

**MEETING MINUTES**  
**GEORGETOWN PLANNING BOARD**  
**Wednesday, April 18th, 2012**  
**Memorial Town Hall – 3rd Floor**  
**7:00 p.m.**

**Present:** Mr. Harry LaCortiglia; Mrs. Matilda Evangelista; Mr. Chris Rich; Mr. Howard Snyder, Town Planner; (Tim Howard arrives at 7:35pm)

**Absent:** None.

Meeting opens at 7:05 pm.

**Approval of Minutes:**

**1. April 4, 2012**

Mr. Rich- **Motion** to approve April 4, 2012 minutes with corrections as noted.  
Ms. Evangelista – **Second**.

Mr. Rich - One typo, last paragraph 1<sup>st</sup> page, Mr. Doonan's name is spelled Doonan.

Mr. LaCortiglia - All in favor of accepting April 4, 2012 minutes with corrections noted.  
**Motion carries:** 3-0; Unam.

Mr. Rich - **Motion** to authorize the payment of Stephanie Roy for minutes taken services.  
Ms. Evangelista - **Second**.  
**Motion carries:** 3-0; Unam.

**Correspondence:**

**1. Vouchers**

**a) Eagle Tribune Publishing**

Ms. Evangelista - **Motion** to pay the Eagle Tribune in the amount of \$1,103.69.  
Mr. Rich - **Second** with discussion.

Mr. Snyder- This is the same as we have seen before but it has been revised to reflect proper advertising for the administrative assistant position.

Mr. LaCortiglia – All in favor of approving the vouchers in the amount of \$1,103.69?  
**Motion carries** 3-0: Unam.

## 2. Legal Notices

### a) Town of Boxford Public Hearing – Planning Board action

Mr. Snyder- Notice from Town of Boxford regarding a public hearing on April 25, 2012 to consider changes to the Zoning Code by amending the Town Zoning Map.

### b) Town of Newbury – ZBA action

Mr. Snyder - Notice from Newbury Zoning Board of Appeals regarding a public hearing on Thursday, May 3rd. Applicant seeking relief to rebuild a single-family dwelling on Southern Boulevard on Plum Island.

## Old Business:

### 1. Administrative Assistant Screening Subcommittee

Mr. Rich- I am happy to report we have been diligently searching and have a meeting scheduled tomorrow and will report back to the Board.

Ms. Evangelista- Later is better for me – 10 am.

Mr. Rich- 2<sup>nd</sup> Floor.

Mr. LaCortiglia- Subcommittee meeting scheduled for April 19<sup>th</sup>, 10am on second floor.

## New Business:

### 1. Public Hearing – Site Plan Approval: Bank of America, cont'd on pg. 24

Mr. Rich- May I suggest with all these people in our audience, we take the Citizen's Petition first?

### 2. Public Hearing- Citizen's Petition: Proposed Amendment to §165-108,109.

Mr. LaCortiglia- Reads Public Hearing Notice for Citizen's Petition: Proposed amendment to §165-108,109. Without any further delay, being after seven pm on the date certain I am calling this meeting officially open. If anyone has any comments to make, please come forward. Is there someone here representing the petitioners?

Citizen - I am not on the petition.

Mr. LaCortiglia – Do we have a couple of signatories? If you are a signed petitioner, you are certainly welcome to speak.

Citizen- I am not on the petition. My name is David Smith.

Mr. LaCortiglia- I've been asked by my board members if you are in favor of these amendments or if you are not in favor?

Mr. Rich- No, that's not what we said.

Mr. LaCortiglia- We'll be able to keep it separate. Please state your name. David Smith, please clarify whether you are in favor or not.

Ms. Evangelista- The developer who instigated it should speak first and anyone supporting them to speak after.

Mr. LaCortiglia - It would seem as though my fellow Board members would like this to be a little more orderly. The proponents of this zoning amendment speak first. I don't see any reason why they shouldn't. I want to keep my fellow board members happy. We'll start with anyone who would like to speak in favor of this petition please raise your hand.

**a) Speaker 1**

Citizen- My name is Carl Gardner; I work with Jonathan Holt and Barbara Johnson. I just handed out a one page flyer. The green handout was given to abutters (Exhibit 1) on Monday to make sure they were aware of this because not everyone reads the legal notices. What we propose, and what was initiated by the Registry of Voters to submit it to the town was simply ... it's a simple revision to the independent Senior Housing that treats each proposal by allowing every door unit to have up to 2 bedrooms. There is currently a restriction that restricts only 1 bedroom allowed per unit and only 3 units per building and if you run down the handout here, I describe what the request is – the crux of the reason is for this, is simply to meet the needs of our residents. Not assisted living, from 55 age up, the convenience of the 2<sup>nd</sup> bedroom is desired and wanted for convenience as their own use as a den or office or as a separate room in the bldg. or when their own children come to visit. I think it's a reasonable request. The concern about the density is legitimate; there are still a lot of restrictions of what we can be built on these sites. Any proposal if, it's greater than a single family unit it requires a permit. You essentially get your concerns addressed, regardless of the number of bedrooms. Unless you are single family developers. They don't have to comply.

Mr. LaCortiglia- We need to be clear on what was handed in. We have a 3 page document marked Exhibit 1 and a Q & A marked as Exhibit 2.

Mr. Rich- This must be explained in specific detail. This one page Q & A will be Exhibit 1 and it is entitled *Proposed Amendments to Independent Senior Housing Overlay Zoning By-law Citizen's petition Article*.

