

Rowley Planning Board
Minutes
For Regular Meeting September 27, 2017

Members Present

Chris Thornton (Chairman), Mark Savory (Member), Troy Spaulding (Member), and Jean Pietrillo (Associate Member) are in attendance.

Cliff Pierce (Member) is absent.

Kirk Baker, the Town Planner, and Larry Graham, P.E. the Board's Technical Review Agent are also present. Chris Thornton calls the meeting to order at 7:30 p.m.

Approval-Not-Required (ANR) Plan for 221 Main Street - Map 25, Lot 35

Bob Merry from the Rowley Board of Selectman, presents an ANR Plan to the Planning Board for potential endorsement. Merry gives information about the property at 221 Main Street stating the Town has plans to acquire the rear portion of the parcel in order to merge with the abutting town-owned parcel for the purposed of having town sports fields. The rear Town-owned portion does not have its own frontage on a public road but this should not be a problem as it is going to be used for Town recreational sports fields rather than a building lot.

Merry also notes that the front, private-owned parcel from which the land area is being taken will still be in compliance with the zoning requirements (frontage, lots area, lot width). Graham asked Merry about a small jog in a segment of the boundary line between the two lots. Bob Merry explains that the line jog is not a problem where the ANR endorsement is concerned.

Thornton states that in his view the property meets all the necessary criteria for Planning Board endorsement of an ANR plan. Spaulding makes motion made to endorse the ANR. The motion is seconded by Savory. The Board votes unanimously (3-0) to endorse the ANR plan for 221 Main Street.

Informal Discussion - Project Team for the Proposed Rowley Police and Fire Station 477 Haverhill Street - Map 13, Lot 1

Baker explains that the Police/Fire Station project located at 477 Haverhill Street (parcel 13-1) is under review by several Town agencies such as the Conservation Commission and the Zoning Board of Appeals (ZBA). He notes that, due to the encroachment of the proposed building into the 50-foot minimum setback area (MSA) pursuant to ZBL Section 6.1.3, that the ZBA is the designated the permit granting authority for the project Special Permit, and will hold the public hearing accordingly, but that the ZBA has also requested that the Planning Board permit its technical review agent to review the site layout and to make recommendations to the ZBA for

incorporation into the final approval. Baker states that Mr. William Murray, the Engineer for the project from Places Associates, Inc., is in attendance to explain the details of new site layout to the Planning Board and will answer any questions they may have.

Murray introduces himself and goes over the project design. Murray notes that Dave Peterson, from the Board of Selectmen is also present in the audience. Murray notes that he forwarded the plans to HL Graham for review several days prior. The Planning Board then discusses some of the site layout details including the addition of a sally port, the construction of a training tower on the side of the fire station, the relocation of driveway access to the site, and the locations of the parking spaces for both facilities.

Graham raises the question of onsite stormwater management in particular the design of the catch basin which should be used for this site. Murray notes there will be only one common septic tank in the back of the proposed buildings. He notes that per Title 5 requirements, the buildings are considered a single facility even though there will be two buildings.

Murray notes that they've determined that he doesn't believe there to be a need for painted ground-markings in the Haverhill Street right-of-way at the entrance to this site which designates a vehicular "do not block" zone. He notes that this was already done for the nearby 414 Haverhill Street Medical Offices and daycare, but that here the necessity and the traffic flow pressures being at a distance from the Route 1/Route 133 intersection are significantly less. Murray notes that more than 80% of all the calls responded to by the police are done so by field deployed units as opposed to being deployed from the police headquarters. Murray also notes that the most important feature of the entrance design to focus on is that a ladder truck has sufficient space for ingress/egress turning movements. Murray notes that the Fire Chief and the Police Chief are favorable to this design.

Murray then notes that new fencing between the facility and park will be installed as well as a screening wall around the trash dumpster. He then states that there will be 30 parking spaces for police station personnel, 30 spaces for fire station personnel, and then, and 18 spaces for the public.

