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MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, June 12, 2013
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Mr. Harry LaCortiglia (arrived at 7:21 PM); Mr. Christopher Rich; Ms. Tillie Evangelista; Mr. Tim Howard (arrived at 7:40 PM); Mr. Bob Watts; Mr. Howard Snyder, Town Planner; Ms. Wendy Beaumont, Administrative Assistant.

Meeting Opens at 7:10 PM.

Approval of Minutes:

1. Minutes of May 22, 2013.

Mr. Watts - **Motion** to accept the minutes of May 22, 2013 subject to any changes made by colleagues at this meeting.

Ms. Evangelista - **Second.**

Motion Carries: 3-0; Unam.

Correspondences:

- 1. Town of Rowley: Public Hearing for Amended Site Plan – 420 Newburyport Turnpike.**
- 2. Town of Rowley: Zoning Board of Appeals – Finding for Single Family dwelling.**
- 3. Town of Boxford: Zoning Board of Appeals – Special Permit for addition.**
- 4. Town of Boxford: Zoning Board of Appeals – Special Permit for parking and structure.**

Mr. Snyder - There are four items the Planning Board received but have no concern to Georgetown as these properties are far from town.

Voucher:

1. Town Planner: Mileage Reimbursement

Ms. Evangelista - **Motion** to approve the voucher.

Mr. Watts - **Second.**

Motion Carries: 3-0; Unam.

Old Business:

1. Site Plan Approval: #6 Norino Way - Endorsement of Plans and Decision.

Mr. Snyder - At the last meeting the Planning Board voted to approve the Site Plan Application. I have a mylar and the decision for endorsement.

Mr. Watts - **Motion** to approve the decision and sign the mylar.

Ms. Evangelista - **Second.**

Motion Carries: 3-0; Unam.

2. Site Plan Approval: Honey Dew Donuts - Endorsement of Plans and Decision.

Mr. Snyder - At the last meeting the Planning Board voted to approve this Site Plan and the mylar and decision are here for signatures.

47 Ms. Evangelista - **Motion** to approve the decision and sign the mylar.
48 Mr. Watts - **Second.**
49 **Motion Carries: 3-0; Unam.**

50
51 Ms. Evangelista - I noticed that the planters are not there yet in the parking lot.
52

53 Mr. Rich - The decision addresses the plan. If the landowner says he is going to do something
54 then he will do it. They have been good and have done an excellent job.
55

56 **Planning Office:**

57 **1. M-Account #26410 Belleau Woods.**

58 Mr. Snyder - In your packet is information regarding the release of funds. This is now a
59 town accepted street.
60

61 {Mr. LaCortiglia arrived at 7:21 PM.}
62

63 Mr. LaCortiglia - **Motion** to release escrow fund.
64 Mr. Watts - **Second.**

65 **Motion Carries: 4-0; Unam.**
66

67 **2. Site Plan Approval Application: 124 Tenney Street.**

68 Mr. Snyder - In your packet was the Site Plan application. This will be a public hearing held
69 at the end of July.
70

71 Ms. Evangelista - I had some questions when I read the Building Inspectors letter. When I
72 looked at the intensity of use schedule, he made a note about it saying that it needed a special
73 permit but it is in the industrial area so that means that it is a permitted use.
74

75 Mr. LaCortiglia - Isn't it in the water resource district?
76

77 Mr. Snyder - Right, the special permit is with the Zoning Board.
78

79 **Public Hearing:**

80 **1. Special Permit: Lisa Lane OSRD – Continued Public Hearing.**

81 Mr. LaCortiglia - I will now reopen the hearing at this time.
82

83 Ms. Mann - We took direction from the board and talked to some of the abutters. One in
84 particular we spoke with and after we made some revisions. The board understood from the last
85 meeting that we did not want to do an OSRD because of the land. A lot of abutters stated they
86 did not want the OSRD either. We asked to close the hearing and were told by the board to bring
87 it back again tonight. I believe the board's intent was to get all the issues out and to make all feel
88 secure. We still would like the board to close the hearing for the OSRD. The other issue that
89 was brought up is the connection from property the Town owns.
90

91 {Mr. Snyder shows plan on the screen.}
92

93 Ms. Mann - Shows an aerial plan to the board and audience. I believe what the town would like
94 to see is a connection.
95

