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MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, April 23rd, 2014
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Mr. Harry LaCortiglia; Ms. Tillie Evangelista; Mr. Bob Watts; Mr. Tim Howard (arrived at 7:22 PM); Mr. Rob Hoover; Mr. Howard Snyder, Town Planner; Ms. Wendy Beaumont, Administrative Assistant.

Meeting Opens at 7:04 PM.

Approval of Minutes:

1. Minutes of April 9, 2014.

Mr. Watts – **Motion** to accept the April 9, 2014 meeting minutes with any changes requested at this meeting.

Ms. Evangelista – **Second.**

Motion Carries: 4 – 0; Unam.

Correspondence:

1. Town of Newbury: Planning Board Public Hearing regarding Zoning Code changes.
2. Town of Georgetown: Memo from Al Beardsley, Fire Chief – OSRD Chaplin Hills.
3. Town of Georgetown: Memo from Donald Cudmore, Police Chief – OSRD Chaplin Hills.
4. Town of Georgetown: Memo from Donald Cudmore, Police Chief – Turning Leaf.
5. Williams and Sparages: Turning Leaf - Response Letter to Peer Review Letter #D-2.
6. Williams and Sparages: Turning Leaf - Response Letter to Peer Review Letter #D-3.
7. MDM Transportation Consultants: Turning Leaf – Response Letter to Peer Review.
8. Ty Cobb of 4 Chaplin Hill Road: eMail regarding OSRD Chaplin Hills application.

Mr. Snyder – We received three correspondences in regards to the Chaplin Hills OSRD which will be the first public hearing tonight. We received four items that can be brought up with the Turning Leaf public hearing later tonight. The Town of Newbury correspondence is just a notice that they are amending the moratorium on their marijuana dispensary bylaw and are replacing it with a new bylaw.

Vouchers:

1. H.L. Graham & Associates: Jefferson Court.
2. H.L. Graham & Associates: Turing Leaf.
3. Town Planner: Reimbursement for Travel and Expenses – 1st Quarter 2014.
4. W.B. Mason: Office Supplies.

Mr. Watts – **Motion** to accept the vouchers as presented with a total of \$1,990.56

Ms. Evangelista – **Second.**

Motion Carries: 5–0; Unam.

New Business:

- 1. Jefferson Court: Form H and Draft Decision of Approval.**

46 Mr. Snyder – We received a Form H for extension of time.
47
48 Ms. Evangelista – **Motion** to allow the applicant to extend the time for decision.
49 Mr. Watts – **Second.**
50 **Motion Carries: 4-0; Unam.**
51
52 Mr. Snyder – I sent by email a draft to the board for review for comments at tonight’s meeting. I
53 received from the engineer the latest revision date which are to April 15th. Some items are items
54 for the covenant and I don’t think that was addressed at the last meeting. I wanted to review
55 special conditions to make sure everybody was in agreement regarding the maintenance
56 agreement presented by the applicant at the last meeting.
57
58 Ms. Evangelista – I thought the important issue to me was that the neighbor’s property should
59 not be adversely affected by the neighbor’s run-off based on our erosion control bylaw 365-41.
60 That to me was really critical.
61
62 Mr. Snyder – I put it in under special conditions, Item D. {Reading of the condition as written.}
63
64 Ms. Evangelista – The next thing I thought should be added is that the landscaped areas should
65 be properly maintained. I thought this would be good as this is a special permit.
66
67 Mr. LaCortiglia – Are we adding anything other than the trees?
68
69 Mr. Hoover – I don’t think so.
70
71 Ms. Evangelista – We are requiring three trees and there are existing trees there.
72
73 Mr. LaCortiglia – Do we want to add that as a special condition - the trees if they don’t take after
74 the first growing season have to be replaced?
75
76 Ms. Evangelista – The other thing is that they should be at least 40 feet apart. We put them on
77 either side of road right?
78
79 Mr. Snyder – I would say as shown on the plan.
80
81 Mr. Holt – I added four Sunset Maples trees to the plan.
82
83 Ms. Evangelista – I also wanted to preserve the rock wall there.
84
85 Mr. LaCortiglia – Is that a boundary line?
86
87 Mr. Holt – Yes. It is a common boundary line and I don’t think we can change it.
88
89 Ms. Evangelista – Another thing is to make sure the easements are in place before he starts.

90
91 Mr. Holt – There is one that has been recorded.
92
93 Mr. Kroner – I sent Mr. Snyder language that we will incorporate in each deed so the terms and
94 conditions are in each deed.
95
96 {Reading of the special conditions, Item B.}
97
98 Mr. LaCortiglia – I have one issue - there was a conflict of two portions. In one part of the
99 decision it said there were no covenants and in another place it said there were some covenants.
100 I also noticed that something was missing is an area for a condition prior to lot release. Are we
101 not going to have covenants for the creation of the road? We are not requiring covenants?
102
103 Mr. Kroner – I would think it would tie in with the occupancy permit. Does this board sign off
104 on occupancy permits?
105
106 Mr. LaCortiglia – If the decision calls for it. There is signoff on the individual lots when the
107 Building Inspector brings the blue sheet around.
108
109 Mr. Kroner – I think we stayed away from covenants so there was no implication that the town
110 was involved in maintenance. You’re talking installation and completion.
111
112 Mr. LaCortiglia – Yes surety to make sure the road is built. It looks to me that once the decision
113 is handed off and the appeal period goes forth a developer could walk in and get a building
114 permit for the road and the two houses.
115
116 Mr. Kroner – Can’t you notify the Building Inspector that no occupancy permit is to be issued
117 until this board has approved construction of the court?
118
119 Mr. LaCortiglia – That is the whole idea. That would be prior to the release of the lots.
120
121 Mr. Kroner – But the houses would already be built?
122
123 Mr. LaCortiglia – You have every right to complete the houses.
124
125 Mr. Kroner – I don’t think you’d want to complete the road until the heavy equipment...
126
127 Mr. Dehullu – I’m just worried about getting a loan from a bank if I don’t have a lot release.
128
129 Mr. LaCortiglia – We always want the road done before you sell the lots. That’s what we go for
130 and of course there are inspections all along there. I think anyone purchasing a lot because it
131 was approved under subdivision control law that they would be confident that the roadway was
132 up to a certain standard.
133

134 Ms. Evangelista – Isn't that what the site inspection engineer is going to do?
135
136 Mr. LaCortiglia – Yes that is the process. So add covenants and conditions prior to lot releases.
137
138 Mr. Snyder – The other item is that the applicant shall receive a Form M. Does the Planning
139 Board want to add that into prior to issuance of any type of start of construction or endorsement
140 of plans?
141
142 Mr. LaCortiglia – Prior to startup of construction.
143
144 {Mr. Howard arrives at 7:22 PM.}
145
146 {Board discussion regarding decisions and template language.}
147
148 {Mr. Graham arrives at 7:25 PM.}
149
150 Mr. LaCortiglia – I don't think we need a motion. I think we know what's going on. This is not
151 a public hearing. See you on May 14th.
152
153 **2. ANR: 160 West Main Street – Plan of Land (Lot Line Adjustment).**
154
155 Mr. Snyder – Included in your packet were all the actions of the Planning Board that the
156 office has on record. All the properties are under the same ownership. {Shows the area of the
157 potentially four combined lots on the screen.}
158
159 Mr. Bussing – I have acquired three other parcels of land around my house and I would like
160 to combine them and have one ANR lot for tax reasons. They will be one in a trust.
161
162 Mr. LaCortiglia – You want to combine them for one tax bill?
163
164 Mr. Bussing – Yes.
165
166 Ms. Evangelista – So when you are ready to build you will come back and change the lines?
167
168 Mr. Bussing – I am not going to be building.
169
170 Mr. LaCortiglia – I looked this up at the registry of deeds and there was a decision that
171 created that circle and one of the conditions on the plan was it was a revised decision and it
172 stated if the lot was ever subdivided for more than one house it would have to be brought up
173 to subdivision standards. Is there any way to transfer that onto this ANR? The reason I say
174 that is if you were to sell the whole property once those lines are removed, someone might
175 think they have a right too.
176
177 Mr. Snyder – I recall that decision was to 160 West Main and not on deeds to the other
178 properties under the same ownership that are being combined.
179

180 Mr. LaCortiglia – So that decision stays with that one house at 160 West Main Street?

181

182 Mr. Snyder – That is how I understand it.

183

184 Mr. LaCortiglia – So 50 years from now someone will come in and think they can do an
185 ANR and create frontage. They would know via that deed that they have to upgrade Larkin
186 Circle from more than the dirt road that it is.

