

**Rowley Planning Board Minutes
For Regular Meeting on August 3, 2016
DRAFT**

Members present: Chris Thornton (Chairman), Cliff Pierce (Member), Mark Savory (Member) are present. Kirk Baker, Town Planner is also present.

David Jaquith (Vice Chairman), Curtis Bryant (Member) and Jean Pietrillo (Associate Member) are absent. Thornton calls the meeting order at approximately 7:30 pm.

Continued Public Hearings:

Special Permit/Site Plan Review for Accessory Barn > 1,500 sf at 128 Daniels Road – Karl Cyr

Thornton announces this hearing is continued from July 13th. Pierce notes that the Board would need to have four members present to take formal action on the Special Permit. The Board then votes to continue the hearing for this request on August 31, 2016.

Site Plan Review for Parking Layout at 285 Newburyport Turnpike – George Speropolous

John McPhee, Architect, and the applicant, George Speropolous, are present to answer questions about the recently submitted plan revisions which includes lighting plan details and a landscape plan which depicts additional plantings in the yard between the building and Route 1. Pierce motions to close the public hearing. Savory seconds the motion. All vote in favor 3-0 to close the public hearing.

Baker notes he will include a paragraph in the draft decision letter regarding the Board's agreement to waive strict compliance with the parking requirement. Pierce also request that Baker include a statement that the plan will comply with those recommendations made by the Board's technical review agent, Larry Graham, which were contained in his letter dated August

3, 2016. Pierce motions to approve the site plan review application with the stated conditions. Savory seconds the motion. All vote in favor of approving the application 3-0.

Site Plan Review for 317-321 Haverhill Street – Erica Leahy Dog Training Business

Ms. Leahy is present to discuss those materials she resubmitted in response to the Board's concerns expressed at the last meeting where the public hearing had been opened. She states that she has met with the Fire Chief, the Health Department, and, that she has just attended a meeting of the Conservation Commission. Baker notes the Fire Chief is recommending the installation of a Knox Box for emergency access to the building. He further notes that the Conservation Commission is requiring the removal of the metal storage container that has been located behind the building for many years prior but which has never received any conservation or site plan approval. Baker further notes that the Conservation is requiring that with the approval of this use in this building, the applicant shall agree to install a drainage trench somewhere between the parking area and the wetlands buffer area. The Conservation Commission also stipulated that this drainage trench, once installed, should be inspected by the Conservation Agent and by the Planning Board technical review agent so as to ensure its effectiveness prior to the issuance of a certificate of occupancy by the building inspector. The Board agrees with the applicant's request, however, that she shouldn't need to contract retain a professional engineer to design and oversee the installation of the drainage trench, citing that it will be acceptable if the applicant install the trench herself based on specifications given by the Conservation Agent and then inspected by the Agent afterwards.

Thornton asked why they capped the fence height at 6 feet. Leahy states that she would be amendable to having a higher fence if possible. Pierce motions to close the public hearing. Savory seconds the motion. All vote in favor to close the public hearing 3-0.

The Board discusses the conditions to be contained in the decision letter. Leahy notes that the property owner will take issue with condition #9 that pertains to him having to be responsible for the removal of the metal storage trailer from the property. The Board notes that the owner purchased the property with an existing issue of zoning non-compliance with the Flood Plain

Overlay District bylaw and the other option is simply to obtain the required Special Permit. Leahy states she has been in discussion with contractors to remove the trailer, but if her occupancy permit be made contingent on its removal. Leahy states she is amenable to the conditions of approval. Pierce motions approval of the request with the required conditions. Thornton seconds the motion. All vote to approve the request with the conditions 3-0.

Site Plan Review for Solar Photovoltaic Facility on property Off Central Street (Map 28/Lot 50) – Brightergy

Attorney Tom Beatrice, and, the applicant Matt Marino, Brightergy, are present to discuss the revised plans submitted to address the Board's input previous at the previous meeting where the public hearing was opened. Beatrice also notes that they have address the this issues raised during the Planning Board's site visit where the issue of the impact to the wooded buffer between the subject property and the Central Way subdivision to the north. Beatrice points out that a small portion of the proposed solar panel array near the north site perimeter which has been moved to the south side of the array so as to avoid impacting the existing mature buffer trees. Beatrice states that per Graham's suggestion, they are depicting the planting of three new cedar or white pines. Pierce responds that cedars are probably not adequate, but that the white pine should be alright. Marino states he is amenable to this suggestion.

Baker asks the applicant if they would address the issues raised in a letter from John Petrowicz who lives on Kittery Avenue, regarding electromagnetic energy, radio frequencies and public health issues associated with solar facilities. Beatrice notes that according to his research that in regards to electromagnetic and radio frequency interference, that solar facilities of this type are rated as having minimal impact to public health and minimal interference to radio. He further notes that the FCC could be notified in the case of interference and could take the appropriate action in such a case. Beatrice states that Mass Law covers potential exposure to radiation under its hazardous wastes regulatory codes.

Herb Wayne or 195 Central Street asks about the width of the entrance road. Beatrice states that the Fire Chief is requiring the width to be 16 feet. He also notes they measure the existing width

during the recent site visit. Beatrice also states the Fire Chief was satisfied with the width of the access between and behind the solar panels arrays. In answer to an additional question about stormwater runoff and erosion, Marino notes that grass will

Mr. Wayne also asks if the installation of the solar facility will reduce the citizen's utility bills. Dan Folding of the Rowley Municipal Light department says no but that the bills will not increase as a result of this project. He adds that this more about the Town complying with State directives for energy production efficiency rather than achieving a direct short-term benefit.

Pierce motions to close the public hearing. Savory seconds the motion. All vote in favor 3-0 to close the public hearing.

The members discuss the conditions to be contained in the approval letter. Pierce motions to approve the site plan application with the conditions discussed. Savory seconds the motion. All vote in favor 3-0. The site plan review application is approved with the cited conditions.

Site Plan Review for Solar Photovoltaic Facility on property at 510 Newburyport Turnpike – Brightergy

Thornton notes that the Planning Board visited this site also. Marino acknowledges that Larry Graham did walk the site with the applicant, and, that they agreed with the screening measures proposed by Graham, which was to be installed between the proposed solar panel field and the abutting residential parcel to the north. Pierce asserts that he would not choose arborvitae for screening but rather white pine is a better choice. Marino acknowledges that he finds Pierce's recommendation to be acceptable.

Pierce motions to close the public hearing. Savory seconds the motion. All vote in favor 3-0 to close the public hearing. The members discuss the conditions to be contained in the approval letter. Pierce motions to approve the site plan application with the conditions discussed. Savory

seconds the motion. All vote in favor 3-0 to approve the site plan review application is approved with the cited conditions.

Adjournment

Pierce makes motion to adjourn the meeting. Savory seconds the motion. All vote in favor (3-0). Meeting adjourns at 9:00 pm.