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**MEETING MINUTES**  
**GEORGETOWN PLANNING BOARD**  
**Wednesday, April 9<sup>th</sup>, 2014**  
**Memorial Town Hall – 3<sup>rd</sup> Floor**  
**7:00 p.m.**

**Present:** Mr. Harry LaCortiglia; Ms. Tillie Evangelista; Mr. Bob Watts (arrived at 7:06 PM); Mr. Tim Howard (arrived at 7:10 PM); Mr. Rob Hoover; Mr. Graham; Technical Review Agent, Mr. Howard Snyder, Town Planner; Ms. Wendy Beaumont, Administrative Assistant.

**Meeting Opens** at 7:05 PM.

**Approval of Minutes:**

**1. Minutes of March 26, 2014.**

Ms. Evangelista – **Motion** to accept the March 26, 2014 meeting minutes as amended.

Mr. Hoover – **Second.**

**Motion Carries: 3-0; Unam.**

{Mr. Watts arrives at 7:06 PM}

**Correspondence:**

**1. Christyne LaPlaca: Letter from resident concerning Turning Leaf Definitive Subdivision.**

Mr. Snyder – I am providing this to the board now. The public hearing is at the next meeting on April 23<sup>rd</sup>. We can bring it up to discussion then.

**2. H.L. Graham & Associates: Turning Leaf Definitive Plan - Review Report #3.**

**3. H.L. Graham & Associates: Turning Leaf Definitive Plan – Traffic Memo.**

Mr. Snyder – Again these can be brought up at the April 23<sup>rd</sup> meeting.

**4. Bill Mr. Holt –: Jefferson Court Definitive Subdivision and Special Permit: Response Letter.**

Mr. Snyder – The board can address this at tonight’s public hearing.

**Vouchers:**

**1. W.B. Mason: Office Supplies.**

**2. North of Boston: Daily News – Invoice for Zoning Amendment Legal Ads.**

Ms. Evangelista – **Motion** to accept the vouchers as presented with a total of \$683.75.

Mr. Hoover – **Second.**

**Motion Carries: 4-0; Unam.**

{Mr. Howard arrives at 7:10 PM}

45 **Old Business:**

46 **1. Harmony Lane: Layout for Street Acceptance.**

47 Mr. Snyder – Provided in the packet is documentation regarding the street acceptance for  
48 Harmony Lane for the Planning Board to consider and to make a recommendation to the Board  
49 of Selectmen for acceptance at town meeting. We received a letter from the BSC Group  
50 regarding the as-built and street acceptance plans and they find both of the plans acceptable. At  
51 the end he states that all work has been performed in general conformance and both he and Peter  
52 Durkee agree the street is suitable for acceptance as a public way. Also in the packet is a letter  
53 from the police and fire departments regarding their analysis.

54  
55 Mr. LaCortiglia – My only concern is from the fire department. He states that during this winter  
56 it was difficult for the fire truck to make a safe turnaround. This is certainly something to  
57 consider. Other than that, everyone seems good with it.

58  
59 Mr. Watts – He didn't say that they were unable to turnaround.

60  
61 Mr. LaCortiglia – Something to keep in the back of our minds when we think about courts and  
62 lanes and snow storage areas.

63  
64 Mr. Snyder – Provided in the packet were all the meeting notes and I don't recall seeing any  
65 notes that this was going to remain a private way.

66  
67 Mr. LaCortiglia – At this point the Board of Selectmen have asked us to generate a report for  
68 this.

69  
70 Mr. Snyder – Yes. What the Planning Board recommends or doesn't recommend in regards to  
71 the acceptance at town meeting.

72  
73 Mr. LaCortiglia – So we recommend or we don't recommend this for town meeting.

74  
75 Mr. Howard – **Motion** to recommend the acceptance of Harmony Lane to the Board of  
76 Selectmen for town meeting.

77 Mr. Watts – **Second.**  
78 **Motion Carries: 4-0; 1 Abstention.**

79  
80 Ms. Evangelista – It might be a good idea to send the memo from the fire department to Mr.  
81 Durkee so his plowers can be aware of the issue.

82  
83 **Public Hearing:**

84 **1. Jefferson Court: Definitive Subdivision Plan and Special Permit - Continued from**  
85 **March 12<sup>th</sup>.**

86 Mr. LaCortiglia – We are now opening the continuation of the public hearing.

87  
88 Mr. Kroner – I forwarded to Mr. Snyder documents that I believe are in your packets; one being  
89 a letter from Mr. Holt, the former owner of 78 North Street. I believe at the last meeting there  
90 was an issue about a stream on the northwest of the property. According to him there was never  
91 any type of water there. He also states he never received any complaints from the abutters. I

92 also provided a copy of a deed and an easement agreement. The property at 76 North Street has  
93 been sold and there was an easement on the corner of the property for access to one of the  
94 houses. The new owner has taken subject to that easement and there was a plan recorded on that.  
95 I provided a draft for your review of a type of maintenance agreement for the two houses and to  
96 follow up, we will not be coming back at any point seeking town approval for this court. It will  
97 remain a private way and each owner will sign off on that for maintenance, plowing etc..

98  
99 Mr. LaCortiglia – Tell me about the maintenance agreement.

100  
101 Mr. Kroner – It will be recorded at the Registry of Deeds with each deed so there will be no  
102 question. They will be attached to the purchase of sale. We will do our best to insure there is no  
103 confusion and that these people know. It will be recorded and referenced in each subsequent  
104 deed. It becomes part of the deed and runs with the land.

105  
106 Mr. Snyder – I'll just note that this is part of the application and written into the decision will be  
107 that the board has accepted this easement.

108  
109 Mr. Kroner – The other document is a letter from the water department.

110  
111 Mr. Snyder – I received those after the packet was provided so they are not in there. I forwarded  
112 them by email both from the water department and the fire departments comments as well.

113  
114 Mr. LaCortiglia – Would the board like to hear a summary of those?