Mr. LaCortiglia- We're dating it as April 18<sup>th</sup> and it's unsigned. There has only been one entered. We'll wait for the second one to be entered when Mr. Smith comes up to speak.

Ms. Evangelista- I would like for him to repeat about the bedrooms.

Mr. Gardner- The fact that there is a specific tier of permit required. She came to the site, nothing to do with this particular amendment. We were coming to walk the property. We feel as it would enhance the value of these independent senior housing units. My questions here are responsive to this regardless of the site involved. The issue I'm responding to is Q3 – Ms. Evangelista was the source of this recollection. She thought they should reduce because of the concern of the density of the land and water resource overlay district. If you're not a single family home or up to 3 units per building, you need to get a special permit that addresses those concerns. Drain run-off quality and to control, sub-surface sewage disposal. Typically involves a fast system, which typically takes a leaching facility, septic tank and a manicured sewage plant. They have stirring of the waste and where the concern is you don't want to introduce affluent that's not treated as possible into the groundwater regime. The soil is very sandy and draining...

Mr. LaCortiglia – We are drifting from the topic of the petition. We're talking soil.

Mr. Gardner- The water source district covers, in the best of my understanding, the RA District and they would be subject to a 2<sup>nd</sup> tier.

Ms. Evangelista- All I got for a note was regardless of the number of bedroom. Can you complete that thought?

Mr. Gardner- If you have single family development you can do that with a single septic system, but currently in the RA district, you need up to 40,000 sq. ft. to treat 4 bedrooms.

Mr. LaCortiglia – Are you referring to the Board of Health?

Mr. Gardner- No, it is a zoning requirement. Independent senior housing, because it's more than one single dwelling, multiple divisions, to address the concern of the Water District.

Mr. LaCortiglia- Please note for the record Mr. Tim Howard arrives at 7:35 pm.

Mr. Rich- Mr. Gardner you mentioned about single family residences, just so everybody knows, under independent senior housing the density doubles. If there are single family lots under the ISH, as it presently reads, you can build 8 dwelling units.

Mr. Gardner- I would like the board to measure the density of bedrooms within a dwelling unit. If you have 4 bedrooms and you're only allowing 8 because you're in the RA District, tough luck you only get eight. What is better, four McMansions or eight units in the RA District?

Mr. Rich- What you represented earlier was accurate but I don't think it was all of it. Under ISH you can double the number of units that would normally be allowed in a single family unit.

Mr. LaCortiglia- Tim, Chris, do you have a follow up on that?

Mr. Rich- No.

Mr. Howard- No.

Mr. LaCortiglia- In your opinion what would the removal of the 2 phrases do to the density in the RA district?

Mr. Gardner- If you remove by bedrooms, it would double it.

Mr. LaCortiglia – On one hand we're already doubling in the RA district with ISH development. If this citizen's position is passed we would be doubling again, so we would be quadrupling.

Mr. Gardner- Depends on how you would measure density.

Mr. LaCortiglia- Any other questions from the Board?

b) **Speaker 2**

Attorney Mitchell Croner – I have been working with the property owners who were on the site. It's simply a request for a zoning amendment. It doesn't have to do with a particular site. It has to do with an entire development. It's a special permit; frankly we were going to have a meeting with all the abutters, but it turns out we needed to file. It could have been 8, 1 bedroom units or 4, 8 bedroom units. The Board in their discretion could change that. If you can keep that in mind, hopefully that simplifies this.

Mr. Rich- Attorney Croner, with this proposed amendment how do you figure it goes from 1 bedroom to 8 bedrooms?

Attorney Croner- It's a hypothetical example.

Mr. LaCortiglia- That is one possible example.

Attorney Croner- Just an example, I'm just trying to explain, the Board still has the say, has the power to determine.

Mr. LaCortiglia- Understood. Is that clear to everyone?

Mr. Gardner- One final point, with a town like Georgetown, I'm from Ipswich, it's an evolving process; you wish it would stop and you could live with it a few years. I feel this is a credible request in response to what we hope to do in the second question. If the town, after passing this 12 years ago, no longer feels senior housing should be in the RA District. I think the consensus would be a two bedroom unit in a town-house style design is what people need. We're just trying to make it user friendly and treat all ISH development equally. We happen to think, the most desirable location for senior housing is as close to the center of town as you can get.

Mr. LaCortiglia- Thank you very much. Is there anyone else would like to speak in favor of this petition?

c) **Speaker 3**

Rita Langlis - I signed the petition as a person of 55 years old or older – how can you get help if you're in a one room unit. To me you should have the second bedroom. It's hard to go from a four room home to a one room unit. People in this town, we think a lot of our children but not much of our seniors. Thank you.

Mr. LaCortiglia- Would anyone else like to speak in favor? It doesn't seem as anyone else does.

d) **Speaker 4**

Mr. Rich- *Information Regarding the Reuse of 76-78 North Street* will be marked as Exhibit 2 marked April 18, 2012.

Mr. Smith- This was passed out by people who were planning on this. The petition is seeking to double the occupancy of the development. I guess I have a question for you to answer. Is the Board in favor or not?

Mr. Rich- It may be decided by the end of this meeting. We come into all public hearings without our minds made up. We're here to listen to the petitioners and anyone who wants to come in. We're very interested in hearing from anybody with open minds.

Mr. Smith- With development in the RA district, I can't speak for everyone, people in the RA district specifically, doubling the number of occupants in a development hurts the watershed, hurts the traffic, one of the possible lots is right near some of our schools, near our foot traffic. There are no busses in that area. I've heard a rumor of twelve units, two bedrooms each, could be three. I'm also over 55 so I can appreciate that, but now you're talking three cars, parking, and foot traffic, in the RA zone. The RA zone in its entirety will be covered by this. 10% of this town is in the RA Zone. I didn't see the population...

