

MINUTES OF THE BOARD OF SELECTMEN

September 27, 2021

Town Hall, 139 Main Street, Rowley, MA

7:00 p.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Vice Chairman Deana M. P. Ziev; Clerk Robert Snow; David Petersen; Joe Perry (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

PUBLIC ATTENDEES: Dave Calhoun- Saxon Partners; Bernard Cullen – 283 Wethersfield Street; Elizabeth Cullen – Library Trustee; Catherine Duval; Richard Baker; Leisa Mingo (Baker); Karen Ziemplak – Library Trustee; Jody Fleit; David Baker; James Broderick – Fire Chief

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 7:00 p.m. He said the meeting is being video and audio recorded and will be televised by Rowley Community Media.

The Pledge of Allegiance was recited.

7:00 p.m. JOINT MEETING WITH THE BOARD OF LIBRARY TRUSTEES to appoint Jody Fleit to vacant Library Board seat

Chairman Pierce said, “The Board of Selectmen and Board of Library Trustees are meeting jointly in accordance with G.L. c. 41 §11 to appoint Jody Fleit to the vacant seat on the Library Board.”

Chairman Pierce called for a motion to call the Joint Meeting with the Board of Library Trustees to order. Deana Ziev so moved, Bob Snow second, all in favor – roll call vote: Cliff Pierce – aye; Deana Ziev – aye; Bob Snow – aye; Dave Petersen – aye; Joe Perry – aye.

Chairwoman Janet Peabody called for a motion to call the Joint Meeting with the Board of Selectmen to order. Liz Cullen so moved, Jeff Bard second, all in favor – roll call vote: Liz Cullen – aye; Jeff Bard – aye; Kathleen Petrowicz– aye; Karen Ziemplak – aye; Janet Peabody – aye. T. Glenn Blakney – ABSENT; Elizabeth Enos – ABSENT; Melinda Patrick – ABSENT

Joint meeting opened at 7:02 p.m.

Chairman Pierce asked Jody Fleit to introduce herself and explain why she is interested in serving on the Library Board.

Fleit thanks the Boards for their time. She said she is a nurse by training and is a retired health care executive. She said she retired in 2018 and has lived on Central Street for 18 years. She said since her retirement she has gotten to know the library,

she loves it, and would love to give back. She said she has a wealth of experience which may or may not be helpful, but she would like to give it a shot.

Petersen and Pierce welcomed Fleit. There were no questions from either board.

Pierce explained to Fleit that her appointment runs until the next Annual Election, which is May 10, 2022, and if she wishes to continue on the Board that she will need to run for office.

Chairman Pierce called for a motion to call the appoint Jody Fleit to the Board of Library Trustees. Bob Snow so moved, Deana Ziev second, all in favor – roll call vote: Cliff Pierce – aye; Deana Ziev – aye; Bob Snow – aye; Dave Petersen – aye; Joe Perry – aye.

Chairwoman Peabody called for a motion to call the appoint Jody Fleit to the Board of Library Trustees. Jeff Bard so moved, Liz Cullen second, all in favor – roll call vote: Liz Cullen – aye; Jeff Bard – aye; Kathleen Petrowicz – aye; Karen Ziemiak – aye; Janet Peabody – aye. T. Glenn Blakney – ABSENT; Elizabeth Enos – ABSENT; Melinda Patrick – ABSENT

Chairman Pierce called for a motion to close the Joint Meeting with the Board of Library Trustees. Bob Snow so moved, Deana Ziev second, all in favor – roll call vote: Cliff Pierce – aye; Deana Ziev – aye; Bob Snow – aye; Dave Petersen – aye; Joe Perry – aye.

Chairwoman Janet Peabody called for a motion to close the Joint Meeting with the Board of Selectmen. Liz Cullen so moved, Jeff Bard second, all in favor – roll call vote: Liz Cullen – aye; Jeff Bard – aye; Kathleen Petrowicz – aye; Karen Ziemiak – aye; Janet Peabody – aye. T. Glenn Blakney – ABSENT; Elizabeth Enos – ABSENT; Melinda Patrick – ABSENT

Joint meeting closed at 7:06 p.m.