115  
116 Mr. Kroner – The memo from the fire chief states that the entry and width appear adequate for  
117 fire apparatus. The water department memo states that the standard conditions comply with  
118 GWD rules. The last thing I want to submit is that the Building Inspector has stated that this is a  
119 nonconforming lot for a two family house. For the record we are not increasing the number of  
120 families. The house torn down was a two family house and the applicant does have the right to  
121 construct a two family condo unit or something like that.

122  
123 Mr. Holt – The revised plans were submitted to Mr. Graham and we provided a response letter.  
124 I sat with Mr. Graham to discuss and go over the plans item by item.

125  
126 {Mr. Graham arrives at 7:23 PM}

127  
128 Mr. Holt – I am referring to the first review. I went through these with Mr. Graham to make sure  
129 we addressed all of his concerns. I see by his response that he is indicating that we have  
130 addressed all of his concerns.

131  
132 Mr. Snyder – For the record, the back and forth with Mr. Graham is that you responded to the  
133 first and he has issued a second report which I forwarded to the board electronically.

134

135 Mr. LaCortiglia – We have a little bit of a timing issue here. Mr. Graham is it my understanding  
136 that you have reviewed the second time here?

137  
138 Mr. Graham – Yes, I have.

139  
140 Mr. LaCortiglia – Mr. Graham what has not been resolved to your satisfaction?

141  
142 Mr. Graham – Most of the issues have been answered to our satisfaction however there are a few  
143 things that are more of less board decisions and clarifications and assurance to the board about  
144 how things would be handled legally. The first item is on page 2 under B1a, an easement note.

145  
146 {Mr. Holt reads the easement note.}

147  
148 Mr. Graham – My question is whether or not the town wants to be a recipient of the easement or  
149 leave it with the owners as this is a private road.

150  
151 Mr. LaCortiglia – We just discussed an easement that is for this area. {Shows the area on the  
152 screen.}

153  
154 Mr. Graham – Does the town want to have an easement over that?

155  
156 Mr. LaCortiglia – I presume that the drainage easement ran to the benefit of 33a and 33. So  
157 where is the town involved in that?

158  
159 Mr. Holt – It makes more sense to leave it with the two lots.

160  
161 Mr. Graham – The solution is to revise the note so it does not reflect to the town.

162  
163 Mr. Hoover – Do you have an opinion on this Mr. Graham?

164  
165 Mr. Graham – I think it should remain private between the owners.

166  
167 Ms. Evangelista – We would have to see that it is registered right?

168  
169 Mr. Graham – The plan would be recorded. The next one is B1C on the next page. Does the  
170 board want access to lot 32? If the board is fine with the changes and don't want the other lot to  
171 have access then the notes are acceptable.

172  
173 Mr. LaCortiglia – I think the feeling of the board was to have access off of North Street for lot  
174 32.

175  
176 Mr. Kroner – I mentioned earlier Mr. Graham that 76 North Street has been sold.

177

178 Mr. Graham – The next is note D. The Planning Board may want to condition any approval  
179 action. I think that is a forgone conclusion that you would put that in the decision. The next is E  
180 and what I say there is that you may want to see the recorded documents before you release lots.

181

182 Mr. LaCortiglia – So in the decision prior to lot release we would be in receipt of verification.

183

184 Mr. Graham – As far as the waiver request they have revised the plans and the waiver request list  
185 to our satisfaction and I recommend that in your decision you specifically consider granting the  
186 waivers as they requested.

187

188 Mr. LaCortiglia – I hope after we go thru all your concerns and comments we can hear from the  
189 audience.

190

191 Mr. Graham – The next comment to discuss is on sheet 4 item 4F. This involves the grading of  
192 the lot to the southwest - lot 33. What the applicant engineer has done is fine turned the grading  
193 so the overflow from the retention basin will outlet towards Jefferson Court. It has to be done by  
194 hand - my concern is that once the lot is sold that the drainage path remains the way it is built to  
195 the plan after it is sold. Somehow we need to get that fine tuned grating into the restrictive  
196 covenant.

197

198 Mr. LaCortiglia – How would that be enforced?

199

200 Mr. Kroner – My suggestion is that the two lot owners know the responsibilities. I can put in the  
201 deed that they take all terms of the Planning Boards decision. If you want I can put language in  
202 the deed that the lot owner of 33 has the responsibility to maintain that easement. And if they  
203 don't then the abutter could come to the Planning Board if it were not being adhered to.

204

205 Mr. Graham – It is actually not in an easement.

206

207 Mr. LaCortiglia – Wouldn't it be easier to design it the right way?

208

209 Mr. Graham – I think it is.

210

211 Mr. LaCortiglia – I am a bit concerned. You have micro grading throughout the whole parcel.  
212 It sounds like the calculations are really close.

213

214 Mr. Graham – There is a lot of room in the calculations for this working. The soils are so  
215 pervious.

216

217 Mr. Holt – It is the water on the abutter's property that would come on our property. We are  
218 trying to keep it that way.

