

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, April 24, 2013
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Mr. Harry LaCortiglia; Mr. Christopher Rich; Ms. Tillie Evangelista; Mr. Tim Howard, (Arrived at 7:32 PM); Mr. Bob Watts; Mr. Howard Snyder, Town Planner

Meeting Opens at 7:06 PM.

Approval of Minutes:

1. Minutes of April 10, 2013.

Mr. Rich - **Motion** to accept the Public minutes of April 10, 2013 meeting subject to any changes made by colleagues at this meeting.

Mr. Watts - **Second.**

Motion Carries: 4-0; Unam.

Vouchers:

1. H.L. Graham Associates, Inc.: Technical Review Services for 6 Norino Way.

Mr. Rich - **Motion** to pay the voucher.

Ms. Evangelista - **Second.**

Motion Carries: 4-0; Unam.

Old Business:

1. ANR: 41 Jewett Street.

Mr. Snyder - The applicant has requested an extension of time to June 30, 2013 and has given us Form H.

Mr. Rich - **Motion** to accept the extension of time.

Mr. Watts - **Second.**

Motion Carries: 4-0; Unam.

Mr. LaCortiglia - Mr. Snyder got the information from Town Counsel and what they recommended.

Mr. Rich - Did I also see something that Mr. Morehouse needs to have the road become a Private Way? Does it have to be cleared?

Meeting Attendee - Can you please speak up so that we can hear what's going on?

Mr. LaCortiglia - Yes, we will sir. {Explanation of the ANR.} The one change that needs to be made on the plan is to change the public way to a Private Way as Town Counsel has asked us to

44 do. We need to decide if the Way is adequate or not. Mr. Watts have you had a chance to see
45 the road?
46
47 Mr. Watts - I saw the pictures and am familiar with it.
48
49 Mr. Rich - My comment is that in its present condition that it is not adequate because you cannot
50 travel down it.
51
52 Mr. Snyder - You can travel down it but you cannot travel the whole length of it because of the
53 culvert.
54
55 Mr. Rich - There was a pile of dirt about six feet high.
56
57 Mr. LaCortiglia - I drove down the whole length today but question whether it is as adequate as
58 Heather Road. The only requirement is access of a minimum of fifty feet to the newly created
59 lot.
60
61 Mr. Rich - Is it fifty feet?
62
63 Mr. LaCortiglia - It seemed as though to me. There is a lot of growth.
64
65 Mr. Watts - What is the intended use?
66
67 Mr. Snyder - The intended use is not the creation of a buildable lot but to be part of a
68 conservation restriction.
69
70 Mr. Rich - Time out – I don't think the conservation restriction has anything to do with it.
71
72 Mr. LaCortiglia - One lot is the house lot and the other is part of the conservation lot – that is the
73 intent at this point.
74
75 Mr. Rich - But the conservation restriction does not affect what is presently going on, on that
76 property today.
77
78 Mr. LaCortiglia - I have to disagree. It is intended to be part of the conservation restriction. The
79 conservation restriction was valued with inclusive with that lot.
80
81 Mr. Rich - Can we review the conservation restriction?
82
83 Mr. LaCortiglia - We can look into it but I do not see why it is even relevant with respect to the
84 ANR.
85
86 Ms. Evangelista - Because Town Counsel gave them the alternative.
87

88 Mr. LaCortiglia - If we consider it an adequate way then it is irrelevant.

89

90 Mr. Rich - How about a site walk?

91

92 Mr. Rich - **Motion** for a Site walk on Saturday morning, April 27th at 8:00 AM.

93 Ms. Evangelista - **Second.**

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

95

96 **2. Honey Dew Donuts: Site Plan update.**

97 Mr. Snyder - There had been an updated plan submitted and you have received a PDF. I can also
98 get you full sized plans. The updated plan shows all that had been discussed at the last meeting
99 including landscaping and the drains. The Building Inspector and I have encouraged the owner
100 of 103 and 105 get an overall vision together and to come in to the Planning Board so that we
101 can understand the steps they are taking.

102

103 Mr. Rich - I went down and spoke to Dana and asked what his plans were and he has some really
104 nice plans for that property to dress it up.

105

106 Mr. LaCortiglia - How do we join lots 103 and 105 under a single site plan? Is it possible?

107

108 Mr. Rich - It would be like a subdivision as there are different lots in that situation too.

109

110 Mr. LaCortiglia - Yes, but at this point we have an open hearing for lot 105 only. If one comes
111 in now for 103 then it may work in a parallel course. Then we will end up with the same
112 problem where historically we see from the Zoning Board of Appeals decisions.

113

114 Mr. Rich - Maybe we should ask Town Counsel if we could do one site plan for two lots.

115

116 Mr. Snyder - What you could do is have the property owner come in and offer a Site Plan with
117 the improvements on the two lots. I have handed out copies of the three Zoning Board decisions
118 involved with this property to the Planning Board.

119

120 Mr. LaCortiglia - I am concerned about what the ZBA called for so that we do not create a new
121 conflict.

122

123 **Public Hearing:**

124 **1. Special Permit: OSRD Application for property near Lisa Lane: Map 16 – Lot 2, 17**
125 **and 80.**

126 Mr. LaCortiglia - {Explanation of votes needed for a Special Permit OSRD and also what an
127 OSRD application is.} I ask that you sign in and when making a comment state your name and
128 address. This is the opening of such stated hearing. I believe we have a representative here.

129

130 Ms. Jill Mann (Representing Artisan Development) - As far as the plans go I just wanted to make
131 sure they will be shown.

132
133 Mr. Snyder - They will be on the screen.
134
135 Ms. Mann - This evening we are here to present two plans to you. One is the OSRD plan and as
136 well we have submitted a standard subdivision plan that complies with all of the requisites in the
137 Zoning bylaw. As you can see on the screen this is the preliminary plan. Do you want me to
138 explain to the audience the process of an OSRD?
139
140 {Mr. Howard arrives at 7:32 PM.}
141
142 Mr. LaCortiglia - We will start with the OSRD plan and then the Yield Plan and then the
143 Preliminary Plan. Everyone in the room that would like to speak will be heard tonight.
144
145 Ms. Mann - {Describes the OSRD application in consideration of the zoning bylaws.} This is to
146 concentrate on large open space and then cluster development. You must dedicate sixty percent
147 of the mass area for open space. {Explanation of a Conservation Restriction.} So what we show
148 you is the proposed plan of a condominium project. The criteria are explained.
149
150 Mr. Rich - So we are in compliance with the Open Meeting Laws, this is Exhibit One. Exhibit
151 Two will be the OSRD Yield Concept Plan.
152
153 Mr. Williams (Project Civil Engineer) - {Shows and discusses the concept plan.} There are
154 primary conservation areas on the site. {Shows the wetland areas on the plan.}
155
156 Mr. LaCortiglia - Are there any streams?
157
158 Mr. Williams - No, that is an intermittent stream.
159
160 Mr. LaCortiglia - Are these confirmed wetland lines?
161
162 Mr. Williams - No, they are not confirmed.
163
164 Mr. LaCortiglia - Are you going to the Conservation Commission?
165
166 Mr. Williams - Yes.
167
168 Ms. Evangelista - You can't just give us wetlands for open space it has to be upland.
169
170 Mr. Williams - The flood plain contains the wetland. We have an extra of 30 thousand square
171 feet of upland area above the requirement.
172
173 Mr. LaCortiglia - I am a little concerned in regards to the septic treatment system being in it.
174
175 Mr. Williams - No, it is definitely not in it.

176
177 Mr. LaCortiglia - Let's look at the secondary conservation areas.
178
179 Ms. Evangelista - How many acres is it that you are putting the houses on?
180
181 Mr. Williams - Fourteen acres which is over a total amount of forty acres.
182
183 Mr. LaCortiglia - {Explanation of yield determination.}
184
185 Ms. Evangelista - To me it looks like a cookie cutter set-up. The cluster design – the intent of
186 this bylaw is not only to protect open space but to place the houses so that they are in landscape
187 so that they look natural. It looks like you are going to strip the area and plunk the houses into a
188 cookie cutter set-up. That's not what we have in mind with the OSRD.
189
190 Mr. Snyder - I understand that but this is still a concept.
191
192 Ms. Evangelista - The other thing is that not a lot effort went into decreasing the length of the
193 road. That's an advantage of an OSRD. It looks like the same sized road as the preliminary.
194 You could save a ton of money by cutting back on the road and thereby more preservation for the
195 land.
196
197 Mr. LaCortiglia - In this process did anyone try to put them in as houses rather than tri-plexes?
198
199 Mr. Howard - There was probably a septic issue.
200
201 Mr. Williams - You could do singles and use a treatment plant but the development does not
202 work.
203
204 Mr. LaCortiglia - There are eight or nine units for affordable housing correct? What did it look
205 like without the addition of the affordable housing?
206
207 Ms. Mann - It does not economically work out. You cannot have individual lots with this type of
208 septic system.
209
210 Ms. Evangelista - I find it very difficult as he has not been to the Conservation Commission yet.
211
212 Mr. LaCortiglia - Maybe we should postpone the actual review of the Yield Plan until you come
213 back after getting the wetland lines confirmed.
214
215 Ms. Mann - We would really like to have the Yield Plan considered. For us to have the wetland
216 line confirmed – to be honest with you the developer did not want to do an OSRD so we are
217 hoping that the Board can see that. We are not looking for approvals tonight all we are looking
218 for is the Boards impression of what it would like.
219

