

IPSWICH PLANNING BOARD

MEETING MINUTES

Remote Meeting using ZOOM

Thursday, January 7, 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 (PB) was held on Thursday, January 7, 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 present.

K. Anderson convened the meeting at 7:07 PM with a quorum present.

K. Anderson requested a roll call for all members present. He noted the Board members that were present as well as Town staff, Ethan Parsons, Kristen Grubbs and minute taker Odile Breton.

Citizen Queries: None noted.

Request by David and Nancy Drown for ANR endorsement for plan at 7 & 9 Island Park Road

Parsons explained the request by stating a surveyor made an error and two front lot lines were not connected. Parsons noted that nothing changes and the frontage remains the same for both lots.

Lowe moved to endorse the ANR. J. Anderson seconded. The motion passed unanimously.

Documents: 7&9 Island Park Road Subdivision Plan of Land, prepared by Eastern Land Survey Associates, Inc., dated 12/14/2020

Request by Charlotte Press Luber and Lisa Press for minor modification of special permit issued 12/13/18 to install fence at 11 East Street

Matt and Charlotte Luber were present. Their request is to add a cedar picket fence that is 4 feet in height around the perimeter of the property. Parsons noted the modification is not required to be reviewed by the APDC.

Westerhoff moved to determine the request is a minor modification. Lowe seconded. The motion passed unanimously.

Lowe moved to approve the minor modification. J. Anderson seconded. The motion passed unanimously.

Documents: December 21, 2020 request by Charlotte Press Luber and Lisa Press

New Public Hearing: Request by Brian Parro for a special permit, pursuant but not limited to, Sections IX.C and XI.J of the Zoning Bylaw to drill to a depth greater than 15 feet for a ground source heat pump in the Water Supply Protection District A, at 58 Mile Lane Road (Assessor's Map 29A, Lot 19)

K. Anderson opened the public hearing by reading the legal notice. Brian Parro was present. Jayme Ciaramitaro from Energy Smart Alternatives, the contractor for the project, was also present. Ciaramitaro explained the proposed project is to drill a 450 feet bore hole on the property. Parsons explained the purpose of the Water Supply Protection District and related bylaws is to protect the water drinking supply. Parsons informed the Board that the property is located in the Water Supply Protection District and drilling, excavation, dredging and other similar activities that are potentially detrimental to the ground water drinking supply quality are subject to a special permit. The Board will review that the activity to drill will not impact the drinking water supply. Vicki Halmen, Town Water and Wastewater Director, has reached out to a consultant regarding the project and has provided comments and questions to the Board.

K. Anderson asked about the substances to be used in the well. Ciaramitaro described the materials and supplies to be used in the project. Ciaramitaro stated the ethanol solution is not intended to go in the ground. Lowe inquired about grout. Ciaramitaro stated grout is used for thermal conductivity between the pipe and the earth and it is an industry standard. It fills the hole and it is not cement and never really dries. J. Anderson inquired about the length of pipes and how are they joined. Ciaramitaro stated it is one continuous pipe, a U bend, and the project will drill into the bedrock which is approximately 450 feet deep.

Britt requested information such as an article that summarizes the safety of the project and the use of materials and supplies to that depth. Weatherall asked if any materials that are proposed are toxic. Ciaramitaro does not believe the materials used for the project are toxic. J. Anderson asked if any materials proposed are issues to the water supply. He stated it would be good to hear from individuals that are not part of this project to help the Board to better understand the project.

Westerhoff asked about the longevity of the materials and the expected life service for the system as well as maintenance. Weatherall asked if the Board should have a consultant for this project. K. Anderson suggested that Vicki Halmen can consult the Board.

K. Anderson requested Parsons reach out to Vicki Halmen of the Water Department to provide information on the proposed heating system.

Public Comment:

Jennifer Hughes, 117 High Street, Unit 5, asked if there are any concerns about disruptions to the aquifer with drilling into bedrock. Ciaramitaro said he was not sure and has not encountered any such disruptions. Parro stated that there were wells put into a nearby baseball field for irrigation. Hughes noted that the wells were not as deep and do not go down to bedrock.