219

220 Mr. Graham – This is all theoretical - no major flooding I don't think.

221

222 Ms. Evangelista – That is where you said you had a weir wasn't it?  
223  
224 Mr. Holt – That is our little pond that will collect the water.  
225  
226 Ms. Evangelista – We had a lot of complaints/concerns from the abutting lot.  
227  
228 Mr. Holt – We are keeping the flow from going that way and keeping the water on our own site.  
229  
230 Ms. Evangelista – Would vegetation be a better idea?  
231  
232 Mr. Graham –The backyard of lot 33 is graded so it goes to the infiltration basin and if it  
233 overflows it will go to the north. The offsite water to the south has not been changed.  
234  
235 Mr. Snyder – This design accommodates all the water on site and designed to accommodate any  
236 flow coming from the abutter onto the property.  
237  
238 Ms. Evangelista – As long as they grading the area right?  
239  
240 Mr. Graham – As long as they don't fill these things in I don't foresee any issues because there  
241 are such good soils there.  
242  
243 Mr. Graham – My original concern is that it is fine-tuned graded and what we can do to ensure  
244 that the grading does not get changed.  
245  
246 Mr. Hoover – Any water off site they have accounted for, the proposed system will take it. The  
247 question is how to make sure the grade stays in place.  
248  
249 Mr. Kroner – Maybe put something in your decision so the DeGiovanni parcel has some  
250 recourse. We are going to do our best to tell the owner what the rules are but if you put in your  
251 decision then the abutter has some recourse.  
252  
253 Mr. Hoover – Can it get added to the drawings?  
254  
255 Mr. LaCortiglia – It is my intent that we do it the right way to prevent it from happening.  
256  
257 Ms. Evangelista – What is the water table there?  
258  
259 Mr. Graham – It is about 75-85 inches - quite deep.  
260  
261 Mr. Hoover – In the real world if there is a problem they go to the recorded plans and I think  
262 having a note on the plan would also do it and they can cross reference each other.  
263  
264 Mr. LaCortiglia – What would that language sound like?  
265

266 Mr. Hoover – The language could be “what is on these drawings, these grades need to be  
267 maintained”.

268

269 Mr. Graham – If you put it in a restrictive covenant maybe that is the best you can do.  
270

271 Mr. Howard – You could add “so that it does not adversely impact the existing flow of water.”  
272

273 Mr. Holt – Clearly we need to do an as-built plan. We could highlight the location and spell out  
274 that it needs to be maintained.  
275

276 Ms. Evangelista – The neighbor complained and stated that your property is 4 feet higher than  
277 hers. Would that have a bearing on her concerns?  
278

279 Mr. Graham – All the grading come to the infiltration basin and that stops the water from  
280 flowing southerly. And if it overflows it goes to the northeast.  
281

282 Mr. Howard – Do they have roof runoff infiltration?  
283

284 Mr. Graham – Yes.  
285

286 Mr. Holt – We can add a note to the plan as well as high lighting it for the proposed grading  
287 stating that it needs to be maintained for lot 33.  
288

289 Mr. Hoover – You can approve it contingent upon that note.  
290

291 Mr. LaCortiglia – Do you have approved septic plans?  
292

293 Mr. Holt – We have approved septic plans for lot 33.  
294

295 Mr. LaCortiglia – What’s the finished grade?  
296

297 Mr. Holt – 88, 87 over the top of the system.  
298

299 Mr. LaCortiglia – Sometimes I see things get approved from this board and for whatever reason  
300 a septic system gets installed and all of a sudden things are popping out of the ground.  
301

302 Mr. Graham – Maybe you approve it subject to an as-built plan and leave a reservation that at  
303 that time you feel it necessary that that course of drainage could be protected by another  
304 easement later prior to certificate of occupancy. Don’t you have a Form J before you get a  
305 building permit?  
306

307 Mr. LaCortiglia – I am thinking of a covenant and there are none in this case.  
308

309 Mr. Snyder – If they show proof that the easement has been recorded then this can be another  
310 layer of it. I believe it is well covered with the notes on the drawing as well as the covenant that  
311 the homeowner will have to sign.

312

313 Mr. LaCortiglia – So it would be an additional covenant on the parcel?

314

315 Mr. Kroner – Yes.

316

317 Mr. Howard – I still think there should be a reference as to why the drainage is in there so as not  
318 to impede the current flow of water.

319

320 Mr. LaCortiglia – That sounds like language in the decision describing that.

321

322 Mr. Howard – That makes it easier for the neighbor to reference that.

323

324 Mr. LaCortiglia – So referenced in the decision - is everybody good with that?

325

326 Mr. Howard – It should be recorded somehow.

327

328 Mr. LaCortiglia – I like what Mr. Hoover said, to have it in the plans because the plans are the  
329 first thing they will pull.

330

331 Mr. Kroner – In the unlikely event it is necessary, if it is in the decision and on the plans and a  
332 recorded covenant then they have some recourse.

333

334 Mr. Howard – As long as they know what they are buying there won't be a problem.

335

336 Mr. Snyder – They will with the deed.

337

338 Mr. LaCortiglia – I am thinking of turnovers thirty years down the road.

339

340 Mr. Howard – As long as it is in the records, then the neighbors would know where to go. It  
341 wouldn't be a bad idea to put an elevation stake there so it would be easy to see if it was messed  
342 with.

343

344 Mr. Graham – If you get to that point you would need a surveyor or an engineer involved. The  
345 next comment is for H, they put some notes on sheet 6 about the infiltration basins will be used  
346 and that is really up to your subdivision inspector to see that that happens. Item 5a doesn't the  
347 board have feedback from the water department?

348

349 Mr. Holt – The abbreviation on sheet 5 is a typo that I will correct.

350

351 Mr. Graham – Item 6D and that was whether the Planning Board would require any street trees.

352



353 Mr. LaCortiglia – How does the board feel - this is a private road.  
354  
355 Mr. Holt – There are quite a few trees there that we are retaining. It is up to the board to decide.  
356  
357 Ms. Evangelista – What does the bylaw say?  
358  
359 Mr. LaCortiglia – I think what we are looking at it as if we had a 20 foot wide subdivision  
360 roadway and this is slightly different.  
361  
362 Mr. Snyder – Usually they are to the benefit of residents in town that are driving on it.  
363  
364 Mr. Hoover – For me I would say yes to the trees, definitely. They will be here longer than any  
365 of us and are a big part of the future.  
366  
367 Ms. Evangelista – Last time I brought up that the existing trees could have a well around them,  
368 what do you think of that?  
369  
370 Mr. Hoover – It depends on the tree type. If there are big trees you want to take the effort to save  
371 them.  
372  
373 Mr. Dehullu – They are sugar maples.  
374  
375 Mr. LaCortiglia – Would the board like to see street trees?  
376  
377 Ms. Evangelista – I would.  
378  
379 Mr. Howard – Sure.  
380  
381 Mr. LaCortiglia – Where would we add them?  
382  
383 Mr. Hoover – Along the side of the road. {Recommended areas are shown on the screen.} It is  
384 good for resale of the property too.  
385  
386 Mr. LaCortiglia – Mr. Holt you know where to put them.  
387  
388 Mr. Kroner – Any recommendation on species?  
389  
390 Mr. Hoover – Stay away from sugar maples. Some red maples are really hardy. The honey  
391 locust and green ashes are nice.  
392  
393 Mr. LaCortiglia – Any more comments Mr. Graham?  
394  
395 Mr. Graham – No other comments at this time.  
396

