

**Planning Board Meeting Minutes**  
**Rowley, Massachusetts**  
November 7, 2012, 7:30 p.m.  
Town Hall Annex - 39 Central St., Rowley, MA

**Those present: Chairman Curt Bryant, Cliff Pierce, Jean Pietrillo, David Jaquith, Technical Consultant Larry Graham, Town Planner Katrina O’Leary.**

7:35 p.m.: Chairman Bryant calls the meeting to order.

1. Continued Public Hearing(s):

- a. 7:30 p.m. – The Residences At Rowley Country Club LLC, 237 Dodge Road (Site Plan/Special Permit Applications)

The chairman opens the continued public hearing and explains that due to scheduling concerns regarding the board’s technical consultant in addition to the fact that the Rowley Country Club’s attorney, Jill Mann, is running late, the public hearing will be continued until later the same evening at 8:00.

2. Old Business

- a. Rowley Village Green, 63 Main Street, Charles Construction Co., Inc. – Request for Modification to Multi-Family Special Permit & Site Plan Approval (Architectural and possible Understory Planting Schedule modifications)

The chairman explains that this project was approved by the Planning Board in 2010 and is now under new ownership. A pre-construction meeting took place for this project on October 25 with Charles Construction (Steven and Charles Matses), PB consultant Larry Graham, PB member David Jaquith, and Town Planner Katrina O’Leary in attendance. Graham updates the board on the result of that meeting. A schedule for flagging the no cut no disturb zone and the planting of the understory plants was created. Since then the plantings and flagging have been finished and approved. There are several outstanding issues the board needs to discuss:

- The approval contained no requirements for front setbacks. The PB may want to entertain “requesting” a 25’ front setback at this point of time. The owner is agreeable to this setback.
- The owner would like approval from the PB for alterations to several of the garages – Graham will let the owner explain their request after he has finished.
- Condition 9C in the PB approval is inaccurate. The approval should read “6<sup>th</sup> unit”, not “13<sup>th</sup> building permit”.
- The owners have proposed construction phasing that is different than that which the PB approved as part of the Stormwater Pollution Plan. He suggests allowing the owners to propose a new phasing plan to both the Town Planner and himself for approval.

John Moran, project engineer, introduces himself and goes over the changes mentioned by Graham. Steve Matses hands out plans and shows the 2 foot bump out of the garages. They feel that they can still bump the garages out and meet the front setback request of 25 feet. He also asks the PB if they will allow him to combine the two separate dormers proposed in the rear of some units into one larger shed dormer. Moran asks the PB to consider allowing the Town Planner and PB engineer consultant to approve any proposed phasing plan.

**Pierce motions that the PB “request” the owner to adhere to a 25 foot front setback from the private roadway. All members vote in favor.**

**Jaquith motions that the owners request that the garages be modified by adding two feet to the dimensions be approved by the Planning Board. All members vote in favor.**

**Jaquith motions that Condition #10.c be changed from the “13<sup>th</sup> building or foundation permit” to “6<sup>th</sup> building or foundation permit.” All members vote in favor.**

Members also agree to allow Graham and O’Leary to approve any proposed construction phasing plan.

Continued Public Hearings

- a. 8:00 pm – The Residences At Rowley Country Club LLC, 237 Dodge Road (Site Plan/Special Permit Applications)

The chairman reopens the continued public hearing for the Rowley Country Club project. He asks that the board’s engineer update the board. Graham thanks the applicants and town departments for taking the time to make detailed comments to the Planning Board. He explains all the changes that have been made since the board last met (see Graham 11/5/2012 report). He mentions the “still outstanding” issues: looped water main, Fire Dept. approval of several issues, and he also recommends that the board may want to look into Mr. Gorman’s assertion in regards to how the density was calculated for the project. PB discusses Mr. Gorman’s statement regarding density and agrees that it is not an issue.

Jill Mann, attorney representing applicant, also discusses the remaining outstanding items. The Planning Board recommends that the applicant sit down and speak with the Fire Chief and Water Department about their concerns. The applicant agrees and the board directs the Town Planner to set up such a meeting the following morning with the Fire Chief.

