

**MEETING MINUTES  
GEORGETOWN PLANNING BOARD  
Wednesday, May 16, 2012  
Memorial Town Hall – 3rd Floor  
7:00 p.m.**

**Present:** Mr. LaCortiglia; Mr. Chris Rich; Ms. Matilda Evangelista; Mr. Bob Watts; Mr. Howard Snyder, Town Planner.

Mr. Tim Howard arrives at 7:05 pm.

**Absent:** None.

**Meeting Opens** at 7:02 pm.

**Approval of Minutes:**

1       **1. May 2, 2012.**

2  
3       Mr. Rich - **Motion** to approve the minutes with corrections.  
4       Ms. Evangelista - **Second.**

5  
6       [All edits were made by Mr. Snyder to hard copy of Draft.]

7  
8       [Review CD regarding whether to send the administrative assistant job description.  
9       Mr. LaCortiglia believes there was no 2<sup>nd</sup>.]

10  
11       Mr. Rich - **Motion** to approve the minutes with corrections.  
12       Ms. Evangelista - **Second.**  
13       **Motion Carries 4-0-1.** Mr. Watts – **Abstains.**

14  
15       **2. April 26, 2012.**

16  
17       Mr. Rich – **Motion** to approve minutes with corrections.  
18       Ms. Evangelista – **Second.**  
19       **Motion Carries 3-0-2.** Mr. Watts, Mr. ? – **Abstains.**

20  
21       **3. April 18th, 2012.**

22  
23       Mr. Howard - **Motion** to hold minutes until later in meeting.  
24       Ms. Evangelista - **Second.**  
25       **Motion Carries 4-0-1.** Mr. Watts – **Abstains.**

26  
27       Mr. LaCortiglia- By unanimous consent we will hold the public hearing for 161 West Main  
28       Street.

29 **New Business:**

30 **1. Public Hearing for Site Plan Approval regarding 161 West Main Street.**

31

32 Mr. LaCortiglia- Opens hearing with reading of public hearing notice.

33

34 Attorney Mitchell Kroner- I am Attorney Mitchell Kroner representing John and Megan  
35 Sousa. We also have with us parents and teachers of Pentucket Workshop that can address  
36 any questions about the preschool itself.

37

38 Attorney Kroner- Originally in 1964 the zoning board granted a permit, to permit the  
39 construction of a medical building for physicians in town. Mr. Sousa purchased the building  
40 assessed as a medical office building. Currently it is John Sousa's commercial kitchen design  
41 office and three employees, a much less intense use of the site.

42

43 Mr. Sousa- [Mr. Sousa brings out the site plan.] We're staying within the footprint. Pentucket  
44 will occupy the first floor and the expansion of my office is within the footprint as it is being  
45 located to the basement. We will have to put in an egress. There will be 2 separate  
46 businesses. There is handicap access on the first floor but not in the basement.

47

48 Mr. Snyder- Let me be clear, the Planning Board received a site plan and a survey. They did  
49 not receive the architectural plans.

50

51 Mr. LaCortiglia- What are we being asked to sign and approve?

52

53 Mr. Kroner- We are proposing the preschool, whose building on Library Street is currently  
54 being sold. The school wants to stay in Georgetown. John and Megan have children who  
55 have attended this school and they were approached by the school. I provided a letter, stating  
56 the building is exempt from zoning.

57

58 Mr. Rich- It exempts the school, not the office space.

59

60 Mr. Kroner - We maintain the office use as already been approved. We believe it is protected  
61 by the statute subject to reasonable regulations.

62

63 Mr. LaCortiglia- There seems to be confusion with respect to what you are asking us to  
64 approve.

65

66 Mr. Sousa- I provided a site plan not a floor plan.

67

68 Mr. LaCortiglia- Let the record show Mr. Sousa will provide the architectural plans.

69

70 Ms. Evangelista- We should have a better detailed plan. Did you follow this bylaw when you  
71 did this? This bylaw explains everything you need to provide.