397 Ms. Evangelista – How many trees?  
398  
399 Mr. Holt – I count three.  
400  
401 Mr. Snyder – One on each side of Jefferson Court by the contour and one behind the property  
402 line behind basin 1-2.  
403  
404 Mr. Hoover – That tree you are retaining has roots that are probably close to the surface - it is  
405 hard to save those.  
406  
407 Mr. Holt – We could replace it inside the property if that one gets damaged.  
408  
409 Mr. Howard – Won't know for a couple of years maybe we need to make the decision to take it  
410 down and replace it?  
411  
412 Mr. Hoover – I have not seen the tree. It is a public drive and it would be nice to have a tree  
413 there.  
414  
415 Mr. LaCortiglia – Maybe talk to Peter Durkee about it as he is the tree warden and it is a public  
416 right of way. Any public comments? Hearing none it seems to me that we need to vote for the  
417 special permit.  
418  
419 Mr. Watts – **Motion** to approve the special permit for Jefferson Court.  
420 Mr. Howard – **Second.**  
421 **Motion Carries: 4-0; 1 Abstention.**  
422  
423 Ms. Evangelista – I thought we would do a special permit without completing it. I didn't think  
424 you could separate it like this.  
425  
426 Mr. Snyder – Special permit is part of the subdivision.  
427  
428 Ms. Evangelista – It seems to me that first you do the waivers and then but I am not that familiar  
429 with courts.  
430  
431 Mr. Hoover – The special permit I think goes to the idea, and then you go to the waivers that are  
432 specific. So vote on the special permit first.  
433  
434 Mr. Snyder – Yes, you approve that and move into the more finite.  
435  
436 Mr. LaCortiglia – With the board's permission I think we should vote on the waivers being  
437 requested.  
438  
439 Mr. Snyder – From the discussion there won't be any additional waiver added so you can vote on  
440 the seven being presented.

441  
442 Mr. LaCortiglia – We will begin to vote the waivers.

- 443  
444 **1.) The title block layout waiver is accepted by unanimous consent.**  
445  
446 **2.) The street name in pencil waiver is accepted by unanimous consent.**  
447  
448 **3.) The benchmark bounds and disk waiver is accepted by a 3-1 vote.**  
449

450 Mr. LaCortiglia – I believe that the bounds between neighbors should be clear and easily seen.

451  
452 Mr. Holt – We are going to put the lot pointers in. This is the benchmark that requires elevation  
453 on a site. We are asking for it to not be on the plan right now we will put it on the as-built when  
454 we actually set the bound.

455  
456 Mr. LaCortiglia – Great that will make it easier.

- 457  
458 **4.) The cul-de-sac diameter right-of-way and pavement waiver is accepted by**  
459 **unanimous consent.**  
460  
461 **5.) The pavement width waiver being 16 feet in the front and tapering to 12 feet is**  
462 **accepted by unanimous consent.**  
463  
464 **6.) The property line radius waiver to a 15 ½ radius is accepted by unanimous**  
465 **consent.**  
466  
467 **7.) The maximum grade waiver is accepted by unanimous consent.**  
468

469 Mr. LaCortiglia – **Applicant has received all of the requested waivers.** Maybe the grading  
470 regulation should be changed?

471  
472 Mr. Graham – It should be.

473  
474 Mr. LaCortiglia – Maybe we will look at some regulatory changes, something to consider.

475  
476 Mr. Snyder – The waivers will be outlined in the decision.

477  
478 Mr. LaCortiglia – Mr. Snyder will come up with a draft decision for us. We will continue this  
479 and have new plans and a draft decision for the next continuation.

480  
481 Mr. Kroner – With Mr. Howard not being on the board in the near future is there a way to vote  
482 it...

483  
484 Mr. LaCortiglia – We voted the special permit already - read the script Mr. Kroner.

485  
486 Mr. Kroner – Can you vote to close the hearing?  
487  
488 Mr. Howard – I think we should.  
489  
490 Mr. Hoover – I recommend voting on it and close the hearing to move it along.  
491  
492 Mr. LaCortiglia – How long do we have to issue the decision?  
493  
494 Ms. Evangelista – Fourteen days I think.  
495  
496 Mr. Snyder – I don't know.  
497  
498 Mr. Kroner – You can agree to an extension to ensure we have the four votes.  
499  
500 Mr. Snyder – If vote to close you will not have a public hearing, it will be an administrative duty  
501 to accept the decision and to accept the mylar.  
502  
503 Mr. Kroner – We would like to close tonight.  
504  
505 Mr. LaCortiglia – I can think of a house on Elm Street that went over the 21 days or it never  
506 would have been built. Let me ask a question: if a board voted to grant a special permit and then  
507 the signing of the mylars, would that not be ministerial and wouldn't Mr. Hoovers vote count?  
508  
509 Ms. Evangelista – No.  
510  
511 Mr. Hoover – How long would it take for them to come back on the...  
512  
513 Mr. Snyder – They could come back in two weeks and the board would have to have a  
514 discussion on the decision and I then I could write the decision.  
515  
516 Mr. Howard – And then give it to us a week before the meeting and we could reply to you.  
517  
518 Mr. Snyder – And you would still have discussion on it at the meeting.  
519  
520 Mr. LaCortiglia – Can we limit the discussion to 5 minutes?  
521  
522 Mr. Hoover – Absolutely, you can.  
523  
524 Mr. Snyder – If it goes longer, then you need to provide us with Form H.  
525  
526 Mr. Kroner – We are not trying to do anything underhanded but if you put that as part of the  
527 vote...  
528