Mr. LaCortiglia- I did a very quick look, there are over 110 parcels in the RA zone, as far as occupancy ... I don't know the particulars of it.

Mr. Smith- Assumptions would be stupid on my part. If it's more than 10% of the district, we're affecting one hell of a lot of the town, just from this petition.

Mr. LaCortiglia- I would say it is greater of that 10%; one of the distinctions is the size of the lots in that district. You have greater density to start with already. Unrestricting the RA district on the ISH. I wasn't a part of writing the ISH but I can see why who wrote it posed specific restrictions to the amount of bedrooms.

Mr. Smith- It was stated many times what a simple change this is. Simplicity isn't this.

Mr. LaCortiglia- Simplicity it is – but the ramifications are not.

Mr. Smith- Back to two times the ISH, isn't it two times the units not two times the dwelling?

Mr. LaCortiglia – Just by way of explanation if I had a lot to subdivide to get 3 regular single family dwellings, If I go for ISH – I can go for 6 units.

Mr. Smith- You can't get 8 buildings in a set of 4 units.

Mr. LaCortiglia – this is basically a condo build. Sorry I call them like I see them.

Mr. Smith- Since I'm not going to talk about individual projects, I am done.

Mr. LaCortiglia – Does the Board have any further questions?

Ms. Evangelista- Where do you live?

Mr. Smith- I'm a resident in the RA Zone in the watershed zone.

Mr. Rich- If you were to make your comments in the RA Zone, if any parcel in the RA were to be of enough acreage, any house in the RA district fortunate enough with an acre or two behind them and wants to create a driveway and have 3 lots back here, anywhere in the RA, they would then be entitled to put in ISH units.

Mr. Smith- With those considerations, is the planning board able to knock that number down?

Mr. Rich- The planning board was before the board of selectman, if you are out and have the time to attend a town meeting. May 2<sup>nd</sup> the planning board is having a meeting over a general – maybe a re-vamping of the present ISH zoning by-law. What it would give is the planning board discretion. The current does not have any discretion, it either is or isn't. The planning board will have a meeting on the 2<sup>nd</sup> of May and cleans up the inconsistencies and gives the planning board the discretion of the minimum and maximum discretion. And that would be a subjective test; the planning board would have to be convinced that's best for that particular parcel. This planning board listens very close to abutters.

Mr. Smith- If any of the abutters ever comes up close to my house. If I have some project that puts in 12 units, I've always had a dry basement; I have a well that never comes up. These are all concerns of mine. Are we going to have wet basements everywhere?

Mr. LaCortiglia- It is taken into consideration these historic issues will be considered. We're at the edge on this topic. Any further questions?

Ms. Evangelista- In our bylaws page 65 §75, it tells you special permits in site plane A.

Mr. LaCortiglia- Not ISH bylaw itself but it is a special permit.

Ms. Evangelista- Reads Special Permit conditions §165-78; A, B 1-5, and C. That was added in 1981. There is a great deal of protection.

Attorney Croner- I was referring to that page 65 §165-134.

Ms. Evangelista- Thank you.

Mr. LaCortiglia – We will consider that as read.

Ms. Evangelista- Reads out loud SPGA approval or disapproval.

Mr. Smith- Okay.

Mr. LaCortiglia – If I understand, the planning board can impose stricter limits but it cannot provide relief from.

Mr. Rich- I believe we have a town council opinion. The planning board does not have the authority to waive the 1 bedroom.

Mr. LaCortiglia- that was the town council opinion.

Mr. Gardner – I was the one who read that.

Mr. Rich- You are 100% on point.

Ms. Evangelista- I would suggest we send them the other bylaw that I was reading. I would send that back to him and ask him that.

Mr. Howard- He says we can't increase.

Mr. Rich- we can't allow more units, we can make it less but not more.

Ms. Evangelista- Even what I just read, it doesn't imply we can add unless what we add is more restrictive.

Mr. LaCortiglia- Mr. Smith thank you very much. Are there any questions from the audience for Mr. Smith? Is there anyone not in favor of the citizen's petition that would like to speak?

e) **Speaker 5**

Rick Brooks – I live on 10 Boardman St. I'm just a little confused; I'm really not sure how many people or how many units we can have in the RA district?



Mr. LaCortiglia- We have to be clear, we're having a hearing that is talking about removing the one bedroom restriction in the entire RA District.

Mr. Brooks- We are all on the same page. It's the entire RA district. With this – the reason we are here, is because of a particular parcel that initiated this.

Mr. Rich- I think what you are trying to say – in your neighborhood, if this change were to go through... you might want to phrase it as “if this were to go through, it would affect my neighborhood how?”

Mr. Brooks- If all this talk about is what initiated this. In this particular parcel in the RA Zone, how many units could be in that? 12?

Mr. LaCortiglia- I can't answer that. We have not received anything but an informal proposal. Not a definitive subdivision plan.

Mr. Brooks- this is already in the laws.

Mr. Snyder- Your wondering how many units could possibly be built on a development, the planning board can not determine. An ISH is allowed two double dwelling units.

Rick Brooks- there was a number 12 and 24.

Mr. LaCortiglia- the maximum in the RA District is 12.

Mr. Rich- You still have to have the number of square footage of land to build 6 single family homes but the maximum.... If you had 20 acres, in the RA District is set to 12.