187

188 Mr. Snyder – The decision said subdivision road but might be able to create a court or a lane.

189

190 Mr. LaCortiglia – I am good with it. The only other thing is parcel A2 where it says it is to
191 be abandoned. That already has been abandoned I believe. It shows as one.

192

193 Mr. Bussing – It never really got abandoned there are two tax bills. Now I am here to
194 abandon all the lot lines that are interior.

195

196 Ms. Evangelista – So parcel A2 is unbuildable but it is now a legal lot?

197

198 Mr. Bussing – There are no legal lots other than the one my house is on.

199

200 Mr. LaCortiglia – This plan will be recorded.

201

202 Mr. Howard – **Motion** to endorse the ANR for 160 West Main Street.

203 Mr. Watts – **Second.**

204 **Motion Carries: 5-0; Unam.**

205

206 **Public Hearing:**

207 **1. OSRD Chaplin Hills: OSRD Concept Plan – First Public Hearing.**

208 Mr. LaCortiglia – I would now like to open this public hearing at this time.

209

210 {Mr. Snyder reads the public hearing notice.}

211

212 Mr. Snyder – The Planning Office received from C.P. Berry Homes, Topsfield MA dated
213 April 22nd correspondence regarding Chaplin Hills. They respectively request to withdraw
214 the application without prejudice as they have not been able to make progress with legal
215 matters and decided it was not prudent to additional time and expenses. If possible they
216 kindly request that any unused funds are refunded.

217

218 Mr. Watts – **Motion** to allow the applicant to withdraw.

219 Mr. Howard – **Second.**

220 **Motion Carries: 5-0; Unam.**

221

222 Mr. Watts – **Motion** to close this hearing.

223 Ms. Evangelista – **Second.**

224 **Motion Carries: 5-0; Unam.**

225

226 **2. Turing Leaf: Definitive Subdivision Plan – Continued from March 12th.**

227 Mr. LaCortiglia – This is the opening of the continuation of this hearing.

228

229 Ms. Mann – We have been working to respond to all of Mr. Grahams comments and to
230 provide the board with responses. In addition Mr. Graham reviewed the traffic report and we
231 have a response I will present to Mr. Graham tonight. Regarding the traffic report and his
232 comments, we can go thru his comments tonight as I do have a letter dated April 21 and I
233 have a letter dated April 23 from MDM Transportation. As I said it is easy to review those
234 comments because all it says is that they agree with Mr. Graham in regards to signage. One
235 of the impediments with regards to site distance we have on the plan. In our traffic response
236 we said the town has the control over the right of way. We can discuss that with Mr. Graham
237 tonight. In addition to that there is an area that needs work on the stone wall and he wants us
238 to confirm that we have control over 42 Searle Street. What I did is to prepare a letter saying
239 we have control so that you have it for your records. This was one of the big things in Mr.
240 Graham’s comments.

241

242 {42 Searle Street is shown on the screen.}

243

244 Mr. LaCortiglia – Is this adequate for you Mr. Graham?

245

246 Mr. Graham – Yes.

247

248 Ms. Mann – Now we need to know if you want more stop signs in the outlying intersections.

249

250 Mr. LaCortiglia – I think it would be best to pull up a graphic from the traffic engineer.

251

252 Mr. Snyder – I have one dated April 15th.

253

254 Ms. Mann – What our traffic consultant said is that we agree that a stop sign at Marlboro and
255 Fieldstone is needed.

256

257 {Area in question is shown on the screen.}

258

259 Mr. Graham – I recommended stop signs at about 6 different locations.

260

261 Ms. Mann – {Reads the location of the ones in question.} MDM did not concur with putting
262 a stop sign and line at Searle, White Pines and Lisa and making it a 3-way stop. They said
263 because Searle Street is a one-way going in that direction that a 3-way wasn’t really
264 necessary. They are willing to defer to what the town thought was the best.

265

266 Mr. LaCortiglia – There are not stop signs there already?

267

268 Mr. Graham – Not on Searle Street which is where I recommended.

269

270 Ms. Mann – Mr. Mills thought that under traffic standards that a sign was not indicated.

271

272 Mr. LaCortiglia – The idea being is that it is not a 3-way stop, it is a through way.

273

274 Ms. Mann – He is looking for Mr. Graham to give him information and if the town wants a
275 traffic stop and it is merited of course we will aid that.

276

277 Mr. LaCortiglia – You will buy the stop signs?

278

279 Ms. Mann – Of course. {Reading and discussion of where MDM suggested stop signs be
280 placed.} One thing that Dan did note is that the installations of stop lines are not mandatory
281 given the context of this traffic level. I know you have some stop lines in the center of town
282 but not in other areas. Essentially other than the construction access points which Dan would
283 like to discuss with Mr. Graham, I think we have satisfied the concerns.

284

285 Mr. Graham – I am thrown off because trucks can't do this.

286

287 Ms. Mann – What Dan says is that the signs are not state sanctioned signs and they are only
288 local signs. The town cannot legally prohibit trucks from this road.

289

290 Mr. LaCortiglia – Without getting into a debate - what is the fatal flaw you see with this
291 proposed truck route Mr. Graham?

292

293 Mr. Graham – Simply the signage. The trucks are prohibited from turning up east bound on
294 Tenney and prohibited from going beyond Woodland. There are signs in both locations
295 which would not get you to Marlboro at Tenney. They do look like local signs but they are
296 signage. I don't know if they can be enforced or not.

297

298 Mr. Williams – The sign at Marlboro and Tenney says no thru truck traffic it doesn't say
299 "no" truck traffic.

300

301 {Areas are shown on the screen.}

302

303 Ms. Mann – Our traffic consultants say we will abide by whatever the town wants to create
304 as a construction route, whatever Mr. Graham and this board recommends. He called and
305 found out they are not state signs which means you can post them but cannot ticket people.
306 This is the most direct route.

307

308 Ms. Evangelista – To my mind, if you going to damage the roads you would want to be on
309 good roads, otherwise you are responsible for any damage. Some of these roads are in very
310 poor condition.

311

312 Mr. Williams – I think we have the best routes laid out here. These are route that trucks go
313 on routinely. This is the best route and would have the least effect on the abutters.

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Mr. LaCortiglia – Mr. Graham what is your line of thinking on this?

Mr. Graham – I didn't really look at this other than that I thought it was not doable because of the signs. I tend to agree that this is the most direct route in and out. I think the route out with that site distance is not good. Whatever the board decides on for truck routes, the people in the neighborhood will not be happy with it because they don't want it. Probably the safest turnout is Woodland at Tenney.

{Discussion held as to the best routes for incoming and outgoing trucks and they are shown on the screen.}

Mr. LaCortiglia – I think the road to sustain the least amount of damage is the industrial road way.

