

IPSWICH SELECT BOARD
Meeting of Monday, February 22, 2021

The Select Board participated in this meeting remotely utilizing Zoom in accordance with the Governor's March 12 Order suspending provisions of Open Meeting Law and to promote public health and social distancing.

Board Members present: Linda Alexson, Chair; Dr. Tammy Jones, Vice Chair; Kerry Mackin; Nishan Mootafian; William Whitmore

Also present: Anthony Marino, Town Manager

With a quorum present, Ms. Alexson called the meeting to order at 7:00 PM.

Welcome/Announcements

Town Hall will be open for walk-in services 8 AM to 12 PM. Appointments are required after 12 PM. The Treasurer/Collector window will remain open all day.

Permit renewals and payment for commercial shellfish permits must be received by the Town Clerk's office no later than Monday, March 1 at 7 PM.

The Public Safety Facility Committee will meet on Tuesday, February 23 at 7 PM.

Citizen Queries

Keri MacRae (31 Heartbreak Road) thanked the Council on Aging for providing vaccination clinics. Ms. MacRae stated that in 2012 and 2018, hazard mitigation plans identified the general area around her neighborhood as an area of concern. She stated that since then, there have been no environmental studies or plans drafting beyond protection of beaver dams. Mr. Marino stated that he would reach out to Frank Ventimiglia (Director of Operations) to see where the project was on the DPW's Hazard Mitigation Plan.

Board and Committee Appointments

I. Ann Wright - Reappointment - Shade Tree Beautification Committee

- *Vote: Mr. Whitmore moved to reappoint Ms. Wright to the Shade Tree Beautification Committee. Dr. Jones seconded. The motion carried unanimously via roll call.*

Approval of Minutes

I. January 11, 2021
II. January 19, 2021 Tri-Board

- *Vote: Mr. Mootafian moved to approve the minutes. Dr. Jones seconded. The motion carried unanimously via roll call.*

New Common Victuallar License Application, Sandpiper Baker, 29 North Main Street

Molly Friedman (Owner, Sandpiper Bakery) stated that the bakery will open as soon as the permitting process is finished. The bakery does not have plans for indoor or outdoor seating. Sandpiper Bakery will operate Wednesday through Sunday, 8 AM to 4 PM.

- *Vote: Dr. Jones moved to approve the license. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

PUBLIC HEARING: Water & Wastewater Rates (2 of 2)

“Residents of the Town of Ipswich: Please note that the Select Board, as Water and Wastewater Commissioners, will hold remote public hearings on Monday, February 8, 2021 and Monday, February 22, 2021 at 7:15 PM to consider and act on the increase and/or modification of the current water and sewer rates effective for billings on and after May 1, 2021.” - Board of Water & Sewer Commissioners, Linda Alexson, Chair

- *Vote: Mr. Mootafian moved to open the Public Hearing. Dr. Jones seconded. The motion carried unanimously via roll call.*

WATER

Vicki Halmen (Director of Water & Wastewater) proposed to the Board a 10% increase, bringing the water rate from \$11.25 to \$12.38 per 100ft³. With a 10% increase, the typical household of four would pay \$8.70 more per month.

The proposed Seasonal Residential Rate would increase the base rate by 1.5%, bringing the water rate from \$5.95 to \$18.57 per 100ft³, effective May 1, 2021 through September 30, 2021.

In response to Mr. Whitmore's request from a previous meeting, Ms. Halmen reported that a 13% increase in water base rate would be \$12.71 per 100ft³.

WASTEWATER

Ms. Halmen proposed to the Board a 5% increase, bringing the wastewater rate from \$10.85 to \$11.39 per 100ft³. With a 5% increase, the typical household of four would pay \$4.00 more per month. This increase would become effective May 1, 2021.

In response to Mr. Whitmore's request from a previous meeting, Ms. Halmen reported that a 10% increase to the wastewater base rate would \$11.97 per 100ft³.

