

Planning Board Meeting Minutes
Rowley, Massachusetts
November 28, 2012, 7:30 p.m.
Town Hall Annex - 39 Central St., Rowley, MA

Those present: Chairman Curt Bryant, Cliff Pierce, Jean Pietrillo, (David Jaquith arrives at 7:40pm), Technical Consultant Larry Graham, Town Planner Katrina O'Leary.

7:30 p.m.: Chairman Bryant calls the meeting to order.

1. Continued Public Hearing(s): 7:30 p.m. – Sprint Spectrum, Site Plan Review – Wireless Cell Tower Modification, 467 Haverhill Street

Chairman Bryant opens the public hearing and reads the legal advertisement for the application. He asks the applicant to introduce himself and present the application.

David Archambault, representing Sprint Wireless, explains that Sprint would like to upgrade the equipment at all their existing sites, including the existing cell tower at 467 Haverhill Street. The intent is to stay away from creating new cell tower sites. He describes the actual equipment that will be replaced, including the equipment boxes. They are upgrading the wires from copper to fiberoptic.

Pierce asks if they are raising the height of the tower. Archambault answers that they are not changing the height, if the members are interested the application contained a photo simulation of what the change will look like. Jaquith arrives at the meeting at 7:40 pm.

Archambault describes that they have been held up because they had to complete an outstanding order of conditions from the Rowley Conservation Commission. They have now received an approval letter from the Conservation Agent. The chairman reads this letter from the Conservation Agent.

Pierce motions to approve the application for Site Plan Review. All members vote in favor. Motion passes.

2. Old Business: Hawkesworth Estates – Bond Reduction Request

The chairman takes the bond reduction request for the Hawkesworth Estates Subdivision out of order because the board is waiting for the arrival of their technical consultant for the R@RCC public hearing. He reads the letter from Larry Graham recommending a reduction of the \$138,000 tripartite agreement down to \$20,000.

Jaquith motions to reduce the amount of surety for the completion of Hawkesworth Estates Subdivision from \$138,000 to \$20,000. All members vote in favor. Motion carries.

3. Continued Public Hearing - 7:45 p.m. - The Residences At Rowley Country Club LLC, 237 Dodge Road (Site Plan/Special Permit Applications)

The chairman opens the continued public hearing. He explains that since the last meeting, the applicant has met with many Town Departments to discuss any outstanding concerns. The board has received correspondence from all departments regarding the changes made to the plans to meet their

requests/recommendations. The applicant has also met with the Conservation Commission regarding the Draft Conservation Restriction and will be going back before them next week.

Jill Mann, atty. Representing the applicant, updates the board on the conference call that took place between Rowley Town Counsel, herself, the Town Planner, and the Planning Board chairman. Although the Town Counsel maintains that the only perpetual restriction is one approved under c. 184, Ms. Mann feels that the Town is able to enforce a perpetual restriction through the conditions contained in the special permit.

Pierce asks Mann if the applicant still intends to submit a Conservation Restriction to the State EOEEA. Mann answers that they have always intended to submit a Conservation Restriction to the state, and they plan to appear back before the Rowley Conservation Commission (RCC) next week to hopefully finalize their application. Mann hands out copies of a newly revised Conservation Restriction and plans. She points out that they have added a building envelope around the existing Golf Shop. The RCC also requested a baseline plan which includes aerial and elevation pictures. They have the baseline plan finished and drop off a copy for the Conservation Agent. Ms. Mann adds that they will also submit a plan for pesticides and chemicals, as requested.

The Town Planner asks if the applicant has included a plan for how the existing buildings in the Open Space parcel can be used in the future if the golf course closes. General discussion takes place on how best to word the Conservation Restriction to allow for an acceptable future use of the existing buildings. Pierce proposes allowing the buildings to be used for uses accessory to passive recreation. Mann suggests allowing the Town to utilize the buildings if the golf course ceases to exist.

