

IPSWICH PLANNING BOARD MEETING

Thursday, October 4, 2007 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 October 4, 2007 at 7:30 p.m. in Room A, 2nd floor of Town Hall. Board members Tim Purinton, Bob Weatherall, Jim Manzi and Mike Ryan attended. Associate member Cathy Chadwick, 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.

FORM A

22 Spring Street. Form A applicant Robert Shannon to create two new lots. (Map 31C, Lot 115).

MOTION: Ryan moved to find that the subdivision control law does not apply. Manzi seconded the motion. The motion passed by a vote of 4 to 0.

OTHER BUSINESS

76 Paradise Road. Request for endorsement of plans for Definitive Subdivision (Map 21, Lot 31).

MOTION: Ryan moved to endorse the plan for Definitive Subdivision, 76 Paradise Road. Manzi seconded the motion. The motion passed by a vote of 4 to 0.

APPROVAL OF MINUTES

MOTION: Manzi moved to approve the minutes of September 13, 2007. Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

OTHER BUSINESS

151-153 High Street. Arbor Inn landscaping and site completion report. Day briefly updated the Board on Arbor Inn's status; a temporary Certificate of Occupancy will expire in November and owner Bob Statho has submitted a draft as-built for review. Day and Town Engineer Vicki Halmen have requested that some additional notations be provided on the as-built prior to acceptance. Bob Weatherall will discuss the replacement of dead plant materials with Statho and some provision will be made, either by re-planting or establishment of surety, to ensure that landscaping is completed to the Board's satisfaction.

PUBLIC HEARING

54-56 Washington Street. Request by Donald A. Finocchio for the following Special Permits pursuant to Section XI.J. of the Zoning Bylaw at 54-56 Washington Street (Map 41B, Lot 068): (1) to allow a multi-family (three unit) dwelling pursuant to Section V.D. of the Zoning Bylaw; (2) to allow alternative screening pursuant to Section VI.E.; and (3) to allow reduced parking pursuant to Section VII.K. Purinton read the public notice. Donald Finocchio appeared before the Board, noting that he received approval from the ZBA to reinstate three units in the building and that he has completed renovations. There are currently two 2-bedroom units in the building; the Special Permit request would also allow one studio unit. The Board briefly discussed the application and scheduled a site visit for Thursday, October 11, 2007 at 5:30 p.m. The Chair appointed Cathy Chadwick as a voting member on this Special Permit application. Gibbs noted that a \$10,000 payment-in-lieu would be required under the bylaw if permanent affordability is not provided, suggesting that the Board might apply this requirement to the third unit but not to the existing two units. The Board generally felt that preserving the affordability of the unit, rather than requiring a payment-in-lieu, would be preferable. A waiver of the application fee was discussed but no conclusion was reached; the applicant will submit a more specific request for relief at the next meeting. Weatherall requested that a landscaping plan be submitted. Purinton then invited public comments. Mike Rygiell, owner, 52 Washington Street, opposed the proposed three family use, due to concerns about increased traffic, the impact on property values, and parking. Manzi asked if he recalled this being a three family in the past and Rygiell responded that the property was always a two family. Finocchio pointed out that Assessor's records, as well as the recollection of many neighborhood residents, contradict this, adding that when he bought the property there were three gas meters, three electric meters, etc. Peter Martineau, 5 Pleasant Street, expressed his deep concern for adding to the neighborhood parking problem. The Board scheduled a site visit for October 11, 2007 at 5:30 p.m.

MOTION: Manzi moved to continue the public hearing to October 25, 2007. Ryan seconded the motion. The motion passed by a vote of 5 to 0.

