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By Electronic Mail

Carolyn Britt, Chair
Planning Board
Town of Ipswich
25 Green Street
Ipswich, MA 01938

Re: 55 Waldingfield Road — Ora, Inc. | Special Permit Requirements

Dear Chair Britt and Members of the Board:

I write on behalf of the Friends of Waldingfield regarding Ora's recent revision of its development proposal for 55 Waldingfield Road.

This letter focuses on the Friend's continued serious concerns regarding traffic and neighborhood character. In support of these concerns, attached is an expert submission of Professor Robert Yaro, the former Deputy Commissioner of the Massachusetts Department of Environmental Management, founding director of the UMass Center for Rural Massachusetts, and professor emeritus of City and Regional Planning at the University of Pennsylvania.

Finally, the Friends reiterate their serious procedural concerns about the continued objective deficiencies in Ora's documentation of its constantly-changing proposals for 55 Waldingfield. Put simply, these deficiencies make it impossible for the Board, counsel, or the general public to adequately understand or properly evaluate what Ora is proposing.

I. Significant Adverse Traffic Impacts Remain Under Ora's Revised Proposal

Ora asserts that as a result of its most recent revision to Phases II and III, the number of daily vehicle trips per day will be reduced from 1,228 to 504. To be clear: this "reduction" does nothing to alter the Friends' serious concerns about the adverse impacts of this volume of traffic on both public safety and neighborhood character, as detailed in their letter of November 29, 2021.

The attached expert submission by Professor Yaro explains why the same concerns remain. Indeed, as the Town's own independent peer reviewer (TEC) stated during the January 12, 2022 hearing, even Ora's revised assertion of 504 additional vehicle trips per day

would, “*to a person who lives on that road, seem like a very significant increase in traffic.*” The Friends concur, and reiterate the concerns detailed in their November 29, 2021 letter:

First, an increase from the current 6 vehicles per hour during the a.m. and p.m. peak period to the site, to between 60 and 63 projected peak hours trips to the site via Waldingfield Road, is a *1,000% or tenfold increase*. While Ora has characterized these increases as “negligible,” neither adding 504 extra cars per day nor adding 1,200 extra cars per day to Waldingfield Road is “negligible” in any common sense usage of the word.

Second, GPI’s traffic analyses continue to studiously refuse to address the broader impacts from a tenfold increase in vehicular traffic on the character and safety of this rural road for local residents, pedestrians, bicyclists and riders. GPI’s most recent submission once again focuses on the largely irrelevant assertion that “increases in delay at all study area intersections are expected to be less than one second.” *It is important to be crystal clear*: as Professor Yaro explains, the adverse impact on Waldingfield Road of a tenfold increase in additional trips comes not from impact of additional traffic on other drivers at its *intersections*. It comes from the adverse impact of such additional traffic on the many *non-automotive users of the Road itself*.

The impact of a significant increase in automotive traffic volume on Waldingfield Road — compounded by the likely accompanying increase in vehicular speeds — will affirmatively discourage pedestrian, cyclists and equestrian users, due to the introduction of new and real safety concerns that are entirely absent today. Moreover, such safety concerns will only be exacerbated and compounded during the winter months, when snowbanks and snowpush further diminish the already narrow road width and increase the hazards present on Waldingfield Road for drivers and non-drivers alike.

Third, the special permit Ora seeks *is not limited to Ora’s particular operational philosophy or Ora’s currently proposed uses of the property*. A special permit runs with the land, not the owner. If approved, the special permit will authorize 72,000 square feet of Waldingfield to be used by *any owner* whose use meets the definition of “business offices” or “conference center”.

As Professor Yaro explains, best land use planning practice is to review projects based upon the *maximum* possible intensity of use for the facility being requested, not the most optimistic *minimum* use asserted by the applicant. Nothing prevents the finished project from being sold to a new owner who wishes to utilize the property as a more traditional corporate headquarters, and elects to utilize or renovate the already-built 72,000 square feet more in accordance with the industry average of 200 square feet per office employee. Doing so would more than double (and potentially triple) the number of individuals on site, and increase traffic accordingly.

II. Significant Adverse Impacts on Neighborhood Character Remain Under Ora's Proposal

Professor Yaro's testimony highlights further serious concerns with Ora's proposal with respect to the key special permit criteria of compatibility with neighborhood character, noting the state and national historic significance of Waldingfield Road and its environs (including the fact that Waldingfield Road and its stone walls are affirmatively designated as contributing historic elements to the State Register of Historic Places-listed Appleton Farms). His testimony supplements the Friends' concerns regarding adverse impacts on neighborhood character, as detailed in their November 29 letter. Given that compatibility with neighborhood character is an express criteria for a special permit under the Protective Zoning Bylaw, the Friends fully expect that the Board will discuss and accept further public comment on this criteria at a subsequent public hearing.

Inexplicably, the Friends observe that Ora has failed to provide *any* explanation for why its project is compatible with neighborhood character, despite Section J.2.b. of the Protective Zoning Bylaw expressly requiring Ora to have submitted "sufficiently detailed, definite, and credible information" on this point *six months* ago, with its July 2021 application. Even more concerning is that Ora has still made no such submission despite being well aware of this requirement – slide 29 of its November 10, 2021 powerpoint presentation recites the Bylaw's special permit standards verbatim.

III. Ora's Frequently Changing Plans Have Not Been Accompanied By the Requisite Supporting Documentation

While Ora has now revised its plans for Phase II and III and has submitted additional traffic comments, Ora has not submitted revised stormwater analyses for Phases II and III, making it impossible for the general public or the Board to evaluate those environmental impacts.

Nor, despite counsel stating orally at the January 12, 2022 hearing that "we are not asking you to approve anything more than Phase I, II, and III," has Ora actually applied for approval of anything other than *Phase I*.

Moreover, Ora has not agreed that its newly-revised three-phase 72,000 square foot plan will constitute the permanent maximum limit of development on the site. This should be of particular concern to the Board, given that up until only two weeks ago, Ora was insisting that it needed approval to develop *124,000* square feet on the site. The "incrementalist" approach to expanding on a Great Estates parcel far beyond what was originally sought is precisely what is occurring at present with New England Biolabs. The Friends encourage the Board to learn from that circumstance, rather than repeat it.

In short, it continues to remain unclear, more than six months after submission, the precise scope of what exactly Ora is seeking to have approved. It is exceptionally challenging for the public to properly and adequately evaluate Ora's proposal when Ora constantly changes that proposal so frequently — whether as to open space, building size, expected use,