529 Mr. Howard – **Motion** to close the public hearing for Jefferson Court.

530 Mr. Watts – **Second.**

531 **Motion Carries: 4-0: 1 Abstention**

532

533 Mr. LaCortiglia – Get everything back by the 26<sup>th</sup>.

534

535 Mr. Howard – What about an extension for the decision?

536

537 Mr. Kroner – Want to send me that?

538

539 Mr. Snyder – Yes I will send you something and you can send it back.

540

541 **Planning Office:**

542 **1. MVPC: MPO and Regional Planning Meetings.**

543 Mr. Snyder – I went to two meetings. We are working to get funds for improvements to the  
544 regional rail trail. The other was a regional planning meeting. The largest part of the discussion  
545 was if all were addressing poverty. The effort continues on funding and finding grants.

546

547 Mr. Watts – What was the conversation on transportation?

548

549 Mr. Snyder – We work to do next year, 5 year and 10 year efforts in terms of budget for  
550 roadways etc... There is discussion about replacing buses. Also, what we can expect from the  
551 federal and state governments, it is an oversight. Some things never get into the queue.

552

553 Mr. Watts – Primarily highway?

554

555 Mr. Snyder – Highway and local roads anything with the state but even local. They can make  
556 petitions to do traffic studies and if it warrants improvement we can go after grants.

557

558 Mr. Hoover – Do you see the Globe newspaper about the grants of money that just became  
559 available for road improvements?

560

561 Mr. Snyder – No I didn't, but one thing is that the bond to pay off the Big Dig is almost paid.

562

563 Mr. Hoover – Now that the board knows, could you communicate that to Mr. Durkee so he is  
564 aware of it? The article stated the money just became available and you have to act fast. They  
565 are approving the money because of the winter.

566

567 Mr. Watts – We could certainly use that.

568

569 **2. Report to the Board of Selectmen regarding Planning Board articles for ATM 2014**  
570 **warrant.**

571 Mr. Snyder – This final report has been sent on.

572

573 **Public Hearing:**

574 **2.) Park and Recreation: East Main Street Athletic Facilities Special Permit – Continued**  
575 **from March 12<sup>th</sup>.**

576 Mr. LaCortiglia – We are now opening the continuation of the public hearing.

577

578 Mr. Snyder – Gale Associates, Inc. is here as the new engineering firm. They have provided an  
579 updated plan for distribution to the board and provided an updated storm water report which has  
580 been forward to Mr. Graham.

581

582 Mr. DiMento - I would like to introduce Mr. Seymour and Mr. Morrison from Gale Associates.  
583 Ms. Wade is the contact but she was not able to be here tonight so I am sitting in.

584

585 Mr. LaCortiglia – Mr. Seymour can you brief us on this project? Are we seeing something that  
586 is greatly changed?

587

588 Mr. Seymour – We were engaged by the Park and Rec commission about 60 days ago to evaluate  
589 and update the plans. These plans have been completely redone in terms that we own the plans.  
590 They are conceptually similar to those you have already seen. We have cleaned the plans up  
591 consistent with the town requirements. We weren't confident with the survey so we put a survey  
592 crew out there for a day and took a bunch of shots. We looked at the registered plans and found  
593 some disparities with the angles and property lines. They were subtle but we changed them. We  
594 updated the alignment of the road, added some sectional views, and tweaked the design of the  
595 parking lots. We also watched the last three hearings so we could see what the issues were. We  
596 now feel there is more complete information to complete the grading and drainage. We went  
597 thru the plan element by element of the drainage plan and tweaked some of the rims and did a  
598 very comprehensive pre and post hydrological model and calculations in the storm water report.  
599 So although the plans have changed, they have not changed in the fundamental layout. It is  
600 more details, better grading, better topo and better property lines etc... and I think they are at a  
601 higher standard. We filed a complete new set of revised plans on April 1. We understand that  
602 you did not have a chance to look at them yet and we will request a continuance.

603

604 Mr. LaCortiglia – Thank you very much.

605

606 Mr. Seymour – Usually we give a full blown presentation when we start. We are not going to  
607 do that - you have spent a lot of time on this project and probably know it better than we do. We  
608 will focus on the changes that relate to hydrology in particular.

609

610 Mr. Morrison – One of the first things we did was to look at the existing conditions and the  
611 constraints on the site. The FEMA flood plain zone and buffer zones and they haven't changed  
612 much since Mr. Mammolette presented them.

613

614 Mr. LaCortiglia – I am not trying to truncate your presentation but where there haven't been  
615 changes - correct me if I am wrong but the only sticking point so to speak, to my knowledge is  
616 the hydrology of the front entrance.

617

618 Mr. Seymour – Then we will go directly to the hydrology issue.

619

620 Mr. Hoover – I had a number of comments when I was speaking as a resident at one of the  
621 meetings. Mr. Seymour did you see the exhibit I submitted with those points?

622  
623 Mr. Seymour – I have not seen that.

624  
625 Mr. Snyder – If you reviewed the meeting recordings then you would recognize Mr. Hoover and  
626 the bullet points he is referring to.

627  
628 Mr. Hoover – For myself, it is not just one element.

629  
630 Mr. Seymour – We will review that document and are you anticipating we should respond to it?

631  
632 Mr. LaCortiglia – To my knowledge all waivers with the exception of one were granted and the  
633 last one was the storm water calculations.

634  
635 Mr. Seymour – Why don't we go thru that?

636  
637 Mr. LaCortiglia – My head is spinning, one engineer says it works and one says it's not.

638  
639 Mr. Seymour – I am confident we can work to reach a mutual conclusion.

