

IPSWICH PLANNING BOARD MEETING
Thursday, November 16, 2006, 7:30 p.m.
Room C, 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 November 16, 2006 at 7:30 p.m. in Room C, 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

Glenn Hazelton, co-chair of the Ipswich Open Space Committee, appeared before the Board and reviewed Action Items in the 2006 Open Space plan requiring the Planning Board's cooperation and collaboration. Discussion ensued.

CONTINUED PUBLIC HEARINGS

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 and applicant Parris Pelletier appeared before the Board. Grenier indicated that he is working with the manufacturer of the slope stabilization system and is progressing toward completion of a final plan for the project, which will call for a small retaining wall to the rear of the detention area. The Board asked if the wall as currently proposed will be visible from Turnpike Road and Grenier agreed to provide a section showing how the proposed wall will appear from the entrance as well as the north and south side approaches for the next meeting. Purinton asked if Grenier could investigate whether a manufacturer's rep would be able to inspect and certify the installation and Grenier agreed to do so. Purinton invited abutter comments and Cassandra Pezdirtz of 8 Alderson Drive asked about the effects of the proposed slope increase, the visual intrusiveness of the wall, and whether the safety/sightline issue has been addressed to the Board's satisfaction. Grenier indicated that he will be submitting updated information, including traffic analysis, to VHB. Gibbs asked that the Mass. Highway permit be submitted to the Board. Paul Ermanski of 9 Alderson Drive urged the Board to consider the dangerousness of the intersection at present.

MOTION: Weatherall moved to continue the public hearing to December 7, 2006.
Manzi seconded the motion. The motion passed by a vote of 4 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). Engineer Larry Graham and applicant Mark Finn appeared before the Board. Graham summarized the discussion at the subcommittee meeting on November 13. He reviewed the Construction Management Plan and the Environmental and Community Impact analysis which accompanied his submittal letter dated November 15, 2006, and noted that he will be presenting plans to the

Conservation Commission at their next meeting. Graham indicated that VHB is expected to provide a second round of comments prior to the next Planning Board meeting. He requested that a subcommittee meeting be set for a date after VHB's expected response date. Purinton asked about the proposed use of porous pavement and a discussion ensued. Purinton also asked that the Construction Management Plan be made a separate plan sheet and incorporated in the approved, recordable plan. Purinton read Nancy Gallant's e-mail of November 15, 2006, into the record, then invited additional public comment. Jim Comeau of 11 Randall Road expressed a concern for detention pond #1; he advocated for a two-foot separation to groundwater and a re-design to a dry basin. Graham responded that the design, as it now stands, is hydraulically ample. Debbie Finkst of 10 Randall Road asked who will be responsible for the long term maintenance of the stormwater system. Alice Smith of 2 Leslie Road requested that she be given advance notification of when the cleanout of the drainage area is to be conducted and indicated that she is amenable to the proposed cleanout. A subcommittee meeting was set for Thursday, November 30, at 6:00 p.m.

MOTION: Manzi moved to continue the public hearing to December 7, 2006.
Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

OTHER BUSINESS

15 Spring Street. Request by Mark Robins to discuss possible conversion of accessory building to dwelling at 15 Spring Street under VI.B. Table of Use Regulations, Footnote 23. Robins appeared before the Board. The Board discussed their conclusions after individual site visits on the proposed conversion. After a brief discussion, Manzi expressed the sense that the Board would entertain a Special Permit application for the property if the ZBA grants the necessary zoning relief. Weatherall said that the Board would require a site plan showing proposed parking and landscaping as part of the permit application.

6 Essex Road/Southgate. Request for approval of as-built plan. Manzi recused himself. Molly Martins submitted as-built plans showing that the portion of the stockade fence along the northerly edge of the property had been relocated, resolving the encroachment issue. Day agreed to visit the site to verify that this was indeed the case.

