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2 Committee: Planning Board
3 Date: August 10, 2016
4 Time: 7:00 pm.
5 Location: Georgetown Town Hall, 3rd floor conference room.
6

7 Members present: Harry LaCortiglia; Chairman Pro Tem, Tillie Evangelista, Matt Martin, Bob Watts.
8 Staff present: Administrative Assistant Andrea Thibault.
9 Members and staff absent: Chairman Rob Hoover, Town Planner Heidi Murphy.
10 Minutes taken by A. Thibault.
11 The Meeting was called to order at 7:12pm by H. LaCortiglia, Chairman Pro Tem.
12

13 **Approval of Minutes:**

14 Minutes from the March 23, 2016 meeting were reviewed and approved with corrections.

15 T. Evangelista: Motion to approve minutes of March 23, 2016.

16 M. Martin: Second.

17 Motion carries 4-0; 1 absent.
18

19 Minutes from the July 13, 2016 meeting were approved.

20 B. Watts: Motion to approve minutes of July 13, 2016.

21 T. Evangelista: Second.

22 Motion carries 4-0; 1 absent.
23

24 **Correspondence:**

- 25 1. Letter from Attorney General's Office approving Warrant Article 18.
26

27 **Vouchers:**

- 28 1. None.
29

30 **ANR: 23 and 27 Pillsbury Street.**

31 Ed Cavatori, 27 Pillsbury Street: We are doing a land swap with Alan Aulson.

32 H. LaCortiglia: Your original plan had numerous errors and omissions. I asked Mr. Cavatori to bring
33 the amended plan. On the amended plan, I am still seeing the same error that I saw before--the
34 repeated misidentification on the plan of Map 12 lot 25 needs to show as Map 12 lot 25B. Please
35 correct the errors and omissions, and bring it stamped with 3 copies to the Planning Office. You can
36 then get it resolved at the next Planning Board meeting on August 22nd.

37 R. Watts: We would like to resolve this for you

38 **Public Hearing: Continuation of the Chaplin Hills OSRD/Preliminary Subdivision.**

39 Jon Eichman, Town Counsel: This hearing was re-advertised anew because it was discovered that it
40 was not advertised in two consecutive weeks originally.

41 H. LaCortiglia: First, the applicant will present. Then we will hear from the public. Then we will hear
42 from the Planning Board.

43 B. Watts: *{Reads Public Hearing Notice into the record}*.

44 Paul Marchionda, Project Engineer.

45 Fred Fahey, Project Developer.

46

47 M. Martin: Motion to open the Public Hearing for the OSRD for the Chaplin Hills
48 subdivision.

49 B. Watts: Second.

50 Motion carries 4-0; 1 absent.

51 P. Marchionda: Did you want to collect all the green cards?

52 H. LaCortiglia: Yes. Was the abuttor's list provided by the assessor's office?

53 P. Marchionda: Yes.

54 We would like to extend the cul-de-sac to 30 lots. We are also required to look at how this could be
55 developed as an OSRD subdivision. In this OSRD plan, a little over 100 acres is open space. As I
56 understand it, the process is that we present these two options to the board and the board gives us
57 their recommendation as to which one we should go forward with. Total length of the road would be
58 2800 feet, so we would be looking for a waiver for that option. Under your zoning regulations we
59 would be providing affordable housing or a cash payment. As you can see in the plan, there are
60 wetlands. There is no floodplain on the site.

61 Members from the public in favor: None.

62 Members from the public not in favor:

63 Roger LaPointe, 3 Chaplin Hills Road. I have been a resident here for 20 years. This property is at
64 the foothill of the highest residential street in Essex County with significant stormwater. There is an
65 enormous amount of wildlife on the property. The water quality is an issue in this town, traffic,
66 school overcrowding. There are numerous vernal pools on the property. I request that the
67 Georgetown Conservation Agent's letter be read into the record.

68 We are down about 1/3 of our base due to vacation week. We are concerned about the length of the
69 road for fire truck access. It is very wet, and very hilly in that property. I have a petition signed by 49
70 people against this development that I will ask to be part of the record.

71 Joyce Calabro: 8 Chaplin Hills. There are a number of people that could not make it tonight. A letter
72 from Rose Coomb. I am very much opposed to the development. A letter from Kara Peters and Tim
73 Niker of 23 Nelson Street. We are writing to express our vehement opposition to the development.
74 This is a rich ecosystem of ponds, vernal pools, portions of this area currently enjoy protected status.
75 Jim, Pamela and Madeline 2 Chaplin Hills Road. Must not disturb wetlands and conservation lands.
76 Jeff Barry 41 Baldpate Road; opposed to this development.

