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Committee: Planning Board
Date: July 8, 2015
Time: 7:00pm.
Location: Georgetown Town Hall, 3rd floor conference room

Members and Staff present: Rob Hoover, Tillie Evangelista, Matt Martin, Harry LaCortiglia, Bob Watts, Howard Snyder, Andrea Thibault.

Minutes taken by A. Thibault.

The Meeting was called to order at 7:03pm by R. Hoover.

Approval of Minutes:

Minutes from the June 24 meeting were reviewed and approved.

H. LaCortiglia: Motion to approve minutes.

B. Watts: Second.

Motion carries 5-0. Unanimous.

Correspondence:

H. Snyder: Nunan's will be discussed during the Public Hearing. Turning Leaf will be discussed during Old Business. The H.L. Graham report is the formal copy of what you received at the previous meeting regarding Bailey Lane. There is also a notice of a special permit application for solar facility from the Town of Newbury.

Vouchers:

M. Martin: Motion to approve payment of \$6.99 for Planning Office step stool.

B. Watts: Second.

Motion carries 5-0. Unanimous.

Public Hearing Site Plan Approval Nunan's 269 Central Street, Continuation from June 10, 2015:

H. LaCortiglia: Motion to open the public hearing.

B. Watts: Second.

H. LaCortiglia: Motion to continue the public hearing to Aug 26, 2015 at 7:15pm.

T. Evangelista: Second.

Motion carries 5-0. Unanimous.

Old Business:

1. Park and Recreation: East Main Street Athletic Facility – Update.

H. Snyder: The site walk was last Thursday with the Town Planner, H. LaCortiglia, Jim Dimento , and two OPM from Gale Associates. Pastor from abutting church discussed the fact that some people were driving down after hours, in the dark. The site is not secure. It is the responsibility of the general contractor to secure the site.

47
48 T. Evangelista: It's a good idea to make sure the site security issue gets put into the bylaw.
49
50 R. Hoover: I would like to see the contractor secure the site immediately because it is a potential liability.
51
52 {Planning Board discussion on site security.}
53
54 T. Evangelista: I would like to have a vote on record. I do not agree with the Board approving the
55 engineer who did the plans also as the inspector of the site.
56
57 R. Hoover: We will put that on the agenda for the next meeting.
58
59 H. Snyder: Also the Pastor had the expectation that there would be lights along the driveway.
60
61 B. Watts: It would be prudent to find out if there were other assumptions that were made, that Park and
62 Rec might want to take a look at.
63
64 R. Hoover: When can you get the report from Gale? Can you follow up on that Howard, and express that
65 the Planning Boards needed it yesterday?
66
67 H. Snyder: Yes. I would expect it would have been issued by now.
68
69 **New Business:**
70 1. Turning Leaf Affordable Housing Units.
71
72 Jill Mann: (Turning Leaf Attorney): We calculated the formula by the number of new lots. We went
73 through the calculations and the rationale in an email provided to the Town Planner.
74
75 M. Martin: Are we talking about units that are part of the development, or offsite affordable housing
76 units? If you look at the notice of decision, it refers in two different places to a 22 lot subdivision with 22
77 new single family homes, and 2 existing lots. Is this a 22 unit or a 24 unit development? That would be
78 the basis for affordable housing calculation as it would determine which bylaw to be followed.
79
80 J. Mann: It is a 24 unit development.
81
82 B. Watts: I had exactly the same question. The number of total units is unclear.
83
84 {Planning Board discussion regarding the clarification of number of subdivision units, and which bylaw is
85 appropriate for affordable housing calculation.}
86

87 M. Martin: The decision itself calls for the construction of 2 onsite affordable housing units. What is the
88 benefit to the town of accepting a 30 year old house verses a brand new one? I don't see any benefit to
89 the town.

90

91 {Planning Board discussion of accepting 30 year old house versus brand new house.}

92

93 R. Hoover: Did the Task Force report to the Trust? And, are they all in agreement? I would like to clarify.

94

95 H. Snyder: I am not speaking for the Task Force. I am only speaking for the Trust.

96 R. Hoover: I would like to know if the Task Force is on board with this. Can we get the recommendations
97 on this from both boards in writing?

98

99 H. Snyder: Yes.

100

101 M. Martin: Another issue- I don't understand how we could accept a 30 year old house without an
102 independent inspection.

103

104 H. Snyder: The building inspector for the Town will not be going out and performing the duties of a home
105 inspection.

106

107 2. Turning Leaf Lot Releases.

108

109 {Planning Board discussion on Lot Releases and Dave Varga letter of July 1, 2015.}

110 H. LaCortiglia: Motion to release lots # 4, 7, 8, 9, and 20.

111 M. Martin: Second.

112 Motion carries 5-0. Unanimous.

113

114 **Planning Office:**

115 1. Turning Leaf: Parcel F site walk and Abutters Comments.

116

117 B. Watts: I believe we walked through the easement section. We got to a stream and proceeded slightly
118 up to the left. It was a limited walk, in that most of Parcel F was off to our left and we didn't see much of
119 it at all. To me, it was of limited value, I didn't get enough data. The implied proposal is to build a road for
120 utility purposes. The terrain was fairly steep. There would probably have to be some movement of earth.
121 My main concern is minimal disturbance.

122

123 H. LaCortiglia: We walked in parallel to the easement. Gave everyone an idea of what the "on the
124 ground" terrain looked like. Off to left is Parcel 16, the town already owns. Off to the right, the town is in
125 the process of purchasing that parcel.

126

127 T. Evangelista: To me, it looked like very rough terrain. Walking on the rocks, it appeared to me that
128 there was extensive moving of the soils previously. All the debris was left there. It's an 80 foot right of

129 way. I have not changed my mind. I still think Conservation Commission should have it. It is such rough
130 terrain. There is an 80 foot Right of Way for the electric power lines.