Graham asks about whether they have done a formal analysis of the traffic flows on Haverhill Street. Murray states they have and they have determined there to be minimal difference between the pre-development and post-development flows. He notes the police station is already there and the additional of the fire station represents only an incremental increase in the number of personnel arriving onsite for any given shift. He notes that the maximum number of personnel at the facility during peak hours will be a full complement of fire personnel present during training sessions.

Thornton asks about the landscape plan. Murray talks about the choices of plantings being appropriate for seasonal aesthetics, being compatible with the onsite soil types, and being adequate to ensure visual screening. He notes there will be plenty of space set aside for snow storage. The Board also asked about public parking for both uses, the need for signage, and the means for restricting the public from accessing the facility via the rear of the building.

Peterson stated the parcel is dimensionally compact and that the proposed design attempts to minimize the access from the park side while keeping the fields as they are. Murray said his design team met with the organizer for the baseball curriculum for the fields located behind this site to discuss the potential of losing a ballfield in order to make space for the installation of a basin to serve the area for drainage. He notes the site for the basin because it posed the minimal impact to the sport fields.

The Board asks Murray when they will need Graham's technical review report. Murray notes his target date for comments is November 12, 2017. The Planning Board requests that Graham conduct as technical review and work directly with Murray to address any site design issues.

Continued Hearing - OSRD Special Permit Application/42 Newbury Road

John Sullivan, the applicant and property owner presents his newly revised plans with the prior changes recommended by the Planning Board incorporated. Graham states he had just received the revised plans a few days before and that he will proceed to do the review and that his technical report shall be forthcoming. The Board discusses the most recent version of the plans. At issue were the drainage impacts and the addition of visitor parking spaces. They discuss adding two new parking spaces in proximity to the proposed unit two. Sullivan notes that they have tried to create the look of a farm property and that they would like the parking and the driveways be compatible with that theme. He says he especially wants to make the area attractive for potential owners and for people using the open space areas at the back.

The Board also discusses the proposed turnaround in front of the L-shaped building. They didn't think the Fire Chief had yet indicated his approval for that turnaround. Graham requests that the confirm the Fire Chief finds it to be acceptable. Sullivan says that he will meet with the Fire Chief in the upcoming week.

The discussion then touches on the drainage basin located in the front. Graham indicated that he was satisfied with the proposed stormwater management but does note that his needs to receive the project engineer's finalized drainage calculations. The Board indicates the plan is close to approval, but they decide to wait until the October meeting when they will have the revised documents before closing the public hearing and taking a formal vote.

Continued Hearing - Site Plan Review/Hydrant Regency Dog Kennel/104 Newburyport Turnpike

The applicant's engineer, Rich Williams of Williams and Sparages is present and notes that he is working with the applicant to determine how best to address Graham's previous comments. Mark and April Bernhardt, the applicants, were also present to assure the Board they are working diligently to complete their design for the project. They have discussion pertaining to the grading in the area of the proposed dog runs, the problems of liquid and solid waste runoff from the site, and the proper methods of waste disposal. Mark Bernhardt, apologizes to the Board for the delay stating that he was not involved in the initial plan preparation, and that he has come to see that Charles Peabody (the original applicant who filed on behalf of the Bernhardts) was actually more ambitious and complex than he actually needed. Moreover, he asserts that it was Peabody who initially insisted that there would on a daily basis, be up to 50 dogs running around on the site. Now, however, Bernhardt insists that he actually is only

looking to have somewhere between 10 to 15 dogs per day. He further notes that he has been in this type of business for over 10 years and knows how to run such an operation very efficiently. In regards to the issue of waste removal, Bernhardt states that he intends on having a specialized waste container kept on the premises which will be emptied bi-weekly.

Thornton notes that the Board will have to make a decision on the plan as it has been submitted and that if he is planning to have these changes that he needs to have his engineer to revise the site plan accordingly. The Board also suggests that Bernhardt get additional input from the Board of Health regarding waste disposal. When asked about the hours of operation, Bernhardt states that most of the traffic flow in and out of the property will be between 7 and 9 a.m. during morning hours, and then from 4 to 6 p.m in the afternoons and evenings. Regarding the need for fencing, Bernhardt asserts that it is not noisy except when someone is entering/exiting the dogruns which set the dogs off to barking together.