Keri MacRae (31 Heartbreak Road) stated that front-loading water costs is a burden on tax payers, and the Town should explore external funding for water main replacement. She stated that she buys all of her drinking water externally because she does not trust Ipswich water. She stated that the Water Department should identify areas of Ipswich that they believe are subject to potential water leaks and breaks. Ms. Halmen responded that the Department has mapped areas of concern, and they are available in the Water Asset Management plan.

Joseph McGowan (6 Essex Road #17) stated that the Town should consider what cost increases are sustainable to ratepayers. Ms. Halmen responded that although the proposed increases look expensive, they will save money in the long term as infrastructure is replaced instead of repaired. Mr. Whitmore concurred, saying that if Ipswich does not invest in its water infrastructure, existing problems will get worse.

- *Vote: Mr. Whitmore moved to close the Public Hearing. Dr. Jones seconded. The motion carried unanimously via roll call.*
- *Vote: Mr. Whitmore moved to increase the water base rate by 13% to \$12.71 per 100 cubic feet. Dr. Jones seconded. The motion carried 3-2, with Ms. Alexson and Mr. Mootafian opposed.*
- *Vote: Mr. Whitmore moved to increase the wastewater base rate by 10% to \$11.94 per 100 cubic feet. Dr. Jones seconded. The motion carried 3-2, with Ms. Alexson and Mr. Mootafian opposed.*
- *Vote: Dr. Jones moved to set the summer water rate at \$19.07 from May 1 through September 30. Mr. Whitmore seconded. The motion carried 3-2, with Ms. Alexson and Mr. Mootafian opposed.*

PUBLIC HEARING: Alteration of Premises Application, True North Ale Company LLC

“Residents of the Town of Ipswich: Please note the Select Board will conduct a remote public hearing on Monday, February 22, 2021 at 7:35 PM on an alteration of premises application for the liquor license of True North Ale Company, LLC at 116 County Road.” - Linda Alexson, Select Board Chair

- *Vote: Ms. Mackin moved to open the Public Hearing. Dr. Jones seconded. The motion carried unanimously via roll call.*

Gary Rogers (True North Ale Company LLC, Owner) asked the Board to permanently extend outdoor seating at his brewery in the same layout that he was allowed temporarily during the summer of 2020. He reported that the Planning Board has given their approval.

Keri MacRae (31 Heartbreak Road) called a Point of Order. She asked if the expansion would include allowing outdoor entertainment. Ms. Alexson clarified that that was a separate license.

Jacki Kronenberg (6 Essex Road) stated that she is an abutter, and that this was the fourth time in two years that True North requested a permit to expand. She reported excessive noise during live music at the brewery, and that they have been unresponsive to requests to turn the music down.

Joseph McGowan (6 Essex Road #17) asked that the Board refuse to make the expansion permanent. He stated that South Gate residents have made several noise complaints, including regarding music playing at 8:30 AM. He stated that True North has not acknowledged noise complaints by abutters.

Mr. Rogers responded that he has received emails regarding noise and responded, but noted that music is kept at a level reasonable for patrons sitting 10-15 feet away to have conversation. He stated that live music is acoustic music serving as an accompaniment to patio dining, rather than a concert venue.

Nancy Higgins (8 Oakhurst Avenue) stated that it is vital the Town does all it can to support the survival of small businesses during the pandemic. She stated that True North provides a community gathering place and regularly holds fundraisers, and are asking for expanded seating so they can continue to do so.

Keri MacRae (31 Heartbreak Road) stated that she has personally heard the noise from True North and has called the establishment, she reported that they said they would turn the music down but did not, and then stopped taking her calls.

Police Chief Paul Nikas stated that last year, his officers responded to one noise complaint at True North, but upon arriving determined that the music was not unreasonably loud. He noted that almost every business in town offering music has received a complaint at some point, but there is no unusual pattern of calls for True North. He recommended that if abutters feel that True North is not addressing their concerns, they call the police station to log their complaint.

