

IPSWICH PLANNING BOARD

MEETING MINUTES

Remote Meeting using ZOOM
Thursday, April 1, 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 1, 2021 using ZOOM. Board members Keith Anderson, Mitchell Lowe, Jeffrey Anderson, Kevin Westerhoff, Carolyn Britt and Helen Weatherall were present. Staff, Ethan Parsons and Kristen Grubbs, were also present.

K. Anderson convened the meeting at 7:05 PM with a quorum present.

K. Anderson requested an acknowledgement of attendance for all members present. He noted the members that were present as well as Town staff, Ethan Parsons, Kristen Grubbs and minute-taker Odile Breton.

Citizen Queries: Julia O’Leary, 23 Pleasant Street, asked if the Board would weigh in on the Essex Pastures 40B project. K. Anderson stated the ZBA has not reached out to the Board with specific requests. The Board has not discussed the project at any recent meetings. There are no plans for the Board to get involved. Parsons added that the Planning Department has been involved with the project for more than two years, including coordinating the input of several boards and committees within the Planning Directorate. O’Leary said from the ZBA meeting she interpreted that the ZBA was seeking input. Chris Florio, 44 Fellows Rd, supports O’Leary and read comments made by the attorney for the ZBA.

K. Anderson said he will reach out to the Chair of the ZBA and ask what the ZBA is looking for from the Board. Parsons added there are several requests that have not been addressed by the project. K. Anderson requested Parsons review letters sent and check for any updates or changes related to the project.

Public Hearing on proposed zoning articles for 2021 Annual Town Meeting

K. Anderson opened the public hearing by reading the legal notice.

Article 1 (Article 16 on the warrant): Amend Section VI. Dimensional and Density Regulations, Footnote 11 to remove the references to actual payment-in-lieu fees and replace with a reference to the Planning Board Payment-in-Lieu-of-Option Regulations; to amend Section IX.I Inclusionary Housing Requirements by establishing that 15% affordability is required for multi-family projects, to remove references to actual payment-in-lieu fees and replace with a reference to the Planning Board Payment-in-Lieu-of-Option Regulations, and to reformat subparagraphs 3.a.i and 3.a.ii for clarity; and to amend comparability requirements for affordable units.

K. Anderson asked Parsons to review changes. Parsons stated nothing substantive changed. “Project” changed to “development”. He noted that under Section 3.b.i there is a correction to reference the Payment-in-lieu Regulation.

K. Anderson summarized significant points in the article:

- Raises 10% affordable housing requirement to 15% in developments
- Revises language for clarity
- Affordable unit is indistinguishable from market rate units
- References the Board’s Regulation for payment-in-lieu

The Board agreed to maintain remaining language as presented. K. Anderson said the Board will be discussing amending the Payment-in-lieu Regulation in upcoming meetings.

Low moved to support Article 16 as written in the 3/29/2021 version and recommend to the Town Meeting for approval. J. Anderson seconded. The motion passed unanimously.

Article 2 (Article 17 on the warrant): Amend Section IX.H. Great Estate Preservation Development to allow for consideration of historic Great Estate land configuration in determining Great Estate lots, to lower the minimum floor area of buildings on Great Estates from 40,000 sq. ft. to 30,000 sq. ft., and to establish a minimum floor area of 12,500 sq. ft. for Great Estate mansions.

Parsons reviewed the more restrictive language added. He stated the historic area of the estate can be used for eligibility only. Parsons explained what can be used to determine the buildable portion of the lot. He stated historic areas that have been conveyed for conservation purposes may not be used in the calculation.

Public Comment:

Jack Whittier, 35 Waldingfield Road, Hamilton, said the buildable area discussion is for residential use and asked about commercial use. Parsons explained the floor area yield calculation governs buildable area regardless of use. Whittier asked if there are building height limitations. Parsons said yes and the maximum height is four stories (45 feet).

Nathaniel Pulsifer, 11 Waldingfield Road, asked about added traffic to Waldingfield Road and if there are any traffic studies. Parsons said traffic studies can be requested when an application is brought before the Board but he was not aware of any having been done. Pulsifer asked about the process to qualify for a Great Estate. Pulsifer emphasized it is not appropriate to include land that is conserved in the calculation for building. Parsons said once the land is used to meet the Great Estate requirement to determine eligibility that is the end of the use of that land.

Nancy Baker, 76 Goodhue Street, Hamilton, inquired about the distinction of existing floor area and new floor area. She asked about converting an existing a garage and if that conversion is considered new floor area. Parsons explained the cap on total floor area and provided an example. She is concerned about more traffic, more parking and more waste water.