Mr. LaCortiglia- 25 is the number in any of the districts. The planning board may approve that and the planning board can consider a greater number than that.

Mr. Brooks- If you knew the square footage?

Mr. LaCortiglia- No, we're looking for yield, how many lots can fit on a parcel so they all have appropriate frontage?

Ms. Evangelista- If you follow the bylaw 165 §113 – It says not more than 35 %.

Mr. LaCortiglia – and not any of that has to do with yield. Yield is the 1<sup>st</sup> number then after yield – how many units can legally go on the lot. Then you have to do the math and there are some constraints there.

Mr. Brooks- In these units it's 5,000 sq. ft. per unit. Each unit would have three so it's 15,000 sq. ft you can have.

Mr. Howard- Yield is determined by both acreage and frontage.

Mr. Brooks- On the yield does this 15,000 sq. ft. include parking spaces?

Ms. Evangelista- That is part of the 35%.

Mr. LaCortiglia – Think footprint. Anything I pave, that’s my lot coverage and I can only go 35% of my total parcel.

Mr. Rich - Parking is a part. That brings up another question, how wide does the road have to be?

Mr. LaCortiglia – This is a regular subdivision, you need a 50 ft. roadway.

Mr. Brooks- We really can’t make heads or tails of this until we see a plan.

Mr. LaCortiglia – We’re not being evasive, we need to see a plan.

Mr. Brooks- if this particular thing goes through this is going to affect the entire RA district.

f) **Speaker 6**

LilaBeth Weese: I am LilaBeth Weese and I live in the RA district.

Mr. LaCortiglia – Let the record show LilaBeth Weese, asked the assessor’s office for the printout of the entire RA District. The RA is 892 acres, with 94 streets and 930 parcels.

Mr. Brooks- There is also part of that to eliminate the zoning board?

Mr. LaCortiglia- No

Mr. Snyder- Zoning Board has the ability if it goes beyond two bedrooms. The planning board’s proposed article changes the granting authority from the zoning board to the Planning Board. Do I have that correct?

Mr. LaCortiglia – Well it doesn’t change it. Currently under the by law if a person wanted greater than one bedroom, they first have to come to the Planning Board, and then if I’m totally clear, they would have to ask for a variance to take the 1 bedroom restriction out. It’s kind of a double jeopardy thing.

Ms. Weese - Whether this petition passes or fails any applicant who seeks to apply for senior housing in the RA district. If that applicant wants to put in a one BR/sq.ft of land. – Technically you could say if you have 80,000 sq. ft. of land. A developer wouldn’t be subject because they fall below the 10,000 sq. ft. No developer in their right mind would seek a variance from 2 bedroom units, because there is no hardship. There is no legal ground. Age 55 and older that

have a one bedroom unit dwelling or a two bedroom unit; would a planner double the occupancy of those units?

g) **Speaker 7**

Cindy Fornier - I live on Two Summer Street. I live across the street from this piece of property.

Mr. LaCortiglia – Let the record show that Cindy is a resident of the RA District.

Ms. Fornier – What we are talking about is we could double, triple, and quadruple?

Mr. LaCortiglia – The only restriction is the owner of the unit must be over 55. The exception is the building manger can be under 55. The building inspector has no authority

Ms. Evangelista- A building complex like this they would have it.

Mr. Howard – I disagree with this statement. Any occupants that occupy that building for more than two months have to be over the age of 55.

Ms. Evangelista- The whole issue was because the environmentally sensitive RA. The requirements are based on how many bedrooms you have.

CR – There is a huge black water backwash.

Mr. LaCortiglia – They have very sandy soil.

Ms. Evangelista- I applaud all the neighbors for coming out to speak. We don't make the decision. We can recommend to be presented at the town meeting and make sure you remember to vote.

LilaBeth Weese- I live in the RA zone. So, I think that if I understand right the 1 BR restriction was put in place to limit the population in the water resource area and the sandy soil is more sensitive and having to increasing the septic, increasing impervious services, - allowing a 2<sup>nd</sup> BR, more road paved, you have to increase septic systems, more pollution in our water reduce drainage services also. I remember three years ago, when we had the really high waters, one inch over to North St. If you pave North Street it is going to flood, everyone's basement is going to flood. I think the 1 bedroom restriction should be restricted. If senior citizen's, I'm a senior citizen – we shouldn't be in an environmentally sensitive area.

Mr. Howard- Not all of the RA district is environmentally sensitive.

LilaBeth Weese- I would say over 2/3 of it is in the area.

Mr. Rich- gives the planning board the discretion, the authority to give it a subjective test. If somebody with a parcel on let's say North of the center of town, which is totally opposite, it is

now unique and to that parcel. My colleague Tim has a very valid point. There are some parcels where it's going to be more conducive. That gives the planning board the discretion, it's a good thing for her but a different parcel may not be a good thing. Nothing gets through a town meeting unless you vote for it.

Mr. LaCortiglia – If I could address what you were saying. The soils are not uniform. The characteristics and the variations and being able to tell them apart will all be taken into consideration. The whole RA isn't all this or all that, it is particular to parcel and what is under it.

LilaBeth Weese- The whole RA zone is open to have two bedrooms.

Mr. LaCortiglia – Correct, it takes all the limits off.

LilaBeth Weese- How would it be done parcel by parcel?

Mr. LaCortiglia – That's not the subject of tonight, that hearing is May 2<sup>nd</sup>

Mr. Howard- It's an alternative option; we give a lot of consideration before we consider those.

