

July 22, 2022

Via email

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Ms. Tammy Jones, Chair
Select Board
Town of Ipswich
25 Green St.
Ipswich, MA 01938

Ms. Toni Mooradd, Chair
Planning Board

Re: 55 Waldingfield Road, Special Permit Application by Ora Incorporated

Dear Chair Jones, Mooradd and Members of the Select and Planning Boards

Please find attached my prepared remarks for the Ipswich Planning Board meeting on July 21, 2022. My oral remarks were intentionally brief, much shorter than the attached, as I wanted to conserve time for other members of the public to voice their opinions regarding the project proposal.

As part of this transmittal letter and on behalf of the Friends of Waldingfield, I cordially invite you to a public discussion of the special permit application by Ora Inc. Hosted by the Friends of Waldingfield, the event is scheduled this coming Tuesday, July 26, 2022, at True North Ale Company located at 116 County Road from 6-8 PM. Complimentary drinks and light food are provided. We encourage an open discussion of the merits of the application under the auspices of the Great Estates Preservation Bylaw.

Should you have any questions, please do not hesitate to contact me.

Sincerely

s/ Jack Whittier

35 Waldingfield Road

South Hamilton, MA 01982

720-258-5623

July 21, 2022

Prepared remarks regarding special permit application by Ora Inc. under the auspices of the Great Estate Preservation Development Bylaw

To: Ipswich Planning Board

From: Jack Whittier

Good evening. Thank you for the opportunity to speak. I want to also thank the Planning Board for their dedication and support to the community, we are all better off for your continued efforts to plan for the future of Ipswich.

The binder that was delivered to you is both representative and symbolic of the level of community engagement that this proposed project for a corporate complex has energized. The binder contains over 100 letters from more than 70 individuals written in opposition to the proposed development. The letters are from your community members, people with whom you share our beach, local restaurants, and shared interest in the future of Ipswich and the community. I know you have read the letters before and encourage you to re-read some, perhaps at random. There is strong and considered thinking expressed in the letters that is consistent with our community values.

The binder also contains a document summarizing the concerns of Friends of Waldingfield regarding the proposed corporate complex. The document, organized along the lines of the criteria for evaluation of the Great Estates Preservation Bylaw, provides both a critique of the proposal by Ora Inc. as well as a path forward that avoids a corporate complex. In summary the critique finds the following:

- **Threat to Neighborhood Character.** Ora's proposed corporate office complex irrevocably threatens to degrade character of a designated Scenic Road. Nothing in the Great Estates Preservation Bylaw ("Bylaw") remotely suggests its intent was to protect historic great estates at the expense of historic scenic roads.
- **Significant Decrease in Road Safety.** Ora's traffic impacts are identified as "significant" and not amenable to reasonable mitigation given Scenic Road limitations, with increased traffic volume posing additional safety risks to non-vehicular traffic.
- **Excessive Development for the Site.** Ora's refuses to commit to limiting development to 75,000 square feet — with 125,000 square feet available — or agreeing to protect important scenic, cultural and historic view sheds by abiding by the bylaw's 250-foot setback from the public way for any new building construction.
- **No Details on Conservation Restrictions.** Ora refuses to provide details about the legally-binding Conservation Restrictions required by the bylaw.
- **Improper Inclusion of GFA.** Ora asks to include roughly 1,500 SF of dirt floors as "gross floor area" (GFA) in order to even meet the minimum application qualifications for a GEPD permit.
- **Preservation Group.** A better alternative exists as proposed by local community members.

The draft decision document that you are reviewing this evening is, I believe, deficient in many ways and should be modified to reflect the input from experts and community members. I believe it is important to keep in mind the text from the Great Estates Preservation Bylaw as follows:

The Board can only grant a special permit if “the benefit to the Town outweighs the adverse effects of the proposed use,” and if the applicant has submitted “sufficiently detailed, definite, and credible information to show the project meets the intent of this bylaw.”

In my opinion, as the document stands at present, there are subjective statements that are not defensible as well as disregard for important process and analytical considerations critical to your decision making. In my mind the document suffers from lack of attention to “detailed, definite, and credible” information. At this point I draw attention to just a handful of my concerns as I believe others this evening will make different and complementary points.

Regarding the finding that “the Project will not create unsafe conditions on Waldingfield Road or surrounding intersections and roads” there is no supporting documentation to justify this assertion. Rather there is documentation from the Town of Ipswich traffic consultant the traffic impacts are “significant.” Why is this independent information not included as it was prepared on the Town’s behalf? Furthermore, the recent letter from Professor Yaro (July 15, 2022) articulately addresses the increased threat of vehicle violence (my words) towards non-vehicular users of Waldingfield Road. Planning Board members are encouraged to re-read Professor Yaro’s, and other road users, letters and public testimony regarding the increased dangers posed by a projected 30% increase in traffic volume. With additional traffic volume expected from the New England Biolabs expansion, why is it in the community interest to add even more traffic on a Scenic road with known driving hazards?