CONTINUED PUBLIC HEARINGS

2 Turnpike Road. Request by Fiber Tower Corp. for a modification to a Special Permit, originally issued for 4 Turnpike Road on June 1, 2000; the modification would allow the installation of equipment at the existing 120' monopole at 2 Turnpike Road (Map 49, Lot 3) to add two antennas, one two-foot dish antenna and one three-foot dish antenna, at the height of 101 feet on the existing monopole. Fiber Tower is also proposing to install a 4' x 4' equipment cabinet (on a concrete pad) within the existing fenced-in compound. Purinton read the public notice. Jen Lougee of Fiber Tower appeared before the Board. The Board briefly reviewed the draft decision; Lougee asked that the Board continue the hearing so that she might consult SBA, the site owners, about the requirement that landscaping be replaced and screening be done as condition of approval.

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

OTHER BUSINESS

19 Plains Road. Request by Dorothy Enos for Definitive Subdivision Approval for a one lot subdivision (Map 37B Lot 002B). Dorothy Enos and Attorney Rich Kallman appeared before the Board. They requested that Dollys Way be the approved name for the project. Kallman indicated that he is currently working on the language of the access easement.

MOTION: Manzi moved to approve the draft decision, as amended. Ryan seconded the motion. The motion passed by a vote of 4 to 0.

Potential amendment to the Community Development Plan regarding energy-efficiency, sustainability and resource conservation. Purinton read the public notice. Day updated the Board on revisions made since the preliminary draft. Manzi suggested adding language to encourage or require dark-sky friendly lighting practices.

High Street. Update on status of affordable unit and comprehensive permit modification. Day reported that she had been on the site with Town Engineer Vicki Halmen. She suggested that Board members visit the site prior to the next meeting; she noted discrepancies with the approved plan's pavement area and Weatherall drew the Board's attention to differences between the elevations, as approved, for the accessory unit and the project as built.

218 High Street. Update on status of affordable unit and comprehensive permit modification. Gibbs reviewed a letter dated September 26, 2007, from Judith Cutler of Kopelman and Paige. He noted that tenants have moved into the unit to be designated as affordable, which is not in accordance with the affordability requirement. Gibbs stated that it has been suggested by the Housing Partnership that two other units be made affordable as a way of addressing the problem. Roger LeBlanc, property owner, described the process he had followed in trying to comply with lottery requirements. He emphasized that, in his opinion, the lottery system is not financially feasible for a property owner. A discussion of the history and timing of the unit's construction and occupancy ensued. Manzi asked if Tom Bentley could be invited to speak to the Board at the next meeting, and the Board expressed an interest in hearing further from Bentley about DHCD's requirements. The Board and LeBlanc then discussed the relationship between modification of the comprehensive permit for 226 High Street and the multi-family use at 218-220 High Street. Manzi suggested that LeBlanc's attorney should review the letter and make a decision about whether to litigate the matter. Gibbs suggested that the process of solving the issue should be relatively simple, with Manzi suggesting that the permitting process for the proposed new four unit building could become a means to providing a solution.

Discussion -- Special Town Meeting October 16, 2007. Gibbs outlined the street acceptance process for the Board, noting that a Board recommendation to accept Ruth Way be conditioned upon the receipt of additional easements and the specification of utility locations on the as-built plan.

MOTION: Manzi moved to recommend the acceptance of the following streets: Ruth Way, Pitcairn Way, Cogswell Street Extension, and Partridgeberry Place. Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

The Board then discussed which members would speak on the various zoning and land use articles at the Special Town Meeting. On a final note, the Board discussed the proposed Stormwater Bylaw.

MOTION: Manzi moved to express the support of the Planning Board for the proposed Stormwater Bylaw. Weatherall seconded the motion. The motion passed by a vote of 4 to 0.

Discussion. Chairmanship of Board. Jim Manzi offered to serve as Co-Chair of the Board, effective at the October 25, 2007, Planning Board meeting. Purinton volunteered to continue to serve as Co-Chair, expressing his interest in changing his role to an advocate and lead voice for policy and long-range planning.

MOTION: Weatherall moved to appoint Manzi as Co-Chair of the Planning Board. Purinton seconded the motion. The motion passed by a vote of 4 to 0.

ADJOURNMENT

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

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Kate Day

The Planning Board approved these minutes on October 25, 2007.