72

73 Mr. LaCortiglia- If I understand correctly, you're going to be making changes to a ramp  
74 outside. This is not clarified on the plan you submitted to us. Can you please sketch on this  
75 plan to clarify? Could you also add a note on this "proposed ramp"? Do you see anything  
76 else Chris?  
77

78 John Sousa- There is no handicap access to the basement. The architect does not have  
79 jurisdiction.  
80

81 Mr. Rich- Is it open to the public? Do you not ever have a client? I'm not going to hold the  
82 school up for this; but you may not be able to have your office there.  
83

84 Mr. Sousa- The public does not access my office.  
85

86 Mr. Rich- How many steps to the basement?  
87

88 Mr. Sousa- 13.  
89

90 Mr. Rich- Do you understand the ramifications of not having a handicap accessible entrance  
91 to the basement?  
92

93 Mr. Kroner- Is that covered by this site plan approval? I'm not arguing with you, but would a  
94 handicap accessible entrance be covered by this particular site plan approval?  
95

96 Mr. Rich- Yes. This is not an unreasonable regulation.  
97

98 Mr. Sousa- We can go through the review process.  
99

100 Mr. LaCortiglia- Is there anything else?  
101

102 Mr. Howard- They are creating a new space, so the new office space must be brought up to  
103 code.  
104

105 Mr. LaCortiglia- Tillie you mentioned a letter?  
106

107 Ms. Evangelista- Answered that the attorney stated a permit was granted in 1964 by the  
108 ZBA, therefore the use is not pre-existing, non-conforming. The use has never been allowed  
109 in a residential district. Clearly, they gave a permit for medical offices. Today the bylaw has  
110 been amended. Medical offices are not allowed in the RA district. You should go before the  
111 Zoning Board regarding the office situations. Offices were always there, medical offices  
112 were not.  
113

114 Mr. Snyder- What if he can approve it was a preexisting? Non-conforming?  
115

116 Mr. Rich- If there is an issue with the office space; it would have to do with the building  
117 inspector. Not us.  
118  
119 Mr. Snyder- What happened when you approached the building inspector?  
120  
121 Mr. Sousa- The building inspector walked through to get a feel for what the space would  
122 need. We asked about zoning and in his opinion, at the time, the use was allowed. He didn't  
123 foresee any problems. John was fine with what we're looking to do here.  
124  
125 Ms. Evangelista- The letter I read from the building inspector in 2009 didn't address any of  
126 these things.  
127  
128 Mr. LaCortiglia- That is irrelevant, the approval you need is from Mr. Metvier and he has no  
129 issue. Have you seen an approval from him?  
130  
131 Mr. Sousa- Yes, we've seen an approval contingent upon site plan approval.  
132  
133 Mr. Snyder- So, where do we stand with the Board?  
134  
135 Mr. LaCortiglia- Tillie, you have some zoning issues that need to be addressed regarding  
136 parking. There are actually more parking spaces than what is required. Are there any  
137 dimensions you would like to see on the plan that isn't here?  
138  
139 Ms. Evangelista- Parking spaces 1-5 don't seem to be labeled.  
140  
141 Mr. Sousa- All the parking spaces are the same.  
142  
143 Ms. Evangelista- I'd like to know the hours for your employees in your business.  
144  
145 Mr. Sousa- One works from home; one comes in around 7; and I come in around 8:30.  
146  
147 Elaine Bonanno- For Pentucket, our hours of operation are staggered. We have two  
148 employees who come in at 8. The majority of our children leave at noon. We have about 10-  
149 20 children who stay until 3 pm. We don't have any more than 30 children/day.  
150  
151 Mr. Rich- Worst case scenario would be 30 cars picking up and dropping off at one time?  
152  
153 Ms. Evangelista- How many bathrooms? Have all these state requirements been met?  
154  
155 Ms. Bonanno- Yes, this all falls under the licensing. We are fully licensed by Dan Hoyt.  
156  
157 Bob Watts- A question about parking. Do you anticipate pick up or drop off on Trestle Way?  
158  
159 Mr. Sousa- No, only in the parking lot. There is sufficient parking.