Mr. Graham – It is but this part of Searle Street is narrow with sharp curves and no shoulders.

Mr. LaCortiglia – Would it make sense to exit the way they come in? Maybe with a correction to Tenney and Marlboro Streets?

Mr. Graham – They suggested a cutback on this bank which might give them a better site distance.

Mr. Williams – It is about 145 and you could add another 40 or so to it.

Mr. Graham – Even the elevated height of a truck will not help that.

Mr. Hoover – It actually will help because the grade comes out and you are talking about cutting it back so having the eye height higher will be a help.

Mr. LaCortiglia – You are proposing to do this on town owned land?

Mr. Duncan – When they did the traffic report there were no leaves on the trees. It would be safe to get a red blinking light - if not a stop light.

Mr. LaCortiglia – You are afraid of Tenney and Marlboro Streets?

Mr. Duncan – Yes. These studies were done with no leaves on the trees - wait till things start to grow.

Mr. LaCortiglia – You are saying that the vegetation diminishes the site distance. We need to balance the hazard of truck traffic existing from Marlboro and taking a left on Tenney and we have to balance that against the nuisance factor of additional exiting from Marlboro Road to Ledge Drive.

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Mr. Howard – I like that. That way you have good site distances on both sides.

Mr. LaCortiglia – I wonder if that is enough to justify.

Mr. Howard – It is a hassle no matter which way you go. It is safer to go out Marlboro to Ledge like Mr. Graham suggested.

Mr. Hoover – Mr. Graham, if there was an improvement to the intersection of Marlboro and Tenney would that change your opinion?

Mr. Graham – I don't believe there could be enough of an improvement at that intersection to make the site distance better.

Mr. Hoover – My recommendation to the board is to listen to the professional engineer on how to circulate the traffic. These are serious discussions and I put a lot of stock into Mr. Graham's expertise on these kinds of decisions.

Ms. Mann – We have no problem at all - we will revise the construction route.

Ms. Evangelista – I feel the trucks should go on Tenney and go over to Longview coming and going and not go down to Route 133. I would suggest that at certain times of the day for residents to stay off of that road and keep it just of the trucks.

Mr. LaCortiglia – Interesting concept. Mr. Howard, Mr. Watts, Mr. Hoover and I support using Ledge Drive.

Mr. Williams – We are not opposed to that and can revise the plans.

Ms. Stead – The way you are proposing to go down Marlboro and Ledge is the way I go all the time because that intersection it is just deadly. You are distributing traffic thru neighborhoods but that truly is the safest way - I agree with you. But my biggest thing is that we have to do something about repairing the road in this section. It is a safety concern - there are huge potholes - something has to be done - it has to be addressed.

Mr. Rizza – One comment is that the traffic study was done during the worst winter we have had. There is an issue with the school busses in the morning. I think the traffic study should look at that as in January there were not a lot of kids there but if you go there now there would be.

Mr. LaCortiglia – Can you hold that thought because we will probably be circling aback to that.

401 Mr. Rizza – The next comment is that Mr. Williams said the road fine. It is not fine. At
402 Marlboro and White Pines there was a sink hold about 6 foot wide. When we called to see
403 why it hadn't been repaired they said the road was in such disrepair that if they fixed it, it
404 would just tear right up. The other is the catch basin at Lisa Lane and Searle, where it meets
405 White Pines has dropped. The road is all torn up there. These trucks will tear up the road - it
406 is not fine. My other comment was the stop signs. How many signs are they adding?

407
408 Mr. LaCortiglia – It was recommended by Mr. Graham to add at least 6 stop signs.

409
410 Mr. Rizza – I am not sure but I think it has to be approved by the state Chapter 90 as to
411 where to put the stop signs. In the town I work in we had to remove some signs because they
412 were not approved by Chapter 90. This is inundating a small area with a lot of stop signs.
413 We would be restricted in our own neighborhoods. I would have to stop 6 times before I get
414 to Tenney Street. There is a yield sign going from Tenney onto Route 133 - there is no stop
415 sign there. I think this would be a lot of stop signs.

416
417 Mr. LaCortiglia – I think we touched upon that. I understand what you are saying and we
418 will take that under advisement.

419
420 Mr. Rizza – The truck traffic will tear up the intersections.

421
422 Mr. LaCortiglia – A common thread appears to be around the condition of the road. If this
423 gets approved maybe an assay of the roads that are going to be affected can be done to ensure
424 that at the end of all this that the truck traffic didn't diminish the safety any further.

425
426 Mr. McLaughlin – What is the proposed speed limit for these trucks? Will the construction
427 vehicles have a separate speed limit?

428
429 Mr. LaCortiglia – I don't they think they let you do that.

430
431 Mr. McLaughlin – Over in Rowley by the country club there is a sign that says construction
432 trucks to be 15 mph. We also need to be concerned about the pick-up trucks that will be
433 flying around.

434
435 Mr. LaCortiglia – If they are going over the speed limit I would hope the cops ticket them.

436
437 Mr. O'Connell (applicant) – Those signs actually do help quite a bit. They are not
438 enforceable but we send notices out to all the delivery people. It is a courtesy we do with the
439 local police and we have no issue doing that.

440
441 Mr. LaCortiglia – Is that part of your safety program?

442
443 Mr. O'Connell – Yes.

444

445 Mr. Duncan – Does the town have Sunday blues laws for construction building, tractors,
446 dynamite etc..?

447
448 Mr. LaCortiglia – We just approved Jefferson Court and the hours of operation are clear and
449 there is no mention of Sunday at all. I believe the hours were 7-3 PM on Saturday. And
450 Monday thru Friday was 7-6 PM. That was that decision. You are asking about limiting the
451 hours of operation. We will have to find out what is appropriate for the area. Mr. O’Connell,
452 since you are here, what time frame do you typically deal with?

453
454 Mr. O’Connell – Typically Monday thru Friday 7-5 PM and on Saturdays we do 8-3 PM. No
455 work on Sunday.

456
457 Mr. LaCortiglia – That would be nice for the neighborhood with peace and quiet on Sunday.
458 I don’t have an issue with that.

459
460 Mr. Graham – I have worked with Mr. O’Connell in Rowley and the truck routes and signage
461 and the memos and control they put out has been extremely effective and if you ask for the
462 same thing here I am sure they will.

463
464 Ms. Evangelista – But that road is in a lot better condition.

465
466 Mr. Graham – It is a little better than Seale Street but there is a lot of sharp turns.

467
468 Mr. LaCortiglia – In our packet, from my perspective, this has gone on for a while, we have
469 had three reviews and responses to the reviews and I like the distillation of it. Nine times
470 out of ten we usually turn to Mr. Graham and 90 percent of his comments were with no
471 further issues. Mr. Graham please walk us through what is not resolved.

472
473 Mr. Graham – I think we discussed the traffic and know there are a couple of loose ends with
474 truck routing as well as the issue of site distance.

475
476 Mr. LaCortiglia – I believe the truck issue is resolved and they will redraw.

477
478 Ms. Mann – Yes we will redraw.

479
480 Mr. Graham – My 4th review was the one issued this Monday. It boils things down to about
481 4-5 items. The first one is there is a parcel of land, Parcel E that was split off to make this lot
482 legal. At one point it was suggested it would become part of a Parcel For a right of way to
483 Lisa Lane. I didn’t think it was a good idea for the town. Their last response was that it
484 would be put into a home owners trust to take ownership and deal with the maintenance.
485 Who is going to take care of this process? Without doing that they would have needed a
486 variance.

487

488 Mr. Graham – It used to be a long lot with frontage on Searle Street now it will be a long lot
489 on Lisa Lane with minimal depth. That was the zoning issue with that lot. It would not be a
490 legal lot without splitting it up.

