

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
44
45
46

MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, August 14, 2013
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Mr. Harry LaCortiglia; Mr. Christopher Rich; Ms. Tillie Evangelista; Mr. Tim Howard (arrives at 7:30 PM); Mr. Bob Watts; Mr. Howard Snyder, Town Planner.

Meeting Opens at 7:15 PM.

Approval of Minutes:

1. Minutes of July 24, 2013.

Mr. Watts - **Motion** to postpone the approval of the July 24, 2013 minutes to the next meeting.

Ms. Evangelista - **Second.**

Motion Carries: 3-0-1

Mr. Rich abstains.

Correspondence:

1. Town of Georgetown: ZBA – Dunkin Donuts Plaza at 64 – 74 East Main Street.

Mr. Snyder - {Reads the Zoning Board Notice}. They will be cleaning up past decisions and special permits with the Zoning Board of Appeals and then come to us. The hearing is on September 3rd. The applicant wants to clean up the site and get it all conforming. He also wants to add some parking so he can lease out more of interior space.

Mr. LaCortiglia - He will come for Site Plan Approval correct?

Mr. Snyder - Yes. They have different applications that they need to clear.

Mr. LaCortiglia - So once they go through the ZBA, they will come to the Planning board.

2. Town of Newbury: ZBA – Finding for relief.

3. Town of Rowley: Planning Board – Special Permit for illumination of sign.

4. Town of Rowley: Planning Board – Affirmative Vote on Special Permit.

Mr. Snyder - These are for informational purposes. The sites are all far from Georgetown.

5. Georgetown Resident: Letter from Alan P. Aulson regarding Lisa Lane development.

Mr. Snyder - This is a letter sent to the Chairman of the Planning Board regarding his opinion of the Lisa Lane development.

Mr. LaCortiglia - Because it is a letter that concerns an open hearing we will hold off and read that as soon as we re-open that hearing on September 28th.

Mr. Snyder - The letter was also sent to the applicant's legal counsel. {Shows on the screen the applicant's property and the Aulson property.}

47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93

Ms. Evangelista - He is questioning the process.

Mr. Rich - I think what Mr. Aulson is stating is that he is land locked. In the commonwealth of MA you cannot legally land lock anyone. They have to be able to get to and from their land.

Mr. LaCortiglia - To everyone on the board, could I point out that right now you are really close to deliberating.

Mr. Rich - Please let me finish my statement. These needs to be put on the list of items to be discussed at the next hearing and it should be read then.

Ms. Evangelista - My question is: Do our subdivision regulations today address the issue that he is referring to?

Mr. Snyder - I will have the answer to that at the next meeting.

6. Attorney Martin Arsenault: Harmony Lane - Street Acceptance request.

Mr. Snyder - This is a letter regarding his client, Mr. Gatchell. They would like us to initiate a review of Harmony Lane for acceptance at Town Meeting.

Mr. Rich - On his application does he state that he expected this to be an accepted street by the town?

Mr. Snyder - I can look into it.

7. H.L. Graham Associates, Inc. – Lisa Lane OSRD Review Report.

Mr. Snyder - We were sent a preliminary plan review report.

Mr. LaCortiglia - Good so we will be able to review that before the hearing on August 28th.

Mr. Snyder - This report should also have a response form the applicant's engineer so they both can be addressed at that time.

Vouchers:

1. MVPC: Annual Assessment – FY2014.

2. MVPC: Digital Aerial Photography for pictometry – Encumbered FY2013.

3. Eagle Tribune: Legal Ad for Solar and Wind Energy Zoning Amendments.

Mr. Rich - Can the Town Planner enlighten us on the two huge invoices from the MVPC?

Mr. Snyder - MVPC assesses each municipality annually. The first is for this fiscal year and goes towards items such as planning reports and traffic impact analysis that are done on an annual basis. It also goes towards the technical hours we get and to the meetings as well. The annual assessment has usually gone to the treasurer but at the last town meeting it was a line item changed to the Planning Board's budget. So we are carrying it and have the money for it.

