



Town of Rowley  
Massachusetts

## ZONING BOARD OF APPEALS

39 Central Street, PO Box 275, Rowley, MA 01969  
Phone 978.948.2657 Email [zoning@townofrowley.org](mailto:zoning@townofrowley.org)

### February 15<sup>th</sup>, 2018 Meeting Minutes

Those present: Chairman Donald Thurston, Clerk Thomas Heidgerd, Member Robert Clewell, and Member Donna Thibodeau. Member David Levesque is not in attendance.

#### I. Call to Order

7:00 pm. Chairman Thurston calls the meeting to order and reads the Agenda for the record.

#### II. Misc.

7:03 pm - Approve January 18<sup>th</sup>, 2018 Minutes

Chairman Thurston reads the minutes into the record. **Chairman Thurston asks for a motion to accept. Heidgerd so moves. Clewell seconds. All in favor.**

#### III. Decision Accept and Vote

7:11 pm - #18.09 – 228 Main Street – Diane Smith – Special Permit

Chairman Thurston reads the Decision into the record. Board Members discuss the missing requested documentation and whether or not to sign the Decision. Chairman Thurston states the applicant has previously sold the property. Board Members decide not to take action. Clewell says it's all the more reason for the Board Members to receive documentation to which the Decision is subject. **Chairman Thurston asks for a motion. Clewell so moves. Thibodeau seconds. All in favor.**

#### IV. Cont'd Public Hearing (s)

7:27 pm - #18.07 – Ocean Avenue – Vote to Continue Hearing to March 15, 2018

**Chairman Thurston asks for a motion to accept. Heidgerd so moves. Clewell seconds. All in favor.**

7:29 pm - #18.06 – 40B - Marion Way – Daniels Road

Chairman Thurston states Mr. Decoulos has submitted a new plan/proposal for 12 single family dwellings, revised ZBA application (which needs to be stamped by Town Hall Clerk's office) and documentation depicting a new manager for the Marion Way LLC – Mr. Michael Crowe of 66 Lockwood Lane, Boxford, MA.

Board Members view the plan. Heidgerd states if anything that is covered in the plans supplied back in September/October of 2017, do they actually apply directly to the layout of the new plan of 12 properties? It seems there would have to be some difference in the way things are run such as driveways, etc. The Board will need that sort of information. Also mentions the right of first refusal for the Town. In fairness to the new developer, that process has to be reinitiated.

Michael Crowe of Boxford introduces himself and explains his intent to the Board. Says he wanted to meet the Board and have a discussion. The density is down, 12 families and not 20. Says he is willing to sacrifice to make the project work and thinks it makes sense for the town. This is not a new

application. It's an amended/revised application in part of the process in negotiating. Details such as the septic systems will be changed (amount) but the roadway itself is not being touched.

Chairman Thurston asks about the 6 septic systems falling within 100' buffer zone and Michael Crowe says the state standard is 50'. Chairman Thurston asks if would be willing to do 10 dwellings and Mr. Crowe says can't do it.

Heidgerd asks how long the building process would actually take and Mr. Crowe says probably 24-36 months depending on speed with building and codes.

Heidgerd states and requests the Board will need a full set of plans with revised changes and to get the info by middle of March to distribute to the Town Boards in time for the April meeting. Decoulos says he could get the documentation in a few weeks.

Chairman Thurston states the Board wants to see the project go. The Board is willing to work with you if you're willing to work with us. Mr. Crowe states it's a fresh start for him, he's actively involved and going to April allows him to get the requested information to the Board. Mr. Crowe also states he may not be at the April 19<sup>th</sup> meeting due to it being school vacation and may be away.

**Chairman Thurston asks for a motion to continue the hearing to April 19<sup>th</sup>, 2018. Heidgerd so moves. Thibodeau seconds. All in favor.**

#### **V. Adjourn**

**Chairman Thurston asks for a motion to adjourn. Heidgerd so moves. Thibodeau seconds. All in favor.**

**Meeting adjourns at 8:40 pm.**

Respectfully Submitted by Lisa Lozzi

Minutes accepted at the \_\_\_April 19<sup>th</sup>, 2018\_\_\_ meeting.

**Documents and exhibits provided/used at meeting and are available in the ZBA office:**

Agenda

1.18.18 Minutes

18.07 Continuance Email

18.09 Decision

18.06 Revised Marion Way Application

18.06 Certificate of Amendment

18.06 Email from Linda Lincoln-ref: P&S

Letter from John Decoulos

Letter from Currier Const Co. – snow plowing

18.06 Proforma Data

Four 8x10 pictures of proposed dwellings to be built