

**IPSWICH PLANNING BOARD MEETING**  
**Thursday, October 5, 2006, 7:30 p.m.**  
**Room A, 2<sup>nd</sup> 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 October 5, 2006 at 7:30 p.m. in Room A, 2nd floor of Town Hall. Board members Tim Purinton, Mike Ryan, Bob Weatherall and Jim Manzi attended. Associate member Emily Levin, Planning Director Glenn Gibbs and Planning Assistant Kate Day were also present.

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

**CITIZEN'S QUERIES**

There were none.

**OTHER BUSINESS**

**17 Old Right Road.** Request by Jaro Corporation for modification of Site Plan Review and for waiver of parking requirements. Attorney Greg Demakis, owner Jim Oduardi, architect Bernie Goba and engineer John Grenier appeared before the Board. Attorney DeMakis outlined the request, made in his letter dated September 26, 2006, requesting a waiver of the parking requirement of 58 spaces in the Phase 1 portion of the project as shown on the Phase 1 Site Plan dated February 1, 2006, prepared by John Grenier. The requested waiver would allow the owner to provide 49 parking spaces in the Phase 1 portion of the development. The Board queried the applicant on the specifics of the waiver request, and the site plan modifications contemplated as part of the waiver.

MOTION: Manzi moved to allow the waiver of the parking requirement per Section X. H. of the Zoning Bylaw. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

MOTION: Manzi moved to find the proposed modification to the plan to be a minor modification. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

MOTION: Manzi moved to approve the minor modification, conditioned on the applicant's submittal of a revised plan to the Planning Director Gibbs and subject to Gibbs review and approval of this plan, and further subject to the applicant's acknowledgement that Phase II will not have adequate parking for a manufacturing use but will, as currently proposed, have adequate parking to accommodate a warehouse use. Manzi further conditioned the approval on the applicant's request of a further modification if any change from the contemplated warehouse use of the Phase II property development is anticipated. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**36 Newmarch Street/Dorr Court Preliminary Plan Approval.** Request for establishment of subcommittee to discuss outstanding issues prior to submittal of Definitive Plan. Mike Ryan and Jim Manzi volunteered to serve on the subcommittee, and a meeting date was tentatively set for 8 a.m. on Thursday, October 12 in the Planning conference room.

## **CONTINUED PUBLIC HEARINGS**

**12 Perley Avenue: Request by Christopher D. Sciacca for a Special Permit to divide the property, creating a new lot off Bailey Street, and to construct a single-family dwelling thereon (Map 41D, Lot 118).** Engineer Larry Graham and applicant Chris Sciacca appeared before the Board. Graham referred the Board to VHB's review memo dated September 28, 2006. The Board discussed the requested waivers. With respect to the waiver requested for the landscape plan, the applicant agreed to submit this plan at a later date, prior to the transfer of the property; Sciacca noted that this would allow him to work with the property's buyer on a customized landscape design. The Board also discussed the waiver requested for stormwater calculations; Graham asserted that adequate capacity has been provided by the infiltration devices proposed on the plan and further noted that, in the unlikely event that an overflow event occurs, the Director of Public Works has provided his opinion that sufficient capacity exists in the street's stormwater system to accept any such overflow. Gibbs suggested that a condition be added to the Special Permit decision requiring the applicant's engineer submit a certification to the Planning Board and the Board's consulting engineer stating that the proposed project, as designed and approved, will have no adverse drainage or stormwater impacts on surrounding properties and that the applicant submit evidence such that the Board's consulting engineer finds the certification to be credible and sufficient. Graham then discussed the requested waiver regarding water pressure testing, noting that Town Engineer Vicki Halmen had indicated that she feels water pressure is adequate in this neighborhood and that the waiver could be allowed. The Board then discussed how to best move forward toward the public acceptance of Bailey Street. There was no public comment. Gibbs reviewed the draft decision for the Board.

MOTION: Manzi moved to close the public hearing. Weatherall seconded the motion. The motion passed by a vote of 5 to 0, with Levin voting in favor and as a regular member of the Board as provided by the Board's vote at the August 24, 2006, Planning Board meeting.

MOTION: Manzi moved to approve the draft Special Permit decision, as amended. Weatherall seconded the motion. The motion passed by a vote of 5 to 0.

**5 Roberts Road. Request by Hansbury and Finn, Inc. for Definitive Subdivision Approval for an eight-lot subdivision to be known as "Willowdale Circle" (Map 26 Lot 3).** Purinton noted that no review has yet been received from the Board's consulting engineer, VHB, and that the Board is not inclined to review the project in any depth until such a review is received. Engineer Larry Graham and Mark Finn were present, and Graham indicated that he had submitted revisions to VHB on September 21, 2006. Graham briefly summarized these revisions, as detailed in his letter of September 29, 2006, to the Planning Board. These include: increasing the lot sizes for Lots 4 and 5 to include areas surrounding drainage basins 3 and 1, revisions to the trail design, and modifications to the bottom elevations of Basins 2 and 3 to provide requisite separation to groundwater, therefore eliminating the need to request a waiver. Purinton asked about the scope of VHB's review with respect to off-site drainage; Graham