94 {Mr. Howard arrives at 7:30 PM.}
95
96 Mr. Rich - So it was taken out of one area of the town budget and put in ours?
97
98 Mr. LaCortiglia - Exactly.
99
100 Mr. Snyder - The other charge is for digital pictometry and MIMAP. This will be encumbered to
101 last year's budget. The legal ad voucher is for the Solar and Wind legal ad.
102
103 Mr. LaCortiglia - We still have yet to see the one for medical marijuana.
104
105 Mr. Snyder - That has been advertised as well.
106
107 Mr. Rich - **Motion** to approve and pay vouchers.
108 Ms. Evangelista - **Second.**
109 **Motion Carries: 5-0; Unam.**
110
111 **Public Hearing:**
112 **1. Site Plan Review: 124 Tenney Street – Continued.**
113 **2. Special Permit: 124 Tenney Street – First Hearing.**
114 Mr. LaCortiglia - This is a re-opening of the Site Plan Review. We will join this and the
115 Special Permit for 124 Tenney Street together.
116
117 {Mr. Snyder reads the legal notice.}
118
119 Mr. LaCortiglia - So we have opened the Site Plan and have properly advertised the Special
120 Permit as well and can move on.
121
122 Mr. Rich - **Motion** to combine the two hearings together.
123 Mr. Howard - **Second.**
124 **Motion Carries: 5-0; Unam.**
125
126 Ms. Evangelista - Did we get an application to look at?
127
128 Mr. Snyder - That was distributed previously.
129
130 Mr. LaCortiglia - Let's have the applicant give a little description of what you would like to
131 do.
132
133 Mr. Ford - I own this property. This is an application for two buildings on one lot. I would
134 like to have a separate office warehouse complex for myself out front. This would help also
135 as there is some residential space in the area.
136
137 {Mr. Heyland (Engineer) shows the proposed buildings on the plans.}
138
139 Mr. Heyland - I believe that you received the comments from Mr. Graham. There are a
140 couple of items that we may want to go over.

141
142 Mr. Snyder - A copy of Mr. Grahams review and the applicant's engineer response letter are
143 in the board's packet. The response letter was received after the packet was issued and is
144 provided at tonight's meeting.
145
146 Mr. LaCortiglia - Usually what we do is if we don't have the review a week in advance then
147 we normally don't discuss it.
148
149 Mr. Heyland - May I bring up just a few points?
150
151 Mr. LaCortiglia - We are in a unique position here – this is a special permit. I am looking for
152 a consensus from the board. If four out of five of us are not in favor of two buildings on one
153 lot then we are just wasting our time and the applicant's time. So I am going to poll us all to
154 see if there are any objections to two buildings on one lot.
155
156 {No members had any objections to having two buildings on one lot.}
157
158 {Discussion held in regards to comments 3 and 5 on Mr. Grahams report.}
159
160 Mr. LaCortiglia - It looks to me that you've got some extensive planting going on here.
161
162 Mr. Ford - Yes, we did that on purpose.
163
164 Ms. Evangelista - What's it going to be made out of?
165
166 Mr. Ford - It's a steel building.
167
168 Ms. Evangelista - I'd like to go on the site to get a better idea.
169
170 Mr. LaCortiglia - Mr. Ford, how do you feel about board members going for a site walk
171 when they are able?
172
173 Mr. Ford - I am there about 60 percent of the time. I will give you my office phone number
174 and with a little notice I can go back there and meet you for the site walk Ms. Evangelista.
175
176 {Discussion held on comment number 7 from Mr. Grahams report.}
177
178 Mr. Snyder - The board will have more time to digest the report as it was just received today.
179 There will be plenty of time to get things resolved before the next meeting.
180
181 Ms. Evangelista - What about waste and things like that? Are you going to repair trucks?
182
183 Mr. Ford - We don't have a full time mechanic.
184
185 Mr. Rich - Are you going to store oil on the property? If so it needs to be in a concrete
186 contained area.

187
188 Mr. Ford - We know that we need a sloped floor with a drain and have it vented and so forth.
189
190 Mr. Snyder - Mr. Ford and I have talked about that you are in a water resource district so
191 some of that would come under the Zoning Board. However, from our conversations it
192 appears that your use would not come under the Zoning Board.
193
194 Mr. Howard - Does he have to go to the Zoning Board for an undersized lot?
195
196 Mr. Heyland - It is an existing nonconforming lot.
197
198 Mr. Howard - It is an existing residential lot.
199
200 Mr. LaCortiglia - Mr. Snyder would you please get a statement from the building inspector as
201 to whether it is, or is not a pre-existing non-conforming lot? Also mention to him the rock
202 crushing business (that the owner stated he did not need permits for) that Mr. Ford mentioned
203 please which is lot number 16-43.
204
205 Mr. Snyder - Yes, I will.
206
207 Mr. Ford - It is a stone crushing facility I believe.
208
209 Mr. LaCortiglia - Thank you for letting us know.
210
211 {Discussion held in regards to where the driveway is located for the proposed building.}
212
213 Mr. Rich - On Mr. Graham's issues on numbers 6 and 8, 9, 10, 11, 12, 13 and 15 – I would
214 be more concerned with those than the other stuff.
215
216 Mr. Ford - We will hit them all – he found a couple of good ones. I would be appreciative if
217 I could get on the agenda for the next meeting.
218
219 Mr. Snyder - The next meeting is full. By September Mr. Graham will have everything and
220 we will see if all has been resolved and is acceptable.
221
222 Mr. Ford - The front building will be nice.
223
224 Mr. Rich - I want to compliment you on that.
225
226 Mr. Snyder - Are you going to make any application for a sign?
227
228 Mr. Ford - I probably will.
229
230 Mr. Heyland - We will put it right on the drawing.
231
232 Mr. Rich - All your equipment will be inside?

