

IPSWICH PLANNING BOARD  
MEETING MINUTES  
Town Hall, Room A, 25 Green Street, Ipswich, MA  
Thursday, January 3, 2019 at 7:00 PM

Pursuant to a meeting notice posted by the Town Clerk and delivered to all Board members, a meeting of the Ipswich Planning Board was held on Thursday, January 3, 2019 in Room A of Town Hall. Board members Keith Anderson, Heidi Paek, Kathleen Milano, Carolyn Britt and Kevin Westerhoff were present. Staff present: Ethan Parsons.

Paek convened the meeting at 7:00 PM with a quorum present.

**Citizens Queries:** None noted

**New Public Hearing: Request by Angelo Ciardiello for a modification of a special permit and site plan review approval for a multifamily development, adding one dwelling unit to an existing mixed use building and demolishing a single family home and constructing a two family home in its place, at 62 and 64 Central Street (Assessor's Map 42A, Lots 247 and 248), located in the GB District, pursuant to Sections V, VI (footnote 11), IX.I and XI.J of the Zoning Bylaw**

Paek opened the public hearing by reading the legal notice.

Angelo Ciardiello, property owner, and Richard Griffin, project architect, were present. Paek commented that this is an application to modify a decision granted approximately two years ago for a mixed use building at 62 Central Street. The proposal involves combining 62 and 64 Central Street, demolishing a single family home and constructing a two family home in its place. The proposal also involves adding a dwelling unit in the existing mixed use building.

Griffin presented the proposed changes at 62 Central Street. He said that 62 Central Street currently has four residential units, each two bedrooms, located on the second and third floors of the building. The ground level is approximately 2,250 square feet. Ciardiello has attempted to lease the ground level space for commercial use but has not been able to do so. Ciardiello would like to convert the rear half of the first floor to an apartment. The commercial space would continue to face Central Street but would be smaller than initially approved. The first floor apartment would be approximately 1,000 square feet (another 2 bedroom unit) and there is still enough parking in the back to accommodate 1.5 spaces for each unit. There is also still handicap accessibility to the apartments. Paek asked if all the current residential units were rented. Ciardiello said yes.

Griffin showed the site plan combining 62 and 64 Central Street. He explained that 62 and 64 Central Street would become one lot and would have two access easements from Central Street. The rear of the proposed building abuts Cumberland Farms so the rear wall would be non-combustible and would be at least five feet away from Cumberland Farms. Each townhouse unit would have a garage, three bedrooms and approximately 1,800 square feet of living area. There would be two outdoor parking spaces in addition to the garage parking.

Paek stated the items to be reviewed during the course of the application would include the location of the proposed changes, landscape design, screening and drainage. She suggested the Board conduct a site visit.

Paek asked if any trees would be removed. Griffin said no trees would be removed. He added that Williams and Sparages engineers, the engineer for the initial 62 Central Street project, have designed a leeching field for 62 Central Street with an extension for 64 Central Street. He said the lot is fairly tight for plants but there is a planting bed in front of each unit and some space for a small lawn and plants behind the new building. Paek asked what the parking space surface would be. Griffin said that has not yet been determined. Anderson asked about vehicle maneuverability. Griffin said that three spaces are required yet they are providing four. He recognized that the two uncovered parking spaces are a tight fit but there are no obstructions to maneuvering into and out of these spaces. The spaces are 9 x 18 feet.

Britt asked if the lot line extended beyond the proposed stockade fence. Griffin stated that the fence would run along the lot line. Paek stated that the original decision called for a stockade fence and planting along the rear property line of #62. There were some modifications proposed with an introduction of a gate at Granite Court, which did not come to pass. She said that the entire rear property line is open for discussion because of this new request. She noted that it appears the plan proposes a fence along the entire property line. Paek said the Board received a letter from David Whynott, Peter Buchanan, Dana Young and Eric Levesque, who own property on Granite Court. They request a stockade fence to divide the property line between 62-64 Central Street and Granite Court. Paek said that in addition to the letter there were a number of photographs supplied by the neighbors showing stormwater runoff issues on a rainy day.