Bernhardt states that they will go in after the dogs and pick up the wood chips from where the dogs urinate so as to alleviate the potential for odor build up. He adds that they will have fresh wood chips brought in regularly on a scheduled basis which will ensure that there will be no long term buildup of odors. The Board notes that there are still a number of issues to work out with the plans as currently submitted. The members agree that it would serve the Bernhardt well if they were to simplify the plan from what they were at the beginning citing that the proposal of three dog runs is not feasible for this site considering the slope of the hillside and the amount of modification to the topography necessary to fit them. Thornton notes that the applicant will need to get a revised plan in by first week of October in order for Graham to have time to review the changes prior to the next meeting to be held on October 11, 2017.

Administrative Business

Old Main Street private drive off Cross Street and Route 1A (Main Street)

Baker initiates the discussion of an issue brought to him MADOT and property owners (for addresses from 434 to 456 Main Street also designated as Route 1A) who live on the “Old Main Street” private road which is a gravel driveway located just off Cross Street near its intersection with Main Street. The driveway is located within the Route 1A (Main Street) right-of-way and is maintained by the state.

Baker notes that he has had recent discussions persons from MADOT who have indicated that the private drive falls within the state’s right-of-way along Route 1A, but that MADOT is looking to have it removed from their maintenance schedules and are seeking to either vacate the use of the road and giving the owners who use it direct access to Route 1A, or, upgrading the road to local standards and turning the way over to the Town of Rowley. According to the MADOT officials, the property owners prefer the latter option to have the Town accept and then maintain the road segment. Baker points out that MADOT’s preference is the former option but also notes that MADOT has indicated its willingness to work with the property owners to get the road ready for Town acceptance.

Board of Selectmen member Dave Peterson confirmed that MADOT had initially recommended to the property owners that they opt to have their driveways extended out to Route 1A considering that the state would foot the bill. However, the owners decided themselves they

preferred the indirect access to Main Street via Cross Street and also preferred the road be brought up to current standards.

Peterson notes that he is personally opposed to a plan where the Town accepts the private driveway and insists that it will be simpler for the owners to connect their driveways to the Main Street. Baker notes that MADOT said they would prepare conceptual plans that would depict several options either with the driveway having a cut-through to Route 1A, or simply terminating in a dead end with some type of turnaround. Thornton questions whether that driveway segment, since it was once part of Main Street, has any historical significance. Jaquith recommends checking with the Historic Commission. He notes that houses on the roadway were built after Main Street was straightened, and they purchased their homes with this roadway there.

Mr. Peterson stated if the town is interested in this road then DOT should pay for the upgraded road whether it be a dead end or a cut-through. Peterson reiterates that he cannot see a benefit to the Town if it were to accept the road and anticipates that such an article would not easily gain Town Meeting approval. He continues that it's been the state's problem, that they chose to leave the road in when they constructed the current configuration of Route 1A, but now they only want to unload the problem onto the Town. He notes that the property owners who live there have the option of accepting the road themselves and then entering into a shared maintenance agreement between themselves without having to involve the Town. Peterson also points out that MADOT's own stated preferred option of just connecting each owner's driveway and that MADOT will cover the cost is already confirmed a viable option and, he asserts, this is the simplest solution.

Thornton stated he thought that there was a reasonable argument that could be made for the Town to consider taking over the private way. He suggested that Baker look into whether the road has any historical value, and if so, then the owners would need to search out other options.

Baker notes that he still needs to meet with the neighbors. He notes that it would be on the neighbors to demonstrate that there is a benefit to the Town for taking over the way. Peterson states that the Board of Selectmen should also be involved and probably would be the ones to make the final decision.

Adjournment

Chairman made a motion to adjourn at 9:37 p.m. All voted in favor.