233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278

Mr. Ford - All the littler stuff will be inside.

Mr. LaCortiglia - If you did have to bring back a big piece of equipment where would you park it?

{Mr. Ford shows on the plan the gravel area where equipment could be parked.}

Ms. Evangelista - Your business is basically environmental construction?

Mr. Ford - Civil and environmental. We are doing some solar sites now and a couple of sea walls.

Mr. Rich - **Motion** to continue to the September 11, 2013 meeting.

Mr. Howard - **Second.**

Motion Carries: 5-0; Unam.

3. Solar and Wind Energy Generation Bylaws – Continued.

Mr. LaCortiglia - This hearing is now re-opened.

Mr. Snyder - I have not had a chance since the last meeting to get together with the light department in order to start the revisions that were discussed at the last meeting. The effort was put into the medical marijuana bylaw. There is nothing to report at this time.

Mr. LaCortiglia - That being said this is a public hearing and there is no one in the audience for comments.

Mr. Rich - **Motion** to continue to the September 11, 2013 meeting.

Mr. Watts - **Second.**

Motion Carries: 5-0; Unam.

Old Business:

1. Hazen Court and Rodger's Way.

Mr. Snyder - I received form Town Counsel that is in your packet information regarding Hazen Court and Rodger's Way. In brief, in the letter it is the opinion that they be placed on the official town map.

Mr. Howard - As Hazen Court and Rodger's Way?

Mr. Snyder - Not due to those names being approved at Town Meeting. It can be placed back on as Hazen Court and Rodger's Way because it was on the last one that some people would consider a transcription error. That being said if you put it back on the map as Hazen Court and Rodger's Way there is no evidence of how they were named.

Mr. Rich - Won't some people run into some issues with their deeds?

279 Mr. Howard - Jim Rodger's would rather keep it as Jewett Street because of his letter head and
280 business cards.
281
282 Mr. Snyder - It can basically go back on the map in the manner suggested by the Planning Board
283 as Jewett Street. I made the suggestion to have the numbers of the houses on the street signs.
284
285 Mr. Howard - So would you make a street sign that actually said that?
286
287 Mr. Snyder - Yes. The other decision for the Planning board is how it is going to go on to the
288 official town map. It is still a public way.
289
290 Ms. Evangelista - Doesn't it have to be either private or public – are those the choices?
291
292 Mr. Rich - My recommendation is to have it put on the town map just as we put up the street
293 signs.
294
295 Mr. Snyder - Here are the categories: Public way accepted, public way unaccepted, private way
296 or public way proposed.
297
298 Mr. Howard - They want it accepted.
299
300 Mr. Rich - Wasn't it once an accepted street?
301
302 Ms. Evangelista - Jewett Street was I would think.
303
304 Mr. Rich - Was old Jewett Street a public way?
305
306 Mr. Snyder - It's been a public way. Plowed and all before the highway went in I am assuming it
307 was.
308
309 Mr. Howard - I think the residents on Hazen Court would prefer it to be a public way. I think
310 they are looking for some maintenance on the road.
311
312 Mr. Snyder - The other aspect is, I couldn't find any proof – when you change anything about the
313 alignment it needs to be approved by the county and the old right-of-way of Jewett Street
314 referred to as Hazen Court and Rodgers Way is still there. But the old Jewett Street used to run
315 straight and now it curves. I could not find any proof of anyone approving that paved re-
316 alignment.
317
318 Mr. Howard - The horse farm at the end should almost be a private road.
319
320 {Discussion held in regards to where the driveway begins and the road ends at the horse farm.}
321
322 Mr. Snyder - So the area on the official town map – all of this is right-of-way.
323
324 Mr. Howard - I wonder if the horse farms address is Hazen Court or if they use Jewett Street.
325
326 Mr. Snyder - Everyone from what I understand uses Jewett Street.
327