Chairwoman Janet Peabody called for a motion to adjourn the Board of Library Trustees meeting. Liz Cullen so moved, Jeff Bard second, all in favor – roll call vote: Liz Cullen – aye; Jeff Bard – aye; Kathleen Petrowicz – aye; Karen Ziemiak – aye; Janet Peabody – aye. T. Glenn Blakney – ABSENT; Elizabeth Enos – ABSENT; Melinda Patrick – ABSENT

Library Trustees meeting adjourned at 7:07 p.m.

7:10 P.M. TO 7:15 P.M. PUBLIC COMMENT

There were no public comments.

GENERAL BUSINESS

1. Authorize Police Chief Scott Dumas to sign State Contract grants forms for FY 22 Public Safety Answering Point leadership scholarship

Chairman Pierce read the following:

The Town has received a Public Safety Answer Point leadership scholarship grant from the State 911 Department Training Grant. Dispatcher Grace Cohen was selected by the State as a recipient for participation in the State's training and leadership program.

The Board needs to vote to designate Chief Dumas as an authorized signatory on the grant paperwork and to authorize Chairman Pierce to sign the Contractor Authorized Signatory Listing on behalf of the Board.

Dave Petersen made a motion to designate Chief Dumas as an authorized signatory on the grant paperwork and to authorize Chairman Pierce to sign the Contractor Authorized Signatory Listing on behalf of the Board, Bob Snow seconded, all in favor – aye (5-0).

2. Authorize Board of Selectmen Chairman Clifford Pierce to sign the Green Communities State Contract grant forms

Chairman Pierce read the following:

The Town's proposed Green Communities projects have been approved for funding by the State. We have received the grant paperwork for the \$136,868 award. The next step is for the Board to vote to:

- 1) *Designate Chairman Clifford Pierce as the contractor authorized signatory for the grant,*
- 2) *and to authorize Chairman Pierce to sign the Project Approval Letter.*

Chairman Pierce will sign the paperwork, which requires notarization, at a later time.

Bob Snow made a motion to designate Chairman Clifford Pierce as the contractor authorized signatory for the grant and to authorize Chairman Pierce to sign the Project Approval Letter, Joe Perry seconded, all in favor – aye (5-0).

3. Authorize Town Administrator Deborah Eagan to sign copier lease authorized through Commonwealth of Massachusetts copier contract

Chairman Pierce read the following:

The lease is up for the copier machine in the Annex. We have been able to secure another lease through the State contract with Budget Document Technology for a Konica Minolta machine. Debbie is asking the Board to authorize her to complete the lease paperwork.

Dave Petersen made a motion to authorize Debbie to complete the Annex copier lease paperwork, Bob Snow seconded, all in favor – aye (5-0).

OLD BUSINESS

1. Update on Basketball Court Project

Chairman Pierce read the following:

The basketball court has been opened by the Parks and Recreation Committee upon notice from Huntress Sports that the project is substantially complete.

We have a punch list, which includes the installation of the benches. The benches are on back order. Attached is the report from Huntress and photos.

Ziev said the court looks good.

MINUTES

- September 13, 2021

Deana Ziev made a motion to approve the minutes of September 13, 2021, Bob Snow seconded, all in favor – aye (5-0).

- September 20, 2021

Deana Ziev made a motion to approve the minutes of September 20, 2021, Joe Perry seconded, all in favor – aye (5-0).

7:15 p.m. APPOINTMENT Fire Chief James Broderick to present David Baker for appointment to the position of full-time firefighter

Chairman Pierce said Chief Broderick is presenting David Baker to the Selectmen tonight for appointment to the position of full-time firefighter.