491

492 Mr. Holt – Lot depth is based on the angles of the side lot line. We met with the Building
493 Inspector and this was the solution to the issue.

494

495 Mr. LaCortiglia – I don't see how it had lot depth.

496

497 Ms. Evangelista – Why did you not suggest making that part of the road? Making that wider
498 would make it easy to turn in and out of.

499

500 Mr. Graham – This is a very large parcel Ms. Evangelista. You don't need all this other land.
501 What would the town do with that?

502

503 Mr. LaCortiglia – Aren't we going to need easements on it anyway?

504

505 Mr. Graham – Just a drainage easement.

506

507 Ms. Evangelista – I was thinking to use part of it to make the roadway wider.

508

509 Ms. Mann – We were going to put it into a homeowners association. Also if everyone is
510 complaining about the children being in public ways then this could be a nice area for the
511 children to stand in off the roadway. It would be no one's property

512

513 Mr. LaCortiglia – What if someone got hurt there?

514

515 Ms. Mann – There is no liability on an easement for which there is no payment - as long as
516 you don't charge admission.

517

518 Mr. LaCortiglia – So that would be a bus stop?

519

520 Ms. Mann – It could be if the town wanted that.

521

522 Ms. Stead – I thought that was shown as a retention pond? How can you use that for people?

523

524 Ms. Mann – There is more than sufficient area there.

525

526 Mr. Graham – Normally in a subdivision there is no homeowner association. Is there going
527 to be one for just one lot?

528

529 Mr. LaCortiglia – Sounds like it.

530

531 Ms. Mann – It is easy to create.

532
533 Mr. Graham – It is unusual.
534
535 Ms. Mann – I don't do them routinely but I do do them.
536
537 Mr. LaCortiglia – Covenants for the lots?
538
539 Mr. Graham – If Ms. Mann can make it work then I would be happy if the town accepts it.
540
541 Ms. Evangelista – When the subdivision is done will that retention be larger?
542
543 Mr. Graham – They are proposing an easement for drainage and will improve that area.
544
545 Mr. Hoover – I am assuming that this board has had discussions about a rather odd horizontal
546 alignment of this entry road. I am assuming you all have gone over that.
547
548 Ms. Evangelista – I am glad you are bringing it up.
549
550 Mr. LaCortiglia – To clarify this is the first time we are seeing all of the distinct elements.
551 This is the first time we are seeing it in total.
552
553 Mr. Hoover – This is the 3rd review and this is the first you are seeing it in total?
554
555 Mr. LaCortiglia – Yes.
556
557 Ms. Evangelista – We started out with the OSRD and the preliminary.
558
559 Mr. Hoover – I don't want to take you off track that just jumps out at me.
560
561 Mr. Graham – In the last two revisions a new thing has appeared on the plan. It is this 50
562 foot right-of-way. It is my understanding that the Planning Board asked the developer to add
563 this for access to open space Parcel F. I have no issue with that. It is also required in the
564 subdivision regulations to extend access from an end of a road to adjoining property if the
565 board in its opinion understands that the property is developable. They have shown an access
566 and future right of way easement off of the extension and I don't know if that is permit able.
567
568 Mr. LaCortiglia – You touched on two points the first is the right of way and the second is
569 the access areas. I don't believe when we were looking for access to Parcel F we saw some
570 plans but they weren't stamped plans. I certainly wasn't looking for a right of way to provide
571 frontage for houses. I was looking for access between houses that would lead to Parcel F. I
572 thought we had consensus from the board that the access easements would be removed.
573

574 Mr. Snyder – I recall that when the board was polled that the board was more in favor of
575 accepting Parcel F without designation of those easements because of the consideration of
576 the resource area.

577
578 Mr. LaCortiglia – This surprises me to see it all at once.

579
580 Mr. Snyder – I believe this was created to allow for parking at the end.

581
582 Mr. LaCortiglia – A 50 foot right of way - would that be paved? It looks like frontage for lot
583 number 19.

584
585 Ms. Evangelista – I thought Parcel F was not buildable at all.

586
587 Mr. Williams – The right of way part is not included in Parcel F is paved and provides 3
588 parking spaces and also be access to the driveways for lots 19 and 20. It is necessary to
589 provide frontage if we have a 50 foot right of way. If there is not a 50 foot right of way then
590 we don't need frontage and we would have the frontage off of Lisa Lane which is what it was
591 originally.

592
593 Mr. LaCortiglia – I have some issues with the open space that I will bring up later. For me
594 an access to an open space does not have to be paved in my mind. At this point we are
595 almost making another extension of a roadway. If you start to drive your frontage off of that
596 right of way then we are creating a court here without a cul-de-sac. I am uncomfortable with
597 seeing that as a right of way.

598
599 Mr. Snyder – Perhaps three spaces here and people could walk in as an easement?

600
601 Mr. LaCortiglia – Or a cleared entrance with gravel so that we would not be destroying the
602 hydrology too much.

603
604 Ms. Mann – We could do a turn out on the right of way so that you don't have to park on
605 someone's private property. There is something to be said to have an easement to allow
606 people to park on private property.

607
608 Mr. LaCortiglia – I wouldn't have a problem with having the parking down here on Parcel F.
609 { Shows the area on the screen. }

610
611 Ms. Mann – I don't think you can do that.

612
613 Mr. Graham – The other thing is that this is about a 6 % slope so to keep that in check if you
614 didn't pave it I think would be a mess.

615

616 Mr. Williams – There is a foot path there now. We are not overly confident that you could
617 ever build a road out there under the current regulations. We could provide a little turnout in
618 the right of way so that people weren't parking on someone else's property.

619
620 Mr. LaCortiglia – What are we providing access to?

621
622 {Mr. Williams shows the area on the screen.}

623
624 Ms. Mann – There is close to 9 acres of upland in the open space.

625
626 Mr. Hoover – It would be helpful to have an existing condition plan by itself. It is really hard
627 to see everything on this drawing.

628
629 Mr. LaCortiglia – Mr. Graham what do you think?

630
631 Mr. Graham – A parking area up near Lisa Lane and in this area maybe the homeowners
632 could take an O and M for a footpath.

633
634 Mr. Hoover – Putting parking spaces on the main road is more conducive to the public using
635 them. I like what Mr. Graham is saying.

636
637 Mr. LaCortiglia – So parking a little closer to Lisa Lane.

638
639 Ms. Evangelista – The only objection I see is that the frontage looks small.

640
641 Ms. Mann – It meets zoning.

642
643 Ms. Evangelista – I realize that.

644
645 Mr. LaCortiglia – Is there a way to redraw this so the frontage is not...

646
647 Mr. Williams – That's the way we originally had it - so yes.

648
649 Ms. Evangelista – I am concerned you have a house in there and then you are putting in a
650 parking space. I don't think a homeowner would like that.

651
652 Mr. Graham – They would be between the two and they still would have frontage on Lisa
653 Lane. They will also have to redo their driveways as well on the plans.

654
655 Mr. Graham – We have hashed thru 4 of these things and I started out with 40 comments and
656 am now down to traffic and this.

657
658 Mr. LaCortiglia – I think it boils down to waivers. For me I see it as a balancing act to grant
659 a waiver from the subdivision regulations. It has to weigh heavily in benefits of what is

660 being offered. Those benefits have to tip the scale for me to agree to a waiver. When we
661 were talking about open space in general, in my mind I had a notion of more value of useable
662 open space but that it would provide connectivity to the greenway. Again I don't see the
663 connectively. Is there any way that we could enhance the value to the town of Parcel F by
664 creating a corridor of connectively? Maybe a 100-foot swap in there?

665
666 Mr. Williams – I don't know if it would be 100 but we could provide a strip to that gets you
667 to that lot.