640  
641 Mr. Morrison – In the front water shed we broke down ground cover within the water shed.  
642 Meaning which areas flowed toward East Main or Route 133 in both existing and proposed  
643 conditions. {Area shown on the screen of section that pavement will be removed or replaced.}  
644 In addition we changed the pavement for the sidewalk to permeable pavement. Another thing is  
645 that we changed the slope of this road way and lowered it to 4 ½ percent for ADA access. We  
646 were able to reduce the amount of pavement. In short, the decrease in peak flows are around  
647 one tenth. I also broke down in a table the changes. They are really small amounts of land that  
648 are being changed. {Peak flow chart shown on the screen.}

649  
650 Mr. Seymour – The calculations have been sealed and we look forward to your comments

651  
652 Mr. LaCortiglia – Does the board have any questions? Mr. Graham has not had a chance to  
653 check the plans yet.

654  
655 Mr. Graham – I can make a couple of comments. I asked previously if there was any response  
656 from the abutter because whether or not the calculations show that there is a decrease or increase  
657 in the run off it all runs down the north side of East Main Street and across the abutter's property.

658  
659 Mr. Snyder – United Foam is aware of the request and they will be invited at the next meeting.

660  
661 Mr. Graham – I think the board should have their concurrence if there is no physical structure  
662 that will keep it from running across their property.

663

664 Mr. Morrison – We spoke with United Foam on two occasions and they didn't express a large  
665 concern and are aware of the comment about the water.  
666  
667 Mr. LaCortiglia – Your calculations show a decrease here.  
668  
669 Mr. Hoover – In general, those kinds of communications you may want to get in writing for the  
670 record.  
671  
672 Mr. Morrison – Sure. Another point is that there is a pinch point and United Foam currently has  
673 some shrubbery there that is coming out and they want some kind of screening along that side.  
674 We have been in contact with them about that as well and will get it writing as well.  
675  
676 Mr. Hoover – On the porous pavement, after it stockpiles underneath, where does it go?  
677  
678 Mr. Mr. Morrison – It infiltrated into the ground. You also have very good soils in this area.  
679 The idea is that it will go underneath and into the soil.  
680  
681 Mr. Hoover – That will be something when - Mr. Graham when you look at it to make sure the  
682 capacity is there for a heavy rain or flood.  
683  
684 Mr. Seymour – That strip of pavement is modeled to perform just like the vegetated area it is  
685 replacing.  
686  
687 Mr. Hoover – I understand, it is the amount of storage capacity it has.  
688  
689 Mr. Seymour – It will behave like it does today.  
690  
691 Mr. Graham – With respect to that until I look at the whole picture is that it is a little on the steep  
692 side to be counting on absorption thru the walk - so caution.  
693  
694 Mr. Howard – Are you saying it would tend to flow over it rather than thru it?  
695  
696 Mr. Graham – It could. Porous pavement works best if it were almost flat. The behavior of the  
697 runoff if it is too steep will run off as it does not go in as quickly in the ground as it comes from  
698 the sky.  
699  
700 Mr. LaCortiglia – My understanding is that it runs off anyway.  
701  
702 Mr. Graham – That is basically true. For me, what does the sidewalk do and how many people  
703 are going to use it as there are no sidewalks on Route 133. Won't most people be driving in and  
704 out?  
705



706 Mr. DiMento – The kids will come from the high school. This was discussed previously and the  
707 Planning Board thought it should have a sidewalk. It is a public way for both the park and the  
708 church.

709  
710 Mr. Graham – Is there a safe pedestrian walk that connects?

711  
712 Mr. DiMento – The walk end at United Foam and then there is a large shoulder you can see it on  
713 Google maps.

714  
715 Mr. Graham – If you are going to have it, it would be nice to safely connect it so people are  
716 aware it is a pedestrian walk.

717  
718 Mr. DiMento – I think our long term plan is to improve those sidewalks but it is a state highway.

719  
720 Mr. Hoover – It is a tough one.

721  
722 Ms. Evangelista – I don't recall the Planning Board pushing for a sidewalk. That was the  
723 original plan.

724  
725 Mr. Howard – I think Mr. Rich may have pushed for it.

726  
727 Mr. LaCortiglia – I would push for that as well. I don't like the idea of precluding the creation of  
728 a sidewalk because it does not lead to another sidewalk. You create the sidewalks and then  
729 where there are no sidewalks you fill-in later.

730  
731 Mr. DiMento – I think we kept it because we wanted it as well.

732  
733 Mr. Hoover – I agree with Mr. LaCortiglia. That will be a question form me in regards to  
734 connecting it and do you address that issue.

735  
736 Mr. LaCortiglia – The other part is you may get a track team that will be running up into the  
737 park.

738  
739 Mr. DiMento – If the greenbelt goes thru there could be a cross country trail thru there.

740  
741 Mr. Watts – I want to ask if you found anything about the park that you had issues with.

742  
743 Mr. Seymour – There were places in the parking lot that I felt needed curb stops. I can site a  
744 dozen things like that that we feel are important.

745  
746 Mr. LaCortiglia – I think Mr. Graham should look at the plans and the Planning Board as well.

747  
748 Mr. Seymour – The added details are there but in terms of substantive changes you will have to  
749 look for them.

