

**Rowley Planning Board
Minutes
For Regular Meeting on November 4, 2015
Approved on November 18, 2015**

Members present:

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

Kirk Baker, Town Planner, and, HL Graham, the Planning Boards Technical Review Agent are also present. Curtis Bryant (Member) is absent.

Thornton calls the meeting order.

0 Church Street (Clarke Associates, LLC) – SPR

Thornton notes the first item on the agenda is continued from the previous meeting on October 14th. In attendance on behalf of the application for 0 Church Street are Dave and Jeff Clarke of Clarke Associates, LLC, the property owner and applicants. Thornton notes that the Board instructed Baker to write up a draft decision letter for the project which has been circulated prior to the current meeting for review. Thornton states that the Board closed the public hearing at the last meeting and they are close to a final approval but that outstanding specifics per the fire department and the water department are pending.

Jeff Clarke states that he has found out in regards to the water connection that a town water main only exists up to the property adjacent to 0 Church Street and that the Water Department has indicated it will not accept an extension of the existing water line that leads to a dead end and that the Water Department is requiring them to loop the connection between Main Street and Central Street.

The Board discusses HL Graham's review comments. Graham points out that he still does not recommend the use of a trench drain but rather pitch the driveway to the northerly edge and a drop inlet be installed. He further recommends that the infiltration unit capacity be increased from 8-chambers to 16-chambers.

The Board and the applicant agrees to accept Graham's recommendations to the plan. They agree that the applicant should work out the outstanding issues raised by the fire department (pertaining to the driveway width impact on emergency vehicle access, the installation of a fire hydrant, and/or the installation of sprinklers in the event they cannot make the driveway 20 feet wide instead of 16 feet) and the issue providing water service to the structures prior to granting approval and signing the Certificate of Vote.

The Board sets the next meeting date for this item for November 18th at 7:30 pm.

704 Haverhill Street – SP/SPR:

Baker notifies the Board that Ed Ronan of 704 Haverhill Street has submitted a request to withdraw his application to build a storage barn greater than 1,500 square feet due to the fact that a smaller design would present a lesser impact to the on-site stormwater drainage.

Jaquith motions to accept the request to withdraw the application. Thornton seconds the motion. All vote in favor of the motion 4-0.

Cindy Lane Connector – Said Abuzahara:

Baker notes that John Morin has done his review of the submitted connector plans to determine compliance with the recent Department of Environmental Protection (DEP) Administrative Consent Order which required that the applicant address stormwater concerns to current standards to the extent which is practicable. Morin, who is present, states the plan is essentially ready to be approved by a field correction with two conditions of obtaining the final approval of the as-builts from DEP, and, providing final DEP approval copies to the Conservation Commission. Morin states this is because the original modification had to do with the roadway

alignment, instead of stormwater treatment, and, since no change to the alignment being proposed, this request should be considered a field correction

Pierce notes that because there is a superseding order of conditions involved the Conservation Commission should indicate whether it needs to issue an updated order of conditions. The applicant's Engineer, Peter Ogren of Hayes Engineering, Inc. also asserts that the original modification had to do with the alignment and not stormwater treatment and, since no change to the alignment is being proposed, the request should be considered a field correction. Based on Morin's recommendation, the Board comes to an agreement that the Planning Board will accept the proposed revision as a field correction.

Pierce makes motion to approve the revised plans as a field correction contingent on the applicant getting the final approvals from DEP and from the Rowley Conservation Commission. Jaquith seconds the motion. All vote in favor (4-0).

Wilson Pond Realty Trust – Meetinghouse Road

James Kevin Brightney, Attorney on behalf of Wilson Pond Realty Trust provides a background on the prior mediations between the Town and his client in regards to the status of Meetinghouse Road. The complaint went to trial and the judge recommended a mediation session with members of the Planning Board, the Fire Chief and other Town departments to find out if they would be amendable to their concept plan of connecting Meetinghouse Road to the currently designated Cindy Lane connector to the end of Wilson Pond Lane.

Don Desmond of Hancock Associates, presents the design details of the roadway that would consist of sixteen feet of pavement with gravel shoulders using the existing Meetinghouse unimproved right-of-way. There would be necessary tree removal to widen the right-of-way to make the necessary road width, but they would preserve portions of the stone wall. Pierce asks if the road would be paved all the way to the cul-de-sac at the end of the proposed road. Desmond states that is the case.

Pierce notes that they have never approved a sixteen foot wide roadway before and the Fire Chief has been asking for twenty-foot wide emergency access roads. Brightney said the Fire Chief had said he would consider a lesser width if they agreed to sprinkler the residential units. Pierce states that his recollection of that comment by the Fire Chief had to do specifically with two existing homes at the end of the existing Ellsworth Road private way, and did not include structures on these five newly proposed lots which were not proposed at the time of the mediation session and site visit.

Jaquith asks if there is anything on the end where the Janice Wright property is located. Desmond says no, that that lot should become a buildable lot. Pietrillo asks about the status of the stone walls. Jacquith proposes that the walls should be preserved or reconstructed.

Pierce interjects that it would be helpful to have the Planning Board's consulting engineer to review the road alignment in comparison to the concept plan he originally put forth. Pierce further observes that it should be expected the road will be used by more people than these seven homes.

Brightney notes that they would be agreeing to forego access to Leslie Road to the east. Pierce suggests the potential of doing the subdivision as an Open Space Residential Development (OSRD) and that this current plan would serve as the yield plan. Brightney agreed the partners would consider the matter but any option they consider would have to make sense to them from an economic point of view.

The Board agrees to discuss the matter at a later date after their Technical Review Agent has had a chance to review the revised concept plan.

Other Business

Baker states that notice of a Georgetown Planning Board Public Hearing for a Registered Marijuana Dispensary (RMD) was received via a letter sent by Said Abuzahra of ABZ Storage located at 1000 Haverhill Street to the Rowley Board of Selectmen as well as the Rowley

Planning Board, and, the Rowley Water Board. Mr Abuzahra states that his is an abutter and party-in-interest to the site where the proposed RMD is to be located. His concern has to do with the fact that he is in the Rowley Zone II Wellhead Water Supply protection district and he is concerned about the potential impact such a use may have on the water supply. He was also concerned that he did not receive a proper notice as required by Massachusetts General Law (MGL) for abutters and parties of interest for Special Permit public hearings.

Baker notes that the Rowley Planning Board should also have been notified as a party-in-interest since Rowley abuts Georgetown. He states that he corresponded with the Town Planner of Georgetown and there had been an error in the notification process and the Rowley Planning Board had not been given notice. Baker does note that the public hearing for the RMD is still open and the Georgetown Town Planner welcomed the Rowley Planning Board to provide comment at the next meeting on December 9th.

The Board members agree that there will be an impact to the Town of Rowley, more so than Georgetown, due to its location on Route 133 (Haverhill Street) and on the east side of Interstate 95. The members agreed that Baker correspond with the Georgetown Town Planner to find out the total number of employees and whether the larger portion of the building will be used to grow marijuana on-site.

ZRC member appointment

The Board agrees to reappoint Jaquith, Pierce, and Baker as the Planning Board's representatives to the Zoning Review Committee (ZRC). Thornton makes a motion for the appointments. Savory seconds the motion. All vote in favor (4-0).

The Board votes unanimously (4-0) to approved the October 14th Planning Board meeting minutes.

Jaquith makes a motion to adjourn the meeting. Savory seconds the motion. All vote in favor (4-0). Meeting adjourns at 9:50 pm.