Carl Gardner stated he has experience with geothermal wells. He stated there is no impact to the aquifer because the system is a closed loop geothermal borehole. The water recirculates constantly and creates a heat exchange with uniform temperature with the water in the earth.

Lowe clarified that the Board needs confirmation that the materials used are not toxic and do not pose any potential harm to the Town's drinking water supply. The Board wants to understand the materials used.

Lowe moved to continue the public hearing to January 28, 2021. Britt seconded. The motion passed unanimously.

Documents: Special Permit application dated December 4, 2020

- Email from Vicki Halmen to E. Parsons, 1/5/21

New Public Hearing: Request by MMC Realty Holdings LLC for a special permit for a 7-unit multifamily development at 126 and 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, X and XI.J of the Zoning Bylaw

K. Anderson opened the public hearing by reading the legal notice. Larry Graham of HL Graham Associates Inc. presented for the applicant. Lou Rubino, owner, was also present.

Graham stated that 126 High Street has an "L" shaped commercial building on the site. He stated 128 High Street has a vacant two-family building on the site and the structure is in poor condition. Graham noted the trees that will be removed. He said there is no evidence of drainage issues on the site. He stated 126 High Street is serviced by Town water and sewer and 128 High Street contains a septic system.

The project proposes seven new townhomes with two car garages each in three separate buildings. In addition, there are seven proposed additional parking spaces. The commercial building has nineteen parking spaces, which include one handicap space. The width is twenty-four feet wide for the drive to the residential units. The seven residential units are proposed to be serviced by Town water and sewer. Graham presented the utility plan and said he received an email from Vicki Halmen stating there were no issues. He stated the use of electric and/or gas has not been determined.

Graham reviewed the drainage system and identified catch basins and three infiltration systems. He said the trash and receptacle plan and the landscaping plan will be completed for a future hearing. He said the plans submitted to the Planning Department include the density calculation for the seven residential units. Graham noted the setbacks and noted one building has a setback of 30 feet and the two side buildings have setbacks of 20.5 feet.

Graham said the applicant requests three waivers;

1. Request to relieve the requirement of 50% open space

2. Request to reduce parking space width to 8.5 feet, instead of the required 10 feet for certain spaces
3. Request to relieve loading requirement for commercial space

J. Anderson asked about the open space and applicant waiver request. K. Anderson responded it is up to the Board under the special permit application.

Lowe inquired about the trees to be removed. Graham responded it is necessary to remove the trees for the proposed layout of the townhouse buildings. Graham informed the Board that several trees are not in good condition. Lowe said he was concerned about removing trees along the property line that provide privacy.

Britt encouraged the applicant to do all electric buildings. Graham said the developer is considering all electric.

Westerhoff said he was concerned about the location of the dumpster and stated it appeared to be difficult for a truck to access and back out onto High Street. Lowe was concerned with the two curb cuts and inquired if this was reviewed by DPW. Graham stated he had not received anything back from DPW.

Public Comment:

Carlene Deangelis, an abutter, has concerns with snow storage and lighting. She stated the existing trees are a hazard and have caused damage to her property.

Chuck and Pat Johnston, 19 Kimball Ave, questioned the dimensional calculations. They said it appears that the applicant is using both lots but one lot has an existing commercial building. They expressed concerns about additional traffic. They asked if the residential units are rentals. Rubino replied the units are townhomes and are not rental units.

Robert Gambale, 8 Island Park Road, stated the driveway to the proposed dumpster location is dangerous. He is also concerned about on site snow storage in an area that is supposed to be landscaped and used by residents. He stated existing trees are a hazard.

Leslie Flenner, 11 Topsfield Road, is concerned about the trees being removed and snow storage access.

Dean Lavoie, 124 High Street, asked for an explanation of the right of way/easement. He stated the location of the dumpster is terrible. Graham explained there is an easement 20 feet in width to access 128 High Street. The easement is owned by 126 High Street and is on record.

Jennifer Hughes, 117 High Street, stated the stormwater regulations are changing and the development should be low impact.