96 {Mr. Williams discusses an area on the map which the Town owns that does not abut the
97 property.}
98
99 Mr. LaCortiglia - Isn't there a sliver that comes out and touches it?
100
101 Ms. Mann - I don't know but we can give the Town connectively.
102
103 {Discussion held in regards to the other undeveloped land.}
104
105 Ms. Mann - We will be on the Conservation Commission meeting on the 26th. We are planning
106 on focusing on the preliminary plan at that point. Until we get the final ANRAD plan I can't tell
107 you how we will cut it.
108
109 Ms. Evangelista - Where is the road or the right of way?
110
111 Ms. Mann - We don't know yet. We will you some open space land and then you'll need an
112 access point to get to it but it is impossible to deem where that will be at this point.
113
114 Ms. Evangelista - You are already aware of some issues that may need addressing with the
115 Conservation Commission. I would want to know as a Planning Board member if there is a
116 right-of-way where you could use another access way rather than the ones you have presented.
117
118 Ms. Mann - Do you mean another way for the residents to access this or the Town?
119
120 Ms. Evangelista - The residents.
121
122 Ms. Mann - Absolutely not as these are the only two points that abut a public way.
123
124 {Mr. Snyder discusses other areas on the map including land that is park land, and land that is for
125 future consideration for purchase.}
126
127 Ms. Evangelista - Can you show me where Pillsbury Lane development is and where that road
128 ends?
129
130 {Mr. Williams shows the area on the map.}
131
132 {Mr. Howard arrives at 7:40 PM.}
133
134 {Discussion held in regards to who owns certain parcels of the land.}
135
136 Mr. Rich - To the best of your knowledge, is the part you marked off in green on the map, is it
137 dry?
138
139 Mr. Williams - Some of it is dry and some of it is wet.
140
141 Mr. LaCortiglia - All that matters is what the Conservation Commission thinks.
142
143 Mr. Williams - There are parts that are obviously dry and there are parts that are obviously wet.
144

145 Mr. LaCortiglia – I see some hand waving in the background and this is definitely an open
146 hearing and you will be heard. At this point this information is for the preliminary.
147
148 Ms. Evangelista - I don't think so, I think it is for both. I don't see how we can come up with a
149 yield plan without the Conservation Commission reviewing it and coming up with their wetlands
150 determinations.
151
152 Mr. LaCortiglia - Because the applicant has already informed the board that they do not wish to
153 pursue the OSRD, I don't see that we need to come up with the yield plan.
154
155 Ms. Evangelista - My interpretation of the OSRD is that first we have a yield plan, and then we
156 make our recommendation. As far as I'm concerned, I want to see the yield plan.
157
158 Mr. Rich - I agree and disagree with you. If the applicant wishes not to go with the OSRD and
159 the abutters are not thrilled with the OSRD.
160
161 Ms. Evangelista - Probably so but according to the town vote – they want a yield plan first. All
162 you gave us is a drawing similar to the development plan. A yield plan determines where the
163 wet lands are – where the Conservation Commission approves of where the wetlands are. You
164 haven't gone through that step yet. So what you have done is just paper and pencil.
165
166 Mr. LaCortiglia - You are correct, under the OSRD those are the steps that need to be taken.
167 The fly in the ointment is that some parcels are good for that and some are not. The way the vote
168 went down is that it is the applicant's choice.
169
170 Ms. Evangelista - After the yield plan. I am interested in what is the best plan. I don't see how a
171 developer can make that determination without so little evidence they have. I don't see any
172 proof of them even considering any other alternative.
173
174 Mr. LaCortiglia - Effectively the preliminary plan is the yield plan. Maybe we can send it to Mr.
175 Graham to see what does work and what doesn't work.
176
177 Mr. Snyder - The concept plan and yield plan are submitted together. The purpose of getting the
178 yield plan is to show the number of units that can be in the OSRD. In regards to the yield plan
179 you don't need to do those steps because you are bypassing the OSRD. Instead, all those
180 concerns will come into play as the preliminary plan is developed and reviewed.
181
182 Mr. Rich - We can approve this plan right now if we wanted.
183
184 Ms. Evangelista - But our bylaws say we can't. If they want to abide by our preliminary, they
185 have seven months to come in with a definitive and if they don't come in with one then it is
186 wiped out.
187
188 Mr. Williams - The preliminary is not binding for the applicant or the board. It has no bearing
189 other than the applicant can take into account the comments made during the preliminary
190 process.
191
192 Ms. Evangelista - You get the protection of the Zoning Board by doing the preliminary.
193

194 Ms. Mann - We did not file it for protection when you approve the definitive plan. I understand
195 your concern. I would never be able to get more lots approved in a preliminary plan than in an
196 OSRD plan. Is it in the best interest of the community to allow me to do a plan where no matter
197 what I am getting the same- if I get that in my preliminary plan? We are not going forward with
198 an OSRD. We do not think it is in the best interest of the community. We are willing to not get
199 the added lots. We are willing to do conventional lots. Let's focus on the real issues, the access,
200 drainage etc... and not be diverted away by an OSRD issue that will never come to fruition.
201

202 Ms. Evangelista - My point of view is that the people in this town voted for this bylaw.
203 Therefore we have to do what it says whether you like it or not. The yield plan is for us to make
204 a fair recommendation. I don't see how we can evaluate without going to the Conservation
205 Commission.
206