77 Ty Cobb: I want to come to the Board with some inquiries. Multiple developers have looked at that
78 land over the years. There has been a yield issue. What is the history there, and why would things
79 change for this development? Is the waiver for the length of road a limitation? Isn't the current road
80 already at maximum road length? Can you discuss the history of road length waivers? What does the
81 Board take into overall Planning for the town? There are 115 homes already in the area. With the
82 potential of 30 homes, the neighborhood of Chaplin Hills Road would become just a throughway.
83 Every house that goes on there goes into a deficit for the Town. It seems that the Board is very strict
84 on regulations, and I implore you to keep with the regulations roadway length.

85 H. LaCortiglia: We won't be determining yield tonight. That will have to be done by a good deal of
86 investigation.

87 We will need an order of wetland delineation. It is a very challenging piece of land. I see that as a
88 very difficult parcel of land to develop and I have been in construction for 36 years. Chaplin Hills
89 Road is already 1500 feet. I believe 1000 feet is the maximum so it already was a significant waiver to
90 get to 1500 and 2800 feet is being requested.

91 T. Evangelista: I believe that would be a Community Assessment that the developer would provide to
92 answer some of those questions.

93 H. LaCortiglia: I'm sure the developer would provide a traffic study.

94 Marilyn Collins: 123 Elm Street; where is this water going to dump into? I used to have dry land.
95 The water is coming right up to my back door. The stormwater runoff is ruining my property

96 H. LaCortiglia: I can ensure you that Stormwater calculations will be done.

97 Gregg Snyder, 4 Blueberry Lane; I share a lot of the concerns but I would like to give the developers a
98 chance.

99 Rich Hayes, 201 Central. The traffic coming across Brook Street looks impossible

100 H. LaCortiglia: We would have a traffic study done, and we would have our consulting engineer.

101 Barbara Weinberg: Behind that is conservation land. Looking at this conventional plan, this is going
102 to be a cut through.

103 James Beasley, 33 Nelson Street: The water right now comes into the back and front of my property.
104 4 feet deep trench of water. I see these cul-de -sacs that will make it worse coming down from
105 Baldpate Hill. I am opposed to this, I don't see where they are going to direct the water.

106 H. LaCortiglia It is a very large watershed.

107 George Comiskey, 45 Old Jacobs Road: Parker River Watershed. We are looking at water supply.
108 Right now we are allowed to pump a set amount. We would be interested in hearing what the water
109 estimates are for this development. 10-12 K a day? We are not handling the drought very well at

110 current capacity. Easement on 38 Brook Street, for the septic system. The road is going through 175
111 Central, how could they put a road through someone's septic system?

112 F. Fahey: We have an option on 175 Central Street. It was written by the BOH in Georgetown.

113 H. LaCortiglia: Please submit your letter from the landowner.

114 F. Fahey: We do have a letter of permission from Brian Farmer.

115 Steve Calabro, 8 Chaplin Hill Road. I notice that the plan submitted tonight is not the plan that was
116 originally submitted. As mentioned, there are a lot of wetlands and it is also against the law to work in
117 the 100 foot buffer zone. A lot of these lots, there is not enough space to build a house, to build a
118 septic, and to stay out of the buffer zone. It is a significant safety concern to extend the length of the
119 road to 2800 feet. This is not a workable plan.

120 For the conventional subdivision dated 12-21-15, the same thing applies here. If you overlay the 100
121 foot buffer zone, it make the plan undevelopable. Especially in this detail here where there would
122 need to be filling in of wetlands. Two 100 foot buffer zones are coming together here where the road
123 is proposed to go in.

124 A lot of the people here were at the Conservation Commission meeting. The Conservation
125 Commission requires that the developer make a payment so that they can hire a wetland scientist to
126 delineate the wetlands.

127 H. LaCortiglia: With either plan, you need a wetland delineation. This board needs to establish yield.

128 David Masse: 6 Chaplin Hills Road: What is the study done on water pressure for new homes that
129 would be done?

130 Joe Molis, 9 Chaplin Hills Road; The current owner recently sold 10 Chaplin Hills Road. The person
131 that owns this land, recently marketed and sold his property as a prime location at the end of the cul-
132 de -sac. I really hope that the Board keeps that in mind, and that this Board and the Conservation
133 Commission holds this applicant accountable. Please do not grant a single waiver.