K. Anderson requested Board members to state their preference for a group site visit or to visit the site individually. Board members decided to visit the site on their own before the next meeting scheduled for January 28, 2021.

J. Anderson moved to continue the public hearing to January 28, 2021. Westerhoff seconded. The motion passed unanimously.

Documents: Special Permit application dated December 14, 2020

New 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

K. Anderson opened the public hearing by reading the legal notice. J. Anderson recused himself because he is an abutter and K. Anderson appointed Weatherall as a voting member for the application.

Mike Becker, applicant, Thomas Mayo, architect, and Larry Graham, engineer, were present for the public hearing.

Becker stated that the intention is to keep all existing trees on the site. They are doing an analysis on electric heat and geothermal heat.

Mayo reviewed the site plans and presented photographs of the neighborhood. He noted there is an existing single family home on the site, which will be maintained. The application involves building six units, each with its own single car garage. The six units will be behind the existing single family home. The site will have a total of fifteen parking spaces for seven total units on the site. Mayo discussed the elevation of the existing single family home and the proposed six units. He noted each new unit contains two bedrooms, has a den and a patio. He noted a pond and a ravine in the rear of the property, which handles stormwater overflow from CVS and the railroad. Mayo pointed out the current curb cut, which will be maintained.

Mayo described the elevations of the proposed building. He described the exterior architecture in the front and back of the building. K. Anderson stated there will need to be a peer review engineer for stormwater.

Mayo pointed out on the site plan that the building is on the 65 foot no build/no disturb line.

K. Anderson informed the Board and applicant that the site plans need to be reviewed by the Conservation Commission and the Design Review Board.

Jennifer Hughes, 117 High Street, is the Chair of the Conservation Commission. She stated the water that is running in the back of the property is Farley Brook and it is a perennial stream. It has a 200 foot river front zone, therefore there is no building within the first 100 feet. She said the application should be reviewed with the Conservation Commission.

K. Anderson asked if the applicant submitted the plans to the Conservation Commission. Mayo said no. The applicant wanted to receive feedback from the Planning Board on the design and layout of the project.

Lowe stated the Board needs confirmation from the Conservation Commission whether the proposed project can proceed before the Board spends a lot of time on this application. Lowe is concerned about the 200 foot setback.

Britt commented on the site plans and has concerns with access to private outdoor space. She inquired about the “no disturb” area. She asked what uses are acceptable for the area. Mayo stated he would review what the “no disturb” area requires.

Mayo stated the proposed building is three stories with the first level as the garage. The proposed units are two bedroom townhomes that are approximately 1,550 – 1,620 square feet. Elevations are lower than the four story condominium development in the neighborhood. Mayo provided a photograph of the existing condominium complex in the neighborhood. Westerhoff suggested including the existing single family building to give the elevation diagram some context.

Public Comment:

David Mooradd, 106 Central Street, stated the existing trees are not worth saving. He would not like to see large condominiums (referring to the photograph of the existing condominium complex in the neighborhood). He is concerned about the proposed layout of the site and concerned about shadows cast on abutting properties. He appreciates the attempt to add architectural detail but it is only on the front. The back of the building will be seen from the street.

Jim Umile, 110 Central Street, has concerns about privacy. He stated the development does not enhance the neighborhood and he also has concerns about traffic. He stated in 2010 the property was purchased and there were attempts to add a commercial unit and additional residential units. There were concerns with run-off back then.

Marsha Gray, 3 Beechwood Road, agreed with Umile’s comments and is also concerned with traffic. She noted children walk to and from school in the area. Putting an additional six units in the area will add to traffic. She stated it is a travesty to put more townhomes in a town that is known for historic first period homes.

Mat Cummings of Cummings Architects stated the project would not be allowed to build within 100 feet of Farley Brook and between 100 and 200 feet only 5,000 square feet or 10% is allowed to be disturbed. Cummings read a few sentences from the purpose of the Zoning Bylaw: “To encourage the most appropriate use of land throughout the Town, as guided by the Community Development Plan and the Town Character Statement; and to preserve and increase its amenities. It is made with reasonable consideration to the outstanding characteristics and unique position that Ipswich holds in the historical background of the Country”. He stated the townhomes are not special or unique to downtown Ipswich. The townhomes may fit technically but the Board is charged with upholding this purpose.