207 Mr. Rich - I think it's the concept. I heard from the neighbors that the last thing they want is an
208 OSRD.
209

210 Mr. LaCortiglia - It is a process in futility to go thru the empty exercise of establishing a yield for
211 something that is going to be overwritten by the applicant. Perhaps what we should be working
212 on is to close the OOSRD portion and then we would not have to deal with the OSRD as it is
213 moot.
214

215 Ms. Evangelista - I don't think we can do it as we don't have enough facts to determine what a
216 yield plan is. We have to follow the bylaw. I didn't write that bylaw - you guys did.
217

218 {Mr. Rich reads the bylaw.}
219

220 Ms. Evangelista - Read the yield section.
221

222 Mr. Rich - I think that the applicant is by making the election now, is limiting the applicants
223 opportunity to change their minds. The only thing the abutters have to worry about is what on
224 this plan and they don't have to confuse issues by having the other plan, as the other is history.
225

226 Mr. Howard - The yield really is determined by how many lots - so it is kind of irrelevant at this
227 point.
228

229 Mr. LaCortiglia - In my opinion it is a moot point.
230

231 Mr. Williams - It is not a concept plan just done with paper and pencil. There was work done out
232 there on the site. We did topography of the whole site, had a botanist show the wetlands. It's
233 more than we would do for other towns.
234

235 Mr. Howard - If the Conservation Commission doesn't agree with your botanist, you will get
236 fewer lots.
237

238 Mr. Williams - Under the OSRD we get density bonus for increased open space.
239

240 Ms. Evangelista - What if you go to the Conservation Commission and they said that the OSRD
241 we would recommend that you have only two units instead of three because of the determination
242 that it is so wet in the area and you have six bedroom homes...

243
244 Ms. Evangelista - They said that you would need a treatment plant because they were planning
245 on more in the units.
246
247 Mr. Rich - I don't think it within the purview of the Conservation Commission to say two or
248 three units. Their job is to delineate the wetlands and to find out where the building and septic
249 are going not how many units. That is our job.
250
251 Mr. LaCortiglia - Sometimes land becomes unbuildable.
252
253 Ms. Mann - The Board of Health approval will be in later stages. The reason to close the OSRD
254 is for everyone to be able to focus and we do not desire to do the OSRD.
255
256 Mr. LaCortiglia - With the understanding of the board I am asking for a motion to close the
257 OSRD portion of the project. Before I ask I would like to go to the audience for comments
258 regarding closing the OSRD portion.
259
260 Mr. Kevin Duncan (46 Searle Street) - If it is closed, can it be reopened again?
261
262 Mr. LaCortiglia - No. A new application can be filed after two years.
263
264 Mr. Eric Rizza (4 Wilkins Place) - Both the OSRD and the preliminary plans come off of Searle
265 Street and Lisa Lane correct?
266
267 Mr. LaCortiglia - You are right.
268
269 Ms. Grosslein (16 Lisa Lane) - So it could happen in two years again. What is the date of the
270 easement for 18 Lisa Lane?
271
272 Ms. Mann - We have an extension and we decided to extend the easement option.
273
274 Mr. Eric Rizza - Ms. Mann states that she spoke to the abutters, which ones did she speak to?
275
276 Ms. Mann - If they want to make their names known, they should do so.
277
278 Mr. Eric Rizza - She said that she spoke to some of the abutters and that they would rather see
279 the preliminary plan versus the OSRD. I have spoken to all the abutters and they are against the
280 whole project.
281
282 Mr. Rich - What we are trying to do is eliminate one part of the project which will not be more
283 than 26 units. You can comment on the one plan now rather than the two plans. I don't think
284 there was one person in the audience that said they liked the OSRD plan.
285
286 Ms. Evangelista - I remember two people saying it and the room was packed.
287
288 Mr. LaCortiglia - With all due respect they have chosen to go with the preliminary plan.
289
290 Mr. Rich - **Motion** to close the OSRD portion of the hearing.
291 Mr. Howard - **Second.**

292 **Motion Carries: 4-1.**

293

294 Mr. LaCortiglia - This is now the continuation of the preliminary plan. Let us cut to the chase,
295 who's in favor of sending this to Mr. Graham at this point? He can find out what fits into our
296 regulations.

297

298 Mr. Rich - If you look into the audience Mr. LaCortiglia you will notice that the people you said
299 are not going to be here are here.

