

February 25, 2022

Carolyn Britt, Chair
Planning Board
25 Green Street
Ipswich, MA 10938
Via Electronic Mail (Email)

RE: Special Permit Requirements
55 Waldingfield Road — Ora, Inc

Dear Chair Britt and Members of the Board:

This letter is behalf of *Winburn Farm, LLC* located 128 and 130 Topsfield Road which is north of the site across the Ipswich River. We are long standing members of community, active equestrians, and neighbors that are deeply concerned with above referenced application. We believe this application does not meet the criteria necessary for this Board to grant the special use permit pursuant to IX.H of the Bylaw (Great Estate Preservation Development – GEPD) and will ultimately be a detriment to Waldingfield Road, the community, the surrounding neighborhood, and the Town of Ipswich.

We share the concerns of our fellow residents including the Friends of Waldingfield and the ever-growing group opposing this application. We cannot put into words how appreciative we are of this Board to be presented with such a daunting task and would like to thank the Board members for their dedication to the process and the time they have committed to this application. We feel the numerous issues raised about this application are valid and the eligibility of this application remains in question, including the gross floor area (inclusion of crawl space beneath a barn) criteria and the inclusion of all ready protected areas within the land area summary (both conservation areas and floodplains).

Our goal with this letter is bring to light additional concerns and failures associated with the application that we feel still have not been addressed by the Applicant. We do strongly agree with the testimony submitted by Professor Robert D. Yaro, and his conclusions that the project will damage the neighborhood character, cause irreparable harm to Waldingfield Road, and the project is inconsistent with both the Great Estates Bylaw and the special permit criteria of the Protective Zoning Bylaw. In addition, we do not feel at this time the Applicant has fully satisfied the various peer reviews.

We urge the Board to continue to look at what the applicant is proposing versus what the applicant is speaking to, we appreciate the applicant attempting to address the Board and Public's concerns, but they have not done so in a way that should be found acceptable by this Board. The promises that are being made are not feasible and/or enforceable by this Board or the Town, and they do not protect the public in the future. The Applicant continues to fail to demonstrate the project meets the necessary criteria for this Board to grant the special use permit.

We continue to be disappointed with the Applicants piecemeal approach to the project, and we encourage the Applicant and the Board to recess the application to give the Applicant time if they so choose to continue to formalize their plans and allow them to present a complete application demonstrating they have satisfied all the peer reviews, demonstrating they meet the necessary criteria for this Board to grant a special permit, and present formal conditions and restrictions that are enforceable in order to protect the welfare of the public. The conditions should be made in a way that are prohibitive from future expansion, limit the volume of traffic on Waldingfield Road, and protect the public welfare.

We feel it is important the Applicant take a long pause before deciding to move forward, as they continue to remain reactive and piecemealing their solutions to the concerns raised by the Board, the Public, and the Peer Reviewers. This can be seen within the latest letters submitted on behalf of both the Applicant and their Attorney, where they continue to provide promises without real conditions and/or restrictions that protect the public and/or demonstrate they met all the necessary criteria for the Board to grant the special use permit. We have highlighted below a few examples from the Applicants latest correspondence that we feel highlights this approach:

- *Within the letter prepared by The People of Ora dated February 9, 2022 they state this application “will provide public access to the Ipswich River for the first time”, this is misleading and a false accusation. Public access is available today to the Ipswich River. We recommend that they continue to think about what conditions or restrictions will protect this property from future expansion. An item to think about is what is stopping them from converting the barn in the future and eliminating the equestrian component of the property (this is a historic part of this property and natural environment). Additionally, what are the restrictions associated with the public open space and can they provide draft language for the both the Board and Public to review.*
- *Within the letter prepared by Lynch, DeSimone & Nylén, LLP dated February 8, 2022 the Applicants Attorney makes representations in their opinion that the project meets the Great Estate Bylaws, but these justifications should be made by a Professional Planner and be included within a report for both the public and Board to review. The justifications should be accompanied by real conditions and restrictions to formally show how the criteria of the Great Estate Preservation Development (GEPD) is being met. At this time the Applicant has not provided sufficient and/or real justifications, only the opinion being made by their Attorney.*
- *The Applicant and their Attorney explain how the company has “shifted its traditional organizational design to be remote first” and they do not “sit in cubicles all day”, which we think is great and in theory it has the potential to reduce the number of workers on-site but they do not provide any enforceable restrictions that make this a real mitigation measure for the significant increase in traffic volume or impact to this scenic and historical roadway. Through expert testimony provided by Professor Robert D. Yaro and traffic study prepared by the applicant it has been shown that what the applicant is proposing will have an adverse impact on the character of the roadway and the neighborhood, and poses many safety concerns for the public.*
- *The plans as presented also incorporate “hot desking” which allows for more employees to be accounted for in a smaller space as the areas are not broken into individual cubes or offices with minimum square footages that allow for more room for employees to comfortable work. It should also be noted that on Ora’s website and under the current job postings they still have many different full-time on-site positions (even in Massachusetts). We recommend the Applicant and its Attorney present this information in a different way for it to be considered by this Board and provide real conditions and restrictions to protect the public welfare.*

We have included additional concerns we have with the application below that we feel should be addressed before the application moves forward. We feel strongly that the Applicant has not demonstrated they meet the Standard Criteria for a Special Permit, or the additional criteria of the Great Estate Preservation Development (GEPD) and the Board should not act favorably upon this application.

