

Planning Board

May 23, 2012 Meeting

The Planning Board held a regular meeting on Wednesday May 23, 2012 at 7:30p.m. at the Town Hall Annex, 39 Central St., Rowley, MA. The following members were present: Curt Bryant, Chairman; Cliff Pierce, Vice-Chairman; Jean Pietrillo, Clerk; and David Jaquith. Larry Graham, from H.L. Graham Associates in Ipswich, MA, who is the review Engineer to the Board Chairman Bryant, called the meeting to order at 7:50p.m.

Resignation letter from new Board member Peter Censullo is read by Chairman Bryant. There is a conflict of interest by serving on both the Finance Committee and Planning Board. Mr. Censullo has chosen to remain on the Finance Committee. Chairman Bryant has contacted former member Mike Kovalchuk to see if he is interested in re-joining the Board. Proper procedures will be followed regarding posting position. A motion was made and seconded (Pierce/Jaquith) voted unanimously.

The Planner Position job description is read by Chairman Bryant. It has been posted on the Town website, various news publications and state website. The applicants will be screened by the Personnel Board and final decision to be made by representatives from both Personnel and Planning Boards. Posting closes June 1st.

8:00p.m. Open Hearing – Amy Ahearn d/b/a/ Down River Ice Cream, 120 Newburyport Tnpk., Unit 7 (Site Plan/Special Permit Application)

Present at the meeting are Amy, Joseph and Bennett Ahearn of 22 Main St, Essex and Atty. E. James Kroesser 254 Bay Rd., Hamilton, representing Down River Ice Cream. Andrew Ulman 17 Elm St., Boxford was also present to represent the owner of the property. David Jaquith recuses himself because of a prior architectural relationship with the applicant. Chairman Bryant reads the legal notice posted May 9th and 16th. Atty. Kroesser points out that a Special Permit vote needs a 2/3 majority and there are only 3 members. The question now arises whether or not a Special Permit is actually necessary. Further discussion with Building Inspector Ward is necessary. The decision is to formally continue the hearing regarding the site plan only. Mrs. Ahearn has an ice cream location in Essex. She sells ice cream, gelato and bottled soft drinks. Products are made off site and there is no inside seating. Mr. Graham has reviewed the revised plan but has concerns with numbers 6 and 7. These deal with safety issues regarding the entrance and division of parking. The entrance is quite wide (54 ft). People pull in off Newburyport Tnpk. quite fast. Mr. Graham would like to see the entrance cut in approximately half to about 25ft. Filing a plan immediately with the Mass Highway Dept for a curb cut will be necessary. Temporary changes need to be addressed by the owner including a better buffer from the road (low post and rail fence) landscape enhancements (whiskey barrels with plantings) and striping of parking. The Fire and

Police Dept's has yet to sign off on this project. Atty. Kroesser points out that all of these issues are addressed in the new site plan. Mr. Graham will work with Mr. Morin , the Building Inspector, and Atty. Kroesser to address these issues and draw up the decision. Motion is made and seconded (Bryant /Pietrillo) to continue the hearing to May 30, 2012 at 7:30 p.m. So voted unanimously.

Review of Minutes

The minutes of the May16, 2012 meeting were reviewed and approved, as corrected.

Informal Discussion regarding El Tapatio 300 Newburyport Tnpk.

Mr. Graham, the Review Enginner for the Planning Board went on a site visit with Building Inspector Ward and the owner of the property ,Scott Silva.. There were issues with singage. Mr. Silva has been given 30 days to get the approved appropriate signage and line painting done .This will more than likely be addressed by the anticipated opening on Friday May 25, 2012. Besides the current tenant at the House of Pizza there is a new tutoring company moving in upstairs. This new tenant will need to come before the Planning Board to review available parking for their clients.

Adjournment

There being no further business to come before the Board a motion was made and seconded(Bryant/Jaquith) that the meeting be adjourned. So voted unanimously.

Minutes accepted at the May 30, 2012 meeting.