300

301 Mr. Wilkins (2 Wilkins Place) - What is the name of this proposed subdivision?

302

303 Mr. LaCortiglia - I don't know. That is normally determined later.

304

305 Mr. Wilkins - Originally we have Marlboro and such and such estates. Do they have a maybe
306 name?

307

308 Ms. Mann - We don't have one yet but will probably come up with one on the next set of plans.

309

310 Mr. Jack LoCicero (26 Marlboro Road) - Is this the plan that is going to be submitted? I do not
311 see a retention basin on the plan. Is the town responsible to clean the retention basin?

312

313 Mr. LaCortiglia - That will part of the comments from Mr. Graham. He will determine that
314 issue.

315

316 Mr. Williams - There are proposed locations of stormwater management areas.

317

318 Ms. Evangelista - This is a preliminary plan.

319

320 Mr. Rich - This is only a preliminary plan. The definitive will state exactly how everything will
321 be done and it will go to our engineer for additional review, comments and recommendations.

322

323 Ms. Arlene Cronin (23 Searle Street) - Do you ever have a meeting with both the Conservation
324 Commission and this board together?

325

326 Mr. LaCortiglia - No. Basically we play ping pong and the applicant is the ball.

327

328 Mr. Howard - Are they going to file with the Conservation Commission at the same time?

329

330 Mr. Williams - We can't file for the project with the Conservation Commission until we file the
331 definitive plan.

332

333 Audience member - Who owns the land between the cul-de-sac and this proposed site?

334

335 Mr. LaCortiglia - The Town.

336

337 Mr. Williams - There are homeowners that own up to the road.

338

339 Audience member - The chief objection to this proposed plan is the access and the difficulty of
340 the roads. To get to it there is a difficult turn onto Tenney Street which is a dangerous
341 intersection and then proceeds to Searle Street which is inadequate as it is.
342

343 Mr. LaCortiglia - These are the same concerns we heard from the last meeting. We are aware
344 that there is a huge concern of traffic problems.
345

346 Audience member - I made a Google map and when I look at Pillsbury Lane and Burney Way, I
347 see that is not too far from the proposed site. I wonder if a road could not be put in there which
348 would be much easier and safer than the proposal that we have.
349

350 Mr. LaCortiglia - Are you suggesting that the town donate the land to the developer?
351

352 Audience member - I'm not sure how the Town would address this. I would like to submit this
353 map which shows both routes.
354

355 Mr. Rich - I am going to date this exhibit and mark it for our file.
356

357 Ms. Susan Stead (48 Searle Street) - I think the biggest concern is and I can see eyes rolling at
358 the mention but here's the bottom line. If this is on Searle Street, Marlboro all that we talked
359 about is incredibly inadequate. Those roads need to be rebuilt. This development is going to
360 happen and everyone will go away and who's going to get stuck taking care of those roads. To
361 this gentleman's point, it might sound farfetched to all you guys up there as you are rolling your
362 eyes but the bottom line is it's an option. Because at some point somebody has to take care of
363 these roads!
364

365 Mr. LaCortiglia - At some point perhaps at the suggestion made to put a road through
366 conservation land and the wetlands.
367

368 Ms. Susan Stead - You're doing the same thing they're proposing thank you very much!
369

370 Mr. LaCortiglia - Susan, you are a realtor and you understand these things and I know you're
371 going to the Conservation Commission meetings and when that issue gets raised at that meeting
372 please come back and let us know what they say.
373

374 Ms. Susan Stead - To everybody's point just looking at other options for egress – it is an option
375 that may work for the developer and current landowners – it's just options.
376

377 Mr. LaCortiglia - One of the things that was very difficult for me when I got on this board was
378 recognizing that this board does not dictate where roads go. This board is in receipt of notices
379 from applicant that own land which is to create a road on their land and thereby they have every
380 right to do so as long as they do it the way we dictate.
381

382 Ms. Susan Stead - I would think safety would come into that as well.
383

384 Mr. LaCortiglia - Absolutely. You have to remember that if someone proposes a development
385 on an existing street that is presumed to be safe and if that street is not safe I would suggest that
386 you talk to the Highway Department and have it shut down.
387