Chief Broderick presented David Baker to the Board and said the following:

- He is a Call Firefighter in West Newbury, and he works with Rowley Firefighter Cooper Carifio who is also a Call Firefighter in West Newbury, so they know each other well
- He first met Baker during the COVID vaccine clinics in Amesbury, where Baker was the coordinator of supplies and he did a good job.

David Baker said he has worked in West Newbury for three years and worked as an EMT for a number of years before that. He said he is looking forward to being part of the Rowley Fire Department which will be challenging and will provide him with opportunities. He said he is looking forward to having a wonderful career with the Town of Rowley.

Dave Petersen made a motion to appoint David Baker as a full-time firefighter, Bob Snow seconded, all in favor – aye (5-0).

ANNOUNCEMENT

- There are openings on the Conservation Commission, Open Space Committee, and Board of Shellfish Commissioners. Please check the Town website under Board/Committee Vacancies for more information or call the Selectmen's Office at 948-2372.

7:20 p.m. APPOINTMENT Dave Calhoun of Saxton Partners to discuss 40B affordable housing project at 395 Main Street

Chairman Pierce said he and Eagan met with Calhoun a couple weeks ago. Calhoun said he is with Saxton Partners and they do multi-family properties across the country without the need for bank financing. He said they were originally looking at a site near Interstate 95, but this site is available and works much better even though it is more expensive. He said he is aware of the changes that the Town has made to the zoning around the property, they approached Didax, and they are now meeting with Town boards to see if this is viable. He presented the following:

- A Friendly 40B does exist and it will allow the avoidance of \$500,000 in legal fees
- The project is for 320 rental units
- He met with the Chairman of the Planning Board and the Town Planner and the initial response was to prepare to meet with the Board of Selectmen and to talk about traffic and connectivity from Main Street to the train to avoid a bottleneck
- The orange dot on the aerial map shows a new sidewalk to the train station, and the image shows the distance to the homes surrounding the site
- All units will be rental and there will be a 100 cent credit to the Town
- The affordable units will push the Town over the 10% level
- There will be a clubhouse with a rental office, a seasonal pool, buildings will be four stories with elevators
- They will plan on 2 parking spaces per unit and they would ask if they can bank park which means they would loam and seed some parking spaces and roll up the sod if needed because he thinks they will only need 1.1 to 1.2 spaces per unit.
- It is a big project and they need to go big in order to have a high quality facility with full time staff and amenities
- The market is ripe for this project and will allow seniors to sell their homes and go into a high end rental if they want to
- They did a preliminary traffic report, they found little data, and this project will add 700 to 710 trips per day. In the morning it would add an extra car per minute, and the same in the afternoon, so there isn't a great deal of traffic impact.
- The development won't lower the service of the intersection or the highway and there will be lights and crosswalks for drop offs
- They will have a private wastewater system where the wastewater will be treated and the water reused in toilets and for irrigation
- Heating/cooling will be all electric, with maybe some gas for firepits and outdoor cooking
- Buildings will be have sprinkler systems

Calhoun said the goal is to get support from the Board of Selectmen for a friendly 40B development, and then to possibly form a sub-committee. Pierce said a friendly 40B happens if the Board of Selectmen signs onto the project. Pierce said he can't support the project because it is too big, and he asked if they would be willing to reduce the scope of the project. He said he likes that it is transit oriented, and he likes that it brings the Town over the 10% affordable housing level, but thinks it is too big for the Town of Rowley. He said he has just looked at the traffic report handed out and the summary says there will be 1,400 cars per day, which is a lot of traffic. He asked again for the project to be scaled back, but said he can't support the project as currently presented.