**h) Speaker 8**

Andrea DiGiovanni – I'm a resident in the RA District (27 Vaughn St.) I would like to add to the ecological concerns. We're faced with different climate issues; it's a great concern looking ahead.

**i) Speaker 9**

Jim Smith – 29 year resident of the RA Zone – (85 North St). In that 29 years as we've all heard is quite dense, we have taken great pride in trying to improve the area. There are places that have been allowed to see. There is very little time for us to get the word out to the people of Georgetown. This RA district is much larger than I anticipated. I'm not convinced we need to make a change to this district if other districts are available. You just mentioned the black water issues, I can see raised septic issues – I don't believe any of you here were a part of the changes that were made in 2000. These things were done for a reason, and I think we need to be very careful before we go making changes to that. It's been decided as a simple provision, but it will change an area of this town and we should be very careful as to whether we make a change. I couldn't let this meeting go without saying something. We're going to need a lot of people to show up at the town meeting. We only have a few weeks and a couple of meetings and I'm hoping, I think it's for this entire district that this petition should not be passed.

Mr. LaCortiglia – For clarification – you believe this petition should not carry. Thank you

**j) Speaker 10**

Terry Brooks – 10 Boardman St, Georgetown, MA. I live in the RA Zone; I'm also a teacher in this town. I agree with a lot of things said, I'm keeping this simple. I am not for this. I think the RA Zone was designed to keep the lot sizes small. My reasons to be against it, we are heavily

dense, a lot of traffic, it's a walking zone for children to walk to Perley and - the school is in the RA district, and I have concerns this petition with our children. There would be a lot of greater than 55's driving on our roads and I am concerned about our kids. The water drainage I am concerned about. The RA zone was designed to protect the watershed district and its natural resources. This particular citizen's petition would not be a good thing for this particular area.

k) **Speaker 11**

Claudia Smith – I am at 85 North St in the RA zone and I feel I am not in favor of this petition at this time, I find it curious that this petition is signed by three people, two of which do not live in Georgetown.

Mr. Rich- I'll be clear, everyone who signed the petition are in fact, registered voters.

Mr. LaCortiglia- The petition was signed by a minimum of 10 who were certified as members of the town of Georgetown.

Ms. Smith - Town planning without large impact studies in all that would be affected would need to be done in order to make a much better informed decision on any change proposed before the town. A few people signing a petition without much research would never be a good plan. There hasn't been enough.

Mr. Smith- I believe all the schools are in the RA district. All of our children would be walkers.

Mr. Rich- every building that's sold in that – every time a lot sells it could apply to these rules.

l) **Speaker 12**

Sean McGee – I am at 121 North St. I just wanted to get on record I'm not in favor of doubling the housing. We have grandkids in that RA District that will be walking to Perley School some at Pembroke – there could be a safety issue. Elderly people driving is one of the concerns – another concern is the blackwater, septic issue in town and I also think that doubling the amount of bedrooms certainly will increase the density for an RA district which is mostly smaller lots. I am not in favor.

Mr. LaCortiglia-Thank you.

Mr. Snyder - I have a quick question. Just to clarify, your concern about the citizen's petition is not in the use but in the intensity of use

Citizen- I'm not opposed to senior housing – I'm opposed to the intensity of senior housing.

Mr. Rich- If the proposed change were to be enacted then that would give the planning board the discretion to increase it to 2 under certain circumstances.

Mr. Snyder- In the master plan there is consideration being closer to the downtown area to alleviate.

Mr. McGee- Here is a different issue I haven't heard come up. Is there a 20% affordable housing requirement and if you increase that 20%, would that allow you to increase the amount of units?

Mr. LaCortiglia – That would allow you to have greater than 25 if you had the ability to go greater than 25.

Mr. McGee- Is it limited to what the zoning is now? If you went over 25 – that's the only time you could increase units.

Ms. Evangelista- There's about 70 % you can do anything with.

Mr. Snyder- If you were able to build an ISH development that had 10 units. You could make 10 – you are required to build 2. Affordable housing a fixed medium income, I want to make clear this doesn't mean low, income housing.

Mr. Howard- I wanted to ask Howard a question for my clarification

Mr. LaCortiglia – Is there anyone else who would like to speak who has a point that no one else has brought up.

Mr. Rich- There is some areas in the RA district that could have a water problem, but not all of them are the same. If you look at the overlay, some of has the water district, some of it does not.

Ms. Evangelista- it's also 1,000 feet from any brook or stream to be considered a water district.

Mr. LaCortiglia – On Moulton St. across from Sal's, that big paved lot, they had at one time some pretty nasty chemicals that did migrate to Rock Pond. 1,000 ft is not a huge amount of distance.

**m) Speaker 13**

Margie Roberts – I live at 109 North St. I appear to be in a different position; we're new to the town, lived here less than 5 years. I am not in favor of this because I'm afraid what's going to happen, is I will be living in a district that I just moved out of. I know what it's like to have crowding, that's why we bought in Georgetown. Now we're going to potentially trying to do, I think adding senior housing is great, but it's not my desire or any of my neighbors or my husband's desire, to crowd our neighborhood. I might as well be back in Everett. I mean no disrespect.

Ms. Weese- I have a question if we bring the 20% of affordable housing, so a developer could conceivable do 100%? Does the town automatically subsidize the affordable housing?

Mr. Howard- No the developer subsidizes because they are limited to what a develop may sell

Mr. LaCortiglia- Anything over 20% could help a development for an ISH for instance, if a developer wants to get 2 additional units than it's allowed.