Chairman Bryant reads an email from Water superintendant John Rezza to the Town Planner – in which he agrees that a condition be added to the decision which requires the applicant to receive approval from the Rowley Water Board before any construction takes place.

Ms. Mann discusses Mr. Graham's draft conditions, dated November 26, and feels that they were reasonable.

Jaquith thanks the applicant for agreeing to use cement board siding instead of vinyl siding on the units. Ralph DiGiorgio states that he is very pleased with the final product.

Chairman Bryant asks specific questions on the detention basin. He asks the board if they agree with the options that Larry Graham has included in the draft conditions. No members disagree with the condition as proposed.

The chairman suggests that it may be time to close the public hearing. Pierce agrees that they should close the public hearing and then use the next meeting as a working meeting to discuss the project.

Pierce motions to close the public hearing. Jacquith seconds the motion. All members vote in favor. Motion passes.

The board intends to discuss this project at their December 19, 2012 meeting at 7:30 p.m. (Subsequent to this meeting it was discovered that they have a public hearing scheduled for Dec. 19, 2012 at 7:30 p.m.)

4. Public Hearing(s): 8:00 – Verizon, Site Plan Review – Wireless Cell Tower Modification, 124 Haverhill Street

Chairman Bryant reads the legal notice for this public hearing.

Pierce motions to open the public hearing. Jaquith seconds. All members vote in favor. Motion passes.

Dan Kasnick, attorney representing Verizon Wireless, presents the application to the board. He explains that Verizon is upgrading to 4G, so in compliance with the Rowley zoning Bylaw, they are applying for a Site Plan Review. There will be no ground work involved, they will only be replacing existing antenna with new antenna.

Jaquith motions to close the public hearing. Pierce seconds the motion. All vote in favor.

Bryant motions to approve the Site Plan Review application for Verizon Wireless at 124 Haverhill Street. Jaquith seconds the motion. All vote in favor. Motion passes.

5. Old Business: James Bussing, Oakhill Financial LLC, 706-708 Haverhill Street; Posting of Surety

The Town Planner updates the board. The owner of this Special Permit Common Driveway development has finished the common driveway and one home. The conditions of the Special Permit specify that before an occupancy permit can be issued, surety must be posted in an amount that covers the cost of any outstanding work items and also maintenance of the common driveway until both homes are sold. Larry Graham has recommended a surety of \$5,000 which has been submitted by Mr. Bussing and deposited with the Town Treasurer. The Board should vote to set/accept the bond amount and check.

Pierce motions to accept the \$5,000 submitted by James Bussing as surety for the Special Permit Common Driveway at 706-708 Haverhill Street. Jaquith seconds the motion. All vote in favor.

6. Correspondence

The Town Planner explains that she has received as-built plans from 8 Turcotte Memorial Drive and asks the Board if they need to take action on the as-builts that were required as part of the conditions of this project's approval. Larry Graham suggests that they send the as-builts to him to review and he will make a recommendation to the board whether it meets their Certificate of Vote requirements. The board agrees.

O'Leary also lets the board know that they have received a request for comments from the Selectmen on an Illuminated Sign permit application. O'Leary asks the board if they would like her to review the application and make comments on their behalf. The board decides to have this item placed on their December 19 agenda so that they can review the application and make recommendations.

7. Approval of Minutes: November 7, 2012 minutes

The board reviews the minutes and make several changes.

Pierce motions to accept the minutes as changed. Jaquith seconds the motion. All vote in favor.

8. Adjournment

Jaquith motions to adjourn at 9:30 pm. All members vote in favor.

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

- Minutes of 9/7/2012
- Rowley Country Club:
 - Residences at RCC revised CR & CR plans
 - PB consultant draft conditions
 - 11/28/12 email from Municipal Water Dept.
 - 11/26/12 letter from Police Department
 - 11/26/2012 email from Fire Dept.
- Correspondence

Minutes accepted at the December 19, 2012 meeting.