160  
161 Mr. Snyder- What is the age group of the children? I want to clarify the action of the parents.  
162  
163 Ms. Bonanno- 2 years and 9 months to 5 years. Our parents will park their car and walk in to  
164 pick up their child. We do not release a child without the parent present.  
165  
166 Mr. Sousa- Roughly there will be ten parking spots open all the time.  
167  
168 Ms. Evangelista- The arrival would be 8:15 – 9:15. When is it over?  
169  
170 Ms. Bonanno- ½ of the children are picked up at noon. We also have an extended program  
171 where some children will be picked up between noon and 3 pm.  
172  
173 Mr. Rich- The construction for your new stairs? Was drainage addressed?  
174  
175 Mr. Sousa- Yes, we will have drainage in the drywall. It is shown on the architectural plans. I  
176 will mark it on the site plans.  
177  
178 Mr. Rich- I would like to move to close the hearing.  
179  
180 Ms. Bonanno- Mr. Rich is making it very clear the preschool can go there. This is sort of a  
181 partnership. Megan and John became our guardian angels. We hope to stay in this town.  
182 Although there are no oppositions to the school it can't happen if John can't keep his office  
183 there.  
184  
185 Mr. Rich- I'm not going to stand in the way of the school.  
186  
187 Mr. LaCortiglia- Are there any abutters to this?  
188  
189 Chris Barboza- I'm at 163 West Main. I'm probably the most direct abutter. I wanted to see  
190 the print of what it would look like regarding traffic. There is already tons of traffic there. I  
191 really don't think a few more cars will be a problem.  
192  
193 Mr. LaCortiglia- Mr. Barboza, please notice the screening that has been selected.  
194  
195 Mr. Sousa- I haven't had an opportunity to speak to the abutters directly.  
196  
197 Mr. Snyder- For the abutters and anyone else interested, part of the notice stated the  
198 application and plans are available for viewing in the Planning Office. This information is  
199 public.  
200  
201 Claire Spirito- I live at 5 Trestle Way. What about if they have a party and all 30 children are  
202 there? My driveway is the first driveway. Where are they all going to park? We also have fire  
203 engines, police cars and moving trucks that come out of Trestle Way almost daily.

204  
205 Ms. Sousa- As a parent that has been there 3 years now. The first day of school is staggered  
206 and there is no graduation.  
207  
208 Ms. Spirito- I have been to the library and I've seen people parking.  
209  
210 Ms. Bonanno: We can amend our plans, we want to be respectful.  
211  
212 Mr. LaCortiglia- You're required to have 14 parking spaces. They have 21 spaces. It seems  
213 as though they have more than adequate space as required by law.  
214  
215 Mr. Sousa- Before when they were at the library, they could have a party there. Now, at 161  
216 West Main, we wouldn't have a party there.  
217  
218 Bob Kincaid- I want to speak for both parties. My older son attended and my two younger  
219 sons will be attending. I'm also a personal friend of Megan and John. One can't happen  
220 without the other. I hope the concerns raised have been addressed. The alternative would be  
221 quite catastrophic. I hope you will vote in the affirmative.  
222  
223 Jeff Fabiano- As an alumni of the school and with a child who has attended in the past. I  
224 think this is a good fit. In a small town, this is the type of thing we would want to have  
225 happen. John and Megan have moved into town, has a business in town. This is the kind of  
226 behavior we want to encourage. I hope this works out for them.  
227  
228 Scott Frary- I am also an alumnus and as a new father I would like for my newborn twins to  
229 have the same experience I had. My brother and I both went there and I want the same  
230 opportunity for my kids.  
231  
232 Shamos Fogarty- My children are now older but they attended when they were younger.  
233 Obviously this isn't perfect but I think by the comments from the previous people this is a  
234 positive thing. I hope the Board will help this happen. I support the proposed use.  
235  
236 Mr. Rich- Do you anticipate being able to put in a handicapped accessible entrance to the  
237 basement level within the first year?  
238  
239 Mr. Sousa- Yes.  
240  
241 Mr. LaCortiglia- I'm reading an email received from the Georgetown  
242 Housing Authority. [Reads out loud] Noted as Exhibit 1.  
243  
244 Mr. LaCortiglia- At this point, there is nothing we can sign. What we've spoken about the  
245 changes and we can't vote on tonight, because it has not been put before us.  
246  
247 Mr. Rich- I respectfully disagree. I think we can vote subject to receiving the revised plan.

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  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289

Mr. Snyder- How soon can you get the plans revised? Can you get it to us in two weeks?

Ms. Evangelista- We've got to have a list.

Mr. Rich- My proposed motion is the board approve, subject to the changes and with regard to the handicap access be completed within one year. You will make any and all accommodations for a handicapped person and I would encourage John to take the 365 days to install.

Mr. LaCortiglia- It's got to be on the plan for me to decide on it. You still have to come back with a legible plan.

Mr. Rich - **Motion** to continue this hearing to our next meeting date, June 6<sup>th</sup>.

Mr. Howard - **Second**.

**Motion Carries:** 5-0; Unan.

Mr. LaCortiglia- We also need a signature block on the plans.

**Approval of Minutes: (Continued)**

**2. April 18, 2012.**

Mr. Rich - **Motion** to accept the minutes of April 18<sup>th</sup> with changes.

Mr. Howard - **Second**.