- *Vote: Dr. Jones moved to close the Public Hearing. Ms. Mackin seconded. The motion carried unanimously via roll call.*
- *Vote: Dr. Jones moved to support the alteration of premises as submitted. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

PUBLIC HEARING: Alteration of Premises Application, Ipswich Brown Dog LLC

“Residents of the Town of Ipswich: Please note that the Select Board will conduct a remote public hearing on Monday, February 22, 2021 at 7:55 PM on an alteration of premises application for the all alcohol liquor license of Ipswich Brown Dog, LLC at 10-14 Central Street.” – Linda Alexson, Select Board Chair

- *Vote: Dr. Jones moved to open the Public Hearing. Ms. Mackin seconded. The motion carried unanimously via roll call.*

Kirsten Vallis (Manager, The Brown Dog) asked the Board to allow them to continue outdoor dining in the same manner as they did in summer 2020. The setup would consist of six tables of four chairs, and would take up three parking spots immediately in front of the establishment.

Gary Rogers (True North Ale) stated that as a business owner he fully supports the Brown Dog, and emphasized the importance of supporting local businesses throughout the pandemic.

- *Vote: Mr. Mootafian moved to close the Public Hearing. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

- *Vote: Mr. Mootafian moved to support the expansion as presented. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

Select Board Discuss/Vote Ipswich Brown Dog Authorization to Occupy Three Parking Spaces at 10-14 Central Street

- *Vote: Mr. Whitmore moved to support the use of the parking spaces. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

Agawam Trust Warrant Article

Kate McGuire (Ipswich Housing Authority, Director) reported that over the last five years, Southern Manor has been completely renovated with over \$4 million in grant funding. Agawam Village is currently undergoing renovations, but has not been updated in nearly forty years. The Housing Authority is seeking Select Board support on a warrant article that would allow the Affordable Housing Board obtain a loan from the Department of Housing and Urban Development (HUD) that would allow for a complete rehabilitation of Agawam Village.

- *Vote: Dr. Jones moved to add the article to the warrant for Annual Town Meeting, pending review by Town Counsel. Mr. Whitmore seconded. The motion carried unanimously via roll call.*

Update Dam Feasibility Study/Grant Opportunity

Wayne Castonguay (Ipswich River Watershed Association) appeared before the Board to request approval for the last grant needed to complete a feasibility study of removing the Ipswich Mills Dam. A previous study was completed in late 2020, and confirmed the presence of wood piles under the EBSCO building, a lower elevation level than originally thought at Historic Upper Falls, and pile rot. A Dam and Seawall Grant of Massachusetts of \$80,000 is available with a 20% match.

- *Vote: Ms. Mackin moved to approve IRWA's application for the grant. Dr. Jones seconded. The motion carried 4-1, with Ms. Alexson opposed.*

Proposed Town of Ipswich Environmental Protection Policy Committee

Ms. Mackin presented the Board with a request to form an Environmental Protection Policy Committee, citing a lack of focus on environmental impact in the Town's Strategic Planning Working Group recommendations. Ms. Mackin drafted the following policy/bylaw, and asked that a committee be formed to enforce it.

“All agencies, departments, boards, committees and authorities of the Town of Ipswich shall review, evaluate, and determine the impact on the natural environment of all works, projects or activities conducted by them and shall use all practicable means and measures to minimize damage to the environment. All applicable bylaws and statutes shall be interpreted and administered so as to minimize and prevent damage to the environment. The Town shall review proposed projects to determine what environmental impacts, if any, a project would be likely to have and identify feasible measures to avoid or minimize said impact. In considering proposed projects, the respective agency, department, board, committee, or authority proposing a project shall also consider reasonably foreseeable climate change impacts, including additional greenhouse gas emissions, and effects, such as predicted sea level rise and more frequent and extreme droughts. ‘Damage to the environment’ shall mean any destruction, damage or impairment, actual or probable, to any of the natural resources of the town and shall include but not be limited to air pollution, water pollution, improper sewage disposal, pesticide pollution, excessive noise, improper operation of dumping grounds, reduction of groundwater levels and/or streamflow, impairment of water quality, increases in flooding or storm water flows, impairment and eutrophication of rivers, streams, flood plains, lakes, ponds, or other surface or subsurface water resources; destruction of seashores, dunes, marine resources, wetlands, open spaces, natural areas, parks, or historic districts or sites.”