Mr. Rich- I don't want you to be mislead, in some areas of affordable housing I'm a big supporter and in other areas of affordable housing they have a long way to go. If it's a 600,000 unit and it's affordable at \$200,000 it is being taxed at \$200,000 therefore the town is taking a hit.

Mr. Holt- I would just like to consider the traffic, there is a lot of traffic, however, we're talking about senior housing, and they will be staying off the roads and won't come into the RA district. Seniors don't have to go to work; don't have to take children to school. Also if they are a couple, they will only have 1 small compact car. They don't have 2 or 3 cars with a home with 3 or 4 bedrooms. For the hit with the tax system. Seniors don't put any kids through school, but seniors pay the taxes. There are certain areas in the RA District and I've lived in 4 homes. One was on Moulton, Pillsbury, they never flooded. We never got water in the cellars. The most recent flood, we didn't get any water in the cellars. I understand the concern. There are some districts that don't have a black water problem and some that do. I think we are over-thinking the 2 bedrooms. There will still just be 1 kitchen, 1 bath and much quieter. As for the children – most seniors are very respectful of young children. Sometimes, they are more respectful to the very ones who care for them. Boxford did a survey for seniors, what would you like the most? 2 BR close to a downtown, they can walk and they are very respectful of you and your children. They stay home until you have cleared out. Plus we have 2 ambulances, which are very close. I could say more but I don't want to bore people.

n) **Speaker 14**

Fritz Ritt - 11 Boardman Street. I just want to comment to that I think it's not we're not, or I'm not against senior housing anywhere. I think it's a good plan – the reasons why we're here is to discuss the petition in the RA Zone. Unfortunately the center of Georgetown is an RA Zone. If it wasn't an RA Zone it wouldn't be a problem. The problem is not what senior citizens might cause or not cause in Georgetown, it's a problem in the entire RA Zone. Unfortunately if you want to put senior housing in the RA Zone, is the problem. If you go somewhere outside the RA Zone there wouldn't be a problem. I am against the Petition.

Mr. Rich- Mr. Holt, The town of Georgetown, there is no limit on the number of bathrooms you can put in a house. It goes by the number of bedrooms. You can have 6 bathrooms in a 1 BR unit. I am on the Board of Health; I know what I'm talking about. Practical is I can't see 2 bedrooms and 1 bedroom, I think you're going to have a traffic jam.

Mr. LaCortiglia- Point taken. We're talking specifically about the RA Zone.

Mr. Smith – I'm 59 and I'm not going to drive a scooter, I still drive to Boston – it's for 55 and over not 85 and over. But it's for 55 and over not 65, 75, and 85. I'm driving into Boston every

day to work – they aren't going to walk somewhere at 55, everybody is going to have a car and there is going to be a traffic jam.

**o) Speaker 15**

Paul Spadafore – Parsonage St, my property is on the corner of Parsonage. My wife and I live in the epicenter and everyone is talking about the water permeation. I think it was 2010 when we had that very heavy rain. You could have had a kayak and that water came within one in. of my house. I'm also a senior citizen and my wife and I have 2 cars, if there was something in our zone that was heavily used little area, that we had a bigger population in my area. Every afternoon, parents pick up their kids, almost up to – someone had a desire to build a development. It really is quite – I'm anticipating my granddaughter walking to Perley School. It's a real, real concern. I have a question for the Board, if the citizen's had not given you this Petition would this board be working on this zoning change or this bylaw change?

Mr. LaCortiglia- I can tell you honestly, I can't see it as happening in the intensity and quickness that it happened. We have a new planner – we don't have an assistant planner anymore. I can't say the planning board would have ever come up with this planning.

Ms. Evangelista- When we see an application coming. Since I've been on the Board, 5 years, if we had a plan coming in, we would have seen some things we could have planned on. So, with that to make it a special permit, you can go through it yourself and get the kinks out.

Mr. Spadafore - I've been in front of you as a builder – at the end of the day because of those restrictions because of those they are not to prevent people from doing what they want to do it's to protect the property. I hope people would look in this particular cause it's just better left alone. I don't think it needs change – if my wife aside a small injury, she would raise her hand here beside me, we're not in favor.

**p) Speaker 16**

Don Roberts - 109 North St –There are 2 issues; the change in the bylaw for a change in the bedrooms, the other which is far more important to me and my wife. We are vehemently opposed to your petition. We do not want to change, as my wife said we escaped from the city to get away from this. As you on the Board I hope you have listened this evening and you understand from what you've heard what the people have said. The people don't want this, this has been a small sample, but I think there is more coming.

Mr. LaCortiglia- I need to cut it off here unless someone has something they need to add. The planning board only makes a recommendation to the town meeting voters, if you let us.

Mr. Howard- In the zoning in the RA District – If you build a single family house is there a limit to the number of bedrooms you may build?

Mr. LaCortiglia- the only limitation to the number of bedrooms would be the size of the lot



Mr. Howard- is your limitation to bedrooms?

Mr. LaCortiglia- How much of a septic system, from PB perspective.

Mr. Howard- Let's say they put three single family houses. Is there any other limitation aside from septic for bedroom count?

Mr. LaCortiglia- I don't think there is. It's all a factor of the septic system. The question: is the planning board able to limit for any single dwelling. The answer is no. And on a hypothetical 2 acre lot if you can put up a 5,000 sq. ft house you could put 10 bedrooms if you want.

Ms. Evangelista- All developments 20%- we just made that a by-law.

Mr. Rich- Just so you know there is no going into our own chambers; everything is said right in front of you.

Mr. LaCortiglia- We are going to close the public comment.

