

Rowley Planning Board Meeting
Minutes
June 3, 2015
Approved on August 12, 2015

Members present:

Curtis Bryant (Chairman), Cliff Pierce (Vice Chairman), Chris Thornton (Member), Mark Savory (Member), David Jaquith (Member), and Jean Pietrillo (Associate Member)

Kirk Baker, Town Planner is also present.

At 7:30 pm Bryant calls for a motion to open the meeting. Thornton motions to open the meeting. Jaquith seconds the motion.

Approval Not Required (ANR Plan) for 180 Main Street - Mark Gray

Bryant explains that Baker has provided a report outlining the ANR proposal to create a new lot with sufficient frontage on Main Street adjacent to the mother parcel currently located at 180 Main Street on the corner of Main Street and Church Street. Baker notes that the proposed lot and the mother parcel will meet the ANR requirement for having adequate frontage per the Central Zoning District on a public way. Gray notes that he depicts the relocation of the septic system on the mother parcel and shows the installation of a septic system on the new parcel.

Pierce makes motion to endorse the ANR plan. Jaquith seconds the motion. All vote in favor to endorse the plan.

T-Mobile Request to add three antennas on to Crown Castle Cell Tower located at 124 Haverhill Street

Jeff Barbaradora of Crown Castle presents a request to the Board for confirmation that the request to install three new antennas on the existing T-mobile cell tower located at 124 Haverhill Street is exempt in accordance with the stipulations of HR 3630 of the 2012 Jobs Creation Act. Baker notes according to the submitted materials there is no proposed change in regards to the height or physical dimensions of the tower or any substantial change or expansion of the ground

level base station. Baker also notes that the height of the proposed antenna are on a center array at the 178 foot elevation of the existing tower. Bryant asks what the new antenna are intended to do. Barbarador notes that the antenna are upgrades to T-mobile 4G cellular capacity on this tower. Savory asks if there will be any change to the town's lease fees especially in regards to the upkeep of the maintenance road. Barbarador answers no, the lease agreement is not being revised and that this application is in accordance with the stipulations of the lease agreement. Baker points out they will still need the authorization from the Board of Selectmen prior to getting permission from the Building Inspector for the installation.

Thornton makes a motion to endorse the proposed antenna installation and to confirm that the project meets the requirements per the Federal mandate to not require Site Plan Review. Savory seconds the motion. All vote in favor of the motion (5-0).

Informal Discussion with George Speropolous in regards to potential site plan review at 285 NBPT and a request for a waiver of technical compliance from site plan parking requirements.

Bryant mentions that the next item on the agenda is a discussion with George Speropolous of MCR technologies in regards to potential use of the existing office building for office space and he is specifically seeking guidance in regards to a waiver from parking requirements associated with the proposed number of employees. Speropolous states that his company makes and services software for Healthcare services and provides these services to vendors nationwide, therefore, a large portion of his employees travel and work remotely, resulting in only a small contingent of 11 employees who will be on-site at any given time. He is therefore looking for some confirmation from the Board that the current parking area would be sufficient for his proposed reuse of the property. Jaquith asks if there will be any visitors on site. Speropolous says that sometimes clients will visit the office but in small numbers. On a daily basis the use will be that of an office and visitations will be minimal.

Pierce asks how many spaces they currently have. Speropolous says there are 24 spaces but that the Planning Board Rules and Regulations currently require 60 spaces based on the number of employees in his company. Pierce notes that the Rules and Regulations gives the Board the

latitude to waive the parking requirements in regards to the needs of the individual situation. Peirce does point out that in order to plan for future expansions, the Planning Board would like to see the reserve parking area on the site plan. Speropolous agrees. The Board members agrees that such a project would be a great addition to the mix of companies who have located in Rowley.