Paek asked Ciardiello if he was aware of any stormwater runoff issues. Ciardiello said there were a couple of issues. He said the sprinkler lines were drained a number of times while the lines on the first floor of 62 Central Street were being repaired and the water had to be pumped out. Also, he discovered a broken downspout on the right side of the building, which has been repaired. Paek asked how the site performs during a rain storm. Ciardiello said his building has not experienced any problems but he knows the buildings next door have pumps.

David Whynott and Peter Buchanan, owners of 22 Brown Square, commented that the pictures they submitted were taken two weeks ago. Whynott stated drainage is an ongoing issue with flooding basements and the neighbors have to keep pumps going. He said the rain comes off the parking lot and goes to the back of Granite Court. He said there was no vegetation planted as proposed in the initial plan. If the area had been constructed the way it should have been there would not be issues. Paek stated that the drainage would be reviewed by the Town's peer reviewer, an independent professional that the Board relies on. Ciardiello said that the Town has two catch basins in the easement. One is on the property of 64 Central Street toward the rear of the property and the other is behind 62 Central Street within the easement. Paek said the Board will look for these at the site visit. Whynott asked if there could be a timeline for the installation of the proposed fence and if it could be done before demolition since it was on the original plan. Paek stated that if the decision and permit is approved, the installation of the fence will be conditioned into the decision and sequencing can factor into the conditions.

David Simonds, 7 Soffron Lane, expressed concerns about the closeness of the proposed building to the property line shared with 7-9-11 Soffron Lane. He asked if any surveying had been completed and said he is not looking forward to seeing an imposing building from his deck. Paek asked about the survey. Griffin responded that a plot plan was submitted with the drawings. He said the existing garage on the property is actually closer to the property line than the proposed structure. Griffin acknowledged that the building is taller. Paek asked the applicant to comment on the height difference between the existing and proposed

buildings. Griffin stated that the proposed building is about 32 feet in height and said the existing is over 20 feet but under 32 feet. Paek said that the Board would look at the proposed site from the abutting property. Paek asked if the applicant will appear before the Design Review Board (DRB). Griffin said they will appear before the DRB on January 7. Parsons informed the applicant that the DRB is meeting on January 14, not January 7.

The Board scheduled a site visit for Sunday, January 20 at 4:00 PM. Westerhoff requested dimensional information for the site showing what is permissible and what is proposed. Milano asked if the proposed open space meets the 20% requirement. Griffin said it probably does not and the driveway may have to be gravel. Ciardiello stated the area is all asphalt except the area in the rear of the existing garage. Paek said it will still need to meet the requirement of the bylaw. Parsons reminded the Board that the applicant may ask for waivers under the Board's Site Plan Review authority. He said he agreed it would be helpful for the applicant to provide a breakdown of the various zoning requirements and ask for waivers.

*Anderson moved to continue the public hearing to January 24, 2019 at 7:00 PM in Town Hall, Room A. Milano seconded the motion. The motion passed unanimously.*

*Documents:*

- *Letter from David Whynott, Peter Buchanan, Dana Young and Eric Levesque, received by Planning Department 1/3/19*
- *Site Plan, prepared by Williams and Sparages, 12/11/18, revised 1/3/19*
- *Architectural Plans, prepared by Derby Square Architects (A0.0 New Townhouse; A0.1 Landscaping Plan; A0.2 Site Elevation and Photos; A0.3 Garage Demolition Plan; A1.1 Floor Plans 64 Central; A1.2 First Floor Plan 62 Central; A2.1 Townhouse Elevations)*

**Continued Public Hearing: Request by Frank Pasciuto for a special permit for a residential mixed use building, adding three dwelling units to an existing commercial building at 51-61 Market Street (Assessor's Map 42A, Lot 205), located in the CB district, pursuant to Sections V, IX.I and XI.J of the Zoning Bylaw**

Paek said that this is an application for a special permit to add three residential units to a mixed use building.