Applicants Plan to Mitigate Substantial Increase in Traffic Volume – We have concerns with the plan presented to the Board and outlined within the letter prepared by Lynch, DeSimone & Nysten, LLP dated February 8, 2022. The Applicant has not provided a mitigation plan to mitigate the substantial increase in traffic volume, and only has made suggestions that are not enforceable by this Board and/or the Town. We recommend that the applicant provide a summary of conditions and restrictions along with a revised Traffic Study, a Parking Management Plan (limiting the supply), and an Off-Site Parking Agreement for the Board and its professionals to review incorporating the suggested mitigation measures. At this time the Applicant has not provided sufficient information and/or any enforceable protections to limit the traffic volume or future improvements would provide more off-site parking. As such, the Applicant has not demonstrated that the project provides adequate traffic flow and safety and as presented the project will have an adverse impact on a historic and scenic roadway and the community.

Sight Distance Concerns – The Sight Distance Evaluation Letter prepared by GPI nor their latest response to the Boards Professional adequately support the project provides safe sight distance or meets the minimum recommended requirements. The information provided does not include enough supporting material to confirm adequate sight distance is met including providing supporting plans showing existing features such as trees, retaining walls, and other features that impact a driver’s sight line. At this time the applicant has not demonstrated that traffic flow and safety on-including the parking and loading facilities has been met, and has shown that the proposed driveway will create a potential safety hazard for the public using Waldingfield Road. We encourage the Board to review Figure 1 included within the original evaluation letter prepared by GPI which clearly shows that a driver would not have clear and/or adequate sight lines as their vision would be impacted by existing trees, vegetation, retaining walls, and by bends within the roadway. It is recommended the Applicant provide an report which includes revised sight line plans with surveyed information of the existing features clearly shown and a profile of the sight lines which is common practice in the industry.

Loading, Design Vehicles, and Turning Movements – We recommend the Applicant confirm the largest design vehicles to access the site, no trucks should be permitted as part of the project. We also recommend the Applicant provide Turning Movement Templates for all design vehicles anticipated to access the site along with the largest emergency vehicle for review by the Boards Professionals to show the site as designed can safely accommodate these vehicles. The Applicant shall update the Traffic Report and/or provide a separate report summarizing the deliveries including trash pick-up associated with the project. The applicant has not demonstrated that the project provides adequate traffic flow and safety on-including the parking and loading facilities.



Figure 1. View from newly proposed western site driveway location looking east

Solid Waste & Recycling Management – We recommend the Applicant provide the Board and its professionals a report of how the applicant intends to handle the solid waste and recycling associated with the development on-site. The project has not demonstrated how they intend to manage and store solid waste or recycling. This has the potential to have visual impact to the historic nature of the property, an impact to water quality (if not managed properly), and an impact to the community. The report should include at a minimum how they will be manage waste (private contractor or the Town), pick-up frequency or times (recommend restricted hours), what types of waste are anticipated (confirm no hazard waste on-site), who and how will they be managing waste from the equestrian facility, and if the Applicant will be providing any eco-friendly initiatives when it comes to large amounts of waste anticipated to be generated by the facility.

Septic System Design and Waste Management – We recommend that the Applicant provide additional supporting calculations including sizing for the system, investigation of the condition of the existing system, and a plan for handling kitchen waster for review by the Board and the Boards Professionals to review. The plans show a existing traditional septic system to be used, however the project calls for extensive commercial facilities including an on-site cafeteria. This existing system was not designed for the additional loading from the intensification of the property or the introduction of a commercial kitchen with high-grease flow. This is important as this has the potential to adversely impact water quality and the protected Ipswich watershed. The Applicant has not demonstrated the site has adequacy of utilities, and as designed would negatively impact the natural environment.

Treatment of Runoff and Water Quality – We recommend that the Applicant be upheld to the highest standards for water quality treatment, and at a minimum provide pre-treatment of motor vehicle runoff. At this time the applicant has not addressed outstanding comments from the Boards Peer Reviewer and the project would have an adverse impact to the natural environment and water quality. We also recommend the applicant be restricted from using harmful ice melts given the negative impact it woud have on the watershed.

Equestrian Component of the Property – We appreciate the applicant’s intention to protect the equestrian component of the project, but we would ask they provide additional information on how they intent to manage this portion of the property (number of horses anticipated, type of facilities, improvements associated with this portion of the project, etc.). The applicant should also provide conditions and/or restrictions to permanently protect the equestrian portion of the project and limit the Applicants ability to redevelop the barn in the future to expand the intensity of the development. The barn and its facilities should be protected and remain for that use in perpetuity.

Sincerely,

Margaret M. and Michael D. Schrage

Sheldon W. Frisch

Dr. Fern Selesnick