

IPSWICH PLANNING BOARD MEETING
Thursday, March 10, 2005 7:30 p.m.
Room A 2nd Floor Town Hall

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 March 10, 2005, at 7:30 p.m. in Room A, 2nd floor of Town Hall. Board members Tim Purinton, Robert Weatherall, Mike Ryan and John Soininen attended. Associate member Jim Monahan, Planning Director Glenn Gibbs and Planning Assistant Kate Day were also present.

At 7:00 p.m., Sam Cleeves of the Metropolitan Area Planning Council presented a slide show and overview of the North Shore Wind Power project.

Tim Purinton called the meeting to order at 7:30 p.m.

CITIZEN'S QUERIES

Request by Joseph Nekorowski of Tee Time Golf, 84 Turnpike Road, to modify previously approved special permit to allow three batting cages behind miniature golf course. After a brief discussion, the Board determined that Mr. Nekorowski's proposed changes to the permit constituted a minor modification. The Board asked that John Petrowicz, the Town's lighting consultant, review the proposed modification.

MOTION: Ryan moved to find that the addition of three batting cages represent a minor modification to the special permit, and to approve the modification subject to review and approval by lighting consultant John Petrowicz and Planning Director Glenn Gibbs.

FORM A

Form A applicant Richard E. Libby and Sheryl A. Kenney, to divide one lot at 28 North Gate Road (Assessor's Map 55 Lot 20B).

MOTION: Ryan moved that the Subdivision Control Law does not apply. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

PUBLIC HEARINGS

Application by Christopher D. Sciacca for a Special Permit under Section VI, Footnote 28, and XI(J) of the zoning bylaw to construct one new dwelling on an ANR lot at 7 Perley Avenue/14 Brownville Ave (Map 41D, Lot 127). Purinton read the public notice. Engineer Larry Graham and owner Chris Sciacca reviewed the plan to renovate the existing home at 14 Brownville and construct a new home at 7 Perley Avenue on a lot created using the infill provision (Footnote 28) of the zoning bylaw. The proposed new dwelling is approximately

1,900 square feet. Gibbs noted that the property falls within the Brown Stocking Mill Historic District, and reviewed the design guidelines governing construction within this district. Graham submitted an architectural rendering of the proposed new home for the Board's consideration. Graham requested a waiver of the requirement to submit a landscaping plan; Gibbs did not support such a waiver but indicated that a fairly simple plan would be acceptable. The applicant indicated that he intends to make a \$50,000 contribution to the Affordable Housing Trust Fund. John Soininen and Bob Weatherall volunteered to serve on the subcommittee. A site visit was scheduled for Saturday, March 12 at 8:30 a.m. and a subcommittee meeting was scheduled for Wednesday, March 16 at 4:30 p.m.

MOTION: Ryan moved to continue the public hearing to March 31, 2005. Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

Application by Edward P. and Anna M. Fagan for (a) scenic road approval to remove stone wall and stone wall remains within the right-of-way; and (b) modification of a definitive plan approved by the Board on December 4, 2003, at 18 Heartbreak Road (Map 54B, Lot 23G). Purinton read the public notice, and indicated that the Board would take up item (b) first. Engineer Larry Graham appeared on behalf of the applicant, indicating that a review process resulting from an appeal filed with the Massachusetts Department of Environmental Protection (DEP) prompted the proposed modification to the plan. The DEP's Superseding Order of Conditions required some changes to the stormwater management systems associated with estimated seasonal high groundwater levels in the cul-de-sac/turnaround area of the proposed roadway. In the modified plan, the elevations of the roadway have been raised, flattening the grade of the roadway relative to the crest. Purinton questioned Graham regarding the quantities of additional fill required. Weatherall expressed his dissatisfaction with the original design and indicated that he felt that the proposed amendment made the plan even less acceptable. Purinton asked if there are any alternatives to the proposed changes; Graham responded that it would be difficult to reconfigure the plan. Abutter Liz Krafchuk of 10 Heartbreak Road spoke of her continuing concerns about drainage, particularly in the areas closest to Heartbreak Road. Abutter Dorcas Rice of 6 Heartbreak Road summarized her research regarding the potential water uptake of trees. Liz Krafchuk asked the Board to reconsider their earlier decision to grant a waiver regarding the distance to groundwater. After further discussion, the Board concluded that it would be useful to see the site and scheduled a visit for March 16 at 5:30 p.m.

