

**Rowley Planning Board
Minutes
For Regular Meeting on February 3, 2016
Approved on March 30, 2016**

Members present:

Chris Thornton (Chairman), David Jaquith (Vice Chairman), Cliff Pierce (Member), and Jean Pietrillo (Associate Member).

Kirk Baker, Town Planner, are also present.

Curtis Bryant (Member) arrived at 7:40 pm at the start of the second agenda item (discussion pertaining to Rowley Village Green).

Mark Savory (Member) was absent.

Thornton calls the meeting order at approximately 7:30 pm.

Discussion – Rowley Country Club (Surety)

Jill Mann, attorney on behalf of the applicant, present to request a release of a portion of the remaining surety amount (\$52,000), leaving \$4,500 to cover the recent plantings in the stormwater retention basin to allow them to continue for an entire growing season. Ms. Mann notes that the remaining amount was arrived at in conjunction with the Conservation Commission who had noted previously that some of the landscaping vegetation in and around the retention basin had been mowed down and needed to be replaced. Ms. Mann also presented Form J release forms for the remaining unreleased residential units, all of which are currently occupied, but for which, the formal release procedure had never been executed.

Jaquith reports the details of the recent site visit involving himself, Pierce, H.L. Graham (Technical Review Agent) and Baker, who met with the applicant's Engineer consultant.

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Thornton notes that Graham had also agreed, in writing, with the proposed reduction amount of \$4,500 and states he is comfortable with granting the applicant's request. Jaquith makes motion that the Board approve the reduction of the bond and also sign the Form J release forms pertaining to the residential units. Pierce seconds the motion. All vote in favor of the motion (3-0).

Discussion – Rowley Village Green at Heritage Way (Surety)

Baker reports the outcome of the site visit involving himself, Jaquith, Pierce and HL Graham (Technical Review Agent).

Bryant arrives at approximately 7:40 pm.

The Board discusses a few discrepancies between the approved plan and the improvements in the field. The Board agrees that no formal action on this matter is required since the applicant is not requesting release of their surety. Baker notes that the issue at the current time is the Board's agreement to ask for a formal extension of the surety which is about to reach its maturity date.

Discussion – potential ANR proposal for 31 and 37 Summer Street – Bill Barter/Linda Sudol

Bill Barter and Linda Sudol are present to continue to discuss a potential ANR proposal involving the transfer of a triangular area from the rear portion 37 Summer Street (Sudol) to 31 Summer Street (Barter). Thornton notes that since the previous meeting's discussion, the Board has obtained an opinion from the Town Counsel which confirmed that the loss of the four feet of frontage along Independent Street from 37 Summer Street would not impact the grandfathered status of the nonconforming 100 feet of frontage along Summer Street where that lot takes its access. In that regard, the Board could endorse the ANR proposal for the land transfer.

However, in regards to the issue of the current lot area, although the minimum lot areas at the time these parcels were created was conforming, they are non-conforming under the current zoning bylaw. Pierce notes that was his original concern with this proposal that by transferring a portion of its area currently consisting of 26,877 sf (less than the minimum requirement of

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30,000 sf), if 37 Summer Street would lose its grandfathered status that would render that property without any further options for development. The Board agrees that the primary issue is the frontage which is pertinent to the ANR process, but that Ms. Sudol, as the owner of 37 Summer Street, should be advised that future building or additions on her property would become prohibited. The Board agrees that a ANR submitted as is proposed by the presented concept would be endorsable by the Planning Board, but that the ANR Plan would be required to have on it the notation which states that ANR endorsement is not an affirmation that the plan is in compliance with the zoning bylaw.

Crown Castle Antenna Co-location at 124 Haverhill Street

Baker describes the request to replace six of twelve existing antennas located on an array at an elevation of 148 feet. He points out that there are no proposed modifications to the height or dimensions of the tower, nor to the ground-level base station, and no additional antenna being proposed, rather just the replacement of the ones that exist. Baker further notes the land is Town owned and authorization from the Board of Selectmen will be required prior to getting a building permit.

Bryant makes a motion that the Board make a formal determination that the proposed antenna replacement is exempt from site plan review in accordance with the 2012 Middle Class Tax Relief Act. Jaquith seconds the motion. All vote in favor 4-0.

Update – Healthy Pharms RMD - Special Permit/Site Plan Review in Georgetown, MA

Baker notes that he and Pietrillo were in attendance at the recent Georgetown Planning Board. Pietrillo states that this was the second meeting she attended but summarizes the findings which includes the Georgetown Planning Board having requested a detailed listed of all chemicals to be stored on site; security issues raised by Said Abuzahra whose storage facility is an abutting property; and traffic safety issues associated with oncoming eastbound traffic on 133 and vehicle ingress/egress to the site.

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The Board reviews the minutes for the December 16, 2015 meeting and suggests a few corrections. Bryant motions to approve minutes. Jaquith seconds the motion. All vote in favor (4-0) to approve the December 16th minutes.

Adjournment

Pierce motions to adjourn the meeting. Jaquith seconds the motion. All vote in favor (4-0). Meeting adjourns at 9:00 pm.