388 Audience member - It is safe in its current condition but if you add another 100 or so car trip a
389 day then.
390
391 Mr. LaCortiglia - We will need a traffic study to see.
392
393 Audience member - Who does the traffic study? The developer?
394
395 Mr. LaCortiglia - The traffic study is done by a consultant but that is in the definitive plan.
396
397 Mr. Snyder - The town hires the traffic consultant so it's a third party that is independent. Also
398 in regards to using conservation land for access, correct me if I'm wrong. The Town accepts
399 land and in your experience with the Conservation Commission Mr. LaCortiglia, has the town
400 ever given that land back for a use such as what is being proposed?
401
402 Mr. LaCortiglia - No. To do such a thing would require 2/3 vote of the majority of the Senate
403 and a 2/3's vote of the House of Representatives. It literally is an act of Congress to do that and
404 forgive me as I couldn't help but roll my eyes because I couldn't understand that as superficially
405 as great of an idea that it sounds it will never happen. In this case, because it is before
406 Conservation Commission, it has to vote that the area is considered excess land and it has to be
407 an unanimous vote - any one member could squash it. Been through it. No disrespect meant at
408 all by the eye rolling.
409
410 Mr. Rich - I showed the picture to Attorney Mann and with no objection this can be entered into
411 the record. Blame it on my education but I think reality is what you make of it and I think asking
412 the question doesn't hurt and I think the question I would ask is if you as the developer do you
413 have a problem asking that question to the town?
414
415 Ms. Mann - We can ask for the town to build a road but I don't think it is useable.
416
417 Mr. LaCortiglia - Go ahead and ask.
418
419 Mr. Rich - If you don't ask, you don't know. I think it is a legitimate point if there is a viable
420 alternative - why not ask and see.
421
422 Mr. LaCortiglia - Maybe I've been on this board too long, but the only thing I see is if the
423 developer wants to do improvements to Searle Street of their own volition, then we would look
424 at it if they offered it. But this is so far down the road.
425
426 Mr. Rich - **Motion** to send plans to Mr. Graham.
427 Mr. Watts - **Second.**
428 **Motion Carries: 5-0; Unam.**
429
430 Ms. Evangelista - I am not in favor of that because we need more details than what we have.
431
432 Mr. Williams - I think the plan has all that the Planning board asked for in a preliminary plan.
433
434 Ms. Evangelista - So you followed §365-39(c)?
435
436 Ms. Mann - Yes we did.

437
438 Ms. Evangelista - Do you have the streams on there, drainage?
439
440 Ms. Mann - Easements, everything.
441
442 Mr. LaCortiglia - Bear in mind that if any of those required thins are not on the plan, Mr.
443 Graham will see and put it in writing.
444
445 Ms. Evangelista - I think it should go to the Conservation Commission first because look at this
446 detail here with the watershed plan. Well you guys are intent on speeding up the process you
447 eliminated the whole OSRD and now you're going to drag things on with this. Alright send it to
448 Mr. Graham.
449
450 Mr. Rich - It is expeditious to send it to Mr. Graham.
451
452 Ms. Evangelista - So Mr. Graham is checking all the things that the Conservation Commission
453 should look at?
454
455 Ms. Mann - It is more like a definitive. The Conservation Commission can't even evaluate the
456 plan as all they can look at is the wetlands. There are rules for submissions to the Conservation
457 Commission.
458
459 Mr. Williams - We need to submit the definitive plan to the Planning Board first.
460
461 Mr. LaCortiglia - Any other questions from the board?
462
463 Mr. Carl Stecher (26 Searle Street) - When was the wetland survey done? Obviously these
464 surveys can go wrong. Our library is a good example as it is under water every time it rains.
465 How can we be certain that the wetland survey will not result in a similar seasonal problem?
466
467 Mr. LaCortiglia - That is something that the Conservation Commission will find out and deal
468 with.
469
470 Mr. Snyder - The window period for the Conservation Commission to review is April 15th to
471 October 15th.
472
473 Mr. Jeff Litch (13 Lisa Lane) - I remember at the last meeting we looked at the plans and the
474 lines of the wetlands the board stated it was pretty vague and needed a lot more work. It seems
475 to me like this is just being pushed through. It needs to be done slowly and correctly.
476
477 Mr. LaCortiglia - Until they go to the Conservation Commission and come back with those
478 actual lines...
479
480 Mr. Jeff Litch - Did they make more drawings and take more measurements between this
481 meeting and last meeting?
482
483 Mr. Rich - The Conservation Commission will tell them exactly where the wetland lines are they
484 do not tell them. Their plans show where they think they are but the Conservation Commission

485 decides where they are. We are not pushing anything through. Until they send a definitive to us
486 they can't go before the Conservation Commission.
487

488 Mr. Jeff Litch - It seems to me like you are trying to rush this thing.
489

490 Mr. LaCortiglia - I can assure you we are not rushing it but we have learned from the past that
491 you can take certain steps so that months down the road it all culminates in permits.
492

493 Ms. Mann - I don't think they understand the process – the first thing is to submit the preliminary
494 plan and then in tandem is an ANRAD to the Conservation Commission to define the wetland
495 line. It is done by biologists. Once that happens then that information is put on the plans and
496 then from that point the board makes certain recommendations. We take Mr. Graham's
497 comments as well and proceed to a definitive plan. Nothing is being done rushed; it is being
498 done in the proper fashion.
499

500 Ms. Evangelista - According to this here – this is the preliminary plan requirement.
501

502 {Reading of §365-18.}
503

504 Ms. Mann - You need to go through your process, we have done it all correctly. The public is
505 getting confused thinking that we are in the stage of approval process and we are not.
506

