

IPSWICH PLANNING BOARD

MEETING MINUTES

Remote Meeting using ZOOM

Thursday, May 13, 2021

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, May 13, 2021 using ZOOM. Board members Keith Anderson, Mitchell Lowe, Jeffrey Anderson, Carolyn Britt and Helen Weatherall were present. Kevin Westerhoff was absent. Staff, Ethan Parsons and Kristen Grubbs, were present.

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

K. Anderson requested an acknowledgement of attendance 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. Kevin Westerhoff is absent but will observe the Mullen Rule for public hearings that require his vote. K. Anderson reminded the Board and audience that Town Meeting is Saturday, May 15, 2021.

Citizen Queries:

Kathleen Gallanar, 16 Argilla Road, sent a letter to the Board on May 11, 2021 regarding parking issues at 64-66 County Street. She said the residents are parking on the by-road and in front of the Whipple House because the residents cannot park in the garages due to the angles. She said there is an issue with parking in the neighborhood.

Britt said she entered 64-66 County Street and said it is difficult to move a car on the property.

John Colantoni, 342 Linebrook Road, developed 64-66 County Street and responded to the comments. He said he could not speak to who was parking on the by-road. He said he has been in touch with residents at 64-66 County Street and has not been notified of parking issues on the site. He said the residents are using the garage and do not need to back out onto County Street. He added that all the units have basement storage.

Sheffield Van Buren, 242 Argilla Road, said it seems like the Town is overwhelmed with new projects and suggested a building moratorium. He inquired about the 40B project (Essex Pastures). J. Anderson said a moratorium would not prevent a 40B project.

Weatherall noted the Town has Attorney John Witten for counsel on the 40B project and suggested the Board contact Attorney Witten for information on the project.

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

K. Anderson announced the public hearing will be continued without discussion at the applicant's request. J. Anderson is recused. Weatherall is a voting member for this application. K. Anderson said the applicant agreed to an extension to June 25, 2021.

Lowe moved to continue the public hearing without discussion to June 3, 2021. J. Anderson seconded. The motion passed with 4 votes.

Continued 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 announced the public hearing will be continued without discussion at the applicant's request. K. Anderson is recused. Anderson appointed Weatherall as a voting member for this application.

J. Anderson moved to continue the public hearing without discussion to June 3, 2021. Lowe seconded. The motion passed unanimously.

Discussion: Special Town Meeting Fall 2021 zoning priorities and proposed regulations revisions

J. Anderson suggested a meeting after Annual Town Meeting specifically to discuss zoning priorities. He said the 22 minutes noted on the agenda for this evening is not adequate time to discuss. Weatherall agreed.

Parsons said the goal is to start the conversation. He suggested setting up a working group to look into topics. He said a baseline understanding of what is permitted under current bylaws and what the Board has the authority to do is needed. J. Anderson said creating a collaborative effort among Town boards is needed.

The Board agreed that Parsons should form a working group and contact people interested in participating.

Continued Public Hearing: Request by Triple Q Inc. (John Colantoni) for Scenic Road approval for removal of four trees within the right of way and the removal and replacement of stones in the stonewall on Linebrook Road at 423 Linebrook Road (Assessor's Map 37D Lot 0170)

John Colantoni was present for the hearing.

Britt said she visited the site today and said the 24-inch oak tree should be saved. K. Anderson said that is a condition in the draft decision. Colantoni said he had no issues with the draft decision. Parsons suggested contacting DPW for input on any tree plantings in the right of way.

K. Anderson suggested inserting "native tree" in point 4 on the draft. No other edits suggested. No public comments noted.

Lowe moved to close the public hearing. Britt seconded. The motion passed 4-0.

Britt moved to approve the draft decision as edited. Lowe seconded. The motion passed 4-0.

Request by John Colantoni for minor modification of 3 Payne Street Infill Special Permit to alter driveway location and material for existing property

John Colantoni was present. A site plan and photograph of driveway materials was displayed. He is requesting the driveway for the existing house be moved so it is over 5 feet away from the property line. It will align with setback requirements for a detached garage if one is ever built in the future. The driveway will be 20 feet wide instead of 16 feet wide and it will be 20 feet deep instead of 18 feet deep. The material for the driveway will be concrete pavers allowing grass to grow through.

Lowe moved to determine the request is a minor modification. J. Anderson seconded. The motion passed 4-0.

Kathleen Gallanar asked if there will be a curb cut for the driveway. Colantoni said DPW will have input and advise on the driveway.

J. Anderson moved to approve the minor modification. Lowe seconded. The motion passed with 4 votes (Westerhoff absent).

Documents: Driveway Plan, prepared by ASB Design Group, 11/4/20, revised 5/4/21

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 is recused, Weatherall is recused and K. Anderson is recused. Britt will chair the public hearing. Pat Norton, New England Biolabs (NEB), Don Greenough, Attorney, Charlie Wear and April Ferraro (Meridian) were present for the public hearing.

Comments from peer review were discussed and a draft decision was reviewed. Wear said condition 7(a)(i) is not needed as the peer reviewer, Bob Puff, does not need soil testing because it was done. A memo dated May 10, 2021 from the peer reviewer was sent to the Planning Department regarding the soil testing. Parsons said the draft decision includes the memo.

Parsons reviewed the draft decision emphasizing findings, conditions and waivers. There was a discussion on the “no fill” area (in the field) noted on the site plan. It was agreed that a construction fence will go up around the “no fill” area in the field. It was also agreed that no permanent monuments are required.