220 Ms. Evangelista - Even if you have a conventional subdivision you are going to need to know
221 where your wetlands are.
222

223 Ms. Mann - I agree with you but we would like to move it along and be able to develop it so we
224 would like to know how we are going to proceed. Our client would like to proceed with a
225 conventional subdivision.
226

227 Mr. LaCortiglia - Maybe we should hold off looking at the Yield Plan at this point maybe the
228 best thing we could do is to begin to look at the preliminary plan.
229

230 Mr. Rich - I think we could look at the Yield Plan conception which could change depending on
231 where the wetlands are. The developer would know, we will have an idea of their concept and
232 the public will know their concept of the yield plan. All subject to change with the delineation of
233 the wetlands.
234

235 Mr. LaCortiglia - Ultimately at the end of this process the Planning Board could say that we wish
236 you would go with the OSRD but the ultimate decision is with the applicant. I want to save the
237 time and aggravation.
238

239 Ms. Mann - The Preliminary Plan is same to the Yield Plan.
240

241 Mr. LaCortiglia - I think we should cut to the chase and go to the Preliminary Plan.
242

243 Ms. Evangelista - I want to know exactly why you do not want to do the OSRD.
244

245 Mr. LaCortiglia - Maybe you could read the letter that you sent Ms. Mann?
246

247 Ms. Mann - It is a memo from Mann and Mann dated March 28, 2013.
248

249 Ms. Karen Chiklakis (14 Lisa Lane) - {Questions the concept plan and yield plan review
250 process.}
251

252 Mr. LaCortiglia - {Explanation of the concept plans and the percentages used for Open Space
253 and development.}
254

255 Mr. Kevin Duncan (46 Searle Street) - Has anybody on the Board walked out there in the last
256 month or two?
257

258 Mr. LaCortiglia - I can tell you that I have not.
259

260 Mr. Duncan - There are already tractor roads and clearings out there.
261

262 Mr. LaCortiglia - One of the things you see on private land right before they develop is that they
263 have to do perk tests and surveys.

264
265 { Question from the audience about the time frame of perking and the validity from the Board of
266 health. }
267
268 Mr. Rich - Depending on the weather it can go anywhere from twelve months to eight month a
269 year.
270
271 Ms. Julie Nally (19 Lisa lane) - It says April 1 through November 1 on the bylaw for valid
272 perking results.
273
274 Mr. Rich - I understand that but the Board of Health has the right to extend that.
275
276 Mr. LaCortiglia - Folks seem concerned that the owner of the land is doing things out there on
277 their own land. Bear in mind that they would only need a permit to do certain things.
278
279 Mr. Rich - I can assure you that the Board of Health knows their stuff.
280
281 Audience member - Isn't there some road stipulation that you have to have the road 20 feet
282 wide? I don't think Searle Street or White Pine fit that stipulation so I am concerned about what
283 they plan to do about that.
284
285 Mr. LaCortiglia - That is a safety issue and we are concerned about that but right now we are
286 looking at the preliminary plan.
287
288 Ms. Mann - {Reading of a Memo from Mann and Mann to the Planning office dated March 28th,
289 2013.}
290
291 Mr. LaCortiglia - To summarize that – the applicant choice is to go with the preliminary Plan.
292
293 Ms. Mann - {Describes the property and the location of the housing units, roadway, septic
294 systems as they are shown on the preliminary plan. }
295
296 Mr. Williams - We did deep hole testing on every lot so that we know that we have the ability to
297 put a septic system in. We also have done perk tests in the different soils so that we can put a
298 septic system in each lot.
299
300 { Audience member asks a Board of Health question. }
301
302 Mr. Rich - Understand something – there are three votes on the Board of Health and I am only
303 one and the last thing you want me to do is give an opinion as I would have to excuse myself
304 from the discussion.
305
306 Audience member - Can you please put up the colored map?
307

308 Ms. Mann - {Describes the different areas on the maps including the wetland boundaries, the
309 right-of-way, Stormwater management areas, size of the homes (4 bedrooms, 2,400 to 3,000
310 square feet)}

311

312 Mr. LaCortiglia - Mr. Snyder when this preliminary plan came in various town departments were
313 notified. Did you get some comments back?

314

315 Mr. Snyder - I received comments back from a majority of town departments regarding the Yield
316 and OSRD concept plans. I am still waiting for comments to come back from town departments
317 regarding the Preliminary Plan. All town department comments are public record and they have
318 provided in the planning packet.

319

320 Mr. LaCortiglia - So we will be getting more comments back?

321

322 Mr. Snyder - Correct.

323

324 Mr. Rich - This parcel actually intercepts the recreational greenway have you guys considered
325 maintaining a connection to that greenway so it doesn't lose its continuity?

326

327 Mr. Williams - I guess we don't know what that land is but we would consider it trying to find a
328 way to keep access through there. I think there is some opportunity to do that.

329

330 Mr. LaCortiglia - It would certainly go a long way. {Shows on map where the greenway is
331 located.}

332

333 Mr. Williams - I can't speak for the developer but I think they would consider providing access
334 through.

335

336 Mr. LaCortiglia - Are there any more comments from the Board or any written comments?

337

338 Mr. Snyder - I received an email from Christina Mossy (5 Bussing Way; Exhibit 7) dated April
339 3rd. {Reading of the email which in part states their concern about the negative impact on the
340 property and losing the integrity and character of their property, also traffic safety concerns
341 based on the current OSRD Plan.}

342

343 Mr. Rich - One more question. On the Preliminary Plan is there an adequate buffer so that
344 existing neighborhoods have a visual barrier?

345

346 Mr. Williams - I guess it depends on your definition of "adequate" but there would be the
347 opportunity to keep vegetation for that.

348

349 Mr. LaCortiglia - Definitely one of the concerns are the people who live within eye shot of the
350 project. The meeting will now to be open for comments.

351

352 Mr. Jack LoCicero (26 Marlboro Road) - Are they going to upgrade any part of Searle Street?
353

354 Mr. Williams - We weren't anticipating other than where we tie into utility services where we
355 would have to repave that section but at this point no we are not planning on rebuilding the road.
356

357 Mr. Jack LoCicero- Searle Street is not really a road it has no base to it. With the anticipated
358 traffic it will be going downhill – it has a lot of frost heaves, it has no drainage system. Are you
359 going to tie in with the Marlboro drainage system?
360

361 Mr. Williams - No we are not going to do that. We are going to handle that on site.
362

363 Mr. Bill Lawless (8 Marlboro Road) - I have been here since 1978 and have seen lot of changes
364 happen – some for the good and some not for the good. Right now I have grave concerns about
365 this development regarding the character of the town and the abutting neighborhoods. First of all
366 I don't see a whole lot of positives going on for the community other than an increase of taxes.
367 I'm looking at this as being a profit maker for some people in this room but not for the majority
368 who are here tonight. I have a question for Mr. Rich and it has to do with the way bylaws are
369 written in regards to septic system installation. Correct me if I am wrong – when you perk a
370 property not only does it have to be perked for that facility but also a second perk so if the first
371 system fails that there is enough room on the property to put in a replacement system.
372

373 Mr. Rich - You have to have adequate expansion – absolutely.
374

375 Mr. Bill Lawless - Thank you. I now have a question for the Civil Engineer. When you went in
376 there and dug your test holes and you cut up this property did at any point in time anyone in your
377 organization or anyone else who may be working with or for you take that into account that not
378 only you are going to have to put in a sizable system to support the number of bedrooms but you
379 are also going to have to have sufficient space to put a replacement system in? That is a yes or
380 no answer.
381

382 Mr. LaCortiglia - Sir would you please address me and not the engineer?
383

384 Mr. Lawless - I am asking that question to him. Alright, would you ask him that question then?
385

386 Mr. LaCortiglia - The plan shows more than one.
387

388 Mr. Lawless - I only see one and I would further presume that the size of those houses with four
389 bedrooms and I don't see that as being adequate to support two systems. That is why I am asking
390 you the question for you to ask him the question.
391

392 Mr. LaCortiglia - And I will ask that of him.
393

394 Mr. Rich - That is a great question but I don't think it has anything to do with what's before us.
395 He can create whatever he wants for lots but if he doesn't meet the Board of Health specs which

396 he doesn't have to show us right now – that comes later. That hurdle is when they go to the
397 Board of Health and each septic design is individually looked at and voted upon.