507 Ms. Evangelista - If the Conservation Commission right now, because there are no details on the
508 plan, cannot make their determinations, then how can Mr. Graham?
509

510 Ms. Mann - Because the Conservation Commission just received an ANRAD plan to identify
511 resource areas. This is your process, what we are required to do.
512

513 Mr. Rich - Mr. Graham will look at this and state all that he feels is wrong. Until the
514 Conservation Commission says where the wetlands lines are – then at that point they can start
515 defining their definitive plan.
516

517 Ms. Mann - It is a process.
518

519 Mr. Williams - Just so you know, we don't have to file a preliminary plan. We could have cut
520 this step and just filed a definitive plan.
521

522 Ms. Evangelista - I understand, but it is also required to do an OSRD it is all connected. The
523 OSRD requirement is in our laws.
524

525 Ms. Mann - Absolutely not - that is optional. It says "you may" in the OSRD. It does not say
526 you have to.
527

528 Ms. Evangelista - So you filed the OSRD for what?
529

530 Ms. Mann - You do have to file an OSRD but you do not have to file a preliminary plan.
531

532 Mr. Williams - It is a detailed, nine sheet set.
533

534 Ms. Evangelista - We send out the plans to the Water Department for instance, and they say the
535 same thing that this is not detailed enough for us to make a determination. I wonder why we are
536 sending it to them if they give no detail.

537
538 Mr. Williams - They may say there isn't any water on Searle Street or they may say there is.
539

540 Mr. Snyder - It would be remiss of the Planning Board and the Planning Department not to send
541 the plans to all Town departments for review.

542
543 Mr. LaCortiglia - It is extremely early in the process.
544

545 Mr. Mammolette (14 Marlboro Road) - I am not for or against the project or process. I spent
546 some time on the Conservation when Little Hill came before us and I remember feeling
547 sandbagged because the developer came with a large parcel of land and expected us to nail down
548 all the wetland lines. I think that after a while it is human nature to say "ok that is close" but
549 here where you have things shown in context to where the wetlands are I think will make the
550 Conservation Commission look a little more critically where the line is so I don't think it is a bad
551 thing to have it set up this way.

552
553 Ms. Evangelista - I have a question for you Mr. Mammolette seeing that you are an engineer.
554 Will this development impact that plan as far as drainage and wetlands?
555

556 Mr. Mammolette - This project is sort of in the middle of projects that are Park and Recreation.
557 It would be wonderful if the town had the foresight to make a road go from East Main Street to
558 Martell Way to develop this Greenway corridor but I don't think the Town has another volunteer
559 board that would get behind it.

560
561 Ms. Evangelista - That's not my question Mr. Mammolette. Will the water and drainage from
562 this development affect Searle Street?
563

564 Mr. Mammolette - I think you are asking me to speak as a professional engineer...
565

566 Mr. LaCortiglia - That is unfair to Mr. Mammolette.
567

568 Mr. Mammolette - What I would say is that this project is going to collect and treat stormwater
569 to the standards that they are required to uphold. It is different that the project we are doing
570 which is all impervious areas. Their project should not impact our project, I believe.
571

572 Ms. Evangelista - That's what I wanted to know.
573

574 Ms. Jean Nelson (Searle Street) - What is the timeline for this under the subdivision control law?
575

576 Mr. LaCortiglia - As long as they keep continuing it with extension of times.
577

578 Ms. Jean Nelson - Will the preliminary go through the entire approval from the plan before the
579 definitive is filed?
580

581 Ms. Jean Nelson - I have seen it where the preliminary is filed but even if you deny it they can go
582 ahead with the definitive. So is this going to be seen through to some kind of conclusion after

583 you receive Mr. Graham's comments or is it the intent to file the definitive sometime prior to
584 that?
585
586 Mr. Rich - I can't see a developer spending the money or time – Ms. Mann's time is not cheap.
587
588 Mr. LaCortiglia - Ms. Mann, before the close of this hearing, are you going to file a definitive?
589
590 Ms. Mann - I don't know – it will depend on what the process is. We anticipate closing but I
591 can't make that call right now.
592
593 Mr. Rich - We don't know what our thoughts are yet or if we are going to approve anything or
594 what we'd want to see on the plan. That's what this is all about, to come up with all of that.
595
596 Ms. Jean Nelson - I understand but I am just asking the timeline. Also someone back here
597 wanted to know who Mr. Graham is.
598
599 Mr. LaCortiglia - Mr. Graham is the town engineer and he reviews all the plans and sends us
600 reports.
601
602 Mr. Eric Rizza - Who requests a traffic study?
603
604 Mr. LaCortiglia - This board.
605
606 Mr. Eric Rizza - I have a concern about the lots being open. In the winter time I can barely hear
607 the highway with this project I will hear a lot of noise from the highway. Can I request a noise
608 pollution study be done?
609
610 Mr. LaCortiglia - You can request anything you want. This is similar to another concern that
611 people had at a subdivision and what was determined is a hill was created between the Route 95
612 and the road for a buffer. The board ordered it.
613
614 Mr. Eric Rizza - Will the board do something like that in this situation?
615
616 Mr. LaCortiglia - Certainly if we thought there was concern.
617
618 Mr. Eric Rizza - Well once that area is opened up that noise will travel right down the power
619 lines.
620
621 Ms. Chris LaPlanca (9 Rosemary Lane) - I understand they are going to the Conservation
622 Commission on the 26th of this month. So if there is no definitive plan, what is that meeting
623 about?
624
625 Ms. Mann - It is an ANRAD where they will determine the wetland line.
626
627 Ms. Chris LaPlanca - At the meeting?
628
629 Ms. Mann - Well, we don't know. That is when they bring it up. It is a process.
630