Ken Savoie, Architect, and Frank Pasciuto, property owner, were present. Paek informed Pasciuto that since the last meeting Board members made individual visits to the site. The proposal involves adding apartments and designating parking a short distance away from the units on another property owned by Pasciuto. Anderson said the off-site parking is a reasonable request because the location is proximate to the units and controlled by Pasciuto. Anderson asked about the alley next to the building and whether there would be signs controlling parking. Savoie responded that the alley will continue to be used for loading and will not be used for permanent parking. Pasciuto stated he could install signs. Paek noted that there are no exterior changes to the building and that there is a need for this type of housing in the downtown area. Britt asked about the proposed basement unit and the windows and natural light for the unit and asked if the unit meets the building code. Savoie said that although it's not ideal for natural light the unit does meet the building code. Britt asked Board members to consider whether the proposed unit is the type of residential unit wanted in downtown Ipswich because the unit is not very inviting. Savoie clarified that the unit has access to the street for light and as egress. Paek noted that the unit is currently

commercial space and that it has not been easy to rent. Taking another approach and making the space available to another group of people is a worthy effort.

There were no comments from the public regarding this application.

*Anderson moved to close the public hearing. Milano seconded the motion. The motion passed unanimously.*

Parsons reviewed a draft special permit for three apartments and off-site parking. The apartments will be at 51- 61 Market Street and the parking will be located at Assessor's Map 42A, Lot 205, also referred to as 0 Wildes Court. Off-site parking is allowed pursuant to *Section VII.H* of the Zoning Bylaw. The applicant will install signs that reserve 3 spaces for the Market Street unit residential tenants (24/7) and three spaces that will be for public use but restricted from 5:00 PM to 9:00 AM for the residential units. There is an inclusionary housing requirement and the applicant has the option of making a payment to the Affordable Housing Trust Fund or restricting one of the units for affordable housing. Paek asked the applicant if he has made a decision regarding the inclusionary housing requirement. Pasciuto said if an affordable unit is needed he can restrict one of the units. Paek said that an affordable unit would be preferred. Parsons noted that the unit would have to be eligible for inclusion on the subsidized housing inventory, therefore the unit will have to comply with the Department of Housing and Community Development's requirements. Parsons continued reviewing the conditions of the draft special permit decision. Britt discouraged making the basement unit the designated affordable unit because that is the least comfortable unit. Other members countered, however, that the basement unit is also the largest unit. Britt noticed that some junk was stored in the alley and requested a restriction on storing anything in the alley.

Pasciuto reviewed the windows, entrances and exits serving the lower level of the building. He also said a dumpster was added in the rear of the building. Pasciuto stated he would like the basement unit to be the subsidized unit. Britt said she used to work with the agency that deals with subsidized housing and it frowns upon the least desirable unit in a project being used for the affordable unit. Paek said she doubted the Board has the authority to decide which unit is affordable because it is Pasciuto's prerogative to restrict a unit and said she is satisfied with getting any unit as affordable.

Hearing no further comments, Paek asked for a motion on the draft decision.

*Milano moved to approve the decision with the edits discussed. Anderson seconded the motion. The motion passed unanimously.*

*Documents:*

- *Draft decision prepared by Planning Department staff 12/24/18*
- *Email from Ken Savoie to E. Parsons, 12/17/18*

**Continued Public Hearing: Request by the First Presbyterian Church of Hamilton to modify a site plan review decision for the construction of a new unified worship space and related site work at 175, 177, and 179 County Road(Assessor's Map 53D, Lots 8 & 8A), located in the Rural Residence A district, pursuant to *Section X* of the Zoning Bylaw**

John Evans, church staff member, Thad Siemasko and Stefano Basso of Siemasko & Verbridge architects, and April Ferraro, civil engineer from Meridian Associates, were present for the applicant. Paek said that since the last meeting the Board visited the site, and she then asked members to provide comments and feedback to the applicant.