750  
751 Mr. Hoover – I am really glad you checked the survey.  
752  
753 Mr. Seymour – If we are going to seal the plans, we need to take ownership of them.  
754  
755 Mr. Graham – How do I proceed for this review? I can go back to my reports and compare or I  
756 could start over or focus on specific items.  
757  
758 Mr. LaCortiglia – I would love you to focus on the dangling items which I think was the storm  
759 water calculations. But it sounds to me that there are some items that require a full blown  
760 review.  
761  
762 Mr. Seymour – If it would be helpful we could stop by and walk you through the plans.  
763  
764 Mr. Howard – I thought in the last meeting that there were one or two items we wanted  
765 resolution to. And the other items Mr. Graham brought to our attention we said we are not going  
766 to worry about those.  
767  
768 Mr. LaCortiglia – The problem is that this has gone on for so long.  
769  
770 Mr. Howard – I don't want to rehash stuff if we don't have to.  
771  
772 Mr. Seymour – I had anticipated that Mr. Graham would review the hydrology as the primary  
773 issue but at the same time it would be prudent to talk with him about the tweaks to the plan so  
774 that he sees everything.  
775  
776 Mr. Howard – I think one of Mr. Graham's concerns was guardrail support being above the  
777 electrical.  
778  
779 Mr. Morrison – In the final plan we have moved the electrical line in the road way and not in the  
780 trench so that is no longer an issue.  
781  
782 Mr. Hoover – I had more than a couple comments and I think you picked up on most of them.  
783 When you go over this with Mr. Graham would you get this exhibit and go over them at the same  
784 time?  
785  
786 Mr. LaCortiglia – How does the board feel about Mr. Hoover contacting Mr. Graham directly  
787 with his concerns?  
788  
789 Mr. Howard – I think it would be helpful to make a couple of copies and give one to Mr. Graham  
790 and to the engineers as well.  
791  
792 Mr. DiMento – Are we going to have any concerns about having enough votes? I just want to  
793 make sure as we are getting to the end.

794  
795 Mr. Howard – It is possible that I will be on the board for another year.  
796  
797 Mr. LaCortiglia – Mr. Graham, are you comfortable with the level of review here?  
798  
799 Mr. Graham – I want to look closely at the first 5-6 hundred feet and I think the offer to sit with  
800 them to look at the whole big picture with the tweaks they have made and if I have any issues I  
801 will bring them up at that point. If not I will focus on the major points.  
802  
803 Mr. Howard – That’s good as we hire you to look at the things we should be concerned about.  
804  
805 Mr. DiMento – This process of developing the land this way came with a deal with ConCom. It  
806 was 20 acres and we got 5 or 6. The land we got was the land we wanted the ConCom to take  
807 but they took that parcel. When I asked them why they said it was because we wanted that  
808 parcel. So going back to the pristine land comment that Mr. Graham made, we told them we  
809 didn’t want this parcel but we needed to develop it as the town was running out of land for town  
810 use.  
811  
812 Mr. LaCortiglia – The main thing to remember is that we are developing 2-3 acres here but there  
813 are about 40 acres being preserved. This is the gateway to the greenway. Are there any concerns  
814 from the audience? Seeing none...  
815  
816 Mr. Seymour – We have filed a new notice of intent based on the new plans and the new storm  
817 water calculations and we have our new hearing on April 17<sup>th</sup>.  
818  
819 Ms. Evangelista – I just hope that we have a full board.  
820  
821 Mr. LaCortiglia – Mr. Graham are you comfortable as to where you are?  
822  
823 Mr. Graham – The only thing is when are you going to hear this next as I am tightly scheduled?  
824  
825 Mr. Snyder – I suggest to continue this hearing to the May 28<sup>th</sup> meeting.  
826  
827 Mr. Watts – Motion to continue this hearing to May 28, 2014.  
828 Mr. Howard – **Second.**  
829 **Motion Carries: 4-0; 1 Abstention**  
830  
831 **Planning Office: Continued.**  
832 **3. 68 East Main Street: Sign Permit.**  
833 Mr. Snyder – The planning office received a slip to sign off on some signage and what is being  
834 proposed as far as I can read the handwriting is to replace preexisting signage. As I understand it  
835 they are going to replace the one sign with two smaller ones in the same area. I am seeing that as  
836 acceptable. What I don’t understand is the way they wrote about replacing the blank sign.  
837

838 Mr. LaCortiglia – Are the applicants here?  
839  
840 Mr. Snyder – No.  
841  
842  
843 Mr. LaCortiglia – I’d like to chop this in two pieces. The first being the roadway sign which I  
844 believe is subject to a special permit under the Zoning Board of Appeals.  
845  
846 Mr. Snyder – The Building Inspector gave it to me.  
847  
848 Mr. LaCortiglia – I don’t understand what they are asking to do. Until someone can explain it to  
849 me I am not going to vote in the affirmative.  
850  
851 Mr. Watts – I agree. It is unclear.  
852  
853 Mr. LaCortiglia – Maybe we can find out.  
854  
855 Mr. Snyder – I will let the Building Inspector know we need more information before signing off  
856 on it.  
857  
858 Mr. Watts – If they gave us a picture of what they want...  
859  
860 Mr. Snyder – I can ask for that to clarify it.  
861  
862 Mr. LaCortiglia – Has this been before the Zoning Board of Appeals for a special permit?  
863  
864 Ms. Evangelista – He has been for a lot of stuff. A special permit, pre-existing non-conforming,  
865 he got some variances...  
866  
867 Mr. LaCortiglia – Wouldn’t this be handled under site plan review?  
868  
869 Ms. Evangelista – It would but the sign wouldn’t be. We could address it at that time. Have we  
870 gotten any applications from them?  
871  
872 Mr. Snyder – No, why would we?  
873  
874 Mr. LaCortiglia – I thought they were before the Zoning Board of Appeals for something.  
875  
876 Mr. Snyder – It is but there has not been any approval to force them to come in for a site plan.  
877  
878 Ms. Evangelista – They continued it I think.  
879  
880 Mr. LaCortiglia – Find out about the signs and what they really want to do.  
881

882 Mr. Snyder – In the supplement is a letter we received to the board’s attention regarding  
883 Nunan’s. The reason why I bring this to the board’s attention now is because both Mr. Metivier  
884 and I agreed to pass this onto legal counsel. Nunan’s made an argument that their proposed café  
885 works with the agricultural exemption under zoning. You will see from the email I received  
886 from town counsel that he does not agree with the 25 percent rule. Eventually they will be  
887 before the Planning Board.

888  
889 Mr. Howard – Did they get approval from the Zoning Board of Appeals for the eatery as well as  
890 the mini-golf?

891  
892 Mr. Snyder – They did. I think the Zoning Board of Appeals granted approval on the use but  
893 not the size of the café.

894  
895 Mr. Howard – So we’re supposed to clean up that mess?