631 Mr. LaCortiglia - They determine it on site and then they order that and that is the determination.
632 At that point the applicant has to put it on the plan. Any abutters within 300 feet should receive
633 a hearing notice and it will also be in the paper. I cannot believe that you all don't have each
634 other's emails by now.

635
636 Ms. Lyn Grosslein (16 Lisa Lane) - I just had a comment about a walkway that might be going
637 through to the other property. Where it comes in is very wet - would they do something like a
638 walkway for people to use?

639
640 Mr. LaCortiglia - It would have to be determined if it was wetland. If it doesn't provide some
641 sort of connectivity I don't think we would accept it.

642
643 Ms. Lyn Grosslein - The other thing is that at a previous meeting it was stated that there are no
644 vernal pools and there is a vernal pool that is certifiable.

645
646 Mr. LaCortiglia - That is something very important to tell the Conservation Commission when
647 you go to the meeting.

648
649 Ms. Evangelista - Can we make some suggestions right now before it goes to Mr. Graham on the
650 size of these lots? Or are we going to wait for Mr. Graham to tell us?

651
652 Mr. Snyder - I have an email from a member of the community.

653
654 Mr. Kevin Duncan (46 Searle Street) - I am the biggest abutter here. Does the developer show
655 the wetlands on my property? It is very close to where the vernal pool is. I have been ice
656 skating there for 25 years. Do they have a slide that show where the wetlands are on my
657 property?

658
659 Mr. Snyder - I think they are required to show 200 feet past the property.

660
661 Mr. Williams - I think we showed them - I am not sure how much is on the plan.

662
663 Mr. Kevin Duncan - I want to know if they can show the wetlands on my property because that's
664 where the vernal pool is and it's really close to my property.

665
666 Mr. LaCortiglia - They are showing the wetlands.

667
668 Mr. Kevin Duncan - Not the vernal pool. Does the Conservation Commission already have it on
669 record?

670
671 Mr. Snyder - If they don't have it on record it will become part of their record though their
672 investigation for the ANRAD presuming it is within 200 feet of the property.

673
674 {Mr. Snyder reading of an email from Ms. Patrakis (24 Marlboro Road)} This will be part of the
675 public record for this project.

676
677 Mr. LaCortiglia - Do we want to do a site walk?

678
679 Mr. Rich - Yes.

680
681 Mr. LaCortiglia - We will need time to get Mr. Graham's comments back. Hearing will be
682 continued to July 10th. Do we want to do a site walk the weekend before that? Ms. Mann did
683 you ever resolve the question in regards to a waiver for a site walk?
684
685 Ms. Mann - No, I have not talked to the owners yet. I did not think we would be doing a site
686 walk at this time. We don't have the real layout yet so you would just be walking vacant land.
687 In order to come back here by the 10th, have a site walk and get Mr. Graham's comments and to
688 effectively respond – it will never happen by the July 10th meeting.
689
690 Ms. Evangelista - This is the wettest June we've had in a long time.
691
692 Ms. Mann - The walk will be with the Conservation Commission so you will have to do it again
693 on the definitive. You are welcome to go with the Conservation Commission but you would
694 have to do it again as things are going to change.
695
696 Mr. LaCortiglia - Maybe we will do it then or wait for the definitive.
697
698 Ms. Evangelista - I think Mr. Graham will say he can't make a decision on a lot of the stuff.
699
700 Mr. Rich - There are eight pages with a lot of stuff. If it's not enough we can say we want more.
701
702 Mr. Snyder - As I understand it, the board is requesting the technical engineer to do a peer
703 review of the preliminary plan. He will not be determining wetlands or drainage. That will come
704 with the definitive and inform the board of any deficiencies. Lot sizes, waivers, etc...
705
706 Mr. Rich - The intricacies of this subdivision is not something we will get back in a week.
707
708 Mr. LaCortiglia - How about a July 24th date for continuation?
709
710 Mr. Howard - **Motion** to continue the hearing to the July 24th.
711 Mr. Watts - **Second**.
712 **Motion Carries: 5-0; Unam.**
713
714 {Discussion held in regards to the date in the extension of time form.}
715
716 **2. Special Permit: East Main Street Recreation Facilities – Continued Public Hearing.**
717 Mr. LaCortiglia - Did you submit the plans to Mr. Graham? Mr. Snyder, has Mr. Graham
718 reviewed the plan?
719
720 Mr. Snyder - He has received the plans at the end of last week and he has not reviewed them
721 as of yet or provided his comments.
722
723 Mr. Mammolette - Is it possible to take 20 minutes to flip through the comment letter and the
724 drawings to show you clearly that we have made the changes?
725
726 Mr. LaCortiglia - I take your word for it that you made the changes. Mr. Graham is looking
727 at those changes now and will get back to us.