Petersen asked about the number of bedrooms per unit and asked how many children would be living there. Calhoun said there would be one and two bedrooms, along with 3 bedrooms in accordance with the State requirement. He said there won't be a lot of kids, but the Town could use some kids with the decreasing enrollments. He said most families don't look to raise kids in an apartment style complex, and most residents would be younger people from the Boston area who would become familiar with the Town and look to buy a house. Petersen asked about how the affordable and regular units would be mixed. Calhoun said 25% of the units, or 80 units, would be affordable which is based off of 80% of the median income. He said this would come on line no sooner than in 24 months. He provided a rate sheet for a different facility and said the affordable housing rents are not cheap. Petersen asked how stormwater will be handled. Calhoun said it is possible that it would be treated underneath the parking, but they need to determine where it would be placed along with the septic system. Petersen agreed that this is way too big, all traffic would funnel through the Church Street intersection, and would head towards either Interstate 95 or Route 1. He said this would create a nightmare. Calhoun said they would do a full blown traffic study once they get through the ZBA, but the traffic would be less impactful at this site than at the other site near Interstate 95 with people driving to the MBTA. Pierce said he doesn't know if that is true. He said the MBTA has a lot of problems, the Rowley line may be closed, and people aren't going into offices. He said he doesn't see that most people will walk to the train. Calhoun said the study estimated 20% of the occupancy going to the train, and he asked what size isn't too big. Snow said the MBTA line splits between Gloucester and Newburyport. He said because of this, it is not advantageous for people to come to Rowley and use the MBTA because it requires careful planning and people may need to wait two hours for a train. Calhoun said young people are good at working the schedules, and because Rowley isn't the last stop it is unlikely that the MBTA will cut it out. Snow said the MBTA has spoken about cutting it out. Calhoun said you can always get a seat and it is easy to get to the station. He said someone will be doing a 40B in Rowley and he feels it's best to do it densely and as close as possible to the station. Petersen said this seems like a lot and there is one road in and out. Calhoun said they will have a parkway entrance with a divided center and two lanes in and two lanes out. He said the center would be able to be driven over by emergency vehicles if necessary. He said the design is just for the footprint for now and they would like to work with the Town on what it would look like, although they prefer more contemporary

design. He said their goal is to have a long driveway up to the building from the street so all you see is a grand entryway.

Snow said this is near 22 acres of prime marsh on the east coast and the impact on the environment would be tremendous. Pierce said this is also a historic byway. Calhoun said the design would take advantage of the views and to protect the views of the scenic byway. Snow said he can't support this idea with the Great Marsh considerations and he doesn't see this fitting in with the area. He said environmentally, he can't see it. Calhoun said from an environmental view, it is better to have a managed facility rather than a subdivision with 16 homes, each with kids with ATVs or mountain bikes they can use to get across the marsh. He said the Conservation Commission would have to be chasing the kids, and you can't have ATVs or snowmobiles on the rental property. Snow said there would be no ATVs going over the marsh as this is forbidden by the federal government.

Petersen asked what the next step is. Calhoun said the Board can vote to pursue a friendly 40B and if not, their company will make a business decision whether or not to do an unfriendly 40B, and they may decide to pass on the project. Ziev asked what happens to the property near the entrance, and said she disagrees and thinks that the majority of the affordable housing units will be people with children and families. Calhoun said the property will be left as it is, and there is already a driveway there. He said there will be some families. Ziev said she is concerned about the school system. Calhoun said the development would be a positive impact because the school needs kids. Petersen said he thinks the Board should take this under consideration and get the community's reaction. Calhoun said the real estate taxes are estimated to be \$800,000 to \$900,000 per year plus the excise taxes. He said the Town would be getting about \$1,000,000 in revenue without installing water lines, or roads, and there would be one bus stop.

Snow asked if they have spoken to environmental groups regarding the impact this would have on the Great Marsh. Calhoun said no, but the groups won't let them have an impact. He said they will have to treat the wastewater which will be an improvement for the health of the Great Marsh. He said they can make sure the marsh is respected.