responded that VHB's review will most likely focus only with stormwater and drainage issues generated on-site. Purinton asked that the scope of VHB's review be expanded to evaluate drainage impacts beyond the perimeters of the site itself. Graham noted that Essex County Greenbelt Association has indicated it will accept a Conservation Restriction on the open space portion of the site, and briefly described the trail access proposed for the site. Purinton asked if Greenbelt would be willing to hold this in fee and supported this; Graham noted that Greenbelt had indicated a willingness to hold the land either in fee or through a CR. Graham then described the results of his walk with Conservation Agent David Pancoast through the drainage way area, noting that the drainage way has been determined to be intermittent rather than perennial which will allow for a greater scope of clearing and repair to the ditch. He reviewed his proposal to clear out obstructions, and commented that this will result in improved flow; Purinton asked that VHB be directed to comment on the functionality of the proposed drainage changes. Graham then noted that he had spoken to abutters Mello and White; while he has not spoken to the Lombaras, it is his sense that all three of these abutters are favorably inclined toward the proposed drainage enhancements. Graham described the size and width of the ditch at Ryan's request. Purinton reviewed the Environmental and Community Impact analysis, noting that potential long-term issues are, in general, very well addressed. Purinton suggested, however, that short-term impacts need further attention, and highlighted his concern for several issues including traffic and drainage. Purinton specifically requested: lot area analysis to compare density to the surrounding area, a clear estimate of water demands resulting from the cluster, and short-term impact analysis of traffic and drainage. Purinton invited neighbors to critically review the environmental impact statement and submit written comments for the Board to consider at their next meeting. Purinton also requested that the developer and/or his engineer respond to the memo received 10/5 from abutters ("Possible Requirements to Impose on the Developer") on an item-by-item basis.

Purinton then invited comments from abutters. Alice Smith of 2 Leslie Road stated that she would like assurance that the natural stream along the back of her property will be protected from adverse impacts. Nancy Gallant of 2 Roberts Road reviewed the memo submitted by concerned neighborhood residents, highlighting in particular the "protection of property" issues identified in the memo. Purinton asked Graham to estimate the number of truck trips to be generated, and Gallant asked that abutters be notified when a decision is filed. Selectman Elizabeth Kilcoyne addressed the Board, asking a number of questions including: who is responsible for cleaning the ditch? Purinton responded that, at the time of the earlier development in the neighborhood, nothing was ever recorded, captured legally or required; Graham noted that there is an easement of record just to the property line, but no further. Mary Manning of 8 Randall Road asked how stormwater runoff would be affected by the removal of trees on the site and Graham noted that stormwater absorption calculations are based on both pre- and post-development conditions. Manning also asked about vernal pools and Graham indicated that no certified vernal pools exist on the site. Kilcoyne asked about the anticipated interval between the cutting of trees and the completion of the project, and Graham responded that this would most likely be in the two-year range until the central part of the project can be graded, grassed and planted. Purinton asked Graham if he could show that steps are being taken to preserve trees on the site and Graham responded that the plan shows a limit of clearing.

Purinton then summarized how the Special Permit review will move forward procedurally. He indicated that a subcommittee members Jim Manzi and Tim Purinton will schedule a meeting once VHB's review has been received; abutters will be welcome to attend but he noted that comments and concerns from neighbors should be reserved for the subsequent Planning Board meeting so they could be presented in the context of a public meeting.

MOTION: Manzi moved to continue the public hearing at the applicant's request to October 26, 2006. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**49 Turnpike Road: Request by Pelletier-Millbury Corporation for Site Plan Review for a proposed 5,000 square foot building with associated parking.** Engineer John Grenier appeared before the Board. He indicated that he will have a response to VHB's traffic analysis ready shortly. He also noted that he had spoken to VHB regarding a possible alternative to the retention basin proposed for the site, and will be discussing the potential change with the Conservation Commission.

MOTION: Weatherall moved to continue the public hearing to October 26, 2006. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Partridgeberry Place.** Request for extension of Tripartite Agreement. Manzi recused himself. Molly Martins requested that the Board extend the expiration date of the Partridgeberry Place Tripartite Agreement from November 1, 2006 to June 30, 2007 to allow for the completion of remaining work on the site.

MOTION: Weatherall moved to extend the Tripartite Agreement's expiration date from November 1, 2006 to June 30, 2007. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

Martins also updated the Board regarding the potential conservation restriction (CR), noting that she had spoken with the homeowners' association, who might be willing to take on the administration and management of the CR but is reluctant to assume responsibility for enforcement. Purinton responded that this wouldn't be a CR that the state would recognize, and that the form of the protection on the open space would be more appropriately termed a deed restriction. Martins asked how to proceed and, after a brief discussion, the Board concluded that although moving forward with the deed restriction alternative was not optimal, it appeared to be the best alternative under the circumstances.

**6 Essex Road/Southgate.** Request for approval of as-built plan. Molly Martins indicated that corrections to the as-built plan were in process and asked to defer her request to the Board's next meeting.

#### **Approval of minutes:**

MOTION: Ryan moved to approve the minutes September 14, 2006, as amended. Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

MOTION: Ryan moved to approve the minutes of the September 14, 2006, executive session. Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

#### **Review and vote on zoning/land use articles for October 16, 2006 Special Town Meeting.**

**Article 7:** After a brief discussion, the Board voted to recommend approval of Article 7, and decided to not take a position on how proceeds from the sale of the former Town Hall should be directed.

MOTION: Weatherall moved to support Article 7. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Article 10:**

MOTION: Weatherall moved to support Article 10. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Article 11:**

MOTION: Weatherall moved to support Article 7. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Article 15:**

MOTION: Weatherall moved to support Article 15. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Article 16:**

MOTION: Weatherall moved to support Article 16. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Article 17:** The Board took no action on this article.

**Article 18:**

MOTION: Weatherall moved to support Article 18. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**Article 19:**

MOTION: Weatherall moved to support Article 19. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

**EXECUTIVE SESSION**

At 10:40 p.m., by motion of Weatherall, seconded by Ryan, the Board was polled and unanimously voted to adjourn to Executive Session for the purpose of discussing matters under potential litigation, not to return to regular session.

Respectfully submitted,

Kate Day

The Planning Board approved these minutes on October 26, 2006.