

Rowley Planning Board
Minutes
For Regular Meeting September 5, 2018

Members Present

Chris Thornton (Chairman), David Jaquith (Vice Chairman), Troy Spaulding (Member), Mark Savory (Member), Kirk Baker (Town Planner) were present. John Urbanczewski (Member), Kevin Daley (Associate Member) were absent.

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

Approval-Not-required (ANR) Plan – David Dalzell on behalf of 17 Perley Avenue Realty Trust

Mr. Dalzell states that he wants to create a second lot on which to build a single-family residential dwelling. Baker confirms that the proposed lot meets the dimension for lots in the Central Zoning District and that there is sufficient frontage on Perley Avenue which in turn is an existing public way. Thornton requested a motion to endorse the plan submitted. Jaquith made motion to accept the plan, seconded by Spaulding. All voted in favor.

Final action to approve the Site Plan Review (SPR) Large-Scale Solar Photovoltaic Facility at 623/607/599/615 Wethersfield Street

Thornton states that at the last Planning Board meeting the Board had taken action on the Special Permit applicant but not on the Site Plan Review which had been initiated in November 2017 and continued with the submittal of the Special Permit application. In that regard, he notes the Board needs to take a formal action on the Site Plan Review application also. He notes the Special Permit decision was already issued.

A motion was made by Jaquith to close the public meeting for site plan review. Spaulding seconded the motion and all voted in favor. Spaulding made a motion to accept the site plan that was under consideration in conjunction with the Special Permit approval granted at the August 8, 2018 Planning Board meeting subject to the same conditions of the special permit. Jaquith seconded and all voted in favor. All voted in favor of approval of vote.

Preliminary Plan – 4-Lot Conventional Subdivision Preliminary Plan at 623/607/599/615 Wethersfield Street

Tom Beatrice, applicant, requested continuance of a preliminary plan review. Jaquith made a motion to continue at the Board's next meeting, October 10, 2018. Spaulding seconded the motion and all voted in favor.

Continued Public Hearing – Special Permit for Marijuana Manufacturing Operation at 319 Newburyport Turnpike, Units 2 and 3 Rear (Morando Brands, LLC)

Baker stated that he had discussed the traffic and parking with HL Graham but that he did not see any issues due primarily to the fact that the proposed use generates no customers on-site. He asserts there would not be much impact on this existing facility as it is manufacturing only. He further notes that no changes will be made to the site building outside, any construction will be all interior. Thornton offered the floor to anyone in the public interested in speaking. No one was present from the public for discussion or comment.

Thornton requested a motion to close the public hearing. Spaulding made a motion to close the hearing, Savory seconded. All voted in favor.

Thornton made a motion to approve special permit and for Baker to write up a Certificate of Vote with the standard conditions. Jaquith seconded and all voted in favor.

Continued Public Hearing – Special Permit Review for Registered Medical Marijuana Dispensary/Retail Establishment at 116/120 Newburyport Turnpike (Adam’s Mall) – Joseph McCarthy of Ipswich Pharmaceutical Associates

Baker notes that the Board’s reviewing Traffic Engineer, Kim Havartian, had provide comment regarding the traffic flow in and out the site. One particular concern is the one-way looping around the building and the potential that cars unable to find parking would be forced to leave the site to make a left turn out of the parking area from the south entrance only to have to make a left ingress turn into the north entrance in an effort to circle back around until a space opens up. While this is not a current issue as there appears to be sufficient parking for the existing uses, the addition parking required to an extent yet unknown with an untested use like retail marijuana sales, may create a situation where the above scenario becomes a reality. The Board therefore asserts that it should plan for this as a possibility.

Per the reviewing engineer’s recommendation, the Board agrees that upgrading the parking lot markings would be a necessary approval condition. Moreover, Thornton asserts that the Board may want to consider the review the traffic element within a year of the initial approval, consulting with police to ascertain if a traffic problem has become evident.

The Board further discussed the traffic plan with McCarthy, encouraging line painting for traffic flow and site distance for leaving the lot. The Board asks the applicant to confirm that he intends for the front of building stay the same. McCarthy confirms that he is not proposing changes to the building exterior. They then discussed the proposed hours of operation (8am to 8pm). With the downstairs front store closing at 5pm, he doesn’t feel hours would be conflicting. Thornton asked about signage on the southern exit and recommends they should delineate two lanes going out, one with a left arrow and the other one with a right arrow.

Thornton asked that a new parking plan be submitted including items discussed prior to the Board voting on a Certificate of Vote that Baker will draft for the next Board meeting on Wednesday October 10, 2018. Jaquith made a motion to continue the public hearing to October 10, 2018. Spaulding seconded. All voted in favor.

Review Certificate of Vote – Site Plan Review Application for Hydrant Regency Dog Kennel, 104 Newburyport Turnpike

Thornton states that the Board has before them the plan which was proposed to them in December 2017 which shows one fenced dog run area. The applicant, Mr. Mark Bernhardt, is present and asserts that the Mass Highway Department permit review is on-going and that he would agree to an approval that is ultimately conditioned on receiving that permit for the entrance where it is currently proposed to be located. He states that he understands that a failure to obtain that permit would necessitate his having to return to the Planning Board to amend the site plan approval.

Baker notes that the engineer has not gotten in touch with him and that it will need to be a condition of approval that hard copies of the plan must be submitted to the Planning Office prior to them getting a building permit for the proposed building. Baker further notes that he included language in the draft Certificate of Vote, that the owner will have 60 days from the date of approval to have the Board of Selectmen's to grant a temporary approval for the storage trailer or he will have to have it removed.

Another outstanding condition is on the Mass highway permit. A stipulation needs to be included that the project can't move forward until that taken care of. The Board discussed other items including connecting to town water and keeping the well for landscaping, the stockade fence there now and possibility of a retaining wall. Thornton stated owner should hold off on landscaping until response from DOT is received. At that point the plan should also show a landscape plan for drainage and the new structure.

Thornton reiterated other items needed and stated Williams needs to send full sized copies of final plans to the Board. Jaquith made a motion on the vote subject to conditions discussed. Spaulding seconded. and all voted in favor. Topic will be continued at October 10th meeting.

563 Wethersfield Street – Discussion regarding Martha Chase Geary's request to sell property following the property's removal from 61A State Forestry. Baker notes that the Town has been notified of its right of first refusal regarding the property. He notes that according to the Rowley Master Plan, the property contains a residence and barn, but doesn't appear to contain any rare habitat or valuable land for open space recreation. The Board recommends the property not be under consideration for purchase by the town. A motion was made by Jaquith to vote to endorse a decision not to purchase the property. Savory seconded and all voted in favor.

Baker presents the minutes from the June 2018 meeting. Spaulding made a motion to accept the meetings minutes, Savory seconded and all voted in favor.

Jaquith made a motion to adjourn the meeting. Spaulding seconded. All voted in favor. Meeting was adjourned at 8:54 p.m.