K. Anderson requested Board members visit the site individually.

Lowe moved to continue the public hearing to January 28, 2021. Westerhoff seconded. The motion passed unanimously.

Continued Public Hearing: Request by John Colantoni for a Special Permit (and potential ANR endorsement) pursuant but not limited to Sections IX.S and XI.J of the Zoning Bylaw to create an infill single family house lot in the IR District at 3 Payne Street (Assessor's Map 42C, lot 119)

John Colantoni, applicant, and Richard Kallman, Attorney representing Deirdre (Didi) Davis, were present for the public hearing. K. Anderson noted receiving letters from several neighbors. K. Anderson asked the applicant to identify any changes made since the previous meeting.

Colantoni explained that there were several ZOOM meetings with neighbors to receive feedback on the project. He identified changes with the exterior design. The second level deck and gables were removed. There are also fewer pillars. The two car garage is on the right side of the house. The neighboring property on the left already has a driveway and fence. It's not a good idea to have the driveways side by side. All setback requirements are met and there are no requests for setback waivers. The front porch will remain. It's a two story house. The elevation of the condominiums at 64-66 County Road are higher. A new cedar fence will be installed around the lot. There are six trees along the rear fence that will remain. Colantoni stated one or two trees in the front of the lot will be removed to make the layout work. Landscape design will be simple with perennials. Colantoni explained the turnaround area of the driveway. It is not intended to be an additional parking spot.

K. Anderson requested comments from the Board. J. Anderson noted comments from the neighbors on parking and inquired about parking for the adjacent home owned by Davis. Richard Kallman, attorney for Davis, responded that Davis has resided in the home for over 30 years and there has never been off street parking. He stated that when necessary Davis parks on her lawn. After the construction of this new house Davis will have enough space to continue to park on her lawn. K. Anderson noted on two recent infill projects the Board paid close attention to making sure both lots had off street parking. Kallman presented photos of the lot. J. Anderson asked if it is a valid, acceptable parking spot to drive over the curb and park on the lawn. Kallman stated it is what Davis has been doing for years as well as the people that live at 4 Kinsman Court. J. Anderson stated it is not correct for new construction and a change in the lot that is being presented to the Board. J. Anderson stated that if you are splitting a lot and building a new home, there is a requirement to make accommodations for a driveway for both properties. J. Anderson stated the driveway and parking is a valid concern of the neighbors, which appears to be unresolved because Davis intends to continue to park on her lawn. The requirement of the Town is that accommodations for both lots should have off street parking and the site plans presented do not show off street parking for both lots. Lowe stated that part of the project is subdividing the property, which requires both properties to be compliant. Colantoni stated he did not have a problem if the Board wants to make a driveway for Davis' lot a condition.

Lowe commented on the turnaround section in the front. Colantoni explained the space is provided to allow a car backing out of the garage to turn around and exit the driveway with the

front end of the vehicle facing forward. Lowe said the diagram makes the area appear to be an additional parking spot. Lowe suggested reducing the turnaround area and saving the existing tree. Colantoni said he would review the measurements for the area. Westerhoff agreed with Lowe.

Weatherall asked for clarification with requiring off street parking for Davis. Kallman stated Davis is grandfathered because her lot never had a driveway. Lowe repeated that the lot is being subdivided and both lots must comply. Westerhoff has a concern about the location of the fire hydrant and how close the proposed driveway is to the fire hydrant. Weatherall questioned the fence (six feet). Colantoni noted the existing fence in the back of the lot is eight feet. The right and left side of the lot will have a fence six feet in height. He noted there is an existing fence six feet in height on an abutter's property.

Lowe commented on the design of the back of the proposed house. He said it appeared bland. Colantoni suggested Lowe look at the new color rendering of the rear of the building. Colantoni reviewed the updated drawings and welcomed suggestions from the Board.