398
399 Mr. Lawless - I understand that but I'd like to hear his answer to that please.

400
401 Mr. Williams - I have designed many septic systems in Georgetown and in the Commonwealth it
402 is required not only in Georgetown but in the state of MA that you provide a reserve area and we
403 definitely have accounted for that. If you look at the boxes they are actually pretty big – they are
404 almost as big in footprint as the house.

405
406 Mr. LaCortiglia - Does that satisfy your question sir?

407
408 Mr. Lawless - No it did not. My house is eighty feet long – I had to put in a second septic
409 system even though the first one was working because the house increased to five bedrooms. It
410 has a two thousand gallon tank on it. The leach field to support that is well over 40 feet long by
411 about 30 feet wide. I don't see that as happening in here for four bedrooms.

412
413 Mr. Rich - With all due respect – I can count on the top of my head eleven different types of
414 systems and the sizes and shapes change.

415
416 Mr. LaCortiglia - The bottom line is that these are individual lots and right now we are looking at
417 these as lots that can be created. If Mr. Williams is designing and showing lots here and he
418 eventually gets a permit to build and those aren't perkable lots then it would be an undevelopable
419 lot. The responsibility is on him. Essentially what we look at for the Planning Board is
420 roadways and frontage for the lots. Any other concerns?

421
422 Mr. Lawless - Absolutely and that's why I'm sitting here. There are other questions I have in
423 regards to the infrastructure. Which is how is the town going to be able to support the number of
424 homes in here? If we are looking at 26-36 units - that is more than likely going to translates to
425 approximately 52 vehicle trips an hour.

426
427 Mr. LaCortiglia - I only interrupt you because now as we are discussing the preliminary and not
428 the OSRD.

429
430 Mr. Lawless - That would be 52 vehicles on average which will be on streets that right now can't
431 handle the existing traffic. The gentleman prior to me was talking about the disgusting
432 construction on Searle – has anyone here taken a look at how bad Tenney Street has become
433 between Searle and Marlboro Road?

434
435 Mr. LaCortiglia - We just opened the hearing tonight.

436
437 Mr. Lawless - Well, Marlboro Road has been in terrible straights with regards to the condition of
438 the asphalt. Ever since the apartment complex went in. So no one in town, no elected officials,
439 nobody in the town to which I am paying my taxes to - has done anything with regards to

440 maintaining Marlboro Road and we're going to add more vehicles to it? Does anyone here
441 remember one of the last hearings where it was purposed and we had a public meeting where the
442 traffic direction was going to be changed on Searle, White Pine and Marlboro and that Marlboro
443 was going to become a one way road?

444
445 Mr. LaCortiglia - Sir, was that before this Board?

446
447 Ms. Evangelista - No, it was before the Zoning Board.

448
449 Mr. LaCortiglia - I don't understand how the Planning Board would do such a thing. How they
450 would have the authority to do that.

451
452 Mr. Lawless - That's not the point. The point that I'm discussing is that it was an issue with
453 regards to the Town where it was purposed because of the terrible site line coming down
454 Marlboro hill to Tenney that the number of vehicle that were already in place in those
455 neighborhoods were having a problem because you couldn't see when you came down Marlboro
456 to Tenney. So the proposal at the public hearing was to take Marlboro Road and make it one
457 way coming up the hill coming off of Tenney.

458
459 Mr. LaCortiglia - I am not following you.

460
461 Mr. Lawless - The point is if the traffic was that so bad then, that there was public hearing to
462 discuss the probability and possibility of reversing the traffic flow on Marlboro for the existing
463 homes and the existing number of vehicles because it was deemed to be a dangerous intersection
464 and now we are going to add to this?

465
466 Mr. LaCortiglia - I'm having a bit of trouble building upon that premise that it was dangerous
467 and there was a hearing that was held.

468
469 Mr. Lawless - Is there anyone here from Marlboro?

470
471 Audience member - Yes. There was a sign put up that says "Dangerous Intersection".

472
473 Audience member - It is very dangerous, you cannot see the traffic coming.

474
475 Mr. LaCortiglia - Point taken. Let the record show, and let it be noted that there are many traffic
476 concerns. One of the things that can be done is a traffic study so that at the end of the process
477 conditions can be placed upon the permit which would require certain upgrades to be done.

478
479 Mr. Rich - And certain site lines.

480
481 Mr. LaCortiglia - There are a lot of concerns and we will get to them.

482

483 Mr. Lawless - There are other infrastructure concerns. We're going to have a new neighborhood
484 in here with 26 homes; people are going to require water. The water pipes in Marlboro Village
485 have been in place for a long, long time – they have ruptured before. Either way they go all
486 vehicles will end up coming down the road to the intersection.

487

488 Mr. LaCortiglia - Is that intersection unsafe?

489

490 Mr. Lawless - Yes. They have a very large mirror hanging on the telephone pole so that you can
491 try and see oncoming traffic. You know what works better than that? There is a green house
492 whose front windows reflect the oncoming traffic and that works better than that dinky little
493 mirror.

494

495 Mr. LaCortiglia - So, for the record, there is an unsafe intersection at Marlboro and White Pine?

496

497 Mr. Lawless - That is correct. No it is Marlboro and Tenney. What about electric and water? I
498 think this gentleman (Mr. Snyder) had spoken earlier that other town departments are going to
499 look at the plans and will see what the tie in's and the infrastructure will mean to the town such
500 as the aged water system. And the fact that there is already a burst pipe right at the intersection
501 of White pine and Marlboro Road and has been there during the winter as it was hard to repair
502 during the winter. There was a burst pipe in front of my house and a power line that burnt up
503 over my driveway. I have real valued concerns from a burst pipe, a power line that burnt up and
504 I am looking at the age of when this was put in place and it goes back to the mid to late sixty's
505 when Marlboro Road and surrounding roads were developed. And the piping has been in place
506 since so now we are taking another division and they are going to tie into aged water lines?
507 What does that mean to the existing homes in the area? Will they start to burst because now
508 you've got more water passing through these pipes? What about the power lines?

509

510 Mr. LaCortiglia - That's something that the Water Department is going to have to deal with.

511

512 Mr. Lawless - I'd like it to go on record that I've brought this to the attention of this Board and
513 hopefully Boards talk amongst each other so this information will disseminate.

514

515 Mr. LaCortiglia - Bear in mind that one of the things that will be required by this Board will be a
516 loop so that the water quality at least improves.

517

518 Mr. Lawless - It hasn't - the water quality in Georgetown has gone down the dumper year after
519 year. I've got peanut butter in my filtration system.

520

521 Mr. LaCortiglia - I understand. I don't know if it would be adventitious to anyone other than the
522 people that live on Lisa Lane. Those folks might see an improvement.

523

524 Mr. Lawless - I think what you're going to see is a drop in water pressure. Does anyone know if
525 the water tank on top of Long Hill is actually going to go in?

526

527 Mr. LaCortiglia - The Water Department is going to have to tell you that.
528
529 Mr. Lawless - Because if that doesn't go in you're going to see a drop in water pressure. Thank
530 you for your time.
531
532 Mr. LaCortiglia - Thank you for your comments.
533
534 Mr. Snyder - To answer a question. When the departments review this they will have a lot better
535 understanding of the need and demand so in their report they will make recommendations to the
536 Planning Board.
537
538 Mr. Lawless - You have to know the number of units, the number of bedrooms, the number of
539 toilets – all of that adds up to your water consumption.
540
541 Mr. Snyder - That review would be either at the end of the preliminary review or when the
542 definitive plan comes in.
543
544 Mr. LaCortiglia - This is a two-step process. Once the Preliminary Plan gets approval then they
545 come back with a Definitive Plan and all will be notified again and it will be another hearing.
546 That's when we get down to the details like septic and water tie in and traffic studies. Right now
547 the application is at a concept level.
548
549 Mr. Rich - Mr. Williams will the utilities be under ground or above ground?
550
551 Mr. Williams - All underground.
552
553 Mr. Mammolette (14 Marlboro Road) - I have a couple of basic questions about the big picture
554 of this area. With all due respect to the engineers who have done investigation out there in
555 regards to the in ground investigation. My perception of the area is a lot of steep grades, a lot of
556 rock, and I'm curious as to how that was seen to the engineers that reviewed the property and
557 laid out this plan. This seems to be a little bit more than I thought would be developable. So I
558 am curious as you said they did a lot of test pits or perk testing and I was just curious about that.
559 Could the engineer address the topography and the rockiness of this area so we know what will
560 be done to prep this site? Is there going to be a lot of rock removal or a lot of changes in grades?
561
562 Mr. Williams - I'd be happy to answer any specific questions about specific locations but in
563 general we have located the wetlands, we've done soil testing and so forth. We have an idea as
564 to where we can put septic systems. We do anticipate that there will be rock removal and we
565 will be taking the elevation down a little in another area. We think we can do what is on the plan.
566
567 Mr. Mammolette - I have other questions. One is about stormwater management. You talked
568 about not bringing anything onto Searle Street and you will have a typical catch basin system.
569 Where is the outlet for the water or where is the detention area for the water? What is the rough