Mr. Rich- **Motion** to close the public hearing to public comment.

Mr. Howard- **Second.**

**Motion carries:** 4-0. Unan. Public hearing is closed.

Mr. LaCortiglia- Is there any member of the Board who would like to make a motion on a vote?

Mr. Rich- **Motion** that the Planning Board, for discussion purposes, the Planning Board inform the town meeting that they are in favor of the citizen's petition.

Mr. Howard - **Second.**

Mr. Rich- As one member of this Board I cannot support this board endorsing this any further before a town meeting. I firmly believe, that first of all 55 yr. old people, I'd like to say I'm not quite 55 – but I've seen it and gone past it. I drive, to classify that 55 years and older are riding around in a scooter – unless Honda makes it a Vespa – I don't see it in the 55 and older community. I think there are issues in groundwater. I think there's issues in drainage, I think to not have the Planning Board have discretionary input in requests like this at the outstand provide a special permit forum I think that would be a travesty. So although I made the motion so we can discuss it – I hope my colleagues will report 4 – 0 not to recommend this article.

Mr. Howard- From the standpoint of being an expense to the Town if senior housing isn't put in and single family dwellings are. Senior housing does not add children to schools.

Mr. LaCortiglia – Stick to the petition – you're making a leap.

Ms. Evangelista- I agree with the water issues. The ISH based on our other bylaw – but because we closed the hearing, no more information comes forward. I was wondering if you were contemplating discussing your proposals. Nothing else can come forward.

Mr. LaCortiglia – Are you in favor of this?

Ms. Evangelista- It's difficult. I'm a senior as well, it's a nice thing to have in the RB or RC district. Just not in the RA district. I walked the site with the Planner and it does look like a nice piece of property. I heard two rules of thumb – it's totally flat.

Mr. LaCortiglia – So what do you think of this citizen's petition?

Ms. Evangelista- Honestly, this citizen's petition should have never happened. I think the gentleman should have come in told us what he wanted.

Mr. LaCortiglia – What would you recommend to town voters?

Ms. Evangelista- Not to support it

Mr. Howard- Were it not for our petition I would be more inclined to support that – whereas, we're providing an alternative of our own that makes more sense to me, and still gives them possibilities, I don't support it either.

Mr. Rich- I think one of our charges is to listen to those who could be affected by this change. I think we've seen all but one of the people. All but 3 total were in favor and the rest of the 40 or so (30 or 40) who have spoken were against it.

Mr. LaCortiglia – All being residents of the RA District.

Mr. Rich- that would tell me people don't want that. I'm here for what's best for Georgetown. I'm here to represent them and that is a huge factor. I'd like to move the question.

Mr. LaCortiglia – I didn't get a chance to state my feelings. This will affect the entire RA. And although people think it affects one or two parcels, it's cliché – but it goes too far.

Mr. Rich- **Motion** that the Planning Board inform the town meeting that they are in favor of the citizen's petition.

Mr. Howard - **Second**.

**Motion Fails:** 0-4, Unam. The Planning Board voted unanimously to recommend to the Town meeting not to approve to recommend the petition.

3. **Public Hearing- FEMA FIRMS: Proposed amendment to §165-108, 109.**

Mr. LaCortiglia- Reads Public Hearing Notice dated March 29<sup>th</sup>. Mr. Snyder please explain because there is no proponent for this FEMA delineation.

Mr. Snyder- It has come to the attention of the Planning Office and the Planning Board that as of the end of June this year FEMA will be requiring the latest flood insurance rate maps to be used for home owners in flood prone areas in order for them to secure flood insurance. By adopting the proposed amendment, the Planning Board is allowing these maps to become bylaws. This is required by FEMA in order for homeowners to be considered in the flood insurance program. Without adoption, those homeowners' can not secure flood insurance. The difference from previous maps is two-fold; FIRMs are no longer analog, they are digital. The second is descriptions of flood areas are consistent across Essex County. I note that if there has been any revisions from subdivisions of land and it was designated that they were no longer in the flood district areas that this information was given to FEMA.

Mr. LaCortiglia- Bottom line of this, if we as the Town of Georgetown do not adapt these changes as they are written, FEMA will no longer write flood insurance policies for the citizens of Georgetown?

Mr. Snyder – Without adoption of this amendment into Georgetown bylaws, residents will not be able to acquire or renew flood insurance.

Mr. Rich- **Motion** to close the public hearing to public comment.

Ms. Evangelista- **Second.**

**Motion Carries; 4 – 0, Unam.**

Mr. Rich – **Motion** to recommend to Town Meeting the adoption of bylaw changes as written in the amendment.

Mr. Howard – **Second.**

**Motion Carries; 4 – 0. Unam.**

#### 4. **Public Hearing- Site Plan Approval: Bank of America**

Mr. LaCortiglia – Reads Public Hearing Notice regarding Bank of America request for site plan approval.

Mil Eduardo Abella and William T. Foley with CBRE announce themselves and as representatives of the application.

Mr. LaCortiglia – Hi Gentlemen. Thank you for being so patient. Can we please see what you're presenting?

Mr. Abella- Presents proposal outlining site plan changes to the Bank of America property.

Mr. LaCortiglia – I looked in the catch basin and presumed I'd be able to see what direction the water was heading in. The water level was about 8 in from the grate. It isn't even obvious from the plan because you don't show it. Heading off in a N x NE direction, the ground sort of slopes down, sheet washes back to the area where you're calling it.

Ms. Evangelista- That bank has always been a problem. The drive-in window you're on a slope, your sight distance is diminished. It's always been a problem, I don't like it.