**Motion Carries:** 4-0-1; Mr. Watts **abstains**.

**Correspondence:**

**1. Letters:**

- a) Rowley Planning Board: Site plan and special permit, 120 Newburyport Tpke.
- b) Rowley Planning Board: Site Plan and special permit, 125 Patmos Road.
- c) Bank of America: Letter of Withdrawal regarding Site Plan application.

Mr. Rich - **Motion** to accept the letter from Bank of America requesting withdrawal without prejudice their site plan application.

Mr. Howard - **Second**.

**Motion Carries:** 4-0-1; Mr. Watts **abstains**.

**d) Dave Varga: 77 Thurlow Street**

Form J & K need to be filled out completely and it needs to be processed by other departments.

290 Mr. Jeff Horn- I have spoken with Conservation Commission and the Health  
291 Department. I was under the impression I had everything done. This is the first time  
292 I'm hearing about these forms. I'm closing on Tuesday.

293

294 Mr. Snyder- The letter dated May 7th states all the items. As far as Dave Varga is  
295 concerned, there are no outstanding issues with 77 Thurlow.

296

297 Mr. LaCortiglia- The only thing we can't do is sign the Form K.

298

299 Mr. Snyder- And it must be notarized and signed by members of the Planning Board.

300

301 Mr. Rich- We can vote to sign it once the information is proper. Members can come  
302 in and sign it and each person can call me, I've spoken to them, I can verify.

303

304 Mr. Rich - **Motion** to authorize the signing of the Form K for 77 A Thurlow Street.

305

Mr. Howard - **Second**.

306

**Motion Carries: 5-0; Unan.**

307

308 **2. Vouchers:**

309

a) Unsigned voucher from May 2<sup>nd</sup> meeting is signed.

310

311 **3. Legal Notices:**

312

a) May 16<sup>th</sup>: 161 West Main Street: Site Plan Application.

313

314 **Planning Office:**

315

**1. M-Account release: Nelson Woods (Dennison Court and Kinson Court)**

316

317 Mr. Snyder- In a previous Planning Board meeting earlier in the year, there was  
318 debate over the remaining items for a subdivision called Nelson Woods. As I  
319 recall, the last item was installation of a street sign. That street sign has been put  
320 up. The funds in the M-Account should be released.

321

322 Mr. Howard - **Motion** that the Nelson Woods M-Account be released.

323

Ms. Evangelista - **Second**.

324

**Motion Carries: 4-0-1; Mr. Watts abstains.**

325

326 Mr. LaCortiglia- I'd like to draw your attention to the letter from the Merrimack Valley  
327 Planning Commission. Harry reads letter dated May 1, 2012.

328

329 Mr. Howard - **Motion** to authorize signature on the Pictometry letter dated May 1<sup>st</sup>.

330

Ms. Evangelista - **Second**.

331

**Motion Carries: 5-0; Unan.**

332

333 Mr. Snyder- There is also a scope of services for MIMAP. Georgetown's license to use  
334 MIMAP is paid through end of fiscal year 2012. This bill for \$1,500.00 will pay for



335 MIMAP for fiscal year 2013. This can not be paid in fiscal year 2012 funds. So it can be  
336 signed but cannot be paid until July.  
337  
338 Mr. Rich - **Motion** for Mr. Chairman to sign and approve.  
339 Ms. Evangelista - **Second**.  
340 **Motion Carries: 5-0; Unan.**  
341  
342 Mr. Snyder- I want to make the Planning Board aware the Journal is all electronic.  
343 \$95.00/year for up to 10 people. It would allow each planning board member access to stay  
344 informed about planning issues in a timely manner. It doesn't have to be renewed. Take a  
345 look at it and see if it's something the Planning Board wishes to purchase.  
346  
347 Mr. Howard - **Motion** to send the Administrative Assistant job description to the Personnel  
348 Board.  
349 Ms. Evangelista - **Second**.  
350 **Motion Carries: 3-0-2. 2 Abstentions.**  
351  
352 Mr. Snyder- {To all Planning Board Members} Please review and make sure you have the  
353 most recent Zoning Bylaws and Subdivision Regulations. Unofficial Zoning bylaws are dated  
354 May 2<sup>nd</sup>, 2011 and the Subdivision Regulations are dated March 24, 2011.  
355  
356 Mr. Watts - **Motion** to adjourn.  
357 Mr. Howard - **Second**.  
358 **Motion Carries: 5-0; unan.**  
359  
360 **Meeting adjourned at 9:31 pm.**