570 footprint as to where that water goes in relationship to the impervious area you are going to
571 generate? Do you have any sense of that yet?
572
573 Mr. Williams - {Explains where the stormwater management areas are on the plan.} We can't
574 change the amount of water that leaves the site so our study would have to show that that doesn't
575 happen and that's what we intend to do. We have to meet stormwater management guidelines.
576
577 Mr. Mammolette - In general you feel at a conventional level that the areas you show are what
578 will be – do you have a sense that those really are the footprints?
579
580 Mr. Williams - There might be a situation where we have to add some other ponds but it
581 wouldn't be dramatically different. That is really for the Definitive Plan application.
582
583 Mr. LaCortiglia - So essentially if you needed more stormwater management for the project then
584 you may lose lots.
585
586 Mr. Williams - I suppose that's possible but we have accessed the area.
587
588 Mr. Mammolette - The last question is in the area you have developed, I don't see any interior
589 wetlands. Do you feel like everything really is to the outside?
590
591 Mr. Williams - Yes, absolutely.
592
593 Mr. Mammolette - Then there is nothing in the interior that you will need to fill?
594
595 Mr. Williams - No.
596
597 Mr. LaCortiglia - Mr. Mammolette would you two be able to get together and discuss the park
598 and recreation facility?
599
600 Mr. Mammolette - Yes.
601
602 Mr. LoCicero- Retention basins on this piece of property, once the development is done are
603 owned by whom? The town? I see no way to get back there to clean it out.
604
605 Mr. LaCortiglia - Mr. Williams, who will be the ultimate owner of the retention and the water
606 facility?
607
608 Mr. Williams - We would prefer the Town to be the responsible party but I have seen it go both
609 ways.
610
611 Mr. LaCortiglia - How would that happen if they were in the backyards of people's homes?
612
613 Mr. Williams - They'd be granted an easement for access.

614
615 Mr. LaCortiglia - Can I ask if this roadway is to be a privately owned roadway or to be publically
616 accepted by the town?
617
618 Mr. Williams - Public way.
619
620 Mr. LaCortiglia - So the record shows that the applicant wishes it to be a public road accepted by
621 the Town is not to remain a private road.
622
623 Ms. Jackie Brockelbank (6 Searle Street) - My biggest concern is the children. Searle Street has
624 no sidewalks, it's a narrow road, and it's a one-way road on which people are caught driving the
625 wrong way all the time. I don't know how we haven't lost children or walkers already. Traffic
626 that goes the wrong way goes fast so they can get over quickly. I tried to stop a truck that was
627 going the wrong way and he drove straight at me to scare me off which I did and got the number
628 and called the police and they couldn't do anything because they didn't catch him and it was my
629 word against his.
630
631 Mr. LaCortiglia - If I am hearing what you are saying is that you have large concerns about the
632 traffic safety.
633
634 Ms. Jackie Brockelbank - My concern is mainly for Searle Street and the children. There will be
635 people going the wrong way and people speeding and there are no sidewalks.
636
637 Ms. Pam Slimak (42 Searle Street) - My big concern is the other access point onto Searle Street.
638 I get the whole land development part it's the whole exiting aspect of 10 feet from my driveway
639 and my 8 and 9 year olds riding their bikes and having a road 10 feet from my property line, 50
640 feet wide and surrounding me on three sides by streets. I can't even tell you how much concern I
641 have over that.
642
643 Mr. LaCortiglia - Is it a safety concern?
644
645 Ms. Pam Slimak - It's a huge safety concern, traffic, noise, property value are all huge.
646 Surrounding me by pavement on my entire property is not how I bought my property. I never
647 assumed that there may be a road between the two houses and affect my quality of life. I don't
648 even know how the traffic study could quantify my concern for the safety of my family.
649
650 Mr. LaCortiglia - What a traffic study could do is point out areas of concern where we may be
651 able to mitigate it by making use of sight lines and maybe a traffic light.
652
653 Ms. Pam Slimak - A traffic light?
654
655 Mr. LaCortiglia - It might be what the traffic study recommends.
656

657 Ms. Pam Slimak - I have a concern that someone doesn't look at the sign, goes right and then
658 hits my kid.
659
660 Mr. LaCortiglia - Any suggestions?
661
662 Ms. Pam Slimak - Another way for the road to go. Somewhere else safer and maybe not on
663 Searle Street so it does not become a big issue.
664
665 Mr. LaCortiglia - The applicant is proposing to put a road in because if they don't utilize this exit
666 then Lisa Lane would be beyond the allowable length and would require a major waiver from
667 this Board.
668
669 Ms. Pam Slimak - Why does the road have to go there?
670
671 Mr. LaCortiglia - If they don't have an entrance and an exit then they would be extending the
672 length of the road and dead ending it.
673
674 Mr. Williams - We looked at all the possibilities and that was the only available location to have
675 the egress go in from Lisa and out the location shown.
676
677 Ms. Pam Slimak - Why isn't there any rules as to how close you can put a road to someone's
678 property line? How do we change that so this doesn't happen to someone else?
679
680 Mr. LaCortiglia - Hold hearings to change the subdivisions regulations.
681
682 Ms. Evangelista - It is very important for abutters to come forward and let us know.
683
684 Ms. Pam Slimak - Will you do a site walk for all this?
685
686 Ms. Evangelista - Absolutely.
687
688 Mr. Snyder - And it will be posted so all public can attend as well.
689
690 Ms. Pam Slimak - Probably or definitely doing a site walk?
691
692 Ms. Evangelista - We definitely do a walk.
693
694 Ms. Pam Slimak - Is it mandatory?
695
696 Ms. Evangelista - No, it is not mandatory. There is a lot involved with this development. It
697 takes time and it takes patience and we have to absorb it all and right now is so critical that
698 everybody that wants to say anything, now is your opportunity. If you have anything that we can
699 address, we want to hear it.
700

701 Ms. Pam Slimak - If some of the questions are not addressed in the next meeting, can the same
702 questions come up and have to be answered?
703
704 Mr. LaCortiglia - We haven't even started our questions. It's only just beginning.
705
706 Mr. Rich - Maybe we should have a consensus of the Board about a site walk?
707
708 Mr. Rich - **Motion** to have a site walk to be held on a date to be determined.
709 Ms. Evangelista - **Second.**
710 **Motion Carries: 5-0; Unam.**
711
712 Audience member - Why can't you pick a date right now while there are all the people here?
713
714 Mr. Rich - The reason I don't want to pick a date right now is because a lot more is going to
715 happen. A lot more issues are going to come up. Let's get the issues out so we can go and walk
716 the site with those issues in mind.
717
718 Mr. Snyder - We need to get permission from the property owner and then give notice to the
719 public.
720
721 Mr. Williams - Normally this happens farther into the process because this is a preliminary and
722 the final location of the road and stormwater management area will be determined in the
723 definitive. This is still a concept level application. There will also be a site walk along with the
724 conservation review process.
725
726 Mr. LaCortiglia - Maybe we could coordinate them.
727
728 Ms. Pam Slimak - At any future meetings, we have the right to ask questions all over again?
729
730 Mr. LaCortiglia - Of course. But the onus is on all of you to find out when the continuances are
731 and then be here. No one is going to send you another letter.
732
733 Ms. Pam Slimak - OK. Thank you.
734
735 Audience member - Will it be in the paper?
736
737 Mr. LaCortiglia - No.
738
739 Ms. Chris LaPlaca (9 Rosemarie Lane) - My major concern is water. It is very wet back there
740 and when the last subdivision was built we have so much water in our neighborhood now. I have
741 pictures of before and after of my neighborhood. The deforestation due to animal displacement
742 and water displacement is incredible. You can look at these pictures if you want.
743
744 Ms. Evangelista - I would like to see them.