896  
897 Mr. Snyder – This is a result of the existing ice-cream stand and they claim that that use is being  
898 brought to a different place. The ice-cream was permitted but the food service was not.

899  
900 Mr. Howard – I think you should go back to what was originally permitted.

901  
902 Mr. Snyder – If it was approved, it was an expansion of that.

903  
904 **Member or Public Report:**

905 **1. Board Member’s inquiry for board’s policy on requesting Technical Assistance**  
906 **Engineer to attend planning board meeting.**

907 Mr. Hoover – I don’t want to get into discussing it tonight but I would like to have people think  
908 about it in terms of when Mr. Graham shows up and when he doesn’t show up at the meetings  
909 and how that decision is made to avoid Mr. Graham having last minute notification and to avoid  
910 emails with some members saying to come and some not to come and we all get confused. Just  
911 to have a discussion later to establish and agree upon protocol with that.

912 Also, the Planning Board minutes are the best I have ever seen. They are like a transcript and I  
913 tip my hat to you Ms. Beaumont. With that being said, another point I would like to talk about at  
914 another time is that it is an incredible amount of work Ms. Beaumont has to do. I’m sure her  
915 time could be well used to help Mr. Snyder with other things. Typically minutes are recording  
916 what has been done not what has been said. I think they could be shorter, a lot more efficient  
917 and more effective and I would like the opportunity to talk about that at another time. The other  
918 part is in modifying the meeting minutes and the proper chain of command is if there is an  
919 amendment to meeting minutes it has to come before the board and discussed and it has to be - I  
920 am not sure what the consensus of the vote has to be. You cannot send in your own individual  
921 changes and have them transcribed without the rest of the board...

922  
923 Mr. Howard – Typos you can but verbage changes no.

924  
925 Mr. Hoover – Correct.

926

927 Mr. Snyder – I understand that it’s just that the meeting minutes were getting so long and taking  
928 up the beginning of the meeting to go over all reviews.

929  
930 Mr. Hoover – So we need to talk about that because I think there are some better ways to do it.

931  
932 Mr. LaCortiglia – I’s like to touch on the first one with respect to our tech review agent and his  
933 presence at a meeting. I look at it as though if any individual member of the board wants to see  
934 Mr. Graham at a particular meeting that should be enough of a trigger. We go thru the process,  
935 the applicant comes in with the plans and Mr. Graham reviews them and comes up with his  
936 comments. I don’t need him to read them at the meeting and then there is the response and a  
937 change to the plans that are reviewed again by Mr. Graham. At a certain point Mr. Graham and  
938 the engineer figure out everything and resolve the details. I feel he is most valuable at the end  
939 when there may be a couple of points raised.

940  
941 Mr. Howard – On small things like this, Mr. Graham needs to be there frequently.

942  
943 Mr. LaCortiglia - How does this sound; if anyone wants Mr. Graham to be there to send an email  
944 to Mr. Snyder and he’ll invite him.

945  
946 Mr. Howard – I think it should be a consensus of the board.

947  
948 Mr. Hoover – I think it should be a consensus of the board. I don’t think anything should ever be  
949 just one person. I am more interested in the process so that Mr. Graham is notified in enough  
950 time so that the scheduling of that decision is done appropriately versus last minute notifications.

951  
952 Mr. Snyder – Mr. Graham is normally at all public hearings and usually we have the public  
953 hearing set two weeks in advance.

954  
955 Ms. Evangelista – I was concerned that East Main Street (Park and Rec) was dragged and  
956 dragged and Mr. Graham was not there one time. I think it may be quicker if they were face to  
957 face.

958  
959 Mr. LaCortiglia – That’s why a consensus should be the deciding factor so that if something is  
960 not clear to someone.

961  
962 Mr. Hoover – And there is a mechanism for that.

963  
964 Mr. Snyder – I will ask the board right now - do you want him at the next meeting because it is  
965 the first public hearing for the OSRD concept plan for the Faragi property.

966  
967 Mr. LaCortiglia – I don’t feel it is necessary for the opening of a hearing.

968  
969 Ms. Evangelista – I think it is. I think there will be a lot of serious issues with that parcel.

970  
971 Mr. Watts – But is it needed for the first meeting?

972  
973 Mr. Snyder – For the first meeting you haven’t even set up an M-Account to pay him to review  
974 it.

975  
976 Mr. LaCortiglia – Haven't begun to figure out what the yield plan is.  
977  
978 Mr. Howard – Have they submitted anything to Mr. Graham yet?  
979  
980 Mr. Snyder – They have submitted to the planning office and I have forwarded on a copy but I  
981 can't give him the go-ahead for review unless I know he is going to be paid.  
982  
983 Mr. Howard – No point for him to be here till he sees the plans.  
984  
985 Mr. LaCortiglia – We wouldn't want him to be here, charging the applicant before we have an  
986 M-Account.  
987  
988 Mr. Howard – We don't want to waste Mr. Graham's time or the applicant's money. With Park  
989 and Rec it would have been helpful to have him here because he kept sending us 2<sup>nd</sup> and 3<sup>rd</sup>  
990 iterations saying the same thing each time. And we were stuck in the middle between Mr.  
991 Mammolette saying it would all work out and don't worry about it and Mr. Graham saying that  
992 he didn't see it. It would have been nice to have Mr. Graham here then because he could have  
993 explained to us who are fluffing who.  
994  
995 Mr. Hoover – I would think that you would almost have a policy in place for when Mr. Graham  
996 shows up. The first hearing no but then he comes to all public hearings.  
997  
998 Mr. Snyder – I can ask the board at the end of the meeting if they want to request him to be at the  
999 next meeting. He needs to be afforded enough time.  
1000  
1001 Mr. LaCortiglia – We will work it out.  
1002  
1003 Mr. Watts – **Motion** to adjourn.  
1004 Ms. Evangelista – **Second.**  
1005 **Motion Carries: 5-0; Unam.**  
1006  
1007 **Meeting adjourned at 9:26 PM.**