

Board of Selectmen
Tuesday, January 21, 2014

A meeting of the Rockport Board of Selectmen was held on Tuesday, January 21, 2014 at 7pm in Conference Room A of Town Hall. Present were three selectpersons and the Town Administrator; Selectpersons Sheedy and Wilkinson were not present.

7:00 Meeting Called to Order

7:13 National Grid Hearing for 50 Beach Street: Selectperson Lucas moved that the Board open a Public Hearing on the petition of National Grid covering the installation of underground facilities to 50 Beach Street, seconded by Selectperson Murphy, Vote: 3-0.

Open National Grid
Hearing for
50 Beach Street
Motion Approved

National Grid representative, Sibhita Mahabier, was present from 44 River Street, Beverly. She said she is here regarding underground service from a public way from an existing pole; it's for a new house.

Chairperson Battistelli read the posting in the newspaper.

Close Hearing: Selectperson Lucas moved that the Board of Selectmen close the Public Hearing, seconded by Selectperson Murphy, Vote: 3-0.

Close National Grid
Hearing for 50
Beach Street
Motion Approved

Selectperson Murphy moved that the Selectmen grant approval to National Grid to construct a line of underground electric conduits under and across 50 Beach Street as shown on the National Grid Plan number 15988294 dated November 26, 2013, seconded by Selectperson Lucas, Vote: 3-0.

Approval to
construct
underground
electric conduits at
50 Beach Street
Motion Approved

National Grid/Verizon Hearing for Breakwater Avenue: Selectperson Murphy moved that the Board open a Public Hearing on the joint petition of National Grid and Verizon requesting permission to erect and maintain utility poles, wires, and fixtures in a public way as well as to install underground facilities on Breakwater Avenue, seconded by Selectperson Lucas, Vote: 3-0.

Open National
Grid/Verizon
Hearing for
Breakwater Avenue
Motion Approved

The representative from National Grid said this is an existing service and the applicant does not want the pole in his line of view so he wants it moved and they want underground services. It is being moved to accommodate this. The pole will be moved to the other side of the property.

Steve Schaefer, 12 Breakwater Avenue, was present. He said he already has a pole and fire hydrant on one side of his property; he doesn't want to be surrounded by wires. He is an abutter and is not in favor of this request. He is concerned that the light will illuminate his front yard; he doesn't want the pole moved. He said if this is approved, they will have a pole on both sides of their property. He questioned why the applicants can't run the power underground from where the pole is now.

Frank Simmons, one of the owners of the Breakwater Avenue property, was present. He said he would like to see the power lines moved underground and removed from view. He would like to put the service underground and increase the reliability of electrical service to his house. He said he doesn't see where any

additional wires for the Schaefer's view would be. He believes the pole is thin and doesn't understand why it is a problem.

Maureen McCarthy, Civil Engineer, also an owner of the property, was present. She is requesting to move the pole, she owns the house. She said the electrical service panels have already been relocated as they have changed the location of the front of the house. She said in 1978 all the wires came down around the house in the storm. From a safety perspective, this request makes sense. She said the abutters will not get the light because there is a huge tree there. This is a private way, access to a private way is only for abutters. She said there is a huge tree there, so they won't get the light and the light is already shining into their house. They would be willing to work with National Grid to put the utilities underground from Breakwater Avenue.

National Grid representative, Sibhita Mahabier, said a private person cannot own a public way, so National Grid would have to own it and they are not going to own it. She said the pole would have to be moved to the public way or it would be on their property. The removal of the light is the purview of the town.

T. Arsenian said poles are not popular; they detract from views. He said whatever is there now was there when the property was purchased; their request shouldn't harm anyone else. He stated the lights can be offensive; moving the light shouldn't inconvenience any neighbors. He questioned if they believe the pole is innocuous; why are they proposing moving it.

F. Simmons said the Schaefer's have objected to many of the changes we've proposed; George King should be consulted.

Selectperson Lucas inquired if both parties could work out an arrangement between the two property owners to see if an easement arrangement could be made to put the utilities underground and eliminate the second pole.

Chairperson Battistelli said she doesn't feel ready to vote on this at this time. She recommended deliberating more and gathering additional information. She said perhaps a plan could be developed that would benefit both property owners.

Continue Hearing: Selectperson Lucas moved that the Board of Selectmen continue the Public Hearing until 7:15 on 2/4/14, seconded by Selectperson Murphy, Vote: 3-0.

Public Comment Period: T. Arsenian, 95 Granite Street, commented on the Cape Ann Tool Company property. He said he knows the Board of Selectmen received the materials from DEP Waterways with the responses to the letters that were sent. He said he doesn't know if there were any responses to the comments made at the public hearing that was held with close to 90 people in attendance. He questioned if the comments made at the public hearing were not worthy of a response. He said he doesn't know how DEP is going to proceed with the representatives from C. A. Tool LLC and their changes to the plan, and the public doesn't have an opportunity to comment on the plan. It's up to DEP waterways to see if there are going to be responses and what the timeline is. He said it's unfair that the proponents get to change the plan, time and time again, and others don't have a chance to comment.

Continue National
Grid/Verizon Hearing
Motion Approved

Public Comment
Period

T. Arsenian is requesting that the Board of Selectmen get in touch with DEP Waterways.

7:40 Action List

Action List:

Finance Plan and Budget Message: Selectperson Murphy moved that the Board of Selectmen approve and sign its annual Finance Plan and Budget Message to the Finance Committee as required by Rockport By-Law Chapter 7, sections 3 through 5, seconded by Selectperson Lucas, Vote: 3-0.

Finance Plan & Budget Message Motion Approved

Approval of Merit Bonus: Selectperson Murphy moved that the Board of Selectmen accept the Personnel Board's recommendation and approve the merit pay bonus of \$2,358.03 to Lt. Schmink, seconded by Selectperson Lucas, Vote: 3-0.

Approval of Merit Bonus Motion Approved

CPA Sponsorship: Selectperson Lucas moved that the Board of Selectmen sponsor the Rockport Housing Partnership's application to the Community Preservation Committee for a CPF grant to establish an Affordable Housing Projects Fund, seconded by Selectperson Murphy, Vote: 3-0. Armand Aparo was present. T. Arsenian, 95 Granite Street, questioned if this was for a specific project. A. Aparo said there is not a specific project targeted for this, but he said this would allow them to move rapidly if they find a project to move forward on.

CPA Sponsorship for Rockport Housing Partnership Motion Approved

70 Long Beach Remodel: Selectperson Murphy moved that the Board of Selectmen approve the Tucker cottage renovation at 70 Long Beach to add a dormer on the 2nd floor to expand the bathroom as specified on the December, 2013 plan entitled "Alterations to Home for Mr. & Mrs. Marty & Cathleen Tucker, 70 Long Beach Road, Rockport, MA by Residential Designs of Wilmington, MA, seconded by Selectperson Lucas, Vote: 3-0.
It was stated that everything was in order; the Building Inspector has the plan.

70 Long Beach Remodel Motion Approved

7:52 Selectperson Murphy moved to adjourn, Selectperson Lucas seconded, Vote: 3-0.

Warrant signed:

Warrant signed for the Fiscal Year 2014 Payroll and Expenses for the week of 1/23/14 in the amounts of \$478,936.02 and \$340,937.84 respectively.