Ms. Alexson asked what the differences between the proposed committee and the existing Climate Resiliency Committee would be. Ms. Mackin responded that the Climate Resiliency Committee focuses only on climate change and greenhouse gases, while the proposed committee would be broader and consider the impacts of water withdrawals. It would assist other Town boards and committees in identifying potential damage and solutions for mitigating them.

Dr. Jones asked which existing problems are not being addressed by the Climate Resiliency Committee, ZBA, Building department, Conservation Commission and State regulations. Ms. Mackin responded that the proposed committee would focus on upcoming projects.

Mr. Whitmore stated that he feels the proposed committee reads too much as an “environmental watchdog group,” and that most of the goals outlined in the proposed policy and bylaw are already being addressed by existing committees and departments. He stated that if there are concerns about environmental impacts not being addressed, they should be discussed with the Conservation Commission first. Ms. Mackin suggested adopting the policy first and then discuss forming a new committee.

Mr. Mootafian agreed with Mr. Whitmore, and added that the proposed policy and bylaw was perhaps unnecessary, as Ipswich largely strives to operate in an environmentally-conscious way. Ms. Mackin disagreed.

Mr. Whitmore added that the new Community Development Plan is very environmentally-conscious, and the Board should review the plan again to see if the Plan addresses any of the concerns Ms. Mackin referenced.

Select Board Refer Zoning Articles to Planning Board

- *Vote: Mr. Whitmore moved to refer the articles to the Planning Board. Mr. Mootafian seconded. The motion carried unanimously via roll call.*

Discuss Government Study Committee and Review Warrant Article

Craig Saline (13 Plum Sound Road) stated that he believes the proposed article is rushed, and if it is added to the warrant, the Government Study Committee will express so at Town Meeting.

Ms. Alexson asked how many members are on the Committee. Mr. Saline responded that the Committee is afforded a possible nine members, but only six or seven have ever sat at the same time. The Committee currently has four members.

Gary Champion (3 Palomino Way) stated that currently, three members make up a quorum. He added that at a 1962 Town Meeting, the Town voted to create the Committee and have members appointed by the Select Board. He asked that the Government Study Committee be given more time to discuss the proposed article with the Planning Board and Finance Committee.

Mr. Whitmore stated that he believes the proposed article could be a good jumpstart for the Committee, and bring more awareness to the group and their work. He stated that he does not believe the article needs re-wording, as it is fairly straightforward and doesn't change much to the existing purpose of the Committee.

Ms. Alexson stated that a charter review by the Committee every ten years is appropriate, and noted that the Shellfish Committee reviews the regulations every few years, including this past year, and more often when issues arise, to ensure they are complying with current law.

- *Vote: Mr. Whitmore moved to include the article on the warrant for Annual Town Meeting. Dr. Jones seconded. The motion carried via roll call.*

New Business

AUTOMATIC SPRINKLER SYSTEMS

Following discussion from the February 8 meeting, Mr. Marino asked if the Board would like him to draft a warrant article that would prohibit the use of automatic sprinklers and garden hoses for landscaping purposes.

- *Vote: Mr. Whitmore moved to include in the warrant a ban on mechanical and hand watering, and only allow landscape watering only through the use of rain barrels. Ms. Mackin seconded. The motion carried 3-2, with Ms. Alexson and Mr. Mootafian opposed.*

CROSSWALKS

Ms. Alexson asked that crosswalk repainting downtown be made a priority, particularly on Market Street, as the lines have completely worn away and cars are parking in the crosswalks.

Old Business

None.

Miscellaneous and Correspondence

None.

- *Vote: Ms. Mackin moved to adjourn. Dr. Jones seconded. The motion carried unanimously via roll call.*

The Select Board adjourned at 10:50 PM.

*Respectfully submitted by Eileen G. Page
02.28.2021*