Gerry Fallon, 38 Goodhue Street, Hamilton, inquired about the existing barn at 55 Waldingfield Road. Parsons explained that an applicant would only get bonus floor area if existing buildings are preserved. Fallon asked how many single family homes could potentially be built at the 55 Waldingfield site. Parsons said he believed it could be between 12 and 20 single family homes.

There were no additional comments from the Board or the public.

Britt moved to support Article 17 and recommend to the Town Meeting for approval. Lowe seconded. The motion passed unanimously.

Article 3 (Article 18 on the warrant): Amend Section X. Site Plan Review to insert a new standard for water demand minimization; and amend Section XI.J. Special Permits to insert a new criterion pertaining to minimizing water demand.

K. Anderson said there were no changes and the article appears straightforward. There were no questions from the Board or public comments.

Lowe moved to support Article 18 and recommend to the Town Meeting for approval. J. Anderson seconded. The motion passed unanimously.

Article 4 (Article 19 on the warrant): Amend Section I. Purpose by inserting language pertaining to energy conservation and utilization of renewable energy sources; amend Section VI. Dimensional and Density Regulations to allow heat pumps and advanced insulated walls to encroach within required side and rear setbacks.

K. Anderson said definitions were added for clarity. He asked if the article needed additional work. Britt said this is zoning and not designed to be more complex. She noted the Energy Road Map bill was recently signed by Governor Baker.

Lowe said Part 2, G.1 is confusing. He does not understand the current conditions in Town and what the section is solving and what potential loopholes it is creating. J. Anderson agreed that the section is confusing and may create issues. Parsons said he spoke with the Building Inspector who said the section is an issue because there are things already being allowed in the setbacks. Parsons said G.1 may not be an incentive.

K. Anderson asked if the article could move forward with simpler language. He suggested the article be tabled. Parsons suggested moving the article forward without G.1.

Westerhoff requested language clarity for Part 2, G.2. He asked for "by" to be added so that the article does not get misinterpreted that setbacks could be reduced to 1 foot.

There were no further comments by the Board or the public.

Lowe moved to support Article 19 as discussed and modified and recommend to the Town for approval. Britt seconded. The motion passed unanimously.

Britt moved to close the public hearing. J. Anderson seconded. The motion passed unanimously.

K. Anderson noted the articles will go before the Select Board on Monday evening and the Finance Committee on Tuesday evening.

New Public Hearing: Request by C&J Realty Trust for Site Plan Review to construct a new industrial building and expand an existing industrial building at 57 & 59 Mitchell Road, 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 opened the public hearing by reading the legal notice. Larry Graham of H.L. Graham & Associates presented for the applicant.

Graham reviewed the site plans (4 diagrams/sheets) and explained the project. He described existing conditions and existing buildings. Sheet 2 of the civil plan set is the proposed layout of the site. Graham described the addition of a 10,800 sq. ft. building and an addition to an existing building. The layout diagram includes drives and parking. He stated 48 parking spaces are required and there will be 53 parking spaces. Two parking spaces will be developed for EV charging. The units in the building are anticipated to be rental units to service business such as plumbers or electricians. There is no expectation of customers on site.

Graham noted for the next hearing the plans will be updated to include the dumpster location, which may need some of the additional parking spaces. He stated security cameras will be installed throughout the site. The lighting will mimic current lighting at 59 Mitchell Road. Lighting fixtures will be installed above doors and garages. All lighting will be dark sky compliant. The landscape design plans will include maintaining existing trees and more planting in front of the building at 57 Mitchell Road. Landscape plans will be reviewed at the next meeting. Graham noted there is a waiver request relating to submitting elevation drawings.

A CBU for business mailboxes will be located at Mitchell Road. Stop signs will be installed for both drives. No business signage is proposed for the site. Snow storage will be included on updated plans for the next meeting.

K. Anderson confirmed with the Board that it will require peer review for the drainage plan. He asked if the application will go before the Conservation Commission.

Graham stated the applicant does not anticipate going before the Conservation Commission. There is no proposed work in the buffer zones. Parsons stated the application will go before the Design Review Board. He reiterated that the applicant is requesting waivers for elevations, however.

Lowe asked about the retaining wall on the south side of the site and asked if the grading was higher or lower than the adjacent property. Graham said the grading is currently lower but will come up. Westerhoff asked if McCarthy Landscaping will remain at the property. Graham said yes and it did a lot of outdoor clean-up for this project. He said McCarthy owns the property through C & J Realty.

