

MEETING NOTES

LITTLE NECK IMPACT ANALYSIS WORKING GROUP

MAY 29, 2012

In attendance:

Rick Smith, Fire Department; Sean Gresh, School Committee; Dave Standley, Conservation Commission; Colleen Fermon, Health Department; Carolyn Britt, Open Space Committee; Glenn Gibbs, Planning and Development Department; Kathy Connor, Planning and Development Department; Robin Nolan, Assessor's Office; Suzanne Benfield, Planning Board; and Robert Weatherall, Jr. , Planning Board.

Meeting commenced at 5:33pm.

Benfield requested review of prior meeting's notes. Several minor edits were provided and noted for the final draft. Benfield requested that each member discuss the status of issue identification and data collection relative to that member's board, committee or department.

Standley described the Conservation Commission's work to gather data and stated that the ownership structure (public v. private) will affect the commission's ability to project impacts.

Gibbs explained the current ownership structure as private property with public access. In some cases, private ways permit public access and in others public access is not permitted. As a result of permitting public access, tenants at Little Neck have enjoyed municipal services such as trash collection and plowing. Gibbs stated that this is true for a number of private ways in town. He suggested that the town may consider eliminating provision of those services should public access be denied.

Britt stated that she envisions the property after the closing as a detached multi-family development. She questioned whether a seasonal restriction would be appropriate and mentioned her work in Rockport relating to a cottage colony zone.

Gibbs explained the legal opinion provided by Ipswich Town Counsel relative to the proposed seasonal restriction drawn up in 2002. Gibbs stated that Town Counsel was not optimistic that a seasonal restriction would not be subject to a successful legal challenge since the Planning Board would consider such a

restriction for Little Neck only, rather than the entire Neck. As such, a prohibition of expansion of non-conforming structures on the entire Neck may be an option for the Planning Board to consider.

Benfield questioned whether the seemingly negative experience with Great Neck's expansion from seasonal to year-round use (density, difficulties with parking and snow management) might be a basis for such a restriction on Little Neck.

Weatherall suggested that a seasonal restriction on Little Neck would serve as a codification of historical use of the parcel.

Britt stated that because Little Neck is part of a barrier beach, insurance costs for homeowners will only increase if the land is permitted to enjoy year-round use.

Gresh stated that he has had discussions with Superintendent Rick Korb and School Committee Chair Jeff Loeb. Issues identified relative to expansion of use at Little Neck and general population growth relate primarily to population increase and provision of transportation, as well as building/physical plant needs. He indicated that there is discussion within the School Committee regarding the Choice Program and how that population affects the district.

Someone asked what the basis for the Feoffee's seasonal restriction was. Standley stated that he understood that in the 1940s the water lines were not below the frost line. At a later date, the sewer was replaced and put below the frost line.

Nolan stated that an engineered survey has been done but not yet recorded by the Feoffee's attorney, William Sheehan. She stated that vacant land and lots will be an issue and stated that it is difficult to say whether all of the houses will be converted to year round use. Weatherall disagreed and stated that he expects that Little Neck will become a year-round community within one generation as the cottages turn over to new owners.

Fermon stated that she has been in touch with DEP and confirms that the Health Department is bound by number of bedrooms relative to wastewater system. The tighttank permit does not prohibit year round use but does limit flow to 50,000 gallons per day. Title 5 does not apply specifically, but it is used as a guide.

Benfield asked how the flow limits are enforced. Fermon stated that the DEP analyzes data annually to determine if there is a violation of the consent order. Wind River is the current waste hauler.

Fermon stated that six (6) houses have individual septic systems that were installed prior to 1998 and not all are subject to Title 5.

Britt stated that she has concern about Pavilion Beach. She is adamant that the beach remain open to the public.

Smith stated that adequate access for emergency vehicles is the primary issue from public safety perspective. Often, street parking literally prevents access of fire apparatus. This is especially true in the winter months when there is snow accumulation. At times, he has requested a plow truck from the DPW to accompany the fire/police on an emergency call.

Standley stated that 60 of the 163 cottages on Little Neck are subject to jurisdiction of the Conservation Commission. He restated the Commission's concern that Pavilion Beach will be breached as a result of sea level rise.

Britt suggested that Benfield review zoning initiatives in other towns that have similar land use arrangements (i.e. rent the land, own the house). She identified Asbury Grove, Hamilton; Belfast, Maine; Martha's Vineyard, MA. Benfield agreed to investigate these properties.

O'Connor stated that should Little Neck residents ever wish to have the streets accepted by the town, the subdivision standards apply and there is virtually no possibility that the roads on Little Neck would meet such standards.

Benfield reviewed the proposed project timeline. She stated that data should be compiled and submitted for our next meeting scheduled for Monday, June 25, 2012 at 5:30pm. She stated that the next meeting will have a Question and Answer period for interested citizens.

The meeting adjourned at 6:40pm.