Regarding the adequacy of utilities, there is an astonishing lack of “detailed, definite, and credible” information. Ora has not provided basic planning information for a corporate complex such as energy or water demand. There are fundamental engineering studies, similar to the traffic impact analysis, that have not been presented. For instance, what is the projected energy consumption? How is the statement presented in the draft decision document “reduce carbon emissions” determined without a baseline? What level of LEED certification will the buildings aspire to? Similarly, there is no documentation regarding Ora’s plans to eliminate fossil fuels. Are we to rely upon just the corporation’s statement? I would prefer to see something that is tangible, for instance perhaps Ora intends to purchase renewable energy certificates? We don’t know and thus the assertion of “eliminate fossil fuels” is just words with no substantiation and a form of greenwashing. And a “solar ready roof”? What is that? Independent of that being a meaningless phrase, why not commit to >100% solar, either on-site (which is unlikely) but more realistically off-site as a member of a community solar project? Ora promised the Town “regenerative design,” yet we see no details, only hand waving with no documentation on the energy portion of sustainable design.

Specifically regarding water consumption, we are all aware of the endangered status of the Ipswich River and the demands on water supply. Without quantification of water demand how can we know what the impact of >90 people, a hotel with dining facilities, and a barn full of horses will have on the Town’s ability to provide water to its citizens? Again, similar to the traffic impact study, a projection by phase of water consumption will help understand what is going on with the site and how to make a decision based upon tangible and quantifiable information.

Regarding compatibility with neighborhood character, the phrase “will enhance the neighborhood’s character” is, in my opinion, without basis and contrary to the overall impact of the proposed corporate complex. My suggestion is that the Planning Board keep in mind the notion of the whole is greater than the sum of the parts, this is the essence of holistic thinking which planners can embrace. Specifically regarding the combined deleterious impacts of the project such as, (1) an increase in daily neighborhood population of over 250%, (2) a projected 30% increase in average daily traffic flow, (3) development of ~75,000 sf of commercial space when there is no commercial activity at present, (4) 24X7 operation of a hotel/dining facility, and (5) proposed corporate intrusion within the 250’ setback, none of these considerations does anything remotely to enhance the neighborhood’s character. My opinion is that the Town will lose its character especially in light of the nearby New England Biolabs property where we might see the development of a corporate byway around Ipswich. The Community Development Plan calls for downtown growth and that is where this project should be.

Ora Inc. has lost my trust. There are many reasons but here is one. At the outset, over a year ago, in various public and private meetings, Ora representatives frequently talked about Phases 1A and 1B with no practical acknowledgement of future phases (to be fair, the notion of Phases 2 and 3 were identified without substance at the Town Meeting in 2021). This limited development seemed pretty reasonable at the time but lacked details. Our phrase at that point was “trust but verify” which signaled our intention to be respectful but not sold in our review of Ora’s proposal. Only at our instigation did the firm articulate a vision for Phases 2 and 3 and I note there still remains the possibility of future phases as Ora refuses to commit to limiting their growth. Even tonight Ora is cagey and not communicative about what their plans are regarding a possible conservation restriction on the East Paddock. Does Ora want to build Phase X there? Does this refusal have to do with the “creative financing” notion introduced by the Ora attorney? We don’t know but we do understand that creative financing generally favors the corporation as a tax avoidance or reduction mechanism, which often results in loss of tax revenues to the various taxing authorities including the Town.

The projected growth associated with Phases 2 and 3 and the deception hurt. I was appalled by the scope of the initial Phases 2 and 3 which I of course realize have subsequently been scaled back. But the corporate mentality had expressed itself which I characterize as greedy growth without due regard to the circumstances of the character of the Scenic Road. Why does the corporation need to push the limits of the developable space? What is wrong with restraint? 55 Waldingfield is located on a relatively small plot of land relative to the other Great Estates in Ipswich, perhaps a “mini” Great Estate. In my mind Ora and its representatives became tone deaf to the neighbors whom they had wooed with the initial corporate vision for Phases 1A and 1B. As you can read in the letters, a substantial number of community members changed their minds from being a supporter to being an active opponent as Phases 2, 3 and Phase(s) X became apparent.

There has been considerable discussion at various meetings regarding the threat of a possible subdivision at 55 Waldingfield. Indeed one of the underlying premises of the Great Estates Preservation Bylaw is to offer an alternative to subdividing large tracts of land. Fortunately, there is a viable alternative to subdivision as proposed by the Preservation Group and likely to be addressed later this evening.

I realize the Planning Board members have been actively engaged from the outset, indeed in helping to craft the revised language of the Great Estates Preservation Bylaw. I believe mistakes were made in the

Spring of 2021 and we are confronting the results at this time. We are now challenged with a corporation trying to squeeze too much out of a small location at the expense of the fabric of the surrounding community. It feels as though Ora corporation wants a trophy principal place of business without regard to overall impact. It has hard to admit a mistake, indeed there is a recent series of essays in the New York Times on precisely this topic (July 21, 2022), but I suggest to the Board to dig deep and approach the decision making with a sense of critical reasoning and reflection.

Finally, I encourage Ora Inc. to find a different location. The firm's CEO, Mr. Stuart Ableson, was quoted in the Ipswich Local as "not wanting to be known as the guy who ruined Waldingfield." Well don't be that guy. Over 90% of the near-by neighbors are opposed to the corporate complex and the hundreds of yard signs coupled with the vast outpouring of letters and testimony are a clear message the proposed development is not welcome. Speaking of behalf of Friends of Waldingfield, we are prepared to work with you to help find an alternative location.

In summary, I believe the Planning Board should deny the special permit application.

Thank you for your time and attention.