745
746 Mr. Snyder - Can we have those? We would like to enter them into the record.
747
748 Ms. Chris LaPlaca - I can make copies for you. I know when they built that subdivision they
749 didn't mean to ruin my property or to make me have flood insurance which is very expensive
750 and I cannot get out of cause there's water where there never was before. We also now have a
751 very damp basement that we need to put a system in to handle that which we never did need
752 before. It was beautiful forest and now it's just sticks and I can see from Rosemarie all the way
753 to North Street. The forest is just decimated – deforestation that happened there. So I have
754 about a foot more water than before and I think I will lose my property. I am very concerned
755 about this whole neighborhood. Maybe putting in a storm pool is going to address it but I don't
756 believe it will.
757
758 Mr. LaCortiglia - Concerns about increased water and the ground water table going up.
759
760 Ms. Chris LaPlaca - Yes, absolutely. There is a lot of wild life there. I think some beavers
761 decided to set up further downstream. I know you don't plan on things like that happening but it
762 certainly has a dramatic impact on our property.
763
764 Ms. Evangelista - Do you have a basement? Is there settling in your house?
765
766 Ms. Chris LaPlaca - Not that I am aware of right now but we do have a pool that we are also
767 concerned about.
768
769 Ms. Evangelista - How long have you lived there?
770
771 Ms. Chris LaPlaca - About twelve years and the pictures where you can see the forest are from
772 about eight years ago. You can see on a Google map all the sticks laying on the ground.
773
774 Mr. Watts - Is there a brook back there? I am wondering how much of this is related to the
775 beavers.
776
777 Ms. Chris LaPlaca - There's a pond back there and there is a stream. The beavers were never
778 there before. So what happens to me if I lose my property?
779
780 Mr. LaCortiglia - I can't answer that. All I can say is that we are going to do our very best to
781 insure that Mr. Williams plans show that he retains every drop of water he's required to on the
782 property. We will do all we can to see that his calculations are correct.
783
784 Ms. Chris LaPlaca - But I would have recourse if that wasn't the case?
785
786 Ms. Evangelista - There's always a lawyer. How is your septic?
787

788 Ms. Chris LaPlaca - We have a two thousand gallon tank on the highest part of my property. I
789 will send the photos to you Mr. Snyder.

790
791 Mr. Rich - Mr. Snyder, the photos you are going to get will be Exhibit 8.

792
793 Ms. Susan Stead (48 Searle Street) - I have some comments and concerns. Reading from the
794 Georgetown subdivision regulations the engineer here has stated that it meets the Zoning
795 requirements but in reading the subdivision regs it says that "When a subdivision enters into a
796 street similar characteristics have to be maintained onto a two way street." Searle Street does not
797 meet that at all so right off the bat isn't that a waiver they would need?

798
799 Mr. LaCortiglia - Would you please tell me where you are getting that information from? Where
800 did you get that copy? Is it current and up to date?

801
802 Ms. Susan Stead - It is Chapter 365-36. It was from the website. So it seems like for them to
803 exit out onto Searle Street they would need to get a waiver to do so because Searle Street is not a
804 two way street, it does not have sidewalks. This is my biggest concern. The other comment is
805 that right now the street is also closed to truck traffic so there will obviously be a considerable
806 amount of truck traffic during this construction phase so is that another waiver? And my last
807 comment is - the last lot on the right is me - so my biggest concern is - this may be addressed at
808 Conservation Commission - is the wetlands. We sit on our deck and hear the peppers, there's a
809 vernal pool back there, and streams. I would love to be there for your site walk because there are
810 a lot of wetlands. There are not intermittent streams there are regular streams. Everyone has a
811 right to develop but when you look at this there are just so many pieces to this. When I look at
812 where they are doing the development I see safety issues, wetlands, and when I look at the plans
813 I see they are omitting so many of the wetlands I see on a daily basis. I just don't understand
814 why you guys didn't go to the Conservation Commission first because I feel you are going to
815 have to dramatically change your plan once an independent study is done.

816
817 Mr. LaCortiglia - If I can understand, one of your concerns is the accurate depiction of the
818 wetlands.

819
820 Ms. Susan Stead - I think you put the cart before the horse and Ms. Evangelista, you said it right
821 off the bat three hours ago.

822
823 Ms. Evangelista - If I was a developer I would do what you are saying. We just have to go with
824 what they do.

825
826 Ms. Susan Stead - I have sold homes to many people in this room. I am a local real estate agent.
827 We don't want to be selling homes to people and having them get flooded out. We came here
828 because of the topography that we enjoy and to think that they are taking all that which we all
829 know is so incredibly dense with vegetation and wetlands and wildlife and just saying that it is
830 just a few little streams - it's not - just not so I am very anxious to have this go before the

831 Conservation Commission. On top of that what is going to happen to Searle Street - it does need
832 a waiver, am I correct?

833
834 Mr. LaCortiglia - I will have to read up on that. {Reads section 36A.}

835
836 Ms. Susan Stead - I have to be honest that's the biggest concern of this neighborhood. When you
837 look at the plan it is so unbelievably dense. I am just really concerned for everybody's safety,
838 property and our natural resources.

839
840 Mr. LaCortiglia - Just for the record when it says "running in both directions" I believe it means
841 there needs to be an end and an out.

842
843 Ms. Susan Stead - But Searle Street is such a unique street you really can't name another
844 subdivision of this scope that comes onto a one way street like Searle Street. This will be a first
845 on many levels and that I think is everybody's concern. If it was wide enough with sidewalks
846 the whole length – there are total blind spots. At least once a month I see someone coming the
847 wrong way on the one way road. That is only going to increase. It is a very narrow road and I
848 don't even know if there is enough land to widen it. I wish there was some way to loop it and
849 not come out top this dangerous intersection.

850
851 Mr. Robert Ferrara (50 Searle Street) - I just want to make a comment. I have a right of way on
852 my property. It is a gravel driveway and everyone is free to come down that gravel driveway,
853 come down that right of way and checkout the property. The gravel driveway is the right of way
854 to that utility line. Feel free to walk down my driveway. Feel free to look at the vernal pool
855 which is full of peppers which I look at every night. I hope that the topography is done right and
856 the wetlands shown properly. Because he only went so far and said, "Well I'm not going to show
857 anything else outside the property." There is a large stream that runs through a neighbor's
858 property into mine.

859
860 {Audience member shows the area on the screen.}

861
862 Ms. Julie Nally (19 Lisa Lane) - I concur with all of the concerns that have been raised -
863 wetlands, traffic, the negative impact on real estate value. I am impacted on three sides by this
864 proposal. I don't know what the Zoning buffer line is but it looks likes it abuts my property line.
865 From the front of the property line it appears as though the cul-de-sac is being replaced by a
866 through road. I have 160 feet of frontage on that cul-de-sac and with the change in the road
867 configuration I'll only have 90 feet – which is a waiver.

868
869 Mr. Rich - The cul-de-sac is not going to move.

870
871 Ms. Julie Nally - I don't know that. So the road will go through the cul-de-sac?

872
873 Mr. Rich - What this plan is showing is the flow for access and egress.

874

875 Mr. Williams - That circle does provide frontage for your lot. We could not change that. What
876 could change and it would be the preference of the Board, the structure of the circle could
877 change. So your frontage could not change.

878
879 Mr. LaCortiglia - If that was done would you have adequate frontage?
880

881 Mr. Williams - You can only change the construction within the layout. You could not get rid of
882 the layout. You could have the road off the circle or just make it a pavement and have the
883 driveways extend out to that. There are some options and the Board would have to make that
884 decision.

885
886 Ms. Julie Nally - These are our concerns and yes we will stay informed with this whole process.
887

888 Mr. Williams - Can I answer your other concern about the existing frontage. Your frontage does
889 go onto that driveway as you said. But our layout is not going out that far.

890
891 Mr. LaCortiglia - Excuse me, are you using part of her frontage? You need to clarify that for me.
892

893 Mr. Williams - Her frontage currently goes onto the driveway of that existing lit. There is a little
894 triangle that comes down. Go to sheet two. {Shows the area on the plan.} You can see that
895 there is a very little piece into the driveway. However our roadway layout does not go onto your
896 property.

897
898 Ms. Julie Nally - But on the backside and the front side you're right on my property lines. My
899 question I guess for the Board is what are the buffer zones for this type of situation? Can a road
900 come right up to a property line?

901
902 Mr. LaCortiglia - This is something we have to deal with on the Searle Street property as well.
903

904 Ms. Mann - It can. If you think about it every single lot abuts the street.
905

906 Mr. LaCortiglia - I don't know anything that prevents it – there is no set back.
907

908 Ms. Julie Nally - So I have a road on both lot lines front and back. Looking at the plan – can that
909 road be bumped out?
910

911 Mr. Williams - The regulations require a minimum centerline radius so we have that there now.
912

913 Ms. Julie Nally - This proposal is encroaching on three sides of me. So property value and
914 quality of life for me will go down.
915

916 Ms. Evangelista - How can they build on someone else's subdivision?
917

918 Mr. Rich - I think the word encroachment is being incorrectly used here. They are just getting
919 real close.

920
921 Ms. Julie Nally - It is directly abutting. I'm looking to find out if there are current bylaws to
922 protect residents from having roads placed on their property.

923
924 Mr. LaCortiglia - I don't know of any and Mr. Snyder does not either.

925
926 Mr. Rich - When Lisa Lane was put in there was specifically reserved in the Lisa Lane project a
927 right of way for future development.