328 Ms. Evangelista - I thought I read that the attorney said you could put it back the way it was from
329 the first map that we did.
330
331 Mr. Snyder - As a transcription but if the Planning Board decides it better to put a designation
332 and a name more fitting then there's a chance that it doesn't need to go before the town meeting.
333
334 Ms. Evangelista - We would just vote it in.
335
336 Mr. LaCortiglia - How does this sound to everybody? Mr. Snyder, why don't you show us
337 graphically exactly what the map would look like with the modifications and then it sounds to
338 me that we approve it and then we make it the official town map at that point. So what is the
339 consensus of the board – do we want a private road or a public road?
340
341 {Consensus is a public road.}
342
343 Mr. Snyder - In his letter it said "Town meeting has never authorized the removal of Hazen
344 Court from the official map." And in his opinion the 2011 map should be corrected to re-insert
345 the way shown as Hazen Court. He continues stating that this action corrects an oversight and
346 does not require town meeting approval. Once corrected it can be recorded. {Reading of the
347 letter from town counsel continues.}
348
349 Mr. LaCortiglia - So we are all on the same page, both Hazen Court and Rodger's Way are
350 public?
351
352 Mr. Howard - I think he plows it anyway.
353
354 Mr. LaCortiglia - Do we have confirmation of that? Can we get confirmation?
355
356 Mr. Howard - Even if he doesn't, he should as it is a public way. It was never deemed to be
357 private.
358
359 Mr. LaCortiglia - We will restore the 1951 layout of what have been referring to as Hazen Court
360 and Rodgers Way and depict that on the town map. And we will designate them as public.
361
362 Ms. Evangelista - Before we do that I suggest we check with Peter Durkee to make sure he is on
363 board with this.
364
365 Mr. LaCortiglia - Presuming he has no problems then Mr. Snyder will move forward.
366
367 Mr. Howard - If it is a public way then he has to plow it.
368
369 Mr. Snyder - I think you have two issues. Everyone is agreeing it is s public way but designated
370 on the map needs the category.
371
372 Mr. Rich - I don't think you can take an accepted street and interrupt it and then have the street
373 loose that designation.
374
375 Mr. LaCortiglia - Mr. Snyder, show it on the map with the title and naming and then come to us
376 with comments from Mr. Durkee and we will bring it up at another meeting and we can vote at
377 that time.

378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426

Mr. Watts - Do we want to formally canvas the neighbors?

Mr. Howard - One of the neighbors said she would prefer it remain Jewett Street.

Member or Public Report:

1. Member Evangelista: July 25th email - E. Main St and drainage calculations requirements.

Ms. Evangelista - This is the 2008 update on storm drains.

Mr. LaCortiglia - Those are incorporated into our regulations.

Ms. Evangelista - Does anyone else want a copy? We do have it stated in our subdivision regulations.

Mr. Rich - Can this be put on the agenda for a public hearing on August 28th as I have some issues to bring up?

2. Any other concern of a Planning Board Member and/or member of the Public.

Mr. Howard - What is going on with Mr. Snyder's review?

Mr. LaCortiglia - I will re-send the form to everyone.

Planning Office:

1. Draft bylaw: Medical Marijuana.

Mr. Snyder - In your packet is the current draft bylaw as well as correspondence from the Attorney General's office regarding Medfield and their information on a treatment center. Also included in your packet is community update from Kopelman and Paige regarding regulation of medical marijuana uses and a copy of their draft model medical marijuana district bylaws. In the supplemental packet is some interesting additional research I found. Please read it and considerate it for the public hearing on August 28th.

Mr. LaCortiglia - At that public hearing are you going to have a draft bylaw packet for us Mr. Snyder?

Mr. Snyder - Yes I will.

Mr. LaCortiglia - I hope that anyone concerned with this topic shows up at the meeting.

Mr. Snyder - Copies are available at the Planning Office and online for this as well the Solar and Wind bylaws.

2. Zoning Map: Issues with zone district boundaries.

Mr. LaCortiglia - Mr. Snyder, we have an issue with the boundaries?

Mr. Snyder - I got something from MVPC. They received a state grant to update the tax assessor map in Georgetown as well as other municipalities. The areas circled in red are of some concern. The problem is that when the districts were originally drawn they were done more offset rather than being sensitive to actual property boundaries. {Shows the map on the