The chairman summarizes a letter from the Conservation Commission Agent. The Conservation Commission would like the applicant to present the Draft Conservation Restriction at one of their meetings. Mann agrees to meet with the Conservation Agent, the board clarifies that she should meet with the entire Commission. She agrees.

General discussion takes place on the process for approving a special permit with a condition for a Conservation Restriction. The board directs the Town Planner to pull the decisions for both Wild Pastures and Fox Meadows so that they can see how they have permitted other OSRD projects. The board feels that a 30 year restriction cannot be called a “perpetual restriction”. Mann answers that it is definitely “perpetual” for the grantor – it just has to be renewed by the grantee. The chairman directs Mann to talk with a representative from EOEA to ascertain the timing of the approval process. The board goes over the changes in the Draft Conservation Restriction. They discuss the changes made in response to their concerns. The existing Golf shop will be limited to 75% for any future expansion.

**Pierce motions to continue the hearing to 7:45 pm on November 28, 2012. All members vote in favor. Hearing is continued to November 28 at 7:45 pm.**

3. New Business:

- a. Metro PCS, 124 Haverhill Street: Site Plan Review Application, Wireless Modification – Review for completeness/Set Public Hearing Date

The board reviews the application package for Metro PCS for completeness.

**Pierce motions to set a public hearing date of December 19, 2012 at 7:30 p.m. All members vote in favor.**

- b. Verizon, 124 Haverhill Street: Site Plan Review Application, Wireless Modification – Review for completeness/Set Public Hearing Date

The board reviews the application package for Verizon for completeness.

**Pierce motions to set a public hearing date of November 28, 2012 at 8:00 pm. All members vote in favor.**

- c. Schedule a meeting with MVPC Traffic Planner Anthony Komornick regarding local traffic issues

The Town Planner explains that Tony Komornick, MVPC, is interested in sitting down and speaking with the board about local traffic issues. The board agrees to invite Mr. Komornick to speak at their December 19, 2012 meeting at 7:45pm (changed to 8:00 by the board at their Nov. 28 meeting).

- d. Discussion on Scenic Roads Bylaw Proposal

The Town Planner would like some direction from the board on how to respond to the received inquiry from Ms. Robin Pagliarulo for the Town to adopt a Scenic Roads Bylaw. The board discusses the pros and cons of adopting such a bylaw. The board decides that it could be a future project and asks O’Leary to send a letter to Ms. Pagliarulo thanking her for her interest and that they may consider such a bylaw in the future.

- e. Discussion on Selectmen approval to post Planning Board Vacancies

The chairman reads the correspondence from the Selectmen and announces that the Planning Board have a Joint Public Hearing scheduled with the Selectmen for November 19 to select a new Planning Board member.

#### 4. Correspondence

#### 5. Minutes

- a. October 17, 2012 Minutes

**Pierce motions to accept the 10/17/2012 minutes as drafted. All members vote in favor.**

- b. October 26, 2011 Minutes

The Town Planner explains that she discovered that the minutes of October 26, 2011 were missing and so obtained the video of the meeting to create minutes.

**Pierce motions to accept the 10/26/2011 minutes as drafted. All members vote in favor.**

#### 6. Planning Office

- a. Bills Payable (Sign Expenses)
- b. Office Procedures
  - i. Discussion RE: application procedure

## 7. Adjournment

**Jaquith motions to adjourn at 9:45 pm All members vote in favor.**

Documents provided at the meeting and available in the PB office:

- Minutes of 10/17/2012 and 10/26/2011
- Rowley Country Club:
  - Residences at RCC revised plans
  - response from applicant
  - PB consultant review
  - 10/22/12 letter from Judith Pickett
  - 10/23/12 email from Building Inspector
  - 10/24/12 letter from Municipal Water Dept.
  - 10/25/12 letter from Health Department
  - 10/29/12 letter from Police Department
  - 10/29/12 letter from Municipal Lighting Plant
  - 10/30/12 email from Police Chief
  - 10/30/2012 letter from Selectmen
  - 10/31/12 letter from Building Inspector
  - 10/30/2012 letter from Fire Dept.
- HL Graham reports:
  - 11/5/2012 Residences at RCC
  - 11/5/2012 Rowley Village Green
- Scenic Road bylaw request

Minutes accepted at the November 28, 2012 meeting.