Richard Kallman read a letter from Didi Davis. The letter thanked the Board for consideration of the application and requested that the Board approve the request to divide her lot and approve the project. Kallman did a presentation of other infill projects that the Board approved. Kallman made a comment about massing related to the size of the proposed home. He said the bylaw allows a 2,200 sq. ft. home on a 5,000 sq. ft. lot.

Britt commented on the scale of the building and complexity of the design. She stated the scale is out of character with the neighborhood. She also noted burning bushes included in the landscape plan are not native plants.

Public Comment:

Kathleen Gallanar, 16 Argilla Road, is concerned about street parking. She stated there needs to be off street parking for both lots. She challenged "grandfathering" no off street parking and stated she reviewed the bylaw and her understanding is that off street parking is required for both lots.

Willie Whitmore, 3 Kinsman Court, is concerned about street parking. He agreed with Gallanar that both lots need off street parking. He commented that the plans for the front of the house seem misleading. He said the house takes up most of the lot and the design is busy. The house should be consistent with the neighborhood.

K. Anderson asked the applicant to review the turnaround area to see if it can be smaller and save the tree in the area, design a driveway for the Davis house, and think about small things that can be done to improve the massing and design to be more compatible with the neighborhood.

J. Anderson moved to continue the public hearing to Thursday, January 28, 2021. Westerhoff seconded. The motion passed unanimously.

Documents:

- *Attorney Kallman Power Point Presentation prepared 1/7/21*

- 1/7/21 Letter from Deirdre Davis to Planning Board
- 1/6/21 Landscape Plan, Sheet L-1, prepared by ASB Design Group
- 1/5/21 Email from Kathleen Gallanar to E. Parsons
- 1/5/21 Email from Car Gardner to E. Parsons
- 1/5/21 Elevations of proposed home
- 1/4/21 Email from Joanne Delaney to E. Parsons
- 1/3/21 Letter from Just Moller to Planning Board
- 1/3/21 Email from Willie Whitmore to E. Parsons

Discuss potential zoning amendments for 2021 Town Meeting and other potential updates to Rules, Regulations, and Policies

K. Anderson stated a memo from Kristen Grubbs and Ethan Parsons was sent to the Board about the status of numerous topics including water, special permit criteria changes and inclusionary housing. Parsons provided updates and asked the Board to pay attention to the schedule included with the memo. He suggested an additional meeting at the end of February, 2021 for the Board to vote to support articles for Town Meeting. Parsons has a meeting with the Housing Partnership for inclusionary housing. He is focusing on the threshold for affordability and adjusting the fees.

Grubbs provided an update on water. She stated Parsons and her have met regularly with Vicki Halmen and Jim Engle. She stated the WUMP regulations are very complicated. It will not just be a section added to the bylaw. There needs to be accompanying regulations to explain how the bylaw would work. Grubbs and Britt have discussed revising the special permit criteria related to water. Parsons stated the Town has not exhausted what it can do under the Water Commission and water regulations. The Town could charge higher fees for new water hook ups he said. K. Anderson suggested making small changes to the bylaws along with water regulation changes. He stated this needs to be discussed further. Weatherall agreed. Parsons reminded the Board that there are deadlines to propose zoning changes. K. Anderson proposed the Board hold an additional meeting to discuss zoning changes. The Board agreed to meet on January 20, 2021.

Britt said she will review the proposed changes to the special permit application on January 20, 2021 and requested Board members review the proposed changes as well.

Documents: 1/7/21 Memorandum from Planning Department to Planning Board

Adopt minutes of November 30, 2020 and December 10, 2020

Lowe moved to approve minutes for November 30, 2020. J. Anderson seconded. The motion passed unanimously.

Lowe moved to approve minutes for December 10, 2020. Britt seconded. The motion passed unanimously.

Documents: Draft minutes of November 30, 2020 and December 10, 2020 meetings

Announcements/New Business

K. Anderson reminded Board members an email was sent to members for conflict of interest training and members should complete the required training.

The Water Forum is on January 11, 2021.

Adjournment

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

Meeting adjourned at 11:20 PM.

Meeting minutes prepared by: Odile Breton

Adopted on: February 18, 2021