427 screen.} I am looking into how some of these were drafted but this will require some future
428 action by the board to recommend modifications. It is not an easy fix.
429
430 {Discussion held in regards to the map and the different areas shown.}
431
432 Mr. Snyder - We need to look into how the area was originally drawn.
433
434 Mr. LaCortiglia - Can you break that up a bit for more distinction so we can see the
435 difference?
436
437 Mr. Snyder - Yes.
438
439 Ms. Evangelista - How is he doing this?
440
441 Mr. Snyder - He is not redoing the zoning map. He is using state money to more accurately
442 depict the tax assessor lot lines. He is using assessor's data.
443
444 Ms. Evangelista - Wouldn't it be the assessors that have to correct any errors?
445
446 Mr. Snyder - We are responsible for zoning district delineation.
447
448 Ms. Evangelista - Until the assessors finish verifying this, I don't think we should do the next
449 step until that is done.
450
451 Mr. Snyder - I disagree. The exercise here is if changing the zone district delineation just to
452 the limit of the property and is not in determining where property lines are.
453
454 Mr. LaCortiglia - The problem is the way it was described and voted on years ago but there
455 are situations where half a lot is commercial and half is residential.
456
457 Mr. Snyder - The board previously addressed a similar issue on National Avenue.
458
459 Mr. Watts - Each of these could turn into a rats nest because of the abutters involved.
460
461 Ms. Evangelista - I think as a general rule it is that the most property in that district is the one
462 you followed.
463
464 Mr. Watts - This is a very sticky spot and it is all individual.
465
466 Mr. Howard - I don't think you can just change the zoning without the property owner's
467 knowledge. I think we should just leave it alone.
468
469 Mr. Howard - **Motion** to advise MVPC that the Planning Board does not wish to
470 participate in this initiative.
471 Mr. Rich - **Second.**
472
473 Ms. Evangelista - The state is going to dictate that we do this.
474
475 Mr. Rich - What right do we have of our own initiative to go in and tell somebody that your
476 lot has Residential A and Residential B zoning and we're going to change it?

477
478 Ms. Evangelista - We have to first make sure that we have everything that was voted at town
479 meeting correct. They did all the areas and then said that everything else is RB so the RB
480 areas probably have issues with it.
481
482 Mr. Howard - I say let the assessor's office deal with it. There are probably 400 properties
483 impacted by that.
484
485 Mr. Snyder - MVCP is asking us to weigh in on five areas.
486
487 Mr. Howard - How many properties are in those five areas?
488
489 Mr. LaCortiglia - Why don't we see at the next meeting the actual documentation that Mr.
490 Snyder has been sent.
491
492 Mr. Howard - The scope to solve this could be a multi-million dollar issue.
493
494 Mr. LaCortiglia - I would like to find out more about it.
495
496 Mr. Snyder - An example is that I go and look at the commercial area and tracing back to
497 how that district was drawn. If it is correctly drawn because the tax assessor information and
498 lot line delineation is accurate no changes are made. If it is not then I recommend to that
499 board that you change the zoning delineation.
500
501 Mr. Howard - So is the state going to pay for all your time to do that? What exactly is that
502 state paying for?
503
504 Mr. Snyder - MVPC is doing this initiative updating the accuracy of all the property line
505 delineation and being paid for by the state.
506
507 Mr. Rich - So the amount of time that you dedicate is on us.
508
509 Mr. Howard - You could spend 50 percent of your time for the next three years doing this.
510
511 Mr. Snyder - Me going out to look at these areas of concern would be on the Planning Board
512 time. The same as I spend time on the Open Space and Recreation plan. It is the
513 municipality zoning map this is how you get...
514
515 Mr. Rich - Who has the primary responsibility of the zoning map?
516
517 Mr. Snyder - The Planning Board.
518
519 Mr. Rich - The assessors don't have an accurate map? How do they assess property?
520
521 Mr. Snyder - The assessor's office has provided MVPC with all of their information.
522
523 Mr. Watts - I think the primary issue is where the zoning lines are not where the property
524 boundaries are. I don't think it is going to be an issue until somebody has a problem with it.
525
526 Mr. LaCortiglia - I wish there was some documentation from MVPC that accompanied this.

527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554

Mr. Rich - Do we know what those lots are – is there an overlay?

Mr. Snyder - I would need to find out.

Ms. Evangelista - Is there a time frame for this?

Mr. LaCortiglia - We need more documentation. At this point I would hope that the board would want to not shut the door on this – I would like to work with MVPC as much as possible and find out a little bit more about the initiative behind this.

Mr. Rich - I would ask my colleague to maybe withdraw the motion at this time pending more information.

Mr. Howard - **Withdraws the Motion.**

Mr. Howard - I think if we approve it, it should have limitations.

Mr. Rich - Lets find out exactly what they are looking for.

3. Mullins Forms for Planning Board Members regarding July 24th, 2013 meeting.

Mr. Snyder - I will need signatures for these forms and Mr. Howard you got a DVD as well.

Mr. Watts - **Motion** to adjourn.

Mr. Rich - **Second.**

Motion Carries: 5-0; Unam.

Meeting adjourned at 9:09 PM.