



TOWN OF IPSWICH PLANNING BOARD

TOWN HALL, 25 GREEN STREET, IPSWICH, MASSACHUSETTS 01938

Final Report of the Planning Board to Special Town Meeting Held on October 16, 2021

This document is the final report of the Planning Board, including recommendations on three proposed zoning articles on the warrant for the October 16, 2021 Special Town Meeting, prepared and submitted in accordance with Section XI.L of the Ipswich Zoning Bylaw and Section 5 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

The Planning Board initiated the three zoning amendment articles and submitted them to the Select Board on June 28, 2021. In accordance with Section 5 of Chapter 40A of the Massachusetts General Laws, the Select Board, on July 6, 2021, referred the proposed zoning articles back to the Planning Board for review and public hearing. Legal notices of the public hearing were published in the *Ipswich Local News* on July 7, 2021, and July 14, 2021.

On Thursday, July 26, 2021 the Planning Board opened the public hearing at a duly advertised public meeting held on ZOOM, after the duly advertised public notice, to consider the following zoning amendments to the Ipswich Protective Zoning Bylaw. After taking public comment on the 26th, the Board voted to continue the public hearing to its meeting of August 5th, 2021. After closing the public hearing, the Board voted on August 5th as indicated below to recommend Town Meeting adopt the three zoning amendment articles.

Article 5: Amend Zoning Bylaws – Section VI, Footnote 11, Footnotes to the Table of Density & Dimensional Regulations

The Planning Board recommends 5-0 that the 10/16/21 Town Meeting adopt Article 5.

This article will eliminate the ability to use the density bonus as defined in Footnote 11 to Section VI. Table of Dimensional and Density Regulations within the IR District.

In the past few years, some applications of the multi-family provisions within the IR District have strayed from the original intent with respect to project size and unit density. In particular, a footnote to the Table of Dimensional and Density Regulations, Footnote 11, allows one to ask for a greater density for a multi-family project, which may be approved by Special Permit from the Planning Board. The Planning Board has been faced with applications for projects that are unsuitable for their lots and incompatible with their neighborhoods. It is worth noting that Footnote 11 has been applied in several visible and successful projects, including the conversion of the former Caldwell Nursing Home (in the IR District) and the former Town Hall/District Court (located in the CB District) buildings into multi-family housing. This article would not disallow multi-family housing, two-family housing, single-family housing or any currently allowed housing type or other use within the IR District.

Article 6: Amend Zoning Bylaws - Revisions to Section IX.S & Section IX.P - Infill Housing and Accessory Building Conversion

The Planning Board recommends 5-0 that the 10/16/21 Town Meeting adopt Article 6.

This article will revise Section IX. Special Regulations Subsection S. Infill Single Family House Lots by: (1) Reducing the allowed maximum house size and allowing flexibility for the house size based on the size of the Infill lot; (2) remove reference to the \$40,000 affordable housing payment required in lieu of creating affordability restriction and add a reference to Planning Board Payment-in-Lieu Option Regulation; and (3) amend Subsection IX.P Conversion of Accessory Dwelling Unit by removing the reference to the \$15,000 payment in lieu option and replacing it with a reference to the Planning Board’s Payment-in-Lieu Option Regulation.

The “Infill” provision was established in 2003 to encourage development of single-family homes in the IR District as an alternative to multi-family development. Originally infill projects were allowed only on double lots in subdivisions of 5,000 square foot lots laid out around the early 20th century, decades before the Town's first zoning bylaws in the 1950s. The provision was expanded in 2017 to include all lots having 10,000 sq. ft. of area and at least 100 feet of frontage, with limitations on the size of the single-family house, and requiring a \$40,000 payment into Town's Affordable Housing Trust Fund. By multiple measures, the infill housing provision has been successful: multiple single-family homes have been built on lots in keeping with the size of existing lots in their immediate neighborhood, and also relatively comparable in size and design, and around \$300,000 has been deposited in the Affordable Housing Trust Fund. However, the infill houses built over the past few years have sold at prices presumed to not be affordable to households earning moderate incomes. Also, there has been some concern that the current maximum floor area requirement may work reasonably well in certain areas of the IR District but less so in others. This article moves the inclusionary housing payment requirement to the Planning Board’s Payment in Lieu Regulation and it limits the size of infill homes to be more consistent with the size of existing homes in their vicinity. The article also moves the payment in lieu amount for accessory building conversion projects to the Planning Board’s Payment in Lieu Regulation.

Article 7: Amend Zoning Bylaws – Section V. Table of Use Regulations - Revisions to Affordable Housing Incentives

The Planning Board recommends 5-0 that the 10/16/21 Town Meeting adopt Article 7.

This article will amend Section IX. Special Regulations by adding a new Subsection: “U. Detached Accessory Units”, which would allow said use by Special Permit within the IR District on certain eligible lots.

The 2020 Housing Production Plan Strategy #6 is to “provide more flexibility to create Accessory Dwelling Units (ADUs) and allow the creation of tiny houses or other small detached accessory units.” This proposal aims to increase the supply of small, moderate and affordably priced housing within the IR District, close to the Town’s center; and to promote development that is compatible with the character and development pattern of its surrounding neighborhoods. The article would allow ADUs on certain IR District lots by Planning Board special permit.