668
669 Mr. LaCortiglia – I was thinking of a 100 - that feels comfortable. How wide would it be if
670 you didn't get your length of road waiver? You could realign...

671
672 Mr. Williams – I don't know, we'd be looking at a different roadway alignment. Is the town
673 anticipating buying that property?

674
675 Mr. LaCortiglia – I can tell you with the open space action plan all of those parcels are in
676 there as desirable parcels.

677
678 Mr. Williams – Is Muse in there as well?

679
680 Mr. LaCortiglia – Yes. One of the things that I would hope is that if you did get this
681 configuration that you would talk to the water department because you could come thru and
682 make a connection to Bernay Lane.

683
684 Mr. Williams – The water department was talking about coming off of Sawmill with the
685 water. We have agreed to provide a stub so you can get to Sawmill.

686
687 Mr. LaCortiglia – What about a stub that might get you to Bernay?

688
689 Mr. Williams – We can get you a stub out there.

690
691 Mr. LaCortiglia – For a Bernay tie-in.

692
693 Mr. Williams – I can give you a stub out there.

694
695 Mr. LaCortiglia – If the stub is there it can happen if the stub's not there it can't. I am
696 thinking of the future.

697
698 Mr. Williams – That is easy to do.

699
700 Mr. LaCortiglia – Thank you.

701

702 Mr. Ingraham (Nelson Street) – Are you aware that on the edge of that is completely swamp
703 all the way down to Rosemary? So if you are going to use it for a greenway it's got to be on
704 the other side of that. Is this a greenway where people can walk?
705

706 Mr. LaCortiglia – The idea of the greenway is conservation land on the left and active
707 recreation on the right.
708

709 Ms. Evangelista – Half is to protect habitat and wetlands with some trails.
710

711 Mr. Ingraham– There is no place between the two other than a walking trail.
712

713 Mr. LaCortiglia – Thank you for your comment.
714

715 Ms. Evangelista – What I get out of it is that is the way the water is flowing on this property.
716 Even this project and I admit this is new to me; you have drainage easements for eight of
717 these lots. If that is not an indication that there's wetland areas here I don't know what else.
718

719 Mr. Graham – A lot of those drainage easements there are not for existing wet areas. They
720 are for piping and detention areas that is what most of these are for. This is not unusual.
721 There are ponds behind lots 5, 6, 7, 10 and 13.
722

723 Ms. Evangelista – My other concern is lot 4, 14, and 18 are extremely odd shaped and I
724 thought we were frowning against any of that kind of lot configuration. Is there a way to
725 correct that? To me this is kind of ridiculous. I think this could have been cleared up.
726

727 Mr. LaCortiglia – Can I ask if 18 is going to be changed at all and 19 and 29 now that we
728 will be reconfiguring?
729

730 Mr. Williams – The line between 19 and 20 is not there now so there would be a new line.
731 Lot 18 could change a little bit.
732

733 Ms. Evangelista – Number 4 is the other one I thought was strange too.
734

735 Mr. Williams – They all meet zoning.
736

737 Ms. Evangelista – I know, I am talking about the design.
738

739 Mr. Williams – I don't find them unusual or lots that are problematic.
740

741 Mr. Hoover – What comes to me Ms. Evangelista as I listen to you is that it seems like there
742 are a number of waivers that are being asked for. That is allowing them to cram in as many
743 lots as they can fit on paper with little regard to what the existing condition is. He is correct,
744 Lot 4 meets requirements but with that shape, immediately a flag goes up for me. You have

745 to do those shapes when you are trying to cram every inch of space. I caution the board on
746 these waivers you are going to grant or maybe you have already granted them I don't know.

747

748 Mr. LaCortiglia – None have been voted on.

749

750 Ms. Evangelista – Looking at the whole picture, I don't care for the cul-de-sacs here. I think
751 it is outdated. I thought, make a complete turn and do away with two cul-de-sacs. To me it
752 is extra paving and if you connected that all the way, it would have looked better.

753

754 Mr. Williams – Actually cul-de-sacs are very desirable. Those are the high value lots.

755

756 Ms. Evangelista – The other issue is the water line. We have issues with water lines on dead
757 end streets.

758

759 Mr. Williams – We are now providing two loops for the town to connect to other places.

760

761 Mr. LaCortiglia – I agree with Ms. Evangelista about lot 14. It is unusual to say the least.
762 For lot 9 and 8 is there a way to amend that and move the lines so Parcel F can connect out?
763 I don't think we resolved anything on that.

764

765 Mr. O'Connell – We will take a look at that.

766

767 Mr. Snyder – You are talking about adding that into Parcel F and not having an easement as
768 part of plan?

769

770 Mr. LaCortiglia – Yes, no easement, in fee. A municipal donation.

771

772 Lisa Lane Resident – I's like to ask the applicants if there was a Plan B for this plan where
773 the waiver wasn't requested for the two roads that are too long.

774

775 Mr. LaCortiglia – Wasn't the original loop in the preliminary?

776

777 Lisa Lane Resident – On the January 20th letter from Mr. Graham talks about a waiver for
778 the two roads that exceed the maximum length. It talks about if the plan... By granting that
779 waiver it allows the applicant to get another 3-4 lots. So my question is; is there another plan
780 that shows without this waiver being requested?

781

782 Mr. LaCortiglia – This is the plan. Whether the waivers are granted is another story. This
783 board has not voted on that yet. When that happens is when the board balances what benefits
784 the community would receive for the waivers as mitigation for the waivers.

785

786 Lisa Lane Resident – It seems like the density is too great and you could solve a lot of the
787 issues by sticking to the bylaws and not requesting waivers.

788

789 Mr. LaCortiglia – Keep in mind, with the exception of that waiver the lots do meet zoning.

790

791 Lisa Lane Resident – It’s a sketchy plan that is part of my point.

792

793 Mr. Rizza – They meet zoning with the waivers granted. I live on a cul-de-sac and it is nice
794 to live on a cul-de-sac. I am sure people on Lisa Lane that aren’t benefitting from this
795 development are pretty upset their cul-de-sac is being turned into a road. There are other
796 issues surrounding the cul-de-sac and I agree with the loop. It takes the town about 45–50
797 minutes to plow my cul-de-sac and the town pays them by the hour. If it were a loop it
798 would not be a burden on the taxpayers in the future.

799

800 Mr. Duncan – We are in a small town and I don’t see a lot of communication between the
801 two boards. The last ConCom meeting and all this open space is a great thing for the
802 developer to offer. But ConCom didn’t see a lot for the town with all the wetlands. My
803 question is what kind of communication is there between the two boards? I would have one
804 member from each board attend each other’s meeting.

805

806 Mr. Snyder – Whenever an application comes in, the submittal is given to all the towns
807 departments and they have 35 days to respond back to the Planning Board. ConCom and we
808 verbally talk to each other about the meetings.

809

810 Mr. Howard – Mr. Hoover why would you like to see an existing conditions plan?

811

812 Mr. Hoover – The benefit an existing conditions plan would offer is that there is one
813 document that is easy to read and understand the land. The way it is prosed here on top of
814 existing and everything else, it is really hard, to see what is existing and what is proposed.
815 This is what I do and looking at these drawings is a challenge.

816

817 Mr. Rizza – The 50 foot right of way, is that going to be posted?

818

819 Mr. LaCortiglia – I think that it will be eliminated.

820

821 Mr. Rizza – But the public is going to have access from what I understand. Is there going to
822 be a sign to park there?