MOTION: Ryan moved to continue the public hearing on the proposed modification to the definitive subdivision plan to March 31, 2005. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

The Board then discussed the scenic road application, with Gibbs reviewing the intent of the scenic road bylaw and outlining the Board's jurisdiction in regulating changes on a designated scenic road. Purinton read a letter dated March 10, 2005, from James Gilbert into the record. Abutter Elizabeth Krafchuk questioned the need to grant scenic road approval when the subdivision is under appeal. Gibbs asked if the applicant would agree to a condition that no work allowed under the scenic road approval would begin until the subdivision proceeds, and Graham answered affirmatively. The Board decided to evaluate the request for scenic road approval during the site visit.

MOTION: Ryan moved to continue the public hearing on the proposed scenic road application to March 31, 2005. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

Application by Dana F. and Joan M. Hersey for scenic road approval for proposed changes associated with their application for a Special Permit at 30 Mill Road (Map 53C, Lot 8).

Purinton read the public notice. Graham summarized the application. Purinton asked about the tree to be cut; Graham responded that it was a 6"-8" caliper ash. A discussion of the type and size of the proposed street sign ensued. No comments were received from the public.

MOTION: Weatherall moved to close the public hearing. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

MOTION: Weatherall moved to approve the scenic road application. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

CONTINUED PUBLIC HEARINGS

Application by Dana F. and Joan M. Hersey, for a Special Permit, under Section IX.A. of the zoning bylaw, to create a four single-family lot Open Space Preservation (Cluster) Zoning development at 30 Mill Road (Assessor's Map 53C, Lot 8). Gibbs reviewed the draft decision. Purinton asked if additional landscaping plans had been submitted; Graham responded that he had consulted with landscape architect James Emmanuel and it was the latter's opinion that the site is so shady that it would be difficult to introduce screening and plantings. Graham indicated the applicant's willingness to consider installation of fencing as an alternative to plantings. Leslie Brooks, 61 Paradise Road, asked what provisions have been made for trail access through the property and Graham referred her to the trails shown on the plan. Graham asked the Board to reconsider the limits to building square footage included in the draft decision, and submitted calculations of square footage for surrounding homes. Abutter David Jerrett of 32 Mill Road provided estimates of the size of surrounding homes in support of the restrictions as proposed. The Board weighed the conflicting estimates. Ed Dick spoke in opposition to the proposed restrictions, noting that the market is trending toward single-level homes. Purinton suggested that the question of square footage limitations be taken up in subcommittee. A meeting was set for Tuesday, March 15 at 4:30 p.m.

MOTION: Weatherall moved to continue the public hearing to March 31, 2005. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

Application by the Martins Companies to amend the Special Permit for a 17 unit multi-family residential development at 6-14 Essex Road to make several changes to the site plan. Applicant Molly Martins and original permit holder Edward Dick appeared before the Board. Martins reviewed her request to allow the demolition of the existing building, highlighting enhancements to the project which would result from the proposed new construction. Purinton asked how the modification would benefit the affordable unit; Martins indicated that the affordable unit is 400 square feet larger than in the original plan, and will be indistinguishable from all other units in the building. Purinton expressed reluctance to allow a modification that represented an expansion in the overall square footage of the project; Ryan disagreed, noting that the affordable unit and the building as a whole are improved by the proposal. Soininen expressed concern for the visual impact of raising the roofline, and questioned the potential

aesthetic impact of a higher roofline from the street. Ryan commented that both the affordable unit and the overall circulation around the building are improved by the proposed new building. The Board decided to discuss the proposed changes further in subcommittee, and scheduled a subcommittee meeting for Monday, March 28 at 4:30 p.m.

MOTION: Weatherall moved to continue the public hearing to March 31, 2005. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

Application by Northland Property Development, LLC, for a Special Permit under Sections V. and XI.(J) of the zoning bylaw for an 18 unit multi-family residential development at 20-22 Washington Street (Map 41B, Lot 135).

