

## IPSWICH PLANNING BOARD

### MEETING MINUTES

Meeting in person

Thursday, April 27, 2023

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 (PB) was held on Thursday, April 27, 2023, at Town Hall in Room A. Board members Toni Mooradd, Carolyn Britt, Mitch Lowe, Helen Weatherall, Jenn Crawford and Associate Member Laurie Paskavitz were present. Interim Planning Director Glen Gibbs and Staff Planner Andrea Bates were present.

Mooradd convened the PB meeting at 7:00 pm with a quorum present. Attendance of members was taken.

**Citizen Queries:** None noted.

**New Public Hearing:** Request by 214 High Street LLC for Site Plan Review for a hotel at 214 High Street located in the Highway Business and Water Supply Protection Districts, pursuant but not necessarily limited to *Sections V, VII, IX, and X* of the Zoning Bylaw

Mooradd read the legal public notice. Present was Larry Graham (H.L. Graham & Associates) representing the application.

Graham noted the owners were not available for the public hearing and requested to continue. Lowe suggested not opening the public hearing. Crawford added the public hearing should not be open until the PB receives a complete application. Mooradd noted the application was incomplete and included several waivers for documents that are required under Site Plan Review.

Crawford made a motion to not open the public hearing until a complete application is submitted and Lowe seconded. *The motion passed unanimously.*

Gibbs noted that for Site Plan review the appropriate procedure is for the public hearing to be opened within 30 days of the submitted application regardless of completion. An application was filed with the Town and a public notice was advertised. Gibbs suggested opening the public hearing and continuing it. Gibbs suggested accepting the submission waivers on the condition that the time clock for the review does not start until all the necessary documentation is submitted. Weatherall did not support granting the waivers. Lowe read the waiver request letter from the applicant.

Mooradd opened the public hearing.

Lowe made a motion to accept the waiver request of the last 3 items from the applicant's waiver request list (Section X.Z; 10Z, 10E.4, and 10L) from the letter dated April 10, 2023 by H.L. Graham & Associates, Inc. and the 60-day review timeline not begin until a full and complete submission is provided and Crawford seconded. *The motion passed with 4 votes yes and 1 vote no (Weatherall).*

Lowe made a motion to continue the public hearing to no sooner than May 18, 2023 at Town Hall in Room A at a meeting beginning at 7:00 pm and Crawford seconded. *The motion passed with 4 votes yes and 1 vote no (Weatherall).*

**Continued Public Hearing:** Request by PGN Real Estate Trust for a Special Permit for a multifamily dwelling (4 units) at 145 High Street (Assessor's Map 30A Lot 26A), which is located in the Highway Business and Water Supply Protection Zone II Districts, pursuant but necessarily limited to *Sections V.D, VI, VII, IX.C, IX.K and XI.J of the Zoning Bylaw*

Laurie Paskavitz was appointed a voting member for the application on November 10, 2022.

Peter Nikolakopoulos, owner/applicant, Larry Graham (H.L. Graham & Associates), and Bill Nolan, (Savoie Nolan Architects) project architect were present for the application.

Mooradd noted the last time the applicant presented to the PB was January 2023. Graham noted the Planning Office was authorized to send the plans to peer review. Graham responded to peer review comments. Graham asked if the PB had any questions on the responses. Mooradd noted some items came in earlier today or yesterday and that was not adequate time for the PB members to review. Mooradd noted there is a discrepancy between MassDEP standards and Ipswich Zoning Bylaw regarding the depth of an infiltration chamber. Mooradd noted the PB will rely on the Water Commissioner for final approval if the proposed depth is acceptable. Graham explained Massachusetts Stormwater Management Standards requires a separation from an infiltration system to the high ground water table of 2 feet (minimum). Ipswich Bylaw for a Water Supply Protection District says a separation is no less than 3 feet between the bottom of the structure and high ground water. Graham noted a similar issue came up for another project (126-128 High Street). It was voted by the Select Board to accept the 2 feet minimum. Gibbs spoke to Vicki Halmen (Ipswich Water Department) about this matter. Halmen indicated the Water Sub-Committee considers the 126-128 High Street property to be a significantly different property than 145 High Street which is new construction. The Water Sub-Committee did not make a determination regarding the discrepancy between the Ipswich Bylaw and MassDEP standards.

Lowe asked if it is a hardship for the project to meet the 3 feet requirement. Graham explained there are some negative consequences. He said the slope of the entrance would need to be raised changing the grade from High Street. Additional fill to the site is needed. The slope would change from 10% to 12.5% over approximately 20 feet. Gibbs said the PB needs to work with the Water Commissioners on this matter.

Nolan reviewed the landscaping plan. The planting plan was updated to include plant species (all native). Nolan pointed out trees that would be added and trees that are remaining. Planting gardens are proposed to be in front of the units. Nolan said landscaping in the rear of the site must go before the Conservation Commission.

Mooradd asked if the application has been filed with the Conservation Commission. Graham said a Notice of Intent (NOI) has been filed with the Conservation Department and the application will go before the Conservation Commission on May 3, 2023.

Britt said it is important for the PB to have time to digest all the updated information. Britt asked about the proposed trees for the front of the site. Nolan said they are not large trees and the landscape plan includes the Latin name of the species.