Dexter Drive – Formal action to release remaining surety

Baker notes that Dave Clark, the developer, is requesting that the final \$20,000 cash bond be released. The applicant wants to have the mylar copy of the subdivision plan recorded. So the Planning Board will need to sign the mylar and then the Board of Selectmen will sign the mylar at their next meeting. Once the mylar is recorded with at the Register of Deeds then the Planning Board will be able to release the cash bond.

ZBA Case 15.08 for Special Permit for attached in-law accessory apartment at 157 Boxford Road, Richard Caram, Jr.

Baker states that he reviewed the ZBA application for the addition of an in-law accessory apartment at 157 Boxford Road, and is wanting to present his finding and comments to the ZBA. Baker notes the plan indicates the maximum square footage. Bakers suggest comments that the ZBA should consider obtaining information required by the zoning bylaw in regards to confirming both residential uses are on the same utilities meter and that they provide the required confirmation in the covenants in regards to the termination of use rights once the in-law use ceases. Savory notes that the proposed structure is located so far away from the road that the appearance of the structure will make no difference. Bryant agrees and points out that his concern is that any approval doesn't open the door to allowing future owners to use as a two-family which is otherwise not allowed in this district without a special permit. Baker confirms that the zoning bylaw requirements seem to be intended to prevent that kind of conversion from happening.

Jaquith motions to direct Baker to forward his comments to the ZBA prior to their public hearing on this item. Pierce seconds the motion. All vote in favor of the motion (5-0).

Wild Pasture Estates Residents letter of concern in regards to speed limit and speed limit signage

Baker presents to the Planning Board a petition signed by property owners along Wild Pasture Lane in the Wild Pasture Estates Subdivision requesting changes in the speed limit from 25 to 20 and to reduce the number of signs. Bridget Warnat, a concerned resident, is present to request on behalf of the petitioners that the speed limit be changed and the number of signs reduced. Mrs. Warnat states that her concern is that once the connector between the adjacent Spencer Knowles subdivision opens up the number of vehicles coming through the neighborhood will increase and that the speed limit as posted is too high for this street along which numerous children will be playing on a daily basis. Warnat asks if the speed limit can be reduced from 25 to 20 miles per hour and if the number of signs in the loops (Arrowhead Circle and Oak Ledge Circle) be reduced from three signs in each of the loops to one sign, and, if two of those signs (which are 20 mph signs) can replace the existing two, 25 mph signs on Wild Pasture Lane. Baker notes he had looked into the process and that the speed limit was set with the Definitive Subdivision plan.

Bryant states that he would work with Baker and the Highway Supervisor to work out a solution. Baker agrees to meet with the Warnat's and with the Highway Supervisor to look at the problem in the field and to discuss a potential solution.

Report on Kathleen Circle Extension

Baker notes that Mr. Barry Marshall present to present his concerns in regards to Kathleen Circle. Marshall states that the bond for Kathleen Circle was released in the 1980s without Kathleen Circle becoming public.

He notes that the residents of the neighborhood (excepting himself) want the road to remain private. This goes back to a potential 40B (affordable housing) application which was intended for a piece of land located behind his property. He says the neighbors want the road to remain private in order to prevent that land from being eligible for 40B development. Pietrillo notes that she was on the Open Space Committee at the time and that Marshall had been willing sell his

property in support of the 40B application. Baker notes that the Town attempted to accept the roads in the 1989 Spring Town Meeting. Pierce notes that the important fact is that there is no bond and that there is no prospect for getting another one in place. He further states that the most likely solution is for the neighbors to agree to go through an Eminent Domain procedure. Jaquith states that the Town is not required by law to accept a road. The law only provides a process for acceptance of roads which is by the Town Meeting, and, for the return of surety intended to guarantee infrastructure performance. Bryant agrees and points out that there are a number of roads in the Commonwealth which may or may not be accepted at a Town Meeting for a host of potential reasons.

Adjournment:

Jaquith motions to adjourn the meeting. Thornton seconds the motion. All vote in favor. Meeting adjourns at 9:15 pm.