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January 12, 2022

OF COUNSEL

JAMES W. MURPHY  
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*Via Email & 1<sup>st</sup> Class Mail*

Carolyn Britt, Chair  
Planning Board  
c/o Ethan Parsons  
Town of Ipswich  
25 Green Street  
Ipswich, MA 01938

**Re: Ora, Inc., 55 Waldingfield Road, Ipswich, MA**

Dear Chair Britt and Members of the Planning Board:

This office represents Ora, Inc. (“Ora”) and I am in writing in response to a statement received last night from Attorney Dennis Murphy on behalf of unnamed “concerned neighbors”. We are disappointed in the tone and the timing of the letter.

First, the Planning Board GEPD process is not a game show with three curtains. Ora has spent considerable time with the Planning Board, the Open Space Committee, the Design Review Board, Historical Commission and residents on Waldingfield Road to present a proposal that is consistent with the GEPD, which enhances and guarantees public access, not available at present time, which will protect open space and will rehabilitate and refurbish historic and architecturally significant buildings in accordance with the GEPD. The team has presented a thoughtful design and have been responsive to the Planning Board’s requests.

Second, Ora has not “repeatedly threatened the Town and neighbors” with a subdivision. One of the stated principles of the GEPD is to avoid the subdivision of large tracts of land that have historical, architectural and land significance. Ora had a legal obligation to present the subdivision to the Planning Board for the sole purpose of meeting the intent of the Bylaw. It has only been referenced at one meeting for that purpose. The current owner had actually included a site plan of a residential subdivision development in the marketing packet that Ora reviewed for the Property as an option.

Third, Attorney Murphy’s letter follows the anywhere but here “not in my backyard” (“NIMBY”) script without deviation. Attorney Murphy’s “offer” is not to place the entire property into a conservation restriction, but rather to preserve open space and come up with what his clients

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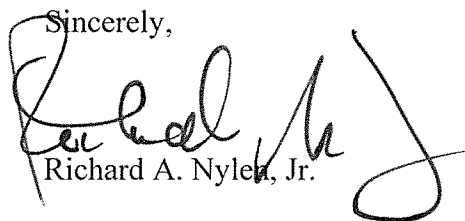
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believe is the appropriate development for the Property. It is known without contrary evidence, that the mansion, barn and other significant historic and architectural buildings need substantial capital in order to rehabilitate and restore them, as contemplated by the GEPD. The recognition in the Bylaw of the cost for such rehabilitation and restoration is the foundation of the GEPD that allows for additional space to be created to capture the revenues necessary for the restoration/rehabilitation. Notably, it is not a free pass for unlimited building as there is a requirement for open space and a cap on the limit of additional space to eight percent (8%) of the Property. While we are not aware of what Attorney Murphy believes their appropriate use for the buildings on the Property, we are aware that one member of the FOW has put together a package for private financing for a hotel and even made an offer to Ora to join in the hotel plan last August.

Finally, two months ago, a resident of Hamilton spoke up about a purchase at the Planning Board hearing. I stated publicly that we have control of the Property and have never received an offer. To date Ora has received inquiries but has not received a written offer, as Ora is not soliciting offers. I spoke to Attorney Murphy personally on Monday, January 10, 2022 and no offer or suggestion of an offer was made.

The GEPD has been a longer than usual, special permit process because that is the nature of the GEPD process. It requires sign-off's by multiple Town agencies and sets eligibility for the protection of open space and public access. We believe the end result will be a project that meets the objectives of the GEPD, shelters and screens the buildings from view, will present the most sustainable commercial structure in Town, will not put any strain on municipal services and will be a positive economic asset and taxpayer for Ipswich.

We look forward to the completion of the Special Permit and Site Plan process.

Sincerely,  
  
Richard A. Nylea, Jr.

RAN/kad

cc: Stuart Abelson, ORA, Inc.  
Jennifer Williams, Sr. Manager, Special Projects/ORa, Inc.  
John Harden, AIA LEED AP – Principal/Olson Lewis + Architects