MOTION: Weatherall moved to approve the as-built plan dated 11/9/06, provided that Day verified that the encroachment matter has been satisfactorily resolved by her site visit. Ryan seconded the motion. The motion passed by a vote of 3 to 0.

Partridgeberry Place. Purinton indicated that he had spoken to Don Curiale of Essex County Trails Association, who expressed strong interest in holding the trail easements for this project. He also noted that he explored an alternative arrangement with the Boxford Trails Association/Boxford Open Land Trust, but that the group was not interested in holding easements on property outside Boxford town boundaries. Purinton has also contacted the Hamilton-Wenham Open Land Trust and needs to supply them with a copy of the plan before further discussion can proceed.

Pitcairn's Way. Request by Tony Tiro for partial release of surety. Gibbs noted that he has not, as yet, received a response from the Town's attorney regarding the easement needed for the utilities situated on private property. Manzi suggested that liens be placed on properties where there is a problem with the necessary easements and Gibbs agreed to explore this with Town Counsel. Board members then discussed whether some release of surety was appropriate given

the additional work undertaken by the developer to address outstanding issues. The Board, upon motion by Jim Manzi, seconded by Bob Weatherall, voted unanimously to release \$10,000 from the remaining surety.

87 High Street. Request by Sarah Winderlin for discussion of affordable housing condition, Special Permit decision for a dwelling in an accessory building. Manzi agreed to make a few further changes to the draft Affordable Housing Restriction and the Board affirmed its willingness to allow the release of the Certificate of Occupancy once evidence is submitted that the restriction, in a form acceptable to Manzi, has been recorded.

31 Locust Road. Request by Scott Little for approval of as-built plan. After a brief discussion, the Board voted to approve the plan dated October 24, 2006.

MOTION: Weatherall moved to approve the as-built plans dated October 24, 2006.
Manzi seconded the motion. The motion passed by a vote of 4 to 0.

Discussion: Scenic Road bylaw as it relates to Town activity. The Board expressed a desire to encourage Town agencies to be more mindful of the scenic road bylaw, and Weatherall volunteered to draft a letter for the Board's review at the next meeting.

Discussion: 59 Mitchell Road. Gibbs informed the Board of Tim McCarthy's continuing efforts to obtain a CO from the Building Inspector. It was decided that the subcommittee that had previously met with McCarthy and his attorney to review the outstanding issues should do so again. Purinton volunteered to organize another meeting with McCarthy and his attorney, and set a tentative date of November 27th at 5:30 p.m., with Bob Weatherall as the other Board member to attend.

EXECUTIVE SESSION

At 10:30 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 litigation. At 11:00 p.m., the Board returned to regular session.

OTHER BUSINESS

Discussion: 218 High Street. Owner Roger LeBlanc appeared before the Board. Manzi suggested a three-prong approach to a settlement: payment of \$15,000 into the Affordable Housing Trust Fund, a 70% level of affordability for the new unit, and the applicant would obtain a Special Permit for the extra unit through the Planning Board. Provided that an agreement on the above conditions can be reached, the Board would be willing to support a settlement on LeBlanc's appeal. LeBlanc countered that he needed to discuss the matter with his accountant, in order to establish what the tax consequences might be. LeBlanc asked about the term of the affordability, and the Board responded that 99 years/perpetuity would be the expectation. LeBlanc asked if he could spread the payment out over time; the Board appeared disinclined to allow a five year payment period. Gibbs suggested that \$10,000 at the issuance of the CO, perhaps spreading the remaining \$5,000 over a multi-year period, might be acceptable. The Board elected to proceed with the Special Permit public hearing at their meeting of December 7, and scheduled a subcommittee meeting for November 30 at 5:30 to discuss further details with LeBlanc.

Discussion: 19 Estes Street. Gibbs asked the Board to make individual visits to evaluate whether a garage on the site might be effectively converted into use as an accessory dwelling. The Board agreed to continue discussion at their next meeting on December 7.

Respectfully submitted,

Kate Day

The Planning Board approved these minutes on December 7, 2006.