928
929 Ms. Jean Nelson (30 Searle Street) - I bought our lot in 1983. At the time Lisa had been
930 approved but not built for about another 5-6 years. At the time of the definitive plan there was a
931 50 foot right of way for access to the back land. But then the developer was able to get one more
932 perk test and one more lot and they filed an ANR plan for the whole of Lisa Lane to gain one
933 more lot. At that point the lot at the end of Lisa became an easement to access the back land
934 rather than a separate 50 foot right of way. A fifty foot easement is not the same as a fifty foot
935 right of way. At that time the fifty foot right of way was not part of your lot. At the time I don't
936 think the Planning Board even realized that changing a separate fifty foot wide piece that was its
937 own parcel to an easement on another lot.

938
939 Mr. LaCortiglia - I believe the easement option ended in 2011. I have been following this.

940
941 Ms. Julie Nally - Well you realize what my concerns are. The Conservation Commission needs
942 to be involved. I think we need to follow this very carefully as it is a huge impact to the
943 neighborhood.

944
945 Mr. LaCortiglia - I suspect you will have more as this progresses.

946
947 Ms. Jean Nelson - I work for a Planning Board in the North Shore and am familiar with OSRD's
948 and have been to workshops and understand the concept. I've seen some that I think are right for
949 the neighborhood and the area and some that I think are not and this particular case I don't think
950 that this is. I think the density in an OSRD is way too great. As you drive down Searle there is a
951 curve and there is a real lack of sight distance as far as seeing cars come out from there. If
952 something is going to happen, I do think the definitive is a better plan but I don't know where
953 the Planning Board is going with this Special Permit. At what point does the Board say that I
954 don't think you need to proceed with an OSRD.

955
956 Mr. LaCortiglia - At some point is that we close the hearing.

957
958 Ms. Jean Nelson - If I had a choice between OSRD and the density and the condos and the
959 additional density, I would choose the definitive plan. However I'm not saying I approve of it
960 with the over burdening of the entire neighborhood. I really think there has to be an end to all

961 the building or some type of litigation. I don't understand the applicant's proposal for the
962 inclusionarys. I wish that you would look at it.

963

964 Mr. LaCortiglia - I think that one of things we need to look at is the fact that the applicant has no
965 real desire to pursue the OSRD.

966

967 Ms. Jean Nelson - I know but it seems to me that you're the final decider. So I am saying please
968 listen to the public.

969

970 Mr. Rich - No we don't decide. We recommend and tell them what the Board feels how to
971 proceed.

972

973 Ms. Jean Nelson - When do you tell them that? Why are you going through this process when
974 they have stated they do not want to do the OSRD? You could close the OSRD hearing tonight
975 and then go to the preliminary phase and at least then I would have the insurance there would not
976 be thirty eight units.

977

978 Mr. LaCortiglia - At this point what has happened is we have bifurcated these things.

979

980 Ms. Evangelista - There is no guarantee that there is going to be there is going to be 38 for the
981 OSRD nor is there going to be 26 over there. They haven't been to Conservation Commission
982 yet you know what the area is like. It will be a lot of magic to get those numbers.

983

984 Mr. LaCortiglia - You have a concern that other people in the room share. The applicant really
985 wants the standard subdivision not the OSRD. They decide which plan goes forward. This
986 Board does not. We can recommend but in the end they make the decision.

987

988 Ms. Jean Nelson - All I can tell you form my Planning Board experience is that people change
989 their minds so I am very apprehensive and cautious about how the Board handles this because I
990 don't get quite how far you're going to take this and whether you're going to gloss over an
991 OSRD details and conditions.

992

993 Ms. Evangelista - As you know with a Special Permit there is a 90 day period after you open it is
994 when you have to have a decision.

995

996 Ms. Jean Nelson - But you can extend it so that everyone here is tired and doesn't come
997 anymore. I've seen that many, many times.

998

999 Mr. Rich - This board does not operate like that.

1000

1001 Ms. Jean Nelson - Do you send the preliminary out for Technical Review? Or do you do that in
1002 the definitive?

1003

1004

1005 Mr. LaCortiglia - That's something that the Board will decide to do. At this point we haven't
1006 even established a 53G account. {Explanation of what a 53G account is.}

1007
1008 Mr. Rich - **Motion** to establish a 53G account.

1009 Mr. Howard - **Second.**
1010 **Motion Carries: 5-0; Unam.**

1011
1012 Ms. Jean Nelson - So in parting I can only repeat the condition of Searle, the density and the
1013 impact on the neighborhood. The safety aspect, conditions of the roads and so forth. Thank you.

1014
1015 Ms. Arlene Cronin (23 Searle Street) - I am on the corner of Searle and White Pine and Lisa
1016 Lane is across from me. So no matter where the trucks come from they still have to go by my
1017 house. My concern is even though the road comes through and out to Searle – where it comes
1018 out it is one way. So traffic can go out that way it cannot come in that way. So that means that
1019 all traffic is going to go by my house. There is a bus stop every morning and afternoon and there
1020 are a ton of kid's right there. And you're going to have all this heavy traffic going through? It's
1021 a real dangerous thing that you really need to consider. It will take 5 to 6 years to build and have
1022 all that heavy traffic and the kids in the same area.

1023
1024 Mr. LaCortiglia - How would you suggest that this Board mitigate that?

1025
1026 Ms. Arlene Cronin - I think that you need to have the road not come into this area at all. I think
1027 it should go directly from 133 to this area. I just don't think our area can handle it.

1028
1029 Mr. LaCortiglia - How would that be done?

1030
1031 Ms. Arlene Cronin - I don't know. All I know is that I don't know how our area can handle all
1032 that traffic. The trucks fly down the road.

1033
1034 Mr. LaCortiglia - It sounds to me that you have a great number of traffic concerns.

1035
1036 Ms. Arlene Cronin - I do. It's safety mainly just because it's an area with a huge amount of
1037 children.

1038
1039 Mr. Watts - Your concerns have to do with both the ongoing traffic and the construction traffic?

1040
1041 Ms. Arlene Cronin - Yes, both.

1042
1043 Ms. Meagan Souza (12 Tenney Street) - My property is right at the start of Searle Street so I
1044 have a unique perspective. Searle Street is a one way that starts at my house. Every single day I
1045 see a minimum of one car/truck going on the road the wrong way. I am amazed that no one has
1046 had a head on collision there. It is a very dangerous area and I wanted that to be noted.
1047 Additionally, because of the fork off of Tenney onto Searle Street – the other concern is anyone
1048 coming down off of Tenney Street and has to U-turn back to turn onto Searle Street. Every week

1049 I see cars slamming on the brakes and blowing their horns because people that are trying to turn
1050 onto Searle Street. That whole area can't handle the traffic it has right now. I have spoken to
1051 police officers numerous times. Also, I am a runner and a biker and I invite any of you to come
1052 with me to see how horrible the roads are. Marlboro, Searle, White Pine and Tenney Streets all
1053 need to be repaved.

1054
1055 Mr. LaCortiglia - Keep in mind that we are the Planning Board and that is a highway department
1056 issue.

1057
1058 Ms. Meagan Souza - I just want it to be heard that it is putting additional traffic on our streets
1059 and it can't be handled.

1060
1061 Mr. LaCortiglia - So your main concern is increased traffic.

1062
1063 Ms. Evangelista - Is there any drains on Searle Street?

1064
1065 Audience member - There is one at the top of the hill. The water flows off of Searle, comes
1066 down through two properties right onto my land and it is killing trees.

1067
1068 Mr. Mammolette - My question is: Is there some mechanism for people in this area that are
1069 concerned to petition the town to have the town start looking at some of the types of
1070 improvements? On the assumption that as Mr. Rich said that the Board isn't going to be able to
1071 hold the applicant to completely redesigned Searle Street but is there a mechanism in place? Can
1072 you explain to the people on town because there are a lot of infrastructure improvements that the
1073 town needs to have. As a Planning Board is there some guidance that you can give to this group
1074 so that they can move forward?

1075
1076 Mr. Rich - As a citizen of the town, I can tell you that there's a methodology called the Citizens
1077 Petition. And you can get things put on the town's warrant.

1078
1079 Mr. LaCortiglia - If you don't mind waiting six months.

1080
1081 Mr. Mammolette - In addition to the Citizens Petition how does this group get the leaders in the
1082 town to understand not only what their concerns are but to try to figure out the funding
1083 mechanism for doing that? Obviously you need an override to do the school. Is there an
1084 override in the future to make improvements to the infrastructure?

1085
1086 Mr. Watts - It is specifically a political issue.

1087
1088 Ms. Evangelista - There is a Capital Improvement Plan. The new bylaw is a percentage of the
1089 revenue every year is put into this fund. We finally got that far. So what I would suggest is to
1090 find out how much money it is and request to the Capital Improvement with the support of your
1091 road surveyor Peter Durkee. You're going to need a few people involved with this to support it
1092 and push it through.