MOTION: Ryan moved to continue the public hearing at the applicant's request to March 31, 2005. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

OTHER BUSINESS

Application by Eric Primack for a Special Permit for a multi-family residence in the IR zone, pursuant to Sections V and XI(J) of the zoning bylaw, to allow the construction of two new dwellings attached to an existing single family residence, with associated access drive, parking, utilities and other infrastructure, at 10 Wayne Avenue. Architect Mat Cummings and applicant Eric Primack appeared before the Board. Cummings and Primack requested that the Board provide guidance regarding the conceptual plan. Purinton reminded the applicant that, at their last meeting, the Board requested that the applicant demonstrate to the Board how the third unit, as proposed, would result in a superior overall design outcome based on enhanced income potential. John Galanis, 5 Congress Street, expressed the opinion that it is not the Town's obligation to make the project financially feasible for the developer, and urged the Board to keep the project consistent with the surrounding streetscape. Father Elias Fagan of 8 Wayne Avenue countered that, as an abutter, he is more concerned about having a house positioned right at the street edge of the lot and preferred the courtyard design. Abutter Jeff Turner expressed a preference for the construction of a single family home on the site. Primack reiterated his desire for guidance from the Board; Gibbs and Purinton reminded the applicant that he had not furnished the requested information necessary to provide direction.

MOTION: Weatherall moved to continue the public hearing to March 31, 2005. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

OTHER BUSINESS

Application by Jason Weaver for Preliminary Subdivision Approval pursuant to the Planning Board's rules and regulations governing the subdivision of land in Ipswich, for one new house lot at 185, 187 and 189 Topsfield Road. Applicants Henry Wright, Mike Wright, Catherine Milano and Jason Weaver were present. Engineer Larry Graham requested a waiver to allow inclusion of a portion of the right-of-way in the area of lot 3; the Board discussed the request, with Gibbs suggesting that it is possible to interpret the definition of "lot area" as including a portion of a right-of-way, if the right-of-way is private. The Board noted that Bob Puff, in his memo of March 8, 2005, expressed his disagreement with the proposed use of right-of-way area in lot size calculations (Item 3 (d)) and Board debated the advisability of granting such a waiver. Graham then asked the Board for guidance regarding the paved width of the road;

after discussion, the Board determined that a 16' wide paved roadway, with 2' stone shoulders on each side on the upper and lower portions and a Cape Cod bituminous berm through the middle portion was acceptable. Graham then discussed the proposed road profile and sought guidance from the Board regarding a waiver on the road profile and cut. Graham then briefly touched on remaining issues raised by Bob Puff, and requested that the Board consider a decision on the preliminary plan for its next meeting.

Request by Boston North Holdings to discuss conceptual plan for a car wash facility at 120 County Road. Tony Sanchez of Boston North, Ken Knowles of Meridian Engineering, and Peter Forbach, Corporate Attorney, appeared before the Board. Sanchez outlined a conceptual plan for a car wash facility to be located at the current site of the Whittier motel. The proposed use would require a special permit, and the Board raised a number of concerns including water use, traffic, aesthetics, and impact on a corner considered a key "gateway" to Ipswich. The Board suggested that a mixed residential/commercial project might be a more suitable use for this location; in response, Forbach asserted that any such use would generate more traffic than a carwash. The Board encouraged Sanchez to explore other options for the site.

Discussion: New England Biolabs trail restriction; appointment of Planning Board liaison to Biolab's public safety committee. The Board decided to defer discussion of this matter until its next meeting.

Discussion: Potential Zoning articles. The Board decided to defer discussion of this matter until its next meeting.

Approval of Minutes: February 17, 2005.

MOTION: Weatherall moved to approve the minutes of February 17, 2005. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

ADJOURNMENT

MOTION: Weatherall moved to adjourn. Soininen seconded the motion. The motion passed by a vote of 4 to 0.

The meeting adjourned at 12:30 p.m.

Respectfully submitted,

Kate Day

The Planning Board approved these minutes on March 31, 2005.