

Rowley Planning Board
Minutes
For Regular Meeting November 14, 2018
Approved

Members Present

Chris Thornton (Chairman), David Jaquith (Vice Chairman), Troy Spaulding (Member), John Urbanczewski (Member), Mark Savory (Member) were present.

Larry Graham (Technical Review Agent (TRA)) and Kirk Baker (Town Planner) were present. Kevin Daley (Associate Member) was absent.

Thornton called the meeting to order at 7:30 p.m.

Continued Hearing Fox Hollow OSRD

Baker states that the applicant's attorney called before the meeting and asked if the continued hearing time for tonight could be postponed until 8:30 pm to give her time to get there from another meeting engagement. The Board agrees to this and votes to rescheduled the continued hearing to one hour from now at 8:30 p.m.

The Board announced to the public present that the hearing for Fox Hollow would resume at 8:30 pm and that in the meantime the Board had some administrative business to attend to. Several of the residents who were present for hearing were asserting that the meeting room this hearing was being conducted in is too small for the number of people present for the Fox Hollow hearing and for the subsequent zoning amendment hearings to begin at 7:50 pm as the room is full and there are numerous citizens standing in the main hallway. Baker notes that they can't formally act on the upcoming zoning amendments until they reach 7:50 pm and suggests that they do some of the other business until then.

The Board asks Baker to check with the citizens waiting in the hallway to determine which project they are in attendance for. Baker confirms that the hallway is crowded and that in addition to the zoning amendments a large number of citizens standing in the hallway are present for the Fox Hollow Subdivision. The Board agrees to continue all the hearings to a later time but asserts that they must wait until each one's scheduled time to do so. They begin to discuss potential dates for continuance. Baker notes that zoning amendments are on a tight deadline to hold the hearing and that December 10th was the latest they could hold the hearing and still have it ready in time to make a January 14th, 2019 Special Town Meeting.

The Board decides on December 5th as an alternate date to which to continue the public hearings. One of the citizens in the audience raises the concern that some of the people in the audience have already left before hearing the exact date thinking that the continuation would happen on the already scheduled November 28th meeting date. Baker notes the continued hearings should be held in a bigger venue like the Town Hall Auditorium or the Library to avoid any further delay. The November 28th meeting is already scheduled for the Annex Building and those zoning items may need to be continued.

Brent Baeslack, Conservation Agent, is present and offers that the Council on Aging (COA) room located down the hall in the Annex building could easily accommodate a larger turnout associated with the item already

scheduled for November 28th. The Board agrees with Baeslack and leaves the November 28th meeting as scheduled and then votes unanimously to move tonight's public hearings to December 5th, 2018 at 7:30pm. Thornton states there should be no issue with making sure proper notice is given as Baker can announce the schedule change on the Board's website and that the standard open meeting notice for the December 5th meeting will also be provided.

7:50 pm - Chairman Thornton reads the legal notices for the zoning amendment articles and opens each of the following Zoning Map and Zoning Bylaw Amendment hearings. The Planning Board then voted (5 in favor/ 0 opposed -motion by Jaquith /seconded by Spaulding) on each one to continue each respective hearing to December 5th, 2018, to be held in the Town Hall 2nd floor auditorium so as to ensure there is sufficient room for the citizens attending.

Article I – Change Zoning of designated properties along east and west sides of Rte. 1 and property on Wethersfield Street – continued to Wednesday, December 5th, 2018.

Article II – Amendment pertaining to RVOD/Haverhill Street – continued to Wednesday, December 5th, 2018.

Article III – Change Zoning Portion of Bruce Ashley Property off Kathleen Circle – continued to Wednesday, December 5th, 2018.

Because of space constraints and the fact that many residents were out in the hallway and could not hear what was going on in the room, Board member Spaulding went out in the hall to announce that the meeting for these items will be rescheduled for December 5, 2018, at 7:30 p.m. at the Town Hall, second floor.

Residents were quite vocal in stating that the public meeting should be held in a location where all interested parties could attend and hear what is going on.

Jaquith made a motion to reschedule the meeting for bylaw changes to December 5, 2018 at the Town Hall second floor meeting room. Spaulding seconded the motion and all voted in favor. These items will be the only things will be heard that night.