Siemasko noted changes to the plans relating to stormwater management and landscape design. He discussed the landscape design in front of the building to soften the massing and described the plants and trees proposed.

Anderson said he liked the project overall but during the site visit he noticed informal parking spaces toward the side and rear of the main entry. He suggested the spaces should be removed for emergency vehicle access. Paek said something should be done to distinguish the driveway from the side yard. Britt said she went by the site on a Sunday morning and noticed the informal parking spots were occupied and there were vehicles parked in the driveway. She also noticed several parking spaces toward the rear were not being used.

Paek noted that Cammett Engineering, peer review engineer, will review the stormwater management plan. Parsons said that he transmitted the latest version of the plan to Cammett. Cammett will provide a scope and estimate for the applicant. Paek said that if the stormwater review is completed and returned to the Board then the Board could potentially vote on a draft decision at the next meeting. Paek asked the members if there were any additional comments. Britt asked the applicant if they were planning on putting solar panels on the roof and if any bike racks are being installed on the site. Paek asked if the bike racks could be designated on the site plan for next meeting. Siemasko said the church will consider the suggestion for solar panels. There will be mechanical equipment on the roof and the church would have to evaluate the structure.

Paek asked Board members to provide comments to the applicant so that the applicant could get a sense of where the members stand on the project. Paek stated the design will fit with the surrounding neighborhood. Anderson stated the project appears to be a good addition and asked the applicant to consider adding solar panels or consider adding them in the future. Milano and Westerhoff agreed that there don't appear to be any issues with the proposal.

*Milano moved to continue the public hearing to January 24, 2019 at 7:00 PM at Town Hall in Room A and Anderson seconded. The motion passed unanimously.*

*Documents:*

- *Permit Site Development Plan, revised 12/21/18, prepared by Meridian Associates*
- *Stormwater Management Report, 11/19/18, revised 12/21/18, prepared by Meridian Associates*

**Continued Public Hearing: Request by South Side Green, LLC for a special permit to alter an existing nonconforming building with an addition and repurpose it as a four-unit multifamily dwelling, at 64-66 County Road (Assessor's Map 42C, Lot 115), located in the IR District, pursuant but not limited to Sections II,V, and XI.J, of the Zoning Bylaw**

Paek stated this is a continued discussion that will likely not be voted on tonight. She said the Board conducted a site visit, provided feedback to the applicant about the scale of the project, and now another

iteration of the project is being presented for the Board to consider. Paek noted the Board received a letter from Scott Hanna of 3 Poplar Street. Hannah indicated that it would be preferable that the project be two buildings instead of one. Hannah also asked the applicant to consider different size units so that the overall scale of the project would be smaller and that there would be variety in the unit sizes.

John Colantoni, developer, and Thad Barry, engineer, were present for the applicant. Colantoni stated that at the previous meeting the idea came up to separate the buildings, which would reduce the size of Unit 1. This change allowed the addition of a seventh parking space, made the building smaller and increased the amount of open space.

Paek asked if there was a plan showing the rear lot line depicting what is intended in this area. Colantoni explained there would be a six foot fence. He also said the applicant would have no problem adding trees. Westerhoff noted that the landscaping plan indicated six hackberry trees in the rear.

Paek said the two building layout is an improvement. She likes the restoration intended for the front building. She has reservations with parking and vehicles maneuvering on the site. Anderson appreciates the changes and likes the front building. He said the back building is still tall and suggested some architectural designs to reduce the perception of the height of the building. Parsons reminded the Board that the project is subject to the approval of a separate board, the Architectural Preservation District Commission (APDC). Its purview is architectural design. There is a possibility that this project could be further shaped and be before the Board again for approval. Colantoni stated that they are under the impression that the APDC is expecting the Planning Board to vote first on this project before they return to the APDC. Paek said she believes that is how the process will unfold. Anderson agreed. Paek asked the Board members to indicate their readiness for a decision. Britt said the changes are an improvement but she is concerned with the drainage on the site and is waiting for the peer review letter from Cammett. Westerhoff said that separating the buildings makes the project less imposing and the landscape plan is a little more robust.