Bernie Cullen asked how the older residents will be mixed with the kids. Calhoun said you can't tell the difference between an affordable unit and a regular unit, and they can't separate housing for different ages, but if a tenant isn't happy, it is their choice to leave. He said they will have amenities such as a dog park and trash valets. He said the breakdown of units would be approximately 40% one-bedroom, 40% two-bedroom, and the rest for studios and the minimum number of three-bedrooms mandated under State law. Ziev asked if there will be apartments for the full-time staff. Calhoun said not usually, but they may have an apartment for staff to use if they needed to stay overnight occasionally. He said they will also have a guest apartment that residents can rent for visitors to use, along with a mail room, a refrigerated package room, a exercise/yoga studio, game rooms, theatre and bike room. He said the Board can look at their website to see their previous projects. Ziev said she likes the idea of this at this site, but it is too

large. Pierce said the Town won't hit the 10% affordable threshold through single family homes, but that isn't the only consideration. He said the project needs a major reduction by about a half. Ziev said the buildings will look massive next to the single family homes. Snow said 1,400 trips a day with 700 trips from 7am – 9am will put an enormous strain on Route 1A. He said 300 more cars will be traveling on Haverhill Street and Central Street. He said the traffic light at the Central Street / Route 1 intersection is planned to be installed in 2025, and the light would be needed. He said he is worried about the back road traffic. Calhoun said he doesn't mean to be disrespectful, but Route 1A is a State road that the Board doesn't have jurisdiction over, and the State wants affordable housing. He said they would love to work with the Town and he thinks they can convince the Town that they will make the project look good. He thanked the Board for their time and said they can reach out with any questions. Pierce said he appreciates the information, but he still feels this is too big. He said the Board can decide about this at the next meeting with feedback from the residents. Calhoun said he can bring photos of buildings and can bring the traffic person to the meeting if the Board wishes.

ADJOURN

Joe Perry made a motion to adjourn, Bob Snow seconded, all in favor – aye (5-0).

Meeting adjourned at 8:13 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Public Comment Policy
2. Meeting memo regarding 7:00 p.m. Joint Meeting with the Board of Library Trustees to appoint Jody Fleit to vacant Library Board seat
3. Vacancy Notice for Library Board seat
4. Massachusetts General Law Chapter 41 Section 11
5. Cover letter from Jody Fleit
6. Resume from Jody Fleit
7. Meeting memo regarding General Business #1: Authorize Police Chief Scott Dumas to sign State Contract grants forms for FY 22 Public Safety Answering Point leadership scholarship
8. Email from Police Chief Scott Dumas regarding Permission to sign and attached grant forms
9. Meeting memo regarding General Business #2: Authorize Board of Selectmen Chairman Clifford Pierce to sign the Green Communities State Contract grant forms
10. Green Communities Project Approval letter
11. Green Communities grant forms

12. Meeting memo regarding General Business #3: Authorize Town Administrator Deborah Eagan to sign copier lease authorized through Commonwealth of Massachusetts copier contract
13. Lease paperwork for Annex copy machine
14. Meeting memo regarding Old Business #1: Update on Basketball Court Project
15. Email from Amy Lydon regarding Basketball Court Project, including site visit report prepared by Huntress Associates dated 9/17/21
16. Meeting memo regarding 7:15 p.m. Appointment: Fire Chief James Broderick to present David Baker for appointment to the position of full-time firefighter
17. Letter from Fire Chief James Broderick requesting David Baker be appointed to the position of full-time firefighter
18. Draft minutes of September 13, 2021
19. Draft minutes of September 20, 2021
20. Meeting memo regarding 7:20 p.m. Appointment: Dave Calhoun of Saxton Partners to discuss 40B affordable housing project at 395 Main Street
21. Conceptual Master Plan for 395 Main Street
22. Conceptual Site Plan for 395 Main Street
23. Assessors map for 395 Main Street
24. Assessors cards for 395 Main Street
25. Email from Dave Calhoun regarding meeting
26. Letter from Greenman-Pedersen, Inc. regarding Trip-Generation and Site Access
Letter Residential Development 395 Main Street, Rowley, MA
27. Large color copy of Conceptual Site Plan for 395 Main Street
28. Large color copy of Conceptual Master Plan for 395 Main Street