There was a discussion regarding flattening a slope in the area of the driveway. Wear said the slope is 3 to 1 and they are replicating what already exists. It was agreed to delete “The Board may desire additional grading to flatten this slope”.

Parsons noted NEB is requesting a minor modification for the Great Estate Preservation Development (GEPD) for a connector driveway from the main campus driveway.

Parsons said waivers are warranted and not granting the waivers to the applicant does not benefit the Town, in his opinion. Parsons recommended granting the waivers.

Public Comment: Jim McCarthy, 35 Fellows Rd, requested a condition be added to restrict access from Fellows Road. He suggested limited access from Fellows Road should be for emergency use only.

Attorney Greenough reminded the Board that it is voting on a site plan review, not a special permit. He said for site plan review the Board is reviewing the site plan as it is being presented, which shows no access to Fellows Road. He suggested adding a condition with wording for no access without an amendment to this site plan approval. There would be no access in the 50 ft. right of way without approval from the Board. The area was pointed out on the site plan display. McCarthy said it is an acceptable suggestion. Parsons said he could add it to condition 2 in the decision. Greenough suggested “no improvement of the existing way and no vehicular access from Fellows Road.” Greenough then suggested “no motorized access”. Lowe suggested keeping it simple by inserting “no improvement to the existing access way”.

Parsons continued reviewing the draft decision. Lowe noted K. Anderson is recused and the draft decision includes a line for his signature. Parsons to edit for signatures of the three voting members.

No further public comments noted. J. Anderson noted he followed the Mullin Rule for the previous hearing session.

Lowe moved to close the public hearing. J. Anderson seconded. The motion passed with 3 votes.

J. Anderson moved to approve the decision as drafted and discussed. Lowe seconded. The motion passed with 3 votes.

Parsons noted there is work on the main campus (240 County Road) and that work is governed by GEPD site plan review. He said there is a request for a minor modification on the main campus work for a connector road.

Lowe moved to determine the request is a minor modification to the overall site plan for the 240 County Road project. J. Anderson seconded. The motion passed 3-0.

Lowe moved to approve the minor modification. J. Anderson seconded. The motion passed 3-0.

Documents:

- *Memo from Bob Puff, P.E., "Task 3", 5/10/21*
- *Permit Site Plans, Stormwater Report, Stormwater Analysis & Calculations, prepared by Meridian Associates, 5/4/21*
- *Mounding Calculations and 100-year post-development calculations dated 5/7/21*

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

K. Anderson said Westerhoff is absent and observing the Mullin Rule and will watch the recorded public hearing.

Larry Graham, H.L. Graham & Associates and Louis Rubino were present for the public hearing. Graham said since the last meeting two revised site plans were submitted to the Planning Department (April 29 and May 12, 2021). Graham said the revised plans include comments related to peer review comments. Graham met with the Water & Waste Water Committee because it oversees the bylaw provision of a 3 ft. ground water separation requirement between infiltration basins and infiltration trenches to high ground water. The Committee voted unanimously to approve and move it on to the Select Board

Graham discussed the peer review comments he received on Monday. He noted back and forth communications with the peer reviewer regarding the drainage plan. Graham stated it is a redevelopment site and noted the site will comply with storm water management standards. He said the peer reviewer had concerns in the commercial section of the site. The site plan was displayed and the area of concern was pointed out. Graham noted an existing depression in the pavement in the area of concern. When the area backs up, it over flows toward School Street. Graham said improvements are required and he cannot release untreated storm water. Graham explained the grading is causing the water to pool in the commercial parking area at catch basin 3. He explained how the drainage plan meets requirements. Graham pointed out what is being proposed to address the pooling water. Graham requested input from the Board on the design of the drainage plan.

Weatherall inquired about the number of EV charging stations. Graham said there will be one.

K. Anderson noted that the hearing needs to be extended as Graham completes responses to the peer reviewer. The applicant agreed to extend to June 4, 2021.

Lowe moved to continue the public hearing to June 3, 2021. J. Anderson seconded. The motion passed 4-0.

Documents:

- *Architectural Plans, prepared by Kritikos Architects, 5/13/21*
- *Email from Vicki Halmen to E. Parsons Re. Water Subcommittee, 5/11/21*
- *Board of Health letter to Planning Board, 5/10/21*
- *Bob Puff, P.E. memo to Planning Board for "Task 2", 5/10/21*
- *Permit Plan prepared by H.L. Graham Associates, 4 sheets, 4/29/21*

Continued Public Hearing: Request by C & J Reality Trust for Site Plan Review at 57 & 59 Mitchell Road to construct a new industrial building and expand an existing industrial building, 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 announced the public hearing will be continued without discussion at the applicant's request.

Lowe moved to continue the public hearing without discussion to June 3, 2021. Britt seconded. The motion passed 4-0.

Adopt minutes of April 1 and 22, 2021

K. Anderson stated the minutes were not available. Parsons said he is editing and adding documentation.

Documents: Draft minutes of April 1 and 22 meetings

Announcements/New Business

K. Anderson said there are comments back from the Select Board and Finance Committee on articles brought forward by the Board for Town Meeting. There was a discussion about proposing an amendment to Article 19 at Town Meeting to alter the setbacks for heat pumps. Britt said she would draft an amendment and send it to Parsons.

Adjournment

Lowe moved to adjourn and Britt seconded. The motion carried unanimously.

Meeting adjourned at 10:06 PM

Meeting notes taken by: Odile Breton

Adopted on: