

IPSWICH PLANNING BOARD
MEETING MINUTES
Town Hall, Room A, 25 Green Street, Ipswich, MA
Thursday, May 2, 2019 at 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 was held on Thursday, May 2, 2019 in Room A of Town Hall. Board members Keith Anderson, Heidi Paek, Carolyn Britt and Paul Nordberg (Associate Member) were present. Kevin Westerhoff was absent. Staff present: Ethan Parsons.

Anderson convened the meeting at 7:00 PM with a quorum present.

Citizen Queries: None noted

Plan Endorsement: 173-178 Linebrook Road OSPZ special permit plans

Anderson stated that the approved OSPZ special permit decision required follow-up from peer review then the Board's endorsement. The Board received the peer review report, which indicated the applicant satisfied outstanding issues. Britt said she did not see the peer review report. Anderson summarized what was written in the report. Paek noted Parsons reviewed the report and concluded that it was ready to be endorsed.

Paek moved to endorse the plan for Phase 1 of the OSPZ development and to authorize Parsons to sign on behalf of the Board. Nordberg seconded. The motion passed unanimously.

Documents: OSPZ Site Plan Set, 12 Sheets, prepared by Williams & Sparages, last revised 1/4/19

Government Study Committee Presentation on proposed warrant article(s) for Annual Town Meeting

Gary Champion and Diane Young presented for the Government Study Committee. Young provided a handout to the Board summarizing the articles being presented to Town Meeting by the Committee.

Article 17 proposes a change to the Town Charter in Section 2 addressing Select Board responsibilities. Young reviewed the proposed changes to the article and stated the Select Board was in support of the changes (voted 3 to 2), the School Committee was in support (voted 6 to 0), and the Finance Committee was not in support (voted 2 to 5). Young stated the basic concerns related to whether the article should be included in the Town Charter or in the Town Bylaws. Paek stated the changes are improvements. Anderson stated he supports the article and Nordberg agreed.

Britt moved to support Article 17. Nordberg seconded. The motion passed unanimously.

Anderson said a member of the Board will speak at Town Meeting regarding the Town Government Study Committee's proposed articles.

Article 18 would make the Town Bylaws gender neutral.

Nordberg moved to support Article 18. Britt seconded. The motion passed unanimously.

Article 19 is a report on appointing or electing Planning Board members.

Paek moved to support presentation at Town Meeting of the Government Study Committee report recommending no change to Planning Board appointment procedures. Nordberg seconded. The motion passed unanimously.

Continued Public Hearing: Proposed warrant articles for the Annual Town Meeting: a) Amend Section VI by disallowing the area zoned RRA from counting toward determining the density and dimensional regulations for a proposed active use that is located in the less restrictive district; b) Amend Section VII by revising parking supply requirements for residential uses.

Alvin Boynton, 41 High Street, presented his Citizen Petitions beginning with designated Article 20. He said he researched some of the questions asked at the last Planning Board meeting. He also met with Parsons and is attempting to revise the language to impact IR/RRA split lots only. Boynton provided data from his research and stated there are 59 split IR/RRA lots. The breakdown of the lots is as follows: 40 parcels are single family homes, 14 parcels are two-family homes, 2 parcels are 3 unit homes, 1 parcel is a 4 unit condominium (1 building), 1 parcel has the Ipswich Inn and 1 parcel is a single family mobile home with a commercial barn. He said that of the split lots on High Street only 5 parcels have more than 2 housing units. The density and character of the neighborhood is of a rural town. Boynton concluded that more than two units on a lot in the High Street neighborhood are rare. Allowing more than four units on the lots would be out of character with the neighborhood.

Nordberg said that Boynton is raising points that need to be addressed. He suggested that the research be broadened and brought to Fall Town Meeting instead. Nordberg said he was not going to support the petitions because they need more consideration. Also, these zoning changes apply to applications in progress, which raises issues about fairness to applicants that made an effort to comply with the Town's regulations. Parsons suggested that Town Counsel should review the language of the proposed article. Paek said she is supportive of the intent.

Public Comments:

Dan Cullen, 79 High Street: appreciates the research done by Boynton. He stated the area is historically sensitive and unique. He supports the petition.

Robert Hagerty, 82 High Street: is supportive of the proposal. He stated there are 53 first period homes with the bulk on High Street. It's a unique area that should be protected.

John Fiske, 12 Water Street and Chair of the Historical Commission: is supportive of the petition. Historical context plays a role in the decision-making process. He provided some history on Massachusetts laws related to housing in communities. High Street is a unique streetscape in the country.

Scott Knowles, 6 Farley Avenue: supports the proposal.

Sarah Cochran, 31 High Street: stated she and her husband moved to the area because of the beautiful streetscape and supports the proposal. She noted there are some parking issues in the area.

Mike Becker, owner 83 High Street: opposes the petition. He provided some data on the number of properties that would be impacted. There are 80 properties in the High Street APD area. Of the 80, 27 have split zoning between IR/RRA. To use footnote 11 in the IR, a lot must have 12,000 square feet. With the proposed zoning change in the IR a 4-family unit would require 24,000 square feet of lot size and only two lots in the APD meet the criteria. He also noted that the current zoning has been in effect since 1993.

Boynton stated that the intent is to protect the area for the long term. The intent is not specifically to stop the 83 High Street proposed project. The petition is not targeting any one specific lot.

Paek said that the proposal does not stop development but changes the calculation for density on a lot. Parsons reviewed the language, specifically Section VI.H. Footnote 8, which would not be allowed under the proposed change. Paek and Britt are supportive of the proposed change. Anderson supports the intent, however, he believes that the Town has boards and adequate tools to control development within the concerned zones. He appreciates the feedback from residents. Anderson is unsure that the proposal will accomplish what is intended and is unsupportive in the current form.

Britt moved to support Article 20 for spring Town Meeting pending final review by Town Counsel that the proposal is lawful and that Boynton make the article clear to only impact the IR/RRA split lots. Paek seconded. Paek and Britt voted in support and Anderson and Nordberg voted opposed.

Article 21 proposes to change the parking requirement in the Zoning Bylaw from 1.5 parking spaces to 2 parking spaces per residential unit. Boynton stated that the average household has 2 vehicles. Boynton noted there are areas in Ipswich with parking supply issues and cited Brownville Avenue as an example. A lack of parking creates conflicts and impacts quality of life. He understands concerns with excessive paving and suggests using permeable surfaces. Parsons suggested the current Special Permit parking regulations are effective. He said the Board is not prevented from requiring additional parking if a use demands it. He said he does not think the change is critical at this time and suggests reviewing current parking regulations to ensure that various uses in different areas in Town would not be disproportionately impacted. Parsons said he reviewed parking requirements in Beverly and noticed that in certain zoning districts, parking is tied to the number of bedrooms in a residence. He stated this seems reasonable as opposed to a blanket parking space minimum for the whole Town. Nordberg agreed. Boynton said he is not trying to take away anything from the Special Permit process. Under his proposed article an applicant for a Special Permit could still request a reduction in the number of parking spaces.

Britt thanked Boynton for his research and thinks it's a good start. Becker asked if Boynton was referring to a Zoning Board Special Permit or a Planning Board Special Permit. Parsons said it would depend on the project. Becker stated that if two cars per unit are being considered then tandem parking should be counted within a given unit.

Dan Cullen, 79 High Street: is supportive of the parking petition and has similar concerns for parking as with density in the zoning area. He agrees that the number of parking spaces should be tied to the number of bedrooms.

Kathleen Spinale, 27 Pleasant Street: said the majority of lot sizes are small in the IR district and have tandem parking in driveways. She said the idea of requiring a number of parking spaces tied to the number of bedrooms has merit for some sections of Town, but it has been disproven to be effective by the actions of the Planning Board with the infill lots that have been created. She requested that when new developments are permitted that two parking spaces per unit be required. It is a blanket change being requested but it will primarily impact the IR district. It is for safety purposes due to the narrow streets and overdevelopment.

Anderson clarified that the change would impact new applications and not existing residences. Paek appreciated the comments. The petition takes a broad approach. She would like to know what other towns are doing for parking. There is an opportunity to review all Town parking regulations and come back with a more comprehensive proposal that will suit all areas of Town. She stated this is a topic previously discussed by the Board and is already on its agenda for Fall Town Meeting.

Nordberg agreed with Paek. He would like to look at a broader range of options to solve the parking issues. Anderson is concerned about a disproportionate impact on multi-family and small single units in the downtown area. He is not in support of the article.

Paek moved to not support Article 21. Nordberg seconded. The motion passed unanimously (4 votes).

Nordberg moved to close the public hearing. Paek seconded. The motion passed unanimously (4 votes).

The Board consented to Anderson presenting the Planning Board's opinion for articles to Town meeting.

Continued Public Hearing: Request by Andrew Skillman for Site Plan Review to expand a commercial building and for a Special Permit for a freestanding sign at 20-24 South Main Street (Assessor's Map 42A, Lots 136 and 137), located in the Central Business and Intown Residence Zoning Districts, pursuant but not necessarily limited to Sections VI, VIII, X, and XI.J of the Zoning Bylaw.

Larry Graham, civil engineer, and Andrew Skillman, owner, presented.

Anderson said the Board conducted a site visit and that proposed drainage improvements are minimal. Graham said the application was before the Conservation Commission on May 1. He stated it was a favorable meeting and was continued to May 15. He anticipates that it will be concluded at the May 15 meeting. The Conservation Commission is not requiring peer review. Anderson said Parsons has prepared a draft decision and asked if there were any additional questions or comments from the Board or the public. Britt said the decision should include wording about lighting and asked the applicant if lighting would be on overnight. Skillman said it would not. Parsons asked if the lighting was on a motion sensor. Skillman said lighting is needed for security purposes. Skillman said on the back corner of the building there is a motion flood light that is on 24/7. The other lights are not on motion sensors.

Parsons reviewed the draft decision emphasizing findings and conditions. A new free standing sign will be installed in a new location. The sign will not be internally lit. Illumination will be external and there will be no illumination of any business signs between 9 PM and 7 AM.

Paek moved to approve the special permit and site plan review decision as discussed. Nordberg seconded. The motion passed unanimously.

Paek moved to close the public hearing. Nordberg seconded. The motion passed unanimously.

Documents:

- *Draft decision prepared by Planning Department Staff, v. 5/1/19*
- *20-24 South Main Street Section showing sign location (looking north)*

Continued Public Hearing: Request by Sarah Winderlin relative to a special permit application for a modification to an accessory building dwelling unit conversion project at 87 High Street (Assessor's Map 30D, Lot 12), pursuant but not necessarily limited to Sections IX.P and XI.J of the Zoning Bylaw.

Sarah Winderlin, owner, and Ken Savoie, architect, presented.

Anderson said the Board visited the site and he asked for Board comments. Paek asked if there would be any impact on trees along the side lot lines. Winderlin said she will discuss this with the neighbor as some of the trees are a concern. Anderson inquired about the stone wall repair. Winderlin said her intention is to rebuild and repair sections of the stone wall.

Savoie discussed updates to the site plan made since the last meeting. Paek said the layout and repositioning make sense.

Parsons reviewed the draft decision emphasizing conditions and findings. Nordberg, Paek and Anderson proposed some edits. Paek asked if the proposed driveway will be gravel. Winderlin said her intention is to keep the driveway gravel. Parsons added that the Architectural Preservation District Commission granted a Certificate to Alter.

Nordberg moved to approve the special permit modification as discussed and Paek seconded. The motion passed unanimously.

Nordberg moved to close the public hearing. Paek seconded. The motion passed unanimously.

Documents: Draft decision prepared by Planning Department Staff v.5/1/19

Continued Public Hearing: Request by Alan J. Soucy for site plan review and a special permit to construct a building addition and make site alterations at 14-16 Mitchell Road (Assessor's Map 21, Lot 14), located in the Industrial District and Water Supply Protection District Zone 11, pursuant but not necessarily limited to Sections V-VII, IX.C, X and XI.J of the Zoning Bylaw.

Nordberg moved to continue the hearing without discussion to the Board's May 30, 2019 meeting at Town Hall beginning at 7:00 PM. Paek seconded. The motion passed unanimously.

Continued Public Hearing: Request by The Clink LLC for a special permit and site plan review for an eight unit multifamily development at 83 High Street (Assessor's Map 30D, Lot 112), pursuant but not necessarily limited to Sections V.D, VI, VII, X and XI.J of the Zoning Bylaw.

Mike Becker, owner, and Tom Mayo, architect, presented updated site plans. Mayo provided an update from the Architectural Preservation District Commission. A reduction on the barn structure was suggested. The reduction is achieved by reducing the units from 3 bedroom units to 2 bedroom units. On the Garrison-style house Becker is proposing to drop one story. There are no proposed changes for the Kimball House and the proposed two family house.

Nordberg commented that the reduction in scale is approaching compatibility with the area and generally likes the direction of the changes. Paek said it is important to make the buildings smaller. She likes the streetscape and new house at the street. The renovation of the historic house is a public benefit. Paek noted the bylaw could change before a decision is rendered.

Parsons noted that the conceptual plans illustrate the issue with the proposed bylaw change as none of the options presented would be permissible because no aspect of the development is proposed within the RRA therefore Footnote 8 would not be allowed and the density proposed would therefore not be achievable. He said open space is not considered a passive use. He pointed out that to achieve the proposed density the applicant would have to propose a passive use within the RRA District.

Paek and Anderson said it was premature to be before the Board given the bylaw could change in May. Nordberg asked if the Fire Department had concerns with the driveway. Mayo stated the Fire Department requires a 20 foot wide driveway. Mayo said the driveway is 16 feet in width with a 4 foot wide sidewalk with mountable curb. Anderson said the Fire Department wants a full 20 feet and the Board will expect them to sign off on the application.

Paek said the new plans appear to limit vehicle maneuvering. Anderson said he needed more time to review the new plans.

Robert Hagerty, 82 High Street: noted that he has submitted letters to the Board. He noted under Section VI.H in the bylaws it states that Footnote 8 may be used but it is not a requirement. He presented examples of the density calculation issues. Footnote 11 allows a density bonus and states under no circumstance shall the Board allow less than the minimum lot area for multifamily dwellings, which in the IR is 5,000 square feet plus 3,500 for each additional unit. Parking is needed in Ipswich. Ipswich is a town, not a city. There are not a lot of public transportation options and people drive everywhere. He requested that the Board protect the neighborhood and said the proposed development is not in character with the neighborhood.

Dan Cullen, 79 High Street: requested a reduction in density and is concerned about the setback on the proposed development on the eastern side abutting his property. He also stated the development is not in character with the neighborhood.

Becker responded by pointing out that the reduced height of the buildings is to keep them consistent in terms of neighborhood character.

Anderson noted the Board is allowed 90 days from the first hearing to make a decision. The public hearing needs to be extended and permission from the applicant is needed for the extension. The applicant agreed to extend to June 30, 2019.

Paek moved to extend the public hearing to June 30, 2019. Nordberg seconded. The motion passed unanimously (4 votes).

Paek moved to continue the public hearing to May 30, 2019 at Town Hall at meeting beginning at 7 PM. Nordberg seconded. The motion passed unanimously.

Continued Public Hearing: Request by Luke Murdoch for a special permit pursuant but not necessarily limited to Sections IX.S and XI.J of the Zoning Bylaw to create a new single family home infill lot in the IR District at 10 Putnam Road (Assessor's Map 41B, Lot 180).