823

824 Mr. Hoover – It would be clearly marked.

825

826 Ms. Mann – It would be clearly marked in both deeds for the property.

827

828 Mr. Hoover – It will be marked so the general public knows.

829

830 Mr. LaCortiglia – Mr. Snyder brings up a good point that it will be done by the ConCom. I
831 don’t believe it would behoove the town to have this be a conservation parcel. I see it more

832 as a park and rec parcel by connectively to the other parcels in the greenway. A municipal
833 donation not article 97.

834

835 Ms. Mann – To be donated to the town itself and not to the ConCom?

836

837 Mr. LaCortiglia – Yes.

838

839 Ms. Evangelista – Didn't Mr. DiMento tell us that that ConCom owns the back part?

840

841 Mr. LaCortiglia – This would be the connection.

842

843 Mr. Graham – One of the notes says that during this process the ownership would be
844 determined of Parcel F.

845

846 Mr. LaCortiglia – I think we just did. There are only two other things I am concerned about.

847 Mr. Snyder I believe you mad a graphic of where the bus stops are?

848

849 Mr. Snyder – This is a result of a public comment where a Planning Board member requested

850 I contact the school for the bus stop locations. {Bus stops and routes are shown on the
851 screen.}

852

853 Mr. LaCortiglia – Thank you Mr. Snyder. We are creating a very big neighborhood here.

854 The kids don't have to travel that far to the bus tops. I am noticing that if there were a bus

855 stop at 16-2 it would be better. You will have everyone driving to these bus stops and they

856 will be jamming the roads. I think it would be better to have one in the middle of the

857 subdivision. That is my opinion.

858

859 Mr. Williams – It is really up to the school department as to where they are. From a traffic

860 standpoint, they want to be on a thru road. On Pillsbury the developer was required to build

861 a bus stop but the bus company didn't want to go in and then have to turn around. It is really

862 up to the school and the bus company. I think the developer will put it anywhere you want it.

863

864 Mr. Rizza – Most of the people who drop their kids off then go to work and they will not go

865 into the cul-de-sac. My concern with the bust stops is not where they are but the timing of

866 the bus pickups related to the trucks coming in and out. During the times of pickup and

867 drop-off can the truck traffic be limited? I am worried about my kids and the other kids

868 while they built the development.

869

870 Mr. Hoover – Your point is well taken and when we are talking about schedules during

871 construction, as one board member, it will still be part of the discussion.

872

873 Mr. LaCortiglia – So you will show a bus stop right?

874

875 Ms. Mann – Yes.

876
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Mr. LaCortiglia – Where are the street lights?

Mr. Graham – There is a comment in the report that the street light electrical plan will come after the board makes its decision.

Mr. Snyder – My understanding is that the light department does their design after the subdivision is approved.

Mr. LaCortiglia – That doesn't sound right.

Mr. Hoover – The way it used to happen was the light fixtures were shown on the plans and coordinated with the other utilities and the trees and the light company took that plan and if they had to modify it they had the right to do that. That's how I remember. I think there needs to be some discussion about that process. Whether or not they have the right I think it behooves the town to coordinate the design of lighting now and not after the fact.

Ms. Evangelista – This is the first subdivision that had come thru with the new manager of the electric department.

Mr. Snyder – He will weigh in and I am sure there will be a schematic done for lighting locations.

Mr. Hoover – The placement of poles should be done now as electrical engineering is part of the plans and it should not be up to the light department to design that part.

Mr. Snyder – I am not saying that it should be up to the light department. I am saying the light department Does their design after it is approved so...

Mr. Williams – If the Planning Board insists we will put the lighting on the plan.

Mr. LaCortiglia – Sounds like a great suggestion - thank you. I hear a lot about site distance on Marlboro road and site distance. Is there anything for us to see?

Ms. Mann – Mr. Graham didn't I send you a plan?

Mr. Graham – No. The only thing was wording that you could cut the bank back and increase the site distance by about 40 feet.

Ms. Mann – We can get you something.

Ms. Evangelista – Did we get a letter about LID?

919 Mr. Snyder – Mr. Graham you mad a comment about a statement about low impact
920 development being on the plans?

921
922 Mr. Graham – We have a rule and regulation bylaw that indicates that there should be a low
923 impact development statement and it is not there.

924
925 Mr. LaCortiglia – I through it was there but a statement is a statement.

926
927 Mr. Williams – The eCode version does not have a requirement for a low impact statement. I
928 could do a statement and explain why we did not use it but it would be outside the
929 subdivision regulations that apparently are the valid regulations.

930
931 Mr. Graham – The statement would have to say that it was considered but not applicable as a
932 different design was implemented.

933
934 Ms. Evangelista – But by subdivision laws it doesn't say anything about putting it on email.
935 It only says you are supposed to get the subdivision regulations form the planning office and
936 the town clerk; it doesn't say anything about email at all.

937
938 Mr. Williams – They need to be regulations that are adopted and approved by the attorney
939 general.

940
941 Mr. LaCortiglia – They are on file in the town clerk's office and when they are not on file
942 there it is because they are on file in the Planning Board office.

943
944 Ms. Evangelista – There is a blurb on the bottom of that website that says there are
945 amendments for subdivision regulations but it is not required by law.

946
947 Mr. Williams – I was at the Planning Board office on two occasions and directed to the ecode
948 as the correct version of the subdivision regulation.

949
950 Mr. LaCortiglia – To my knowledge they are one and the same.

951
952 Ms. Evangelista – What are the specifics for the LID? Usually the LID saves a lot of cost.

953
954 Mr. Graham – What LID would suggest for a road like this is no curbs, swales, driveways
955 crossings with culverts under them etc... and that is not what they have done here. This is
956 really not a design that employs low impact development.

957
958 Mr. Hoover – Low impact would certainly say you don't pave the cul-de-sac and have
959 landscape in the middle.

960
961 Mr. LaCortiglia – We have discussed that and I believe the consensus was with all pavement
962 because this is going to be a public road.

963
964 Mr. Hoover – Why? Never mind you have made your decision, I don't want to get into it.
965
966 Mr. Howard – My recollection is that it was the maintenance of it.
967
968 Mr. LaCortiglia – It is what it is. It sounds like they will redraw the plans and bring all our
969 comments in together.
970
971 Mr. Howard – It seems like there is going to be a lot of earth moved and I wonder if it would
972 be prudent to do some arsenic tests. I know early on a resident had this on their list. It might
973 be good to know.
974
975 Mr. Hoover – The testing is short money. I would like to find out how other towns are
976 dealing with this. And would we do this this for every project that comes into town?
977
978 Mr. Howard – There is going to be more earth disturbed here than at the school project. I
979 think it is worth going the step for a subdivision.
980
981 Mr. Hoover – I agree.
982
983 Ms. Evangelista – Are you bringing in soil?
984
985 Mr. Williams – Some soil may be coming in for road sub base - not a lot.
986
987 Mr. LaCortiglia – You are making a road way so all the area disturbed is covered with
988 pavement.
989
990 Mr. Hoover – It has to do with the construction process. If it is over the 20 or 40 ppm
991 whatever the threshold is those are the ones to deal with whether it is capped or not.
992
993 Mr. Howard – And it's cellar holes and septic too.
994
995 Mr. LaCortiglia – What is the town's liability?
996
997 Mr. Howard – I am not concerned about the town but the neighbors. They had expressed a
998 concern about it early on and we never addressed it. Going forward with any large scale
999 project I think it is worth investing to see.
1000
1001 Mr. LaCortiglia – I have to think about it.
1002
1003 Ms. Evangelista – I think it is a good idea.
1004
1005 Mr. Howard – This is a large scale development.
1006

