressly set forth herein.**

Town Code: Part I, Chapter 15, Article III, Section 15-22, Streets: The Applicant requests a waiver of this provision prohibiting the disturbance of the surface of any way or street within one year, except in the case of reasonable necessity as demonstrated to the Town Manager. The Applicant requests this provision to be waived to allow work within a street that has been completed within one year, to the extent necessary.

**Board Action: Waiver denied as unnecessary. The Applicant has not demonstrated that such waiver will be necessary. To the extent that such waiver should prove to be necessary, the required approval of the Town Manager would be exercised by the Board, as such approval would be subsumed pursuant to Chapter 40B. To the extent the Applicant determines during construction that approval to open a street pursuant to this section is necessary, a request for modification should be filed pursuant to 760 CMR 56.05(11) for review by the Board.**

General Bylaws: Chapter 193 – Stormwater Management: The Applicant requests a blanket waiver of the Stormwater Management Bylaw and Regulations, to allow stormwater to be addressed in accordance with the DEP Stormwater Management Policy.

**Board Action: Procedural waiver denied as unnecessary. The Board's decision subsumes any permitting requirement under Chapter 193, a formal waiver of these permitting requirements is not required. The Applicant did not request any specific substantive waivers of Chapter 193, therefore no such waivers are granted.**

General Bylaws: Chapter 197, Section 197-20, Streets and Ways: This section requires a permit from the Board of Selectmen for excavation within public ways. The Applicant requests a waiver from this permitting requirement.

**Board Action: Waiver denied as unnecessary. The issuance of the comprehensive permit subsumes all local permits, therefore a street opening permit from the Board of Selectmen is included as part of the comprehensive permit to the extent required to complete construction consistent with the Approved Plans.**

General Bylaws: Chapter 220, Article I, Section 220-1 – Sewer Tie-ins: This section requires buildings on property adjoining the public sewer system to tie-in to the municipal sewer system. The Applicant seeks a waiver of this provision.

**Board Action: Waiver Request Withdrawn**

General Bylaws: Chapter 220, Article IV, Section 220-6 – Water and Sewer: This section requires a certificate of compliance prior to the sale of a property that the premises are properly connected to the municipal sewer system. The Applicant requests

a waiver of this requirement.

**Board Action: Waiver denied. The Water and Wastewater Department is the appropriate department for determining proper connection to the municipal sewer system.**

General Bylaws: Chapter 224, Article IV, Sections 224-1 through 224-18 and all local wetlands bylaw regulations and policies: The Applicant requests a blanket waiver of all local wetlands bylaws and regulations to allow compliance with only the requirements of the Wetlands Protection Act.

**Board Action: Waiver partially granted. The Applicant obtained an Order of Conditions from the Ipswich Zoning Bylaws which purported to grant specific waivers requested by the Applicant. Those waivers were for Section 224-2(A)(4) and Section 224-2(B) of the Ipswich Wetlands Bylaw, and for sections 2(III)(A)(3) and Section VI(D) of the Ipswich Wetland Protection Rules and Regulations. The Board grants these waivers as recommended by the Ipswich Conservation Commission. No other substantive waivers have been requested or granted.**

Zoning Bylaw Section V.A – Use Regulations: This section prohibits the use of property except for the purposes permitted in the zoning district. The Applicant requests a waiver to allow the use of the property as described in the application.

**Board Action: Waiver Granted.**

Zoning Bylaw Section V.D., Footnote 18 – Use Regulations: This section prohibits more than one principal building permit lot. The Applicant seeks a waiver to allow for approval of the duplex units, as shown on the plans.

**Board Action: Waiver Granted.**

Zoning Bylaws Section VI.A, Dimensional and Density Regulations: This section requires compliance with minimum dimensional and setback requirements (as set forth in other sections). The Applicant requests a waiver to allow the project to comply with the bylaw with the substantive waivers as granted herein.

**Board Action: Waiver Granted, to the extent substantive waivers have been granted elsewhere herein.**

Zoning Bylaws Section V.B, Table of Dimensional Regulations. The Applicant requests a waiver of the minimum front yard setback of 50', to allow a minimum setback of 5.9'. The Applicant also requests a waiver of the minimum side yard setback of 40' to allow a minimum side yard setback of 19.2'.

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**Board Action: Waivers Granted.**

Zoning Bylaws Section IX.A, Special Regulations, Open Space Preservation: This section requires any proposed development creating six or more single-family dwellings to submit a special permit application to the Planning Board for approval of a cluster development. The Applicant requests a waiver of this requirement.

**Board Action: Waiver Denied as unnecessary. The requirement for obtaining a special permit for a cluster development has been subsumed into the comprehensive permit. For clarity, the Applicant is not required to comply with Section IX.A, as the comprehensive permit obviates the need for approval under this section.**

Zoning Bylaws Section IX.C, Special Regulations, Water Supply Protection District Regulation: The Applicant requests a waiver of Section IX.C(12), which limits the amount of impervious area on a lot.