Luke and Nicole Murdoch presented. Kevin Murdoch, builder, was also present.

Anderson said the Board visited the site. Luke Murdoch said there are no new site plan changes to present.

Nordberg said he does not understand the safety concerns with the addition of only two cars to the neighborhood. If there are safety issues that he is missing he would like to hear about them. He would like drainage to be addressed in a careful way. He said the DPW will handle the public domain and the applicant will handle the private domain.

Parsons noted there is a crosswalk in front of the property and the DPW suggested the crosswalk be repositioned. Additional parking on the street is a concern but the proposal includes a 2 car garage and a driveway that can fit 2 additional cars. Anderson noted that during the site visit he noticed a lot of cars in the area are parked on the street but driveways were empty.

Parsons said the stormwater calculations and plans for recharging water were submitted. Paek said a modified peer review of the calculations and plans is a good idea. Paek asked what material is proposed for the driveway. Luke Murdoch said it is proposed to be paved and direct water into the ground. Anderson agreed with a peer review for the drainage and storm water management plan.

Anderson and Parsons confirmed the house on the existing lot would remain a single family as there is not enough lot area for a two-family home.

Anderson said Westerhoff had inquired if the Design Review Board (DRB) can review plans and comment if the design is in character with the neighborhood. Parsons suggested the Board ask the applicant to provide more information on materials, trim and height. Paek noted the DRB is advisory to the Planning Board.

Ted Lezon, 8 Putnam Road: opposes the project because it provides no benefit to Putnam Road. He stated there is no guarantee that the proposed house won't be immediately sold. Residents of Putnam Road are long term residents and have invested a lot in the neighborhood. He said he has safety concerns as Putnam Road is narrow. It is only 26 feet wide. The drainage issue in the rear is an unknown. There have been complaints to the Town and the Police Department about the safety issues on this corner as it exists today.

Paek suggested having other Town departments review the corner on Putnam Road.

Jim Sagris, 13 Congress Street: inquired about the peer review of drainage and the scope of involvement. Parsons explained the peer review process and purpose. He noted that currently there is no stormwater management. The proposal is proposing to improve existing conditions.

Joe Solomon, 15 Congress Street: is concerned with stormwater and supports requesting a peer review of the plan.

Paek moved to continue the public hearing to May 30, 2019 at Town Hall at 7:00 PM. Nordberg seconded. The motion passed unanimously (4 votes).

Adopt minutes of March 21, 2019: Anderson noted the minutes were not yet available.

Other Business:

- a. Discussion: potential zoning amendments / other initiatives for 2019 (Fall Town Meeting). Anderson noted that parking, EV charging stations and solar related initiatives are topics for the Board to address. Britt suggested adding language to Section J under the Site Plan Review section. She reviewed her added language. She stated it doesn't require applicants to do anything except think about it and submit information on it. She suggested adding one additional criterion to review for the Special Permit which relates to solar energy. Britt will forward the suggested language changes to the Board. Parsons suggested that the Board designate a member or two to work with him on the potential zoning amendments. Larry Graham suggested adding a criterion to encourage rain water harvesting or reuse not associated with stormwater.
- b. Board member and staff update on Town projects/general business. Anderson announced a Community Development Plan Public Meeting in the Town Resource Room Tuesday. Parsons said a survey will be launched soon. The consultant and Committee is planning to have a pop-up table at the Ipswich Farmer's Market on June 22, 2019.
- c. Nominate member to replace former Board member, Jay Stanbury, as MAPC representative. Parsons asked if this was addressed at the last meeting. Anderson said the position will be rotated. There was some uncertainty about who to designate for this role. Parsons suggested the Board discuss it at an upcoming meeting.

New Business (*business not reasonably anticipated 48 hours in advance*): None noted

Adjournment: *Nordberg moved to adjourn at 10:22 PM. Paek seconded. The motion passed unanimously.*

Meeting minutes prepared by Odile Breton.

Meeting minutes adopted June 20, 2019