1007 Mr. LaCortiglia – But aren't they both private developments?
1008
1009 Mr. Howard – I don't care if it is public or private that is irrelevant. It is already an issue.
1010
1011 Mr. Hoover – I agree. Mr. Graham I noticed in some of your older letters about buffers and
1012 holding onto those. Was that able to take place?
1013
1014 {Mr. Graham shows the buffers on the screen.}
1015
1016 Mr. LaCortiglia – Any other comments from the public?
1017
1018 Mr. Duncan – Searle Street is one way, no trucks how are you going to deal with that?
1019
1020 Mr. LaCortiglia – Trucks will be coming out.
1021
1022 {Mr. Graham shows on the screen the road(s) the trucks will use for the construction.}
1023
1024 Mr. LaCortiglia – That is how the board will condition the truck traffic.
1025
1026 Mr. Howard – In regards to the stonewall that is affecting the site distance. It seems like Mr.
1027 Graham is under the opinion for it to go away. If you guys are of the opinion that it should
1028 be cut down to 2 feet - is that correct?
1029
1030 Mr. Graham – I think they have control of it and they could cut it down.
1031
1032 Mr. Williams – We will remove whatever we have to do to gain site distance shown on plan.
1033
1034 Mr. Howard – Is there any functionality to it?
1035
1036 Mr. Graham – It divides the street line.
1037
1038 Mr. Howard – I would like Mr. Graham to be on board with whatever the solution.
1039
1040 Ms. Evangelista – Maybe save some of the stone wall.
1041
1042 Mr. Williams – It will not look odd I assure you.
1043
1044 Mr. Graham – Can I make a suggestion? Instead of them doing a street light plan, ask them
1045 to meet with the light department and have them coordinate it with them so we don't go back
1046 and forth.
1047
1048 Mr. LaCortiglia – That sounds like a good idea.
1049

1050 Mr. Williams – We would be happy to so that. The electric department does not do the
1051 design. They send it out to a sub consultant and that is what we didn't want to do. There is
1052 more infrastructure as the whole electric system needs to be brought up from single to three
1053 phases. We didn't want street lights on there and it did not make sense.

1054
1055 Mr. Graham – But this board is only interesting in street lights not how the power is being
1056 upgraded.

1057
1058 Mr. Hoover – On the one hand I think it is a great suggestion. On the other hand when to
1059 come to the pattern of the lighting and where it goes - who calls the shot? The light
1060 department or you guys?

1061
1062 Mr. Williams – In almost every community we work in, we get the plan approved and then
1063 send it out to the utility and they design it and it goes on the plan and I have never had a
1064 problem where the Planning Board said we don't like the design of the lighting.

1065
1066 Mr. Hoover – Maybe in your experience. In our experience it is the opposite. We design the
1067 lighting and locate it and work with the lighting department.

1068
1069 Mr. LaCortiglia – Would it be considered a minor modification in those other communities?

1070
1071 Mr. Hoover – Let them move forward and the plan will come back and we will look at it.

1072
1073 Mr. Williams – We will get the light put on in conjunction with the light department.

1074
1075 Mr. LaCortiglia – Good idea.

1076
1077 Mr. O'Connell – We will meet with the light department and get it on the plan.

1078
1079 Mr. Howard – **Motion** to continue this hearing to the May 28th, 2014 meeting.

1080 Mr. Watts – **Second.**

1081 **Motion Carries: 3-1; 1 Abstention.**

1082
1083 Ms. Mann – I believe Ms. Evangelista has missed one meeting and if she misses another that
1084 means she can no longer vote on this matter.

1085
1086 Ms. Evangelista – I didn't miss any meetings.

1087
1088 Mr. LaCortiglia – We will check on it but with four of us you will have a quorum.

1089
1090 Ms. Mann – But Mr. Hoover can't vote and we need to have a unanimous vote.

1091
1092 Mr. LaCortiglia – Moving forward, what do you suggest? Do you want to push it out
1093 further?

1094
1095 Ms. Mann – I don't want to put it off but the board has to.
1096
1097 Mr. LaCortiglia – Well you are their representative what do you want to do?
1098
1099 Ms. Mann – I would like it held at a meeting when I have a full board.
1100
1101 Ms. Evangelista – I am not going to vote for the 28th as I am not going to be here.
1102
1103 Mr. LaCortiglia – The applicant wants to make a comment and I will accept it.
1104
1105 Mr. O'Connell –Is there any way we can keep the 28th as Ms. Evangelista is allowed to be
1106 excused from one meeting? I am sure we can bring her up to speed. I would like to keep the
1107 process going. It has been a long time.
1108
1109 Mr. Howard – If that's what he wants then that's what he gets.
1110
1111 Mr. Hoover – I am aware how long the applicant has been in front of the board. Is there a
1112 way, for efficiency that coming to the next meeting, whatever issues that are new that it is
1113 understood that all of us do our work well in advance so that we have a conclusion to this
1114 process. So everyone has done there due diligence beforehand.
1115
1116 Mr. LaCortiglia – Good point.
1117
1118 Mr. Snyder – How soon do you think you can have the revisions made to the plans?
1119
1120 Mr. Williams – It will be at least two weeks prior to the meeting.
1121
1122 Mr. Snyder – Then we can get all the full plans submitted to the board members so the full
1123 review can be made.
1124
1125 Ms. Evangelista – Do you have a list of what he is coming in with?
1126
1127 Mr. Williams – I will accompany the changes with a list.
1128
1129 **Planning Office:**
1130 **1. Budget FY'14.**
1131 Mr. Snyder – I took a look at the budget for the Planning Office and the Planning Board and
1132 we have plenty of money. I am in the process of looking into purchasing a full size scanner.
1133 It is an all in one for scanning and plotting. The expense is about 4-5 thousand dollars but
1134 the Building Inspector will be able to pay for about half of it. This will be coming up before
1135 the end of June.
1136
1137 Mr. Hoover – I think that is a great piece of equipment. Is that something the town can share
1138 some of the cost?

1139
1140 Mr. Snyder – All the land use departments would use it and it would be available to all town
1141 departments. However, ConCom and zoning don't have an annual fiscal budget to speak of.
1142

1143 Mr. Hoover – Fair enough, those who can afford it can kick in.
1144

1145 Mr. Snyder – I will go around with the hat now you know what it is for.
1146

1147 Mr. LaCortiglia – Any objections to that - didn't think so.
1148

1149 Ms. Evangelista – I have something to suggest; I think that we need a consultant firm to go
1150 over our subdivision and any other bylaws we have on the books to update them. The storm
1151 drains requirements as well as LID, and consolidate them so we don't have one that is
1152 updated but not the other one. A place like Horsley Whitten - I think if we had a firm like
1153 that to come and talk about what they could do for us into consolidating what we have and
1154 recommending improvements. I got into this as I was reading the earth removal bylaw and I
1155 was floored when I read the whole thing. In 2001 they made it easier to read and there is also
1156 a tonnage requirement of what is going in and out. And there is a permit required and the
1157 Planning Board is responsible for approval. The first part of it does not apply for public use.
1158 In a sense we have to enforce this bylaw but the town doesn't have to follow it. What we
1159 have run into recently is that the town has the problem.
1160

1161 Mr. LaCortiglia – It is very common that public use is pretty much exempt from a lot of
1162 things.
1163

1164 Ms. Evangelista – Well I don't agree with it.
1165

1166 Mr. Hoover – I think the bigger picture is something that this board needs to talk about in
1167 terms of long range planning. I don't know the best way to do that is. Maybe have a meeting
1168 and that's the agenda item. It is a big ticket item and I think it should go on one of the
1169 agendas for strategically planning the future of the ordinances and so on. You are right, the
1170 town is exempt from everything we have private developers doing and I can't think of one
1171 town project that hasn't come back and bit it.
1172

1173 Ms. Evangelista – And when are we going to wake up. Mr. Snyder it would be great if you
1174 had a copy for everyone to read it.
1175

1176 Mr. Snyder – Everyone has a copy of the subdivision regulations and the bylaws.
1177

1178 **2. Annual Town Meeting Update.**

1179 Mr. Snyder – We received some feedback back from town counsel and he made a couple of
1180 recommendations. One is for the solar bylaw, not to go and be voted upon at town meeting
1181 as he said it needs some more work.
1182

1183 Mr. LaCortiglia – Town counsel is suggesting we pass it over?
1184

1185 Mr. Snyder – Yes. We will also need to make a motion from the floor to not include the wind
1186 or the solar on the use schedule changes.