Mr. LaCortiglia – So you think there is a traffic problem

Mr. Abella- What are you saying the proposed flow?

Ms. Evangelista- I'm surprised there aren't a lot of accidents.

Mr. Arbella – Discusses the existing plan and differences with the new plan and points out a new compliant ATM vestibule.

Mr. LaCortiglia – May I make a suggestion, you mention sight distance Ms. Evangelista that is a traffic concern, and I would accept a motion at this time to Have Larry Graham review

Mr. Rich - **Motion** to have Larry Graham to review the site plan.

Mr. Howard - **Second.**

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

Ms. Evangelista- There was discussion about the step at the ZBA meeting, will you fix that?

Mr. Abella- That was going to be part of construction once it was started.

Mr. LaCortiglia- Look to see who owned those steps. It's going to be very important.

Ms. Evangelista- It needs to be figured out who owns those steps and they should be responsible for fixing it.

Mr. Abella- That was all minor compared to everything else we were dealing with.

Mr. LaCortiglia- The width of the driveway is 25 feet and we have yet to figure out where the discharge is for the catch basin.

Mr. Rich - Do you know who the record owner is (Bank of America out of North Carolina). If you talk to your client, would you ask them for the book and page? I just like to make sure people who are doing things with the property have the right to do them.

Mr. LaCortiglia – Chris any other concerns?

Mr. Rich- I'm curious for Larry's input.

Ms. Evangelista- So we're putting an addition on the building.

Mr. Abella- Currently there is one. We are removing it and putting a new one in.

Mr. LaCortiglia- Tillie's concern is how close you turn, currently there isn't any curve and he's proposing an all new curve, to keep people away from the building.

Mr. Abella- Currently the cars come this way and it's very tight we're adding parking spaces, landscaping and a wider turn for the cars around the building.

Mr. Rich- Looking at the pictures, currently there is a walk-up ATM and an existing six space parking lot. We're expanding out and taking the same amount of parking spaces from the right to the back.

Mr. LaCortiglia – Before we get lost, it was mentioned that a review account be established. For an “M-account” – there is the usual minimum of \$4,000.00 but that is under a subdivision regulation. There is no minimum, to my knowledge, what does the Board feel appropriate?

Mr. Howard- What do you need money for?

Mr. LaCortiglia- Site plan review, drainage calculations, I'm thinking \$2,500.00

Ms. Evangelista- Why don't we leave it like a subdivision?

Mr. LaCortiglia: By **unanimous consent** the Planning Board agrees that the “M-Account” should be set at \$4,000.00

Mr. Snyder- Notes to the applicant the M-Account needs to be opened by the same people who will receive the money when it is closed.

Mr. LaCortiglia – I have a quick question, I don't have the document with me, and it says there was no new proposed lighting.

Mr. Abella- That is an incorrect that statement, there is now proposed lighting.

Mr. LaCortiglia – So the narrative sent with the proposal has an inaccuracy, an error.

Mr. Rich- There is a manhole in the existing handicap space. How do you read the ADA on an eight foot wide space being ADA compliant?

Mr. Abella- They should both be 9 feet and the center should be 8 ft.

Mr. LaCortiglia – It is a unique, sloped lot. Given it is 10:30 at night, should we continue the hearing?

Mr. Rich- the existing manhole in the handicapped area – I'd like to know where it goes.

Mr. Snyder- Mr. Chairman if I can make a couple of comments, just to facilitate the review, get all the comments addressed before it's presented to Larry. Designate the stairs as part of being part of any construction plan. Have a detail of the actual picture; I know you had issued some SK's on 8x11s. Before the zoning board hearing he handed in sketch plans – make sure they are on the plan as well. All the Board has received the plans with the applications. I have a question, with this being my first site review with this Planning Board – does the board require the plans be filed with the registry of the Deeds.

Mr. Abella- Would I be able to get an email of all requests?

Mr. Rich – **Motion** to continue the public hearing to June 6, 2012.

Ms. Evangelista- **Second.**

**Motion carries; 4-0; Unam.**

Ms. Evangelista- Are there green cards to confirm the certified list of abutters were notified?

Mr. LaCortiglia- You got an abutter list, notifying people of this, you have to send them by certified mail and show the green cards to the Planning Board. Now, project must be republished. Make life easy and withdraw right now.

Ms. Evangelista- NO, I wouldn't

Mr. LaCortiglia – If any one of those abutters wants to appeal, they have good cause.

Mr. Abella- I'm confused one of the abutters showed up at the last hearing.

Mr. Rich- The mere fact that the abutters did not get the notice could open up immediate appeal. If you were to withdraw, we start the process all over again. You do not have to go to the ZBA.

Mr. LaCortiglia – It would be much cleaner, I'm not making any decisions on this; you already know what questions you're going to be asked.

Mr. Abella- Re-file with the planning board?

Mr. LaCortiglia - the other option is we can continue, you provide the green cards. Let the record show the applicant states there was no abutter notification for this hearing. Is that A TRUE statement sir? Let the record show that we understand there was no abutter notification.

Mr. LaCortiglia – we have no reason to close the hearing – we’ve duly continued the hearing, if you wish, you can re-notice to the June 6<sup>th</sup> date.

Mr. Snyder- If he was to notice and come back for June 6<sup>th</sup> - he needs to withdraw.

Mr. Foley- We apologize for missing a few things.

Mr. Howard- **Motion** to Adjourn.

Mr. Rich – **Second.**

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

**Meeting adjourned** at 10:50 pm.