

## IPSWICH PLANNING BOARD

### MEETING MINUTES

Remote Meeting using ZOOM

Thursday, August 20, 2020

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, August 20, 2020 using ZOOM. Board members Keith Anderson, Carolyn Britt, Mitchell Lowe, and Associate Member, Helen Weatherall, were present. Town Planner, Kristen Grubbs, was also present. Paul Nordberg and Kevin Westerhoff were absent.

Anderson convened the meeting at 7:06 PM with a quorum present.

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

**Citizen Queries:** None noted

#### **Request by James C. Rix, Gina M. Rix and Jill Hitschler for ANR plan endorsement for plan of land at 8 Bunker Hill Road and 9 Chattanooga Road**

Anderson explained that a section of paper road that was not built is being conveyed to a neighboring property. Subdivision rules do not apply.

*Lowe moved to endorse the ANR plan. Britt seconded. The motion passed with 3 votes.*

*Documents: ANR plan, prepared by Donohoe Survey, filed with Town Clerk on 8/17/20*

#### **New Public Hearing: Request by Armando Sardinias for removal of a tree within the Right of Way at 416 Linebrook Road, pursuant to the Ipswich Scenic Road regulations**

Anderson opened the public hearing by reading the legal notice. Armando Sardinias, owner of 416 Linebrook Road, was present. Anderson designated Weatherall as a voting board member for the hearing as Nordberg and Westerhoff were absent.

Sardinias explained that there is limited space on his property and he would like to add a driveway to avoid on-street parking. A driveway can be added by removing a 10-year old cedar tree. Anderson said he went by the property earlier in the day and appreciates the request for safety reasons. Lowe said he also went by the property and did not see an issue with removing the tree. Weatherall said it would be an aesthetic improvement.

Anderson asked if there are any public comments. None noted.

*Lowe moved to close the public hearing. Britt seconded. The motion passed with 4 votes.*

*Britt moved to approve removal of the cedar tree, replacing it with two peach trees on the property. Weatherall seconded. The motion passed with 4 votes.*

*Documents: Scenic Road application, filed with Town Clerk July 30, 2020*

**New Public Hearing: Request by Eric Dunstan for a Special Permit for the conversion of an accessory structure into a dwelling unit at 17 Mineral Street (Assessor's Map 41B Lot 270), which is located in the Intown Residence District, pursuant to Sections IX.P and XI.J of the Zoning Bylaw**

Anderson opened the public hearing by reading the legal notice. Eric Dunstan of 3 Brandt Circle, Beverly, was present. Anderson appointed Weatherall as a voting board member for the public hearing since Nordberg and Westerhoff were absent. Anderson noted that Westerhoff would observe the Mullin Rule.

Dunstan purchased 17 Mineral Street in December of 2019. He said he has been renovating it and is planning to reside at the property. He said he would like to convert the detached garage/barn to a dwelling unit. Grubbs explained that the former owners of 17 Mineral Street conveyed the main house subject to a preservation agreement. Dunstan said his understanding is that the restriction only applies to the main house and no other structures on the property, to which Grubbs said that was correct.

Anderson scheduled a site visit for Saturday, August 22, 2020 at 9:00 AM.

Public Comments: Lisa-Marie Cashman of 8 Brown Street said she is a neighbor and she complimented Dunstan on the work he has done on the property.

*Lowe moved to continue the public hearing to September 10, 2020 at 7:00 PM. Britt seconded. The motion passed 4-0.*

*Documents:*

- *Special Permit application dated 7/20/20*
- *Dunstan Project Barn Conversion, drawn by Glen H. Johnstone, R.A.*

**Adopt minutes of July 9, 2020 and July 30, 2020 meetings**

Britt suggested edits for both July 9, 2020 and July 30, 2020.

*Lowe moved to approve the minutes of July 9, 2020 as discussed and amended. Weatherall seconded. The motion passed unanimously.*

*Britt moved to approve the minutes of July 30, 2020 as discussed and amended. Lowe seconded. The motion passed unanimously.*

*Documents: Draft minutes of July 9 and July 30, 2020 meetings*

## **Announcements/New Business**

Anderson provided an update from the Select Board. The Select Board reviewed the proposed warrant article pertaining to energy efficiency and referred it to the Planning Board for a public hearing at an upcoming meeting.

Anderson reminded the Board of dates for upcoming meetings:

- August 27, 2020 at 7:00 pm- Water Subcommittee meeting which will discuss water rates
- September 8, 2020 at 7:00 pm- Joint meeting of the Select Board and Planning Board. Topics include Housing Production Plan and warrant hearings
- September 10, 2020 at 7:00 pm- Planning Board meeting
- October 1, 2020 at 7:00 pm- Planning Board meeting
- September 14, 2020 and October 5, 2020- Select Board public hearings. The Water Subcommittee will bring forward its water mitigation plan
- October 17, 2020- Town Meeting

Community Development Plan: Grubbs provided an update. She stated the vision statement, draft goals and strategies are posted on the Planning Department webpage. An action matrix is being developed. Meetings with Town department heads are being scheduled.

## **New Public Hearing: Public Hearing on three proposed warrant articles for the 10/17/2020 Town Meeting.** The articles would amend the Ipswich Zoning Bylaw as follows:

- Marijuana Establishments/Adult Use Marijuana Amendment: a) Amend Section III. Definitions: Define Marijuana Establishment and other definitions related to Marijuana Establishments; b) Amend Section V. Table of Uses by adding allowances for recreational marijuana establishments in the PC and LI districts by special permit, adding a prohibition for retail recreational marijuana establishments in all districts, and adding a footnote reference to a new subsection in IX; c) Amend Section IX. Special Regulations by adding a new subsection T: Adult Use Marijuana Establishments, in which the use, operation, location and related requirements will be described.
- Registered Marijuana Dispensaries Amendment: Amend Section IX.R. Registered Marijuana Dispensaries (RMDs) by amending the minimum and maximum size of an RMD, prohibiting drive-through services and establishing other dimensional, use and operational restrictions on RMDs
- Clarification Amendment: Amend Section III. Definitions, "Use, Residential Mixed", to clarify that the individual uses in a Residential Mixed Use are subject to all applicable requirements in the Dimensional and Density Regulations in Section VI of the Zoning Bylaw

Anderson opened the public hearing by reading the legal notice. Anderson noted that the Board went through the hearing process for the same articles before the COVID-19 pandemic but the

Town dropped the articles from the Annual Town Meeting. Town Counsel recommended the Board conduct the process as if starting from scratch. He said the Board should think about which member(s) will present the articles at Town Meeting.

Anderson reminded the Board that a citizen petition to the General Bylaw was brought forward and the Bylaw allows recreational marijuana establishments but not retail sales. Anderson said the recreational marijuana cultivation is in line with medical marijuana cultivation facilities. Lowe said the proposed change clearly defines adequate controls for marijuana establishments. Anderson noted there were no public comments.

Anderson explained the purpose of the two other articles: registered marijuana dispensary regulation changes and a clarification article. He noted there was no public comment.

Anderson proposed closing the public hearing and the Board voting its recommendation at the next meeting.

*Lowe moved to close the public hearing. Britt seconded. The motion passed 3-0.*

### **Adjournment**

*Weatherall moved to adjourn. Lowe seconded. The motion passed 4-0.*

Meeting adjourned at 8:09 PM.

Meeting notes taken by: Odile Breton

Adopted on: October 22, 2020