134 H. LaCortiglia: *{Reads into the record the letter from Georgetown Conservation Commission. Reads into the record*
135 *letter from Georgetown Building Inspection department. }*

136 M. Martin: Motion for M-account for technical review services in the amount of 4,000.

137 B. Watts: second.

138 Motion carries 4-0; 1 absent.

139 F. Fahey: I am going to check this with my attorney before I pay that. You are not going to approve
140 the OSRD.

141 H. LaCortiglia: I think you are projecting your lack of intention onto the Planning Board.

142 M. Martin: What the abutters are saying is not what the Planning Board is saying. The Planning
143 Board is saying submit a real OSRD and then we will talk about it. But you are not submitting a real
144 OSRD. You have made that very clear over and over again.

145 Jon Eichman: They are required to submit a wetlands delineation on the OSRD plan. I read the
146 regulations Ch. 165-51- A1 as saying that. That is a requirement of submitting an OSRD. You have
147 not submitted the correct plan at this point. If you do not submit a correct plan, they can deny based
148 on lack of information and you cannot proceed to a subdivision plan in that instance because you will
149 not have complied with the bylaw.

150 H. LaCortiglia: {*Reads Georgetown Conservation Agent's email into the record; Reads Fire Chief, email into the*
151 *record*}.

152 M. Martin: Motion for a site walk, August 27 8:30am.
153 Second: B. Watts.
154 Motion carries 4-0, 1 absent.

155 F. Fahey: We have an option on the land, but it is still owned by the Faragi Trust.

156 J. Eichman, Town Counsel: I understood that the Town Planner requested an extension of time for a
157 decision until September 30th. This is a special permit application. By law, the time for decision on a
158 special permit is 90 days from the close of the Public Hearing. The Public Hearing is ow open. It has
159 not been closed. There is no reason to extend the time for the decision, it hasn't even started to run
160 yet.

161 M. Martin: Motion to continue the Public Hearing until September 28, 2016 at 7:15pm.
162 Second: B. Watts.
163 Motion carries 4-0; 1 absent.

164 **5 minute recess**

165 **Old Business: Palmer Lane.**

166 H. LaCortiglia: I know very little about this subdivision because I was recused from it. I am going to
167 rely on Jon for this – is it appropriate for me to sit here since the Board has already voted on this?

168 Jon Eichman, Town Counsel: I would advise that you put it on the next Agenda for the Planning
169 Board. You are not conflicted administratively but you cannot discuss substantive issues.

170 Tony Franciosa, Steve Franciosa, Project Developers.

171 Dennis Quintal, Project Engineer: Since the notice of decision approval, we have been working with
172 Heidi. Several things have come about in the last week or so. We have some miscommunication or
173 disagreement about the mylars – Larry Graham had a recommendation that she did not agree with. In
174 addition, she requested the 19 pages of the decision put on mylars. So there was a conflict with Heidi,
175 and then she took ill. We are looking for some guidance regarding the mylars. Yesterday, in the
176 planning office when we were reviewing the Notice of Decision, we noticed that page 5 was missing in

177 the original and in the town clerk stamped decision. The original decision signed and stamped by
178 Town Clerk is missing page 5, and scribble marks on page 10 and 11 on the original. We cannot
179 record the decision in this state.

180 Steve Franciosa: The appeal period is over.

181 H. LaCortiglia: You do not need to put 19 pages of decision on the mylars. At the same time take
182 your Form G, M, N which are the covenants on the lots, utility easements and record all that. At that
183 point, now you can go to your pre construction meeting.

184 Board has unanimous consent.

185 Jon Eichman: Someone needs to look back at the files, put on the Agenda the Notice of Decision as a
186 business item and in the meantime ask the Town Planner to research this and put together a
187 recordable document. To assemble the decision, I would ask the Planning Board at least looks at this.

188 M. Martin: Motion that the Planning Board direct the Planner to schedule a preconstruction
189 meeting as soon as possible on or after August 24, 2016 so long as the only outstanding
190 condition is the recording of the final decision.

191 Second: B. Watts.

192 Motion carries 4-0; 1 absent.

193

194 **List of Documents and Other Exhibits used at Meeting:**

195 *Documents and Other Exhibits used at meeting will be available for review at the Georgetown*
196 *Planning Office.*

197 Motion to adjourn was made by M. Martin.

198 T. Evangelista: Second.

199 Motion carries 4-0; 1 absent.

200

201 The meeting was adjourned at 10:05pm.

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