8:30 pm Continued Hearing Fox Hollow OSRD

Attorney Jill Mann arrived and the Board announce that it needed to continue this hearing also. Because the COA room would have sufficient capacity to accommodate a significant public turnout for both the Rowley Station overlay district bylaw hearing and the turnout for the continued Fox Hollow subdivision hearing the Board members agreed to continue to the November 28th meeting. Mann states that she would like to have a decision from the Board regarding the yield plan at the November 28th meeting.

Other Business:

Consideration of MGL 61A, Town's 1st right refusal re: Tompkins/Desjardins property, 600 Wethersfield St.

Baker notes that the owners (Tompkins/Desjardins) have approached the Board of Selectman regarding if the town had an interest in purchasing the property. After checking the open space/recreation plans, the Conservation Commission determined that there were no overriding criteria to purchase the property for

open space and the town had no particular reason to purchase. Baker offered that the only foreseeable reason at this time may be associated with its proximity to the Fox Hollow and that it could present a potential means for provision of a second means of access, but also noted this was probably not feasible from Rob Nixon's perspective. The Planning Board motions to recommend to the Board of Selectmen that they waive the right to purchase this property. Thornton made the motion. Jaquith seconded the motion. All voted in favor.

ANR Plan for 600 Wethersfield St/Tompkins/Desjardins

Baker presents the ANR plan associated with the same property and notes that the owners want to create a 60,000 sq. f.t lot, with adequate 150 ft. frontage in the outlying district zone. He notes that the plan meets the criteria for being a valid ANR request. Spaulding made a motion to endorse the plan, Jaquith seconded. All voted in favor to endorse the plan.

Thornton discussed the frontage on Wethersfield Street, allowing access to the back. The parcel does have a segment of Mill River which will have to be crossed to get to the parcels being discussed.

ANR Plan for 699 Haverhill Street/Herrick Realty Trust

Baker asks if this can be forwarded to the November 28th meeting. The agrees to postpone looking at this ANR Plan.

Preliminary look at 623 Wethersfield St Definitive Subdivision Plan

Baker tells the Board that the Definitive Subdivision plan is ready to be reviewed and that they will need to take a formal action to accept the plan and to initiate the TRA's review of the conventional subdivision plan.

Baker reminds the Board members they had previously reviewed and rejected the preliminary plan associated with this 4-lot proposal but that the issue of the non-compliant cul-de-sac length (greater than 500 linear feet) has been rectified on this plan.

This definitive plan presented meets all the issues discussed. Owner looking for a formal action to accept definitive subdivision plan. Jaquith made a motion to accept the plan as presented, Spaulding seconded. All voted in favor.

Baker raises the issue of the limits of clearing verified by the Conservation Agent (Baeslack) who is in attendance. Baeslack asserts that from a wetlands point of view and storm water management, the preliminary inspection verified all markings adjusted and visible. He notes that the owner wants to schedule pre-construction meeting for Monday, November 19th at 2:00. If Graham agrees with the findings of the Conservation Agent then they can give the clearance to schedule the pre-construction clearing associated access road.

124 Haverhill Street Wireless Tower/Exempt Request for AT & T and Smartlink

Baker presents the consent request from AT&T/Smartlink for antenna additions to the cell tower located on Town-owned property at Prospect Hill (124 Haverhill Street). He notes the applicant is proposing the new fixtures to be installed at the 158 ft elevation and that there will be no change to tower height or to the dimensions of the ground-level compound.

Thornton made a motion to approve addition of antenna per site plan review, Jaquith seconded. All voted in favor.

Administrative

Minutes Review – Aug 8, Sept 5, Oct 10

Thornton made a motion to accept August 8, 2018 minutes as presented, with amendment to make a change in the location of meeting held. Spaulding seconded and all voted in favor.

Jaquith made a motion to accept September 5, 2018 minutes as presented. Thornton seconded and all voted in favor.

Adjourn

Thornton made a motion to adjourn meeting at 8:52 p.m. Spaulding seconded and all voted in favor. Meeting was adjourned.