728
729 Mr. Snyder - You will need to provide an extension of time.
730
731 Mr. Mammolette - I will get you that form.
732
733 Mr. Snyder - Mr. Graham received the plans last Monday. I would expect another two weeks
734 for his review.
735
736 Mr. LaCortiglia - So we are looking at the July 10th meeting?
737
738 Ms. Evangelista - Why weren't they sent out earlier than that? I am hearing a lot of
739 comments from residents in town regarding how long this is taking and that the Planning
740 board is holding up the project.
741
742 Mr. LaCortiglia - Have you gone to the ZBA yet.
743
744 Mr. Mammolette - No I have not.
745
746 Mr. Rich - I received the same comments that the Planning Board is holding up Park and
747 Rec. My response to the people is to please go educate yourself.
748
749 Mr. Mammolette - The funding for construction of this project is not fully in place and just
750 now it has been accepted to use funds for synthetic turf on the football field at the high
751 school which is the same funding source for this project. By the time the funding shows up
752 for this project the permits will probably be expired. People should understand that the town
753 should be behind the project to vote for the construction of the project or their not.
754
755 Mr. Rich - What was said is that the Planning Board has been accused of slowing the process
756 and dragging you down.
757
758 Ms. Wade - We just got off to a slow start and now we just need Mr. Grahams' opinion to get
759 back as soon as possible. Then we will go on to the ZBA and the Conservation Commission.
760
761 Mr. LaCortiglia - I would highly suggest that you run a parallel track and file with the ZBA.
762
763 Mr. Snyder - As I understand it the ZBA review could probably be done in a night.
764
765 Mr. Mammolette - I was not aware that the ZBA had to approve a permit before you could
766 close this hearing.
767
768 Mr. LaCortiglia - No, it is for you to get a permit to build.
769
770 Mr. Mammolette - Once we get this permit then we will go before parallel between the ZBA
771 and the Conservation Commission at the same time.
772

773 Mr. Snyder - My suggestion is to go before the ZBA now and complete one review.
774
775 Ms. Wade - Just so we understand, we can get your special permit prior to going to the ZBA?
776 Can someone tell Mr. Graham the importance of getting the review and getting back to us?
777
778 Mr. Snyder - Mr. Graham knows the importance.
779
780 Mr. Mammolette - Of the comments there was only one engineering criteria that was spelled
781 out.
782
783 Ms. Evangelista - I have witnessed many Planning Board meetings and have never heard our
784 consultant say that if you don't do the corrections, then don't send it to me. And that's what
785 Mr. Graham said, and to me that indicates that the important correction was not done and if
786 you don't do it he is not going to review it. I have had so many complaints that the Planning
787 Board is holding it up. That's got to stop - most is coming from Park and Rec and I would
788 appreciate it if you straightened that out – we're not holding it up.
789
790 Ms. Wade - It has been a very long process but we are almost there.
791
792 Mr. Howard - **Motion** to continue to the July 10th meeting.
793 Mr. Watts - **Second.**
794 **Motion Carries: 5-0; Unam.**
795
796 Ms. Wade - Will Mr. Graham be coming to the next meeting?
797
798 Mr. Snyder - I would say that the process most likely will be that he will review the drawings
799 and issue a letter to the board and when the board receives it they will either ask me to
800 request him to come to the next meeting or that it's not necessary.
801
802 Mr. Mammolette - Requesting that we have an extension of time.
803
804 Mr. Rich - **Motion** to accept the Form H for an extension of time.
805 Mr. Watts - **Second.**
806 **Motion Carries: 5-0; Unam.**
807
808 Mr. Watts - **Motion** to adjourn.
809 Ms. Evangelista - **Second.**
810 **Motion Carries: 5-0; Unam.**
811
812 **Meeting adjourned at 9:15 PM.**