**Board Action: Waiver Request Withdrawn.**

Zoning Bylaws Section XI.A, Administration – Enforcement: This section provides that the bylaw shall be enforced by the Building Inspector. The Applicant requests a waiver to acknowledge that the bylaws shall be enforced as waived herein.

**Board Action: Waiver Granted, enforcement of the Zoning Bylaws shall be done by the Building Inspector in a manner consistent with this decision, including the waivers granted herein.**

Zoning Bylaws Section XI.E, Administration – Violations: This section authorizes the Building Inspector to issue cease and desist orders for violations of the bylaws. The Applicant requests a waiver to acknowledge that violations of the bylaws may be done only in accordance with the bylaw as waived herein.

**Board Action: Waiver Granted.**

Zoning Bylaws Section XI.B, Administration of Zoning Bylaw: Permits, Certificates Required: This sections requires compliance with the Zoning Bylaw before the issuance of building or occupancy permits. The Applicant requests a waiver to acknowledge that building permits and occupancy permits may issue in compliance with the bylaws as waived in this decision.

**Board Action: Waiver Granted.**

Zoning Bylaws Section XI.E, Administration – Violations: This section allows the Building Inspector to issue notices of violation for any structure/use not in compliance

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with the zoning bylaws. The Applicant requests a waiver to acknowledge that no notice of violation shall be applicable for provisions of the bylaws waived herein.

**Board Action: Waiver Granted.**

Zoning Bylaws Section XI.I, Administration – Compliance With Zoning Bylaw: This section allows the Board of Selectment to require compliance with the Zoning Bylaws as a condition of the issuance of any permit or license. The Applicant requests a waiver to allow permits and licenses (as necessary) to be issued based upon compliance with the Zoning Bylaws as waived herein.

**Board Action: Waiver Granted.**

Town Of Ipswich Comprehensive Permit Rules, Section 3.01(a)(viii), Submission Materials: This section requires all materials filed with the Subsidizing Agency to be filed with the Board. The Applicant requests a waiver to allow only the submittal of the Project Eligibility Letter issued by the Subsidizing Agency.

**Board Action: Waiver Granted.**

Town Of Ipswich Comprehensive Permit Rules, Section 3.01(a)(ix), List of Exceptions: This section requires a list of waivers which includes an analysis of the requested waiver. The Applicant seeks a waiver to require compliance consistent with 760 CMR 56.05(2)(h).

**Board Action: Waiver Granted.**

Town Of Ipswich Comprehensive Permit Rules, Section 3.01(b)(iii), Submission Materials, Long Term Monitoring: This section requires the submittal of a cost estimate to implement the long term monitoring plan. The Applicant requests a waiver of this requirement.

**Board Action: Waiver Granted.**

Town of Ipswich Sewer Regulations:

**Board Action: Waiver Request Withdrawn**

Town of Ipswich Water Regulations:

**Board Action: Waiver Request Withdrawn**

Town Fee, Bond and Security Related Requirements:

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**Board Action: Waiver Request Withdrawn**

Waivers from Town of Ipswich Local Requirements: The Applicant requests a blanket waiver of any local rules or requirements required to construct the project, but which have not been included within the list of waivers.

**Board Action: Waiver Denied. Specific waiver requests are necessary to identify which provisions of local rules have been waived by the Board's decision. To the extent that specific waivers are required to construct the Project as shown on the Approved Plans, but have not been listed herein, the Applicant must submit a request for modification pursuant to 760 CMR 56.05(11) identifying such additional waivers. Any waiver necessary to construct the Project as approved, but not included within the original list of waivers, shall be considered an insubstantial change upon submittal of a request for modification pursuant to 760 CMR 56.05(11).**



**TOWN OF IPSWICH**  
**IPSWICH, MASSACHUSETTS 01938**

Town Clerk

25 Green Street  
(978) 356-6600

**CERTIFICATE**

I, Amy S. Akell, Town Clerk of the Town of Ipswich,  
hereby certify that no appeal pursuant to Massachusetts General  
Laws, Chapter 40A, Section 15 has been received by me with respect  
to the **COMPREHENSIVE PERMIT**

**Granted to**

**30 Town Farm Road, LLC**

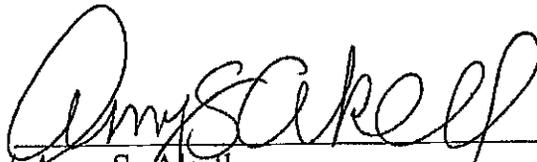
**30-34 Town Farm Rd.**

by the Ipswich Zoning Board of Appeals and filed with the  
Town Clerk's office on **July 30, 2020**

Signed under the pains and penalties of perjury this

**24 August 2020**

Attest:

  
\_\_\_\_\_  
Amy S. Akell  
Town Clerk  
Ipswich, Massachusetts