1093
1094 Mr. Mammolette - Do concerned citizens also come through the Planning Board or work with
1095 the Town Planner?
1096
1097 Ms. Evangelista - We have our Planner three days – we’ve got a backlog as you know so we
1098 really don’t have the mechanism to do that.
1099
1100 Mr. Rich - If you would like to take it into your own hands...
1101
1102 Mr. Mammolette - I would like to be involved in it. So it would be the Capital Improvement
1103 Committee, Board of Selectmen and maybe Finance Committee.
1104
1105 Mr. Rich - You want to take it into your hands and not be at the mercy of the Board of Selectmen
1106 you are at the mercy of your peers.
1107
1108 Ms. Evangelista - You only need ten signatures for the Citizens Petition.
1109
1110 Mr. Rich - It is not a big thing.
1111
1112 Mr. Mammolette - My biggest concern is that there’s a mechanism to fund these kinds of things.
1113
1114 Mr. Rich - If you get it to Town Meeting, depending on how the warrant article is written – you
1115 put in there the funding mechanism and how it’s going to be funded.
1116
1117 Mr. LaCortiglia - There is also the Highway Department and Chapter 90 money. There’s
1118 nothing prohibiting anybody from contacting the Highway Surveyor and asking him to make
1119 those improvements and if he does not have the funding for that I would certainly think that he is
1120 in a very good position to work with the folks here and Finance Committee and the powers that
1121 be to ask for that money from whatever funding source he can get it from. But he has to ask and
1122 be willing to do it.
1123
1124 Mr. Mammolette - OK . That answered my question.
1125
1126 Mr. LaCortiglia - It’s not outside the realm of possibilities that these nice folks will just offer to
1127 do stuff like that. Any more comments?
1128
1129 Mr. Bill Casey (51 Searle Street) - It’s been a long night and we’ve heard a lot of comments and
1130 concerns addressed with traffic, environmental, stormwater runoff and we’ve all seen how a
1131 forest can change when there’s too much water in them. I strongly support the Board having a
1132 peer review done and I appreciate that you guys voted that tonight.
1133
1134 Mr. LaCortiglia - Yes, a 53G account is going to be established for that review process.
1135
1136 Mr. Bill Casey - Is that something that has to be voted on or is that automatic?

1137
1138 Ms. Evangelista - It is in our regulations that the account be established.
1139
1140 Mr. Rich - I think we are talking about two different things. Every single project that I have seen
1141 come through this Board has been sent to our Technical Review Agent to be reviewed.
1142
1143 Mr. Bill Casey - When is that review done?
1144
1145 Mr. LaCortiglia - When we get a Definitive Plan filed. If you got notified of this meeting then
1146 you all will be notified again for the Definitive Plan.
1147
1148 Mr. Bill Casey - So as part of that process there will be another hard look at the Stormwater
1149 calculations?
1150
1151 Mr. LaCortiglia - A real hard look.
1152
1153 Mr. Rich - I would call it a dissection.
1154
1155 Mr. Bill Casey - Thank you, I just wanted to go on record.
1156
1157 Mr. Snyder - The 53G account pays for any sub-consultant the Board wishes to engage in the
1158 review of the project. Traffic, site engineering, water, whatever they deem necessary for them to
1159 come to a conclusion on the application.
1160
1161 Mr. Eric Rizza (4 Wilkins Place) - I want to start off by saying that I am a Police Officer in
1162 Everett and the reason I'm saying that is I go to hundreds of motor vehicle accidents a year. I
1163 moved up here about four years ago so I am a "newbie" to the neighborhood. In the time I've
1164 been here there are four or five curves on Searle Street that are extremely dangerous. There are
1165 three intersections the one at Tenney and 133 which was recently reconstructed and for the life of
1166 me I can't understand why they didn't put a light there. At Tenney and Searle, sometimes I
1167 forget things at home and I've seen it done numerous times where people have to make that loop
1168 and it's a sharp corner so people have to do a U-turn. With all that being said there are no
1169 sidewalks on Searle Street, the width of the street is small; there are two school bus stops which
1170 are near the proposed road. By tying this project into Searle Street not only are you putting a
1171 burden on the residents, you're putting our kids at risk. You can't see anything around the blind
1172 corners. There is also a large amount of foot traffic. Also on this Preliminary Plan, is there
1173 anything to prevent future development off of Lot 15 to tie into another cul-de-sac that would put
1174 more strain on Searle Street?
1175
1176 Mr. LaCortiglia - Remember there is never any guarantee – anybody with a big enough lot can
1177 take that lot and put a road in.
1178
1179 Mr. Eric Rizza - So that would put an additional strain on Searle Street. I would like the Board
1180 to take that into account – the risk of our children and residents. Most people feel the same way;

1181 if you have property you have the right to develop it, just don't turn Searle Street into a main
1182 road and that's what you're doing with potential future development there's going to be even
1183 more burden on that street. I do have some questions. Would the removal of the rock ledge be
1184 done by blasting?

1185
1186 Mr. Williams - Most likely.

1187
1188 Mr. Eric Rizza - And what impact would that have to the houses in the vicinity? What if we
1189 have damage to our foundations?

1190
1191 Mr. Williams - State law requires surveys of anything within 400 feet of blast activity. They go
1192 in and survey the house before and after. I've never seen an issue with blasting causing damage
1193 other than one situation not similar to this.

1194
1195 Mr. Eric Rizza - My concern for that is that shortly after I moved in Mr. Wilkins provided me
1196 with a video of my house being built in 1989 and it was all ledge over there. They did an
1197 extreme amount of blasting. So if there is any damage is there anything to cover that damage
1198 from the developer?

1199
1200 Mr. William - We have to buy blasting insurance.

1201
1202 Mr. Eric Rizza - Another question I have is the proposed road coming onto Searle Street, are
1203 there any other houses in Georgetown that have a road on three sides?

1204
1205 Mr. LaCortiglia - Are you asking if we could prohibit this?

1206
1207 Mr. Eric Rizza - Yes.

1208
1209 Mr. LaCortiglia - We can't.

1210
1211 Mr. Eric Rizza - Are there any other houses in Georgetown that have that similar situation? Are
1212 you setting precedence by doing this?

1213
1214 Mr. Rich - If you have the proper acreage and put in a proper road, giving the lots the proper
1215 frontage and you meet the access and egress requirements for a through road then yes you can do
1216 that.

1217
1218 Mr. Eric Rizza - I understand that but you are surrounding her house by roads.

1219
1220 Mr. Rich - What I am telling you is that you can do it.

1221
1222 Mr. Snyder - Another way to look at is the Planning Board couldn't deny this because it creates a
1223 house lot with a road on three sides.

1224

1225 Mr. Brian Sullivan (4 White Pine Drive) - I agree will all said tonight by the people behind me.
1226 My concern is safety issues with traffic and the comment was made earlier that Searle Street has
1227 no access for trucks. So the only way into Lisa Lane is going one way ion for the trucks. There
1228 would be no other way to get construction vehicles in there.

1229
1230 Mr. LaCortiglia - What is the prohibition for trucks?

1231
1232 Mr. Howard - Low wires.

1233
1234 Mr. LaCortiglia - I think what you are referring to is a logistical problem. It sounds like that if
1235 they were to get the permit that they will have to do it with pickup trucks moving the earth – this
1236 is their issue. Do you have a concern about the hours of operation?

1237
1238 Mr. Brian Sullivan - Yes that is also my issue.

1239
1240 Mr. LaCortiglia - Is there anybody else that has a question or is unclear about how this process
1241 works? Right now what is going to happen is that I am going to give the applicant a few more
1242 seconds to say something and then we are going to continue this hearing to another night that
1243 everyone will be able to come again.

1244
1245 Audience member - Is there any way that the meeting can be moved to another location because
1246 we are going to have a larger crowd next time and we hope that we can sit down?

1247
1248 Mr. LaCortiglia - I doubt you'll have a larger one.

1249
1250 Audience member - Oh yes we will.

1251
1252 Mr. LaCortiglia - You know what, I'm going to make a prediction that there will be less than a
1253 half of dozen people when this closes because you are all fired up right now and you're all; "Oh
1254 no." They are going to wear you down and beat you down and they are going to satisfy you and
1255 you are going to be busy and your lives will go on. That's how it works – welcome to the
1256 machine.

1257
1258 Audience member - Are you trying to tell us something?

1259
1260 Audience member - I just have one question. We talked about the OSRD and now that plan is
1261 still out on the application. Is there an opportunity for the applicant to rescind the OSRD?

1262
1263 Mr. LaCortiglia - No he cannot.

1264
1265 Audience member - So that will stay in the application?