Mooradd summarized the outstanding items: Conservation Commission review and approval, submitting the complete landscape plan that is approved by the DRB, and the Water Subcommittee review for the depth of the infiltration chamber. Mooradd confirmed with the applicant that trash will be picked up and no dumpsters will be on site. Britt noted the landscape plan should include all alterations on the site which includes the rear of the site. Lowe said the elevations for the plans need to be submitted.

**Public Comment:** Jennifer Hughes, 117 High Street, is a member of the Conservation Commission. Asked which board is reviewing the project under the MS4 permit and Stormwater Bylaw. She did not see any LID (low impact development) on the presented plan. Hughes noted that generally when an application includes waivers for the No Disturb and No Build Zones, mitigation is required. Hughes explained the No Disturb is a no touch zone. Occasionally maintenance is allowed to address invasive species.

Nolan reviewed design updates. Mooradd noted that design updates were not submitted to the PB. Nolan noted that decks were added for each unit. No other exterior changes were made. Britt asked about solar. Nolan said there is enough roof square footage and support for solar.

Mooradd provided the applicant with a list of outstanding items. No further public comment noted.

Lowe made a motion to continue the public hearing to May 18, 2023 at 7:00 pm at Town Hall in Room A and Crawford seconded. *The motion passed unanimously.*

**New Public Hearing:** Request by GCTH Ipswich, LLC for a Special Permit to install an irrigation well at the applicant's 251 Topsfield Road property (Assessor's Map 51 Lot 7), which is located in the RRA and Water Supply Protection District Zones II, A and C, pursuant but not limited to *Sections IX.C and XI.J* of the Zoning Bylaw

Mooradd opened the public hearing. Mooradd noted the public hearing is being continued without discussion at the applicant's request.

Lowe made a motion to continue the public hearing to May 18, 2023 at Town Hall in Room A at a meeting beginning at 7:00 pm and Britt seconded. *The motion passed unanimously.*

### **Continued Discussion of Potential Zoning Amendments for Fall Town Meeting**

Gibbs reviewed a list of potential amendments and the timeline and process for the PB. Gibbs proposed some initial edits to zoning amendments the PB had reviewed previously. Gibbs noted the Open Space Committee (OSC) is interested in amendments to the Open Space bylaw but it is not on their agenda for this year. Gibbs noted the Planning Department will work with Vicki Halmen and her staff to identify any potential changes to the bylaws related to water.

Gibbs reviewed the timeline and suggested the PB vote to approve the timeline. A cut-off date of May 15, 2023 to allow staff to prepare updated information for the PB May 18, 2023 meeting.

Gibbs reviewed proposed key dates and circulate amendment information and posted on the Town website. Gibbs suggested discussing amendments with the Finance Committee before amendments go on the warrant. He noted that the Select Board must refer the articles back to the PB once they have reviewed proposed amendments.

Britt spoke with John Blair, Electric Light Manager. She said the Town proposes to install a large storage facility for battery storage at the end of Town Farm Road. Gibbs said the Electric Light Department will submit a special permit application for the storage project. Britt suggested reviewing the zoning bylaw for storage facilities and possibly adding language to it for energy storage.

Britt noted that accessory use for solar collection is capped at 10kw. Britt anticipates the need will be greater with more residents purchasing electric vehicles. She suggested 20-25kw.

Mooradd noted in the IR District, there are many non-conforming lots and non-conforming structures. She noted setbacks of 10 ft. may not be achieved and suggested adding a minimum requirement for distance between buildings/dwellings. Gibbs said that may be in the building code. Lowe added that structures maybe directly adjacent to each other. The construction will differ by requiring fire walls. The building code has many requirements. Gibbs will look into adding a minimum distance requirement for the IR District.

Crawford suggested relaxing setback requirements for exterior improvements to buildings (adding exterior insulation). Lowe said the PB attempted that amendment 2 years ago and it did not pass. Gibbs will review it. An update will be provided to the PB for May 18, 2023. Gibbs asked the PB if the timeline is acceptable. The PB did not have issues with the proposed timeline.

### **Adopt Minutes March 30, 2023**

Britt and Lowe requested edits for spelling and grammar.

Lowe made a motion to approve the March 30, 2023 minutes as drafted and amended. Paskavitz seconded. *The motion passed unanimously.*

### **New Business/Announcements**

Gibbs provided a status for hiring a Planning Director. Currently, one candidate is being revisited.

Mooradd and Bates provided an update for the 3A Task Force. Ipswich was awarded a \$40,000 grant from the Metropolitan Area Planning Council (MAPC) to help with phase 1 which is the current state of Ipswich zoning related to 3A, engagement and visioning. The money will be used to hire a consultant to do research and analysis. MAPC will lead the technical assistance for phase 1. Bates noted the Town has also applied for a Massachusetts Housing Partnership (MHP) grant for phase 2 work.

Public forums and information are listed on the 3A – MBTA Communities website. (<https://www.ipswichma.gov/978/Section-3A>)

## **Adjournment**

Paskavitz made a motion to adjourn, and Crawford seconded. *The motion passed unanimously.*

Meeting adjourned at 9:34 pm

Meeting notes taken by: Odile Breton

Accepted on: May 18, 2023