

# **Rowley Planning Board Meeting**

Wednesday, September 17, 2014

## **Approved Minutes**

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Planning Board Members present: Curtis Bryant (Chairman), Cliff Pierce (Vice Chairman), David Jaquith, Jean Pietrillo, Chris Thornton, Steve Kassiotis. Kirk Baker, Town Planner is also present.

Bryant calls the meeting to order at 7:30 pm.

### **Site Plan Review - 56 Newburyport Turnpike**

Applicants present: Liz Dupre, Clearwater Environmental and Mark Savory, Property Owner (arrival at approximately 7:45).

Bryant reads the legal advertisement into the record. Dupre presents the proposal to the Board. Bryant notes that the Town Planner has presented the Board with written comments. Kassiotis asks about the current use of the property and whether part of the Bay Road Auto Sales encroaches onto the area which the proposed use is to be located. The Board also asks Dupre about the number of use in operation on the site. She states that only Bay Road Auto Sales is currently operating on the site.

The property owner Mark Savory arrives. The Board asks Mr. Savory the same question regarding the number of uses on the property. Savory states that there are a number of storage uses in operation in the area behind where the landscape contractor storage building will be constructed. The Board members express their concerns that none of the uses have been evaluated for compliance with the Zoning Bylaw. The members also indicate that the number of uses located on-site will impact the current review in regards to the quantity of vehicle trips into and out of the site. The Board states that the applicant will need to present additional information in regards to the other uses being operated on the site before the Board can continue to review the application. Bryant asks the Board members if they feel they should continue the public hearing so the applicant can present the Board with written information in regards to the other uses.

The Board votes 6-0 to continue the public hearing.

### **Daniels Rd – Chapter 61 Request:**

Baker presents the applicant's request to have their property removed from the Chapter 61 Forestry Program, and the written proffer to allow the Town to exercise its right to purchase the parcel. Baker states that Massachusetts General Law Chapter 61 gives local governments the "right-of-first-refusal" which is the right to purchase the property before the property is put on the real estate market. Baker notes that the property does not appear as a property targeted for municipal use or for conservation by the Open Space Recreation Plan (OSRP). Baker also presents a memorandum from the Conservation Commission stating the same findings in regards to the OSRP and therefore recommending that the Town not exercise its legal right to purchase the property.

Pierce motions that the Planning Board recommend to the Board of Selectmen that the Town sign the waiver to waive its right to purchase the property. The Board votes 6-0 to approve the motion.

**4 Main Street – Set a SPR Public Hearing date:**

Baker notes that the Board has until October 22<sup>nd</sup> to hold a public hearing. The Board members discuss available meeting dates and determine that the public hearing for a 4 Main Street Site Plan Review shall be held at 8:00pm on October 15, 2014.

**Memorandum from HL Graham regarding Wild Pasture Estates:**

Bryant presents the Board members a memo from HL Graham in regards to three issues affecting Wild Pastures Estates which the Board needs to decide on. The Board considers issue #1 about the overlay of the intersection of Wild Pasture Lane with Wethersfield Street. The Board discusses and agrees with Graham and the opinion of the Town Highway Surveyor that the overlay is no longer appropriate. Pierce motions that the Board vote to waive the condition. Jaquith seconds the motion. The Board votes 6-0 to approve the motion.

The Board then discusses issue #2 in regards to using paint markings to notify drivers to “slow” rather than using rubble strips as original stipulated by the approval. Bryant mentions that in his experience the rubble strips can come loose and that fixing them is expensive for a municipality. Thornton asks if there is an actual speed problem in that area but concedes that paint marking would be an efficient way of causing traffic to slow down. Pierce motions the Board waive the requirement for rubble strips. Jaquith seconds the motion. The Board votes 6-0 to approve the motion.

The Board considers issue #3 in regards to HL Graham’s recommendation to allow the property owner of 45 Wild Pasture Lane to keep their double-wide driveway as it exist although contrary to the approved site plan by allow them to sign a waiver that would also exempting the Town from any future obligation to correct any issues which may arise from the new configuration. Pierce motions to accept Graham’s recommendation. Kassiotis seconds the motion. The Board approves the motion 6-0.

**Minutes:**

Jaquith motions for approval of the minutes from the August 13, 2014 Planning Board meeting. Pierce seconds the motion. The Board votes 6-0 to approve the minutes.

Bryant motions to adjourn the meeting. Jaquith seconds the motions. The Board votes 6-0 to adjourn the meeting at 9:00 pm.