1266
1267 Mr. LaCortiglia - At some point this hearing process which is both an OSRD and a preliminary
1268 will end. When it ends at that point a decision will be made whether to approve the preliminary

1269 plan or not and then the applicant has about seven months to file a definitive subdivision plan
1270 and then you guys all get notice and the real hearings start.
1271
1272 Audience member - Before the next meeting can you have the walk through first so that we can
1273 go with you?
1274
1275 Mr. LaCortiglia - It sounds to me like we are going to get some good dates and find out whether
1276 it will be a public meeting. I will anticipate that this will not be very quickly done. I would hope
1277 that this board gives the applicant adequate time to lock that wetland line down which they are
1278 going to need to do if they want to get serious at some point.
1279
1280 Mr. Rich - That doesn't mean that you might see one or two of us roaming around up there.
1281
1282 Audience member - I thought you made a motion to do a walkthrough?
1283
1284 Mr. Rich - We are going to do a walkthrough.
1285
1286 Audience member - I'm asking if you are going to do the walkthrough before the next meeting.
1287
1288 Mr. LaCortiglia - It doesn't sound like that, no.
1289
1290 Mr. Rich - I am going to take exception to you stating that "the developers are going to wear you
1291 down". There are some developers that have come into this town that I would not give the time
1292 of day to, nor would I even listen to them. There are other developers that have proved
1293 themselves to listen to the concerns of the neighbors. This developer who has done two or three
1294 other projects in town that were abandoned by other developers and were in such a state that the
1295 neighbors were fit to be tied. Those neighbors actually thanked both the developer and this
1296 member of the Planning Board for finding them to go in to do it. There are some developers that
1297 listen and react and there are some that listen and give you lip service. It's been this board
1298 members experience that this particular developer and I am very; very careful about who I say
1299 this recommendation about. They listen, sit down with you and to me they have never been the
1300 type to wear you down in the hope you go away. They strike me as the type of people that will
1301 listen to you and ask how we resolve it so that we are both satisfied. That's the way they strike
1302 me so in between these hearings there is nothing stopping you from meeting with the developer
1303 and voicing your concerns and presenting your resolutions and asking them what their ideas are
1304 and I strongly recommend it. Again, you might get the answers you are looking for - it might be
1305 viable alternatives. A lot of people think outside the box. I have found Artesian Development to
1306 be historically honorable people; they look after not only their projects but the effects. There
1307 was as developments that require certain trees to be put in certain areas and the developer put the
1308 driveways in so that the trees on the plans were there. There are some you can talk to and I
1309 would recommend that you try to talk to these people. That is just my opinion.
1310
1311 Audience member - What other development have they previously done in Georgetown?
1312

1313 Mr. Snyder – I believe the Whispering Pines subdivision.
1314
1315 Mr. LaCortiglia - For the record, I mean in no way that the applicants are going to wear them
1316 down. It is the process that wears them down. It is a continuous process that has opened and
1317 closed hearings. About a third of you might make it through the process I think.
1318
1319 Ms. Mann - As far as the site walk I just have to get permission from the landowner and then
1320 everyone can sign a release and a waiver. I just need to say now for the record that anyone
1321 entering the property is doing so as a trespasser. I cannot give that approval. We can only
1322 approve any town persons that are covered under insurance. There is no right of way on this
1323 property.
1324
1325 Ms. Evangelista - Is that true? I just wonder if that is true. If you file an application I think that
1326 opens the door for us to do a walk on the land.
1327
1328 Ms. Mann - We open the door for any town person who is protected by the insurance. It is
1329 private property. You have the right the public does not.
1330
1331 Audience member - You told us we have the right to go with you.
1332
1333 Mr. Rich - What she said is if on our site walk, if you decide to go with us she will have you sign
1334 a release.
1335
1336 Mr. LaCortiglia - There are some applicants that refuse to allow the public. When that happens I
1337 don't walk it.
1338
1339 Audience member - We want to know who the landowners are.
1340
1341 Mr. LaCortiglia - It is all in the record and there are three of them.
1342
1343 {Mr. Snyder reads the names of the landowners.}
1344
1345 Ms. Mann - We are not opposed to you closing the OSRD hearing and you issuing your
1346 recommendation. I would love to have it closed.
1347
1348 Mr. LaCortiglia - We would have to discuss that. We have already bifurcated.
1349
1350 Ms. Mann - We are already at the point to do the preliminary and are not at a point to do that
1351 until you close the OSRD hearing. Are we supposed to prove out what? This is the guidance
1352 we are looking for from you and until we get that we really can't continue with everything till we
1353 know what our direction is.
1354
1355 Ms. Evangelista - I think the "everything" is the Conservation Commission.
1356

1357 Ms. Mann - We are definitely going to do that.
1358
1359 Ms. Evangelista - It should be run at the same time.
1360
1361 Ms. Mann - It does but again with the OSRD and with the preliminary obviously we have to do
1362 it. Is it typical for people to go through and file for an NOI when you're in preliminary?
1363
1364 Mr. LaCortiglia - What it is is in an OSRD we specially changed that bylaw to allow us to ask
1365 for and wait for information from another board.
1366
1367 Ms. Mann - Right and I think part of that is because people want to go down that route and we
1368 definitely aren't looking for that density.
1369
1370 Mr. LaCortiglia - It's impossible to determine the yield accurately. For instance if this wetland is
1371 actually over here (shown on screen) then you would need a wetland crossing
1372
1373 Ms. Mann - I guess my whole point is that it seems like a lot of effort and time on your part
1374 that's not necessary because we are going to elect to come in with preliminary and we would
1375 have to do that work. So that's why my point it is that it seems if it would be expeditious on
1376 your part to close the hearing. We would prefer it to be closed before we put more effort into it.
1377
1378 Mr. LaCortiglia - Duly noted. One final question. The electric easement, who owns the
1379 underlying fee?
1380
1381 Ms. Mann - The landowner (Ingraham).
1382
1383 Mr. LaCortiglia - That is an easement that the electric company has on the parcel?
1384
1385 Ms. Mann - That's correct.
1386
1387 Audience member - We would like to see the OSRD close too. Because if you don't and you
1388 just gloss over all the procedural thinking that they are not going to do that and they abandon it
1389 and another builder comes in, can they pick that up (the OSRD) and use it? You are all acting
1390 like it (the OSRD) is not going to be considered.
1391
1392 Mr. LaCortiglia - It would have to be re-filed again.
1393
1394 Mr. Williams - We could probably meet before that.
1395
1396 Ms. Mann - The wetlands have already been delineated.
1397
1398 Mr. Williams - Yes. We had a professional wetland scientist come in. She spent over a week out
1399 there.
1400

1401 Mr. LaCortiglia - I understand and I have seen wetlands line move many, many times. What I'm
1402 hearing is that they want to do a walk and I thought it was your suggestion that it be done with
1403 the Conservation Commission.

1404
1405 Ms. Mann - We were under the impression that it would be done during the definitive where we
1406 could actually show you where the road is going to be because this is a conceptual plan and
1407 things could change. To be honest with you I don't think it is right to have a site walk now. It's
1408 not going to be productive. There would have to be another as the board will want to know
1409 where things are going. I think it would be more productive to have a site walk when we know
1410 where everything is and that's going to mean going before Conservation and identifying how we
1411 are going to maneuver through the buffer.

1412
1413 Mr. LaCortiglia - Let's save you a lot of time. Go to the Conservation Commission and find out
1414 where that is and you can find out if that's a crossing. The reason I say that is I remember a
1415 situation where the line changed and the subdivision changed to a three lot from a forty four lot.

1416
1417 Ms. Mann - We recognize that. We have every intention of doing that. We are going to go to
1418 the Conservation Commission with an ANRAD to see if there are any changes. As soon as you
1419 want to have the next meeting we are more than willing. As far as the site walk we would prefer
1420 to wait till we have a better plan.

1421
1422 Mr. Rich - The way I see it is that it is your client's money. The longer this goes out – it's on
1423 their nickel not ours. We are here every other week.

1424
1425 Ms. Mann - Trust me we don't want to keep coming back.

1426
1427 Mr. Rich - But if you choose not to go to Conservation Commission at this point.

1428
1429 Ms. Mann - We will because remember we really couldn't delineate until last week.

1430
1431 Audience member - Is the Conservation Commission open to the public?

1432
1433 Mr. LaCortiglia - Yes. A public hearing just like this one – you will get a notice and I'm sure
1434 they will be happy to hear all about those things that you have said.

1435
1436 Mr. Rich - **Motion** to continue the hearing to June 12, 2013 at 7:00 PM.

1437 Mr. Watts - **Second.**

1438 **Motion Carries: 5-0; Unam.**

1439
1440 Mr. LaCortiglia - OK folks I hope you have been listening- this will continue to June 12th. You
1441 will not get a notice for it.

1442
1443 **Planning Office:**

1444 **1. Past Zoning Board actions regarding 5 Elm Street and 105 West Main Street.**

1445 Mr. Snyder – I have passed this information out to the Planning Board members.

1446

1447 Mr. Rich - **Motion** to adjourn.

1448 Mr. Watts - **Second.**

1449 **Motion Carries: 5-0; Unam.**

1450

1451 **Meeting adjourned at 11:00 PM.**