1187
1188 Mr. LaCortiglia – So we should pass that over too.

1189
1190 Mr. Hoover – They are all related. You need experts to be writing this and that costs money.

1191
1192 Mr. Watts – You know we spent so much time discussing everything and to me it is very
1193 frustrating and now we are going to pass it over.

1194
1195 Mr. Hoover – Let me clarify something. When say expert I am talking about Mr. Snyder.
1196 He is the paid town planner and part of his job description could include some of this work.

1197
1198 Mr. LaCortiglia – It does.

1199
1200 Mr. Hoover – But what I see happening is that the board starts taking it over and takes what
1201 Mr. Snyder has put together and that's not to say that out of ten comments that the board has
1202 put together that some of those questions are legitimate and worth discussing but it is almost
1203 as if the board ends up taking it and turns it into their own document and starts getting into
1204 this when it has already been addressed by a professional trained person in that arena. So
1205 part of the long term planning for all of us is I personally see Mr. Snyder playing a much
1206 bigger role with this board than I've witnessed in the past. I don't think you want to go out
1207 and hire a consultant.

1208
1209 Mr. LaCortiglia – Are you referring to the solar bylaw or the regulations?

1210
1211 Mr. Hoover – In general.

1212
1213 Mr. LaCortiglia – In regard to the solar bylaw as far as I could tell - I look at it as though
1214 we've had our professional create and the boards approved now instead of town counsel
1215 saying you should pass it over they should be saying cross this out, add this and modify it
1216 from the floor. I think town counsel has fallen on their face here. That's kind of whimpy
1217 they had plenty of time to make the changes.

1218
1219 Mr. Hoover – They are not the experts.

1220
1221 Mr. LaCortiglia – They're lawyers.

1222
1223 Mr. Hoover – That right they are lawyers, they are not solar experts.

1224
1225 Mr. LaCortiglia – Then why are they telling us to pass it over?

1226
1227 Mr. Hoover – I think what they are saying is what they read doesn't stand up to basic...

1228

1229 Mr. Snyder – My interpretation is that they could not take this to the point where it could be
1230 changed on the floor. It was too thick so you need to cull this out a little bit.

1231
1232 Mr. LaCortiglia – I get it but the next step shouldn't be to pass it over. It should be pass it
1233 over for now and they would send us the revised version. We've done our due diligence.

1234
1235 Mr. Watts – I think we did differentiate between commercial and residential.

1236
1237 Mr. LaCortiglia – I think what you have here is the rush that happens right before town
1238 meeting.

1239
1240 Mr. Hoover – That's another thing for the board. It would d be nice for the board to have a
1241 plan and not put this off to the end and you have a long range plan for the board?

1242
1243 Mr. LaCortiglia – Unfortunately it's the review of it that's put off until the very end.

1244
1245 Ms. Evangelista – We've only had three discussions and it is a big project. It probably
1246 should have had a subcommittee first and then we rehash it all and then present it to the
1247 board. Maybe that would have been quicker.

1248
1249 Mr. Snyder – There were more than three meetings for the solar. To your point Mr. Hoover,
1250 I have an excel spreadsheet and every time there is something that comes up during a
1251 meeting, it goes on the list. If it's to have a meeting and say ok Planning Board here's the
1252 list, what's the chunk you want to take and then you stay focused on that and do that for
1253 special town meeting. And then go to the next one. It is a running list.

1254
1255 Mr. Hoover – I think you're right. I just want to throw out there that the board has a meeting
1256 in the not too distant future where we could have a discussion about the organization and
1257 goals of the board for the year coming up and to get the big picture. I think a meeting like
1258 that would be really helpful.

1259
1260 Ms. Evangelista – I agree it would be a help for everybody.

1261
1262 Mr. Watts – The fact is when I am in these meetings you folks that have had a lot of
1263 experience are asking questions on topics that I don't really know.

1264
1265 Mr. Hoover – It comes with experience and also it seems like everyone on the board has
1266 certain strength and the more we are diversified in those strengths the better the board is.

1267
1268 Mr. LaCortiglia – The other thing is you have to go thru the process. You have to start from
1269 where it is a piece of paper form an applicant to years later you see people moving into these
1270 houses and say wow we really dropped the ball there and that should have been something
1271 we took care of. You learn and evolve.

1272

1273 Mr. Watts – So much is knowing where the boundaries are. For instance what is the limit for
1274 oddly shaped lots? Can we say I don't like the shape of that lot?
1275

1276 Mr. Hoover – That is important to understand. Where we think this is the right thing to do
1277 versus enforcing what the ordinance says.
1278

1279 Mr. Watts – You've made that point many time Mr. LaCortiglia that the bylaws are the
1280 bylaws and you have to be careful about approving changes to the bylaws.
1281

1282 Mr. LaCortiglia – Well it is now 10:10 and Mr. Hoover we will certainly look at what you
1283 mentioned about the big picture. I don think it will happen for a couple of meetings but I am
1284 sure it will.
1285

1286 Ms. Evangelista – Do you want me to inquire about Horsley and Whitten? I think they come
1287 out for free and talk about what they could do for us. Tell us how to go about it etc...
1288

1289 Mr. LaCortiglia – We could probably squeeze that into a meeting. Have them coordinate
1290 with Mr. Snyder.
1291

1292 Mr. Watts – The one other thing I wanted to mention is the point that the citizen made about
1293 the communication between the boards I think was a very powerful comment. We have
1294 technology that should allow us to access information across the boards.
1295

1296 Mr. Snyder – We have a permit program where when everything gets logged in, starting with
1297 the building department everyone gets a change to track their comments and any open items.
1298 Every time a permit comes in all the town departments are coordinated.
1299

1300 Mr. Watts – Organizationally if we are doing our own thing and they do their own thing we
1301 will be in the same situation that we are in now.
1302

1303 Mr. Hoover – My opinion is the fundamental challenge this town has is the current form of
1304 government. Right now there is no one point where everything goes to. Every town
1305 department operates in its own room. And until that changes where you either have a strong
1306 town manager or you have different form of the current government that has certain power.
1307 People don't want to give it up they are afraid to. Nothing is going to change. We can have
1308 all the best communication in the world but like Mr. Snyder said he can't chase people to get
1309 the information.
1310

1311 Mr. LaCortiglia – You don't want to become a city either. You can have a strong town
1312 manager but all you end up with is a major for hire.
1313

1314 Mr. Hoover – At some point a town outgrows its government and this town has outgrown it.
1315 Look at all the projects, every project comes back to bite us.
1316

1317 Mr. LaCortiglia – I don think that has to do with the form of government. That has to do
1318 with exemptions under state law.
1319
1320 Mr. Hoover – Nope. If the entire town is working together you can write your own bylaw
1321 and create a scenario where those exemptions don't happen.
1322
1323 Mr. LaCortiglia – I don't think you are going to override state law by writing a bylaw but...
1324
1325 Mr. Hoover – This is a great discussion.
1326
1327 Mr. Watts – **Motion** to adjourn.
1328 Mr. Howard – **Second.**
1329 **Motion Carries: 5-0; Unam.**
1330
1331 **Meeting adjourned at 10:16 PM.**