Britt asked about energy efficient design and if the building will meet the Stretch Code. Graham said it will have to meet the code. Britt asked about solar panels on the roof and potential heavy

water users as tenants. She also inquired about storage of toxic materials. Graham anticipates toxic materials will not be allowed to be stored on site and McCarthy does not store harmful materials on site. Graham will discuss with the owner about solar and an all-electric building. He said gas is currently used to heat the existing buildings. The units will have a wash sink and toilets. There will not be showers. Weatherall encouraged solar energy.

Lowe asked what is next for the applicant. K. Anderson said peer review is needed and asked the Board members to go by the site for a visit. Graham suggested visiting the site after 4:00 PM during the week.

There were no more comments or questions from the Board or the public.

J. Anderson moved to continue the public hearing to April 22, 2021. Lowe seconded. The motion passed unanimously.

Documents:

- *Permit Plan, 4 sheets, prepared 3/8/21 by H.L. Graham Associates*
- *Site Plan Review Application dated 3/8/21*

New 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 recused himself because he anticipates not being able to serve on the Board for the duration of the hearing and he appointed Weatherall as a voting member on this application. Britt will chair the public hearing.

Britt opened the public hearing by reading the legal notice. Sarah Winderlin, applicant, was present and Ken Savoie, architect for the project, was also present for the public hearing.

Winderlin provided history about the site and noted it is a split zoning lot. There is an existing two-family on the lot. There is a separate building on the lot, which Winderlin uses as her residence and there is a studio workshop. She explained the proposed plan and said there are no proposed changes to the existing two-family. She is proposing to rebuild the current accessory building, which has an 875 sq. ft. footprint. The accessory building would be moved back and a garage would be built underneath it. The studio workshop will be removed. She is proposing adding a four-unit building, which will be placed 130 feet from the front lot line. The average size of units in the new building is 1,100 sq. ft. One unit will be an accessible unit and one unit will be affordable.

Savoie presented drawings of the four-unit building and described the architecture and residential access of each unit. Each unit will have its own private outdoor use space. There are twelve

parking spots on the lot. There is no garage for the four unit building. The accessory building will have a garage. The four unit building will be behind the two family building.

Britt said clarification for the number of units allowed is needed. Britt asked Parsons to work with the applicant. Parsons stated the applicant can request up to a maximum of seven units under specific language in footnote 11 to the table in Section VI of the zoning bylaw. J. Anderson asked for clarification on parking. Plans were presented and parking spaces were identified. Lowe requested elevations be reviewed for clarification on how the buildings would interact with the grade. Weatherall asked about the driveway. Savoie said the driveway will need to be widened to meet Fire Department requirements. An inquiry was made regarding non-residential use. Winderlin said the shed is a non-conforming use and is space that she considers non-residential.

Public Comment:

Joanne Tuttle, 103 High Street, is concerned with more traffic being added to the area. She said the area is being overbuilt. The hill on the lot is sand. She is also concerned about water usage.

Cara Connors & Christopher Fauske, 93 High Street, said the project would add a large building on a small space and they are concerned about traffic and density. They would like to understand the elevation of the proposed buildings in relation to neighboring homes. They had questions regarding additional lighting on the property.

Bob Weatherall from the Design Review Board (DRB) said the project was introduced to the DRB. He said the accessible and affordable units are commendable. He is not attending the public hearing to make any statements on behalf of the DRB.

Lowe inquired about site a site visit. Winderlin noted that the APDC is scheduled to visit the site on Saturday, April 3, 2021 at 10 AM. Britt asked if Board members could go on Saturday or any other time. Winderlin said yes.

Lowe moved to continue the public hearing to April 22, 2021. Westerhoff seconded. The motion passed unanimously.

Documents:

- *Special Permit Application dated 2/15/21*

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, Weatherall and K. Anderson are recused.

Britt chaired the public hearing.

Pat Norton, representing New England Biolabs, April Ferraro, Meridian Engineers, Mike Lindstrom, architect, and Don Greenough, attorney representing New England Biolabs, were present for the applicant.

Ferraro reviewed changes to the site plans. She stated the driveway to the child care facility changed as requested by Greenbelt. She pointed out an existing trail will move. She said the site plans were sent to the Fire Chief for review. She noted comments from peer review (Bob Puff) were received and they are working on responses. She said the Conservation Commission had a site visit last week. The application will be before the Commission next week.

Lindstrom reviewed the architectural design. He discussed parking at the site. Kate Kennen of Offshoots Inc. described the landscape plan. Prudence Ferreira reviewed the sustainability of the site and building. She discussed energy efficient measures and stated solar use is being evaluated.

Lowe inquired about parking. Ferraro said there are 17 parking spaces and 2 are accessible. Lowe asked if there are any charging stations. Norton said there will be but they are not yet defined. Lowe reminded the applicant that there is a bylaw requirement for charging stations.