Laura Gresh, 72 County Road, asked to see a view of the elevation showing the courtyard looking at the garage doors. She asked for confirmation that the building height was not increased. She asked for clarification on the size of units. Colantoni responded that Unit 1 was reduced by 373 square feet, Unit 2 was reduced by 167 square feet, Units 3 and 4 stayed the same, resulting in a total reduction of 540 square feet. Paek stated that the total living area is approximately 8,000 square feet compared to 8,579 square feet proposed in the original plan. Gresh stated that the reduction is about 500 square feet of living space and is concerned about the size of the project. Colantoni summarized the changes; reduction of living space of 540, removal of a single car garage, and the elevations of unit 3 and 4 in the existing building has not changed. Gresh added that not everyone is happy about the townhouse design. She thinks that the townhouse design is inappropriate for the neighborhood. There are no existing townhouses in the neighborhood. Gresh expressed concerns about adding trees in the back in front of the fence. Gresh stated that the trees will eventually grow and block light into the abutting property. Paek stated the trees are intended to soften the view. Paek asked Gresh which would she like: a soften view with trees or no trees and light. Gresh stated she would like the building to be 2.5 stories, instead of 3.5 stories. Gresh would like the building height to be reduced. Colantoni clarified that the building is 2.5 stories for unit 3 and 4. He also stated that they could not reduce units 3 and 4.

Didi Davis of 3 Payne Street is the rear abutter to the project. She asked if there was any reduction to the square footage of the rear building. Paek stated the length and height of the building has stayed the same

and for the rear abutter the view is not different. Davis stated she agreed with Gresh. She would like the building to not be so tall. She is also concerned about the massive size of the building, light for her yard and drainage. She stated the fence on her property that is running along the rear is 8 feet in height. Colantoni asked Davis if she would like a row of trees in the rear. Davis stated there are few trees currently in the rear corner. In her opinion, the building is as tall as a tree and it will block light. Adding trees will do the same.

John Dugger, architect for the project, stated the only difference between the townhouses next door, called the Colonnade, and the proposed townhouses are the addition of garages. The garages are below street level. The massing of the proposed building only slightly changes the light from sunsets. Paek stated that the PB should give more direction to the applicant on the height of the fence and is inclined for the fence on the proposed project to be 6 feet. Tall fences can seem to enclose a yard and make it dark. Paek also stated that the Board will discuss drainage at the next meeting and are awaiting information from Cammett Engineering.

Mary Ellen DiBiase of 68 County Road had a question about the side of the rear building and if there were any changes made. Colantoni displayed the graphics. Anderson clarified that the square footage of units 3 and 4 were not changed. Her concern is the imposing size of the rear building.

Paek stated that the Board will not be making a decision tonight as it is waiting for information about drainage, and she requested the peer engineer also review vehicle maneuvering on the site. She suggested that Parsons begin drafting a decision in the meantime. Paek stated that the Board appreciated the comments from the neighbors and she views the revisions made to the project as a compromise. Paek reminded that the project will go before another board which is concerned about historical integrity of the neighborhood.

Anderson stated he would prefer trees in the rear of the property and based on the changes made is becoming more positive toward the project. Parsons clarified the difference between the DRB and the Architectural Preservation District Commission. Parsons stated that the APDC has an open hearing and a pending application on this project that it needs to vote on and close. Parsons stated he would speak to the chair of the APDC about the status of the process and inform the Board of the process. Parsons stated that the Board does not have to explicitly condition its decision based on the approval of the APDC. Both the APDC and the Board have to approve the project. There is no need to wait for the APDC approval.

