

Rowley Planning Board Agenda
Rowley Town Hall Annex – Room #5, 39 Central Street
Wednesday, May 28, 2014
7:30 p.m.

Minutes
Planning Board Approved 5-0 on August 13th 2014

Planning Board members present are Curtis Bryant, Cliff Pierce, Steve Kassiotis, and Chris Thornton. David Jaquith is absent. Town Planner Kirk Baker is also present.

Bryant calls meeting to order at 7:30 pm.

Regular Business

706/708 Haverhill Street (Jim Bussing) – Surety Release - continued

Baker reported that he had visited the site and found that the landscaping for 706 Haverhill Street had been installed and that an address sign for that property was also erected. He notes the completion of these items addressing these deficiencies previously noted by Larry Graham at the May 14th meeting. Baker also notes that he spoke by phone to Graham prior to the meeting and Graham reported that he visited the site and confirmed that found it acceptable to release the surety at this time.

Pierce motions to release the surety associated with this project and moves that the Planning Board is amendable to the issuance of a Occupancy Permit for both properties pending the Building Inspector's approval. Thornton seconds the motion.

All vote in favor of the motion (4-0).

124 Haverhill Street – Cell Tower Co-location – Informal Discussion

Dan Klasnick discusses T-Mobile project to replace existing six antennas on the tower with 6 new antennas as part the company's national effort to make tower upgrades to meet 4-G capabilities. He states that there will be no increase to tower height or any expansion of the existing tower base station.

Bryant notes that this is an example of the 2014 Middle Class Tax Reform Act Section 1409a which requires local governments to approve Wireless Facilities applications which do not substantially change the height or the dimensions of a facility.

Pierce motions to approve. Kassiotis seconds the motion.

All vote in favor of the request.

300 Newburyport Turnpike (Rowley Crossing) Compliance Review

Bryant summarizes the background of the project and notes that Scott Silver and Max and Shelley Gabriello are present to explain the progress which they have made since May 14th. Silver notes that a new light pole has been installed in the parking lot to replace the fallen one and that the dumpster pad issue has been addressed. In regards to the laws pertaining to ADA accessibility and the handicapped ramps is ambiguous and subject to interpretation. He also reminds the Board the dilapidated condition of the original structure and the degree to which he and the Gabriellos have improved the property. The Board members agree that much has been done to improve what was originally a run-down site but they also remind Silver that the question at hand is whether he complies with the Site Plan Review approval conditions. Bryant notes that two years have elapsed and that there are still numerous improvements which are outstanding and at the same time the applicants are asking for additional Occupancy Permits. Bryant further points out that the original approval gives the Board the discretion to hold issuance of Occupancy Permits until outstanding improvement have been completed.

Pierce notes that what is most needed now to move this discussion is a plan from the owners and a schedule of time to complete the improvements before the Board will consider the matter any further. Pierce also conveys that he would find it amendable for the Board to authorize the Chairman to recommend release of the Occupancy Permit for the Frozen Swirlz Yogurt Lounge pending submittal of a written schedule of completion which the Chairman in tandem with the Town Planner, and Engineering Consultant, Larry Graham, finds acceptable.

Thornton makes note that he feels the damaged entrance railing and handicapped access ramp are the two primary issues to deal with because they are safety issues. The Board agrees that the handicapped ramp must be installed prior to issuance of a Occupancy Permit and that everything else can be put onto a schedule and dealt with over the course of a year.

Pierce moves that, subject to completion of a timeline and schedule of completion of the remaining on-site improvements, along with the prior installation of the handicapped access ramp, the Board gives authorization to the Chairman to assess the sufficiency of the schedule and timeline and to recommend issuance of the Frozen Swirlz Occupancy permit with the finding that the schedule is satisfactory. Thornton seconds the motion but adds that Baker verify the installation of the parking area light pole.

All vote (Bryant abstaining) in favor of the modified motion (3-0).

Other Business

The Board presents a gift to Jean Pietrillo, who is present as a citizen, for her years of dedicated service as a regular member of the Planning Board.

Approval of Meeting Minutes

Pierce recommends several revisions to the March 19 minutes, but none to the April 22 minutes. Pierce recommends motion for approval of both the March 19 and April 22 minutes contingent on the proposed revisions to the March 19 minutes.

Adjournment

Pierce makes motion to adjourn. Kassiotis seconds motions. All vote in favor (4-0) to adjourn meeting at 9:16 pm.