Lowe noted that the loop for the driveway is gone and asked if there are any safety concerns for drop off and pick up. Norton said work hours are flexible and they are not anticipating any traffic congestion issues. Lowe asked where the trash is located. Lindstrom said it is located at the far end away from the building and is screened.

Britt asked about snow storage and asked if there will be bicycle parking. Ferraro said the plans will be updated to show snow storage and they will look into bicycle parking.

J. Anderson said the plans are a positive update but all the details need to be provided.

Grubbs asked if the child care center is just for Biolabs personnel. Norton said yes.

Public Comment:

Jim McCarthy, 35 Fellows Road, inquired about the need for retaining walls and asked if the natural terrain will remain unchanged. He asked about the slope of land from the rear to the wetlands.

Kate Kennen said there are areas that need to be leveled but no retaining walls are proposed. She said the slope is graded as a 3 to 1 slope, which is not a steep slope.

Helen Chandler, 30 Fellows Road, is concerned about solar panels and the glare panels can produce. She is also concerned about noise and asked about hours of operation.

Lindstrom said solar panels should not be seen from Fellows Road. The child care will operate during the day and there are no evening hours.

Lowe asked about a site visit and access to the location. Norton suggested using the horse trail network to access the location. J. Anderson asked Bob Weatherall to provide comments from the

DRB. Weatherall said the applicant has been before the DRB twice and comments were provided to the applicant. He said he is frustrated that the comments were not included in the presentation.

There were no further comments/questions from the Board or the public.

Lowe moved to continue the public hearing to April 22, 2021 and J. Anderson seconded. The motion passed with 3 votes.

Documents:

- *April 2021 Presentation*

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, H.L. Graham & Associates, and Lou Rubino, representing MMC Realty Holdings LLC, were present for the public hearing. Graham reviewed the major revisions to the site plan. He said the original request for seven units is reduced to six units. He said the footprint for each building is also reduced. There is a circular configuration for the driveway for the residential units. There is over 50% open space. All lighting is dark sky compliant. Snow storage is identified on the site plan. Graham stated they have not yet received peer review comments. Rubino met with the DRB and incorporated design suggestions. Rubino stated the residential units are intended for sale and there will be a homeowner's association.

Lowe described the site plan layout as boxy. J. Anderson said the layout is not engaging of how residents can use the site. It is just about putting units on the site. Westerhoff asked if there was any opportunity for community space. Lowe asked about the waiver for the island in the commercial space parking area. Graham said the requirement could be met by reducing the size of the parking spaces.

There were no further questions or comments by the PB or public.

K. Anderson requested an extension from the applicant to May 15, 2021. Parsons will provide a written request for the applicant to sign.

Britt moved to continue the public hearing to April 22, 2021. Westerhoff seconded. The motion passed unanimously.

Documents:

- *Permit Plan Set, prepared by H.L. Graham Associates, revision #2 3/25/21*
- *Planting Plan, prepared by Kris Romaniak, 3/24/21*
- *Architectural Drawings, dated 3/25/21*

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

J. Anderson recused himself. K. Anderson appointed Weatherall as a voting member for this application.

Mike Becker and Charissa Vitas, representing the applicant, and Thomas Mayo, architect, were present for the public hearing. Vitas summarized the changes that were requested and made.

Mayo presented revised plan Scheme 10, which contains a total of six units. The five new units are made up of the following; one one-bedroom unit, two two-bedroom units and one three-bedroom unit. There are ten parking spaces, eight in garages and two outdoors. Building two was redesigned to look like a carriage house. Mayo reviewed plans depicting elevations of the site buildings. Site metrics were reviewed. Mayo presented a video of the street view.

Britt voiced concern for the abutter's views. A discussion began regarding the layout. Westerhoff said Scheme 10 is as good as it gets for what the applicant is trying to put on the lot. Lowe likes that the buildings were scaled down.

Public Comment:

Toni Mooradd, 106 Central Street, said she is not feeling that enough thought is being given as this application moves forward. She noted the late hour of the meeting and said several neighbors stayed on the call for this public hearing.

K. Anderson said the applicant still has a lot to do for this application. The applicant needs to go before the Conservation Commission for approval.

Britt requested that Parsons put this hearing earlier on the April 22, 2021 agenda.

Lowe moved to continue the public hearing to April 22, 2021. Westerhoff seconded. The motion passed unanimously.

Documents:

- *Scheme 10 Presentation*

Adopt minutes of March 4 and March 11, 2021

Minutes were not available.

Announcements/New Business

No new business.

Adjournment

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

Meeting adjourned at 11:56 PM

Meeting minutes prepared by: Odile Breton

Adopted on: June 3, 2021