*Anderson moved to continue the public hearing to January 24, 2019 at 7:00 pm in room A at Town Hall and Milano seconded. The motion passed unanimously.*

*Documents:*

- *Site Plan, prepared by ASB Design Group, revised through 12/27/18 (C1- Cover Sheet, Index, Notes; C2- Existing Conditions, Topographic & Property Line; C3- Site Layout, Utilities, Grading & Drainage Plan; C4- Landscape Plan & Details; C5- Site and Stormwater Management Details; C6- Utility Details & Sewer Profile; C7- Erosion Control Details)*
- *Summary Letter, prepared 12/27/18 by ASB Design Group*
- *Architectural Drawings, prepared by Dugger Development Services, 12/27/18 (DD-A5: Front Elevation; DD-A1: Layout Plan; DD-A2: First Floor Plan; DD-A3: Second Floor Plan; DD-A6: East Elevation; DD-A7: West Elevation; DD-A8: South Elevation)*

### **Adopt minutes November 29, 2018 meeting**

*Anderson moved to approve the minutes of the November 29, 2018 meeting. Milano seconded the motion. The motion passed unanimously.*

*Documents: Draft minutes 11/29/18 meeting*

### **Other Business**

- a. Authorize staff and/or Chair to sign certain plans and documents. Paek stated that with the start of a new calendar year, the practice of the Board has been to authorize staff and the chair to sign documents on behalf of the Board.

*Milano moved to authorize the Planning Board Chair to sign decisions on behalf of the Planning Board and Anderson seconded. The motion passed unanimously.*

*Anderson moved to authorize the Planning Director and the Town Senior Planner to endorse ANR plans on behalf of the Planning Board. Milano seconded the motion. The motion passed unanimously.*

- b. Discussion about Board composition/leadership. *Paek moved to nominate Anderson to be the Chair person for the Planning Board and Milano seconded. The motion passed unanimously. Anderson moved to nominate Paek as vice-chair of the Planning Board and Westerhoff seconded. The motion passed unanimously.*
- c. Discussion about potential amendments to the Zoning Bylaw for consideration at Annual Town Meeting. Paek stated the annual Town Meeting is May 14, 2019. The Town Manager asked for article ideas by February 19, 2019 and the warrant hearing is scheduled for March 18, 2019. This provides the Board with only six weeks to propose any changes. Parsons stated he met with Paek and Anderson and said that there don't appear to be any pressing needs. Parsons received an email from the Town Manager regarding new legislation that enables municipalities to regulate short term rentals through taxing and zoning laws. A resident raised concerns and about short term rentals and how the Town is planning to address the impact. Parsons suggested more time is needed on this subject and that the Fall Town Meeting may be better timing for this topic. Paek stated that there are pros and cons to both sides of regulation and it warrants careful consideration. Anderson noted that tourism is a big deal for the area. Paek stated another reason to wait for the Fall Town Meeting is the Community Development Plan (CDP) update is underway, which will shed light on the community's vision.
- d. Staff update on Town Projects. Parsons provided an update on the CDP, noting that the Town received two proposals.

### **New Business**

Westerhoff suggested having a parking inventory for the Central Business District (CB) and said it would be a good reference to use when making decisions. Parsons stated there are ongoing parking plan and survey for the layout, parcel lines and striping for the Hammatt Street lot. This is a good base reference. Parking is regulated and a permit is needed for any overnight parking in a public lot.

Britt raised concerns with exterior lighting on the District Condominiums building at 30 South Main Street. She said there are two gas lanterns, which is a waste of energy and carbon polluting. She added that it was not responsible lighting. Britt suggested developing standard language for outdoor lighting in decisions. Paek stated that standard lighting language is a good idea.

**Adjournment**

*Anderson moved to adjourn the meeting at 9:31 PM. Milano seconded the motion. The motion passed unanimously.*

Meeting minutes prepared by Odile Breton

Minutes adopted on February 28, 2019