131
132 {Planning Board discussion regarding Parcel F.}

133
134 R. Hoover: I would like to read into the record an email from Selectman Phil Trapani. Parcel F Turning
135 Leaf. July 1, 2015 addressed to Howard Snyder, Michael Farrell, Robert Hoover and several others. (Email
136 is read.)

137
138 H. Snyder: There will be a joint meeting scheduled in mid-August to get the boards together for the
139 Selectmen to talk about Parcel F.

140
141 Abutters presented a Petition with 94 resident signatures requesting that the Town honor the understood
142 agreement, and Warrant Article 30 ---that Parcel F be given to the Conservation Commission. Submitted
143 as Exhibit #1.

144
145 They expressed concern that the agreement was changed from what it was understood to be. They
146 expressed concern about the process (at Town Meeting in May) by which the agreement was changed.
147 Referenced was Article 30 of the Town Warrant, and the May 4, 2015 Selectmen Meeting Minutes from
148 the High School meeting immediately prior to Town Meeting.

149
150 An abutter read Warrant Article 30 that stated Parcel F was to be put in the care, custody, and control of
151 the Conservation Commission. From Selectmen Meeting Minutes a half hour prior to Town Meeting, the
152 Board of Selectmen voted to amend the Article 30 language, based on phone calls from the Water
153 Department and Park and Recreation. Shock was expressed that any decision would be made a half hour
154 prior to Town Meeting on something this important.

155
156 The abutters twice requested that the Planning Board prevail upon the Board of Selectmen that this was
157 not the intent of the Planning Board, and this was not the intent for the Conservation Commission for
158 whom this was considered mitigation. They urged the Planning Board to take a stand with the Board of
159 Selectmen and clarify what was intended with a roomful of abutters who attended all of these hearings. It
160 was stated that this is an agreement as much with the people who live there as with Turning Leaf.

161
162 An abutter presented facts regarding blasting damage at their home including a cracked and leaking septic
163 tank, 9 cracks in the foundation, cracked dry wall, cracked wood floors and cracked ceramic tiles.

164
165 Also presented were concerns and questions regarding the Tolman Aulson easement.

166
167 2. Park and Recreation: East Main Street Recording of Special Permit plans.

168
169 T. Evangelista: There is paperwork missing at the registry. There is no requirement by law that you have
170 to register the plans. Yet it is a good idea, and I believe that is what the zoning board recommended. All
171 of the documents should go to the Town Clerk, and then to the registry.

172
173 B. Watts: It sounds like good practice.

174
175 H. Snyder: There have been some recording issues with the plans.
176
177 R. Hoover: One of the most important drawings is the cover sheet that references the entire set. If that is
178 recorded, we know all of them that exist.
179
180 {Planning Board discussion regarding registering the plans.}
181
182 3. Potential development applications.
183
184 H. Snyder: There are two potential development applications. I have been meeting with the business
185 entity that holds the medical marijuana license. They are currently applying with the state to move their
186 license location from Haverhill to Georgetown. They want to buy the former B&W Press, 401 East Main
187 Street. This is in the medical marijuana overlay district.
188
189 The second potential is a proposed ice skating facility off of National Ave, the Kennedy parcel that is next
190 to the Solomon Binding. They are entering into a P&S with land owned by the Rizzo family trust. The
191 Kennedy parcel is about 15 acres. The Rizzo parcel is about 19 acres. They would be coming in under a
192 43B because this is a priority site.
193
194 **Member or Public Report:**
195 1. Tillie Evangelista: Turning Leaf easements.
196
197 T. Evangelista: My concerns are about the easement of Tolman and Aulson. Why wasn't the town notified
198 that this was going to happen?
199
200 H. Snyder: It is within the right of a property owner to transfer the rights of an easement to another party.
201 If they were to construct a road, it would have to come under the jurisdiction of the Planning Board. Their
202 easement runs under ours. It is subordinate to the 20 feet.
203
204 M. Martin: Our easement has superior rights.
205
206 T. Evangelista: The Tolman Aulson easement approaches Parcel F. Because those parcels are owned by
207 the Town, why is the easement still in the names of Tolman and Aulson? I am questioning their easement.
208 Why does it (the easement located between Lot 18 and 19 of Turning Leaf) still exist? Tolman and Aulson
209 don't own the land. It is owned by Artisan Development, Lots 18 and 19.
210
211 H. Snyder: It will always be owned by whoever purchases Lot 19. Tolman and Aulson don't own any land
212 rights.
213
214 M. Martin: Their title attorney will point that out to them, to any potential owners of Lot 19 that a 50 foot
215 easement in on their property.

216
217 H. Snyder: Before Parcel F was formalized in the subdivision plan, the Planning Board would not accept
218 the encumbrance of an easement on it.

219
220 R. Hoover: For the next available agenda, I would like to start the development of Planning Board
221 procedures, a booklet or perhaps a few pages. For example to identify when meetings will end, officially
222 adopt rules, determine the protocol for requesting information from the Town Planner. Just a series of
223 basic procedures that everyone on the Board is in agreement with.

224
225 **List of Documents and Other Exhibits used at Meeting:**

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

228
229 Motion to adjourn was made by M. Martin.

230 B. Watts: Second.

231 Motion carries 5-0. Unanimous.

232
233 The meeting was adjourned at 9:35pm.

234
235 Next Meeting:

236 Date: July 22, 2015, August 12, 2015, August 26, 2015, September 9, 2015.

237 Time: 7pm.

238 Place: Georgetown Town Hall, 3rd floor conference room.

239